

Mention of dowries

The dowry (mahr) is the dowry, and its plural is dowries (mahr). I have mentioned its meaning and derivation in the past, that it is from the skill in the craft, which is the proficiency in it, and that is because marriage is a craft of the legitimate crafts, so whoever marries and stipulates the dowry has done the skillful one because he is safe from defect in his marriage.

And his saying, "Qass: God Almighty said, 'And give the women their dowries as a free gift' (verse)," his saying, "women" is the plural of woman, and there are two interpretations of it: one of them is that this command is general, so its meaning is that he says: O men, give the women their dowries when you marry them, and the second is that it is specific, so its meaning is that he says: O married men, give your wives their dowries when you marry them, so what is meant by women in the first interpretation is the gender of women, and in the second interpretation it is the husbands.

Their alms, all alms, with the letter "Sad" pronounced with a fatha, which is the dowry, and its derivation is from three roots:

One of them is that it is charity, which is giving, so the husband gives it as charity to his wife, that is, he bestows it upon her, so the dowry is a favor from him, even if it is a debt upon him, so its obligation is a debt and giving it is a favor because there is nothing in it that is time-bound, rather its obligation is a duty and giving it is charity.

Secondly, it is from friendship and affection. So if he stipulates for her what they agreed upon of the dowry and he gives it to her, each of them deserves the affection of his companion, because if she receives her dowry, she is content and satisfied with it, and likewise if he gives it to her, he is safe from her disagreement with him, and his soul longs for her and loves her.

Thirdly, it is from the truthfulness, for if he gives her her dowry, he is being truthful in what God Almighty has commanded him to do in that regard, and he is being truthful in what he has promised her of it, for the dowry is her wage, so if he gives it to her, he is being truthful to her in what he has promised her.

His saying "nahla" with a kasra is the singular of "nahal" and it has three meanings: the obligatory debt, the gift, and the claim.

The first meaning is that he, may God bless him and grant him peace, says: Give them their dowries so that you may pay off a debt you owe them that you have obligated yourselves to pay.

The second is that he says: Give it to them as a gift from you, for it is a favor from you to them.

The third is that he says, "Give it to them so that they may prove their claim."

His saying, "Give," is an order from him, and it has two meanings: one of them is that it means to stipulate for them their dowries before marriage and before consummation, and this is what marriage is not permissible without, and the second is that it means to give them it or some of it, and this is what consummation is not permissible without.

And his saying, "Qass": On the authority of Ja`far bin Muhammad, peace be upon him, on the authority of his father, on the authority of his forefathers, that Ali, peace be upon him, said regarding the saying of God Almighty, "And give the women their dowries as a free gift," he, peace be upon him, said: Give them the dowry by which you have made their private parts lawful. So

whoever wrongs a woman by withholding her dowry has made her private parts lawful fornication. So the dowry is the mahr (dowry), and he made it lawful, he took it as lawful, and he made it lawful, that is, he used it without his right.

In this narration, the reason for giving dowries is mentioned, which is that it is a payment by which the private parts become permissible. Whoever does not give it has committed a sin in it because he has taken what is not due to him. Know that the one who wrongs the woman regarding her dowry is like the adulterer, both sinning in their actions. The difference between them is that the adulterer sins and is punished, while the one who wrongs the dowry sins but is not punished, but he is disciplined and made to pay the dowry to his wife. The meaning is that whoever wrongs the woman regarding her dowry bears the sin of adultery because he wronged her payment. Here is a subtle meaning, which is that the pleasure that is in her private parts that the man takes when he has intercourse with her is like money for her. So if she makes it available to him, it is as if she sold it to him for a certain price, which is her dowry. This is an indication from the knowledge of realities in the chapter on retribution, even if both of them obtain complete pleasure in intercourse.

And his saying, "Qass," and on his authority, he said, "The Messenger of God, peace and blessings be upon him, said: God Almighty forgives every sin except the sin of a man who steals a woman's dowry, or a worker who takes his wages, or a man who sells a free man."

Forgiveness is concealment, and his forgiveness is his covering.

The sin with a fatha is what is related to a person in terms of the bad consequences of the sins he committed. I heard the great preacher Yusuf Najm al-Din ibn the great preacher Abd al-Tayyib Zaki al-Din, may God exalt his sanctity, say: The sin with a fatha is for a person, and it is what is related to him in terms of the bad consequences of his actions and deeds. The sin with a tahrik is for an animal , and it is what is related to him from his limb that is connected to him from behind. The difference between them with a tahrik and a sukun indicates that it is cut off from him in the view of people, even though it is connected to him in reality. If he ascends to the level of kingship, his sin is removed from him and he is free from what blemishes him. If he

descends to the level of beasthood, his sin that is connected to him returns to him.

He usurped and seized; he took from another what he had no right to take from him.

His saying "or a man" is connected to his saying "the sin of a man," meaning "the sin of a man" or "the sin of a man."

A free person is one who has not been sold, and every child born to free parents who has not been sold is free, whether Muslim or polytheist. Whoever sells a free person has committed a sin that God will not forgive unless he is returned from slavery and brought back to safety. It is not permissible to sell anything other than slaves, and slavery has two conditions: polytheism and war. This statement of ours is what came in the Ramadan Epistle, which is one of the epistles of the eminent preacher, Abd Ali Saif al-Din, son of the eminent preacher, Abd al-Tayyib Zaki al-Din, may God exalt his sanctity. This is what he said:

Then, having intercourse with what one owns is permissible, as permitted by the clear Sharia. However, ownership is not valid unless it is with its specified conditions. This is because war occurs between Muslims and polytheists, and the Muslims have the upper hand and overpower them by force and take their women captive. Or both sides are polytheists, and war breaks out

between them in full force, and the conquerors own the conquered and sell them in the markets. This is a clear Sharia ruling, and every slave girl who is sold in this way, her ownership is permissible, and there is no sin on her owner if he has intercourse with her or has sexual relations with her. As for what is sold in years of drought or acquired in a way other than this, the ruling on having intercourse with her is the same as the ruling on a pure, sinful adulterer who does it, and if he persists, he will be punished by the fire. Rather, she is like a free woman, and it is not permissible for him to look at her, so how is it permissible for him to have intercourse with her, which is one of the major sins, except by a marriage contract with her. End of his statement.

It has been established that a sale is not permissible except with ownership, and ownership is not permissible except with two conditions: polytheism and war. So whoever sells someone in whom these two conditions are not valid has sold a free person, and has committed a sin that God will never forgive.

This narration and the one preceding it indicate the dowry, its obligation, and its necessity, and it contains three rulings:

One of them is the prohibition of forcibly taking a woman's dowry, the second is the

prohibition of forcibly taking a worker's wages, and the third is the prohibition of selling free people. If it includes these three rulings, it must be included in three chapters of mention: mentioning dowries, mentioning wages, and mentioning prohibited sales. These three sins are among the consequences of human beings. Therefore, the Prophet (peace be upon him) said that God forgives every sin except these three, meaning He forgives all sins that are between God and His servant if he repents, except for these three, because He (peace be upon him) does not forgive them except by disavowing them to their owners. So understand this.

And his saying, "Qass": On the authority of Ali, peace be upon him, that he said: The Messenger of God, peace be upon him, did not marry any of his wives except for twelve ounces or half of silver, and on that basis he married me to Fatima, peace be upon her. An ounce is forty dirhams. Ja`far bin Muhammad, peace be upon him, said: The dirhams at that time weighed six carats. This is not a fixed amount for the dowry, but it is the dowry that the Messenger of God, peace be upon him, set for his wives, as if he liked equality among them in it. And God, peace be upon him, said: "And give the women their dowries willingly," without specifying a small or large amount. And He, Blessed be His Names, said: "And if you give one of them a great amount, do not take [back] any of it. Would you take it in injustice and manifest sin?"

Know that when he mentioned the obligation of the dowry in the previous section and finished with it, he began in this narration to explain how it should be and how much it should be, and whether it is fixed or not fixed, and he mentioned in it the Sunnah regarding the dowry as well, and that everything that the Messenger of God, peace be upon him, said or did is a Sunnah, and this

narration is his action, so it became a Sunnah in his nation, for he married on that basis and married all his daughters on the same basis, as he, peace be upon him, said, "And on that basis, marry me to Fatima, peace be upon her." And as it came in the summary of the narrations: The Messenger of God, peace be upon him, did not marry any of his wives nor did he marry any 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 for a woven garment and a mattress made of sheepskin, and this is the dowry of the Sunnah, and there is no fixed amount in dowries. End of his statement.

The dowry of the year is what is stated in the book of Da'a'im, which is twelve and a half ounces. As for what is added to it in terms of weaving and bedding, it is an addition to the year and there is nothing wrong with that, as it is not a fixed amount that cannot be increased or decreased, but rather it is what people have agreed upon.

His statement, "of silver," means that these twelve and a half ounces are of silver, not gold.

His statement, "And the ounce is forty dirhams," means that one ounce is worth forty dirhams. The ounce, with a damma on the hamza, is one of the ounces, and it is forty dirhams in the

weights of the Arabs and eight rupees in the weights of India. So twelve and a half ounces are one hundred rupees in the Indian reckoning.

His saying "on that day" means on that day, if it was the time of the Prophet.

The weight of six carats has been mentioned in the copies as six mithqals, and carats may be understood by them to mean mithqal.

His statement, "I love equality between them in it," meaning in the dowry, "so that he does not harm any of them, because he is compelled to be just, and God has also commanded it, so he does not wrong anyone, neither near nor far, nor does he ever harm anyone."

His saying, "a qintar filled with musk of a bull, gold or silver, and it is said to be ninety thousand dinars,"

His statement is a clear slander and sin, meaning that you take it by establishing a false accusation against it and committing a clear sin in that. It is known from this narration that the dowry is commanded and its obligation is required, and as for its amount, it is not fixed, rather it is sufficient for the dowry any little or much, such as what was contracted for a man with a ring, and such as what Imam Al-Hasan bin Ali, peace be upon him, sent of one hundred slave girls with one thousand dirhams for each of them,

and such as a qintar, and such as teaching a surah of the Qur'an. All of this indicates that the dowry is not fixed. As for what the ancients from the virtuous of this good call, may God have mercy on them, stipulated, that they made the dowry in the lands of India forty rupees, then that is what they and all the people agreed upon, and it is also from facilitating and simplifying the dowry, not that they set a time limit for it and prohibited increasing it or decreasing it, rather it is from their agreement and facilitation in it.

On the authority of Ja`far bin Muhammad, peace be upon him, that he was asked about the dowry and he said: It is what people agree upon, but there must be a known dowry, whether little or much, and there is nothing wrong with it being an offer.

His statement, "He was asked about the dowry," means he was asked about three things and answered with three. He was asked about the amount of the dowry, and he answered that it is whatever people agree upon, meaning there is no fixed amount. He was also asked about its manner, and he answered that it must be a known dowry, meaning he was asked how

agreement is reached on it, and he answered that they agree on a dowry known to each of the spouses and to everyone else. He was also asked about its nature, and he answered that it is permissible for it to be in kind, meaning he was asked what is permissible to give as dowry, and he answered that it is permissible to give gold or silver, and it is permissible for the dowry to be in kind. "Kind" (with a short "u" sound) is the plural of "good" (with a long "a" sound), which is anything that has value, such as minerals, plants, animals, humans, and elements.

And mutual agreement is one of the reciprocal actions in which both actors are equal.

His statement "people" has two interpretations: one is that he meant by "people" the spouses, their families, and those present from among the relatives, and the second is that he meant by "people" the group gathered on a known dowry, such as what the virtuous people of our call and its people agreed upon.

His statement, however, is a clarification regarding the agreement to nullify the dowry obligation, if people agree to that, so he clarified that it is not permissible to nullify its obligation, rather it is obligatory.

His statement is known to have three aspects: First, he knows that the husband has

obligated himself to pay the dowry even if he did not name it. Second, he knows that he is obligated to pay a known amount of gold and silver even if he did not specify it or know its value. Third, he knows that he has stipulated for her a known amount of dirhams, dinars, or goods, and he has specified and known it. All three of these aspects are correct and strengthen each other, so be aware of them.

His saying "little" or "much" are two opposing verbs, and "little" and "much" may be known by comparison, otherwise neither of them has a limit to which it ends. As for the littleness or greatness of the dowry, it is known only by comparing the dowries of some women to others, such as the dowries of the king and the subjects, and such as the dowries of the rich and the poor.

His statement "there is no harm" indicates that giving dirhams and dinars as dowry is better than goods. If goods are given due to the lack of the actual item or for other reasons, then there is no harm in that. It is known from here that the dowry is not agreed upon by all groups, in all groups, and in all countries. Rather, it differs among the people of all countries, and it differs among each of them according to what they agree upon.

And he said, "On the authority of Ali, peace be upon him, that he said: A man came to the Messenger of God, peace be upon him, and said: O Messenger of God, I want to marry this woman. He said: How much dowry should I give her? He said: I have nothing. So he looked at a ring in his hand and said, peace be upon him: Is this ring yours? He said: Yes. So he married her on it."

His statement indicates that this narration is from what Ali, peace be upon him, witnessed of the actions of the Messenger of God, peace and blessings be upon him, and he brought it here to indicate the permissibility of giving goods in the dowry and also to indicate the permissibility of its smallness.

His statement, "I wanted," is an indication of the obligation of the preacher to deliver a sermon at the marriage ceremony, and also an indication of the obligation to seek permission from the person in charge.

His statement, "I wanted," means that he wanted her to marry him because she was pleased with him and he was pleased with her.

His statement about this woman indicates that she had come with him to the Messenger of God, peace be upon him. His statement about

how much she should be given as a dowry is a question about determining the amount of the dowry. The word "asdaq" means "to give as a dowry," i.e., how much dowry should she be given?

His statement, "I have nothing," means "I have nothing from the eye."

His statement, "So he looked," means he thought about his situation when he denied having anything, so he looked at him to see if he had any merchandise, and his gaze fell upon his ring.

His statement, "This ring is yours," is a question about his ownership of it, and his statement, "that is, about giving it to him as part of the dowry,"

His statement, "So marry her on it," means marry her on this ring if she is satisfied with it, for the obligation of the dowry does not apply except with her consent. His order to him to marry her on it is an order of guidance and direction.

This narration contains seven issues: the permissibility of giving gifts as a dowry, the permissibility of its being small, the obligation of the marriage sermon, the obligation to seek permission from the person in charge, the permissibility of the order, the permissibility of a person being present before the governor for

marriage, the obligation of the dowry, and the obligation to teach jurisprudence.

And he said, "Qass: On the authority of Ali, peace be upon him, that he said: Among the blessings of a woman is the ease of her marriage and the ease of her womb."

Yemen, with the vowel "damma" (ضم), means blessing and ease, derived from "yasara" (يسر), "tafil" (تفيل), "yasara" (يسر), and it is from "al-yasar" (اليسر), and "al-nikah" (النكاح) here means the contract.

The womb is like the shoulder of the vessel of pregnancy, and it is said that when God, may He be glorified and exalted, made the formation of man in the womb, He created the bones of his body according to the number of the womb according to the abjad system: the letter Ra is two hundred, the letter Ha is eight, and the letter Mim is forty, and their sum is two hundred and forty-eight, as mentioned by the virtuous Imam, the Commander of the Faithful, the author of the letters, peace be upon him, in his letter in which he mentioned that man is a small world, so since he is its origin in the origin of his formation, He made the number of his bones similar because

the bones are also an origin in the existence of his creation, and this meaning is a subtle meaning that I have liked and have kept for a long time, so I saw that I should deposit it in the depths of the scrolls so that whoever has a heart or gives ear while he is a witness may benefit from it, so I did, and praise be to God.

Know that everything has a right that is desired for its sake, and likewise for a woman there is a right in many things, including these two: facilitation, meaning facilitating her dowry and making it easy so that marriage becomes easy and there is no problem, and facilitating her womb, meaning opening her womb with childbirth so that her offspring will be numerous and will not be closed due to her infertility and barrenness.

And when he made the dowry obligatory for women, he encouraged them to make it easy and ordered them to facilitate it so that they would not be strict and increase the expenses in marriage, thus reducing offspring and corrupting agriculture.

This narration, and the narrations before and after it, are all evidence that the dowry is not fixed, but it is permissible to reduce it, increase it, make it easy, and make it excessive. However, the virtue lies in making it easy, and whoever makes it

excessive, there is nothing wrong with that. It is known from this narration that if the excess in the dowry is from the side of the man, there is nothing wrong with it because it is a favor from him. But if it is from the side of the woman, then it is only bad luck and ill omen, because if he said that among the good fortune of a woman is the ease of her marriage and the ease of her womb, it is known that he meant that among the bad fortune of a woman is the excess of her marriage and the barrenness of her womb, because it is the cause of the scarcity of marriage and the cause of the corruption of offspring and crops.

In this narration, the Prophet (peace be upon him) desired that women be blessed by making their dowries easy, and he ordered men not to desire any of them except those who are blessed by making their dowries easy and by having many children, and not to desire those who are unlucky by being strict about their dowries and whose wombs are barren.

It has three meanings:

One of them is defining good fortune and bad fortune in women, the second is encouraging the facilitation of dowries, and the third is detailing the difference between a fertile woman and a barren one.

In this Yemen there are two aspects, one of them is that it was created by her, which is facilitating her dowry, and the second is that it is from where she was created, which is facilitating her womb. Likewise, her bad luck on this path is in two aspects, which were created by her and her creation, as we mentioned. One of them is from the goodness and badness of her nature, and the second is from the goodness and badness of her creation, but both of them are things for which she is praised and for which she is criticized.

And he said, "Qass: On his authority, he said, 'Do not be excessive in the dowries of women, for that will cause enmity.'"

His saying, "Do not be excessive," is a prohibition against excesses. It is an adverbial phrase from "ghala yaghlū" meaning "to increase," meaning do not increase it. Then he mentioned the reason for the prohibition by saying, "It will cause enmity," meaning that dowries will cause enmity, that is, they will be a cause of enmity between the spouses and their families if they are asked for or if a divorce is desired due to the refusal to pay them. This is why

he prohibited excesses in them, otherwise it is not a prohibition of prohibition.

It was narrated that Umar ibn al-Khattab addressed the people, saying, "O people, do not be excessive in the dowries of women. If that were a good deed, the Messenger of God, peace and blessings be upon him, would have done it." Then a woman from the back of the group stood up and responded to him, saying, "O Ibn al-Khattab, are you denying us a right that God has given us when He, the Almighty, says, 'If you give one of them a great amount [of wealth], do not take [back] any of it?'" He was speechless and had no answer except that he said, "O people, you hear such a thing from me and you do not deny it to me until a woman who is not more knowledgeable than you responds to it."

How strange it is that the fools of this nation narrate such stories and do not condemn their author, even considering them among his virtues and deeming them to be humility on his part. If they opened their eyes, it would become clear to them that they are not among his virtues, but rather among his greatest faults and shortcomings, because humility has places where it is only appropriate, and ignorance is not a type of humility. If he were not ignorant, he would have answered her by saying, "I did not withhold

your rights from you, but I only forbade exaggeration so that there would be enmity between people." But he was speechless and had no answer.

And you see how the Commander of the Faithful, Ali Ibn Abi Talib, says in this narration, and it becomes an enmity, because when he learned that exaggeration in dowries is not forbidden, but rather that he only prohibited it to discipline people, he made them aware of the reason for his prohibition of it, and that that man had spoken words whose reason he did not know, so when he responded to him, he was silenced and had no answer.

His statement, "Do not be excessive in it," has two meanings: one is that he forbade men from being excessive in it, and the other is that he forbade them from accustoming women to being excessive in it.

His statement, "enmity," is derived from the root "ada," meaning "to be hostile." There are two interpretations of this: first, that it can be a cause of enmity, leading people to be hostile towards one another; and second, that it can be a cause of transgression against one another, whether through various forms of harm or through unjust demands. It is for this reason that the scholars of the Tayyibiyya Call (may God have

mercy on them) established the dowry law in India at forty rupees to facilitate it, thus preventing enmity among people. They made this a general rule for anyone who could afford it and adhered to it. Those who were wealthy and demanded an exorbitant dowry were not prevented from doing so, and those who were poor and could not afford that amount, even if they offered a small sum, were not obligated to pay it. Similarly, among the Bedouin who were followers of the Tayyibiyya Call in Gujarat, such as Surat and Ahmedabad, the dowry was twenty rupees, half the dowry of city dwellers. Likewise, those who were poor and lacked the means did not set a fixed dowry amount in India or elsewhere. Rather, it was whatever was agreed upon by the man and woman, whether little or much, or whatever it might be. This is what we have observed. Often in many countries.

And he said, "Qass," and on the authority of Abu Jaafar Muhammad bin Ali, peace be upon him, that he said, "Al-Hasan bin Ali, peace be upon him, married a woman and sent her one hundred slave girls, with each slave girl one thousand dirhams."

Know, my brother, that whenever I see such narrations, traditions, stories, and news and ponder them, I am filled with wonder and awe. Do you not see where they came from and from whom they reached us? May God bless them, the pure Imams, how they established these practices, how they legislated them, why they said them, what they did, how much they did them, how they explained them, who they sought help from, who they conveyed them to, and how some of them informed others about what they said and did. May God have mercy on them, the preachers, how they narrated what they narrated from him, how they informed about it, how they made it known to us, how much they stood up for it, how much they sat down, how much they stayed awake, and how much they toiled. May God reward them, the pens and papers, how they flowed and how they carried what they carried. May God have mercy on them, the teachers, how they taught what they taught and studied the books of the ancients and explained. May God have mercy on them, the believing fathers, how they remained steadfast on the path of faith and how they adhered to it. May God forgive us and join us, for we followed them, imitated them, believed them, and submitted to them. Were it not for all of this, we would not have reached

what we reached, nor attained what we attained. By my life, this is all very strange, and within it are blessings, and in its secret is wisdom, as has become clear to us from these narrations and traditions. If these narrations had not reached us, we would not have known what they did and we would not have known what they did.

Know that it has become clear from these three narrations, the first of which is that the Messenger of God, peace be upon him, established a dowry of twelve and a half ounces, the second of which is that Ali, peace be upon him, said: Do not be excessive in the dowries of women, and the third of which is that Al-Hasan ibn Ali, may God's prayers and peace be upon him, gave a dowry of one hundred slave girls and one hundred thousand dirhams, that the dowry is what people agree upon and there is no time limit for it. They, peace be upon them, have clarified this by them, since the Messenger of God, peace be upon him, established what is middle between the two extremes, and Ali ordered that it be made easy, and Al-Hasan was excessive in it. For what the Messenger of God, peace be upon him, established may be within the capacity of most people and the majority of them, and it is not something that most of them are incapable of, and what Ali, peace be upon him, ordered is what

all of them can reach, and many of the rich who chose to manage their lives may do it, and what Al-Hasan, peace be upon him, did is what more than one of them may be incapable of and only a few of them are able to do.

His statement "married" means "had intercourse," and his statement "a woman" may indicate his denial of the frequency of his marriages.

This narration contains seven meanings:

The first is knowledge of the many marriages of Imam Hassan (peace be upon him), and the second is the wealth of the Imams from the Ahl al-Bayt (peace be upon them).

And the third is knowing how much they give.

Fourthly, it is permissible to set exorbitant dowries.

Fifthly, it is permissible to give the eye in it.

And the sixth is knowledge of giving offers in it, such as slave girls.

Seventh, it is known that Imam Al-Hasan gave this dowry before consummation, because his statement "he married" indicates that he married, then sent someone, then consummated the marriage. The meaning of "he sent someone" is that she was in her house and with her family, so he sent someone to her, then called her and consummated the marriage with her.

And he said, "Qass," and on the authority of Ja'far bin Muhammad, peace be upon him, that he said to the man that he should marry the woman on the condition that he teaches her a surah from the Qur'an or gives her something, whatever it may be.

The meaning is that it is permissible for him to marry her and make her dowry that he teaches her a surah from the Qur'an, but he should not consummate the marriage with her until he has taught her. If he delays teaching her and wants to consummate the marriage before that, then he should give her something so that it will be pleasant for him to consummate the marriage with her. This is what he said, "or give her," meaning he teaches her and consummates the marriage with her. And if he does not teach her, he should give her something and consummate the marriage with her, then teach her after that. This is what he said. Abu Ja'far, peace be upon him, said: If a man marries a woman on the condition that he teaches her a surah from the Book of God, then he should not consummate the marriage with her until he teaches her or gives her something, meaning he should not consummate the marriage with her until he has

taught her. And if he does not teach her before consummation, he should give her something and consummate the marriage with her, then teach her after that.

If someone were to say, "Why did you interpret this narration in this way? It could be in the sense of 'and,' meaning he teaches her and gives her," we would say, "Yes, that could be possible, but it is to indicate what I said, because the obligation of the dowry before marriage is obligatory. As for the one who does not find anything to give her, because if he found something, he would not marry on the condition of teaching the Quran. If that were the case, he would be obligated to teach her a surah and consummate the marriage without giving her anything. If he could not teach her before consummation and found something, he should give it to her, otherwise there is nothing upon him. This meaning is found in this book when he, peace be upon him, said, 'If a man marries a woman with a dowry for a specified period, etc.' It may come later."

If it is said that it has been stated in the Sharia that it is unlawful to take payment for teaching the Qur'an, so how is it permissible to take it in the chapter on dowries? We say that the matter is not as you imagined, but rather the Qur'an is like

money and teaching it is like giving. So if he does it, then he has given her in her dowry something that will never run out. And if it is said that this narration came when mentioning payment in the book of traditions, then it is understood from that that the payment for teaching is in lieu of the dowry. And they narrated on the authority of Ali, peace be upon him, that he said: It is not permissible in Islam to marry for payment to the father as Moses, peace be upon him, hired himself out. Rather, the dowry is for the wife. And if he marries her on the condition that he does work for her, then the marriage is permissible, and the payment in that is in lieu of the dowry. So he does not consummate the marriage with her until he does for her what she hired him to do or gives her something.

Abu Ja`far Muhammad bin Ali, peace be upon him, said: A woman came to the Messenger of God, peace be upon him, and said: O Messenger of God, marry me. He said: Who is this for? A man from the people said: I am, O Messenger of God. He said: What will you give her? He said: I have no money. He said: Then there is no money. The woman repeated her request, and the Messenger of God, peace be upon him, repeated his request, but no one stood up except the man. The woman repeated her request, and the Messenger of God,

peace be upon him, said a third time to the man: Do you know any of the Qur'an? He said: Yes. He said: I have married her to you based on what you know of the Qur'an.

We said yes, what you said may be possible, but if that is the case, then it is only specific to the chapter on dowries, because if the fee for teaching is in lieu of the dowry, then the teaching is for herself and not for others, so it is permitted for that reason. So both aspects are established, one of them being that the Qur'an is like money and teaching it is like giving, and that is not in the chapter on fees, and the second is that if that is the case, then it is permitted for what we said.

The word "surah" with a dammah means a part of something, and its plural is "sur." The parts of the Qur'an are called by this name because each part of it is cut off from what came before it and what came after it.

The word "Qur'an" (with a damma on the "qaf") has many meanings, like "fa'lan":

Firstly, it means "joined," i.e., some of it is joined to others in terms of chapters and verses.

Secondly, he linked his words with their meanings.

And the third is that he combined his outward appearance with his inner self.

Fourthly, it is paired with its counterpart, which is the pure progeny (of the Prophet).

Fifth, it means the compiler, i.e., the one who gathers, i.e., he gathered the meanings of all the scattered prophetic books.

Sixthly, it is a collection of news about the ancients and their circumstances.

Seventh, it is a collection of the attributes, conditions, and actions of angels, and it is also a collection of the attributes of humans, jinn, animals, and the attributes, conditions, and stories of all creatures.

This narration contains seven issues:

The first is the permissibility of giving cash as part of the dowry.

Secondly, the permissibility of offers.

The third is the permissibility of teaching the Quran.

Fourthly, it is permissible to teach any kind of knowledge.

Fifthly, teaching crafts and trades.

And sixthly, working for her in any way possible.

And the seventh is to serve her in whatever she desires.

And he said, "Qass: On the authority of Ali, peace be upon him, that he said: There is no marriage without a dowry."

Marriage is a general act in its meaning that applies to the actions of the man and woman and the actions of her guardian. Marriage is the action of the man, and marriage is the action of the woman and the actions of her guardian as well, that is, he marries her himself or marries someone who is on her side. The meaning is that it is not permissible for her to marry herself without a dowry, and likewise it is not permissible for her guardian to marry her without a dowry. Rather, that is specific to the Prophet, peace be upon him, as will be mentioned later.

The Prophet, peace be upon him, had many special characteristics that were exclusive to him and not to his nation. Among them was that he was permitted to marry twelve women, and that he was permitted to marry believing women without a dowry, and that he was allowed to lead people in prayer while sitting, and that if he wore his war armor, he would not retreat from war without fighting, and that he would not flee from battle, and that he would not lie, as Ali, peace be upon him, said: "I did not lie, and I did not lie."

This narration is another issue that stands on its own, distinct from what came before it. It is the issue of the gift, and it is only permissible for the Prophet, peace be upon him, specifically, and not for his nation. It is known from here that every woman who marries herself to a man without a dowry has made her private parts permissible without marriage, because he said, "There is no marriage without a dowry."

And his saying, "Qass": On the authority of Ja`far bin Muhammad, peace be upon him, that he was asked about the saying of God, peace be upon him, "O Prophet, We have made lawful for you your wives whom you have married, etc." He said, "He has made lawful for him of women what he wishes, and he has made lawful for him to marry believing women without a dowry." And that is the saying of God, peace be upon him, "And a believing woman if she gives herself to the Prophet, peace be upon him, if the Prophet wishes to marry her." Then he clarified that it is only specific to the Prophet, peace be upon him, so he said, "Exclusively for you, not for the believers. We have already known what We have imposed upon them concerning their wives and those whom their right hands possess." Then Ja`far bin Muhammad, peace be upon him, said,

“And the gift is not lawful except for the Messenger of God, peace be upon him, and as for others, it is not permissible for him to marry except with a dowry that he imposes before he enters into her, whether it be a garment or a dirham or something, little or much.”

This narration is a statement that the gift was made permissible specifically to the Prophet (peace be upon him) and not to anyone else.

His saying, “I have brought,” means their dowries. His saying, “whatever he wishes,” indicates that he permitted women without limit, but he stopped at twelve women, so that was specific to him. His saying, “without dowry,” is an explanation of the specific. “And a woman,” means that we have permitted a woman to you. His saying, “if she gives herself,” means if she marries herself to the Prophet, peace be upon him, without a dowry. His saying, “if he wants,” means if he is satisfied with that. If he is not satisfied, he does not marry her. It is not obligatory for him to marry every woman who gives herself to him. Rather, he marries whomever he wishes from among the women who give themselves and does not marry whomever he wishes. His saying, “pure,” means that the gift is permissible in the case that it is specific to you. He is addressing the Prophet,

peace be upon him, and he has shifted from the third person to the second person.

His statement, "We have known," means that with our knowledge we have made obligatory upon them what we have made obligatory upon them regarding their wives' dowries, and that none of them should marry without a dowry.

His statement "We imposed" means "We made it obligatory," and "imposed" here means "made it obligatory."

And what we have entrusted to them regarding female slaves, if they are married to someone other than their masters, is that they must give them their dowries, and their masters may have intercourse with them without marriage and without dowries.

His statement, "and the gift is not permissible," indicates that every marriage that is with a dowry is like a sale, because marriage resembles sales in some of its rulings. And every marriage that is without a dowry is a gift from the woman, so the gift is not permissible except to the Prophet, peace be upon him, specifically to him.

His statement "he imposes it" means he makes it obligatory. "Is made obligatory" here also means "he made it obligatory." It may be in some places in the sense of "he names it," as in his

statement, "Unless you have touched them or made an obligation for them," meaning "or you have named a known dowry for them." But his statement "he imposes it" here means "he made it obligatory," because making the dowry obligatory before consummation and before marriage is obligatory in order to exclude it from the category of a gift. As for naming it, it should not be made obligatory before marriage or before consummation. If he wishes, he may name it before marriage, or if he wishes, after it and before consummation, or if he wishes, after consummation. But making it obligatory is obligatory before marriage, otherwise it must be before consummation, because it is not permissible for him to consummate the marriage with her except after he makes it obligatory for her.

If it is said, why did God single out the Prophet, peace be upon him, with more than four wives, unlike the rest of his nation? We say that since women are the trees of tangible pleasures, the five senses enjoy them more than anything else, and they are the best, greatest, and most delightful of physical pleasures, God singled out His Prophet with more than others because he is the elite of His creation, the best of them, and the greatest in virtue. Just as man was superior to

animals, God singled him out with the greatest and most abundant of pleasures than He singled out animals, for He singled him out with grains and fruits and left the straw and husks for the animals.

If it is said, why did the Prophet, peace be upon him, single out the gift of women's souls from among others, as he said, "Or she gave herself to the Prophet, peace be upon him," the verse, and if a person owns something, it is permissible for him to give it to someone else, and it is not obligatory to single it out from one person, and likewise, if women own themselves, how is it obligatory for them to single it out from the Prophet, peace be upon him, from among others? We say that what you have made obligatory is not that entirely, but the matter is contrary to what you have said, for a person owns some things, some of which he is permitted to give to whomever he wishes, some of which he is permitted to give to some people from among others, and some of which he is not permitted to give to any of them at all.

The first category is money and goods such as dirhams, dinars, houses, clothes, goods, trees, and other things that are considered to be in the category of money. This is permissible for him to

give as a gift to whomever he wishes without specifying it to him.

The second is the souls of women, and it is not permissible for them to give them except to the Prophet specifically, and not to anyone else. As for the reason for the Prophet specifically, peace be upon him, and not to anyone else, it is because souls are not something that humans own in all their affairs, but they may own them in some matters and not own them in others. They own them in the affairs of their world and do not own them in the affairs of their religion. And the Prophet, peace be upon him, is more entitled to them than their own selves, so it is permissible for them to give him their own selves and what they have of pleasures in them and with them. And that is what he, peace be upon him, said: The Prophet is more entitled to them than their own selves, because he, peace be upon him, said: Am I not more entitled to you than your own selves? So if he is more entitled to souls, it is permissible to give them to him in physical matters, because he is more entitled to spiritual matters.

The third is the woman's private parts, which the husband may own and he is not allowed to give them away at all. Like guardianship, the father may own guardianship over his sons and daughters if they are young and half

guardianship over his daughters if they grow up, but he is not allowed to give them away to anyone else at all.

And he said: On the authority of Ali, peace be upon him, that he ruled in the case of a woman whom a man married according to her own rules, and she became excessive towards him, so he ruled that she should have a dowry like hers, without deficiency or excess.

This narration and the three narrations that follow it are in a separate, independent matter—namely, the issue of arbitration regarding the dowry. Two of them concern the woman's arbitration regarding the dowry, and two concern the man's, as you will see. This narration, which I am interpreting, concerns the woman's arbitration in this matter. His statement, "He ruled," highlights the difference between "ruled" and "said." A statement is an answer to a questioner or a command to a requester, while a ruling is a decision between two disputants when they come to court. This is a ruling in a dispute that has been referred to him. His statement, "according to her ruling," means that he obligated himself to pay the dowry and

determined its value according to what she decided, whether little, much, or moderate, after their marriage. His statement, "She went too far," means that she increased and exaggerated the dowry. "She went too far" means she increased and exaggerated. His statement, "He ruled upon it," means that he obligated her to pay it. His statement, "Her like," means that she is similar to other women in eighteen qualities: her condition, wealth, beauty, intellect, perfection, stature, softness, age, youth, lineage, social standing, character, virtue, chastity, piety, virginity, and whether she is previously married. His condition and his wealth, unless it exceeds the dowry of the year, then if it exceeds it it is returned to him, and the dowry of the year as we mentioned is five hundred dirhams.

His statement, "neither less nor more," means that "less" (with the vowel mark) means less, and "more" (with the vowel mark) means more. That is, she will not be less than the dowry of someone like her, nor will it be increased. This is her ruling in this matter, as the ruling is made for her.

And he said: On the authority of Ja`far bin Muhammad, peace be upon him, that he was asked about a man who is entrusted with the dowry of a woman and he falls short of it, he said: It is to be joined with the dowry of someone like her.

His statement, "He delegates," means that the woman agrees to let him decide on her dowry, and he delegated the matter to him, handing it over to him.

His statement, "He shortens it," is a known verb meaning he shortens it from what is appropriate for it in its state and beauty.

His statement that the actions of an unknown person are attached means that she is given a dowry like hers. This narration and the one before it are about attaching the woman to a dowry like hers. One of them is that she is returned to a dowry like hers and less than what she asks for. This is if the ruling is delegated to her and she becomes excessive. The other is that her dowry is increased for her and she is given a dowry like hers. This is if the matter is delegated to the man and he falls short of it. These two rulings are if the dowry is less than the dowry of the year. An example of this is if the dowry of hers is fifty rupees and she is less than the dowry of the year

by one hundred rupees. If she becomes excessive over fifty rupees, she is returned to a dowry like hers, which is fifty rupees. If he falls short of fifty rupees, she is attached to a dowry like hers, which is fifty rupees. This is the meaning of these two narrations. The meaning in them is that he obligated the dowry upon himself and contracted the marriage on an unknown dowry, and the delegation in it was as we mentioned.

And his saying, "Qass," and on the authority of Abu Ja'far ibn Muhammad ibn Ali, peace be upon him, that he was asked about a man who married a woman on his judgment and she consented. He said, "Whatever he judges is permissible." It was said to him, "How is it permissible for him to judge her, but not for her to judge him, if she exceeds the dowries of the wives of the Prophet, peace be upon him?" He said, "Because when she judged him, she was obligated not to refuse him if he gave her something, and she is not permitted, if he judges her, to exceed the Sunnah. If he divorces her, or she dies, or he dies before consummating the marriage, she is entitled to a gift of consolation and inheritance, but she is not entitled to a dowry in the consolation. The woman is given something similar to the consolation and its like,

according to the means of the man and woman. There is no dowry, meaning if it was not specified.” So these two narrations, one concerning the woman’s judgment and the other concerning the man’s judgment, and the meaning in both of them is that his dowry should be more than the Sunnah dowry, such as if the dowry of someone like her is two hundred rupees. If she judges and is excessive and demands a dowry of someone like her or more, it is returned to the Sunnah dowry. And if he judges and gives her the Sunnah dowry or more, his judgment is permissible for her, and she is not given what she demands. From a dowry like hers or more than it, because his statement that he did not exceed the dowries of the Prophet’s wives indicates that she exceeded the dowry of the Sunnah, so it was returned to him. And his statement if he brought her something, meaning more than the dowry of the Sunnah or less than the dowry like hers, because if the dowry like hers was less than the dowry of the Sunnah and he brought her less than the dowry like hers, it was attached to the dowry like hers, as was mentioned previously.

Here are four issues:

Firstly, if she rules and sets a high price, and the dowry for someone like her is less than the

customary dowry, she should be returned to the dowry of someone like her.

Secondly, if he rules and gives her a short dowry, and the dowry for someone like her is also less than the dowry of the year, then it is added to the dowry of someone like her.

And the third is if she judges and is excessive, and the dowry for someone like her is more than the dowry of the year, then it is returned to the dowry of the year.

Fourthly, if he rules and gives her more than the dowry of the Sunnah and less than the dowry of someone like her, and the dowry of someone like her is more than the dowry of the Sunnah, then his ruling against her is valid.

These are four precise issues that I have clarified and explained. They are based on what my ability and intellect have allowed me to do, from principles that I learned from virtuous, guiding, and learned teachers, may God have mercy on them and reward them with goodness, and with righteousness, radiance, and satisfaction. Whoever adds to this and is blessed with more than this, then may God reward him, increase his righteousness, and keep his memory and his command. This is not easy, but the effort in it is great, and the matter in it is serious, and it

requires the concern of souls and the toil of bodies.

Al-Sayfi Ibrahim Ibn Al-Sheikh Jiwa Baha'i Ibn Al-Sheikh Al-Ajal Luqmanji Ibn Al-Sheikh Al-Ajal Dawood Baha'i Ibn Mulla Mahmud said: When I began this book called "The Book of Success in Knowing the Rulings of Marriage," I encountered hardship in its composition, but I persevered in it to fulfill my desire and need, for I intended something good in it, and I sought a great reward from God. So God granted me success in what I intended, and God will provide me with the reward for what I intended.

Know, O noble friend, that I wished to explain to you here the reason for my being called al-Sayfi. I say that the most venerable Da'i, Abd Ali Saif al-Din, son of the most venerable Da'i, Abd al-Tayyib Zaki al-Din (may God exalt his sanctity), when he was in the town of Nawangar in the year 1215 AH, I praised him with a poem in which I called myself Jiyu, which means "soul" in the language of India. He asked me about the reason for this, and I told him that I had chosen it because it was the title of my grandfather, the most venerable Sheikh Luqmanji, who used to compose fine poetry of advice in the Hindi language and called himself Jiyu in it. This is found in much of his poetry. The most venerable Da'i

(may God exalt his sanctity) said to me, "You have done well in that, but that was for a reason that was required in his time. You are in our time, so you should call yourself by the title we use." Know that we have called you al-Sayfi and attributed you to ourselves because of your presence in our time, your sincerity in your affection for us, your constant attendance at our door, and your attainment of our favor. So obey your Lord and thank Him for what He has bestowed upon you. So I prostrated to him and said, "I hear and obey our master, and praise and thank him at all times and every hour." From that hour on, I have called myself "Al-Sayfi" in everything I have said of poetry, or written of books, or composed, whether little or much. This is the reason for my being called "Al-Sayfi," so know it.

His statement, "I am satisfied," means that she is satisfied to be judged, so she accepts his judgment over her. His statement, "because if she judges him," means if she entrusts him with the judgment regarding her property, which is her dowry, then it is not permissible for her to give herself away. For man does not own himself, but God, may He be glorified and exalted, truly owns him and may do with him as He wills, and He is capable of all things. As for man, it is not permissible for him to do with himself whatever

he wills, so it may be forbidden for him to kill himself or sell himself. As for his property, it may be permissible for him to do with it as he wills. Likewise, it is not permissible for a woman to give herself away to anyone other than the Prophet, peace and blessings be upon him. As for her dowry, it may be permissible for her to give it to whomever she wills, after it has been made obligatory for her. This is the meaning of his statement, "if she judges him," meaning if she judges him, his judgment is valid over her, and it is as if she has owned the dowry of someone like her. So whatever is less than it is due to his judgment over her, and it is as if she has given it to him. His statement, "with something," means with the dowry of the Sunnah, or more than it, or less than someone like her, as I mentioned that previously. His statement, "then if he divorces her,"

Here are two issues that fall outside the scope of arbitration, therefore they are included with it:

One of them is that if he marries and stipulates the dowry but does not specify it and makes the ruling in it for him or her, then he divorces her before he consummates the marriage, then she is entitled to the dowry but not a dowry. But if he divorces her after he

consummates the marriage, then she is entitled to a dowry like hers.

The last of them is that if she dies or he dies before consummation, she is entitled only to the inheritance, and she has no dowry if he dies, and he inherits from her if she dies. If he consummated the marriage with her, she is entitled to a dowry like hers and the inheritance together. The pleasure with the addition is the benefit and the advantage, and in Islamic law it is what is given to the woman if she is divorced and no dowry is specified for her, such as a garment and the like.

His statement, "and she has no dowry in the consolation," means that if he divorces her before consummating the marriage and no dowry was specified for her, then she is entitled to the consolation but not a dowry if she is given the consolation.

His statement, "and the woman is given," means the woman whose husband died before consummation of the marriage. She is entitled to inheritance and no dowry, except that she is given a small amount, similar to the compensation given to the divorced woman mentioned earlier.

