

Questions Concerning Purification

Issued by the eminent Dā'ī, our master Ṭāhir Sayf al-Dīn (may Allah have mercy upon him)
From the noble epistle *Surrur Rushd Marfū'ah* — 1365 AH

(1)

If a person loses consciousness, and the period of unconsciousness is short