His statement, "the capacity of the man and the woman," means according to what the man is capable of and as her situation requires.

His statement "and she has no dowry" refers to the woman whose husband died before consummation of the marriage.

His statement, "if he did not name it," means that there is no dowry for this woman whose husband has died if he did not name it for her.

And he said on the authority of the Messenger of God, peace and blessings be upon him, that he forbade the marriage of Shighar, which is when a man marries his daughter to a man on the condition that the other man marries his daughter to him, and there is no dowry between them. He said there is no Shighar in Islam. He said: It is a marriage that the pre-Islamic Arabs used to contract on this basis. There is nothing wrong with contracting a marriage without specifying a dowry, but he does not consummate it until he gives her something. God Almighty said: "There is no blame upon you if you divorce women before you have touched them or specified for them an obligation."

Shighar, with a kasra, is from the word shaghara, meaning when a dog raises its leg to urinate and urinates on what is opposite it, so the

urine rushes out from what is opposite it and falls on it. This is called the shahighar of the dog, meaning each of them is opposite to the other, i.e., the dog is the wall and the wall is the dog. This is why this marriage is called nikah shighar, because each of the two men is opposite to the other by marrying his daughter, as he said, which is that a man marries his daughter. This is the meaning of nikah shighar, and he, may God sanctify his soul, has explained it.

His statement, "There is no Shighar in Islam," is the statement of the Messenger of God, peace be upon him, and it is the origin of the prohibition of Shighar. His statement, "And Ali, peace be upon him, said," is a report about the existence of Shighar in the pre-Islamic era, then it was prohibited in Islam. His statement, "on this basis," means on the basis that the first man marries his daughter to a man, meaning a man, and "from" is an extra word that has no meaning.

His statement is conditional on the other man marrying his daughter.

He said, "There is nothing wrong with a marriage contract without specifying a name."

This statement may explain what is stated in the book Mukhtasar al-Athar, which is his

statement: "This prohibition is if the contract in this marriage is that the marriage of this woman is for the marriage of this woman, making each of them a substitute for the other, and they make that obligatory upon this. But if they contract it as marriage is contracted without naming and they do not stipulate in it what we mentioned, then the contract is permissible, and each of them has the same dowry as women, in the manner we described." End of his statement.

This is the meaning of his statement: "There is nothing wrong with a marriage contract without specifying a dowry, that is, to contract this marriage for this one and this marriage for this one, and to obligate each of them to pay a dowry to each of them. There is nothing wrong with that, even if the dowry is not specified, if it is obligatory, then each of them shall have a dowry like that of women of her status."

His statement, "But he does not enter into it," is a general rule, because it is not permissible to enter into it under any circumstances or for any reason unless he gives her something.

His saying, "There is no blame upon you," means there is no blame upon you if you divorce them before you have touched them, that is, before you have had intercourse with them, that is, before you have married them and then

divorced them before you have had intercourse with them and consummated the marriage with them. There is no blame upon you in that, and before you have set for them, that is, before you have named for them a dowry, that is, a mahr. And "set" here means "named." This is the marriage of Shighar, and it has been prohibited in Islam. And it is not done except by the father because he owns the dowry if the girl is young until she grows up, so she takes it from him. But it has been prohibited in Islam, although it may have been permissible in some laws among those who were before Islam. And Shighar may occur with the daughter, and with the sister, and the mother, and the like of all those who are close to her.

And he said, and on the authority of Ja`far bin Muhammad, peace be upon him, that he said regarding a man who married a woman and did not specify a dowry for her, and then he died or divorced her before consummating the marriage, he said: If he divorced her, she is not entitled to a dowry, but she is entitled to a gift, and there is no waiting period for her. If he died before consummating the marriage, she is not entitled to a dowry, and she inherits from him and he inherits from her, and she has a waiting period. If he specified a dowry for her and then divorced her before consummating the marriage, she is entitled to half the dowry. If he died from her or she died from him, she is entitled to the full dowry.

This narration is an explanation of what was mentioned before, namely, "If he divorces her, or she dies, or he dies, etc." His statement "he said" indicates what was said at the beginning of it, and his statement "there is no waiting period for her" is an addition to the explanation of what was mentioned before, because if the divorce occurs before consummation, there is no waiting period for it, whether the dowry is named or not.

His statement, "and he inherits from her," means that he inherits from her if she dies before consummation.

His statement, "and she must observe the waiting period," means that if he dies, she must observe the waiting period, whether the dowry was stipulated or not, and whether he consummated the marriage or not. However, the waiting period is obligatory for her in every case if the marriage contract is concluded. If the dowry was stipulated for her and she was divorced before consummation, she is entitled to half the dowry. If he dies or she dies before consummation, she is entitled to the full dowry, and the inheritance between them is likewise.

And his saying, "Qass," and on the authority of Ali, peace be upon him, that he said regarding a man who married a woman on the condition of a slave, "There is no deficiency nor excess."

The word "wasif" refers to a male slave, and "wasifa" to a female slave; the plural forms are "wasaiif" and "wasafaa".

This narration indicates the permissibility of offerings in the dowry.

His statement, "There is no deficiency or excess," has two interpretations: one is that there is no increase or decrease in the value of a female servant, and the other is that the value of the description is not less than the dowry of someone like her, which does not exceed the dowry of the year, and nothing is added to it beyond the dowry of someone like her, which does not exceed the dowry of the year.

And his saying, may God sanctify his soul: On the authority of Ja`far bin Muhammad, peace be upon him, that he said: Whoever marries a woman on the condition of a house and a servant, then the woman shall have a house and a servant, without deficiency or excess. The servant is the female slave. This narration is like its sister that came before it in its meaning. These narrations are branches of what came before them, so we have shortened the speech in explaining them and have not lengthened the discourse in explaining them, because much of the explanation of what is used to interpret such narrations has already been mentioned in what came before.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, he said: Whoever marries a woman on an unknown dowry, the marriage is not invalidated, and she is entitled to a dowry like hers, as long as it does not exceed the dowry of the Sunnah, which is five hundred dirhams.

His statement is unknown, meaning not specified, i.e., not named, in terms of dirhams and dinars. There is another interpretation of this, which is that he requires a dowry for her, but its nature is unknown, whether it is gold, silver, or goods. So she is entitled to a dowry like hers, whichever the spouses agree upon, whether it be in kind or in kind.

His statement "it did not spoil" means "it did not invalidate".

This story is also from what has been mentioned previously.

And he, may God sanctify his soul, said: On his authority, he said: Whoever marries a woman on the condition of a slave girl who is freed by the master, and then divorces her before consummating the marriage, she is entitled to half of her service. She serves the master one day and the woman one day. If the man dies, she is freed. And if he divorces her after consummating the marriage, she is entitled to her service. If the master dies, she is freed.

The term "tadbir" is when the master, the owner, who has the authority to command, says to the slave, whether he is healthy or sick, "After my death, you are free for the sake of God," or "Whenever I die," or "You are a mudabbar," or something similar to this statement. If he says that, he is a mudabbar during his lifetime and is freed from one-third of his estate after his death, by consensus, as far as we know. The mudabbar is a slave as long as he does not die from his mudabbar, and he cannot retract his mudabbar. He has the right to retract his mudabbar while he is a slave. If he wishes, he can sell him, give him away, free him, continue with his mudabbar, or retract it. It is like a man who makes a will. If he changes it before his death, then what he retracts

is void. If he leaves it until he dies, it is carried out from one-third of his estate.

His statement, "She has her service," means that she serves her, but she does not own herself, because she has no say in her affairs except in serving her as long as her master is alive. She does not have the right to do anything else with her, such as selling her, giving her away, or anything similar.

Here are three issues: the issue of divorce, the issue of manumission, and the issue of divorce.

This narrative is self-explanatory, so I have refrained from elaborating further on it.

And his saying, may God sanctify his soul: On his authority, he said, regarding God's words in the story of Moses, peace be upon him, he said, "I want to marry you to one of my two daughters on the condition that you hire me for eight years." Ali, peace be upon him, said, "The marriage contract is based on a fee he named, and marriage in Islam is not permissible with a fee for the woman's guardian because the woman is more entitled to her dowry."

His statement, "He said," refers to Shu'ayb (peace be upon him), and "arguments" is the plural of "argument" with a kasra, which means "the Sunnah."

His statement, "He is more entitled to it," means he has a greater right to it. The meaning is that it is permissible for her dowry to be work done for her, with her wages being compensation for the dowry. However, it is not permissible for the wages to go to her guardian, whoever he may be—father, brother, or anyone else—because the dowry is wages for her own benefit and compensation for the expenses she incurs. Her guardian has no responsibility for these expenses, nor does he provide any assistance to her. Therefore, she has a greater right to her dowry. This is the issue of wages, and from it stems another issue: that in Islam, wages are not permissible for the woman's guardian, but only for her.

It is known from here that this was permissible among those who lived before Islam, and for this reason it was forbidden to give a bribe to her guardian if he refused to officiate her marriage contract.

It has been reported that if he refuses to act as her guardian and demands a bribe for it, he

should be left and another guardian from among those below him should be asked to act as her guardian.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, peace be upon him, that he said: If someone marries a woman for a thousand dirhams and gives her a runaway slave while he is running away, and she recognizes him, and a fine garment that he gives to him and she is satisfied with that, he said: There is no harm if she takes possession of the garment and is satisfied with the slave. If he divorces her before he consummates the marriage, she returns five hundred dirhams to him and the slave will be hers whenever she takes him.

His saying "a fugitive" means a runaway. "A fugitive" means he ran away. His saying means he gives it to him while he is a fugitive. Explain and clarify it so that his saying "a fugitive" does not give the impression that he will be present at the time of giving, even though he had run away before, so he was called a fugitive for that reason. "Al-Habra" with a damma is Yemeni clothing.

His statement regarding that refers to the slave and the garment.

This ruling is similar to the rulings on sales, because if someone sells a runaway slave and sells something present with him, the sale is permissible, because it is based on something present. This man stipulated a dowry of one thousand dirhams and sold a runaway slave and a present garment with it, so the sale, the dowry, and the marriage are permissible.

His statement: If he divorces her before consummation, she is entitled to half the dowry, which is half the slave, and she owns him completely, and the slave belongs to her, and the man has no claim to him. She must return half of it to him, which is five hundred, and take the slave whenever she gets hold of him. This issue is a branch of the issue of the permissibility of offering something in the dowry, and it has an addition, which is giving the runaway slave and returning the five hundred if she is divorced before consummation.

And he, may God sanctify his soul, said: On his authority, he said: If a man marries a woman with a dowry for a specified period, then the marriage is permissible, but he must give her something before he consummates the marriage with her so that it becomes permissible for him to marry her, even if he gives her a garment or something small. If he does not find anything, then there is nothing upon him, and he may consummate the marriage with her, and the dowry remains a debt upon him.

His statement "until a certain date" refers to a period of time. The explanation of this narration has already been given in what was mentioned earlier regarding his statement to the man that he should marry a woman on the condition that he teaches her a chapter of the Qur'an, that the obligation of the dowry is required of every married person and marriage is not permissible except after it has been stipulated. As for giving it in full or giving a little of it, it is obligatory for whoever finds it, otherwise not, as is mentioned here.

His statement, "then it is permissible for him to marry her," means to have sexual intercourse with her.

His statement, "or a small amount of jewelry, grains, or fruits,"

From this narration, the limits of this good invitation in the land of India were extracted: that the woman be given one rupee before intercourse on her wedding night, given to her by her husband, and he says to her, "This rupee is from your dowry, which is forty rupees. You have thirty-nine rupees left." Or he gives her something of jewelry and says to her, "This jewelry is from your dowry. You have what is left. I will give you what is left, God willing." This issue is the issue of the permissibility of the dowry being deferred, and that its stipulation is obligatory and giving it is obligatory for whoever finds it, otherwise not.

On the authority of Ali, peace be upon him, he said: Regarding a man who married a woman for a specified period, on the condition that if he brings her dowry by that period, otherwise he has no claim on her, he ruled that the woman's body is in the hands of the man, and the dowry is his responsibility, and the condition does not invalidate his marriage.

The word "بضع" (with a damma on the "ba") means the vulva, and "فسخ" means to invalidate or nullify.

His statement, "If he comes," means if he comes, he understands his wife.

His statement, "Otherwise," means that if he does not come, then he has no authority over her, meaning that his marriage is invalid.

His statement, "So he ruled that he owns her and owns her private parts, and she is his wife, and this invalid condition does not invalidate his marriage, because God's condition is before every condition, for God has made him own her private parts through marriage if he obligates the dowry to her upon himself, and as for giving it to him, it is however it is possible. If he finds it and gives it before consummation, then that is good, otherwise it is a debt upon him, and delaying the dowry does not invalidate his marriage because it is a debt upon him that he pays whenever he finds it, and this condition is invalid because he made it a divorce for her, and it is not a divorce at all because divorce has conditions that are not permissible except with them, which are that the woman be pure in a state of purity in which he has not touched her, in the presence of two witnesses with his consent without coercion upon him, so these are the conditions of divorce that are not

permissible except with them, and this condition that came in this narration does not have any of these conditions, so it is invalid because it does not invalidate the marriage."

And he, may God sanctify his soul, said: On the authority of Ja`far ibn Muhammad, peace be upon him, that he said: If a man marries a woman on the condition of a dowry, part of which is immediate and part of which is deferred, and they dispute over consummation, the woman is not compelled to consummate until the immediate payment is made to her. She is not entitled to receive the deferred payment except after he has consummated the marriage with her. If it is for a known term, then it is for that term. If no term is specified, then consummation makes it obligatory. If the woman denies receiving the immediate payment after he has consummated the marriage with her, and the man claims it, then his word is accepted with his oath. If he claims to have paid the deferred payment and the woman denies it, then her word is accepted with her oath, and the man bears the burden of proof regarding his claim of payment.

The immediate present is what is given before consummation, and the deferred future is what is given after consummation. It has come down to him from here that the narration before this narration means that the entire dowry is to

be paid at a later date. The meaning of this is that it is to be divided into two parts, immediate and deferred. They disputed, meaning they argued, meaning they interacted from the root meaning to be stingy, meaning to be miserly, meaning this one is stingy with the dowry and this one is stingy with consummation. This one asks her to consummate before the dowry and this one asks her to consummate before consummation.

His statement, "She is not forced," is a ruling from Al-Sadiq, peace be upon him, meaning that a woman is not forced to enter except after paying the immediate dowry, and a man is not forced to pay the deferred dowry except after entering.

It is known from his statement that six issues were not resolved:

One of them is that you are not forced to enter before paying the immediate fee to it.

Secondly, he is not obligated to pay the deferred amount before entering.

And the third is that she is forced to enter after paying the immediate fee.

Fourthly, he is forced to pay the deferred payment after entering.

Fifthly, if she enters with her consent before receiving the immediate payment, there is nothing wrong with that, but he must give her

something to make her private parts permissible for him.

Sixthly, if he pays her the deferred payment before entering into the marriage with his consent, then there is nothing wrong with that either.

His statement, "Even if it is delayed until a specific period such as a week, a month, or a year, it must be paid upon its completion," and if no specific limit is set, then entering the period necessitates its payment.

His statement, "Even if the woman denies it," means if she denies having received it from herself, or claims it and demands it from him.

His statement, "and he claimed it," means he claimed to have received it and denied that it was a debt upon him. Here, the woman is the claimant and the man is the denier, the defendant. The immediate dowry is the claim, and the private parts are the original claim. Here, there are two issues:

The first is that the two spouses are the adversaries, one of them being the woman, who is the plaintiff, claiming that he owes her the immediate payment, and the second is the man, who denies that he still owes her the immediate payment. The dowry is the money claimed, and the woman's private parts are the basis for the

dispute. The plaintiff here is the woman because she claims that he owes her the immediate payment, and it is possible that he has already paid it to her because the basis, which is the private parts, is in his hands. If he has not paid it to her because the basis, which is the private parts, is in his hands, then if he has not paid it to her, she has not allowed him to have relations with her. If she has allowed him to have relations with her, then it is possible that he has paid it to her. She must provide evidence, and he must take an oath because he is the denier. This is like a house over which two men are disputing. The seller says, "Bring me its price," and the buyer denies that he still owes it, and the house may be in the buyer's possession. The seller is the plaintiff and he must provide evidence, and he is like the woman. The buyer is the denier and he must take an oath, and he is like the husband. The price is the claim, and it is like the dowry, and the house is the basis for the dispute, and it is like the private parts.

The last of them is that the husband is the plaintiff, claiming that the deferred payment is due from her, and she denies receiving it. So she must take an oath, and the husband must provide evidence, because he is the one claiming the money from her, even if the woman was in his

possession, if he had consummated the marriage with her, because the dispute is over the money due upon consummation. This is like a house that was sold on credit, and the dispute arose over its price after the occupancy.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: If a man marries a woman on a known dowry, and they have witnesses to it secretly, and they have witnesses in public for more than that, then the first contract is the correct one, and it is taken from it.

His statement is known, meaning counted, and I bear witness, meaning I call the witnesses to witness, secretly, meaning hidden, in public, meaning in public, and from it, meaning from the known dowry, so the contract, meaning the acknowledgment, and by it, meaning by the first acknowledgment it is taken, meaning the judgment is taken, or the judgment is taken, or the man is taken, or the dowry is taken.

This means that they secretly stipulate a small dowry and publicly declare a large dowry, doing so to increase their respect in the eyes of the people. They make a contract in each of them

specifying a known number and have two witnesses attest to it. The ruling in this matter is that the correct of the two contracts is the one they made first, and the evidence for its priority in time is established.

This ruling is similar to the rulings of sales, because if a sale is made for two men, it is for the first of them, and if it is made for two values, the one that is fixed is the first one. The rulings of marriage are like the rulings of sales in most of their cases. This ruling occurs with those among whom the dowry is not specified and not prescribed, like most of the Islamic sects. As for those among whom it is prescribed, what is apparent does not contradict what is hidden, as the ancients among our masters, may God have mercy on them, prescribed in the Tayyibiyya call, from forty rupees, so it is not increased or decreased from it, and there is no disagreement about it.

And his saying, may God sanctify his soul: On his authority, peace be upon him, he said: If a man enters upon a woman and closes his door upon her, or lowers his curtain upon her, then she is entitled to the entire dowry, whether he has intercourse or not. Abu Ja`far, peace be upon him, said: I married a woman during the lifetime of my father, Ali ibn al-Husayn, peace be upon him, and my soul longed for her at midday. My father said: O my son, do not enter upon her at this hour. So I did. When I entered upon her, I disliked her and got up to leave. Then a maidservant of hers got up and closed the door and lowered the curtain. So I said: Leave him be, for you are entitled to what you want.

He entered upon him and met him, and he entered with her, closed the door and lowered the curtain over her. This is a legal term. He lowered and let it down. He had intercourse. It is a mutual action from the root meaning to gather, that is, each of the spouses gathered his circumcision with the circumcision of his companion. He longed and yearned.

This narration is an explanation and clarification of the meaning of entering, because entering is closing the door and lowering the

curtain. So whoever lowers the curtain on the woman has entered with her, whether he has had intercourse or not. Then he came with evidence for this meaning from the action of Abu Ja`far, peace be upon him.

His statement that it is obligatory means that the dowry is due to her, and this is not due to intercourse or without intercourse, and that is if the woman claims to have had intercourse. But if she admits that he did not touch her, even if he lowered his curtain and closed his door on her and then divorced her, then she is only entitled to half 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 closed his door and lowered his curtain.

Here are five issues:

Firstly, entering with a woman means closing the door and lowering the curtain, whether or not intercourse has taken place.

Secondly, the entire dowry is due upon consummation, whether or not intercourse has taken place.

Thirdly, the soul may yearn for something new if it sees it.

Fourthly, the helper and the misfortune are linked to the hours.

Fifth, divorce may be permissible in any case, for a reason or for no reason, if the man dislikes the woman.

This story contains six subtle meanings:

Firstly, the obligation of the dowry is based on outward appearances, not on hidden matters. So, the lowering of the veil is the outward appearance, and intercourse is the hidden matter. And all legal matters are also based on outward appearances.

Secondly, parents may check on their children and command them to do what is beneficial and forbid them from doing what is harmful, as Ali Ibn Al-Hussein, peace be upon him, did.

And the third is that the soul loves something and then hates it, as in his saying, "I hated it."

Fourthly, the Imams from the family of the Messenger of God, peace be upon him, know the hours, their helpers and their misfortunes, and this knowledge of theirs is not from the path of the stars, but rather from another path, which is the path of revelation and inspiration, and it is a divinely bestowed path, and it is an intrinsic path.

Fifth, the female slaves of the virtuous are virtuous, as this female slave is knowledgeable about matters of jurisprudence, the meaning of consummation, and the obligation of the dowry.

And the sixth thing is that al-Baqir, peace be upon him, knew her intention at first glance and with some indication, so he said: "What you want is due to you," meaning the dowry.

His statement "midday" means at midday.

His saying "my son" is a diminutive of "son," referring to a freed slave woman.

It is known from his statement, "So I closed the door and lowered the curtain," that his house had a door that was closed and that had a curtain over it, and then she lowered the curtain over it. This is how it is done for the houses of kings and princes, so know this.

His statement, "So I did," means that he entered into it. This prohibition from Ali Ibn Al-Hussein is an indication from him of what is better, and it is not a prohibition of forbiddance that must be stopped. But the words of the Imams have an effect, as has appeared here, like his statement, "I disliked it."

And he, may God sanctify his soul, said: On the authority of Ali, Abu Ja`far, and Abu Abdullah, peace be upon them, that they said about a man who frees his female slave on the condition that he marries her and makes her freedom her dowry, and she is satisfied with that, they said: That is permissible. Abu Ja`far said: And I prefer that he give her something. Abu Abdullah, peace be upon him, said: If he divorces her before he consummates the marriage with her, then she is entitled to half of her value.

He freed a slave woman, making her free for the sake of God. The origin of this word is from the ancient, meaning old. This is because every person is free at the beginning of his life, then he becomes a slave, and when he is freed, he becomes free as he was at the beginning of his life and his old state. Therefore, it is said that he freed his slave, and he freed his female slave.

Here are four issues:

The first is that it is permissible for him to emancipate his female slave and stipulate that he marry her and that she not marry anyone else. Here is another issue that came in the margins of Al-Da'aim, which is that if he says to her, "I will marry you and I have emancipated you for that

purpose," then she is his wife and she is not allowed to marry anyone else except with his permission. If he says, "I have emancipated you and I want to marry you," then she is more entitled to herself. If she wishes, she may marry him, and if she wishes, she may marry someone else, because if emancipation comes first, she becomes free, so she is more entitled to herself. If he marries her after that, then he should marry her with a dowry. If he brings marriage before emancipation, then he is more entitled to her.

The second option is to make her emancipation her only dowry and not give her anything else as dowry.

And the third is that it is preferable and better to give her something in addition to manumission in order to make it permissible to consummate the marriage with her.

The fourth is that if he divorces her before consummation, she is entitled to half of her value because he made her value a dowry. If he consummates the marriage, she owns her value. If he does not consummate the marriage, she owns half of her value, and half remains a debt owed to him that she must pay to him, and she leaves his ownership if she pays it to him.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: Whoever steals money, and gives it as charity to a woman or buys a slave girl, then the sexual act is permissible for him, and he bears the responsibility and sin of the money.

He stole something that was taken from someone else's safe place, in which he had no right, share, or partnership. The slave girl is the female slave. The sin of the servants is called "tabi'ah" (with a fatha), and it is called "tabi'ah" because it follows its owner until he leaves it for his family. The sin (with a kasra) is the cause of punishment.

The meaning is that if someone marries a woman and gives her stolen money as her dowry, his marriage is not invalidated because the obligation to give the dowry is obligatory, but giving it is not. If he wishes, he may give it immediately, or if he wishes, he may delay it. If he wishes, he may give something in kind, or if he wishes, goods. If he concludes the marriage contract for her as it should be concluded, his marriage is valid. If he gives stolen money as her dowry, his marriage is not invalidated, but he will bear the consequences of it, the sin of it, and he will pay what he stole.

Mentioning the conditions in marriage

Conditions (with a damma) are the plural of condition (with a fatha), and they are what is made a substitute for something, such as your saying, "If you reach me, I will reach you," so your connection is a substitute for the connection of your beloved. And as you say, "I owe you five dinars, and you owe me that you serve me until the end of this month," so your dinars are a substitute for his service to you. And the condition is of two types: valid and invalid. So what agrees with the Book and the Sunnah is valid and established, and what contradicts the Book and the Sunnah is invalid and rejected. So the valid is like when a man marries a woman and stipulates that she stay with her family, so the condition is valid, and she must fulfill it unless she is satisfied with the man with him. And the invalid is like when he marries her and stipulates for them that the divorce is in her hands, so the condition is invalid, and the divorce is in his hands, if he wants, he divorces, and if he wants, he keeps.

The condition has four elements:

One of them is the condition, the second is the one who stipulates, the third is the one for

whom the condition is stipulated, and the fourth is the reason for the condition. So the condition is like the condition of staying with her in her family. The one who stipulates is the married man, the one for whom the condition is stipulated is the woman, and the reason for the condition is marriage and the condition.

The condition is also divided into three parts:

One section establishes the condition and the reason for the condition, such as a man who marries a woman and stipulates that she stay with her family. The marriage is valid and the condition is established.

And a section in which the reason for the condition is established and the condition is invalidated, such as a man who marries her and stipulates that the divorce is in her hands, so the marriage is valid and the condition is invalid.

And a section in which the condition is invalid and the reason for the condition is also invalid together, such as a man who marries her in a temporary marriage without a guardian and two just witnesses and stipulates that the separation is in her hands after two days, so the marriage is invalid and the condition is also invalid.

The established and correct principle regarding conditions in all chapters such as

marriage, sales, divorce, inheritance, wills, rulings, and other rulings of Islamic law is four:

It has been established that the Ahlulbayt (peace be upon them) said that only conditions that conform to the Quran and Sunnah are valid, and anything that contradicts them is invalid.

Secondly, they say that God's conditions take precedence over their conditions.

The third is their saying: A condition is permissible among Muslims as long as it does not make lawful what is unlawful or make unlawful what is lawful.

Fourthly, they say that any condition that contradicts the Book of God is rejected.

Know, my dear brother and close friend, may God protect you and support you with His victory, that this chapter which we are interpreting, namely the chapter on conditions in marriage, is a chapter with many issues and contains rulings with sound methods. We want to mention some of them, including conditional issues, and enumerate and present scholarly fatwas from them to make it easier to know the correct, established, permissible conditions and the invalid, impermissible conditions.

We say that the esteemed judge, Al-Nu'man bin Muhammad, may God be pleased with him, included in this chapter twenty-one narrations,

some of which are about established conditions and some of which are about invalid conditions. We want to differentiate between them and make a chapter for each of them in which we mention and include with them conditions like them, which we explain from them and extract from their like, because most of them are needed and used in our country and our time. So we say:

Chapter One: Invalid Conditions; Chapter Two: Permissible Conditions

The first chapter contains thirty conditions:

The first of them is that a man marries a woman and stipulates to her or her family that if he marries another woman on top of her, the woman he marries will be divorced. The condition is invalid, and he is allowed to marry as many women as are permissible for him, and the woman he marries on top of her will not be divorced from him.

The second is that he married and stipulated that if he took a concubine, the concubine would be free. The condition is invalid, and he may take whatever pillars he wants. Such a thing happens often in the condition of blatant invalidity, such as if he buys a slave and says, "If I buy another slave on top of this slave, then the second slave is free." The condition is invalid. Likewise, if he wears a garment and says, "If I wear such and such a

garment, then the second garment is forbidden to me.” The condition is invalid. Such things happen in eating, drinking, building, living, and other things. The condition in all of that is invalid because of his saying, “O Prophet, why do you forbid what God has made lawful for you?”

The third condition for his wife is that if he marries another woman, she is divorced. The condition is invalid, and he is free to marry whatever is permissible for him.

The fourth is that he stipulated to his wife that if he harmed her, she would be divorced. The condition is invalid, and he should not harm her.

The fifth is that if a man stipulates to his wife that if he takes her out of his house and leaves her in limbo, then she is divorced, then the condition is invalid.

The sixth is that if a man stipulates to his wife that he has taken a concubine, then she is divorced. The condition is invalid, and he is free to take as many concubines as he wants. The reason for all of this is that divorce has conditions, and none of these conditions apply here. Divorce is in his hands, as we mentioned before.

The seventh is that if he stipulates to her that if he eats such and such, or wears such and such, or speaks to so-and-so, or meets so-and-so, or drinks such and such, or rides such and such,

then she is divorced, and the condition is invalid, and he is free to do what is permissible for him as mentioned before.

The eighth is that if a man marries a woman and stipulates that intercourse is in her hands, then the condition is invalid, and he may have intercourse with her whenever he desires her.

The ninth is that if he marries her and stipulates that the sexual intercourse is in her hands and she has no dowry, then the condition is invalid, and the sexual intercourse is in his hands and she has a dowry from him.

The tenth is that if he marries her and stipulates that she may separate from him whenever she wishes, then the condition is invalid and the divorce is in his hands.

Eleventh, if he marries her and stipulates that he may come to her whenever he wants, once every month or once every Friday, then the condition is invalid and she has the same share as other women.

Marriage in all of this is permissible, so the conditions are invalid.

The twelfth is that if he marries her and stipulates that he will not spend on her except a known amount that they both agree upon, then the condition is invalid, and she is entitled to the same maintenance as other women.

The thirteenth is that if he marries her and stipulates that if he does not provide her with such and such amount of maintenance every month or every Friday, then she is divorced. The condition is invalid, and the divorce is in his hands, and she is entitled to maintenance like hers.

The fourteenth is that if he marries her and stipulates that if he does not have intercourse with her every Friday or every month, then she is divorced. The condition is invalid, and the divorce is in his hands, and he may have intercourse with her whenever he wants.

The fifteenth is that if he marries her on the condition that he divorces his first wife, then the condition is invalid and the marriage is permissible.

The sixteenth is that if he marries her on the condition that someone other than her guardian will officiate her marriage contract, then the condition is invalid, and the marriage based on this is invalid.

The seventeenth is that if he says to her, "I married you for this dirham or two dirhams, or for a day or two," then the condition is invalid, and the marriage based on this is also invalid.

The eighteenth is that if he marries her on the condition that there is no divorce between them,

but they agree on a specific period, and if it expires, its expiry will be a separation between them, then the condition is invalid.

The nineteenth point is that if he marries her and stipulates that there will be no inheritance between them, then the condition is invalid.

The twentieth is that if he marries her and stipulates that if he divorces her, then he has no waiting period with her, then the condition is invalid, and he has the same waiting period with her as all divorced women.

The twenty-first is that if he marries her and stipulates that the child belongs to her and is not attributed to him if it is from them, then the condition is invalid and the child belongs to them if the marriage was with a guardian and two just witnesses.

The twenty-second is that if he marries her on the condition that he is free and that she will stay with him and not leave him, then he learns that he is a slave, then the condition is invalid. If she wishes, she may stay with him, and if she wishes, she may leave him.

The twenty-third is that if someone marries her on the condition that she is free and stipulates that if she is a slave, she will not be given to the one who deserves her, then the condition is

invalid, and she will be given to the one who deserves her.

The twenty-fourth is that if he bought her on the condition that she was the seller's slave and stipulated that if she was rightfully owned by someone else, the one who was rightfully owned would take her, then the condition is invalid and the one who was rightfully owned takes her.

The twenty-fifth is that if he deceives a woman with malice, and she marries him on the basis that he is a healthy man, and he stipulates to her that if he is not healthy, they will not be separated, then the condition is invalid and they are separated.

The twenty-sixth is that if he marries her on the condition that he is a healthy man and stipulates that they will not be separated if he is not healthy, then it becomes known that he is impotent, then the condition is invalid and they are separated.

The twenty-seventh is that if he marries her on the condition that she is healthy and stipulates that she will not be returned if she has a defect such as a horn, madness, leprosy or vitiligo, then the condition is invalid and she is returned because of these defects.

The twenty-eighth condition is that if he marries her in that state and then finds out he is blind or lame, then the condition is invalid.

The twenty-ninth is that he married her and stipulated that if she was blind in one eye or not a virgin, she would be returned. The condition is invalid and she cannot be returned because of these two defects.

Thirtieth: If he marries her on the condition that he is capable of women, then he learns that he is not capable, then the condition is also invalid, and he postpones it for a year, as mentioned in the book Al-Da'a'im.

The second chapter contains eight conditions:

The first of them is when a man marries a woman and stipulates that she or her family must stay with her family. The condition is permissible and he must fulfill it.

The second is that if someone marries a woman and stipulates that she stay with him in a specific country, then the condition is permissible and he must fulfill it by not taking her out except with her consent or with the consent of the person from her family who stipulated that for him.

The third is that if someone marries her and stipulates that she will not allow anyone else to

enter upon him, then she allows her sister to enter upon him during the consummation, then the condition is binding, and he has the right to take the one he contracted with and to reject the other.

The fourth is that he married her on the condition that she was free, and that if she was owned, he would not enslave his son from her because he only married her on the condition that she was free. Then a man provided evidence that she was his slave, so the condition is permissible and he has the right to redeem his son from her, and she herself belonged to whoever deserved her and he did not enslave his son.

The fifth is that if he marries her and stipulates that he will feed her such and such, then the condition is permissible as long as it does not exceed its limit.

The sixth is that if he marries her and stipulates that he will dress her in such and such a way, then the condition is also permissible.

The seventh is that if he marries her on the condition that he gives her such and such, then the condition is permissible if that is part of her dowry.

The eighth is that if he marries her and stipulates that he will not feed her anything other than what he eats, nor clothe her in anything

other than what he wears, nor house her anywhere other than where he lives, then the condition is permissible.

His statement, may God sanctify his soul: We have mentioned previously what has been established from the Ahl al-Bayt (peace be upon them) regarding conditions, that only what is in accordance with the Book and the Sunnah is valid, and what contradicts that is invalid.

His statement, "And compare what was mentioned previously," refers to the book on sales.

His saying "the people of the house" means the family of the Messenger of God, peace be upon him.

His statement is that which agrees with the Book and the Sunnah, meaning the Book of God and the Sunnah of the Messenger of God, peace be upon him. So if the Sunnah is mentioned with the obligatory, then it is said the obligatory and the Sunnah. The obligatory is what God has obligated in the Sharia of Islam, and the Sunnah is what the Messenger of God, peace be upon him, has established as a Sunnah. And if it is

mentioned with the Book, then it is said the Book and the Sunnah. The Book is what God said and revealed in His revelation, and the Sunnah is what the Messenger of God, peace be upon him, said in his hadiths and his words. So the Sunnah here is the sayings of the Prophet, peace be upon him, and his words.

Know, my brother, that I have finished explaining most of what is needed in the explanation of the conditions mentioned above, as if I have finished explaining the narrations therein. However, I must add to it what is necessary in explaining the linguistic terms and interpreting the grammatical and morphological words. Therefore, we have dedicated an explanation to each narration. Know this.

And he, may God sanctify his soul, said: We have narrated on the authority of Ja`far bin Muhammad, on the authority of his father, on the authority of his forefathers, on the authority of Ali, peace be upon him, that he ruled concerning a man who married a woman and stipulated to her family that if he married another woman or took a concubine, the woman he married would be divorced, and the concubine he took would be free. He said: God stipulated before their conditions, so if he wished, he could fulfill his promise, and if he wished, he could marry another woman and take a concubine, and no woman would be divorced from him if he married her, and no concubine would be freed from him if he took her.

I have already mentioned the difference between "qada" and "qala" and "sala" in what has preceded, so look for it from there if you wish. And his saying to her family means to her here, meaning to her or to her family, for whoever asks for the condition in that from them. And I have also mentioned the difference between the female slave, the concubine, the female slave, and the mother of the child in what has preceded.

His saying "divorced" means "divorced woman," and it is a word in the masculine form but its meaning is feminine. It has many similar meanings, such as "pregnant" and "menstruating." The basis for this is that every meaning that is only valid in women, its doer only comes in the masculine form, and that is like menstruation, pregnancy, and divorce.

His statement, "So God stipulated," means that God, may He be glorified and exalted, has permitted in the law of His Prophet, may He be glorified and exalted, that one man may have four wives, and He has also permitted him to have as many concubines as he wishes. This stipulation is more valid than their false stipulations.

His statement before "which one is more deserving"

His statement, "If he wishes," means that he has a choice in this matter; if he wishes, he may not marry another woman and may not take a concubine, and if he wishes, he may marry another woman and take a concubine.

And he, may God sanctify his soul, said: On the authority of Abu Ja`far bin Muhammad bin Ali, peace be upon him, that he said: Whoever stipulates to his wife that if he marries another woman, or harms her, or expels her, or takes a concubine, then she is divorced, he said: God's stipulation is before their stipulations, and he should not harm her or transgress against her. And he may marry, if he wishes, whomever is permissible for him, and take a concubine.

The statement has already explained such a narration in the explanation of the four conditions. The condition is invalid, and his statement is more harmful than harm, and his statement is that he expelled her, meaning from his house and left her hanging, and his statement is that he transgresses, meaning he does not expel her by transgressing against her, and his statement is that he takes a concubine, which is the slave girl who is taken for intercourse. These four conditions are in warding off evil from her, then two of them are in warding off evil from her, which are what is in harm and expulsion, and two of them are in warding off good from himself, which are in marriage and concubinage, but they are all invalid, then he should do two of them,

which are marriage and concubinage, and not do two of them, which are harm and expulsion.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said regarding a man who married a woman and stipulated that the intercourse and the separation were in her hands, he said to him: You have gone against the Sunnah and entrusted the right to those who are not worthy of it. And he ruled that the husband must pay the dowry. And the intercourse and the divorce are in his hands. And he invalidated the condition.

The intercourse is in her hands, meaning he does not have intercourse with her unless she wants it, is satisfied with it, and gives him permission for it. His saying, "The separation is up to her," means that she can separate from him whenever she wants without him divorcing her. His saying, "You have gone against the Sunnah," means that you have gone against what the Messenger of God, peace and blessings of God be upon him, established, that intercourse is in the hands of the husband, and he has intercourse with her whenever he wants, whenever his soul

desires her, and wherever he desires her. Divorce is also in his hands; if he wants, he can keep her, and if he wants, he can divorce her. She has no share or portion in these two things. His saying, "And you have entrusted the right to someone other than its rightful owner," means that these two things are only your right, and you are the one who is most deserving of them, but you have entrusted them to someone other than you who is not its rightful owner. Her right is only the dowry from you, and these two things are truly your right.

And he, may God sanctify his soul, said: On his authority, he said: Whoever marries a woman and stipulates that she stay with her family or in a known country, that is permissible for them, and the stipulation is permissible among Muslims as long as it does not make the forbidden permissible or make the permissible forbidden.

The meaning is that these conditions are permissible, and it is lawful. Then he mentioned the reason for its permissibility, which is his saying: unless it makes something unlawful lawful or makes something lawful unlawful.

His statement that it is permissible for them means that it is permissible for her to stipulate and it is also permissible for him to fulfill it. As for the condition that makes something forbidden permissible and makes something permissible forbidden, it is like the condition that the divorce is in her hands. So if she leaves him on this condition, then it makes her forbidden to the husband, while she is permissible to him, and it makes her permissible to others, while she is forbidden to him.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, peace be upon him, that he said: If a man marries a woman on the condition that he will come to her whenever he wants, every month or every Friday, and that he will not spend on her except a known amount that they both agree upon, he said: The condition is invalid, and she has the same maintenance and division as other women, and the marriage is valid. If he wishes, he may keep her according to the obligation, and if he wishes, he may divorce her. If she is satisfied after that with what was stipulated for her, and she dislikes divorce, then the matter is up to her if she makes peace with him. God Almighty said: And if a woman fears from her husband contempt or aversion, there is no blame on them if they make peace between themselves. And peace is better. This is if the man dislikes the woman and wants to divorce her, and she dislikes divorce and makes peace with him on leaving her share of the division for her or of maintenance on her or some of that, and they agree on what they have agreed upon from that, then the peace is valid.

His statement that he should stipulate this
condition for her.

His statement "he comes to her" means he
has sexual intercourse with her.

His statement "every month and every
Friday" clarifies when, i.e., every thirty days or
every seven days.

His statement, "And on the condition that,"
also requires

His saying "something known" means less
than what is due to her, and "maintenance" is
what she lives on, and "division" is what is
allotted to them in terms of days.

His saying "to women" means to her co-
wives and to women like her.

His statement "he kept her" means he did
not divorce her.

His statement regarding what is obligatory
means regarding what is due to her in terms of
maintenance and division.

His statement after that, meaning after this
legal ruling,

His statement, "What is the condition,"
means leaving her right. Divorce is like what is
permissible, the source of the verb "to divorce" is
the verbal noun of the verb "to send," meaning
to send.

His saying, "The matter is up to her," means that the choice is hers. "Salih" is a reciprocal action from "salih," which is one of the opposite verbs. That is, this one chooses reconciliation over abandoning what he intended to do regarding divorce, and this one chooses reconciliation over abandoning her share of maintenance and division. "Al-ba'l" with a fatha is the husband, and "al-nushuz" with a damma is the source of "nashaza" if he quarrels, and "al-i'rad" is the source of "a'rad," that is, if she fears that he will single her out in everything he deals with her or turn away from her and leave her hanging, and "al-sulh" with a damma is righteousness, and righteousness is in consultation and reconciliation is in war, and "al-hazz" with a fatha is the share.

His statement, "or some of that," is connected to his statement, "on leaving her share."

This narration contains seven benefits.

The first is that some men come to women once every month or every Friday, and this is due to one of seven reasons: either because he has many women, or because he has little desire for some of them and much desire for others, or because of weakness in his body, or because he is indifferent to them, or because of a

preoccupation that befalls him, or because of hatred in his heart towards some of them, or because of harming them.

The second group consists of those who are generous in spending on women more than what is due to them, and those who are stingy to the point of stipulating that they should not spend more than a known amount.

The third is that some women hate divorce and are content to give up their share, while others demand it and argue over it or increase their share.

The fourth is that some of them fear their husbands' disobedience or aversion, and some of them fear that from them.

Fifth, peace in all things is better than war and hostility.

The sixth is that the Sharia does not command anything except justice in everything, just as it commanded this woman to do what women do. Then, if a person is content to leave his share, then the matter is up to him.

The seventh is that the condition of leaving the share of maintenance and division at the time of marriage is invalid, but what is after the marriage of that is not wrong in it, and our evidence for this meaning is his saying, "And if she is satisfied after that, etc."

And he said, may God sanctify his soul: On the authority of the Messenger of God, peace and blessings be upon him, that he forbade a woman from asking for the divorce of her sister in order to fill her plate, for God is her provider.

And he, may God sanctify his soul, said: On the authority of Ja'far bin Muhammad, peace be upon him, that he said: A man should not marry a woman on the condition of divorcing another woman.

These two narrations have the same meaning, and the second is an explanation of the first. His saying, "She asks," means she stipulates at the time of marriage. The sister is of two types, one is the companion and the other is the religious and doctrinal one, as in his saying, "The Muslim is the brother of the Muslim." So it is understood that the Muslim woman is the sister of the Muslim woman. He sufficed the vessel and filled it up, so he threw it on its face and emptied what was in it of water and other things. Its form is with a hamza at the end. The plate with a fatha is the cup, and what is meant by it is the share and portion.

The meaning is that it is not permissible for a man to marry a woman and stipulate that he divorce his first wife. If he does stipulate it, then the condition is invalid. Then he mentioned the reason for its invalidity by saying, "So that her plate may be filled," meaning that this is destroying the share of another. Then he mentioned the reason for the prohibition against destroying the share of another by saying, "God is her provider." That is, the woman who stipulates should believe that God provides for her and her sister if they are married to one man, so she should not stipulate such an invalid condition.

The pronoun in his statement "He who provides for her" refers to the new woman, and if you wish, it refers to the sister. The meaning in both cases is fixed, and both interpretations are correct. Understand this.

It is known from here that no one who fears God and is afraid of Him should turn his brother's plate towards a man who is a servant of some sultans and is in charge of his affairs. No one should spoil his affairs in order to enter into them and take over them, for God is the provider for both of them, providing for this one and that one.

And he, may God sanctify his soul, said: On the authority of the Messenger of God, peace be upon him, that he forbade temporary marriage, and on the authority of Ali, peace be upon him, that he said: There is no marriage except with a guardian and two witnesses, and it is not for a dirham or two, or a day or two, that is fornication, and there is no condition in marriage.

And he, may God sanctify his soul, said: On the authority of Ja`far ibn Muhammad, peace be upon him, that a man asked him about temporary marriage (mut`ah). He said: Describe it to me. He said: A man meets a woman and says: I will marry you for this dirham or two, for one night, or one day, or two days. He said: This is adultery, and only a wicked person would do this. The invalidity of temporary marriage is found in the Book of God, the Exalted, because He, the Glorified, says: "And those who guard their private parts, except from their wives or those their right hands possess, for indeed, they are not to be blamed. But whoever seeks beyond that, then those are the transgressors." He did not permit marriage except with a wife or a slave woman. He mentioned the divorce that necessitates separation between spouses, and the inheritance of spouses from one another, and He obligated the waiting period for divorced women. Temporary marriage is contrary to this. According to those who permit it, it is only when a man and a woman agree on a specific period. When the period expires, she is separated from him without divorce, and she has no waiting period, and no child is attributed to him if born from her, and

he is not obligated to provide for her, and they do not inherit from each other. This is adultery. That which is universally accepted and beyond doubt. End of quote.

The book "Mukhtasar al-Athar" (Abridged Traditions) mentions what strengthens and explains this narration that came in the book "al-Da'a'im" (The Pillars), which is his saying, "And on the authority of the Messenger of God, peace and blessings be upon him, that he forbade temporary marriage." The temporary marriage that those who permitted it said is when a man says to a woman, "Give me temporary marriage," or he says to her, "I will marry you for this dirham or two dirhams," or whatever is said of that, for one act, or a day or two, or whatever period they agreed upon. They said, "If they agreed upon that, she is permissible for him until the end of the period they agreed upon. If she becomes pregnant from him, the child is not attributed to him." They said, "And she is separated from him without divorce." They claimed that she has no waiting period, and that she does not inherit from him. They said that enjoyment is not permissible with a virgin, and some of them claimed that it is permissible with married women. This is pure fornication, which has no doubt about it and no

covering up for it. God, peace and blessings be upon him, did not permit the private parts except from two directions: from the direction of marriage and from the direction of ownership of the right hand, as He, peace and blessings be upon him, said, "And those who guard their private parts except from their wives or those whom their right hands possess, for indeed, they are not to be blamed." And whoever seeks beyond that, then those are the transgressors. If this were a wife, she would not be married without a divorce and without a waiting period, because God Almighty says: O Prophet, when you divorce them, divorce them for their waiting period. And she would inherit and be inherited from, because God says: And for you is half of what your wives leave, and He said: And for them is a quarter of what you leave. And the child would be attributed to them, because the Messenger of God said: The child belongs to the bed. And if she is not a wife or a slave, then she is forbidden.

The reports prohibiting temporary marriage from the Messenger of God, peace be upon him, are numerous, and he said: "There is no marriage except with a guardian and two just witnesses." Those who permit temporary marriage claim that it is not contracted with a guardian or witnesses.

It has been reported from Ali, peace be upon him, Abu Ja`far, and Abu Abdullah, peace be upon them, that they invalidated temporary marriage, prohibited it, and forbade it. End of his statement.

These two narrations are interpreted, each explaining the other, and each one strengthens and clarifies the other, as if they do not need further explanation. Therefore, we have shortened the discussion of them. However, it is necessary to mention something that adorns them and reveals their beauty, for I have based the foundation of this book on the interpretation of the narrations transmitted from the Messenger of God, peace and blessings be upon him, and from the Imams of his family. Even if my discourse is deficient due to the deficiency of my understanding and incapable due to the inadequacy of my knowledge, withholding effort is not permissible, and neglecting to seek God's reward is a sin. Therefore, I intended what I intended in this work, and I say, and to the Benefactor and the one who calls to God, what good I will gain from it:

His statement that temporary marriage is forbidden is clearly prohibited here. His statement that temporary marriage is nothing but fornication, quasi-fornication, pure adultery, the act of immoral women, the act of prostitutes,

the act of an adulterer and an adulteress, invalid and invalidating, forbidden and prohibited for a known time, adultery that is not doubtful, adultery that has no ambiguity, adultery that has no cover-up, and an act that is prohibited. All of these are the statements of the Imams from the People of the House, may God's prayers be upon them, as you see. It was only called marriage by those who permitted it from among the immoral and wicked, and this name prevailed over it and appeared with it. Thus, it is mentioned in a place where it is needed to be mentioned, and then its prohibition is mentioned there, so that it is known that it is not marriage even if it is called by its name, but rather it is adultery, fornication, immorality, and wickedness.

Here are three narrations that came regarding the prohibition of temporary marriage: one of them is from the owner of the Sharia and the founder of the religion, the second is from his successor and the foundation of his religion and the repository of his knowledge, and the third is from the preserver of their establishment and the explainer of their law. It has been proven that temporary marriage is forbidden, there is no doubt about its prohibition.

The pleasure is called pleasure for two reasons:

One of them is to enjoy the woman he enjoys without her being lawful for him, because she is not his wife, but rather she is forbidden to him, and he only enjoys her for a known period, and that is why it is called pleasure.

And the second of them is because of his saying to her, "Your pleasure is from yourself," and pleasure with a damma in the language is benefit.

His statement, "There is no marriage except with a guardian and two witnesses," is the first and greatest of the conditions for the validity of marriage. There are fourteen conditions for a valid marriage and for the permissibility of consummation of the marriage. I have mentioned seven of them previously in the ninetieth issue mentioned in the chapter on the marriage of guardians, and I will mention the remaining seven here:

Firstly, God Almighty mentioned divorce, which necessitates separation between spouses. This is one of the conditions for marriage.

The second is the inheritance of spouses from each other.

The third is the obligation of a waiting period for divorced women.

The fourth is the obligation of the waiting period for a woman whose husband has died.

The fifth is the obligation to provide maintenance for divorced women.

The sixth is to attach the child to them.

The seventh is the permissibility of sexual relations with a slave woman.

These fourteen conditions are the conditions for the validity of marriage, and anything that contradicts them is invalid and never permissible. If it is said that it is called temporary marriage (mut'ah) because of what the Prophet (peace and blessings be upon him) said in his book, "Enjoyment after giving the wages," we say that you mentioned a verse without mentioning what came before or after it, and you did not understand what it contained. For the Prophet (peace and blessings be upon him) said before this verse, "And lawful for you are all [women] beyond these, provided you seek them with your wealth, not engaging in fornication, not committing adultery." The meaning is that the Prophet (peace and blessings be upon him) says, "Lawful for you are women other than those mentioned previously, who are the prohibited degrees of marriage," and that is if you seek to marry them with your wealth spent on their dowries, and you marry them in a state of chastity, which is marriage with a guardian and two witnesses, not engaging in fornication, which

is the same as temporary marriage without a guardian and two witnesses. So whatever you enjoy from them—that is, whatever you benefit from them, whether it be companionship, touching, kissing, intercourse, embracing, or lying with them—give them their due wages, which are their prescribed dowries. So give them their dowries before consummating the marriage. Thus, it is established that enjoyment here means pleasure. So whatever pleasure you have derived from them after marriage, give them their dowries before consummating the marriage. His statement, "what is beyond that," is the permissibility of all other women after the prohibition of those who are close relatives.

His statement, "If you seek [marriage] with your wealth," is a command to give the dowry.

His saying "chaste" is an order to marry with a guardian and two witnesses, as established by the Messenger of God, peace and blessings be upon him. "Not committing fornication" is a prohibition against adultery, fornication, and something similar to fornication, which is temporary marriage.

His statement, "So whatever you have enjoyed from them," is permission and encouragement to benefit from them.

His statement, "So give them their due compensation," is an order to give the dowry before consummation of the marriage.

His statement "an obligation" refers to the requirement to pay the dowry before or after marriage but before consummation.

And He, may He be glorified and exalted, said after this verse as well: "Then marry them with the permission of their guardians and give them their due compensation in a just manner, provided they are chaste, not committing fornication, nor taking lovers." The meaning is that God, may He be glorified and exalted, commanded marriage with a guardian and two just witnesses, as established by the Messenger of God, peace and blessings be upon him, when he said, "There is no marriage except with a guardian and two just witnesses." His statement, "with the permission of their guardians," identifies their guardians, for the family are their guardians in their affairs. So, His statement, "Then marry them with the permission of their guardians," is a command to marry with a guardian and two witnesses. His statement , "and give them their due compensation," is a command to give the dowry. His statement, "in a just manner," means according to the custom agreed upon by the people. His statement, "chaste," clarifies His

statement, "Then marry them," and is also a command to marry. His statement, "not committing fornication," refers to fornication and is in reality an explanation and definition of temporary marriage (mut'ah). For temporary marriage is taking lovers and nothing else. A man finds a woman attractive and takes her as a lover for as long as he wishes, then she leaves him if she so desires, without him divorcing her. This is the description of lovers, not of marriage. This is the meaning of His saying, "So you have enjoyed," and the meaning of the verse and what precedes and follows it, not what those who permitted temporary marriage and followed their desires have gone to, so God has led them astray, and they have no guide. Here, marriage is the contract, and the family are the guardians, and the giving is the giving before consummation, and the wages are the dowry, and the known is the custom, and the chaste women are the married women, and the promiscuous women are the adulteresses, and the women who take lovers are the ones who enjoy.

And marriage is a contract in Islamic law, and intercourse is in the language, and permission is like hearing, and he is worthy, like hearing, he is worthy, and he is worthy, and he performed, and the wage with a damma is the compensation for

the service, and what is known is what people know in the language, and what is known is what is customary and not prohibited by Islamic law, so it is known in the conceptual terminology, and he guarded and married.

The meaning in his saying, "chaste women," is that they are married, meaning give them their wages, which are their dowries, in the state of being married to you. As for "chaste" meaning "chaste," it is in his saying, "chaste women," meaning that chaste women are made lawful for you.

And pleasure in both aspects is forbidden, for it is the opposite of marriage and is against chastity, indeed it is pure adultery as mentioned previously.

And "chastity" is the meaning of the word in the language, and "marriage" is the meaning of the word in Islamic law, because marriage is the truth, as the Messenger of God, peace and blessings be upon him, said: "Whoever wants to meet God pure and cleansed, let him be chaste with a wife." I have mentioned the meaning of this hadith in the chapter on dealing with women, so look for it there.

The shedding of blood, water, and other things is called spilling in the language, and the shedding of blood is called fornication or an

unlawful marriage, and a temporary marriage, and the ejaculation of semen into the womb of someone who is not permissible in the legal terminology.

The word "khadn" (with a kasra on the "kh") means beloved or cherished person.

Know, my brother, that since I have spoken at length about the prohibition of temporary marriage, let us now proceed to explain the words and elaborate on the meanings in the three detailed narrations presented here. We say:

His statement, "There is no marriage except with a guardian and two witnesses," is found in the book "Mukhtasar al-Athar" and "two just witnesses." This is to negate the entire category of marriage from permissibility, and the exception is connected to the permissibility of one marriage, which is with a guardian and two witnesses, from that negated category. The meaning is that the entire category of marriage, which has many types, such as valid marriage, invalid marriage, fornication marriage, and temporary marriage, is not permissible except for the valid marriage that is with a guardian and two witnesses. This is a connected exception, which is the affirmation of one type of the negated category, like your saying, "The people who came to me were Zayd, Amr, Bakr, and Ja'far, except

Zayd." So you negated a category and then affirmed one of it. This is like saying, "There is no god but God." This is the negation of the category of gods, which is everyone who is called a god, negating divinity, then affirming one of them in divinity. This is a connected exception. Likewise, the valid marriage is an exception in its permissibility from the types of its category. And in the exception is a subtle meaning that is not in the affirmation alone nor in the negation alone. For if you say, "God is God," it is said, "Is there a god above Him or below Him, or not?" Likewise, if you say that not all of creation are gods, it will be said to you, who is the god besides them? But if you say, "There is no god but God," it will be known that creation is not gods and that there is no god but He who created them and provided for them. Likewise, the meaning in the hadith about marriage is that if you say, "Marriage is what is contracted by a guardian and two witnesses," it will be said to you, "Is there marriage after that or not?" And if you say, "Not all types of marriage are valid," it will be said to you, "Then which of them is valid?" So if it is said, "There is no marriage except by a guardian and two witnesses," it will be known that not all types of marriage are valid except the marriage that is by a guardian and two witnesses.

His statement, "two just witnesses," means those who possess the conditions of justice mentioned in the books of jurisprudence. No witness is acceptable unless they possess those conditions.

His statement is not about one or two dirhams, meaning that marriage is not about giving money alone, since the contract requires a guardian and two witnesses. Therefore, the condition of giving money in marriage alone is invalid. What is meant by one or two dirhams is money. He only mentioned the two words, one or two dirhams, to represent the mention of the past, and because two is the beginning of abundance and its origin. This indicates that he meant money in general.

His statement, "and a day or two days," meaning that he has intercourse with her for a day or two days or days or a week or a month or a year or something similar, then that condition is invalid, because the condition of the spouses is that they remain in marriage until he dies unless the husband divorces her with what is required of the conditions of divorce, and nothing other than that is permissible from the conditions such as the condition of time, and the condition of place, and the condition of the events, and our evidence for that is his statement, "and there is no

condition in marriage,” and his statement, “similar to fornication,” meaning like adultery and like the invalid and impermissible marriage that is contracted without a guardian and two witnesses, so the condition of time in marriage is invalid, and his statement, “and it is not stipulated in marriage,” meaning that the condition of time in marriage is not permissible.

His statement, “Describe it to me,” indicates that it was not something established by the Prophet or the Imams from his family. Rather, it was invented by those who misled others based on their whims, and then they attributed it to them and lied about them. Because if he said, “Describe it to me,” it is known that he did not know what it was. So, since he did not know it, how could it be imagined that he commanded it or did it? No, and he is far above what the wrongdoers say.

Know, my brother, that the fabricated narrations regarding the permissibility of temporary marriage are all lies against the pure ones from the family of the Messenger, peace be upon him. Rather, they were fabricated by those who permitted it and followed their desires, so God has led them astray. So do not be deceived by them, for they are nothing but the lies of misguided and falsifying people and the

delusions of misleading preachers. They wanted to commit forbidden acts, so they made up tricks to be accepted by the ignorant, so they called them by names other than their names and made them permissible according to their desires, just as they call fornication temporary marriage and made the forbidden permissible with this name. And they did likewise in other matters.

This is as it was narrated in people's stories that a man came to a doctor and said to him, "Treat me, doctor." The doctor said to him, "Your medicine is such and such, which is forbidden in your religion." So he said to him, "Treat me with whatever you want and call it by a name other than its name, which is permissible in my view." This is how these misguided people acted in their religion and committed forbidden acts with certainty.

His saying "I will marry you" is one of their tricks and a way of calling something by the name of something else. He says, "I will marry you in the place where I will commit adultery with you," so he calls adultery by the name of marriage and makes it permissible by that.

His saying "waqa'a" means "once I fall upon you," i.e., I have sexual intercourse with you.

His statement, "and the invalidation of temporary marriage is found in the Book of God,

may He be glorified and exalted," means that everything that contradicts the Book of God is invalid. Temporary marriage contradicts it in all its aspects and meanings, so its invalidation is found in it. This is because it contradicts this verse: "And those who guard their private parts except from their wives or those whom their right hands possess, for indeed, they are not to be blamed." And its contradiction to it is his statement: "So he did not issue a marriage to a wife or a slave, etc."

He said, "And he mentioned divorce. There are many benefits in divorce, the first and greatest of which is that without it the earth would be corrupted and would collapse, because many women may be attracted to many men and hate their husbands, and nothing prevents them from disagreeing with their husbands and going out to the one they love except divorce, because they need it and do not find a way to it on their own, because it is in the hands of their husbands, so they are patient with it. This is the greatest benefit in the building of this world and the hereafter."

His statement that no child was born to him, if indeed it was from her, is a form of corruption. For God, may He be glorified and exalted, created humankind only to populate His earth and only

ordained marriage so that they might recognize one another through lineage and tribe, thus enabling them to cooperate with one another and avoid estrangement and enmity. If a child born in a temporary marriage is not attributed to the man who had intercourse with his mother, then the social order is corrupted by such a marriage. It is not marriage at all, but rather pure fornication, adultery, and debauchery. It is narrated that a man from the Twelver Shi'a sect entered Basra and married a woman there in a temporary marriage. She became pregnant by him, and then the marriage ended when the agreed-upon period expired. During that time, the man had given her a known knife. He then returned to Persia, and the woman in Basra gave birth to a daughter. After a long period, he returned to Basra. The woman had died, and her daughter, whom he had fathered with her, had grown up. The man intended to enter into a temporary marriage, and this daughter happened to be with him. He did not recognize her, so he engaged in the temporary marriage. Then one day, while conversing with her, he asked her about her mother and her name. He asked her about her circumstances and also asked her about the name of the one who bore her a child. She told him that her mother, so-and-

so, daughter of so-and-so, had been enjoyed by a man from Persia whose name was so-and-so and whose adornment was so-and-so. He knew that it was him. He asked her if there was anything with her mother that would be a sign between her and that man. She said yes, that he gave her mother a knife that belonged to him and that was with her. He asked her to show her that knife, so she brought it out to him. When he saw it, he recognized it and knew that he had committed adultery with his daughter. He struck his head with his hand and cried and wailed and cursed himself and also cursed the one who made and established temporary marriage. Then he fled from Basra, regretting what he had done. This is the consequence of temporary marriage and such are the shameful things of its people. So know this.

I met a man from the Twelver Shiites in Bandar Surat, and he told me that in the land of Khorasan there are isolated quarters of the people's quarters inhabited only by women whom people enjoy. And at the door of each quarter there is a man who calls himself a jurist, who is a man of greed. So if a man wants to enjoy one of these women, he enters one of those quarters and informs that jurist of his matter, and he gathers them to him. So the man among them

finds a woman attractive, and he stipulates for her, for a dirham or two, one or two encounters, or a day or two, and he acts as an intermediary between them and takes his fee from him and brings them together according to what he stipulated for her, which was mentioned previously, in terms of money and encounters. So I said, O friend, how do you call this man who brings together the adulterers a jurist, when he is only a hairdresser, a broker, and an intermediary between the people of immorality? And how do you also call this act temporary marriage when it is only adultery, debauchery, and immorality? So he believed me in what I said and admitted that he committed adultery as I said, so know this.

The Twelver Shiites have adopted temporary marriage as their religion, to the point that they say that whoever does not engage in temporary marriage, no religion will be accepted from them, neither prayer nor fasting nor pilgrimage nor alms. This is a lie they invented with their opinions and a falsehood they fabricated with their desires. Likewise, they fabricated false narrations and deceptive stories that only the misguided like them and the foolish like them would be deceived by. Likewise, some of the people of the four schools of thought, the literalists, have deemed it

permissible. The origin of this is a desire by which they were deceived. So know this.

And he said, may God sanctify his soul: On the authority of Ali, peace be upon him: He ruled concerning a woman whom a man proposed to through her father, and he gave her to him as his wife, and she had a sister. When he was about to consummate the marriage, he consummated the marriage with the sister. He ruled that the dowry should go to the one with whom he consummated the marriage, or the husband should return it to her father. The one he contracted with is his wife, but he should not consummate the marriage with her until the waiting period of her sister has ended.

His statement, "So give her to him," means that he gives her to him by his guardianship if she is a child, and by his agency if she is an adult. The meaning of "give her to him" is that he gives him some of her, not that he makes her a slave.

His statement, "And she has a sister," means another sister.

His statement, "when building," means when building it, her wedding night, and she goes out to a sister mentioned previously.

His statement that he takes it back means that he takes it from her father, meaning that he gives the dowry that he entered into marriage with in order to make her permissible for him to have relations with, then he takes it from her father and gives it to the one who is his wife.

His statement, "He brought in the sister," is an example of bringing in someone other than his wife. It is mentioned in the book "Mukhtasar al-Athar" that he brought in someone other than his wife. The meaning is that he brought in his sister, or his brother's daughter, or his paternal aunt, or his maternal aunt, or his daughter, or his mother, or someone else from his relatives or distant relatives. He can claim the dowry back from her father if he brought in someone other than his wife and had intercourse with her, thinking she was his wife and not knowing that she was someone else, and then he learned that. Otherwise, he cannot claim the dowry back from her father. They are separated, and then his wife, with whom he had a marriage contract and who has another dowry due to him, is brought in so that he may have intercourse with her.

His statement, "But he shall not have intercourse with her until the waiting period of her sister is over," means that he shall not have intercourse with his wife until the waiting period of her sister has passed, because the two sisters shall not be together with him, since intercourse would bring them together with him even if they were not brought together by marriage.

This sexual intercourse is a type of fornication, and there is a difference between it and adultery because adultery has a prescribed punishment, but this is not required in this sexual intercourse. There is no dowry in adultery, but there is a dowry for her in this sexual intercourse.

As for the prohibition against marrying two women who are forbidden to marry, it has been mentioned in many places, such as the prohibition against marrying two free sisters, and against having sexual relations with two slave sisters. This has also been mentioned in this place.

His statement, "the waiting period of her sister," means the duration of her menstrual cycle, which is the limit of waiting, because the waiting period is either in death or in divorce, and this woman is neither widowed nor divorced, but rather she has been deceived into marriage, so

her waiting period is to ensure her womb is clear so that she does not meet with her sister.

Know, my brother, that I want to show you here some of the beauties of Arabic, and explain the meanings in it, and establish for you a foundation in the soundness of the words of the imams, so that you may bear all that you come across from their words upon it. This is only to the extent of my knowledge, otherwise their words are comprehensive, and their sayings are sources, but this is but a handful from their seas, and a drop from their rains, and it is but sweet and palatable drink, so take it with strength, and enjoy it with desire.

So I say the language is clear and distinct, and woman is the female of mankind, and speech is an invitation and a request, and man is male, and father is the parent, and his kingdom is overpowered and he has exclusive rights to it, and sister is the woman who shares in the lineage of the parents, and he built with her, she was brought to him and he had intercourse with her, and he entered, and the dowry is the bridal gift, and he entered with her, he lowered the veil over her, and he returned, and husband is the male of the spouses, and contract is established, and woman is also the wife, and she is the female of

the spouses, and he let go, and the term is the period.

The word "al-sarf" is a defective verb, and "khataba" is a trilateral verb, and "amlaka" is a verb, and "malaka" is a verb, and "al-binaa" is the verbal noun of "bana yabni", and "awlaja" is a verb, and "walja" is a defective verb, and "al-sadaq" is a noun from "sadaqa", and "dakhala" is a verb, and "rajaa" is a verb, and "aqada" is a verb, and "khalaa" is a verb, and "da'aa" is a defective verb.

The grammar is: the waw for conjunction, 'an for exceeding, 'Ali is a proper noun that is declined and is derived from 'uluww and al-a'la, in is a particle that makes it accusative, the ha' for the pronoun, fi is a particle that makes the noun genitive, al-imra'ah is a noun in the genitive case, rajul is the subject of khatab, ila for completion, al-ab is one of the nouns added, fa' for conjunction, iyyaha for connecting the object, lam for ownership, lamma for condition, kana is a defective verb in grammar, 'inda for the general adverb of place, 'ala for superiority, al-latti for connection, ba' for linking, but lakin for correction, la for negation, hatta for limitation.

The jurisprudential meaning is the narration, the chain of transmission, the judgment, the sermon, the marriage, the consummation, the

entry, the dowry, the deception, the fine, the contract, and the term. The narration is for Al-Nu'man, the chain of transmission is for Al-Sadiq, the judgment is for Ali, peace be upon him, the sermon is for the husband, the marriage is for the father, the consummation with her, the entry with him, the dowry is for her, the deception with him, the fine is for the father, the contract is for the husband, and the term is for her.

Here are seven issues:

The first of them is that the narration is only permissible from the Imams from the lineage of the Prophet, peace be upon him.

Secondly, the judiciary is only permissible for those whom the Prophet, peace be upon him, testified to by saying, "Ali is the most decisive of you in judgment." Therefore, it is only permissible for him and the Imams from his descendants.

The third is that the one most entitled to propose marriage to the woman is the father.

The fourth is that marriage is the transfer of ownership in some matters and for some parts, such as the private parts, and like going out with permission and answering the question.

The fifth is that the debtor is liable for the debt; whoever incurs a debt for something is liable for it.

The sixth is that the dowry is the payment for sexual intercourse, which is required by it.

The seventh is that it is not permissible to combine close relatives in any circumstances, neither in marriage nor in sexual intercourse or private parts. So know this, and interpret all the narrations from the Imams of the Ahl al-Bayt, peace be upon them, in light of this, and you will be guided, God willing.

And his saying, may God sanctify his soul: On his authority, he ruled concerning a free woman who was deceived by a slave who married her, while she thought he was free. He said: If she wishes, she may stay with him, and if she wishes, she may leave him. Abu Ja`far Muhammad, peace be upon him, said: If he had consummated the marriage, she is entitled to the dowry, and if he had not consummated the marriage, she is not entitled to anything, meaning if she chose to leave him. If he had consummated the marriage after she knew he was a slave, then he has more right over her.

His statement that he ruled means that most of the rulings are attributed to the Commander of

the Faithful, Ali, peace be upon him, because everything that the Prophet, peace be upon him, said, commanded, or did is a positive law, because he is the owner of the law, its builder, founder, and legislator. And all those who were after Ali, peace be upon him, were hidden in the cave of dissimulation. They did not assume the rulings, nor did they deal with the cases. And everything that the Commander of the Faithful, Ali, peace be upon him, said, commanded, or did is an explanation and clarification of what the Prophet, peace be upon him, legislated and established. And because he assumed the rulings and dealt with the cases, most of them are attributed to him and issued from him.

Freedom comes from the root حر يحر, meaning to be firm or established. From this root also comes التحرير for writing, meaning proof or confirmation. So, the free man and woman, male and female, are all those who are firm and established in their original creation and nature, and no one owns them. They are free and free, meaning firm and established in what they were created with. The plural of both is احرار and حرائر.

He concealed it, so this person concealed it himself, meaning he hid it and did not inform her that he was a slave.

The submissive slave is the one who is owned by a slave who is worshipped when he is humbled and submissive.

This deception involves four issues:

The first of them is that if he deceives her and she does not know that he is a slave, she has the choice if she wants to stay with him and if she wants to leave him, and she is entitled to the dowry if he has consummated the marriage with her.

The second is that if he deceives her and she does not know that he is a slave, and then she finds out about it after the marriage and before he consummates the marriage, then she has the option as well, and she is not entitled to any of the dowry. This is if she chooses to separate from him. But if she agrees to stay with him and he chooses to separate from her, then she is entitled to half of the dowry because he is separating from her before consummation.

The third is that if he deceived her and she found out about it before the marriage, and then she married him after she found out about it, then he has more right over her.

The fourth is that if he deceives her and she finds out about it before he enters into marriage with her, and then he enters into marriage with her after she finds out about it, then he has more

right to her. His saying "has more right to her" means he has more right to her, and she is his wife, and his marriage to her is established and valid. If he wishes, he can keep her, and if he wishes, he can divorce her. This deception in marriage is like cheating in a sale. Just as cheating is not permissible and invalidates the sale, so too deception in marriage is not permissible and invalidates the contract because of it.

And his saying, may God sanctify his soul: On the authority of Ali, peace be upon him, that he said concerning a man who married a woman and she bore him a child, then a man brought evidence that she was his slave, so he ruled for her owner, and he ruled against the one who deceived the man who married her to him, that he should redeem his child from her, whether he was honored or disgraced, and he nullified what her husband gave her of the dowry, as he had taken from her private parts. Ja`far bin Muhammad, peace be upon him, said: If no one deceived him with her, or the one who deceived him with her did not find anything, his child would not be enslaved if he did not know that she was a slave, but he would pay him its value. If he married her knowing that she was a slave, then his child from her would be a slave.

His statement "He presented evidence" means he brought two witnesses.

His saying, "So he ruled with it," means he gave it to him and returned it to him. The companion here means the owner, and it may also mean the companion. He ruled against him, meaning he judged him. He deceived. He meant by the man the husband. His saying, "He

ransoms," means he gives his ransom. He ransomed him by giving money for him and saving him. His saying, "From her," means a child born from her.

His statement, "with what is great and what is small," means with a value that is great and small, little and much.

His statement, "because of what he attained," means because of the pleasure he experienced from her private parts, or because of his reaching and attaining her private parts.

His statement "he did not enslave" means he did not make his son a slave.

His statement, "He establishes," means that he assigns a value to it.

Here are four issues:

The first of them is that Zaid deceived Amr and married him to a slave girl, while he thought that she was free, as Zaid said. Then Bakr brought the two witnesses that she was his slave girl, so he ruled in favor of Bakr and ruled that Zaid must redeem Amr's son from her with what increased and decreased, and what Amr gave her as dowry was nullified because of the violation of her private parts.

The second is that Amr married a slave woman, believing her to be free as she claimed, and no one had deceived him about her. Then

Bakr presented evidence that she was his slave woman, and the court ruled in favor of Bakr, and Amr had to redeem his son from her.

The third is that if Zayd deceived Amr with a slave girl and married her to him, and Amr believed that she was free, as Zayd said, then Bakr presented evidence that she was his slave girl, he ruled in favor of Bakr and ruled that Zayd must redeem Amr's child from her. If Zayd was poor and could not find anything, then Amr had to redeem his child from her, and give her value that she was worth and then claim it back from Zayd, and protect him from a debt that he would take from him if he found her.

The fourth is that if Amr marries a slave woman knowing that she is owned, and his children from her are slaves, then he rules for her and them in favor of whoever provides evidence that she is his slave woman, and someone deceived him about her and he married her himself, or she pressured him to marry her. This is if he knew before the marriage that she was owned, then he married her and his children from her are slaves to her master.

Here is a fifth issue: if he married her and did not know that she was a slave, and no one deceived him about her, and then she was found to be a slave, he would have to redeem his child

from her. If he was poor, he would not enslave his child, but would instead take care of him, and his value would remain a debt upon him to her owner, and whenever he found her, he would pay it to him.

Know that the husband has taken back the dowry from the father of the sister who deceived him with her and brought her in place of her married sister, as mentioned previously. He has nullified the dowry here and has not taken it back from the one who deceived him with her. The difference between these two men is that this man married this slave woman in a valid marriage and then had intercourse with her in a way that was permissible for him, so what he gave her as dowry is nullified because he only gave the dowry to his wife, so how can he take it back from her and how can he take it back from someone else who is her husband? As for that man who was deceived by his wife's father with her sister, he did not give the dowry to his wife, but rather he gave it to someone else who is not his wife, so he took it back from the one who deceived him with her. This ruling is similar to the rulings of sales, for the one who is deceived in a sale is liable for the value of what he is deceived with. So if someone buys a slave woman and then another man claims her, he rules in favor of her master and the buyer

takes back her price from the one who deceived him with her. This meaning is found in the narration that follows this narration, as we will mention it later.

And he, may God sanctify his soul, said: On his authority, he said: Whoever buys a slave girl and she gives birth, then a man claims her, he takes her and the value of the child.

His statement that he deserved it means that his right to it was established. This meaning is derived from the meaning of the narration before it, since that one was about marriage, and this one is about ownership of slaves, and ownership of slaves is a type of marriage in most cases.

Here are four more issues:

The first of them is that if someone buys a slave girl, believing her to be a slave girl as he was told, and she gives birth to a child, then a man claims her as his own, having been deceived by another man, the rightful owner takes her and the value of the child from her, and the buyer returns her price and the value of his child to the one who deceived him about her.

The second is that if the matter is as stated in the first issue, and the one who deceived him with

it does not find anything, then its price and the value of his son from it remain a debt on the one who deceived him with it.

The third is that if that is the case and no one deceived him with it and the buyer is the one who bought it himself, he can claim its price and the value of his child from it from its seller if he finds him. In the first two cases, he can claim that from the deceiver, and the deceiver is responsible for the seller.

The fourth is that if he bought her and knew that she was a slave belonging to someone other than her seller, then her child would be a slave to her master, and he would take her and her child.

The fifth issue is established in this narration as it is in the narration before it. This meaning is from the rulings of sales in all its cases, and it contains something of the meanings of marriage, which is the mention of the child and his value. Therefore, he included it in the chapter on marriage. I have mentioned the details of all these conditions in the two chapters before.

And he, may God sanctify his soul, said: On his authority, he was asked about a man who had deceived himself about a woman, so she married him. When he entered upon her, she discovered that from him, so she stood up

against him. He said: He should be punished, and they should be separated, and he must pay the full dowry if he had entered upon her, and if he had not entered upon her, then he must pay half the dowry. He was told: What do you say about the impotent man? He said: He is the same as this.

The word "jabb" (with a fatha on the first letter) means "to cut off," and its verbal noun is "jabb" (to cut off his penis).

His statement, "I learned that from him," means that he discovered that the penis was cut off and he knew that.

His statement, "So she stood up against him," means she complained about him and took him to court before the governor.

His statement "his back hurts" is a metaphor for beating, meaning he disciplines and beats him severely, causing his back to hurt.

His statement that he separates them means that the judge separates her from him without a divorce from him, because separation is by order of the judge and the husband has no choice in it, and he separates her from him whether he is pleased with that or dislikes it, that is separation.

The impotent man is like a knife, he is unable to approach women at all and was born that way

on the day he was born, and the ruling regarding the impotent man and the impotent man is the same, there is no difference between them in that regard.

This narration also contains four issues:

The first of them is that if the husband deceives and she discovers this from him before consummation and she takes action against him, they are separated, and she is entitled to half the dowry from him.

The second is that if she finds out about it after consummation, they are separated and she is entitled to the full dowry.

The third is that if she knew about it before entering, and then he entered with her, he has more right to her.

The fourth is that she became aware of it after entering, then entered upon him a second time after she learned of it, so he has more right to it.

His statement that they are separated means that if she chooses herself, and if she agrees to stay with him after she learns this from him, she will not be forced to leave him, but will remain with him, and then he will have more right over her.

Know that there is a difference between a deceitful slave and a deceitful castrated man in

two aspects: First, if a free woman chooses to separate from a deceitful slave before consummation, she is not entitled to any of the dowry, while a castrated man must pay half the dowry if she chooses to separate from him before consummation. Second, a deceitful castrated man suffers back pain, while a deceitful slave does not suffer back pain. The reason for this is that a slave needs marriage, so he deceives himself. If the woman is not satisfied with him, she separates from him, but he does not pay half the dowry if she chooses to separate from him before consummation, nor does he suffer back pain. A castrated man, on the other hand, does not need marriage at all. If he deceives and she separates from him, he pays half the dowry if she separates from him before consummation, and he suffers back pain as punishment for what he did. A castrated man and a castrated man are those whose penis is cut off at its base or whose testicles are cut off at their base. A castrated man is one whose testicles are removed from their container. The impotent man has already been mentioned in what has preceded.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: The woman is returned due to horns, leprosy, madness, and vitiligo. If he had consummated the marriage with her, then he must pay the dowry. If he wishes, he may keep her, and if he wishes, he may divorce her, and he may claim the dowry back from the one who deceived him with her. If she was the one who deceived him, he may claim it back from her, and he must leave her with the least of what is permissible for the private parts. If he did not consummate the marriage with her, he may divorce her if he wishes, and there is nothing upon him.

And he, may God sanctify his soul, said: On his authority, he said regarding a man who marries a woman and she is brought to him blind, or leprous, or lame, he said: She is returned to her guardian, and if she has a disability that men cannot see, the testimony of women about her is accepted.

And he, may God sanctify his soul, said: On his authority, he said: A woman with leprosy or vitiligo is to be returned. It was said: What about a one-eyed woman? He said: She is not to be returned. Rather, a woman is to be returned if she has leprosy, vitiligo, insanity, or a defect in her private parts that prevents intercourse.

His statement "he returns" means he removes her from his marriage and dissolves it. The difference between returning and divorce is that in divorce, the full dowry is required if he consummated the marriage, and half the dowry if he did not. There are many rulings regarding returning and separating.

Some of them require the full dowry if he has consummated the marriage, and nothing is required if he has not consummated the marriage, and he cannot claim it back from anyone other than the husband, such as a man who married another man's slave, so the court ruled that she belonged to her master and what he gave her as dowry was nullified.

Among them are those in which the dowry is due if he consummates the marriage, and she is not entitled to anything if he does not consummate the marriage and she chooses to

separate from him, such as a slave who deceived a free woman.

Among them are those in which the dowry is due from the husband and he can claim it back from someone else, such as a man who brings into his marriage someone other than his wife. Likewise, divorce in this case is due to her husband, who takes her back. As for separation, there is no return in it, nor in the return. As for the waiting period, it is obligatory for her in both divorce and separation, there is no difference between them in that. And the waiting period for separation is the same as the waiting period for divorce, if the union was through marriage.

The word “qarn” (with a fatha on the qaf) refers to a bone that develops in the vagina, preventing intercourse. This may be a natural condition present from birth, or it may develop later.

Leprosy (with a damma on the first letter) is a well-known disease in which limbs fall off and pus flows from them. May God protect us and all our brothers from it.

Leprosy (with the vowel mark) is also a well-known disease, which is a whiteness that appears on the skin. We seek refuge in God from this affliction.

Madness (with a damma on the 'ayn) is a well-known disease, and it has many types: some of them penetrate the mind of a person, causing him to become confused and bewildered; some of them are afflicted by jinn in a person , overpowering him and corrupting his mind; some of them corrupt his humors, thus corrupting his mind; some of them are caused by intense love; and some of them are caused by intense worries.

His saying "the least thing" means a small thing.

His statement, "then it will be brought," means that it will be brought in.

Blindness is the loss of the visual power of the eyes.

The word "limping" (الرج) refers to a stumbling or stuttering movement in the leg, or a deficiency in it.

His statement "upon her guardian" means upon the one who arranged her marriage contract.

The word "zamanah" (with a fatha on the za) means a chronic disease, which is something that has lasted for a full year or more.

Leprous women and lepers are those who have leprosy.

Al-Awraa is the feminine form of Al-A'war, which means someone who is blind in one eye

(with the vowel mark), and it means the loss of sight in one eye.

His statement, "or a defect in the vulva, then that is like a horn,"

The word "ratq" (with a fatha on the first letter) means the closure of the vulva, which prevents intercourse. This disease, I mean the closure, may be present from the day of birth. We have heard of this in some women in our time. We see them not yet married, and they have grown old and gray, and some of them have died because of it. I have heard that some doctors in Bandar Surat cut open a woman's vulva that was closed and treated her, and she was cured and gave birth. This is one of the wonders and oddities of medicine.

These three narrations mention seven defects that would prevent a woman from being married: a horn, insanity, leprosy, vitiligo, blindness, lameness, and vaginal atresia. If it is asked what the reason is for the rejection in each of these cases, we say that the apparent reason is that a person marries for sexual intercourse and procreation, and a horn prevents this, so she must be rejected for that reason. The same applies to vaginal atresia. As for insanity, it prevents her from all the benefits of marriage, and a man marries her for these benefits, so she

must be rejected for that reason. Insanity can also be inherited by the child. Leprosy and vitiligo are impure diseases with many harmful effects, including that they prevent those afflicted from leading prayers, and they are grounds for rejection. It has also been said that the bodies of lepers and vitiligo become so impure that even if they were to eat their fill of pure honey, they would die. This is because honey is pure and healing, while their bodies are impure. If something impure is filled with something pure, the pure will overcome it and destroy it, because opposites can never coexist. Similarly, leprosy and vitiligo... They are also inherited in offspring, so she is returned for their sake. As for blindness, it may prevent her from managing affairs, and he only marries her to manage them, so she must be returned for his sake. As for lameness, it is a deficiency in some cases in interests, and it is a deficiency in beauty and attractiveness, so she must be returned for him. All these defects may reduce the enjoyment of the one who has them, and may harm the soul of its owner, so she is also returned. And they may also have causes and reasons in the science of interpretation and realities, which you will know, God willing.

If it is said to him, "Why is the woman not returned because of blindness, which is also a

defect and a deficiency in pleasure?" we say that a man marries a woman for three reasons: procreation, sexual intercourse, and the necessities of life. Blindness does not prevent any of these three—neither procreation, nor sexual intercourse, nor the management of necessities. As for leprosy and vitiligo, they are returned because of what we mentioned earlier regarding their impurity. The lameness for which a woman is returned is the obvious, clear lameness that is not hidden from anyone. It is mentioned in the book "Mukhtasar al-Athar" that they said regarding a man who marries a woman and is brought to him with a visible lameness, that he has the option. The six of these defects are well-known and mentioned, and one of them encompasses everything that affects the vulva and prevents intercourse, which is his saying, "or a defect in the vulva that prevents intercourse." His saying, "that men do not see," means something like a horn or a vaginal septum, and vitiligo is visible on her private parts.

These three narrations contain eighteen issues:

The first of them is that the woman returns from the horn.

The second is that it is a cure for leprosy.

The third is that it repels leprosy.

The fourth is that it stems from madness.

And the fifth is that it prevents blindness.

The sixth is that it is due to the apparent lameness.

And the seventh is that it cures every ailment in the vagina that prevents intercourse.

And the eighth is that it does not respond to the blind.

The ninth is that the husband has the choice: if he wishes, he may keep her, and if he wishes, he may leave her.

The tenth is that she is entitled to the dowry if he has consummated the marriage, whether he keeps her or leaves her.

Eleventh, she is not entitled to any of the dowry if he did not consummate the marriage, and that is if he separated from her.

The twelfth is that the husband can claim the dowry back from the one who deceived him about her, meaning if he returns her, otherwise the dowry is due from him so that he may have marital relations with her.

The thirteenth is if she is the one who deceived him, he takes it back from her, meaning he takes back from her what he gave her of the dowry. If he did not give it to her, he gave it to her and then took it back from her so that he could have relations with her. This is if he had

consummated the marriage with her, and this is also if he returned her, otherwise not.

The fourteenth is that if he takes back the dowry from her, he leaves her with a small amount and does not take it all as he gave it to her, because he only made her private parts permissible with it.

The fifteenth is that if she has a disability that men cannot see, the testimony of women regarding her is accepted.

And the sixteenth [case] is such that men can see it, then the testimony of men takes precedence over the testimony of women.

The seventeenth is that if the husband knew about any of these defects before he consummated the marriage, and then consummated it, she would not be rejected.

The eighteenth is that if he finds out about it after he has entered into it, and then enters into it a second time after he has found out about the defect in it, it is not returned.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that a man said to him: O Commander of the Faithful, I married a virgin woman, and when I entered upon her, I found her not to be a virgin. He said: Woe to you, virginity is lost through leaping, jumping, menstruation, ablution, and prolonged celibacy.

The virginity is called al-`adhra, and the virgin is like the red virgin who has not been deflowered. The wathba, with a fatha, is from wathaba, yathubu, wathba, if he took a quick step. The faqza, with a fatha, is the source of qafza, yaqfuzu, and it is more intense than the wathba, and it is from the jump of the tiger and the leopard when they step, run, and run. The menstruation, with a fatha, is known, and it is from hadat, if her blood flowed. The ablution, with a damma, here means cleansing after relieving oneself. The tanning is the source of the verb taf`il, and it is the length of the stay without a husband.

This narrative encompasses four types of knowledge:

The first is jurisprudence, which states that if a man marries a woman on the condition that she

is a virgin, and then finds her to be a widow, she is not to be returned.

Secondly, medicine, which means that excrement is removed from such and such a place.

The third wisdom is that girls should not be left to jump and leap, nor should they be left unmarried until they are protected, nor should they return to excessive ablution, washing their private parts excessively without need, and pouring water on them excessively, nor should they neglect to marry them until their virginity is gone, so that their husbands lose the virginal pleasure for which God Almighty created them.

The fourth is the judiciary, which is that the ruling is likewise, and that is that the judge should be knowledgeable in all branches of knowledge, so he knows everything that comes to him and issues a ruling based on his knowledge and does not rule in ignorance, and that the limits should be averted by doubts.

Know that the Commander of the Faithful answered this question with the knowledge of medicine, and this answer is sufficient for all others. This question leads to the chapter on punishments, and punishments are not required except with witnesses, and no witnesses were present here. Rather, he said what he said

because of a doubt that arose for him, which is that he found her to be a virgin, so he refuted it by saying that virginity is lost through such and such. It has been said that in the vagina of a virgin there are seven veils, so when she is deflowered, they are all torn apart upon penetration, and that is why the man finds what he finds of great pleasure and the woman experiences what she experiences of intense pain. When she menstruates, six of them are torn apart and one veil remains, so the pleasure and pain decrease.

And he, may God sanctify his soul, said: On the authority of him, peace be upon him, that a woman brought her husband to him, and mentioned that he had married her years ago and that he had not consummated the marriage. He asked her husband about that and he confirmed her, so he gave him a year's grace. Then he said to her after the year: If you are satisfied that he will clothe you and provide for your needs, otherwise you are on your own.

On the authority of Ja`far bin Muhammad, he said: If a woman is patient with an impotent man, he has more power over her. If she raises him, she is given a year's grace period. If there is nothing from him, they are separated. If he has consummated the marriage, she is entitled to the full dowry and must observe the waiting period, and she may marry whomever she wishes.

His statement "she brought it up to him" means she brought it to him and argued with him.

His statement "for many years" means many years ago.

His statement "he did not reach her" means he did not have sexual intercourse with her.

His statement about that, meaning her statement, was true.

His statement, "So grant him a period," means to set a time limit for him to receive treatment.

His statement "a year" means one year.

And his saying, "Then he said to her after the year," meaning that if one year had passed, whether he was treated or not, but he did not reach her, and she had argued with him and brought him back after the postponed year had passed, he said to her, "If you are satisfied that he gives you clothing, houses you, provides for your needs and what you require, and spends on you, you may stay with him by your own choice, and he will not rule over you. But if he does not do that, or you are not satisfied with that, then you are free to do as you please, so you may leave him and marry whomever you wish."

His statement, "I did not have patience," means that she did not conceal her affair, nor did she argue with him or raise the issue.

His statement, "He has more authority over her," means that he is her husband and no one has any power over her, and she cannot marry

anyone else. If she raises the issue, she is also given a one-year grace period.

His statement, "If there is nothing from him," means sexual intercourse.

These two narrations may agree in their meaning, even though they differ in the condition of those mentioned in them. Therefore, I combined them in the statement and sufficed with one of them in the explanation. This is because the first is about mentioning those who are unable to have intercourse with women, and they are of several types: some of them are unable to do so from the day they are born until the day they die, and this is one of the types of impotence, as will be mentioned later. Some of them are unable from the day they are born and then become able. Some of them are able from the day they are born, that is, at the beginning of their life, then they become weak and never become able. Some of them are able, then they become weak, then they become able. The second is about mentioning impotence, and it is the same in ruling as the first, and it is of several types: some of them are weak from the origin of their nature. Some of them have a short penis, so nothing comes from it, but their reproductive organ is like a jujube, and they are called a jujube. Some of them are called almond-shaped because

their penis is like an almond. Some of them have a long penis, beyond the limit in length, so they are weak in erection and intercourse, and they are called a donkey-shaped. The ruling for all of these is the same, because as long as their women are patient, he has more power over them. If they quarrel with them and raise their voices, they shall postpone for a full year so that they may be treated. If they are able to have intercourse, then they have more right over them, and they are their wives. If nothing happens from them after the year, then they have more right over themselves, and they may separate and marry whomever they wish if they wish.

It has been learned from this that the impotent man may be cured by medicine and become capable, and our evidence for this is that there was nothing from him, so it is true that there may be something from him.

Know, my brother, may God grant me joy through you, that there are many issues, sound circumstances, new rulings, and serious matters here. This topic is of great burden and considerable difficulty because its rulings are used among people, and they may encounter them from time to time, and they argue about them generation after generation. How often have we heard of this, and how often have we

witnessed it and endured hardship in its pursuit! Each word in these two narrations is a separate issue, and we will mention it to you, God willing. We say:

The first issue is that it is permissible for a woman to take her husband to the governor if he does not come to her.

Secondly, she should mention her situation to the governor.

The third is that he should not raise it until a few days have passed since the marriage, and he should not rush him in that.

The fourth is that she does not raise it unless he has not had intercourse with her, and she does not raise it for any other reason, not for lack of humor, nor for lack of love, nor for anything like that if he has intercourse with her.

Fifth, the judge needs to question the husband about this, as it is not permissible for him to rule against the defendant except after asking him about his opponent's claim.

Sixthly, the judge needs the admission of the defendant in matters for which there is no evidence, such as his statement, "So I believe her." For intercourse, there is no evidence, and it is not permissible for anyone to witness it and testify to it. I have mentioned here a case that was brought before us in the port of Surat in the year

1220 AH, during the time of the esteemed Da'i Abd Ali Saif al-Din, son of the esteemed Da'i Abd al-Tayyib Zaki al-Din, may God sanctify his soul. I was serving him at that time in the court, carrying out some of his duties with his permission. A woman brought her husband before the judge, stating that he had not had intercourse with her since their marriage, and she was thirty years old. We questioned the husband about this, and he denied it and accused her of lying. There was no evidence to support his claim, and the dispute between them intensified, so the matter became unclear to us. We referred the case to the esteemed Da'i, who ruled that the husband should purchase a slave girl with the money of his wife, the accuser, so that he could have intercourse with her. If he was able to do so, and she was lying, and he was truthful, then the price she paid for the slave girl would be nullified. She is his wife, and the slave girl is also his concubine. If he is unable to do so... He had intercourse with the slave girl, and she believed him, while he was one of the liars. When she heard of this judgment, she became agitated and knew that if he was able to have intercourse with the slave girl, her lie would be exposed, and she was a co-wife to him. So she denied that and lied to herself, and she stood up with her husband and reconciled. This is

how a judgment is made in cases where there is no evidence, but rather it depends on the judge's sound mind and good opinion. The burden of proof is on the plaintiff, and the oath is on the defendant, if the plaintiff does not bring evidence. Here, the burden of proof is on the wife, and the oath is on the husband.

The seventh is that the appointed time is for those who are unable to have intercourse with women, and for the impotent, there is a full year in which they can be treated.

The eighth is that if a man has intercourse with his wife once and then becomes unable to consummate the marriage, they should never be separated.

The ninth is that a man has a wife with whom he has intercourse, then he divorces her or she dies or she is with him and he marries another and he is unable to have intercourse with this new one, so she, meaning this one, has the right to bring him before the judge after a few days from the day he married her, so he postpones and separates them if he is unable after the postponement. Our evidence for this is these two narrations, one of them is about the impotent man who is born impotent on the day he is born, and the other of them is about the one who does not have intercourse. So if he has intercourse with

one and then is unable to have intercourse with another, then the one who is unable to have intercourse with her has the right to stand against him because she did not see him have intercourse with her, so he is only with her as impotent from the beginning of his matter, so she has the right to stand against him. And likewise she said that if he did not have intercourse with her and he had intercourse with another or did not have intercourse, then she has no need for that.

The tenth is that no judgment shall be issued between the incapable and the impotent and their spouses by way of separation except after a full year has passed for them.

Eleventh, the wife of the incapable man and the wife of the impotent man after a year has the choice: if they wish, they may stay if they are satisfied with clothing and maintenance, and if they wish, they may separate. Separation is of two types: one is separation by choice and the other is separation by judgment. The first is like the separation of the wife of the incapable man; if she wishes, she may separate. The second is separation by the judge if the marriage was without a guardian, or the marriage was during a waiting period, or the marriage was to a divorced woman with a divorce of innovation, or the

marriage was to a woman who was forbidden to marry, or the marriage was to a woman who was breastfed, or the marriage was to a woman who was married, or the marriage was to a woman who was forbidden to marry, or the like. This is separation by judgment, not separation by choice, since there is no choice in it.

The twelfth is that if the wife of the impotent man is patient with him, they will not be separated and she will not be forced to leave him. Rather, they will be separated if she quarrels with him and takes action against him. The ruling regarding the incapable man is the same as this.

The thirteenth is the impotent man. If there is anything from him, even if it is little, he does not differentiate between them. Rather, he differentiates between them if there is nothing from him, neither little nor much, neither erection nor penetration. But if there is something very little from him, he is not called impotent. And if he was impotent, then he was given time and treated, and there was something very little from him, he does not differentiate between them. Such a thing may be in many people, and where is each one of them? ____ But matters are concealed, and God has hidden them from the eyes of people and preserved them with modesty and concealment. If it were not so, they would be

exposed and their veils would be torn. But God Almighty has veiled them with modesty.

The fourteenth is that if the impotent man has consummated the marriage, they are separated and she is entitled to the full dowry. The same applies to the incapable man.

The fifteenth is that if he did not consummate the marriage, she is entitled to half the dowry if they are separated. This ruling has already been mentioned in what was mentioned earlier in this chapter in his statement: He was asked about a man who had castrated himself and deceived himself. The difference between this incapable man and this impotent man, and between that castrated man and that impotent man, is that those two deceived and deceived because it was proven that they were unable to have intercourse with women, and this was confirmed by various kinds of tests. So they were separated from their husbands by force, and they were not frightened or hurt by beating. As for these two, they are at the beginning of their affair, and this was not proven from them, so they were frightened, and their backs were not hurt. Rather, they were separated from their husbands after the deadline.

The sixteenth is that the waiting period in all these rulings is obligatory for her, and she may

not marry anyone else except after the waiting period, and the waiting period in this separation is the same as the waiting period for divorce, so be aware of this.

His statement that he did not reach her is a type of semantic science called hybridization, and from it is the saying of Aisha: "The Messenger of God did not see my baldness, nor did I see his ," meaning he did not see my private parts, nor did I see his. The meaning of hybridization is to find fault with mentioning something, so it is referred to by something that serves as a veil over it.

Mention of prohibited and permissible marriage

The word "dhikr" with a kasra is the door, and "nikah" with a kasra is the source of "nakihi munakaha" which is the act of intercourse and the contract, and both meanings are intended in this chapter. "Al-manhi" is the object of "nahā yanhā" like "fataha yaftahu", and "nahā 'anhu" means he disliked it and prevented him from it. "Al-mabāh" with a damma is the object of "abāha" if he permitted it.

O brother, God has truly fulfilled my hope in you. This chapter is of great importance and

grave danger, as it may contain all that the religion of Islam contains regarding the explanation of the rulings on the types of marriage. Therefore, I wanted to lengthen the discourse on it and make the speech more expansive. So I presented two chapters to it, filling them with the issues that are guaranteed in it, so that they may be like an introduction to what comes in it, rather they may be the origin and foundation of its structures. The first chapter is on the prohibited marriage, and the second chapter is on the permissible marriage.

I say, the first chapter is in eighty issues:

The first of them is that he forbade a man from marrying the woman whom his father had married.

The second is that he forbade marrying a woman whom his paternal grandfather or his paternal grandfather had married, as far back as their lineage goes back.

The third is that he forbade marrying a woman whom his maternal grandfather or maternal grandfather had married, as far back as their lineage goes.

The fourth is that he forbade marrying a woman with whom his father, paternal grandfather, or maternal grandfather had committed adultery.

The fifth is that he forbade having sexual relations with a slave woman whom his father, paternal grandfather, or maternal grandfather had previously had sexual relations with.

The sixth is that he forbade having intercourse with a slave girl whose father or one of his grandfather looked at her private parts with lust.

The seventh is that he forbade having intercourse with a slave girl whom his father or one of his grandparents had touched or kissed.

The eighth is that he forbade him from marrying his mother who gave birth to him.

The ninth is that he forbade marrying his paternal grandmothers, as far back as they were related.

And the tenth is that he forbade marrying his maternal grandmothers as long as they were of advanced age.

Eleventh, he forbade marrying his own daughters or the daughters of his own sons, as long as they were of lower status.

The twelfth is that he forbade marrying his granddaughters if they were of low status.

The thirteenth is that he forbade marrying the daughters of his granddaughters, as long as they were of low birth.

The fourteenth is that he forbade marrying his sisters from his father and mother.

The fifteenth is that he forbade marrying his paternal sisters.

The sixteenth is that he forbade marrying his mother's sisters.

And the seventeenth is that he forbade marrying the daughters of these three sisters, full sisters, half-sisters, and half-brothers.

The eighteenth is that he forbade marrying the daughters of their daughters, as long as they are of lower status, and that all this prohibition and what comes after it is a prohibition of forbiddance, and the meaning of my saying that he forbade in all these matters is that he forbade it because of what the Almighty said: "Forbidden to you are your mothers," the verse, so know this.

The nineteenth [hadith] is that he forbade marrying the daughters of their sons, as long as they were of low birth.

The twentieth [of the hadith] is that he forbade marrying the daughter of his brother from his father and mother.

The twenty-first [ruling] is that he forbade marrying his paternal niece.

The twenty-second [issue] is that he forbade marrying his maternal niece.

The twenty-third [prohibition] is that he forbade marrying the daughters of the daughters of these three brothers, as long as they were of low birth.

The twenty-fourth is that he forbade marrying the daughters of their sons, as long as they were of low birth.

The twenty-fifth is that he forbade marrying his paternal aunt, who is his father's sister from both his father and mother.

The twenty-sixth is that he forbade marrying his paternal aunt, his father's sister.

The twenty-seventh [prohibition] is that he forbade marrying his paternal aunt, his father's sister from his mother's side.

The twenty-eighth [sentence] is that he forbade marrying his father's three paternal aunts as long as they were of marriageable age.

The twenty-ninth is that he forbade marrying his mother's three paternal aunts as long as they were of marriageable age.

The thirtieth is that he forbade marrying his maternal aunt, the sister of his mother from both her father and mother.

The thirty-first [prohibition] is that he forbade marrying his maternal aunt, who is his mother's sister from his father's side.

The thirty-second [prohibition] is that he forbade marrying his maternal aunt, his mother's sister on her mother's side.

The thirty-third [issue] is that he forbade marrying his father's three maternal aunts as long as they were alive.

The thirty-fourth [of the three] is that he forbade marrying his mother's three maternal aunts.

The thirty-fifth is that he forbade marrying his foster mother.

The thirty-sixth is that he forbade marrying his foster sister.

The thirty-seventh is that he forbade marrying any woman whom he forbade marrying in relation to blood relations, because the Prophet, peace and blessings be upon him, said: "What is forbidden in relation to blood relations is also forbidden in relation to breastfeeding." There are many rulings regarding breastfeeding, and I will mention them in the chapter on breastfeeding, God willing.

The thirty-eighth [ruling] is that he forbade marrying the mother of his wife who gave birth to her.

The thirty-ninth is that he forbade marrying his wife's paternal grandmothers, as far back as their lineage extends.

The fortieth is that he forbade marrying his wife's maternal grandmothers, as far back as they were related.

The forty-first is that he forbade him from marrying his stepdaughter who was in his care from his wife with whom he had consummated the marriage.

The forty-second [of the hadiths] is that he forbade marrying the daughters of his stepdaughter.

The forty-third [of the hadiths] is that he forbade marrying the daughters of his stepdaughter, provided they were of low social standing.

The forty-fourth is that he forbade marrying the daughters of his stepdaughter as long as they were lowly.

The forty-fifth is that he forbade marrying the daughters of his stepdaughter as long as they were of low status.

The forty-sixth is that he forbade marrying the wife of his own son.

The forty-seventh is that he forbade marrying the wives of his son's sons, as long as they were of low status.

The forty-eighth [sentence] is that he forbade marrying the wives of his sons' daughters, as long as they were of low lineage.

The forty-ninth is that he forbade marrying the husbands of his daughters' sons, as long as they were of low status.

And fifty: He forbade marrying the husbands of his daughters' sons, as long as they were of low lineage.

The fifty-first [point] is that he forbade marrying two free sisters simultaneously.

The fifty-second [issue] is that he forbade marrying two sisters who were slaves.

The fifty-third is that if he has intercourse with a slave woman, her free daughter and the slave woman are not permissible for him.

The fifty-fourth is that if he has intercourse with a slave woman, her mother, whether slave or free, is not permissible for him.

The fifty-fifth is that he forbade marrying a woman and her aunt simultaneously.

The fifty-sixth [prohibition] is that he forbade combining a woman and her aunt, who are both slaves, through sexual intercourse.

The fifty-seventh [issue] is that he forbade marrying a woman and her free maternal aunt.

The fifty-eighth [issue] is that he forbade combining a woman and her maternal aunt, who were both slaves, through sexual intercourse.

The fifty-ninth [hadith] is that he forbade combining a woman and her paternal aunt, both

free women, through marriage, and two slave women through sexual intercourse.

Al-Sittin said that he forbade combining a woman and her free aunt through breastfeeding in marriage, and two slave women through sexual intercourse.

The sixty-first is that he forbade combining a woman and her maternal aunt, who are free through marriage and who are slaves through sexual intercourse.

The sixty-second is that he forbade combining a woman with her sister, her paternal aunt, and her maternal aunt, whether free or slave, through marriage and intercourse, because he said: What is forbidden through breastfeeding is also forbidden through lineage.

The sixty-third is that if a man marries a woman and looks at some part of her body and sees something that is forbidden to others, and then divorces her, he is not allowed to marry her daughter or her mother.

The sixty-fourth is that he forbade having intercourse with a slave woman whom his son had intercourse with, or his son's son, or his daughter's son, or any of his sons mentioned previously.

The sixty-fifth is that he forbade any of his sons mentioned previously from having

intercourse with a slave girl whose private parts he had looked at, touched, or kissed.

The sixty-sixth is that if he marries a woman and then goes to another land and marries her sister without knowing, then if he finds out he must separate from the other sister.

The sixty-seventh is that if a man has two sisters who are slaves and he has intercourse with one of them, he should not have intercourse with the other. If he has intercourse with the second one, the first one becomes forbidden to him until the other one dies.

The sixty-eighth is that if he divorces the woman, he cannot marry her sister until her waiting period is over.

The sixty-ninth is that if he has four wives and divorces one of them, he is not allowed to marry a fifth until the waiting period of the one he divorced has ended.

The seventieth is that whoever commits adultery with a free woman cannot marry her daughter or her free mother, whether by blood or by breastfeeding.

The seventy-first is that if he commits adultery with a free woman, he shall not have sexual relations with her daughter or her mother who are owned by right of possession, whether by blood or by breastfeeding.

The seventy-second is that if he commits adultery with a woman, he will not marry her daughter or her free mother, either by blood or by breastfeeding.

The seventy-third is that if he commits adultery with a slave woman, he does not have intercourse with her daughter or her mother, who are slaves by blood or by breastfeeding.

The seventy-fourth is that he forbade marrying a woman during her waiting period, and the explanation of this issue will come at the end of this chapter.

The seventy-fifth is that he forbade marriage while in a state of ihram, and the explanation of this issue will also come at the end of it.

The seventy-sixth is that he forbade marrying his midwife.

And the seventy-seventh is that he forbade marrying the daughter of his first wife.

The seventy-eighth is that if the whereabouts of the missing person are known, he should not marry his wife.

The seventy-ninth is that whoever goes out as a traveler is not considered missing, whether his whereabouts are known or not. This person does not marry his wife until his death or divorce comes to her and she observes the waiting period.

The eightyth is that if he spends on the missing man's wife from his own money or from the money of his guardian, then she has no way to get married.

These are eighty issues concerning prohibited marriage.

The second chapter contains thirty issues:

The first of them is that it is permissible for a man to marry chaste believing women who are neither related to him by blood nor are married.

The second is that it is permissible for him to marry the daughter of his paternal uncle, the brother of his father from both his father and mother.

The third is that it is permissible for him to marry the daughter of his paternal uncle, his father's brother.

The fourth is that it is permissible for him to marry the daughter of his paternal uncle, his father's brother from his mother's side.

The fifth is that he is permitted to marry the daughters of his paternal cousins, as long as they have offspring.

The sixth is that he is permitted to marry the daughters of his paternal uncles' daughters, as long as they have offspring.

The seventh is that he is permitted to marry his paternal aunts' daughters, who are his father's

three sisters, from his father and mother, or from his father and mother.

The eighth is that it is permissible for him to marry the daughters of his maternal uncles, the three brothers of his mother, from her father and mother, and from her father and mother.

The ninth is that he is allowed to marry his maternal aunts, who are his mother's three sisters, from his father and mother, or from his father and mother.

And the tenth is that it is permissible for him to marry the daughter of his wife whom he divorced before consummating the marriage, according to the Almighty's saying: "And your stepdaughters who are in your care from your wives with whom you have consummated marriage. But if you have not consummated marriage with them, there is no blame upon you."

Eleventh, if his wife dies or he divorces her, he is permitted to marry her sister, paternal aunt, or maternal aunt if her divorce waiting period has ended.

The twelfth is if he had two sisters who were slaves, and he had intercourse with one of them, then she died, or he sold her, or gave her away to someone else, then it is permissible for him to have intercourse with her second sister whom he did not have intercourse with.

The thirteenth is that he is allowed to marry the wife of his wife's father, meaning someone other than her mother.

The fourteenth is that it is permissible for him to marry the daughter of a man and his wife, meaning that the daughter is not from the woman, and he may combine them if he wishes, and it is permissible for him to marry the daughter of a man and the mother of his child, not the mother of the woman, and he may combine them if he wishes.

The fifteenth is that it is permissible for him to marry the wives of his adopted sons and the wives of his stepdaughter, because the Almighty said: "So that there may be no blame upon the believers concerning the wives of their adopted sons when they have fulfilled their desire with them." The adopted son and the stepdaughter is the son of the woman.

The sixteenth is that he is allowed to marry a woman and his son to marry her daughter from someone else.

The seventeenth is that he is permitted to marry her and have intercourse with her daughter from another man if she is a slave.

The eighteenth is that he is allowed to have sexual relations with a slave woman and his son

may marry her daughter from someone else if she is free.

The nineteenth is that it is permissible for him to have sexual relations with a slave woman and for his son to have sexual relations with her daughter from someone else if she is a slave.

The twentieth is that he does not marry the woman if he divorces her sister with a revocable divorce until her waiting period is over. But if he divorces her with an irrevocable divorce, then he may marry her sister and others if he has three free women besides her.

The twenty-first is that if he commits adultery with his wife's mother, or her sister, or her daughter, it does not make his wife forbidden to him because what is forbidden does not make what is permissible forbidden.

The twenty-second is that if he commits adultery with a woman and then wants to marry her in a valid marriage, there is nothing wrong with that if they both repent.

The twenty-third is that he permitted the marriage of immoral women, as we have mentioned previously what was narrated from the Ahl al-Bayt, peace be upon them, regarding the marriage of immoral women.

The twenty-fourth is that if a man commits adultery with a woman and wants to seize her

after he learns of this from her, there is nothing wrong with that.

The twenty-fifth is that if a terminally ill patient wants to marry a woman who will inherit from him, there is nothing wrong with that.

The twenty-sixth is that if he marries two sisters in one contract, the marriage of the sister whose name is mentioned first in the contract is valid.

The twenty-seventh is that if he marries five women in one contract, the marriage of the four women whose names he started with is valid, and the marriage of the others is invalid. If it is not known who his name started with, the entire marriage is invalid.

The twenty-eighth is that if a man marries a woman during her waiting period and they are both ignorant and do not know that this does not make it permissible for them to separate and enter into a new marriage contract after she has become permissible for husbands.

The twenty-ninth is that if he marries her while he is in a state of ihram and they are ignorant and do not know that, then it is not permissible to separate them and they should enter into a new marriage contract.

Thirtieth: If he does not report anything about the missing person, and the four-year

period for which she was given expires, and he has no money and his guardian does not spend on her, and his guardian divorces her as required, then she is free to marry whomever she wishes.

These are thirty issues concerning permissible marriage, and the total number of issues in the two chapters is one hundred and twenty. There may be more than that, and I only mentioned what I mentioned for clarification and explanation, not for limitation and restriction, so know that.

And he said, may God sanctify his soul: God Almighty said, "Do not marry those women whom your fathers married," and He said, "Forbidden to you are your mothers and your daughters," the verse.

Know that marriage is of two types: prohibited and permissible. Permissible marriage is marriage to any woman not prohibited by Islamic law, such as a chaste, believing, and close relative who is neither a close relative nor a married woman. Prohibited marriage is any marriage prohibited by Islamic law, such as marriage to married women or marriage to close relatives. Prohibition in marriage is due to one of

four reasons: either lineage, breastfeeding, affinity, or the woman being married.

There are three types of lineage:

One of them is in the original category, such as fathers and mothers, the second is in the secondary category, such as daughters and sons, and the third is in the partnership, such as brothers, sisters, paternal aunts, and maternal aunts.

As for breastfeeding, it is like lineage, because the Prophet (peace and blessings be upon him) said: "What is forbidden by lineage is forbidden by breastfeeding."

As for in-laws, they are also of three types: one is in the origins, such as the fathers and mothers of women, the second is in the branches, such as stepdaughters, and the third is in the partners, such as the sisters, aunts, and maternal aunts of women.

As for it being a paired thing, that is one known type.

The ruling regarding these types of relationships is that all ascendants are forbidden, regardless of their degree of kinship, such as mothers and grandmothers. Similarly, all descendants are forbidden, such as daughters, granddaughters, and great-granddaughters. Partners in relationships are of two types: those

related through the immediate first ancestor, such as brothers and sisters, who share in a man's father, his immediate first ancestor; and those related through the distant second ancestor, such as paternal and maternal aunts, who share in his grandparents. The ruling regarding those related through the immediate first ancestor is that they are forbidden, and all their descendants are also forbidden, such as sisters, nieces, and nephews. Those related through the distant second ancestor are forbidden in themselves only, such as paternal and maternal aunts. All their descendants are permissible to marry, such as the daughters of paternal and maternal aunts. The ruling regarding partners through blood and marriage may differ in one aspect: partners through blood are forbidden in marriage forever, such as sisters, paternal and maternal aunts. Partners through marriage, however, are forbidden to marry simultaneously, but not prohibited. Marriage to them is like a man's; it is not permissible for him to marry a woman and her sister, paternal aunt, or maternal aunt. If his wife dies, it is permissible for him to marry her sister, paternal aunt, or maternal aunt. This is the difference in the partners in marriage and lineage. The ruling for a woman who has a husband is that if her husband dies and divorces

her, she is permissible for other husbands. I have placed for you, in this meaning that I have said, a tree so that you may see it with your own eyes and it will become clear to you what I have said

. It is this: Know that this is a tree from Mount Sinai, for I only learned jurisprudence from the most noble caller, Abd Ali Saif al-Din, may God sanctify his soul, and he is the Mount Sinai of divine sciences and divine wisdom. So know it.

His saying, "And do not marry those women whom your fathers married," means, "Do not marry the free women whom your fathers married." Here, "marriage" means the act of wedlock. The second interpretation is that he says, "Do not have sexual relations with the slave women whom your fathers had sexual relations with." Here, "marriage" means sexual relations. Both interpretations are valid, and the prohibition in both is a prohibition of absolute forbiddance. God Almighty has mentioned in this verse all the women with whom marriage is forbidden. By "woman with whom marriage is forbidden," he means those women with whom marriage is prohibited, and they are fourteen types:

The first of them are the wives of fathers, as in His saying: "And do not marry those women whom your fathers married."

The second is mothers, as in His saying, "Forbidden to you are your mothers."

And the third is the daughters, as in His saying, "And your daughters."

The fourth is sisters, as in His saying, "And your sisters."

And the fifth is the paternal aunts, as in His saying, "And your paternal aunts."

And the sixth is the maternal aunts, as in His saying, "And your maternal aunts."

And the seventh is the daughters of the brother, as he said, "and the daughters of the brother."

And the eighth is the daughters of the sister, as he said, "and the daughters of the sister."

And the ninth is the wet nurses, as in His saying, "And your mothers who breastfed you."

And she had relations with her foster sisters.

The eleventh of them is the mothers of women, which is His saying, "And the mothers of your wives."

The twelfth of them is stepdaughters, which is His saying: "And your stepdaughters who are in your care from your wives with whom you have consummated marriage. But if you have not consummated marriage with them, then there is no blame upon you."

The thirteenth of them is the wives of the sons, which is what he, peace be upon him, said: "And the wives of your sons who are from your loins."

The fourteenth is that it is a crime to marry two sisters, as stated in his saying: "And if you marry two sisters..."

These are fourteen types of prohibited relationships mentioned in the Qur'an. The prohibition came after these types in the statement of the Imams from the family of the Messenger, peace be upon him, regarding types, and they are explained in this chapter, such as the prohibition of marrying a midwife, and of combining two slave sisters through intercourse.

His saying "I have forbidden" means that God, may He be glorified and exalted, has made them sacred and has forbidden you from uncovering them, tearing their veils, and having intercourse with them, for intercourse is tearing the veil and removing the veil, and is a severe insult. So He forbade that in these types of women, whether they were free women or slaves, because the disrespect shown to the origins, branches, and similar things is ugly. God only forbade it in them for what we mentioned, that He forbade it because of their sacredness, and for other reasons and causes: some of them are types of the science of interpretation, and we will mention some of them that God has made easy for us in the Book of Righteousness in the interpretation of the Book of Success, and some

of them are types of the science of realities, and we will also mention some of them that God has made easy for us in the Book of Success in the realities of the Book of Righteousness, God willing.

And he, may God sanctify his soul, said: We have narrated on the authority of Ja`far bin Muhammad, peace be upon him, on the authority of his father, on the authority of his forefathers, on the authority of Ali, peace be upon him, that he used to say: If a man marries a woman and consummates the marriage with her or does not consummate the marriage with her, her mother becomes forbidden to him. This is because of the statement of God Almighty: "And the mothers of your wives," so it is ambiguous and forbidden in the Book of God Almighty.

His statement means that he said this repeatedly.

His statement, "I have forbidden the use of the passive verb,"

His statement, "And that," means this prohibition.

His statement, "it is a pronoun referring to mothers,"

He concealed and hid it, and his saying "ambiguous" is the object of "to conceal," meaning that God mentioned the mothers of women in the prohibition in an ambiguous way, not clearly, since He mentioned them in the prohibition and did not mention whether it was before or after consummation. So it is known that their prohibition may be obligatory with marriage, whether he consummated with their daughters or not, because He says, "and the mothers of your women." So women here means wives, and marriage may be valid with marriage, whether he consummated or not. So it is correct that the mothers of husbands are prohibited, whether he consummated with the husbands or not.

Here are five issues:

The first of them is that if a man marries a woman and keeps her in his marriage, her mother becomes forbidden to him, whether he has consummated the marriage or not.

The second is that if he marries her and consummates the marriage, then she dies, her mother is forbidden to him.

The third is that if he marries her and consummates the marriage, then divorces her, her mother is forbidden to him.

The fourth is that if he marries her and she dies before he consummates the marriage, then she is forbidden to him.

The fifth is that if he marries her and then divorces her before consummating the marriage, she is forbidden to him.

Regarding women who are forbidden to marry, there are rulings, some of which were mentioned previously, such as that it is permissible for him to look at her and speak with her, and that he completes the prayer with them. As for the mothers of women, there is a difference in this ruling, as the prayer is not completed by meeting the mothers of women, as mentioned in the first volume of the footnotes of the book Al-Da'a'im.

Know, my brother, that there are three types of prohibited degrees of kinship:

One of them is in the cause and effect together, like the mother and the grandmother, for they are both forbidden together. The mother is the cause of the grandmother's forbiddenness, and the grandmother is the effect of that. This cause and effect never cease, but they are always fixed. That is because if the man's mother dies,

her mother's forbiddenness to him does not cease, but she is forbidden after her daughter, just as she was forbidden during her life.

Secondly, it is only in the cause, not in the effect, such as the paternal aunt and the paternal aunt's daughter. The paternal aunt is forbidden, but the paternal aunt's daughter is not forbidden. This causality is only in the relationship.

The third is in the effect, not in the cause, like the wife and her mother. The wife is permissible to marry and have intercourse with, and she is the cause of her mother's prohibition, and her mother is the cause of the prohibition due to her daughter. The ruling here is that the cause is cut off, but the cause is not cut off by its cutting off, like the man who divorces his wife, so she is cut off from him, so it is not permissible for him to have intercourse with her or look at her, and the prohibition of her mother is not cut off from him by her divorce, rather she is prohibited to him as she was before.

Women in marriage are of five types:

Some of them are forbidden and will never be permissible, such as mothers and grandmothers.

And some of them are permissible and then forbidden, so they are never permissible again, like a woman who is permissible for a man and

then he curses her, so she is forbidden to him and is never permissible for him again.

And some of them are permissible, then forbidden, then permissible, then forbidden, so they are never permissible for him, like a woman who is permissible for a man, then he divorces her, so she is forbidden for him, then he marries her a second time with a new contract, then he divorces her, and he does that up to nine times, so she is never permissible for him.

Some of them are permissible then forbidden then permissible again, like a woman who is permissible for a man, then he divorces her and marries her sister, then she becomes forbidden to him, then the sister dies or he divorces her, then she becomes permissible for him.

Some of them are forbidden once and permitted once, then forbidden again and permitted, and they remain in this state until they die, like a slave woman who is forbidden to have intercourse with a man. If he buys her, she becomes permissible for him, then he sells her, and she becomes forbidden to him, then he buys her again, and she becomes permissible for him. He does this once every month, so she becomes permissible for him every thirty days and forbidden to him during that time until the end of her life.

The ruling regarding prohibited women is that if a man owns one of them, she is freed, and it is not permissible for him to own her, because the prohibition prevents him from owning her, as stated in the Book of Manumission: On their authority, they said: Whoever owns a relative who is prohibited to him, then he is free when he owns him, and he has no authority over him. End of his statement.

It is stated in the book Mukhtasar al-Athar: "Whoever owns a relative of his, he is freed when he owns him or a share of him, and there is no way for him to be enslaved in any way. Relatives who are forbidden to be with the one who owns him are like if one of them is a woman whose marriage to the other is not permissible. As for the other relatives who are permissible to each other, it is permissible for them to own if they own them in a permissible way." This is the end of his statement. This ruling may differ in lineage, breastfeeding, and marriage in some aspects of manumission, and I will mention them in their place, God willing.

And he, may God sanctify his soul, said: On his authority, peace be upon him, he said regarding God's words, may He be glorified and exalted: "And your stepdaughters who are in your care from your wives with whom you have consummated marriage," he, peace be upon him, said: She is the daughter of his wife, forbidden to him if he has consummated marriage with her mother. If he has not consummated marriage with her mother, then marrying her to him is permissible. And he said regarding God's words, may He be glorified and exalted: "in your care": The care is the sanctity that is in your sanctity, and that is like His words, may He be glorified and exalted: "livestock and crops forbidden," meaning forbidden.

Know that God first mentioned the prohibitions of blood relations, then breastfeeding, because it has a bond like the bond of blood relations, then the prohibitions of marriage, because their prohibition is an incidental matter for the benefit of marriage.

The word "rabā'ib" is the plural of "rabībah," and "rabīb" is the child of a woman from another man. It is so named because she raises him along with her own child in most cases. It is a passive

participle, and the letter "tā" was added to it because it became a noun.

And He, the Exalted, mentioned in His Book first, in the prohibition, the spouses of the ascendants, saying, "And do not marry those whom your fathers married." Then the ascendants, saying, "Forbidden to you are your mothers." Then the descendants, saying, "And your daughters." Then the descendants of the ascendants, saying, "Your sisters, your paternal aunts, and your maternal aunts." Then the descendants of the descendants of the first ascendant, saying, "And the daughters of the brother and the daughters of the sister." Then the ascendants through breastfeeding, saying, "And your mothers who breastfed you," because breastfeeding makes the infant a part of the infant, and the infant becomes a part of the wet nurse, so the wet nurse becomes an ascendant to him according to her share, and thus she is forbidden to him. Then the descendants of the ascendants through breastfeeding, saying, "And your sisters through breastfeeding," because they are similar to sisters in lineage. And He indicated by the words "mothers" and "sisters" that what is forbidden through lineage is also forbidden through breastfeeding. And the Messenger of God, peace and blessings be upon

him, clarified this meaning, saying, "What is forbidden through lineage is also forbidden through breastfeeding." And God, the Exalted, said, "Whatever the Messenger has given you, take it; and whatever he has forbidden you, refrain from it." Then He mentioned the ascendants of the spouses, saying, "And the mothers of the ascendants." Your women, then the branches of the branches by his saying, "and your stepdaughters," meaning the daughters of your concubines, then the husbands of the branches by his saying, "and the wives of your sons who are from your loins," and their being from the loins is a precaution against the wife of the adopted son and the wife of the woman's son from the sons of the loins, for he permitted marriage to the wife of the adopted son and the wife of the woman's son, and he forbade marriage to the wives of the sons and marriage to the wives of the sons of the sons and marriage to the sons of the daughters, meaning that he forbade marriage to the wife of everyone who belongs to the loins, then he mentioned combining two sisters by his saying, "and if you combine two sisters," then the chaste women by his saying, "and the chaste women," meaning that wives from others are forbidden to you.

The word “halal” is the plural of “halila,” which means wife. There are three reasons for naming her as such: First, she is named so because she is permissible for the husband. Second, she is named so because she is permitted to be with the husband in his bed. Third, she is named so because she is named so because she is permitted to be with the husband in his bed.

The word “hujur” (with a damma on the hamza) is the plural of “hajar” (with a damma on the hamza), which in the language means sanctity, as it has come here. In the second usage, it means sitting on the thigh. So whoever sits on a man’s thigh has become inviolable by his sanctity, and whoever is inviolable by his sanctity is as if he sat in his lap. And whoever sits in his lap, his sanctity is obligatory. And a man may sit his son in his lap, and likewise his stepdaughter sits in it as well. Therefore, it is said, “in your laps.” And entering may necessitate that sanctity, otherwise not. And therefore, it is said, “from your women who you have entered with.” And its derivation is from “hajara” if he prevented him, hindered him, and stood between him. So whoever is inviolable by his sanctity, it is obligatory upon him to prevent him and protect him. And “zawj” (with a ha) is the husband of the woman, and “zawja” (with a ha) is the husband of the man. And they

are from "zawja" (with a damma on the hamza) like "daraba" (with a ha) meaning to connect, unite, and stick together. And the verbal noun from it is "izdawaja" meaning to stick together. And they are called "zawj" (with a ha) because of their connection during intercourse, during embracing, and during lying together, and because of their participation in procreation and offspring, and because of their agreement in managing matters, and because of their unity in being known for marriage.

His statement, "from your women," means those women who were born to you from other than your own women.

His statement, "She is the stepdaughter of the man's wife," and his statement, "She is forbidden to him," mean that she is forbidden to him.

The forbidden is prohibited, like the prohibition of generosity, and prohibition is of three types: one is the prohibition of something due to its honor and majesty, such as the prohibition of marrying sisters and the prohibition of selling Qur'ans; the second is the prohibition of something due to its honor, such as the prohibition of selling free people; and the third is the prohibition of something due to its contempt and to honor the believer by keeping it

away from and using it, such as the prohibition of selling carrion and pigs and the prohibition of marrying polytheistic women.

His statement, "Then marry her," means marry her, i.e., wed her.

His saying "halal" means permissible, allowed, dissolved, not contracted. "Halal" with a fatha is a second source from the verb form "tafil" as in your saying "halala yahallil tahlil wa halalan." The second source may be from the verb form "tafil" with a fatha as in your saying "halalan wa haram," and from the verb form "mufa'ala" with a kasra as in your saying "qatala yaqalil muqatala wa qitalan," and likewise "kitablan wa hisaban."

His statement, "And livestock and crops forbidden," is explained in this verse as meaning "forbidden," i.e., he said to those people, "Thank God for what He has bestowed upon you of these blessings, for these are livestock," meaning grazing animals and working beasts, "and these are crops forbidden," meaning cultivated land, "forbidden" (with the vowel "i" pronounced with a short "i" sound), "forbidden" to others. He has bestowed them upon you and forbidden them to others, and He has prevented them from...

I have lengthened the discourse in explaining this narration, and that was not my destiny, but I did it seeking God's abundant reward and seeking

His pleasure. Here is my book for you, and you should peruse it. The right of knowledge upon you and the right of my service to you in teaching you a few letters of the words of the family of the Messenger, peace be upon them, and their explanation, is that you examine this book of mine and correct everything you see in it that shows weakness of opinion and lack of understanding. For I ask God's forgiveness, and I am not one who does not err or forget, rather man is derived from forgetfulness, and yet I see myself as very forgetful. And because I did not undertake the compilation of this book except for what I mentioned of seeking God's reward and my trust in someone like you, a sincere brother and a beloved friend, who agrees that he will not find in it an error except that he will forgive it, nor a deficiency except that he will correct it, due to the soundness of his mind and the perfection of his virtue. So understand, O brother, this speech of mine and do me what I have asked of you in it. So ask God's forgiveness for me, for you, and for the brothers like me and like you.

And he, may God sanctify his soul, said: On his authority, he said: If a man has intercourse with a slave girl, her daughter is not permissible for him after that. The free woman and the slave girl are the same in this regard. Likewise, if a man has intercourse with his mother's daughter, he is not permitted to have intercourse with her after that, whether she is free or a slave girl.

He walked on it and placed his feet on it with the heaviest step and the most severe step. This is in the language. In the second usage, he had intercourse with the slave girl, meaning if he placed his body on her body, it is as if he had intercourse with her. His saying, "the free woman and the slave girl," is a subject and its predicate are the same, meaning that their ruling in this matter is one and the same.

His statement, "Likewise the mother," means that the ruling is the same as that for a slave woman who is a mother, for he cannot have intercourse with her if he has intercourse with her daughter. Here are two issues: the first is about a slave woman whom he has intercourse with, so her daughter is not permissible for him, and the second is about a slave woman whom he has

intercourse with, so her mother is not permissible for him.

This narration includes many issues, and I have mentioned them in one hundred and ten issues where I mentioned them. This narration is extracted from the two verses, one of which is his saying, may God bless him and grant him peace, and the other of which is his saying, and your stepdaughters, because the right hand possesses a part of marriage.

And he, may God sanctify his soul, said: On the authority of Abu Ja`far bin Muhammad bin Ali, peace be upon him, that he was asked about a man who married a woman and looked at her head and some of her body, can he marry her daughter? He said: If he saw in her what is forbidden to others, then he is not allowed to marry her daughter.

The meaning is that the questioner asked him, saying, "O son of the Messenger of God, we know that a man has entered upon a woman but has not married her daughter, and that entering is the lowering of the curtains and the closing of the door. If he has not entered upon her, but he looks at some of her body without entering upon her, just as he sees that from her in all women or

from slaves, or he hides for that purpose in a place and sees that while she is unaware, or something like that, then can he marry her daughter or not?" So he answered him with what the religion of Islam commanded, saying to him that if he sees her original private parts, which are from the navel to the knees, which are forbidden for anyone other than the husband to look at, then he cannot marry her daughter because she has then become his stepdaughter, because looking at private parts is like entering in tearing the veil, so it is not permissible for him to marry her.

Know that the questioner asked him about the general parts of the body, and he answered him specifically because looking at her private parts makes it forbidden for him to marry her daughter. The meaning is that the questioner asked him, saying to him, "O son of the Messenger of God, we know that if a man enters into a woman's house, he does not marry her daughter, and that entering into a house means lowering the curtains and closing the door. If he does not enter into a house with her, but looks at some part of her body without entering into a house with her, just as he sees that in all women or slaves, or he hides for that purpose in a place and sees that while she is unaware, or something

similar, then can he marry her daughter or not?" So he answered him with what the religion of Islam commanded, saying to him that if he sees her original private parts, which are from the navel to the knees, which are forbidden for anyone other than the husband to look at, then he cannot marry her daughter because she has then become his stepdaughter, because looking at private parts is like entering into a tearing of the veil, so it is not permissible for him to marry her.

Know that the questioner asked him about the general parts of the body, and he answered him specifically because looking at her private parts makes it forbidden for him to marry her daughter. As for looking at other parts of the body, such as the face and the limbs of the head, leg, hand, and finger, that is not a way of that, and it does not make it forbidden for him to marry her daughter. Our evidence for this meaning is his saying: If he sees in her what is forbidden for others, then he is not allowed to marry her daughter. As for looking at the head, it is not as forbidden as looking at the private parts, because the look that is forbidden for other men besides the husband is looking at the private parts. As for other parts besides the private parts, it is permissible for many of them to look at them, just

as it is permissible for the relatives of the mahrams to look at the women of their mahrams, for it is permissible for them to look at the faces and limbs, but it is not permissible to look at the private parts.

Our evidence for this is two sayings narrated from the Imams of the family of the Messenger of God, peace be upon him:

One of them is his statement in this narration: "If he sees in her what is forbidden to others," then he meant by this that looking at the private parts is forbidden to anyone other than the husband.

The second is that a man said to the Messenger of God, "O Messenger of God, my sister might uncover her hair in my presence." He said, "No, why?" He said, "I am afraid that if she uncovers her beauty in your presence, Satan will provoke you."

Know, my brother, that it has been established here that looking at the private parts is forbidden except for one's spouse, and that looking at other beauties is disliked for close relatives, and forbidden for strangers when there is no necessity. The discussion of this meaning has been presented in detail in what was mentioned earlier regarding the relationship with women, so learn it from there.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said regarding the words of God, the Most High, the Most Great: "And do not marry those women whom your fathers married," he said: If a man marries a woman and then dies or divorces her, she is not permissible for any of his children, whether he has consummated the marriage or not. And a man may not marry his grandfather's wife, and she is forbidden to his children as long as they are procreated.

The word "nasl" (with a fatha on the nun) means offspring, and "tanasul" means procreation. It is derived from the word "nasl" (with a fatha on the nun), meaning water that comes out of a vessel. So, a child comes out of his father. It is said of him, "This is his nasl," meaning that he came out of him.

In this narration there are eight issues: four concerning the father, and four concerning the grandfather, two of each of the four concerning death, and two of each of the four concerning divorce. They have all been mentioned in the issues mentioned at the beginning of this chapter. The meaning is that the father died or

divorced, but his wife is never permissible for his son, whether he consummated the marriage or not. Likewise, the grandfather's wife is never permissible for his son, as long as they are procreated, whether he died or divorced, whether he consummated the marriage or not.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he uncovered the leg of a slave girl and then gave her to al-Hasan, peace be upon him, and said to him: Do not approach her, for she is not lawful for you. This only applies if the father looks at what is forbidden to others with lust. But if he looks at her without lust, such as when turning her over during purchase, or looking at her while she is owned by someone else, then that does not make her unlawful for his son. Abu Ja`far, peace be upon him, said: There is nothing wrong with a man looking at a slave girl he intends to buy if his son has intercourse with her once he owns her, unless he has looked at her private parts.

His statement, "He uncovered the leg of a slave girl," is a metaphor for uncovering and looking at her private parts, because if he wanted

to uncover them, he would first uncover her leg. Such a thing is called "indecent exposure," which is a type of semantic science. If it is asked why he uncovered her leg, we say that it is possible that he wanted to have intercourse with her, so he uncovered her, then he disliked that and left it, or something prevented him from touching her, so he did not reach her.

His statement after that, i.e., after uncovering the leg,

His saying, "Do not approach her," is a metaphor for intercourse, for a man is closest to a woman when he has intercourse. Reason may testify to this, as there is nothing closer than penetration. This is also considered indecent.

His statement, "It is not permissible for you," is the reason for the prohibition against approaching her and an indication that he uncovered her leg.

His statement, "This," refers to this prohibition.

His statement, "for lust," means to satisfy lust, i.e., to look at her private parts in order to satisfy lust with them.

His saying "to her" means to the parts of her body other than the private parts.

His statement, "without lust," means that he looks at her to appreciate her beauty and charm,

not to satisfy his lust with her, so he sees her private parts, not her private parts.

His statement "he turns it over" means he looks at its front, its back, all its sides, and all its edges.

His statement, "or he looks," means that his gaze falls upon her by chance or intentionally, and he sees her extremities, except for her private parts as well.

His statement, "That is not like that view,"

His statement "he may have intercourse with her" means that he may have intercourse with her by his command and is permitted to do so if he owns her.

His statement, "unless he looked at her private parts," is the meaning and interpretation of this entire narration. Its meaning is that the look that makes the slave girl forbidden is looking at her private parts, not anything else, whether during intercourse or not. However, it makes her forbidden to his children who reproduce.

His statement "for lust" is also for the state of exposure, meaning that he does not expose her in most cases except for intercourse, so he said "for lust." Otherwise, looking at the private parts makes the slave girl forbidden to his son, whether that was for lust or not.

His statement, "without lust," clarifies his statement, "He looked at her," meaning her limbs, to appreciate her beauty, not out of lust. For looking at her private parts is usually done out of lust, while looking at her limbs may be done to determine her status if he wants to buy her, and not to satisfy his lust at that time. Therefore, he said, "without lust." Our evidence for this meaning is his statement, "unless he looked at her private parts." Likewise, what was narrated from our pure Imams, peace be upon them, that they said, "It is not permissible for anyone to look at the private parts of another believer, nor to expose his private parts to another." They derived this meaning from the statement of God, the Exalted, the Majestic: "Tell the believers to lower their gaze and guard their private parts." This narration is extracted from the narration before it concerning the meaning of his statement, "And do not marry those women whom your fathers married."

And he, may God sanctify his soul, said: On the authority of Abu Ja`far bin Muhammad, peace be upon him, that he said: If a man undresses a slave girl and puts his hand on her, she is not permissible for his father or his son.

To unsheathe a sword means to take it out of its sheath, and to undress a slave girl means to expose her private parts by removing her garment.

His saying, "and he placed his hand on her," means he touched her. Touching is a metaphor for taking her breasts. In this narration there are two issues, one of which is from his saying, "and the wives of your sons," which is his saying, "She was not lawful for his father," and the other of which is from his saying, "Do not marry those whom your fathers married of women," which is his saying, "nor for his son." These narrations are connected in their meanings, one with another, and the first confirms the last. By "slave girl" here he means the female slave.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said regarding the words of God, the Most High, the Most Great: "And do not combine two sisters except for what has already passed," meaning marriage, he said: If a man marries a woman, then goes to another land and marries her sister without knowing, then if he knows, he must withdraw from her.

His statement, and God's statement, that is, in his interpretation of it.

His statement, "And if you combine them," means that it is forbidden for you to marry two free sisters together and keep them in your marriage at the same time, and to combine two slave women in intercourse at the same time. If the woman who is in your marriage dies or you divorce her, then there is no harm in marrying her second sister. The same ruling applies to slave women.

The word "sister" with a damma is the feminine form of "brother," and "brother" originally had a fatha on the first letter, then the waw was omitted from its end because it was a suitable form. According to the people of morphology, if every noun is suitable and has a weak letter at the end, the weak letter is omitted

from it. The evidence for this is its plural "brothers" and "brothers." The feminine haa was added to "sister," and the evidence for this is its plural "sisters" with a fatha on the first letter, because if you want to know the origin of any noun, return it to the plural and its origin will become clear to you.

His saying, "except for what has already passed," means that all of it is a sin that God will not forgive you for after the revelation of this verse, but He will punish you for it, except for what has already passed, for it is forgiven and He will not punish you for it because it occurred before this.

His statement means marriage. Ali, peace be upon him, says that God has forbidden you to marry two free sisters.

His statement, "and he does not know," means he does not know that this is his wife's sister. His statement, "he withdraws," means he leaves her and is absolved of his marriage to her, and she is not lawful for him after he learns of this. The meaning is that if he does this while unaware, he must leave her when he learns, and there is no sin upon him for doing this. But if he does this intentionally, the guardian will separate them, and he will bear the sin and guilt of this.

And his saying, may God sanctify his soul: On the authority of Ali, peace be upon him, that he forbade a man from having sexual relations with two slave sisters. And in another hadith: He was asked about that and he said: One verse permitted them and another forbade them, and I forbid myself and my children from them. Ja`far bin Muhammad, peace be upon him, said: He has made it clear that since he forbade himself and his children from that, it is obligatory for the believers to refrain from what he forbade himself and his children from.

Know that this narration may come from the narration before it which is in the meaning of his saying, "And if you combine the two sisters," because he only prohibited combining the two sisters and did not make an exception for a slave or a free woman in that, and his saying about that, that is, about combining them, that is, it was narrated in another hadith on the authority of Ali, peace be upon him, that he was asked about combining them.

His statement, "He permitted it," means the statement of God Almighty, "And those who guard their private parts except from their wives or those whom their right hands possess," for He

permitted him to have intercourse with all the female slaves whom he owned, and He did not exclude any of them, but rather He permitted them according to the general rule, whether they were close together or far apart.

His statement, "And their prohibition is another verse," refers to his statement, "And if you combine two sisters," for he prohibited combining them without exception, whether they were slaves or free women. Thus, it is known that combining two sisters is prohibited in general, whether they were free or slaves. Therefore, the Commander of the Faithful, peace be upon him, forbade combining them, saying, "And I forbid them," meaning combining them. And the truthful one, peace be upon him, spoke the truth when he said, "He has made it clear when he forbade that," etc. Because when he forbade it for himself and his son, it is obligatory for the believer to follow him in what he forbade, due to the Almighty's statement, "Obey God and obey the Messenger and those in authority among you." And because he and his son are superior to all people, it is more appropriate to follow them. And because he and his son are more knowledgeable about the interests of the people, it is obligatory for the servants to refrain from what they refrained from.

If it is said why did the Commander of the Faithful, peace be upon him, prefer the verse of prohibition over the verse of permissibility? We say that permissibility is in women, and prohibition is in them, because God, may He be glorified and exalted, only created them for intercourse and then prohibited some of them to whomever He willed. So, if their permissibility is His nature, and their prohibition is His will, then it is more appropriate that His will and desire should be preferred to His nature and creation, because He created in general and then willed in particular. This is like how He only created plants for animals to eat, then prohibited some of them to the human species, such as rocket and intoxicating plants. Likewise, He created animals for humans to eat, then prohibited some of them to them according to His specific will. As for His creation and His will, neither of them is devoid of wisdom, but the wisdom in the will is like the core, because it is the primary purpose, and in the creation it is like the shell, because it is incidental to reach what is desired. So, the will is better than the creation. If that is the case, then the verse of prohibition is preferable to the verse of permissibility.

Here are three issues, two of which were mentioned at the beginning of this chapter, and

one of which was not mentioned there: These are the first of them, that he forbade him from marrying two free sisters or two sisters who were owned by someone else, and the second is that he forbade him from having sexual intercourse with two sisters who were owned, and as for the third which was not mentioned there, it is this: that he forbade him from marrying two sisters, one of whom was free and the other who was owned, by marrying the free woman and having sexual intercourse with the owned woman, but the ruling in them is that if he marries the free woman, he does not have sexual intercourse with her sister who was owned, and if he has sexual intercourse with the owned woman, he does not marry her free sister after that.

It is stated in the book Mukhtasar al-Athar: On the authority of them, peace be upon them, that they permitted owning two sisters, a slave woman and her daughter, and prohibited combining them in marriage. They said that if he had intercourse with one of them, the other would be forbidden to him. This is the end of his statement, meaning that they permitted owning them together and prohibited combining them in marriage and intercourse.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, peace be upon him, that he said: If a man has two slave sisters, and he marries one of them, then he decides to marry the second, then he should not marry the other until the first one leaves his ownership by giving her away or selling her, and it is not sufficient for him to give her away to his son. If he has intercourse with the second one, then the first one becomes forbidden to him until the other one dies, and he has sinned in his action and transgressed the limits of God, may His name be glorified.

His statement, "If it is a defective verb whose name is 'Ikhtan,' its predicate is in the adverbial phrase, i.e., with the man," is in the masculine form because it precedes its subject and there is a separation between them, even if its subject is a true feminine.

His statement regarding the man's ownership of the man and their being with him together is due to one of two things: either they were sold together and became owned by him, or they were born to him from a slave woman whose husband was with someone else, or she gave birth to them through fornication.

His saying "one of them" means that "one" is the feminine form of "one," and his saying "appeared" means that it occurred to him and happened within him.

His statement in the second instance means that his will was to have intercourse with the second woman.

His statement, "It is not appropriate for him," is a prohibition of forbiddance. It is stated in the book Mukhtasar al-Athar: "They said, 'If he has intercourse with one of them, the other becomes forbidden to him. If he has intercourse with the second one, then he has had intercourse with her unlawfully.' His statement, 'the other,' means this second one."

His first statement means that one.

His statement, "He gives her away," mentions the two ways for her to leave his ownership: gift and sale. Two other ways are mentioned in the book "Mukhtasar al-Athar," where the first one leaves his ownership through manumission, sale, gift, or death. His statement, "And it does not suffice him," is because that is a trick on his part to make the second one permissible, since she does not leave his ownership in that way. His statement, "And he sinned in his action," means that he sinned in that because he transgressed what God has limited and prohibited, since He

has prohibited combining them. This narration is also from his statement, "And if you combine two sisters," and the ruling here differs between two free women and two slave women. This is because if a man marries a free woman and then marries her sister, he is divorced from the second sister. And if he has intercourse with her sister, the first slave woman becomes forbidden to him. The reason for this is that God revealed one verse regarding two free women, which is His statement, "And if you combine two sisters," and He revealed two verses regarding two slave women, one of which is this and the other is His statement, "Except with their wives or those whom their right hands possess." Thus, the ruling of the verse is established for free women because it is a single ruling. Because it is one verse and that ruling has also been established regarding female slaves, so if he transgresses, he falls under the ruling of the other verse, and he has sinned and the sin of that is upon him. If the other one leaves his ownership, the ruling of ownership remains in effect for the first one. This narration is explained in most of its aspects, so I have shortened the discussion of it, so know that.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he

said: If a man divorces a woman, he may not marry her sister until her waiting period is over.

This means if his divorce of her was revocable, and this narration is explained by what came in the book Mukhtasar al-Athar, which is his saying, peace be upon him, and on the authority of Ali, Abu Ja`far, and Abu Abdullah, may God's prayers be upon them, that they said: A man should not marry a woman if he divorces her sister until her waiting period is over and she is free from his protection. This is if his divorce of her was a divorce in which he has the right of return, because if that is the case, then he has combined them. But if he divorced her with an irrevocable divorce in which there is no return, then he may marry her sister and others if he has three free women besides her. This is the end of his saying. This waiting period is three menstrual cycles or three months for one who has not menstruated and for one who has despaired of menstruation. It is the same in revocable divorce and irrevocable divorce, there is no difference between them in them. Divorce with the expiration of the waiting period in a free woman in the permissibility of marrying the second sister and others with the three free women is like

leaving the ownership in the case of a slave woman.

And he, may God sanctify his soul, said: On the authority of the Messenger of God, peace and blessings be upon him, that he forbade marrying a woman and her paternal aunt, and a woman and her maternal aunt.

Know that this prohibition is a prohibition of prohibition, like the prohibition of combining two sisters. This came in the Qur'an in His saying: "And if you combine two sisters," and this came in the Sunnah in this narration. This prohibition is derived from that prohibition, for He made the woman and her paternal aunt like two sisters, since they are from one father, because their grandfather is one, and the daughter of a man's son is like his daughter if he does not have a daughter. Likewise, the woman and her maternal aunt are like two sisters because they are from one mother, since their grandmother is one. This prohibition in breastfeeding is like it in lineage, and it is also in slave women like it is in free women because He prohibited combining them and did not make an exception in that for a slave woman or a free woman.

Here are twelve issues, some of which were mentioned at the beginning of this chapter and some of which were not mentioned there, but I saw that repeating them here was more appropriate for clarification and explanation, so I did so. They are these:

The first of them is that it is forbidden to combine a woman with her free maternal aunt by blood.

The second is that he forbade combining a woman with her maternal aunt, who were both slaves by blood.

The third is that it is forbidden to combine a woman and her maternal aunt, one of whom is free and the other a slave by blood.

The fourth is that it is forbidden to combine a woman with her free maternal aunt through breastfeeding.

Fifth, it is forbidden to marry a woman and her maternal aunt who are slaves through breastfeeding.

The sixth is that it is forbidden to combine a woman and her maternal aunt, one of whom is free and the other a slave through breastfeeding.

And such as these six issues in combining a woman and her paternal aunt, so the total is twelve issues, and the ruling between a slave woman and her maternal aunt, if he had

intercourse with one of them, then the ruling in the case of two slave sisters, if he had intercourse with one of them, and that has been mentioned previously, and these five narrations are all about the prohibition of combining them, and they have all been mentioned and you know them, and the prohibition of combining them and the prohibition of marriage are two different things, each one is not the other, and that is because the prohibition of marriage is that God has prohibited marrying a woman and having intercourse with her, so she is never permissible, like mothers, sisters, daughters, paternal aunts, maternal aunts, mothers of women and the like, so they are always forbidden, and the prohibition of combining them is like the fact that it is permissible for a man to marry one of two sisters, and if she dies, it is permissible for him to marry her second sister, so he did not prohibit marrying the second sister after the death of the first or her divorce, but he prohibited combining them, so this is the difference between the prohibition of marriage and the prohibition of combining them, so know it.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, peace be upon him, that he said: There is nothing wrong

with a man marrying the daughter of a man and his wife, meaning that the daughter is from someone other than the woman, or the mother of his child is other than the mother of the woman, and he may combine them if he wishes.

His statement "there is no harm" means that it is permissible for him.

His statement, "daughter of a man," means another man.

His statement refers to the statement of the caller, Al-Nu'man, may God sanctify his soul, and his statement about the daughter refers to his aforementioned daughter.

His saying "the woman" means his wife mentioned earlier, and the definite article "al-" is for the previously mentioned woman, as it refers to the daughter and the woman.

His statement, "and the mother of his child," is the statement of Al-Sadiq, peace be upon him, and it is connected to his statement, "and his wife," meaning the daughter of a man and the mother of his child.

His statement "the mother of the woman" means the mother of his child, who is not the mother of the daughter. By "woman" here he means the daughter.

This interpretation is also from the preacher Al-Nu'man, may God sanctify his soul.

His statement combines the words of the truthful one, peace be upon him, meaning it combines the daughter and his wife, and the daughter and the mother of his child.

It has been learned here that the prohibited combination is in three places, one of which is in the case of two sisters, the second is in the case of a woman and her paternal aunt, and the third is in the case of a woman and her maternal aunt. These are the three places in which the combination is prohibited, and this is not the case in others. It is not prohibited to combine a woman with every woman who is forbidden to her, and our evidence for this meaning is the narration, because there is a prohibition between a woman and her father's wife, and it is permissible to combine them. So it is established that it is not prohibited except for the two sisters, and between a woman and her paternal aunt, and between a woman and her maternal aunt only.

This narration may refute what the common people said, that it is forbidden to combine a woman with any of her close relatives. For the prohibited close relatives are any two women, if one of them is a man, the other is not permissible for him, such as two sisters, if one of them is a man, the other is not permissible for him, and like a woman and her paternal aunt, and a woman

and her maternal aunt, and a woman and her father's wife. These are the prohibited close relatives, and it is permissible to combine some of them, such as a woman and her father's wife, for if the woman is a man, his father's wife is not permissible for him. So what the common people said is refuted, and what was narrated from the Imams, peace be upon them, is proven regarding the prohibited combination and the permissible combination, as it was narrated here: There is no harm in a man marrying a man's daughter and his wife, etc. And as is known from the saying of God, peace be upon him and his family, and the wives of your sons who are from your loins, it is permissible for a man to marry his son's wife and his son's wife, and it is permissible to combine them because of his saying, peace be upon him and his family, from your loins, for her son from someone other than him is not from his loins at all.

It is stated in the book Mukhtasar al-Athar: They, peace be upon them, did not see anything wrong with marrying paternal cousins and maternal cousins, or a man's wife and his daughter from another woman. End of his statement.

And he, may God sanctify his soul, said: On his authority, he was asked about a man who marries a woman and takes a concubine. Is it permissible for his son to marry her daughter from someone else or to have intercourse with her if she is owned by him by right of possession? He said: As for what was before the marriage, meaning the marriage of the father, then the son may have intercourse with her and marry her. As for what the woman gave birth to after that, then I dislike it.

And he, may God sanctify his soul, said: On his authority, peace be upon him, he was asked from another perspective that he said: If a man divorces his wife and then another man marries her and she bears him children, he said: There is nothing wrong with her son marrying the daughters of her first husband from another woman. The perspective that he disliked in the first narration is that in which there is doubt and the child is close to separation. But if there is no doubt in it and the child is far from separation and death, then there is nothing in that that is disliked. And God knows best.

These two narrations are like a building, each supporting the other. The first of them may be explained by the other, and this is clear and evident to anyone who thinks about it. It does not require much explanation, but it is necessary to mention something of it so that we do not miss the reward for that. So we say: His saying "he takes a concubine" means he takes a concubine, and his saying "from someone else" means she was born to him from her husband who is someone else. His saying "she is owned by him" means she is owned by the son, or she is owned by the man, so he has intercourse with her for his son, and his saying "by right of possession" is confirmation of his saying "she is owned."

His statement, "As for what was," means, "As for the daughter whom I gave birth to before the marriage of the father," meaning the father of the son, "that is, whom I gave birth to before his marriage to her first husband, then it is for the son," meaning, "it is for the son."

And his saying, "As for the girl that she gave birth to after that," meaning after the father's marriage, that is, after the father married her and then divorced her or died, and another man married her, and she gave birth to a girl for that other man close to the father's divorce or death, then I dislike that girl being married to this son

because of the closeness of her birth to his father's divorce or death. But if there was no such doubt in her birth and her birth was far from her mother's first husband, then there is no harm in that son marrying her. He only disliked that because of such doubt. And this meaning is apparent in the second of these two narrations.

His statement, "I hate her," means "I hate that girl," and he used the masculine pronoun because it refers back to the relative pronoun it modifies.

His statement from another perspective, meaning it was narrated from another example, is that in the first case the son of the man marries the daughter of the woman, and in the second case the son of the woman marries the daughter of the man.

His saying, "Any man, whoever he may be,"

His statement, "Then a man married her," means another man.

His saying "children" means sons.

His statement, "And the way," refers to the manner of marriage.

His statement that it is disliked means that it is disliked even if there is a slight element of doubt, and it is prohibited if there is a clear element of doubt in it.

His statement that there is no doubt about it and the child is close to separation, these are two aspects of dislike. One is that the child is close to separation, and the second is that there is a doubt about pregnancy, such as if she is accused of being pregnant at that time, and such as if she is pregnant and yet menstruates, so her pregnancy is hidden, and if she gives birth to another, he will suspect that about her. Such a thing, if it happened to the girl, then it is disliked for her to marry the son.

His saying, "And God knows best," means that we know that it is so, and God knows best about it. His knowledge is greater and more encompassing than ours. He knows that it is so, and He knows that we have spoken the truth in what we have said and explained. This is the meaning of his saying, "And God knows best," as it appears in the text. It is not as the common people say, that this might be said when in doubt. Rather, they are people of doubt and suspicion, so they speak with doubts about their religion. They say something and then doubt it, so they say, "And God knows best," meaning, "We said this, but we do not know if it is right or wrong, and God knows best about it." As for the Imams from the progeny of the Prophet (peace be upon him), they are people of truth and certainty, so they

only speak the truth. When they say something, they magnify God in addition to their own greatness, saying, "We know this, and He knows it better than us."

Know that the virtuous among their preachers say the same because they follow their imams and adhere to their religion. Here are six issues:

The first of them is that a man may marry a woman, and his son may marry her daughter whom she bore from a husband who died before this man.

The second is that he has the right to marry her, and his son has the right to marry her daughter from a husband who divorced her before him.

The third is that he may take a concubine, and his son may have sexual relations with her daughter whom she bore before him, if she was a slave.

These three issues were excluded from his statement: "As for what was before marriage..."

The fourth is that if he divorces her and another man marries her and she gives birth to a son for the other man, then the other son has the right to marry the divorced man's daughter who is not from his mother.

The fifth is that if her husband dies and she marries another man and gives birth to a son for the second man, then the son of the second man may marry the daughter of her mother's husband who died before her father, from another woman.

The sixth is that if he sells his concubine and she gives birth to a son while with the buyer, then the son of the buyer may marry the daughter of the seller who was the master of her mother before that, from someone else. These three issues have come out of his statement. And if there is no doubt about it and the child is far from separation or death, then there is nothing in that which is disliked. And this meaning has come explained in the book Mukhtasar al-Athar: Likewise, if a man divorces a woman or dies, then another man marries her after him, then there is nothing wrong with her son from the other man marrying the son of the first husband from someone else. So know this.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said regarding a man who has four wives and divorces one of them: He is not allowed to marry a fifth until the waiting period of the one he divorced has ended.

The term "women" is used for five or fewer, while "women" can refer to a group of three or more, regardless of the number. His statement "until it is completed" applies if his divorce was revocable. However, if the divorce was irrevocable, he may marry another woman if he already had three free women, as she would then be his fourth wife, not his fifth. This narration indicates that God has only permitted a man four wives and prohibited exceeding this number. If it is asked why God permitted four wives in Islam and prohibited exceeding this number, we reply that He, the Exalted, established most aspects of His creation according to this number, thus making this arrangement based on it. As the Messenger of God (peace and blessings be upon him) said, "God founded His religion upon the model of His creation." He established the pillars as four: fire, air, water, and earth. Similarly, He permitted four wives in Islamic law, because the pillars are the origin of all offspring, and so too

are women the origin of human offspring. Therefore, their number is similar. Likewise, there are four temperaments: heat, cold, moisture, and dryness, all of which are essential for the formation of all offspring. Thus, He established... The analysis of women was set at four because they are essential for the formation of human offspring and for the maintenance of worldly affairs. Likewise, the humors were made four: yellow bile, black bile, phlegm, and blood. Animal bodies are sustained by them, so four of them were made permissible because the development of the earth, procreation, and cultivation are not sustained without them. There are many other aspects to this meaning, and if I were to mention them, the discussion would become lengthy. For example, the human beings are sustained by four humors, as we mentioned before. These humors require the expulsion of waste materials from them, and the greatest way to expel waste is through the expulsion of semen. Semen is not expelled in a beneficial manner except during intercourse. So God made the analysis of women according to the number of these humors so that the need and the need for them would be similar in their number. There are also aspects of interpretation and truths to this meaning, which will be explored in their proper place, God willing.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, and Abu Ja`far and Abu Abdullah, peace be upon him, that they said regarding a man who commits adultery with his wife's mother, or her sister, or her daughter, they said: That does not make his wife forbidden to him, and he is obligated to do what is obligated to an adulterer, and the forbidden does not make the permissible forbidden. Abu Ja`far, peace be upon him, said: If he commits adultery with a woman, he does not marry her daughter or her mother by blood, nor by breastfeeding.

His statement means he commits adultery.

His statement refers to that act of adultery.

His statement, "and it is incumbent upon him," means that he is obligated to pay the punishment for adultery, which is stoning if he is married, or one hundred lashes if he is unmarried.

His statement, "The unlawful does not make the lawful unlawful," and it has been stated in the book "Mukhtasar al-Athar" that this did not

invalidate her marriage, because the unlawful does not invalidate the lawful.

This is the sum total of the meaning in this narration and what is similar to it, and what is like it and what is similar to it, such as what comes in the mention of breastfeeding from the milk of the forbidden and the like. That is because the forbidden is forbidden, and the permissible is permissible, so the forbidden does not make the permissible forbidden, nor does the permissible make the forbidden permissible.

In this sense, two issues emerge from this narration. The first is that if a man marries a woman and then commits adultery with her mother, or her sister, or her daughter, or her aunt, or with anyone whom he is not permitted to marry along with her, or whom he is not permitted to combine with her, then this does not make his wife forbidden to him, because his wife is permissible to him from the moment he marries her. As for the forbidden, it came to him after that, and the truth is not invalidated by falsehood, and certainty is not invalidated by doubt. So marriage is an established right and adultery is a falsehood and invalidity. Therefore, adultery does not invalidate marriage. This ruling is a general ruling in every matter of the Sharia.

The other of the two issues is that if he commits adultery with a woman, her daughter and mother become forbidden to him because one of them becomes like a daughter-in-law and the other like a stepdaughter in terms of the act, even if that is not according to the ruling of the Sharia. And in this issue, the first of the two matters may also be ruled on, one of which is the permissible, which is marriage, and the other is the forbidden, which is fornication. So if he commits fornication first, it becomes forbidden for him to marry after that because she becomes like a wife to him because he has seen her private parts, even if that is forbidden to him.

The difference between these two issues is that the first is about a woman and every woman who is forbidden to him, because if he commits adultery with one of them, it does not make his wife forbidden to him. The other is about a woman, her daughter, and her mother, because if he commits adultery with a woman, he does not marry her daughter or her mother only, so it is permissible for him to marry her sister, her maternal aunt, and her paternal aunt, because she is not his wife even if he commits adultery with her. So if when he finishes with her after committing adultery with her, she leaves him, then it is permissible for him to marry her sister,

her paternal aunt, and her maternal aunt, because that is not combining them.

Know that marriage, ownership of a slave woman, and adultery have three different rulings. The ruling regarding marriage is that if a man marries a woman and then goes to another land and marries her sister without knowing, and then finds out about it, he must withdraw from the other woman. The ruling regarding ownership of a slave woman is that if he has two sisters who are slaves and he has intercourse with one of them, the second becomes forbidden to him. Then, if he has intercourse with the second, the first becomes forbidden to him, because both of them are his slaves. I have explained this meaning previously. The ruling regarding adultery is that if he marries and then commits adultery, his wife does not become forbidden to him. But if he commits adultery first, marriage is not permissible for him, as is explained in this narration.

Here is evidence that not everyone should trust women, for some of them commit adultery with their wife's mother, her sister, her daughter, or others, and some of them commit adultery with a woman and then want to marry her daughter or her mother and are not ashamed of

that, so that is forbidden in Islamic law and prohibited.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said regarding a man who commits adultery with a woman and then wants to marry her in a valid marriage: If they repent, then there is nothing wrong with that.

This ruling is an absolute ruling regarding the permissibility of marrying the woman with whom he committed adultery. I mean by this that if he committed adultery with her and then married her, there is nothing wrong with that, or if he married her, then divorced her, then committed adultery with her, then married her again, there is nothing wrong with that. The meaning of his statement, "If they repent," is that their repentance is their marriage, because if they abandon what is forbidden and return to what is permissible, then they have repented at that time.

This narration is the third ruling in this regard. The first ruling is that if a man commits adultery with a woman's mother, it does not make his wife forbidden to him. The second ruling is that if he commits adultery with a woman, he cannot marry her mother or daughter. The third

ruling is that if he commits adultery with a woman and then marries her, there is no harm in that. This ruling is absolute in permitting marriage to the woman with whom he committed adultery and then marries her; there is no harm in that. This ruling applies to all matters of Islamic law. For example, two men who made a pact to engage in usury, then abandoned it, repented, and entered into a sale between them, there is no harm in that. This is similar to the issue of 'inah (a type of usurious transaction), which is found in the book al-Yanbu'. The difference between this issue and the 'inah issue is that they agreed to usury but did not take it, then entered into a sale between them. This is like a man and a woman who agreed to commit adultery, then abandoned it and married. This issue is that they committed adultery, then repented and married. This is like two men who used to engage in usury, then repented and entered into a sale between them; there is no harm in that. This ruling is derived from their saying that the forbidden does not make the permissible forbidden. Marriage to married foreign women is permissible, but adultery with them is forbidden. If one commits adultery, it does not make it forbidden to marry them.

His statement that he committed adultery is evidence that the punishment for adultery has been carried out on him and on the woman as well, because if they had not been punished, it would not have been said that he committed adultery or that she committed adultery, because that statement is made against someone who has not committed that act, and that statement is only said to someone who has been punished for adultery.

His statement, "Then he wants to marry her," is evidence that they are not married, because if they were married or one of them was, the married person would be stoned, but they were not married, so they were given one hundred lashes.

And his saying, may God sanctify his soul: On his authority, peace be upon him, that he said: If a man marries a woman, and she commits adultery before he consummates the marriage, they shall be separated, and she shall not be entitled to a dowry, because the incident came from her side. He means by separation if the husband wanted that. But if he continues to marry her, then we have mentioned in what has come from the people of the house, peace be upon them, regarding the marriage of adulteresses.

Know, my brother, that this narration is explained and clarified in most of its words and meanings, and explained in most of its folds. It may also be sufficient to explain it in what came in the book Mukhtasar al-Athar, which is his saying: On the authority of Ali, peace be upon him, that he said regarding a woman who commits adultery before the husband consummates the marriage, they are separated and she has no dowry and she is punished. Her dowry is invalidated because the act came from her side, and the separation only happens if that husband wants it, and if he keeps her, then she is his wife. End of his saying.

His statement, "He separated them," means that he said, "She has no dowry," because the meaning of separation is that they are separated without a dowry. If he divorces her, she is entitled to half the dowry, and if he separates them for such a reason, she is not entitled to half the dowry. His statement, "Because the event is the reason for separation and the invalidity of the dowry," means that separation only occurs if she commits adultery before he consummates the marriage. If she commits adultery after he consummates the marriage, she is his wife. If he wishes, he may divorce her, and if he wishes, he may keep her and not separate them. If he divorces her, she is entitled to the full dowry. The evidence for this meaning is his statement, "She committed adultery before he consummates the marriage."

His statement, meaning by "division," is an explanation of his statement, "There is a difference between them."

His statement, "We have mentioned," refers to what he mentioned when mentioning the famous prostitutes who were in Mecca. And from his statement, "If a man marries," to his statement, "It came from her," is the statement of Ali, peace be upon him. And from his statement, "He means by separation," to his statement, "In

the marriage of immoral women," is the statement of Judge Al-Nu'man, may God sanctify his soul. And the statement of Ali, peace be upon him, is an explanation of the obligation to separate between them and an explanation of the divorce of the invalidity of the dowry if she commits adultery before consummation. And the statement of the caller Al-Nu'man, "Qis," is the meaning of separation, that if the husband wants that, otherwise not.

Here is a statement that the punishment for adultery, which necessitates stoning, is only valid after a valid marriage, consummation, and the spouses living together. The evidence for this is his statement, "And I struck the punishment," and also his statement, "Separate them."

Know that there are nine issues concerning women who commit adultery:

The first of them is that if a woman commits adultery with her daughter's husband, it does not invalidate her daughter's marriage to her husband.

The second is that if she commits adultery with a man, her daughter and mother become forbidden to him.

The third is that if she commits adultery with a man, then they repent and get married in a valid marriage, there is nothing wrong with that.

The fourth is that if she commits adultery before consummation, they are separated and she is not entitled to a dowry.

The fifth is that if she commits adultery after consummation of the marriage, they are not separated and she is entitled to the full dowry.

The sixth is that if she commits adultery before consummation, the separation will be at the will of her husband.

The seventh is that if she commits adultery after consummation of the marriage, the divorce is in the hands of her husband.

The eighth [case] is if she commits adultery before consummation of the marriage, she shall be punished.

The ninth is that if she commits adultery after consummation, she is to be stoned if the condition for stoning is met, which is that she is under a man in a valid marriage and he has consummated the marriage with her and he is living with her and then she commits adultery in addition to that, she is to be stoned. And if she is with a man in a temporary marriage or in an unlawful marriage or he has not consummated the marriage with her or he is not living with her in one country and then she commits adultery with another man, she is not to be stoned but she is to be punished.

If it is said, what motivates you to increase the number of issues in many narrations when a few of them would suffice if you were satisfied with them? We say that what you said is good in my opinion, but since I said at the beginning of this book that it is detailed in explaining some of the words in these narrations, I found no alternative but to elaborate on them. My words are not without benefit , and my explanation is not without merit and advantage. Otherwise, the narrations are authentic and established, and the meanings in them are sound and complete. If I did not do what I do, then why did I wield the pen, and why did I write the words? This is why I increase the number of issues and lengthen the discourse.

And he said, may God sanctify his soul: On the authority of Abu Ja`far Muhammad bin Ali, peace be upon him, that he was asked about a sick person who is on the verge of death and marries a woman so that she may inherit from him. He said: There is nothing wrong with that, and marriage is permissible if it is contracted according to what is required.

He examined him closely, drew near to him, and looked at him.

His statement, "He wants," is the reason for the marriage.

His statement regarding that, meaning his marriage,

His statement, "on what is required," means a guardian and two witnesses.

The meaning is that he was asked about marrying a sick person who is close to death and who only wants to bequeath his wealth to her. Is it permissible to marry him or not? He said that it is permissible, and he qualified it by saying if it is contracted according to what is required, because it may be contrary to what is required, so it is not permissible then. But if it is according to what is required, then there is nothing wrong with it. And the sick person may do that for reasons, including that he may hate his heirs and want to bring in someone who shares his inheritance with them, and that he may love a woman and want to give her a share in his wealth, and that he may be one of those who have no heirs and his wealth will go to the treasury of the Muslims, so he wants to make someone who will inherit from him after him, and that he may be covered with shame because he has no heir, so he wants to have an heir so that he will be relieved of

that shame, so he does for such reasons what he does.

Know, my brother, that this issue came about because it might be mistakenly thought that it is not permissible for a sick person to bring in someone to inherit from him and reduce their share, because he is not allowed to rule over anything except his third. Therefore, this issue came about, that there is nothing wrong with him marrying a woman who will inherit from him while he is on the verge of death. For if he is sick, he is not allowed to rule over his money by gift, charity, or manumission, and he only rules over his third. And this rule is only in money specifically, and as for other things, it is not like that if he is sick, it is not forbidden for him to marry, or to have someone else witness, or to appoint an agent, or to marry off his daughter, but rather all of that is permissible for him. So if that is the case, then he is allowed to marry while he is sick, because he is only marrying someone whom he is allowed to marry, and if he rules over money, he is not prevented from that. So the meaning of this narration has become clear, that it is permissible for him to marry.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad bin Ali, peace be upon him, that he was asked about a man who married two sisters or five women in one contract. He said: The marriage of the sister whose name he started with at the time of the contract is valid, and the four of the women whose names he started with, and the marriage of the others is invalid. If it is not known who among them was first named, then the entire marriage is invalid.

The contract with the addition of a dammah is the marriage contract.

His statement "in one marriage contract" means that the preacher delivers one sermon and marries the two sisters and the five women in that sermon and says to their guardian or their guardian, "I have married your daughter so-and-so and so-and-so to so-and-so, son of so-and-so," and he says, "I have married them to him." This is the meaning of his statement "in one marriage contract."

His statement, "at the time of the contract," means at the time of the marriage contract.

His statement and the four are connected to his statement about the sister, meaning marriage to the sister and marriage to the four.

His statement, "If he does not know," means if there is no evidence for the one who began by mentioning their names.

His statement that the entire marriage is invalid means the marriage of all of them, then the marriage can be resumed if he and she wish.

Here are some issues:

The first of them is that if a man marries two sisters in one contract, the marriage of the sister whose name he started with at the time of the contract is valid if he knew that, and the marriage of the sister whose name he started with is invalid.

The second is that if he marries five women in one contract, the marriage of the four whose names he started with is valid, and the marriage of the others is invalid if this is known.

The third is that if he begins by naming her among them, then the marriage of all of them is invalid.

The fourth is that if it is not known who started with her name and the entire marriage is invalidated, the marriage of one of the two sisters or the four of them is resumed if he and she wish.

Fifth, if the marriage is invalidated for the reasons we mentioned, and he had consummated the marriage with all of them, then they are entitled to the full dowry. If he had not

consummated the marriage with them, then the marriage is invalidated and they are not entitled to any dowry.

Here are two reasons:

The first of them is that the reason for the invalidity of the marriage of the sister who is named second is that if one of them is named for him, it is forbidden for him to combine them with her sister. So if he is named second for him with the name of the second sister of her, the marriage of the second is invalid because it is forbidden for him and the forbidden does not make the permissible forbidden. So the first is permissible for him and the second is forbidden for him, so the marriage of the first is established and the marriage of the second is invalid.

The second reason for them is that if four are named for him, it is forbidden for him to exceed four. If a fifth is mentioned, the fifth is forbidden for him because it is forbidden for him. The forbidden does not invalidate the permissible, as we said first. Rather, the forbidden is invalidated by itself. For this reason, the marriage of four is established for him, and the marriage of a fifth is invalidated.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he ruled concerning a woman whose husband died while she was pregnant and she married before the four months and ten days had passed. He said: They should be separated, and he should not propose to her until the later of the two periods has passed. Ja`far ibn Muhammad, peace be upon him, said: This is if he had not consummated the marriage. But if a man marries a woman during her waiting period and he has consummated the marriage, they should be separated, and she is never lawful for him again. She is entitled to her dowry for what he has taken of her private parts. If he has not consummated the marriage and they are separated, then when her waiting period has ended, he may marry her if he and she both wish. This is if they both know that this is not lawful. But if they are ignorant of this and he has consummated the marriage, they should be separated until her waiting period ends, then he may marry her if he and she both wish. It was said to him: What if one of them did this intentionally and the other was ignorant of it? He said: The one who did it intentionally is not permitted to return

to his partner, and people may be excused for ignorance of matters greater than this.

His statement "he judged" means that this case was agreed upon with him, so he ruled on it with this ruling regarding the pregnant woman and others of all women whose husbands have died if she marries during the waiting period. This has come in the summary of the traditions that they said regarding a man who marries a woman during her waiting period and they both know that this is not permissible, that they are separated and she is never permissible for him. And if they were ignorant, they are separated and they make a new contract after she is permissible for husbands. End of his statement.

This narration indicates that this ruling applies to every woman in a waiting period, whether she is pregnant or not. This meaning is indicated by his statement that the four months and ten days pass, because this is only the waiting period for a woman whose husband has died, and it may include a pregnant woman if she gives birth in less time, and a woman who is not pregnant in general. He answered here about the waiting period of a pregnant woman by saying until the last of the two periods expires, because the expiry of the last of the two periods is the

expiry of the waiting period. Thus, it is established that he does not propose to her until her waiting period expires, and this ruling may also apply to every waiting period, whether it is the waiting period for death or the waiting period for divorce, because the waiting period for divorce is more severe than the waiting period for death, because if a woman whose husband has died is freed from him, and there is no fear that he will take her back. Yet, the ruling for her is that she does not marry before the end of the waiting period, and her husband has the right to take her back, and she has not left the protection of his husband.

His statement, "The four months and ten days pass," refers to the waiting period for a woman whose husband has died.

His statement, "nor should he propose to her," means "nor should he marry her." Proposal here is a euphemism for marriage, because if proposals are prohibited during the waiting period, then marriage is even more strongly prohibited. His statement, "until the later of the two periods expires," is an answer necessitated by the question. The issue concerns a pregnant woman whose waiting period has expired. The two periods are four months and ten days, and the second period is until she gives birth. If the four months and ten days pass before she gives

birth, she observes a waiting period of four months and ten days. For example, if her pregnancy is two months long and her husband dies, and the four months and ten days pass before she gives birth, she observes a waiting period of seven months until her pregnancy is nine months and she gives birth, thus completing her waiting period. If her pregnancy is seven months long and she gives birth before the four months and ten days have passed, she observes a waiting period until the four months and ten days have passed from the day her husband died. This is the meaning of "the later of the two periods." His statement, "This is if he has not consummated the marriage," refers to his statement, "nor should he marry her." He proposes to her, meaning he does not marry her until the last of the two terms has passed. However, it is not permissible for him to marry her after the last of the two terms has passed unless he has not consummated the marriage. His statement, "If he and she wish," is an explanation of the meaning of the choice. It means that they have the choice to marry after the separation. If they wish, they can reunite with a new contract, and if they wish, they can separate.

His statement, if they both knew that it was not permissible, means that it was never

permissible for him. That is, if they knew that marriage during the waiting period was not permissible, and then they married, they would be separated and she would never be permissible for him.

His statement, "He returns to his companion," means that he marries his companion. This is an indication of the prohibition of marriage, because if it is not permissible for one of them to marry his companion, then how can marriage be established, since it only occurs between two people? So if it is forbidden for one of them, it is forbidden for both of them together. His statement, "He may be excused," means that their excuse of ignorance may be accepted in many things that are greater sins and transgressions than this, such as abandoning prayer if one is ignorant of its obligation, and drinking alcohol if one is ignorant of its prohibition.

This issue has been explained by Al-Sadiq (peace be upon him) by saying this once and then by saying this a second time. His explanation of it led to three issues:

Firstly, if a man marries a woman during her waiting period and has consummated the marriage, and they both know that this is not permissible, then may God sanctify his soul, he is

not permitted to marry her and she is entitled to her dowry for what he has taken from her private parts.

Secondly, if he marries her during her waiting period and has not consummated the marriage, they are separated, and he may marry her after the waiting period has ended if he and she both wish, even if they both know that this is not permissible.

The third is that if he marries her during her waiting period and he has consummated the marriage with her, and they are both unaware that this does not permit separation between them until her waiting period is over, then he may marry her if he and she wish.

In summary, if three conditions are met, it is never permissible for him: marriage during the waiting period, knowledge that it is not permissible, and consummation of the marriage.

And know that the second issue may come from his statement, "If they are ignorant of that, etc."

And he, may God sanctify his soul, said: On his authority, he said: A man from the Ansar got married while he was in a state of ihram, so the Messenger of God, peace be upon him, invalidated his marriage.

On the authority of Ali, peace be upon him, he said: The one in ihram does not marry nor give in marriage. If he marries, his marriage is invalid. Ja`far bin Muhammad, peace be upon him, said: If a man marries while in ihram, they are separated. If he has consummated the marriage, he must pay the dowry for what he has made permissible of her private parts, and he must pay the expiation for his ihram. The one in ihram does not propose marriage. If he knows that this is forbidden, she is never permissible for him. If he is ignorant and wants to marry her after he leaves his ihram, then he may do so. Whichever of them knew of the prohibition, it is not permissible for him to return to his partner.

His saying, "And on his authority," means on the authority of Ja'far ibn Muhammad, peace be upon him, and the Ansar, and all those from the people of Medina who supported the Prophet, peace be upon him, when he came to them and

stood up for him. The singular is Ansari in relation to him. His saying, "He entered into a state of ihram," means that he had entered into a state of ihram for Hajj and got married while in a state of ihram.

His statement "he does not marry" means he does not get married, i.e., it is not permissible for him to get married.

His statement, "and he does not marry," has four interpretations, all of which are correct, but what is meant here is one of them, and I will point it out to you, God willing.

The first of them is that he says, "He does not marry his daughter," meaning he does not give her in marriage to the one who asks for her hand, meaning he does not act as her marriage contractor, and this is a known future tense verb from the verb "do."

The second is that he says, "He does not marry" with a kasra on the kaf, meaning he does not officiate her marriage contract if he is a judge. This is also known from the verb "af'ala".

The third is that he says, "He does not marry" with the letter "kaf" pronounced with a fatha, meaning he does not marry, meaning it is not permissible for the woman's guardian to marry her off, and it is a future unknown from the verb "af'al".

The fourth is that he says, “and he does not marry” with the letter “kaf” pronounced with a fatha, and it is also an unknown future, meaning that it is not permissible for the judge to conduct his marriage if he requests it while he is in a state of ihram.

These are four aspects, and all of them are correct and established in the case of the one in ihram. What is meant here is the first, meaning that it is not permissible for him to marry himself while he is in ihram, and it is also not permissible for him to marry his daughter while he is in ihram. If he marries, his marriage is invalid, and if he marries his daughter to the one who asks for her hand, then he has done wrong. The marriage may be invalid in the other two aspects of these four aspects, and it is not invalid in the first two, but he has done wrong in them. The proof of what we said is his statement: If he marries, then his marriage is invalid, and if he marries and marries, then both his marriage and his marriage are invalid. So what we said is established: If he marries, then his marriage is invalid, and if he marries, then he has done wrong.

His statement “there is a difference between them” means there is a difference between them whether he has consummated the marriage or not. If he has consummated the marriage, then

he owes her the dowry. If he has not consummated the marriage, then she is not entitled to a dowry from him.

His statement, "and he must pay expiation," means the expiation for sexual intercourse during Ihram, as mentioned in the Book of Hajj.

His statement that a person in ihram should not propose marriage has two interpretations:

One of them is that the sermon is with a dammah, meaning that he does not follow the marriage contract and does not recite a sermon if he is a judge and he is in a state of ihram.

The second is that the engagement is with a kasrah, meaning he does not propose to her nor does he ask for her hand in marriage, and both are correct and established. If he does so, he has done wrong and belittled his argument. His statement that this is forbidden means that if they both knew that marriage during the state of ihram is forbidden for him, then she is never permissible for him, whether he consummates the marriage or not, because this prohibition is linked to marriage and it is not restricted to consummation, as you see in his interpretation where al-Sadiq, peace be upon him, interpreted it.

The last of them is that if he got married while ignorant, he may get married after he exits his state of ihram if he and she wish.

Know that there are three types of women who are never permissible for their husbands:

The first type of divorce is the divorce of hardship, which consists of nine divorces.

The second is a married woman who is in her waiting period (iddah) with knowledge of the situation.

The third is a woman who is married to a close relative (mahram) with knowledge of the prohibition.

If it is said, what is the reason for these three, since they are forbidden to their husbands forever? We say that the reason for forbidding the woman who was divorced due to hardship forever is that she has reached the limit of divorce and completed its number, since there is no divorce after the divorce due to hardship, so she is forbidden forever. And the reason for forbidding the woman who is observing the waiting period is that she has transgressed the limits of God and belittled the death of her husband. And the reason for forbidding the woman who is married to a prohibited relative is that she has also transgressed the limits of God and belittled the sanctity of His House.

And he said, may God sanctify his soul: On the authority of the Messenger of God, peace and blessings be upon him, that he forbade a man from marrying his midwife or her daughter.

The midwife is the one who accepts the child at birth, that is, she receives him when he comes out of his mother's womb and takes him in her hands. Therefore, she is called a midwife because she accepts him, not because she meets him. The Messenger of God, peace and blessings be upon him, forbade marriage to the midwife and marriage to her daughter in his Sunnah. They are like the prohibitions in the Book of God Almighty, because He said: "Whatever the Messenger has given you, take it; and whatever he has forbidden you, refrain from it."

Here are four issues:

The first is that he forbade marriage to a midwife.

Secondly, he forbade marriage to her daughter.

The third is that he forbade marriage to his granddaughters who were of low birth.

The fourth is that he forbade marriage to his sons' daughters because, in reality, they are like his daughters in every respect.

We have said what has preceded that prohibition is of four types, one of which is the prohibition of lineage, the second is the prohibition of breastfeeding, the third is the prohibition of marriage, and the fourth is the prohibition of the wife's own self. As for the prohibition of the midwife and her daughter, it may be close to the chapter on the prohibition of marriage, because both of them came only for the sake of prohibition. If the midwife kisses the child, then her prohibition is incumbent upon him, so that she is prohibited to him. And he has increased her prohibition by prohibiting her daughter and making her like her. So know this, may God grant you success in understanding it, for He is capable of all things, and He is worthy of favor and kindness.

Missing person mentioned

He lost his way when he went out and did not find him, so he began to investigate his situation and search for him but did not find him. He is called lost because he is wanted by his family. This is the linguistic meaning. As for the jurisprudential meaning, it is explained in this chapter and elaborated upon in its explanation.

So browse through it, look closely at it, and pay attention to it.

And he, may God sanctify his soul, said: We have narrated on the authority of Ja`far bin Muhammad, on the authority of his father, on the authority of his forefathers, on the authority of Ali, peace be upon him, that he said: If the location of the missing person is known, his wife shall not be married. This is an explanation of the matter of the missing person, because if his location is known, he is no longer missing. Rather, the missing person is the man who leaves his house and it is not known where he went, nor what he did, and his news and his matter are hidden. As for the one who goes out traveling, he is not missing, whether his location is known or not. And this one's wife shall not be married until his death or divorce comes to her, and she observes the waiting period.

His statement, "If the whereabouts of the missing person are known, his wife shall not be married," is an explanation of the matter of the missing person, as A.M. said, and he has clarified it and gone to great lengths to clarify it.

Know that this chapter is based on two issues, one of which is the issue of the missing person and the other is the issue of the absent person. The explanation of the missing person is his statement: "The missing person is the man who leaves his house, etc., and as for the one who goes out traveling, etc., and his statement: "If the place of the missing person is known," meaning that he was missing, then his place was known and news of him came, then he was not then missing, but he was then called absent, and his wife was not married.

His statement, "This is an explanation of the matter of the missing person," means that this first statement explains his ruling regarding his wife.

His statement, "If his whereabouts are known," means that news of him comes after he has been missing.

His statement that he was not missing means that he was not called missing at that time, nor was he judged to be missing.

His statement, "but it is a restriction of the meaning of 'missing',"

Know that the ruling regarding the subject and its predicate is of three types:

One of them is your saying "Zaid is standing" to someone who believes you and does not contradict your statement.

Secondly, Zaid is standing, and this is a confirmation that you say, he did not know your worth, and he rejects your statement, so if you confirm your statement to him, he will believe you.

And the third is your saying, "Zaid is standing," and this is a restriction that you say to someone who denies your statement and rejects it after it has been explained to him. You say to him, "The matter is as I said, even if he denies it and rejects it."

His saying "from his house" means from his place of residence, whether it be a house, a home, a shop, a store, a journey, or a dwelling, whatever it may be, but it is his place of residence, so he leaves it without informing anyone of his intention.

His statement, "and he does not know where he went," means that he does not know his intention, i.e., he did not tell anyone his intention.

His statement, "nor what was done to him," means that he does not know what was done to him, whether he is alive or has died, or been captured, kidnapped, killed, drowned, or been

disabled by illness, or whether he concealed his situation from himself.

His statement, "And his news and his affair are hidden," is an explanation of his statement, "And he did not make anything."

His statement, "As for the one who goes out as a traveler," is an explanation of the matter of the absent person and its ruling.

His statement, "and she observes the waiting period," means that she observes the waiting period of a woman whose husband has died if she divorces him, and then she may marry after that period if she wishes.

And his saying, may God sanctify his soul: On the authority of Ja`far bin Muhammad, peace be upon him, that he said: The wife of the missing person is left alone as long as she remains silent. If she raises her case to the governor, he gives her four years, and he writes to the place where he was missing to ask about him. If nothing is reported about him until the four years have passed, he summons the guardian of the missing person and says: Does the missing person have money? If the missing person has money, the guardian is told: Spend on her from his money. If the missing person does not have money and the guardian spends on her from his money, then there is no way for her to marry as long as he spends on her. If his guardian refuses to spend on her, the governor compels him to divorce her with one divorce at the beginning of her waiting period, while she is pure, so the divorce of the guardian becomes a divorce for the husband. If her husband comes before her waiting period has passed from the day the guardian divorced her, and he decides to take her back, then she is his wife. She has two divorces remaining with him, and if her waiting period ends before he comes or takes her back, she is free for other husbands, and

no one has any authority over her. If the guardian says: I will spend on her, he is not forced to divorce her. If he has no guardian, the Sultan will divorce her. It was said to him: O son of the Messenger of God, what if the woman says: I do not want what women want, and I cannot be patient? He said: She has no right to that, and there is no honor if her guardian spends on her.

The abandonment is leaving, the loss is non-existence, the stillness is leaving, the postponement is delaying, the question is seeking news, the news is reaching knowledge, the expiry is the end, the years are the plural of the year, the invitation is summoning, the guardian is the heir, the spending is giving what one lives on, the refusal with the kasra is abstention, the compulsion is coercion, the reception is the beginning, the purity is the menstruation, and it began an event in himself, the revocation is the return of the divorced woman in marriage, and it is permissible, the spouses are married, the sultan is the guardian of the matter from a just imam or from one who carries out his command, he wanted, he sought and desired, he was able, he was able, he was

patient, he restrained himself, the honor is the sanctity.

His statement means that she remains in his marriage and is not divorced from him without her request.

His statement "she did not remain silent" means "she did not request a divorce."

His statement, "If you raise your grievance to him," means if you complain to him.

His statement to the governor means the imam or whoever is acting on his orders, whether a judge, official, governor, ruler, or commander.

If it is said, what is the reason for the term being four years without any increase or decrease from it? We say that knowledge of the reason for everything that came in the Sharia is not possible except by God Almighty and those firmly grounded in knowledge from the family of the Messenger of God, peace be upon him. As for others, they do not know of it except what they know, and they do not know of it except what they know. Therefore, the reason for some of it is known if that is from what they informed about and it was deduced from what they knew, but not some of what they did not inform about. And such a reason is something whose knowledge is difficult to know except if it is taken from its people. And the closest type of knowledge of it is

to unravel its knot by interpretation, and that you will know, God willing. As for the least that can be said about that, four years is the most in which news of the missing and absent one comes, even if the most deserving of them is the greatest possible distance.

His statement, "and he wrote to the place," means if he was missing in a place other than where his wife was. The meaning of writing is that he should strive to seek knowledge of every kind of knowledge, from correspondence and asking questions, to reporting his situation, knowing his companions, the time of his departure, the reason for his departure, and other such things.

His statement, "If he does not inform anyone about him," means if he does not inform anyone about the truth of his situation or about any suspicion of him, either through the words of someone or through the existence of a sign indicating that he is alive.

His statement "he called" refers to the governor.

His statement, "Does the missing person have money?" means that if he has no apparent money, his guardian is told to spend on it, otherwise he is not told that until he acknowledges his money or it becomes apparent.

His statement, "It was said to the guardian, 'Spend on her,'" is an encouragement to do good deeds and an exhortation to do noble acts. It is not an obligation or a duty that his heir must spend on his wife from his money or from his own money. Rather, he has a choice in this matter; if he wishes, he may spend, and if he wishes, he may not. This meaning may be indicated by what came in the book "Mukhtasar al-Athar," which is his statement, "The guardian of the missing person was summoned and asked about his money, if he had any. If he had money, he spent on her from it if he wished." This is the end of his statement. His statement, "if he wishes," indicates that he has a choice in this matter. His statement, "and she has no way," means that she is not permitted to marry, nor is it permissible for her to do so.

His statement regarding the beginning of her waiting period means the beginning of her period of purity. By "beginning," he meant that she begins the waiting period from the day on which he divorced her, i.e., she observes the waiting period from that day.

His statement, "while she is pure," is an explanation of the beginning of the waiting period, meaning that he divorces her after she has purified herself from menstruation, so he

begins the waiting period from that day and makes it the first day of her waiting period. "Pure" is of the same weight as "menstruating woman," "pregnant woman," and "divorced woman," and the explanation of that has already been given in what has preceded.

His statement means that the divorce of the guardian of the missing person takes the place of the divorce of the missing person.

His statement to the husband refers to the missing person who is her husband.

His statement, "her husband," meaning the missing person, means that if he comes before the completion of her waiting period, which she observes from the day of her divorce,

His statement, "So it became apparent," means that he had an opinion about taking her back. This means that if he wanted to take her back, he would take her back and she would be his wife as she was before, and she would remain with him with two divorces remaining. This is because a man has three divorces due to his wife. If he divorces her three times, she is separated from him and is not permissible for him until she marries another husband. This missing person had his wife divorced once, and then he took her back.

His statement "before he comes or takes her back" means that her waiting period ends before he comes and she is in her waiting period, so he does not take her back or leaves her in her state until her waiting period ends before he takes her back. And the waiting period of the wife of the missing person, if her guardian divorces her, is the same as the waiting period of a woman whose husband has died.

His statement, "It is permissible for married men," means that it is permissible for married men to marry her if they wish to do so.

His statement, "No one has authority over her," means that no one among the heirs of the missing person has the right to prevent her from marrying. That is, she is free to marry whomever she wishes, and no one has the right to prevent her from doing so. His statement, "Even if the guardian says, 'I will spend on her,'" means that he will spend from the missing person's money if he had any money, or he said, "I will give her maintenance from my money."

The Sultan divorced her, meaning the Sultan of Justice, from a just Imam or from one who carried out his orders and acted on his behalf with his permission.

He said, "I want to have sexual intercourse just like all other women, and I cannot abstain from it."

His statement means that she did not have what she desired in terms of sexual intercourse.

His statement, "There is no honor in it," has two interpretations:

One of them is that if she requests sexual intercourse after her guardian has spent money on her, her dignity is lost, her honor is diminished, and she deserves to be treated with contempt.

Secondly, if she asks for it, he will not be kind to her, nor will he respect her dignity in that matter.

And he, may God sanctify his soul, said: On the authority of Abu Ja`far Muhammad bin Ali, peace be upon him, that he said: If news of a man's death comes to his family, or if she is informed that he has divorced her, and she observes the waiting period, then marries, and then her husband comes after that, then he has more right to her than the one who married her, whether he consummated the marriage with her or not. If he consummated the marriage with her, then she is entitled to the dowry for what he has taken of her private parts.

His statement "announcement" is a verb whose subject is not named, and its meaning is when someone informs of his death, and the family is the wife, and the news is a verb of the form "taf'il" (informing of the news).

His statement, "So she observed the waiting period," means that she observes the waiting period of a woman whose husband has died if she is informed of his death, and she observes the waiting period of divorce if she is informed of the divorce.

His statement, "After," means after I got married.

His statement, "He has more right to her," means that he takes her from the one who married her and takes her from him, and that he is her husband if he comes and takes her as he was at the beginning, and she is his wife as she was at the beginning.

Here are thirty questions:

The first of them is that if a man is lost and then his whereabouts are discovered, his wife is not to be married.

The second is that if he is lost, then his whereabouts are known, and then his situation is concealed from there without him being lost from there, his wife may marry.

The third is that if his location is known after he was lost, and then he settles in it or leaves it, he is not considered lost, nor is he called lost, nor is he subject to the rulings of loss.

The fourth is that the missing person is a man who leaves his house for a purpose other than travel, and then his whereabouts become unknown, and it is not known where he went or what he did. This person is judged according to the rulings of missing persons, and his wife is divorced and remarried as stated in the Sharia after he has been detained.

Fifth, if he goes out as a traveler and it is known that he is traveling to a known or unknown

place, he is not considered missing, whether his location is known or not, and he is not called missing, but rather absent, and his wife does not get married.

The sixth is that the absent man's wife cannot remarry until she receives news of his death or divorce and observes the waiting period.

The seventh is that the wife of the missing person remains in her marriage to him and is not divorced from him as long as she remains silent about that and does not request a divorce.

The eighth is that if his wife raises her case, her term will be four years.

The ninth point is that the governor must investigate the matter of the missing person because only the one in charge can do so.

The tenth is that if four years have passed and the missing person is not known, the guardian is told to spend on her from the missing person's money if he has money, if you wish. If he spends from the missing person's money or from his own money if the missing person does not have money, his wife shall not be married.

Eleventh, if the guardian refuses to provide for her, the governor will force him to divorce her.

The twelfth is that the guardian releases her during her period of purity.

The thirteenth is that she begins the waiting period from the day her guardian divorces her.

Fourteenth: The divorce of the guardian is the divorce of the husband in all circumstances.

The fifteenth is that if the husband comes before the end of the waiting period and wants to take her back, he can take her back and she is his wife.

The sixteenth is that if the husband takes her back, she remains with him with two divorces remaining.

The seventeenth is that if her waiting period ends before her husband comes, then she is free for men to marry whomever they wish, if they wish, if she wishes.

The eighteenth is that if her husband comes before the end of her waiting period and does not take her back, but leaves her until her waiting period ends, then she is permissible for other husbands.

The nineteenth is that if the guardian divorces her and her waiting period expires before her husband comes or takes her back, then she is free to marry, and no one has the right to prevent her from marrying, so she may marry whomever she wishes.

The twentieth is that her missing husband, if he comes after the end of her waiting period or

does not return before its end, is merely a suitor among suitors, and she may marry him if she wishes with a new contract. Our evidence for this meaning is his saying, "before he comes or returns, etc." Meaning, if her waiting period ends and he does not come, then she is permissible for husbands and he has no claim over her, and he is merely a suitor among suitors, or if he does not return before its end, then he has no claim over her either. And he has made his saying, "come," like his saying, "return," for if he does not return to her, then he has no claim over her, so likewise if he does not come before its end, then he has no claim over her.

The twenty-first is that if the guardian divorces her and her waiting period expires before he comes, then she is permissible for husbands. Likewise, if he does not take her back, then he has no claim over her. Our evidence for this meaning is his saying, "The divorce of the guardian becomes a divorce for the husband." This is because if a man divorces his wife and then does not take her back until her waiting period expires, then she is divorced from him and he has no claim over her. Likewise, the divorce of the guardian is like his divorce.

The twenty-second is that if the guardian divorces her, then her husband comes and does

not take her back until her waiting period is over, then she marries someone else, that is permissible and the missing person has no claim over her.

The twenty-third is that if the guardian divorces her and her husband does not come until her waiting period is over, then she marries whomever she wants, and then her missing husband comes, he has no authority over her and he has no right to take her away from the second husband because she was divorced from him when his guardian divorced her and her waiting period was over, and the guardian's divorce is like his divorce as he said, so the guardian's divorce becomes the husband's divorce.

The twenty-fourth [issue] is that if the guardian spends on her, he is not compelled to divorce her.

The twenty-fifth is that if a missing person has no guardian, the Sultan shall divorce his wife.

The twenty-sixth is that the divorce of the Sultan is like the divorce of the guardian if he has no guardian.

The twenty-seventh is that if she requests a divorce after her guardian has provided for her, she will not be entitled to it, nor will she have any dignity.

The twenty-eighth is that if news of a man's death reaches his family, and she observes the waiting period, then marries, and then he comes after him, he has more right to her than the second husband, whether he consummated the marriage or not.

The twenty-ninth is that if she is told that he divorced her, and she observes the waiting period, then marries, and then he comes, he has more right to her than the second husband, whether he consummated the marriage or not. In both cases, if the second husband consummated the marriage, then she is entitled to the dowry, and if he did not consummate the marriage, then she is not entitled to the dowry.

Thirty: If the first husband is reported dead or it is said that he divorced her, he becomes more entitled to her than the second husband because the witnesses to his death or divorce lied about him. When he came, he became more entitled to her. As for the missing man whose guardian divorces his wife, he is not more entitled to her than the second husband because she is separated from him by the divorce of his guardian, since the guardian's divorce becomes the divorce of the missing man.

These are thirty issues, so you should deal with them, O righteous brother. May God fulfill

my hope in you. Here they are, for I only made them for you, relying on your perfection to correct them. If they are correct in your opinion, then here they are. If you see any error in them, then you should correct it, for no human being is free from error, even if he is extremely careful. But I am confident in my certainty and in the soundness of my religion. Moreover, the believer is to the believer like a mirror, and the believers are like a building, each supporting the other.

I wanted to mention here many examples of the missing and also many examples of the absent, so that their meaning would be clear and evident. I say:

The examples mentioned here are ten:

The first of them is that the missing person is the one who leaves his house, which is his place of residence, without intending to travel, and then he is lost and is not seen and it is not known what has been done to him, whether he is alive or dead, or has been captured by the enemy, or has been kidnapped by the jinn, or has been devoured by a wild animal, or has drowned, or has been burned, or has fallen into a pit and perished, or has been afflicted by an illness in a place where news of him is hidden, or has gone astray, or has hidden his matter of his own accord for some reason, such as a debt he owes, or a disgrace that he has been

exposed by, or an enemy he fears, or for other reasons such as those mentioned previously. This is the difference between the missing person and the absent one, because the missing person is the one whose matter is doubtful and his matter falls between two possibilities, meaning there is doubt about him, whether he is alive or dead, and nothing is established about his matter, neither his life nor his death. Therefore, it is permissible for his guardian to divorce his wife because it may be more likely that he is dead, and it is also permissible for him to keep her if his guardian spends on her because there may be hope for his life, and his wife may be given a four-year reprieve, and he has been asked about him, and all of this is due to the doubt surrounding him.

As for the absent one, he is the one whose matter is proven and his departure is valid for a matter he traveled for, so there is no doubt about him even if his location is hidden. His wife should not marry until his death or divorce comes to her and she observes the waiting period. This one is closer to being alive than to being dead. This is the difference between the missing and the absent one, so know it.

The second example is that the missing person is the one who is seen between the two lines during wartime, then the people separate

and he is not found, neither among those who were saved nor among those who were killed, and nothing is reported about him. The basis of the issue of the missing person is that every place where his resting place is known is his resting place, so if he leaves it disturbed for no reason and is lost, then he is missing, like this man who knew his resting place between the two lines, so that place is his resting place, then he is lost from it, so he is missing.

The third is that the missing person is a sea traveler who loses the ship he is on and is not found. Whoever is saved from it does not tell its people anything about him, but they say that he was with us and among us, then we do not know what happened to him or how his situation was.

The fourth is that the missing person is a sea passenger whose ship has been damaged, so he is not found among those who survived, and no one tells anything about him, and his situation is also hidden.

The fifth is that the missing person is the one who sat in his shop and knew his usual place there, then he left it and disappeared, and no one knows what happened to him.

The sixth is that the missing person is the one who was in his shop and then disappeared, and no one knows what happened to him.

The seventh is that the missing person is the one who left his house in a caravan intending to travel to a land, and he also intends to travel to it. Then they stopped at a place and his resting place there was known during his journey, then he is lost and it is not known what was done to him. The basis of all this is that his departure from where he is lost is by disturbance without intending a specific journey, like a sea traveler who leaves his house intending to travel to a known country, then his ship is lost and he is lost and it is not known what was done to him. So the ship then becomes like a house for him and his loss from it is like his loss from his house. Otherwise, he left his house traveling, but he is considered after he has settled in the ship and his loss from it is made like his loss from his house.

The eighth is that whoever leaves his house to travel, it is said that he is absent, then his place is known and his settlement there is confirmed, then he leaves from there in a disturbed manner and is lost, so he is also lost.

The ninth is that if someone is lost from his home and then his whereabouts are known, he is told that he is missing, and then he is lost from that place where his whereabouts were known, according to the condition of the loss, then he is also missing.

The tenth is that a man went out in a caravan, and when they were in the middle of the road, highway robbers attacked them. They stood up to them and met them with fighting, or there was no fighting between them. Then they separated, and he was not found among those who were saved, nor among those who were killed or captured. He is also missing. This is like someone who is seen between two rows and then is not found. The row in which he was staying was like his home. This was the place where he was, and then he was lost from it. He is also missing.

These are ten examples of the missing person, so understand. As for the examples of the absent person, there are eight examples:

The first of them is that whoever goes out as a traveler and knows the place where he has settled is considered absent.

The second is that whoever goes out as a traveler is considered absent even if his whereabouts are unknown.

The third is that whoever is lost and then his whereabouts are known is considered absent.

The fourth is that whoever is lost, then his whereabouts are known, then he leaves that place traveling, is considered absent even if his whereabouts are not known.

The fifth is that if someone embarks on a sea journey and falls into the sea at night, and they know that he has fallen in and leave him, and the ship sails on, and they do not know what has been done to him, then he is considered absent.

The sixth is that whoever falls from the ship into the sea during the day and they see him fall is considered missing because it is possible that he might survive the sea. I heard the great preacher Abd Ali Saif Al-Din, may God sanctify his soul, say: Some of the believers from the people of Nagar told me about a man who boarded the ship from Bandar Mandawi and fell into the sea, so they left him and the ship sailed to Nagar and informed those of his relatives who were on it about what happened to him and that he drowned and perished. Then that man, when he fell, began to swim and the waves threw him to the waves until he reached Bandar Mandawi seven days after the day he fell. Then he, may God sanctify his soul, said: Such a person should be cautious in the matter of the missing and lost, and no judgment should be made about him except after a long investigation and careful examination.

The seventh is that he is absent from the two ranks and they testify that they saw him leave them and enter the trees or climb the

mountain or fall into the river, then they do not know what was done to him, so he is absent.

The eighth is that if someone's ship was damaged and someone who survived said, "We saw him swimming, but we don't know what happened to him," then he is missing.

I wanted to mention here some issues that occurred in different times during the era of the righteous preachers, may God grant us their satisfaction, and they are among the lost and absent:

The first is that a woman from the village of Khairegun came to Bandar Surat to the presence of the most honorable Da'i, Abd Ali Saifuddin, may God prolong his life, and she brought his case to him, that her husband had gone out traveling seven years ago and his whereabouts were unknown. Then, when her family investigated his matter, some of the polytheists from India told them that they had seen a man with such and such characteristics who had left the village of Malgam heading towards the village of Khairegun, and that highwaymen had attacked him and killed him. So, may God prolong his life, he investigated that, but it was not proven, and the accusation

was made against him. Nevertheless, the testimony was from the polytheists, so he did not rule on her as if her husband were absent from her. She said that she needed maintenance, and her husband had no money to spend on her, and he had no guardian to spend on her. So he ordered maintenance to be given to her according to what she needed from the public treasury until her husband came to her, or died, or divorced her.

The second is that a man from the village of Kousi went out and then his matter was hidden, then his brother went out to ask about him and found news of him in the country of Kahnabat that a man of such and such description had died on such and such a day, so his matter was verified and what was reported about him was true and the truth of the witnesses was proven, so this was brought to the most honorable Da'i Abd Ali Saif Al-Din, so he ruled on him with the ruling of the deceased and ruled on his wife with the ruling of the one whose husband had died.

The third is that the ship called Fayd Qadri left Surat for Bandar Makhah and many believers from Surat and Kahnabait boarded it.

When it returned from Makhah it was damaged at sea and not many of those who survived were found. This was reported to the great Da'i Yusuf Najm al-Din, may God exalt his sanctity, and he ruled over them as if their husbands were missing.

The fourth is that the ship called Baghdadi was damaged and there were many believers from the people of Surat and Kahnabat on it, and not many of them were found among those who survived from it. So this was reported to the most exalted Da'i Yusuf Najm al-Din, may God exalt his sanctity, and he ruled over them and their wives as if they were missing.

The fifth is that a man left the town of Pune in a caravan, and when he was in some mountainous region, he needed water, so he separated from the caravan and did not return to them, and his matter was hidden. So his matter was brought to the most honorable Da'i, Abd Ali Saif al-Din, and he ruled on him with the ruling of an absent person, and he ruled on his wife with the ruling of a husband who was absent from her. So know this.

Mention of breastfeeding

The word "breastfeeding" is pronounced with a fatha or a kasra on both letters, and they are two sources from the verb "to breastfeed" (raḍa'a yarḍa'u) as in "he drank her milk" and "she breastfed him" (raḍa'tuhu) meaning she gave him her milk.

And he said, may God sanctify his soul: God Almighty said, and I mentioned the women who are related by blood, and then He said: And your mothers who breastfed you and your sisters through breastfeeding.

His statement, "And He mentioned," refers to His statement, "Forbidden to you are your mothers," etc. He said this instead of "God said," and His statement after that, meaning after the prohibition of those within the prohibited degrees of consecration (ihram). "Ihram" here refers to prohibited relatives. His statement, "and your mothers," is connected to His statement, "and the daughters of your sisters," meaning, "Forbidden to you are your mothers, and so on, and the daughters of your

sisters, and your mothers who breastfed you." God has called the wet nurse a "mother" because breastfeeding makes the breastfed child a part of the breastfed child, and thus the child becomes a part of the wet nurse, since the child is a part of the mother. Therefore, the wet nurse is called a "mother." As for His statement, "and your sisters through breastfeeding," it refers to your sisters who became your sisters through breastfeeding because they share with you your mothers through breastfeeding, just as your blood sisters share with your mothers who gave birth to you. I have already mentioned most of what is needed in this chapter regarding clarification in the chapter on permissible and prohibited marriages, and I have discussed it thoroughly. Therefore, I will suffice with that to avoid the burden of further elaboration in this chapter. Nevertheless, it is necessary to mention something that adds further clarification and beauty to the explanation. And God is the One Who knows best. Success comes from God, and there is no power or strength except with God, the Most High, the Almighty.

And he, may God sanctify his soul, said: We have narrated on the authority of Ja`far bin Muhammad, on the authority of his father, on the authority of his forefathers, that the Messenger of God, peace be upon him, said: What is forbidden by lineage is forbidden by breastfeeding. The revelation in this is that if a man's woman breastfeeds a girl with his milk, she is forbidden to him, to his father, to his ancestors on his father's and mother's side, as far back as they go, and to his sons, his sons' sons, and his daughters' sons, as far back as they go. If the one who breastfeeds is a boy, the woman who breastfed him, her children, and the children of the man who breastfed with his milk are forbidden to him. A man may not marry his daughter through breastfeeding, nor his daughters' daughters, as far back as they go, nor his sister, nor his sister's daughters, nor his brother's daughters through breastfeeding, nor his paternal aunt, nor his maternal aunt through breastfeeding. He may not combine two sisters through breastfeeding, nor a woman with her paternal aunt through breastfeeding, nor a woman with her maternal aunt through breastfeeding. Thus, whatever is forbidden by blood relation is also forbidden by

breastfeeding, as the Messenger of God (peace and blessings be upon him) said: "What is forbidden by blood relation is also forbidden by breastfeeding." There is no harm in a man marrying the woman who breastfed his son, and likewise, he may marry her if she is one of his sons other than the one she breastfed. She is not forbidden to them because she is not their mother; rather, she is the mother of their brother whom she breastfed. She is not forbidden to them because she is not their father's wife. God Almighty has forbidden marriage to the wives of fathers, and this woman is not related to the father in any way. Similarly, they may marry her daughter who is the foster son of their brother, and any of her children or grandchildren they wish to marry. Likewise, a man may marry the daughters of the woman who breastfed his son, and their daughters, because they did not breastfeed him, and there is no blood relation between them and him through breastfeeding or otherwise. Marriage to them is forbidden only to the woman who breastfed him. A man may marry his paternal cousin, his paternal aunt's daughter, his maternal aunt's daughter, and his maternal aunt's daughter through breastfeeding, because they are permissible

by blood relation. Likewise, those whom we mentioned as permissible, if they are considered by blood relation, are permissible by blood relation. Do you not see that a man marries a woman and his son marries her daughter from someone else, and a man marries a woman and his father marries her daughter from someone else, and the father and the son marry two sisters: each one of them.

Haram, like Karam, became haram, an obligatory act, and lineage is kinship, and revelation is the explanation, and that is because revealing something puts it in its place, for everything that is revealed in its place has become clear and its matter has become apparent, so it is correct that revelation is the explanation, and the girl is the child, and the wet nurse is with the opening of the letter dād, and the boy here is the child, and the paternal aunt is the sister of the father, and the maternal aunt is the sister of the mother, and his saying, a way, that is, with what is permissible, and permissibility is the permissibility of marriage, and his saying, so revelation is in this, that is, the explanation is in this saying that came from the Messenger of God, peace be upon him.

This narration is explained and clarified, and although further explanation is needed in it, I will mention it after the completion of this chapter of issues that I will mention in the chapter on breastfeeding, God willing.

His statement, "because she is not insulting their mother," is the reason for his statement, "and likewise, he may marry her from among his sons other than the one who..."

His statement that she is not their father's wife is also a reason for that statement, meaning that it is permissible for them to marry her, and there are two reasons for its permissibility: one of them is that she is not their mother, and the other is that she is not their father's wife. Rather, their mother is forbidden to them due to kinship and breastfeeding. Likewise, a man may marry the daughters of a woman, etc.

His statement, "Likewise, those whom we mentioned are permissible," means all those whom we mentioned are permissible to marry, such as, "There is nothing wrong with a man marrying a woman who..." and those who came after them whom we mentioned here, if the discussion about them is in the chapter on kinship, then they are permissible in marriage.

His statement, "Do you not see, etc.?" is evidence of the correspondence between infants and lineage.

His statement that a man marries a woman and his son marries her daughter from someone else refers to what is related by blood.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: I said to the Messenger of God, peace be upon him: O Messenger of God, why do you marry from Quraysh and leave us out? He said: Do you have anything? I said: Yes, the daughter of Hamza. He said: They are not lawful for me, she is my foster sister. And what is forbidden by lineage is forbidden by fosterage.

His saying, "What's wrong with you?" means, "What's your situation? How are you doing?"

His saying, "and leave us," means, "leave us, the Banu Hashim," meaning, "leave the women of Banu Hashim and do not marry any of them."

His statement, "Or do you have something?" means, "Is there a woman among you that I can marry?"

His statement, "the daughter of Hamza," means the woman who offered to marry you is the daughter of our uncle Hamza bin Abdul-Muttalib.

His statement that she is his niece is the reason for her being forbidden to him. She was forbidden to him because the Messenger of God, Sal'a, was breastfed by Umm Hamza, who was the wife of his grandfather, Abdul-Muttalib. So the Messenger of God, Sal'a, and Hamza were both breastfed. That is why he said, "She is my niece through breastfeeding." The Messenger of God, Sal'a, and Hamza were contemporaries in age.

Know that there are two aspects to his mentioning this narration: one is that he brought it as evidence for what he mentioned before it regarding the prohibition of breastfeeding, and the second is that he brought it as an indication and an allusion to the fact that what he said was only issued by him: what is prohibited by breastfeeding is what is prohibited by lineage and breastfeeding, such as the prohibition of marrying a brother's daughter.

As for his question, "What is wrong with you?" it is a question from which he learned, because he is the one who has the role and established the law, so he asked him, inquiring about what appeared to him.

His statement, "Or do you have something?" is a rhetorical question implying ignorance, meaning, "I know that there is no woman among you whom I am permitted to marry, and then you offer me marriage among you, so who do you mean for me to marry?"

And his saying, may God sanctify his soul: On the authority of Ali, peace be upon him, that he said: A little or a lot of breastfeeding is forbidden, and a single suckling is forbidden. This is a statement whose correctness is clear to whoever ponders it and is guided to understand it, because God, may He be glorified and exalted, said: "And your mothers who breastfed you." So breastfeeding applies to a little and a lot. And whoever says that nothing is forbidden from it except what grows flesh and blood and strengthens the bone, then a little of it is included in that, because it grows from flesh and blood and strengthens the bone as a part when it is combined with something else in proportion to its quantity.

His statement, "a little and a lot," means that the pronoun refers to breastfeeding. "The word

‘masah’ with a fatha on the mim is a verbal noun from ‘masa yamsu’ like ‘kamala yakmil’ if he drank and was excessive in breastfeeding. The pronoun in its correctness, reflection, and understanding refers to the statement.”

His statement is because God only mentioned breastfeeding in general terms and did not specify whether it was a little or a lot, so it is established that breastfeeding only prohibits it, whether it is a little or a lot.

His statement, "And whoever said etc.," is proof of the claim. The opponent says, "And he responded to the one who denied that a small amount of it is forbidden."

His statement "it grew" means it increased in flesh and blood and strengthened bones.

His statement "part" means a small amount.

His statement “with something else” means with other milk, such as his mother’s milk or other milk, or with food.

His statement, "according to its quantity," means according to its weight.

This story requires much explanation and a lengthy discourse, but some of it must be mentioned because a heedless person should not explain something that he is unaware of, nor should a wise person ignore it when it arises. So I say:

This narration may be taken into account if breastfeeding is known before marriage, such as a man who wanted to marry a woman and then breastfeeding was proven between them. In this case, this ruling is taken into account, meaning the ruling of a single suckling, because she is forbidden to him even if the breastfeeding was only a suckling. But if he married her and then breastfeeding was known between them after marriage, the ruling in this case is that they are not separated unless the breastfeeding was for three consecutive days, meaning that one of them breastfed the mother of his companion for three consecutive days, and they both breastfed one woman together or at two different times for three consecutive days. If that is the case, they are separated, otherwise not. This ruling is found in the margins of the book Da'a'im, and the difference between it and the first ruling is what I mentioned here, so be aware of that.

And he, may God sanctify his soul, said: On the authority of the Messenger of God, peace and blessings be upon him, that he forbade breastfeeding after weaning.

Weaning (with a kasra) is the removal of the child from breastfeeding and preventing him from it. It is a source from the verb “to wean” (fatama) like “to strike” (daraba). In Islamic law, weaning is a metaphor for two full years.

Here are two aspects of the meaning:

One of them is that the child should not be breastfed after weaning. Whoever breastfeeds after that has exceeded the limit because God has set a limit of two full years in this regard, as He says, “Mothers shall breastfeed their firstborn for two full years.” And whoever weans before weaning, there is nothing wrong with that, as He says to whoever wants to complete the breastfeeding.

Secondly, breastfeeding after weaning is not considered breastfeeding, meaning that breastfeeding after weaning does not make marriage unlawful. For example, a girl who grew up and was weaned, and then a woman abandoned her, this was not considered breastfeeding, and the girl was not made unlawful for the woman’s husband or her son. Evidence for this came later when a man’s woman breastfed a girl.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: What is in the two years is breastfeeding. And there is no breastfeeding after weaning. God Almighty said: Mothers breastfeed their children for two full years for whoever wishes to complete the breastfeeding period.

His statement, "Whatever occurs within two years is considered breastfeeding," is the meaning of the narration preceding this one, which states that he forbade breastfeeding after weaning. This means that the breastfeeding that establishes a prohibited relationship is that which occurs within two years, i.e., two years from the day the child is born. If the child is weaned and two years have passed, and then breastfed, this is not considered breastfeeding and does not establish a prohibited relationship. These two years are counted from the age of the child being breastfed, not from the date of birth of the breastfeeding woman. For if the child grows up and reaches two years of age, and then is breastfed, it does not establish a prohibited relationship with him, and this is not considered breastfeeding, even if she was recently born. This is like a woman who gave birth, and then ten days

later breastfeeds a boy who is two years old and weaned; this is not considered breastfeeding, and neither she, nor her daughter, nor anyone else becomes prohibited from marrying him because of her. However, if the child is young, not yet weaned, and not yet two years old, and a woman who recently gave birth breastfeeds him, like the one mentioned earlier, this is considered breastfeeding, and she becomes prohibited from marrying him. Similarly, if a woman who gave birth a long time ago breastfeeds him, such as a woman who gave birth two or three years ago, this is considered breastfeeding. Likewise, if a woman who has not given birth breastfeeds him, if milk came to her and she breastfed him, that was breastfeeding. Likewise, if a barren woman breastfed him and milk came to her, that was breastfeeding. Therefore, the ruling on breastfeeding is based on the age of the newborn, not on the days of the breastfeeding woman's birth. That is, whatever breastfeeding occurred within two years is considered part of the breastfeeding child's age, because God has set a limit for breastfeeding, as He said, "Two full years." By "full two years," He meant their completion and expiration.

His statement to those who wish to complete breastfeeding is a permission from him to wean before two years.

His statement to whom does he mean the father of the children? If he wants to spend on the mothers, that is, on his wives who gave birth to his children and will breastfeed them for two years, then he will breastfeed them for two full years. And whoever stops and does not spend, weaning before the two years, then he has that right.

And he, may God sanctify his soul, said: On his authority, a man asked him, saying: My wife breastfed my grown slave girl to make her forbidden to me. He said: Hurt your wife, and you should deal with your slave girl, and there is no breastfeeding after weaning.

It was mentioned in Mukhtasar al-Athar, on the authority of them, that they said regarding a woman who gives her husband her milk to make herself forbidden to him, or gives it to his slave girl, or breastfeeds her to make her forbidden to him, they said that he should discipline his wife and not make that forbidden to him, because breastfeeding an adult is not considered

breastfeeding if he breastfeeds after two years have passed since they were born and he drinks a woman's milk, that does not make anything forbidden to him. And what was before the two years of breastfeeding or drinking a woman's milk or being forced or being given snuff is considered breastfeeding.

He said, "She is my slave," meaning she is my property.

His saying "big" means that it is a weaned animal that has passed the age of weaning.

His statement, "to make her forbidden to me," is an explanation for his statement, "I breastfed her." Meaning, she feared for herself that the slave girl would become a rival to her if I took her as a concubine, so she breastfed her to make her feel compassion for me.

His saying, "Pain your wife," means to beat her as a form of discipline for what she did that is not permissible for her to transgress against you in, and that is not something according to the rulings of Islamic law.

His statement, "And you should have relations with your slave girl," means that you should stay with her and have intercourse with her if you wish, for she is not forbidden to you because of what your wife did, since that is not breastfeeding because she is older than the age

of breastfeeding, and there is no breastfeeding after weaning.

This narration was brought as evidence that there is no breastfeeding after weaning, because this slave girl was weaned and then breastfed, so that was not breastfeeding.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, peace be upon him, that he was asked about a man's wife who breastfed a slave girl, is she suitable for his child from another woman? He said: No, she has been placed in the position of a sister through breastfeeding from the father's side, because she was breastfed with his milk.

His statement "slave girl" has two interpretations: one of them is that he meant by "slave girl" a slave girl, so the meaning of his statement "is suitable" is that it is permissible for him to have intercourse with her for his son by right of ownership.

Secondly, he meant by the young, free slave girl, so the meaning of his saying "it is permissible" is that it is permissible for his son to marry her and it is permissible to have sexual relations with her through marriage.

His statement "from another woman" means that the child will be from his other wife, not the one who breastfed him.

His statement "no" means that it is not permissible or acceptable.

His statement that she has descended to the position of her foster sister, since the man whose wife breastfed her is her father because the milk is attributed to the husband, and this slave girl has become the child's foster sister, so it is not permissible for him to marry her if she is free, nor to have intercourse with her if she is a slave. His statement that she is a reason for his statement no.

**And his saying, may God sanctify his soul:
And on his authority, peace be upon him, that
he said: The milk of the stallion is forbidden.
And the meaning of the milk of the stallion is
that two strange boys share the milk of one
stallion. And whoever suckles from that milk,
then some of them are forbidden to each other
if the man has wives and mothers of children,
and a boy suckles from the milk of this one,
and a girl from the milk of that one, then they
have suckled from the milk of the stallion and
some of them are forbidden to each other,
even if they did not share the milk of one
woman, if the stallion brought them together.
So they are both his children through suckling.**

Milk is known, and the stallion (with a fatha) is the male who strikes every kind of animal, and likewise the man who has intercourse from the kind of human beings, and boys are the plural of boy and girl, and strangers are the plural of stranger, which is the one who is distant in lineage, and likewise distant in the country, and what is meant here by strangers are boys who are separated in lineage.

His statement, "If the example is for participation,"

His statement, "If the stallion has gathered them together," means if he has gathered them together in his milk, then they have become his two sons through breastfeeding.

This narrative is self-explanatory and does not require much further explanation.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: Breastfeeding from the father makes unlawful what is made unlawful by blood relation.

His statement, "before," with a kasra on the qaf and a fatha on the ba, means breastfeeding from the side of the stallion, just as breastfeeding from the side of the mother is forbidden, just as lineage is forbidden. This is an explanation that the milk of the stallion is forbidden. An example of this is that a boy and a girl breastfed from the milk of one woman and became siblings, and likewise if they breastfed from the milk of one stallion, then they would be siblings.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, peace be upon him, that a man asked him about a slave girl who had given birth in his possession, and he wanted to have intercourse with her. The mother of his child said to him: I have breastfed her. He, peace be upon him, said: She is being led astray and is being accused and not believed.

His saying "slave girl" means "owner of him".

His statement that she was born to him by an unknown man, meaning that she was born to one of his female slaves by someone other than him, i.e., by one of her husbands, or by fornication, or by one of her masters other than this master.

His statement, "with him," means that the slave girl who is born in her master's possession is called a "walida."

His statement, "So he wanted to have intercourse with her," means he was asked whether it was permissible for him to have intercourse with a newborn girl who was born in his possession and in his house, and one of the mothers of his children claimed that she had breastfed that newborn girl, intending to make her forbidden to him. He said that she is not to be believed in that, and her claim is not to be

accepted until she provides evidence for that, because she feared for herself that the newborn girl might be a co-wife to her, so she is drawn into it and is concerned about her statement and is not to be believed in it. Otherwise, the testimony of one woman who is not accused is permissible in that, but if there is an accusation in that, then her statement is not to be accepted in that.

And he, may God sanctify his soul, said: On his authority, he was asked about a woman who claimed that she breastfed a boy and a girl, then denied it. He said: She is believed if she denies it. It was said: If she returns and says: I breastfed them, he said: She is not believed. So the testimony of one woman is permissible, the testimony of a trustworthy woman who is not accused of breastfeeding is permissible. But if she is not trustworthy or is accused, her testimony is not permissible.

His statement "she claimed" means she said and alleged without any evidence to support her statement. "The boy" refers to a young boy, and "the girl" refers to a young girl. His statement "then she denied" means she denied

breastfeeding them and disavowed it from herself.

His statement that she is telling the truth means that he accepts her statement in denying that.

His statement, "If she returns," means if she returns to proving her claim regarding breastfeeding them.

His statement is not to be believed, meaning her claim is false and her statement about breastfeeding them is not to be accepted because if she claims first and then denies it, her trustworthiness is lost and her testimony is not permissible because she is not trustworthy and is not believed in her claim, as testimony is not accepted except from people of trustworthiness, as has been stated here. The woman's testimony is a claim from her and not something she claims, but rather she testified against herself that she breastfed and against the two children that she breastfed them. For this reason it is called testimony because she is not demanding something she claims, but rather she testified against herself that she breastfed and against the two children that she breastfed them. For this reason it is called testimony and not a claim.

His statement that one is an affirmation that evidence is not established except by the

testimony of two men, or one man and two women, or four women, except in this chapter, namely breastfeeding.

His statement that the testimony is valid means that it must meet the conditions without which testimony is not permissible.

His statement "trustworthy" means one who is trusted in matters of trust and from whom there is no fear of betrayal in testimony for any reason or purpose.

His statement "not accused" means that the one who is not accused in the testimony she gives. The difference between the trustworthy and the not accused is that the trustworthy one is the one who is trusted in all her circumstances and affairs, and the not accused one is the one who is not accused in the testimony she gives. For a person may be trustworthy in all his affairs, and perhaps he may be accused in one of the affairs for a reason that befalls him and for a purpose that motivates him to do so. Therefore, the statement was qualified by the words "trustworthy" and "not accused."

His statement regarding breastfeeding means that the testimony of one woman regarding breastfeeding is permissible. The preposition "in" relates to the testimony.

His statement, "If it is not, etc.," has already been explained in his statement, "The trustworthy one who is not accused."

Know that this narration may have a ruling applicable in many times and in many countries, and this ruling may be adopted and acted upon. I have mentioned here many issues which, if I had mentioned them, would have made the discussion lengthy, so I have shortened them and moved on to others.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: If a child is given milk or has it dripped into his nose, meaning within the two years, then it is considered breastfeeding.

He poured it into his mouth, and from it he poured it. He poured it into his nose with milk or something else. The word "sa`oot" with a damma is what is poured into the nose. That is, if a woman's milk is poured into the mouth or nose of a boy and reaches his throat while he is less than two years old and has not been weaned and two years have not passed since he was born, then it is breastfeeding and prohibition is required by it. The word "hawl" with a fatha is the year, and it is

only called from "hala yahul" if it revolves, because the year revolves over the known months and specific days, so it is called "hawl."

And he, may God sanctify his soul, said: On the authority of the Messenger of God, peace and blessings be upon him, that he forbade the marriage of a child born out of wedlock.

The word "ظئر" (with a kasra and a hamza in the middle) means a wet nurse, and "ظائرها" means he took her as a wet nurse, i.e., a wet nurse. He committed adultery with her by having intercourse with her in violation of Islamic law.

This narration and the narration after it may explain what was stated in the book Mukhtasar al-Athar, and they forbade breastfeeding with the milk of adultery, such as the woman who commits adultery and gives birth from adultery. It is not permissible to breastfeed or to take her as a wet nurse, neither her nor her daughter born from adultery.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, peace be upon him, that he said: If a girl gives birth from adultery, she should not take a wet nurse.

The slave girl here is the young woman. If it is said, why did we forbid the milk of fornication and the milk of a child born of fornication? We say, because of the saying of the Messenger of God, "Breastfeeding changes natures." So whoever is breastfed from the milk of fornication will become accustomed to fornication, whether he is a boy or a girl. Therefore, he forbade it. And for another reason, which is that fornication is forbidden, and whatever is formed from what is forbidden, it is not permissible to drink it. This prohibition is a prohibition of prohibition in one aspect and a prohibition of discipline in another aspect. So the prohibition is when there is something else and the discipline is when there is nothing else. So understand it.

And he, may God sanctify his soul, said: On the authority of him, peace be upon him, that he was asked about a man's slave who had intercourse with his slave girl and she gave birth, and the master needed her milk. He said: If what they did is permissible for them, then there is no harm in it.

The boy here is the slave, and the one who gathers is the slave girl.

His statement, "So he needed," means that he needed it to nurse his child from it, or to give it to him to drink, or for him to drink it himself, due to an illness that had befallen him.

His statement, "what they did," refers to the immoral acts they committed.

His statement "there is no harm" means that her milk is permissible.

This ruling applies only to slaves, not to free people. It is permissible for a master to permit his slaves to do what they did because they belong to him like all his other possessions, and he can do with them as he pleases. However, it is not permissible for a master to do this with his daughter or with anyone under his care.

And he, may God sanctify his soul, said: On the authority of Ali, the uncle, and Abu Ja`far, that they permitted breastfeeding from the milk of Jews, Christians, and Magians. Abu Abdullah said: If they breastfeed for you, prevent them from drinking wine and eating what is not permissible to eat.

On his authority, peace be upon him, he said: "The breastfeeding of a Jewish or Christian woman is more beloved to me than the breastfeeding of a Nasibi woman. So beware of the Nasibi women, do not associate with them, do not marry them, and do not befriend them."

The license (with a damma on the ra) is permission, and from it comes the verb "rukhs" (with a damma on the ra) meaning permission and authorization. "Istaradi'a" means to ask her to breastfeed. "Yahud" (with a fatha on the ya' and a damma on the ha') is the nation of Moses, son of Imran, the Prophet, peace be upon him. The singular is related to the preposition, as in your saying, "a Jewish man," and he is from the Jews. "Nasara" (with a fatha on the nun and an alif maqsurah at the end) is the nation of Jesus, son of Mary, peace be upon him. The singular is

"Nasrani" (with a fatha on the nun and an alif maqsurah at the end) unlike the wording and with a ya' of relation. The origin of it is related to the Christian town in Rome, where Jesus sent the spirit and many of its people followed him, so they were called Christians. "Majus" (with a fatha on the mim and a damma on the jim) is a nation known to some of the prophets in the time of Abraham, the Friend of God, as narrated by the Commander of the Faithful, Ali ibn Abi Talib, may God's prayers be upon him, who said, "The Magi had a prophet and a book, so they are the People of the Book and their ruling is the ruling of the People of the Book."

His statement, "So Abu Abdullah (peace be upon him) said," is an explanation from him of the ruling contained in the narration.

His statement, "and eating what is not permissible to eat," means things like pork, dead fish, and animals slaughtered in violation of Islamic law. He has permitted breastfeeding from polytheists among the People of the Book if they are married.

His saying "I love" means that he loves more and is of a better degree. So what he loves is obligatory to do, and what he dislikes is forbidden. This is a prohibition of forbidding if

there is something else, and a prohibition of emphasis and discipline if there is nothing else.

His statement "the Nasibi" means the woman who is hostile to the family of Muhammad, peace be upon him. Likewise, the Nasibi are the Nasibi sect. I have explained the meaning of "Nasb" in what has preceded in this book.

His statement, "Do not marry them," I have already mentioned the meaning of this prohibition in what has preceded.

His saying, "Do not befriend them," is a prohibition of forbidding, for befriending the enemies of the family of Muhammad is forbidden for every believer and is never permissible. If it is said, "Why did he command that they be prevented from drinking wine and eating what is not permissible to eat?" we say, the reason for that is what we said about the prohibition of the milk of fornication, which is his saying, "Suckling changes natures." The second reason for that is that the milk that is formed from forbidden food is forbidden, so he forbade it.

And he, may God sanctify his soul, said: On the authority of him, peace be upon him, that he was asked about a man whose slave girl breastfed him, is it permissible for him to sell her? He said: She has a right over him.

His saying "his maidservant" means his slave.

His statement is true, meaning it is sacred. Here there are two possible meanings:

One of them is that she has a sanctity over him, so he should not sell her. If he transgresses against her and loses her sanctity and sells her, the sale is not annulled and she is not freed from him, just as the sale of a woman who is forbidden to him is annulled and she is freed from him if he owns her or a share of her. This is one of the differences between kinship and breastfeeding in women who are forbidden to him if they are owned.

Secondly, if he sold it and did not know about it until after the sale, his sale is not voided. If the governor knew before the sale that he wanted to sell it, he should prevent him from selling it and remind him of its prohibition, so he should not let him sell it because it has a right over him.

This is the meaning of his statement that she has a right over him, because he said a right and

did not say that it is not permissible to sell her or that she is freed over him or something like that.

His saying "his maid" means that she was owned by his father, and then he inherited her after his father's death, so she became his maid.

And his saying, may God sanctify his soul: On his authority, he said: The milk of the forbidden does not make the permissible forbidden. And like that is a woman who breastfed a man with her husband's milk, then breastfed him with the milk of fornication. He said: Whoever breastfeeds a girl with the milk of fornication, it does not make her marriage forbidden, because the milk of the forbidden does not make the permissible forbidden.

This narration is explained by an example that was brought in it, so look at it and you will be guided. The meaning is that a woman is under a man by marriage, and she breastfeeds a boy, then her husband dies, or divorces her, or travels away from her, or is with her and commits adultery and gives birth from adultery, and she breastfeeds a girl, and there is no breastfeeding between the boy and the girl, and it is not forbidden for him to marry her.

His saying "forbidden milk" means the milk of immorality.

His statement that it is permissible means marriage, for his marriage to her is permissible as long as there is no prohibited relationship between them.

His saying "a man" means a boy, and he called him a man because he might one day become a man.

His statement, "Whoever breastfeeds," refers to any woman who breastfeeds.

His statement is because the reason for his statement is that he did not forbid it, and that is because the permissible comes first and the forbidden comes last, because God did not create women except for intercourse and did not command that except through marriage. So it is correct that the permissible comes first because God commanded it and the forbidden comes last because it is a sin from man. So what God commanded is established and what He did not command is invalid, and the invalid does not invalidate the established at all.

And he, may God sanctify his soul, said: On the authority of Abu Ja`far, peace be upon him, that he was asked about a woman who breastfed her slave, and he said: If she breastfed him, he is freed.

This is because he has become her son, and the mother does not own her son. This ruling regarding breastfeeding is like the ruling regarding kinship.

Know that there is a difference between this slave who was freed if he was breastfed by his mistress and that female slave who was not freed but breastfed her master, and what a difference that is! So be aware of that.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he ruled concerning a man who married his wife and gave her her dowry but did not consummate the marriage, then he learned that there was a breastfeeding relationship between her and him, he said: She should return to him what she took from him.

This means that if the knowledge of breastfeeding between them after marriage and

before consummation, they are separated and she must return what she took of the dowry in full. If he consummated the marriage with her and then found out about it, they are separated and she is entitled to what she took to make her private parts permissible. They may be separated even if he consummated the marriage, even if she gave birth to a child, even if she gave birth to many children.

And he, may God sanctify his soul, said: On the authority of the Messenger of God, peace and blessings be upon him, that he forbade women from breastfeeding to the right and to the left, meaning a lot, and he said: They forget.

He explained it by saying “a lot,” meaning this and that means they frequently breastfeed boys they do not know. It has been said that they should not breastfeed except with the permission of their husbands, and there are two reasons for this:

One of them is that the husband only gives permission to those he approves of, so breastfeeding decreases for that reason.

And the last of them is that he is not present with her in every situation, so she needs his permission and therefore she does not breastfeed, so breastfeeding also decreases.

This prohibition, by saying that they forget, means that if they do that frequently, then marriage may occur between relatives, and the sin of that will be upon them if they mention it and make it known. Therefore, he prohibited it. So know this, may God grant you success in understanding it.

Know, my brother, may God make knowledge a source of joy for me and for you, that the issues we promised to serve you with are seventy issues:

The first of these is that God Almighty has forbidden mothers from breastfeeding.

Secondly, he deprived sisters of breastfeeding.

The third is that the Messenger of God, peace be upon him, said: What is forbidden by blood relations is also forbidden by breastfeeding.

The fourth is that if a slave girl is breastfed by a man, she becomes forbidden to him, his father, and his ancestors from both his father's and mother's sides, regardless of lineage or breastfeeding.

The fifth is that if she breastfeeds with his milk, she becomes forbidden to his sons, his sons' sons, and his daughters' sons, and all their descendants through lineage and breastfeeding.

The sixth is that it is forbidden for a man to marry a slave girl who was breastfed by his close daughter.

The seventh is that she is forbidden to him if she nurses from his foster daughter.

The eighth is that she is forbidden to him if she was breastfed by his blood sister.

The ninth is that he is forbidden from marrying his foster sisters.

The tenth is that it is forbidden for him to marry a slave girl who was breastfed by his foster sister.

Eleventh, he is forbidden from marrying his foster aunt.

The twelfth is that he is forbidden from marrying his maternal aunt through breastfeeding.

The thirteenth is that he does not marry two sisters through breastfeeding.

The fourteenth is that a woman cannot be married to her aunt through breastfeeding.

The fifteenth point is that a woman cannot be married to her aunt through breastfeeding.

The sixteenth point is that it is permissible for a man to marry the woman who breastfed his child.

The seventeenth point is that it is permissible for a man to marry his brother's wet nurse.

The eighteenth point is that it is permissible for a man to marry the daughter of his son's wet nurse.

The nineteenth [point] is that it is permissible for him to marry the daughter of his brother's wet nurse.

The twentieth [of the month] is that it is permissible for a man to marry the infant daughter of his son.

The twenty-first point is that it is permissible for him to marry the infant daughter of his brother.

The twenty-second [ruling] is that a man may marry his foster cousin.

The twenty-third [ruling] is that he is permitted to marry a slave girl who was breastfed by his foster uncle.

The twenty-fourth is that he is allowed to marry her even if she was breastfed by his paternal uncle by blood.

The twenty-fifth is that he is allowed to marry his foster cousin.

The twenty-sixth is that he is allowed to marry a slave girl who was breastfed by his paternal aunt, from the same lineage.

The twenty-seventh [ruling] is that he is permitted to marry a slave girl who was breastfed by his foster aunt.

The twenty-eighth [ruling] is that he is allowed to marry his foster cousin.

The twenty-ninth is that he may marry his foster cousin, and the ruling regarding maternal uncles and aunts is like the ruling regarding paternal uncles and aunts regarding their daughters, as you have learned here.

Thirtieth: It is permissible for a man to marry a woman and for his son to marry her daughter from a different lineage.

The thirty-first is that it is permissible for him to marry her or for his son to marry her daughter from another man through breastfeeding.

The thirty-second [condition] is that it is permissible for him to marry her and for his foster son to marry her daughter from another lineage and fosterage.

The thirty-third is that he has the right to marry her and his father can marry her daughter from another blood relation or through breastfeeding.

The thirty-fourth is that he may marry the father and son by blood and breastfeeding, and the two sisters by blood and breastfeeding.

These are four issues that I have combined into one issue.

The thirty-fifth is that breastfeeding, whether a little or a lot, is forbidden. A single suckling is forbidden if breastfeeding is proven between them before marriage.

The thirty-sixth is that if breastfeeding is proven after marriage, it does not make marriage forbidden unless it is for three consecutive days.

The thirty-seventh point is that a child should not be breastfed after two years.

The thirty-eighth point is that it is not forbidden after weaning.

The thirty-ninth is that if he is weaned before two years, there is no harm in that.

The fortieth is that he spends on the mother if she breastfeeds, just as he spends on other wet nurses.

The forty-first point is that breastfeeding by the father creates the same prohibitions as blood relations.

The forty-second [point] is that the milk of the stallion is forbidden.

The forty-third is that if a wet nurse is coerced into speaking about herself, she will be accused and not believed.

The forty-fourth is that the testimony of a trustworthy wet nurse is accepted.

The forty-fifth is that if she testifies and then denies it before her denial, then she has contradicted herself.

The forty-sixth is that if she returns and claims to have breastfed, her statement will not be accepted because when she lied to herself, her trustworthiness was lost, so her statement will not be accepted.

The forty-seventh is that if the wet nurse is not trustworthy or is accused, her testimony is not admissible.

The forty-eighth is that if a woman's milk is poured into a boy's mouth, it is considered breastfeeding.

The forty-ninth is that if her milk is poured into his nose and reaches his throat, that is considered breastfeeding.

The fiftieth point is that if her milk is poured into his ear, that is also considered breastfeeding.

The fifty-first point is that there is no breastfeeding from an animal other than a woman's milk.

The fifty-second [point] is that a woman born out of wedlock shall not be harmed.

The fifty-third [ruling] is that a prostitute should not take a wet nurse if she has milk from fornication.

The fifty-fourth is that if a man's slave commits adultery with his female slave and he needs her milk, then there is no harm in it if what they did is permissible for them.

The fifty-fifth is that he permitted breastfeeding from the milk of polytheists among the People of the Book.

The fifty-sixth is that if a Christian woman is breastfed, she is forbidden from drinking wine and eating what is not permissible to eat.

The fifty-seventh is that breastfeeding from a Christian woman is better than breastfeeding from a Nasibi woman if no other option is available.

The fifty-eighth point is that breastfeeding from a Nasibi woman is forbidden if another woman is available.

The fifty-ninth point is that a maidservant has a right over her master if she breastfeeds him.

Walsuthi said that the milk of adultery does not prohibit marriage.

The sixty-first point is that a slave is freed if his mistress breastfeeds him.

The sixty-second is that if it is known that there was breastfeeding between them, they should be separated and what she took from the dowry should be returned to him if he had not consummated the marriage with her.

The sixty-third is that women should not breastfeed so much that they forget.

The sixty-fourth is that they should not breastfeed except with the permission of their husbands.

The sixty-fifth is that if a man marries a woman and she gives birth to children with him, then he learns that there was breastfeeding between them, he separates them. As for his children from her, they are treated like the children of a mature man because they were born to a mature man and a marriage, then he learns what he learns and what happened happens.

The sixty-sixth is that if a man needs to be treated with a woman's milk, it is permissible for him to drink it for treatment.

The sixty-seventh is that it is permissible for him to drink his wife's milk for medicinal purposes or for other reasons.

The sixty-eighth is that if a slave is breastfed by his master, he is freed.

The sixty-ninth point is that it prohibits women's mothers from breastfeeding.

And seventy, that the grandmothers of women from the father and mother are forbidden from breastfeeding, because he said: "What is forbidden by lineage is also forbidden by breastfeeding."

Mention of marriage with slave women

The word "al-amaa" (with a kasra) is the plural of "al-amah" (with a fatha), which means a female slave. I have already mentioned its meaning, its ruling, and the conditions of owning it. The word "al-amaa" originally had a haa, but the haa was changed to a hamza because it was at the end of the word.

His statement "marriage of female slaves" means that this is a chapter in which we will mention how to marry female slaves.

And his saying, may God sanctify his soul: God Almighty said: And whoever among you cannot afford to marry free, believing women, then marry those believing slave girls whom your right hands possess, until He said: That is for him who fears falling into sin among you. But to be patient is better for you. So God Almighty did not permit marriage to a slave woman except under two conditions: that the man cannot afford to marry a free woman, and that he fears falling into sin.

His statement "he could not" means he was unable, and "length" with a fatha means ability and power, and "chaste women" means chaste and protected women.

His saying "your faith" means your hands, and the address is to all the people of Islam, that is, to the masters of the slave women. It means that a free believer must marry a chaste believing woman. So whoever among them does not find the ability to marry a chaste believing woman, then he may marry a believing woman who is a slave of someone else. This marriage is like the marriage of free women, and it does not mean concubinage and intercourse by ownership. That is because this is when he marries a slave of

someone else, and the ruling on that is what will be mentioned in this chapter.

His statement that it is permissible to marry female slaves,

The word “al-anat” (العنت) with its grammatical structure means adultery, and its root meaning is corruption, and adultery is corruption in its purest form.

His saying, “And if you are patient,” means if you prevent yourselves from marrying the slave women of others, “that is better for you.”

This chapter is explained in most of its aspects, so we did not need much explanation in it, but rather the speech in it was shortened, and we were satisfied with a little of it, such as explaining the two conditions without which it is not permissible to marry slave women. You will see how he explained that in narration after narration, so know that.

And he, may God sanctify his soul, said: We have narrated on the authority of Ja`far bin Muhammad, peace be upon him, on the authority of his father, on the authority of his forefathers, that Ali, peace be upon him, said: It is not permissible to marry slave women except for one who fears fornication, meaning adultery. And it is not appropriate for a free man to marry

a slave woman. If he does so, they should be separated and he should be punished, meaning if he has the means to marry a free woman, or if he has a free woman with him, or if he is not compelled to marry.

His statement "it is not permissible" is a prohibition of unlawfulness.

His statement, "marriage of slave women," means a man marrying slave women belonging to someone else.

His statement, meaning adultery, means that he fears that if he does not marry a slave girl, his lust will lead him to commit adultery.

His statement "and it is not appropriate" means "it is not permissible," and our evidence for this is his statement "there is a difference."

His statement between them means between the married man and the slave woman, and the separation is a forced separation by the ruler.

His statement, "If he does that," means if he marries someone else's slave girl.

His saying 'Azr' is an intensifier of 'Azr', meaning discipline and pain.

His statement means the pronoun refers to the Commander of the Faithful, peace be upon him. He mentioned three conditions here, but in

reality there are only two conditions, because whoever has a free woman does not have to marry and does not fear hardship, so the three conditions are reduced to two conditions. We only mentioned them here for a reason, which is that it is permissible for him to marry a free woman on top of a slave woman if he has the means, but he does not marry a slave woman on top of a free woman, nor a slave woman on top of a slave woman. For this difference, he mentioned these three.

And wealth is tall, and tallness may change wealth, because a man may have a noble lineage and be able to marry any woman he wants and none of them will refuse him even if he is poor, so that is tallness too.

His statement, "or if he was not compelled to marry," means if he was not married and did not need a woman due to weakness or some other reason, then it is not permissible for him to marry slave women either.

Necessity is not the same as need. A person may need something, and if he finds it, he will get it, otherwise he will not perish for lacking it, like a man who longs for perfume and needs it. If he finds it, he will enjoy it, otherwise he will not perish for lacking it. But if he is forced to eat food when he cannot find it for three days, or when he

is unable to eat it, then if he finds it, he will get it, otherwise he may perish. This is the difference between need and necessity, so understand it.

And he, may God sanctify his soul, said: On the authority of Abu Ja`far and Abu Abdullah, peace be upon them, that they said: There is nothing wrong with a free man marrying a slave woman if he is forced to do so. Abu Ja`far, peace be upon him, said: A free man should not marry a slave woman until the two conditions are met in him: hardship and lack of means. If it were not disliked to marry a slave woman without necessity except for the enslavement of the child, then that would be something that should not be done except by someone who is forced to do it and does not find anything else.

His statement, "Even if it were not so," is evidence of the prohibition of marrying slave women for those who do not meet the two conditions. That is, there are many evils in that, and there are several reasons for its prohibition. However, the closest of the reasons is what he mentioned in his statement, "Even if it were not

so," because it is closer to understanding and more firmly established in the hearts.

And he, may God sanctify his soul, said: On the authority of the Messenger of God, peace and blessings be upon him, that he forbade marrying a slave woman to a free woman, or a non-Muslim woman to a Muslim woman.

The prohibition of marrying a slave woman to a free woman is due to what was mentioned previously regarding the aversion to enslaving the child. As for the prohibition of marrying a non-Muslim woman to a Muslim woman, it is due to the sanctity of Islam, and for another reason, which is that the child, in most cases, goes to what his mother goes to. If she is a non-Muslim, she will turn him to disbelief, or make him a Jew, or a Christian, or a Magian. Therefore, marrying her is prohibited, meaning the non-Muslim woman of the People of the Book.

His statement regarding a free woman means that if he had a free woman, then he would not fear hardship at that time, so it was forbidden for him to marry a slave woman while he had a free woman.

His statement regarding the Muslim woman means that it is only permissible to marry a

Christian woman if she is in Islam. It is stated in the book Mukhtasar al-Athar: On the authority of Ali, peace be upon him, that he said: It is not permissible for a free Muslim man to marry a Jewish, Christian, or Magian slave woman, because God says, "From among your believing slave girls." Likewise, he should not marry a polytheist woman either.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said regarding a man who marries a slave woman on top of a free woman: He is separated from her, and he must pay her the dowry for what he has taken of her private parts if he has consummated the marriage with her. If he has not consummated the marriage with her, then she has no claim against him.

His statement, "and he is fined," means that the dowry is taken from him. He is fined because it is like a fine for him since his wife is gone from him, and his money is also gone. Half of her dowry is void if he does not consummate the marriage because the separation has come from the judge.

And his statement, may God sanctify his soul: On his authority, he ruled concerning a man who married a slave woman, then found himself with the means to marry a free woman, and he disliked divorcing the slave woman and desired her, so he ruled that he should marry the free woman in addition to the slave woman if the slave woman was the first of them, and divide his time between them. The free woman gets two nights and the slave woman gets one night. Likewise, he should give preference to the free woman in expenses without harming the slave woman or depriving her of what is sufficient.

His statement after that, i.e., after the marriage of the slave woman,

His statement "for a free woman" means for the marriage of a free woman.

His statement, "and he desired it," means he desired to keep the slave woman with him, so it was decreed that he should keep the slave woman with him and marry the free woman in addition to her, so that she and the free woman would remain with him, and he would divide between them what is due to the free woman and the slave woman, since the share of the free

woman in everything is double what is due to the slave woman.

His statement, "If it is a reason for the permissibility of a free woman marrying a slave woman, and for the permissibility of a slave woman remaining with a free woman," and the first one comes with the masculine and feminine forms.

His statement "two nights" means that he spends two nights with her and one night with the slave girl.

The order came to weaken the right of the free woman over the slave woman, but it prohibited harming the slave woman in what is due to her. Sufficiency with a kasra is what is sufficient for her to live on from what is known from what is due to someone like her from someone like her. It is known from here that the word slave woman may apply to every slave woman who is for a man or for someone else, as you say, "So-and-so had intercourse with a slave woman," and "So-and-so married a slave woman." So the word slave woman applies to his slave woman and to others. As for the word slave woman, it may be specific to the slave woman of a man if it is added to him, as you say, "He had intercourse with his slave woman," and it is not said that he married his slave woman. So know

this. And it is only permissible for a free woman to marry a slave woman because of the sanctity of the free woman and to liberate the child. As for the permissibility of keeping the slave woman with the free woman, it is because of the slave woman's right over the free woman.

And he, may God sanctify his soul, said: On the authority of Ja`far ibn Muhammad, peace be upon him, that he said: If a man marries a slave woman while he cannot afford a free woman and he fears hardship, then he finds afterward that he can afford a free woman and marries her, and she does not know that he has a slave woman, then she has the choice when she finds out. If she wants, she can stay, and if she wants, she can leave him if he had desired the slave woman. If she leaves him before he has consummated the marriage with her, then she has no right to anything. If he has consummated the marriage with her, then she is entitled to the dowry for what he has taken of her private parts. If he leaves the slave woman, then the free woman has no choice.

This means that if he marries the slave woman according to what is required of him, then finds the means and marries the free woman without informing her that in his marriage there is a slave woman belonging to someone else, then the free woman has the option because she is deceived, and deception in marriage is not permissible, just as it is not permissible in sales. The option is if he desires the slave woman and does not separate from her, and if he separates from her, then the free woman has no option. If the free woman separates from him before consummation, then she has no dowry, and if she separates from him after consummation, then she has the full dowry so that her private parts become permissible for him by that.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: A free man may not marry more than one slave woman after he has feared hardship and has not found the means for a free woman, and he is not allowed to marry a slave woman on top of another slave woman, because he does not fear hardship.

He said, "Because it is the reason for this prohibition against marrying a slave woman on top of another slave woman, and the matter is as he, peace be upon him, said. And the further explanation in this narration is that it is not permissible for a free man to marry a slave woman on top of another slave woman, so know this."

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: If a man marries a slave woman belonging to another man, and stipulates that any children she bears from him will be free, then the stipulation is permissible.

This means that if a man marries a slave woman belonging to someone else, his children from her are slaves to her master, whether he stipulates this or not. The ruling for the children of a slave woman is the same as the ruling for her mother, because the ruling for the child is the same as the ruling for the mother in terms of freedom and ownership. So the children of a slave woman are slaves, and the children of a free woman are free. But if the one who marries stipulates to her master that every child she bears from him is free and he has no claim over him,

then that stipulation is permissible, and his children from her are free. And if a slave marries a free woman, his children from her are free. And 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 one who marries a slave woman to stipulate that his children from her be free, because the emancipation of the children of a slave woman is in the hands of their master; if he wishes, he may emancipate them. And the woman has no right to own her children, and they are free, nor does anyone else.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: If a free man marries a slave woman and does not stipulate her service, then her service is for her masters during the day, and they must let her be with him at night. He is responsible for her maintenance if they do that, but if they prevent him from her at night, then he has no maintenance for her, and they are not obligated to prevent him from having intercourse with her if he wishes to do so at night or during the day.

His statement, "and he did not stipulate her service," means that it is not stipulated that she serve her masters day or night, or that she serve them for a week and be with him for a week, or that it be on a monthly basis or something like that. The legal condition is that she serves her masters during the day and comes to her husband at night, and he is responsible for her maintenance if she comes to him at night. It is only the maintenance for intercourse and staying overnight. If she does not stay overnight with her husband, then she is not entitled to maintenance from him. He may have intercourse with her whenever he wants, day or night, and her master does not prevent him from that. He may have intercourse with her whenever he wants without maintenance for her, because maintenance is only with staying overnight with him.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, peace be upon him, that he was asked about a slave girl belonging to two men, one of whom married her off, while the other was absent. Is the marriage permissible? He said: If the absent one dislikes it, the marriage is not permissible, meaning if he did not give permission to his companion, nor did he give him permission to marry her off, nor did he permit his action.

His statement "between two men" means between two partners.

His statement then means that he did not specify that he should marry her to a known man.

And he said, "I do not give permission for her to marry whomever he wishes."

His statement, "nor do I permit his action," means, "nor do I permit what he did when he came."

It is stated in the book Mukhtasar al-Athar: A slave woman may not be married except with the permission of her master and with witnesses, according to the words of God, the Most High, who said: "Marry them with the permission of their families." If a slave woman is between two men and one of them marries her off without the

permission of the other, her marriage is not valid unless the other man permits it. The husband may not consummate the marriage until the second master permits it. If he does not permit it, the marriage is annulled.

And he said, may God sanctify his soul: On the authority of Ali, peace be upon him, that he said: It is not permissible for a Muslim to marry a polytheistic slave woman, because God Almighty only permitted believing women, as He, the Most High, said: "From your believing women." And the Messenger of God disliked it so that the Jews and Christians would not enslave the children of Muslims.

His statement, "marrying the slave woman,"
means marrying her.

His statement, "And he disliked it," means he
forbade it.

His statement is so that there is no reason
for prohibition.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, peace be upon him, that he was asked about a man who has a young son, and the son has a slave girl. Is it permissible for the father to have intercourse with her? He said: He does not have that unless he assesses her value for himself at a fair price, then he takes her and his son has the right to her price from him. He said: It is not permissible for a man to take anything from his son's money except with his consent, unless he is forced to do so, so he eats what is reasonable for his sustenance and does not take pleasure in it.

His statement, "child," means a young child who has not yet reached puberty.

His statement "owned" is a description, explanation, and definition of the owned thing.

His statement, "Is it permissible for the father to have intercourse with her?" means, "Is it permissible for the father to have intercourse with her?"

His statement "he has no right to do that" means that it is not permissible for him to have intercourse with her.

His statement that he values it means he assesses its worth and makes it his

responsibility, so it becomes a debt owed to his son. The value of justice is a correct value.

His statement, "Then he takes her," means he takes the slave girl and has intercourse with her. This applies if he is young. If he is old, it is not permissible for him unless he sells her to him.

If it is asked how the property belongs to the young boy without the father, we say that he inherits it from the property of his mother or someone else, or someone gives it to him as a gift, so it belongs to him without the father.

His statement, "It is not permissible for a man to take anything from his son's money except with his consent," means if the son is an adult, unless he is forced to do so, meaning if he is poor and the son is wealthy. But if the son is young, then nothing from his money is permissible for him until he grows up and gives it to him with his consent, unless he is forced to do so.

His statement that he should eat in a reasonable manner is explained by his statement that he should eat his food and not take pleasure in it.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, peace be upon him, that he was asked about a woman who ordered her son to have intercourse with a slave girl of his father in order to make her forbidden to him. He said: She has sinned and her son has sinned, and I dislike for the father to have intercourse with her, and the forbidden does not spoil the permissible.

She only ordered him to have intercourse with her because she feared that her husband would take her for himself, and her son should be punished for that if he was an adult.

His statement, "to forbid it," is the reason for his statement, "I was commanded."

His statement, "She sinned," means that she bears the sin of ordering adultery, and her son bears the sin of adultery.

His statement "I dislike" is a prohibition of forbidding, and he only said "I dislike" in consideration of what came in the Sharia, that the forbidden does not make the permissible forbidden, for she has descended from him in the position of the wife of the son, so she is not permissible for him.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he disliked a man having intercourse with a slave woman who had a share with someone else.

This aversion is a prohibition that is never permissible. This narration may be explained by what is stated in the book Mukhtasar al-Athar: If a slave woman is between two men, her private parts are not permissible for one of them, even if the other permits it, because the private parts cannot be divided or made permissible to be given away.

And his saying, may God sanctify his soul:
On his authority, he was asked about the marriage of a slave woman under contract, and he said: Marry her if you wish, meaning with the permission of the master and her permission if manumission has taken place in her, and we will mention how manumission takes place in slave women under contract in its place, God willing.

His statement is with the permission of the master and her permission together if the emancipation took place in it, because the

master who emancipated her is her guardian if she does not have another guardian.

His statement is in its proper place, i.e., in the book of manumission.

And he, may God sanctify his soul, said: And he, peace be upon him, said: Know that if she gives birth to a child during her contract, then only what is freed from her will be freed, and what is enslaved from her will remain enslaved.

His statement regarding her correspondence means during the days of her correspondence, and he emancipates, meaning he makes him free, and he enslaves, meaning he makes him a slave, i.e., owned.

This narration and the one after it are from the chapter on manumission. It was mentioned here because mentioning permission necessitated mentioning manumission, and mentioning manumission necessitated mentioning loyalty and the like. Their explanation may come in the book on manumission. The purpose of them here is that she does not marry except with the master's permission because

loyalty belongs to him, so she does not marry
except with his permission.

And his saying, may God sanctify his soul: On his authority, he said: Aisha wanted to buy Barirah, so her masters stipulated her loyalty, so he bought her from them on that condition. This reached the Messenger of God, peace be upon him, so he went up to the pulpit and praised God and glorified Him, then he said: What is wrong with people stipulating conditions that are not in the Book of God? One of them sells the slave and stipulates loyalty, and loyalty is for the one who freed him, and God's condition is more certain, and every condition that contradicts the Book of God is rejected. When Barirah was freed, the Messenger of God, peace be upon him, gave her the choice, and she had a husband who was his wife while she was a slave, so she chose herself, so the Messenger of God, peace be upon him, said to her: Observe three menstrual cycles. Ja'far bin Muhammad, peace be upon him, said: The husband of Barirah, about whom the Messenger of God, peace be upon him, gave her the choice, was a slave, and he only gave the choice in the case of a slave, but as for the free man, she became free in his position.

Aisha was one of the wives of the Prophet, peace be upon him, and Barirah, with a single "b" (ب), was the name of a slave girl whom Aisha bought.

His statement about her refers to Aisha.

His statement is based on that condition, meaning that loyalty is to her masters.

As for his ascension to the pulpit to announce the Sharia, one of the laws of Islam,

His statement that there are conditions not in the Book of God, may He be glorified and exalted, such as someone selling a slave and stipulating that the loyalty belongs to him and not to the one who freed him, is a false condition because God commanded that the right be inherited by its people, and loyalty is the right of the one who freed him.

His statement is more emphatic, meaning more obligatory and more deserving.

His statement, "He gave her the choice," means that he gave her the choice to stay with her husband or to separate. He mentioned the reason for the choice, which is that her husband was a slave, so he gave her the choice because he was a slave and because she was free after her manumission. If the husband was free, then she had no choice because she became free by virtue of his status.

His statement, "So she chose herself," means that she left him and chose herself over him and separated from him.

His saying "three menstrual cycles" means three periods of menstruation that occur after the days of menstruation. "Menstrual cycles" with a kasra is the plural of "menstrual cycle" with a kasra, like "blessings" is the plural of "blessing," which is the flow of blood from a woman.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: It is not permissible for a man to have sexual relations with a female slave in whom he has a partnership.

The company is broken down into shares and portions, and this narration has already been explained in what has preceded in similar cases.

And he said, may God sanctify his soul: On the authority of Ja`far bin Muhammad, peace be upon him, that he forbade the lending of private parts, such as a man permitting another man to have intercourse with his slave girl, or a woman permitting her husband or someone else to have intercourse with her slave girl without marriage or ownership of her right hand.

This narration distinguishes between female slaves and other assets because all assets can be lent except for female slaves, as it is not permissible to lend their private parts, even if they were considered assets like other assets, because this loan is considered adultery, and God has forbidden and prohibited adultery.

Debt, loan, and borrowing are all different, and what a difference!

This is because debt in general means that it is said that so-and-so sold a commodity to another, so its value is a debt owed to him, and that he gave another money, so it is a debt owed to him, and that he gave another a garment, so it is a debt. Debt is everything that is recovered.

As for the loan, it is only used in reference to dirhams and dinars, as when you say, "Lend dirhams or dinars."

The term "loan" is only used for something that remains the same and does not lose its essence, but is returned in its same form and its essence is not dissolved, as when you say, "He lent him a garment and a vessel." The garment and the vessel may be returned in their same form, and it is called a loan. As for dirhams and dinars, it is not their right to be returned in their same form, but they may be returned in their same form, or they may be returned in exchange for something that is in their place.

The prohibition against lending one's private parts came about because some people do that, like a man who has a guest and hosts and honors him until he lends him his slave girl, who stays with the guest for the entire night. In the morning, the guest leaves, and the slave girl remains with the homeowner as she was. So it was prohibited because that is adultery, which is never permissible.

His statement, "without marriage or ownership of a slave woman," is a listing of the types of permissible sexual relations, which are two: one is marriage and the other is ownership of a slave woman. After these two, it is not permissible in any way or by any means.

And he said, may God sanctify his soul: Ja`far bin Muhammad said, "The loaning of private parts is adultery, and I am innocent before God Almighty of whoever does it." The Qur'an speaks of this, as God said: "And those who guard their private parts, except from their wives or those whom their right hands possess, for indeed, they are not to be blamed. But whoever seeks beyond that, then those are the transgressors." So God did not permit private parts except in two ways: marriage or ownership of a slave woman.

This statement is a declaration of the prohibition of the borrowing of private parts, and his statement is innocent, meaning I declare myself innocent before God of the one who does that, because he is not of me in any way, meaning he is not of my religion, nor of my sect, nor of one who has sought refuge in my protection, and I am not of him in any way, meaning I am not sinful for his action, and it is not incumbent upon me to intercede for him, but I am innocent of him and his action.

His statement regarding this means prohibiting the lending of private parts.

Mention of the marriage of slaves

This chapter will discuss how slaves get married, how many they marry, and how their marriage is valid.

And he, may God sanctify his soul, said: We have narrated on the authority of Ja`far bin Muhammad, on the authority of his father, on the authority of his forefathers, on the authority of the Messenger of God, peace be upon him, that he forbade a slave from marrying without the permission of his masters. He said: Any free woman who marries herself to a slave without the permission of his masters has made her private parts permissible and she has no dowry. Ja`far bin Muhammad said: A slave is not permitted to marry or divorce except with the permission of his master. If he marries without the permission of his master, then if he wishes, he may approve it, and if he wishes, he may separate it.

This narration explains how a slave can get married, stating that he cannot marry unless his master gives him permission. If he marries

without his permission and the master denies his marriage, the marriage is invalid and her dowry is void, because the slave has no money. If he has no money, how can he give her her dowry? Therefore, her dowry is invalid. However, if the master permits his slave to marry, it is permissible, and her dowry is the responsibility of the master if he approves of it.

His statement “his masters” is a plural of “master,” and it indicates that if a slave has many masters, such as a man who died and left a slave, and his four sons inherited from him, then the slave needs the permission of all of them if he marries. And like a slave who is in a partnership of men, he also needs their permission. This prohibition, the invalidation of the dowry, the permission, and the separation—all of that is excluded from his statement “a slave who is owned and cannot do anything.”

His statement, “and she has no dowry,” means that if she knew before the marriage that he was a slave, then she married him without his master’s permission, her dowry is void, and he has more right over her. Her dowry remains a debt owed to her by him. When he is freed, he must give it to her. But if she was unaware that he was a slave and he deceived her about himself, then she has the choice: if she wishes, she can

stay with him, and if she wishes, she can leave him. She is entitled to the dowry if he consummated the marriage with her, and her dowry is the responsibility of the master if the slave deceived her with his permission. Otherwise, it is the responsibility of the slave when he is freed if the master did not deceive her, nor did he give permission for that, nor did he approve of it after that. The ruling on a slave who deceives himself has already been mentioned in the section on conditions, so learn about it from there.

His statement that he cannot marry or divorce except with his master's permission means that he has no right to marry or divorce anyone who marries. All of that belongs to his master, for he cannot marry except with his permission. And if his master wishes, he can divorce anyone who marries without the slave's consent. All of that belongs to the master, and the slave has no right to it. So understand this.

And he said, may God sanctify his soul: On the authority of Ali, peace be upon him, that he said: A slave should not marry more than two, and nothing else is permissible for him. And Ja`far bin Muhammad, peace be upon him, said: He means from the free women more than two, and he may marry four slave women if that is with the permission of his master, and he may buy from the slave women as he wishes and have intercourse with them by right of ownership if his master gives him that and permits him to do so.

This narration is an explanation of the amount of women that are permissible for a slave, and it defines that his share of free women is half the share of a free man, as was stated regarding slave women in terms of waiting period, dowry, divorce, and other matters. This is to magnify freedom and for other reasons that you will know in their place, God willing. As for slave women, a slave may marry four slave women of other people, since he is a slave and they are slaves like him, so there is no difference between them in this. The explanation of this narration has been presented previously, so be aware of it.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, he said: If a man wants to marry his slave girl, he says to him, "I have married you to so-and-so," and he gives her something from his side, whatever it may be, even if it is a measure of food.

It means that he marries her when the judge is present with his sermon because he is her guardian. That is, she does not need a guardian for her marriage because her guardian is only her master. There is no need for the consent of the slave or the consent of the female slave, as they are not able to do anything. Rather, their affair is in the hands of their master, who does with them as he pleases. As for the presence of the judge and his sermon, that is necessary in marriage, whether they are free or slaves.

His statement, "and he gives her," means he gives her what will be her dowry so that the slave may have sexual relations with her, and he has no money to give her from it, so the master must give her something from his own funds, whatever it may be.

The word "madd" with a damma and a shadda is a weight from the weights of the Arabs, and it is one and a third of a ratl.

And he, may God sanctify his soul, said: He said, "If a man marries his slave to his female slave, he can take her back from him if he wishes without divorce. And if he marries her to a free man or a slave of someone else, he does not have the right to take her back. If he sells her, the one who bought her has the right to take her back if he wishes from her slave husband and to divorce her from him. If the buyer confirms her in the marriage, she remains in her state with the seller."

Here are five issues:

The first of them is that if a man marries his slave to his female slave, he has the right to separate them if he wishes without a divorce from the slave, whether the slave agrees to that or not.

The second is that if a man marries his slave girl to a free man, he cannot separate them without a divorce from the free man. Rather, the divorce is in the hands of the free man; if he wishes, he can divorce her, and if he wishes, he can keep her.

The third is that if he marries his female slave to someone else's slave, he has no right to take her away.

The fourth is that if he sold her and had married her to his slave or to someone else's slave, then the one who bought her has the right to take her away from her slave husband because selling her is her divorce. If the buyer wants, he can separate them, and if he wants, he can let them remain married.

The fifth is that if her husband is free and then he sells her, the buyer cannot take her from the free man, but that is only in the case of a slave. It has come in Mukhtasar al-Athar that he was asked about a man marrying his female slave to his male slave, up to his saying: If he sells her, then that is a separation between them. If he sells her together, then the buyer can separate them if he wishes. If the female slave is sold and she has a free husband, then she is his wife and her private parts are not permissible for the buyer until her husband divorces her or dies and she observes the waiting period.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: If a woman owns her husband by a matter that revolves around his ownership or a share of it, then she is forbidden to him and it is forbidden for her to permit herself to him because a slave is not allowed to marry his mistress.

The arrow is called a "shaqs" (شقص) when it is broken.

His statement means "it revolves" or "it becomes".

His statement "it is forbidden to him" means that it is not permissible for him to have sexual relations with his mistress.

His statement, "and it is forbidden for her," means that it is not permissible for her to allow herself to be with her slave. He said this to deny her the option of allowing herself to be with him. This narration is explained by what came in the book "Mukhtasar al-Athar": He said, "If a woman owns her husband or something of him, the marriage between them is invalid, and she has more power over herself. It is not permissible for a woman to marry her slave unless she emancipates him. If he and she wish after that, he may marry her." End of his statement.

Mention of the marriage of polytheists

His saying, may God Almighty and Exalted be He, is: "And do not marry polytheistic women until they believe." And He, Blessed and Exalted is He, said: "Today, the good things have been made lawful for you," up to His saying: "And the chaste women from among the People of the Scripture," the verse.

His saying, "Do not marry," is a prohibition of forbidding. "The good, Muslim, chaste, and virtuous women," and "the People of the Book," meaning the good, Muslim women are permitted to you, but not the impure polytheistic women. Marriage to polytheistic women is of two types:

One of them is marrying women who worship idols, which is absolutely forbidden.

The second is marriage with the People of the Book, which is forbidden today due to the large number of Muslim women.

This narration is explained by the narration that follows it, so understand it.

And he, may God sanctify his soul, said: We have narrated on the authority of Ja'far bin Muhammad, on the authority of his father, on the authority of his forefathers, on the authority of Ali, peace be upon him, that he said: God only made the women of the People of the Book

permissible for Muslims when there were few Muslim women. When the Muslim women became numerous, God said: Do not marry polytheistic women until they believe. And He said: Do not hold onto the bonds of disbelieving women. And the Messenger of God, peace and blessings be upon him, forbade a Muslim man from marrying a non-Muslim woman when he could find a Muslim woman, and a polytheist man should not marry a Muslim woman. And if a polytheist converts to Islam and has a polytheistic woman with him, there is no harm in him keeping her with him if he desires her, perhaps God will guide her. And he is allowed to marry three Muslim women on top of her if they know about her.

If a Muslim man marries a Muslim woman while he has a polytheistic wife, it has been reported from Ja`far (peace be upon him) that he said regarding a man who marries a free Muslim woman while he has a Christian or Jewish wife, and the Muslim woman does not know about this with him, then he consummates the marriage with her and she finds out, he tells her what she took from the dowry. If she wants to stay with her, she stays, and if she wants to go to her family, she goes. If she has three menstrual cycles or three months have passed for her, meaning if she does

not menstruate, then she is permissible for husbands without divorce.

He was asked: If a Christian or Jewish woman divorces him before the waiting period of a Muslim woman has ended, is he allowed to take her back to his home? He said: Yes.

The word “عصم” (with a kasra) is the plural of “عصمة” (also with a kasra), like “نعم” (with a kasra) is the plural of “نعمة” (with a kasra). It means relationship and sanctity, and it is used metaphorically for marriage, meaning do not hold on to marrying them, but rather separate from them, whether they are People of the Book or idol worshippers. “الكوافر” is the plural of “الكافرة” (disbeliever). His saying, “And the polytheist does not marry a Muslim woman,” means that his marriage to her is absolutely forbidden, whether he is a People of the Book or an idol worshipper.

His statement "he leaves it" means "he holds it".

His statement, "Perhaps God is the reason for permitting her to be kept," is in the hope of guiding her.

His statement "three" means that the one he has is one of the four, so he is not permitted to

marry her unless there are three others besides her.

His statement, "If he marries, etc.," mentions an option for her.

His saying "to her family" is a metaphor for separation.

His statement, "So when she menstruates," is a metaphor for the waiting period, which is the waiting period after divorce.

His statement "without divorce" means that separating from her is not a divorce.

His statement about her means that he divorces her after she has been divorced.

His statement, "to his home," refers to his marriage.

His saying "yes" means that he takes her back in his marriage, so she is his wife and she has no choice in separating from him.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he was asked about a polytheistic woman who converted to Islam and had a polytheistic husband. He said: If he converted to Islam before her waiting period ended, they are still married. If her waiting period ended, she is free to marry whomever she loves from among the Muslims. If he converted to Islam after her waiting period ended, he is a suitor among suitors. If she accepts him, he marries her with a new marriage contract. If a man converts to Islam and his wife is a polytheist, then if she converts to Islam, they are still married. If she does not convert and he chooses to keep her with him, he keeps her still married.

Here are six issues:

The first of them is that if a polytheist woman converts to Islam and then her husband converts to Islam before the end of her waiting period, they are still married.

The second is that if her waiting period ends before he converts to Islam, she can marry whomever she loves.

The third is that if he converts to Islam after the end of her waiting period, he is a suitor among suitors.

The fourth is that if he converts to Islam after the end of her waiting period and he and she both wish to marry her, we will give her a new marriage contract.

The fifth is that if a man converts to Islam and then his wife converts to Islam, they remain married.

The sixth is that if he converts to Islam and his wife does not, they are still married.

And he, may God sanctify his soul, said: On his authority, he said regarding a polytheist who converts to Islam and has two free sisters or more than four free women: he is left with the one he married first, and the second sister is taken away from him, and what is more than four of the free women.

Here are two issues:

One of them is that if a polytheist converts to Islam and he has two free sisters in his marriage, he is left with the sister he married first and the second sister is taken away from him.

The last of them is that if he converts to Islam and is married to more than four free women, he is left with the four women he married first, and the women beyond the four free women are taken away from him.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, peace be upon him, that he said: If a combatant goes out to the land of Islam and converts to Islam, and then his wife joins him, they are still married.

The enemy is a polytheist who lives in the land of war. The land of war may be called the land where there is no rule of Islam, where the flags of Sharia are not raised, where coins are not minted in the name of Islam, where mosques are not built, and where its people are not subject to the rule and authority of Islam. This name has many signs, such as we mentioned. The meaning is that if an enemy enters the land of Islam, converts to Islam, and then his enemy wife comes after him, her marriage is valid whether she converts to Islam or not.

And his saying, may God sanctify his soul: On the authority of the Messenger of God, peace and blessings be upon him, that he said: "Let the people of the pre-Islamic era remain as they were when they embraced Islam, whether regarding marriage, divorce, or inheritance," meaning, if that is in accordance with the ruling of Islam. But if a polytheist embraces Islam and has a close relative with him, then separate them.

This narration is evidence to prove the marriage of a polytheist if he converts to Islam, whether his wife converts or not, and also to prove the marriage of a combatant if he converts to Islam and joins the land of Islam.

His statement, "If he converts to Islam, etc.," is an example of a marriage that violates the rulings of Islam. It is not valid if he converts to Islam. This is like a Magian who marries his sister. If he converts to Islam, they are separated, whether she converts or not. As for the example of divorce in this regard, it is like a Christian man who is forced to divorce. If he converts to Islam, his wife is returned to him, and his divorce is not valid. An example of inheritance is like a polytheist who dies and leaves behind a wife and a brother. His wife inherits from him according to

their doctrine, and they exclude his brother from him. If his brother converts to Islam, he takes his right from his brother's inheritance.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said regarding a Magian woman who converted to Islam before her husband consummated the marriage, and her husband refused to convert to Islam, so he ruled that she should receive half the dowry and said: Islam only increased her honor.

His statement regarding the Magians is an example of this ruling that was agreed upon in his time, otherwise the Jews, Christians and Magians are the same in this ruling.

His statement, "and her husband refused," means that Islam was offered to him but he did not accept it.

His statement that Islam only increased her honor means that she took half the dowry because of the honor of Islam, even if he did not consummate the marriage.

And he, may God sanctify his soul, said: On his authority, he said: If a man apostatizes, his wife is divorced from him. If he is asked to repent and he repents before her waiting period ends, then they are still married. If the waiting period ends and then he repents, then he is a suitor among suitors. If he joins the land of war, his marriage to her is cut off. If they both apostatize and join the land of war, then they convert to Islam or are asked to repent and they repent, then they are still married.

He was offered repentance, and he repented, leaving the sin and turning away from it. He apostatized, meaning he rejected the rulings of Islam and left it.

Here are six issues:

The first of them: If a Muslim woman apostatizes, his wife is no longer his wife.

The second is that if the apostate repents before the end of the waiting period, they are still considered married.

The third is that if he repents after the waiting period has ended, he is eligible to propose marriage.

The fourth is that if he joins the land of war, his protection from it is severed and he has no

right to return to it, even if he repents before the end of the waiting period and returns to the land of Islam.

The fifth is that if they both apostatize and then repent and they do repent, they are still married and there is no limit in this for the days of the waiting period and other things, because they are still married even if they repent after a long period of time.

The sixth is that if they both apostatize and join the land of war, then convert to Islam, they are still considered married.

Know that the waiting period for the wife of an apostate is the same as the waiting period for a widow. It is stated in the book Mukhtasar al-Athar that if an apostate apostatizes and joins the land of war, he is considered as dead. His property is divided among his heirs, and his wives observe the waiting period for widows. They may remarry if they wish. This waiting period is only for Muslim women because they are Muslims. Even if their husbands apostatize, it is only due to the sanctity of Islam, not the sanctity of their apostate husband. Similarly, if a polytheist woman converts to Islam and has a polytheist husband, she observes the waiting period for a widow. This waiting period is also a ruling of Islam because she has converted to Islam, even if her

husband remains a polytheist. This is the ruling for those who are in the land of Islam. As for the ruling for the people of the land of war, it is a different ruling. There is no waiting period for the wife of a combatant if she goes to the land of Islam. Rather, she ascertains the absence of pregnancy and may remarry if she wishes. If her husband comes as a Muslim or a protected person, he has no claim on her except through a new marriage contract, because when she went to the land of Islam, his marital bond with her was severed. This meaning is found in the narration that follows this one, so be aware of it. That is, if she converts to Islam, she may only marry a Muslim. If she does not convert to Islam, she will marry a Christian or Jewish man from among those of her religion who are in the land of Islam.

And he, may God sanctify his soul, said: On his authority, peace be upon him, he said: If a woman from the people of war goes to the land of Islam seeking protection, and she has a husband who remains in the land of war, then he has no claim over her, and she may marry if she wishes, and there is no waiting period for her. If her husband converts to Islam, then he is a suitor among suitors.

His statement, "she is safe," means that she seeks safety from the people of Islam to enter the land of Islam for a need that has befallen her, and a man from among the Muslims grants her safety. If she wishes, she may go to the land of war, and no one will object to her or prevent her from doing so. If she wishes, she may stay in the land of Islam and marry whomever she wishes after ensuring that her womb is clear.

And he, may God sanctify his soul, said: On his authority, he said: It is not permissible for a Muslim to marry a woman from the land of war.

That is, he does not marry her in her house, but if she leaves it and converts to Islam, then he may marry her.

And he, may God sanctify his soul, said: On his authority, he said: If a man and his wife are taken captive from among the polytheists, they are still married unless one of them was taken captive and brought to the land of Islam without the other. If that is the case, then there is no marriage between them.

His statement, "and secure," means that he takes him out of the land of war and brings him into the land of Islam. Seizing is entering into the land of Islam and bringing him into it. This narration is clear and explained, so understand it. Know that the marriage of polytheists with each other, whether they are of one religion or of different religions, is permissible if they contract it according to what is required in their religion, and it should not be annulled for them. This ruling applies if they remain on their religion and do not convert to Islam.

Mention of the division between co-wives

This means a chapter in which you mention how to divide the nights and days between co-wives. Co-wives are the plural of co-wife, and they are women who are married to one man, so they are co-wives among themselves. The wife of a woman's husband is called a co-wife because she is harmful to her or harmed by her. Therefore, she is called a co-wife because each of them is harmful to her companion or harmed by her, because everything that is harmful to its like is considered a co-wife by the Arabs, like this world and the hereafter, so they are two co-wives by them.

And he, may God sanctify his soul, said: God Almighty said, "You will never be able to treat wives equally, even if you are keen to do so. So do not incline completely [to one] and leave her like one suspended." He informed us that justice between wives is not possible because a man may be able to be just to them in spending, sleeping, giving, and other things that he owns, but he cannot be just to them in desire, lust, and eagerness for intercourse. So it is obligatory for him to be just in what he is able to do, because God only permitted that in what is not possible, and He commanded justice in another place: which is what is possible. And He said, "God does not burden a soul beyond its capacity."

Justice is moderation between excess and deficiency, and between extravagance and stinginess. Justice is giving everyone their due and giving everyone their due. His saying, "Do not incline completely," means do not lean towards one over another in what is due to them of their rights.

His statement, "then leave it," is an explanation of his statement, "all the way." The suspended animal is one that is tied up and hung up, so it is neither fed nor sent out to graze. It is

called suspended, and the woman is likened to it, being left without fulfilling her rights.

His statement is because the woman is a cause and reason for his statement that it is not possible. The difference between maintenance and a gift is that maintenance is what is due to them, what they need, and what they must have, and a gift is what is in excess of the need, such as clothes of fame and jewelry.

His saying and other things, such as speech, talk, honoring and the like, and passion, love, lust, sexual desire, joking, activity, longing and arousal.

His statement regarding what he is able to provide, such as expenses, lodging, and gifts,

His statement is because God is the reason for his statement, therefore it is necessary.

His statement, "from that," means from abandoning justice.

His statement regarding what pertains to desire, lust, and activity in women and the like, and other such things,

His statement in another place is like his statement, "So be just with all justice," and the like.

His statement, "And God does not burden a soul beyond its capacity," is an explanation of the middle ground between excess and negligence.

The word "capacity" (with a damma on the first letter) has already been explained in its meaning, and I have explained the difference between it and "energy" in what has preceded in this book.

And he, may God sanctify his soul, said: We have narrated on the authority of Ja`far bin Muhammad, peace be upon him, on the authority of his father, on the authority of his forefathers, that Ali, peace be upon him, said: A man may marry four, and if he does not marry more than one, then he must spend one night out of four with her, and he may do with the other three whatever he likes of what God has made lawful for him. Ja`far bin Muhammad, peace be upon him, said: If a man has two wives, then he may give one of them the three nights that are his, and divide the night with the other. Likewise, if there are three, he divides each of them her night out of the three, and gives the fourth to whomever he wishes. And if there are four, he does not give preference to one of them over the other.

His statement "four" means four women.

His statement that there are four nights means that he specified the nights of division as

four because God only permitted a man to have four wives, so the nights of division became four according to their number.

His statement "in the three" means in the three nights.

His statement "what I love" means what he loves, whether it be concubinage, worship, craft, seeking knowledge, or anything else. All of this is what God has permitted him to do.

His statement, "And Ja`far said, etc.," is an additional explanation of this narration, because it contains an explanation of how a man divides his nights if he marries one, two, three, or four. Then the mention of the division of the oasis comes from the Commander of the Faithful, peace be upon him, and then the mention of what follows comes from al-Sadiq, peace be upon him, as you see.

His statement "on the fourth" means on the fourth night.

His statement did not indicate any preference in the division of the nights.

And he said, may God sanctify his soul: On the authority of Ali, peace be upon him, that he was asked about the saying of God Almighty: "And if a woman fears from her husband contempt or aversion, there is no blame upon them if they make peace between themselves, and peace is best." The verse. He said: Ask about something like this. That is, a man who has two wives and is unable to be with one of them, or she is ugly, so he turns away from her and wants to divorce her, and she dislikes that, so she makes peace with him on the condition that he comes to her from time to time, or on the condition that she leaves him her share of that.

I have explained this statement previously in the chapter on conditions, and marital discord means hostility, harm, and turning away, leaving it suspended in all its affairs, and reconciliation means reform and settlement.

His statement about such a thing, "Ask," is a wonder at him for asking this question, because it is a good question, and it improves him and the one who brought it up.

His statement, "That man," is an answer from him to his questioner, and it is the beginning,

meaning the answer to your question is that he is that man, etc.

His statement, "he is unable," means he is unable to have intercourse with her. "The ugly one" (with the letter "dal" omitted) is the opposite of "the beautiful one," just as "ugly" and "good" are opposites, and "ugly" is also the opposite of "the beautiful one."

His statement that she dislikes it means that she dislikes divorce because of her shame or for other reasons.

His statement that he comes to her means that he has intercourse with her at some times, but not as much as she deserves, or he leaves her with her share of intercourse.

And he, may God sanctify his soul, said: On his authority, he said regarding a man who has one or three wives and marries a virgin: If he marries a virgin, he stays with her for seven nights, and if he marries a widow, he stays with her for three days, then he divides his time equally between his wives.

The virgin here is the one who has not yet married, and the widow is the one who was married and then her husband died or she was

divorced. The meaning is that if he marries a new woman and he has one, two, or three wives, then the ruling in that is that if he is a virgin, then it is her right for her to stay with him for seven nights, and he spends the night with her and takes a nap with her the following morning and eats with her and stays with her until the completion of seven days. And if the new one is a widow, then it is her right for her to stay with him for the same three nights, and then he divides the nights after that equally between his new and old wives in that, and there is no difference between them after that period.

And he, may God sanctify his soul, said: On the authority of Ja`far bin Muhammad, peace be upon him, that he was asked about a man who has women with him and visits some of them but not others. He said: He only has to spend the night with each one and take a nap with her in the morning, and he does not have to have intercourse with her if he is not energetic enough to do so.

His statement, "with him," refers to his marriage.

His statement "he covers" means he has sexual intercourse.

His statement means that he spends the night with her.

His saying, "and he takes a nap," means that he should also be with her during the day. He is the one who said, "He takes a nap," meaning he sleeps before noon. "The morning" means the daytime. It means that it is the right of the division of women's nights that he should spend the night with his companion and take a nap with her, and it is not her right that he must have intercourse with her. If he wants to have intercourse, he may, and if he wants not to, he may not. There is nothing wrong with that. But if he is energetic for intercourse with some of them, then he should not abandon having intercourse with her and relax for others.

And his saying, may God sanctify his soul: On the authority of Ali, peace be upon him, that he said regarding a man who has wives and goes out on a journey: If he returns, he should start with the one who has the right, meaning if he returns, he should divide the night with the one whose night he traveled before, because the night in which he returned is her right, because her co-wives have taken their rights, and then he

traveled away from this one's right. So the night in which he returned from the journey is the one in which he traveled away from her night, because it is only her right.

Mention of expenses for spouses

Expenses are the plural of expense, which is what is spent to obtain a livelihood and to earn a living. This is an expense, meaning this is a chapter in which we mention what is spent on spouses.

And he, may God sanctify his soul, said: God Almighty said: We know what We have imposed upon them concerning their wives and those whom their right hands possess, the verse. And God Almighty said: So provide for them therein and clothe them and speak to them words of kindness.

That is, we know what we have obligated them to provide for their wives and their slaves, and we only obligated it with our knowledge and not out of ignorance on our part.

His saying, "So provide for them," means: Give your wives and children their sustenance

from the wealth that is in your possession, and give them clothing to cover their bodies in a reasonable manner, in a way that is appropriate for people like you. And say to them a reasonable word that will improve their situation if they are taught it. A reasonable word is to tell them to be gentle in their living, for gentleness in spending is half of living, and so on.

And he, may God sanctify his soul, said: We have narrated on the authority of Ja`far bin Muhammad, on the authority of his father, on the authority of his forefathers, that the Messenger of God, peace be upon him, gave a sermon during the Farewell Pilgrimage, and he mentioned women and said: They have a right to their sustenance and clothing from you in a reasonable manner.

His saying “in a reasonable manner” means in a manner that is appropriate for you and them, according to your capacity and their capacity. This means that the expenses that are due to them from you are not fixed or temporary, but rather according to your capacity and their capacity.

And he, may God sanctify his soul, said: On his authority, he forbade a man from being satiated while his family went hungry, and he said: It is enough for a man to be ruined if he neglects those he supports, and it is enough for a man to be sinful if he neglects those he supports.

I have explained this hadith in what has preceded in mentioning the desires in marriage in this book, so look for it there and you will know it.

And he said, and on his authority, that he said, "There are seven things that precede good deeds, so you should do them." He mentioned them and said among them, "Spending on the family."

His statement "precedents of deeds" means deeds that lead to Paradise, and that they precede all other deeds in their merit and honor. Then he mentioned that one of them is spending on one's family.

All these narrations are encouragements to spend on one's family and children, for this is something for which a person is rewarded, as he

said, "Whatever a person spends on his family is charity." He only mentioned these encouragements here because some people are stingy with their families, and some of them are stingy with themselves. Therefore, he encouraged spending on one's family, even if it is obligatory for a person and there is no escape from it, as will be mentioned at the end of this chapter, so be aware of it.

And he, may God sanctify his soul, said: On the authority of Abu Ja`far Muhammad bin Ali, he said: Whoever is certain of the replacement will be generous in spending.

The replacement and compensation means that whoever is certain that God Almighty will replace what a person spends in obedience to Him, and compensate him for it and double it for him, will be generous in spending in His cause, and in what pleases Him and brings him closer to Him. Whoever is certain of the replacement will be generous in spending, and whoever is not certain of that will be stingy, and whoever is generous in spending knows that he is certain of the replacement, and whoever is stingy knows that he is not certain.

And he said, and on the authority of Ja`far bin Muhammad, peace be upon him, that he said regarding God's saying, "And do not squander wastefully," he said, "There is no squandering in obedience to God."

Extravagance is wastefulness and going beyond moderation in spending. This narration came about with the command to manage one's living because when he desired to spend, he feared extravagance. So he corrected with this narration that the spending he desired was that which was based on management and that which was in obedience to God and in what He commanded. And when he commanded management, he feared stinginess in obedience to God, so he corrected that by saying that there is no extravagance in obedience to God. That is, what a person spends in good ways and in what he commanded is not considered extravagance, even if it is much and exceeds the limit. Rather, extravagance is that which is in disobedience, even if it is little, for disobedience is also extravagance.

And he, may God sanctify his soul, said: On the authority of the Messenger of God, peace and blessings be upon him, that he said: Gentleness is half of life, and no man is poor if he is moderate.

The word "rafq" (with a kasra) means to walk slowly and deliberately. From this comes "rafq fi al-kalam" (to speak slowly and deliberately), meaning to speak slowly and deliberately, and to live a life of ease, meaning to spend one's money carefully and prudently, without rushing to spend it or being hasty in its depletion. "Aal" means to become poor and needy, and "iqtasad" means to be moderate in one's affairs and not to be extravagant.

This means that life is divided into two halves: one half is having a lot of money, and the other half is spending it wisely. That is, if he sees that life is not pleasant for him except by spending, then he should spend. But if he sees that he has enough to live on and he will not spend anything after that, then it is extravagance on his part that he did not spend. This is the wise management that he meant.

The meaning of his saying, "Gentleness is half of life," is like a man who has fifteen dinars and spends half a dinar of them every day, so he lives

with them for a whole month. But if he spends one dinar of them, they run out in fifteen days, then he becomes poor and needy and his condition worsens. So it is true that gentleness is half of life, because a good life for a whole month is only made better with dinars and gentleness together, and if they are separated, life will never be good.

And he, may God sanctify his soul, said: On his authority, he said: If God wants good for a household, He gives them understanding of religion and provides them with gentleness in their livelihoods and moderation in their affairs.

His saying “with the people of a house” means with the people of a house from among the people’s houses, and the people of a house from among their houses, and with a group of them, and with men from among them. And He made them understand, meaning He made them know the features of religion and provided them with management in their lives and provided them with moderation in their situation, meaning that they do not exceed their capacity nor sit below their level, but rather they do what is

appropriate for them and do not exceed that. If that is the case, then that is one of the signs of their happiness and the best of their days.

And he, may God sanctify his soul, said: On his authority, he said: Whoever is moderate in his livelihood, God will provide for him, and whoever is wasteful, God will deprive him.

This means that whoever manages his affairs well, his sustenance will increase because of his management and because God Almighty is pleased with him and blesses his sustenance. And whoever is extravagant will remain deprived and bankrupt because his money will run out and because God is angry with him and withholds his sustenance. All these narrations are to correct extravagance and to prevent it, so be aware of it.

And he, may God sanctify his soul, said: On his authority, he said: Whoever buys something he does not need, sells what he does need.

Know, my brother, may God reward my efforts in you and confirm my hope in you, that I have always witnessed what came in this

narration and it was the eye of certainty, and perhaps I suffered because I never bought what was not needed except that I had to sell what was needed, and this statement of mine is enough for you without elaborating on such a thing, so understand it.

And he, may God sanctify his soul, said: On his authority, he said: The ultimate perfection is spending in religion, being patient in adversity, and managing one's livelihood.

His saying, "all perfection," means complete perfection that has no deficiency. The calamity is the great misfortune and tremendous matters that befall a person and occur to him. The planning and spending are according to the amount that should be spent. This narration is a narration of great importance and great danger, and its explanation requires many stories and several narrations. I have seen it come true in our time, and in our days, in the most noble caller, Abd Ali Saif Al-Din, may God prolong his life. I have mentioned here many narrations of his virtues that are appropriate to this place. What prompts me to write them here is a sound opinion, intense love, keen insight, and due

gratitude. But I see that I do not reach a tenth of them, even if I lengthen this book until it exceeds the limit of length. And yet, I will not quench my thirst or satisfy my longing with such a thing. But I saw the best opinion to dedicate a book to that, in which I will deposit what is available to me of that, and God is capable of all things.

His words, may God sanctify his soul: On the authority of the Messenger of God, peace and blessings be upon him, that he said: The greatest calamity is having many dependents and little money, and having few dependents is one of the two forms of ease.

The word “effort” with a fatha means intensity, and “left” with a fatha means ease. I have mentioned the explanation of this hadith in the explanation of his saying, “The maternal uncle is one of the two who lie down together,” in the mention of proposing to women in this book, so look for it from there and you will know it.

This narration is an explanation from him of what God afflicts a person with, such as what he mentioned in it. It is also an information from him that if he is afflicted with something like this, he must be patient with it and accept God’s

judgment, and not harm his family, but rather spend on his family from where he finds what is permissible for him to do.

And he, may God sanctify his soul, said: On the authority of Ali, peace be upon him, that he said: If a man does not find anything to spend on his wife, then they are equal. If he brings her something, they are not separated. But if he does not find anything, he postpones and separates them.

His statement "he did not find" means "he did not have it."

His saying "is settled" means that he is given time and waits to see if he will bring something or not, for a period of time that the woman can bear and during which she will not perish, until he brings her something and he does not hasten to separate them.

His statement "with something" means with a small amount of money, such as what sustains her.

His statement, "If he does not find," means if he does not bring her anything, then he sets a deadline for him. If that deadline is completed and he does not bring anything, then the judge

separates them. That is, he leaves them first and waits for him. If he does not come within that deadline, then he sets a deadline for him between that and the separation. If that deadline is completed, then he separates them if he does not bring anything until its completion. This ruling is consistent and widely used among judges and is adopted in their dealings.

And he, may God sanctify his soul, said: On his authority, a woman complained against her husband that he was not spending on her, which was harmful to her, so he imprisoned him for her expenses.

He sought compensation for the transgression against him, and he sought his litigation before the judge and complained to him about it and brought it to him so that he would rule in his favor against him. The meaning is that the first narration is about the one who does not find, and as for this narration, it is about the one who finds but does not spend to harm her, so the former is given time and postponement and they are separated, and this one is not given time or postponement and they are not separated, but he is imprisoned until he spends, and the ruling in

these two narrations is that in the first there is no ruling in it unless it is proven that he does not find what he spends, so he is given time and postponement and they are separated, and in the other it is that if it is proven that he finds but does not spend to harm her he is imprisoned for her maintenance until he spends or is divorced, and if he spends he is left between them, and she is his wife in her state, and if she asks for a guarantor for her maintenance he must bring her a guarantor who guarantees her maintenance, and if he does not find a guarantor he is imprisoned until he brings her a guarantor or is divorced.

And he, may God sanctify his soul, said: On his authority, he said: Any woman who leaves her husband's house without his permission has no maintenance until she returns.

This means that if she leaves him in a state of disobedience, she is not entitled to maintenance. Likewise, if she leaves after he has traveled away from her without her permission, even if he had ordered her when he traveled to stay in her house and not leave it, she is not entitled to maintenance from his money if she leaves at that time, nor is she entitled to

maintenance from him for what has passed if he returns.

It is known from here that if a woman disobeys her husband and leaves him to go to her family or wherever she wants, she is not entitled to maintenance during the days of her departure until she returns. If she returns to him, he must provide for her, and he has no right to demand from her what has passed.

And he, may God sanctify his soul, said: On his authority, he ruled that a man owed his wife, who was breastfeeding his child, a quarter of a measure of food and a jar of water. There is no time limit in this, and God, may His name be glorified, has differentiated between people in this according to their circumstances. He said: The wealthy should give according to his means, and the poor according to his means. And what Ali, may God bless him and grant him peace, imposed on him may have been his means.

The shuttle is a measure of the Arabs known to them, and its weight may be defined in language books such as the dictionary and others in the chapter on "mak yamk", so know it from

there. This narration was explained by the most noble preacher, Nu'man bin Muhammad, may God exalt his sanctity, by saying: There is no timing in this, etc. This expense is in the breastfeeding expense after the spousal expense, and it is not the spousal expense, but rather it is the expense given to the wet nurse, whether she is the mother of the child or someone else. It is this, but it was according to his father's capacity, as he explained it by saying: That was according to his capacity. The explanation of this narration came in the narration that follows it, which is this.

And his saying, may God sanctify his soul: On his authority, peace be upon him, he said regarding God's saying, peace be upon him, "No mother should be harmed through her child, nor any father through his child," and the heir is likewise obligated to do the same. Ali, peace be upon him, said: The heir of the child who inherits from him if his father dies is obligated to do what his father was obligated to do regarding his maintenance and breastfeeding. Harm to the child from the mother is that she does not breastfeed him when she is able to breastfeed him, thus harming his father in that regard. And the father is also obligated not to harm the

mother if she wants to breastfeed her child, so he should breastfeed him from someone else. And the heir is likewise obligated to do the same regarding refraining from harming the child, like what is obligated to the parents in that regard and other maintenance.

Harm is an interaction between two agents, and the one to whom the child is born is the father, meaning that a mother does not harm her father with her child, nor does her father harm his mother with his child, as will be explained later. The heir must do the same, meaning the same as what is required of the parents. His statement regarding the heir of the boy means the one who takes charge of his affairs after his father, such as his guardian, or the mother of the child, or his grandfather.

His statement "harmful" means that it will harm the child's father when he needs a wet nurse.

His statement, "so he should seek breastfeeding from someone other than himself," means that the heir is obligated to do the same as the parents in this regard, meaning to refrain from causing harm in this matter. This ruling may apply to a woman who is disobedient, a divorced woman, a woman whose husband has died, a

woman whose husband is missing, a woman whose husband is absent, and many others like those mentioned here.

And he, may God sanctify his soul, said: On his authority, he said regarding the one who divorces a woman while she is breastfeeding that she has the right to breastfeed her child if she wishes to do so, and she takes what is given to the wet nurse.

His statement that she is a woman who said, means that she is more entitled to breastfeed his child than him, and the child should not be taken from her if she wishes to breastfeed him, and she should be given what another wet nurse is given in terms of expenses, and nothing should be taken from her, but rather she should be given that expenses. He said, "And if she asks for more than what the wet nurse is given in terms of expenses, then that is up to the father. If he wishes, he may have her breastfeed for him for what she asked for, and if he wishes, he may have another woman breastfeed for less than what she asked for."

And he said, may God sanctify his soul: On the authority of Ja`far bin Muhammad, peace be upon him, that he was asked about a man who died and left behind a woman and a child from him, so she put him on her servant, who breastfed him, then she came to ask the guardian to breastfeed the boy. He said to her, "Give her a wage like hers, and the guardian has no right to take him out of her lap."

His statement, "So I entrusted it to her," means that she delegated it to her, and the servant is the female slave.

His statement, "breastfeeding the boy," means requesting the expenses of breastfeeding the boy.

The guardian is the one to whom the father of the child has delegated his affairs.

His statement, "The equivalent of it is paid from the child's money if he has money from inheritance or other sources,"

His statement, "and it is not for the guardian," means that it is not obligatory for him if she wishes to breastfeed herself or through her servant.

The word "al-hajar" (with a damma on the ha' and with the letter "ha" at the beginning) means protection and sanctity.

It is stated in the book "Mukhtasar al-Athar": Spending on spouses and on relatives whom one is obligated to support is according to one's means and ability. God Almighty said, "Let the wealthy man spend according to his means," and "He whose provision is restricted should spend from what God has given him." The judge imposes on those obligated to support a standard of living, without extravagance or stinginess. God Almighty said, "And those who, when they spend, are neither extravagant nor stingy, but hold a moderate course between these extremes." This is well-known and not unknown in every time and place, and it depends on means, ability, availability, prices, and wealth. Anyone who is poor and unable to manage their affairs or work is to be supported by their heirs, according to their share of the inheritance, except for a wife, whose support is the responsibility of her husband, and he has no obligation to support her. If the one obligated to support is poor, then he is not obligated to provide for them. The situation of someone who cannot provide for themselves is like that of someone who has no guardian to support them and who is provided for by God Almighty. They are not obligated to provide for those who would inherit from them if they died, because they have no wealth. It is only

obligatory upon him, and God has excused him for it, as He says: "God does not burden a soul beyond its capacity, nor does He burden a soul except with what He has given it." If he becomes wealthy after that, he should spend on him in the future, and he has no right to demand from him what has passed. End of his statement.

Know, my brother, may God reward my efforts on your behalf, and may my hope in you be true, that this chapter, I mean the chapter on expenses for spouses, is the entirety of the chapters of the Book of Marriage from the book Pillars of Islam, and I have completed its explanation and the explanation of all the chapters of the Book of Marriage in their entirety, so be aware of them.

Al-Sayfi Ibrahim, son of the virtuous Sheikh Jiwa Baha'i, son of the most venerable Sheikh Luqmanji, son of the most venerable Sheikh Daoud Baha'i, son of Mahmoud, said: God, may He be glorified and exalted, has perfected His favor and completed His mercy and bestowed what is due to Him, for He guided me, and we would not have been guided had God not guided us, and He brought me to what I intended, and we would not have reached it had God not facilitated it for us. So, O God, praise and thanks be to You, and O God, pardon us from You and forgive us,

for You created and perfected, and guided and completed. So, send blessings upon Your servant and Messenger, Muhammad, Your beloved and chosen one, and upon his brother and successor, the Commander of the Faithful, Ali ibn Abi Talib, His beloved and chosen one, and upon the Lady of Women, and his daughter Fatima al-Zahra, and upon his two grandsons, Imam al-Hasan and Imam al-Husayn, the two fragrant flowers of his heart and the delight of his eyes, and upon the Imams from his family who attained his honor and perfection, and send peace upon him and upon them all.

The compilation of this book was completed on the fourteenth day of Shawwal of the year 1232, two hundred and thirty-two, of the Hijra of the Prophet, peace and blessings be upon him and his family, in the era of the most noble Da'i, Abd Ali Saif al-Din, son of the most noble Da'i, Abd al-Tayyib Zaki al-Din, may God prolong his life and elevate his status, in the town of Udaipur in the land of India. Its compilation was begun in the town of Suratbandar, as I mentioned at the beginning, so be aware of that. Praise be to God, praise for His blessings and thanks to Him for His generosity. Prayers be upon His Messenger, Muhammad al-Mustafa, and upon the pure Imams from his family, the people of loyalty and

purity. Peace be upon him and upon them all. God is sufficient for us, and He is the best of guardians. There is no power nor strength except with God, the Great.

The copying of the book "Success in Knowing the Rulings of Marriage" was completed with the help of God and the supplication of His trustworthy caller on the calculator on the twelfth day of Dhu al-Hijjah al-Haram in the year 1420 AH by the hand of the servant of our master, our lord, and our owner, Abu al-Qaid Jawhar Muhammad Burhan al-Din, may God prolong his noble life until the Day of Judgment, Muhammad ibn al-Sheikh Tayyib Ali ibn Rasulji Dhanira, and may God forgive him, his parents, and all the believing men and women, by the right of our master Muhammad and his noble family, upon whom be greetings and salutations as long as the earth and the heavens endure.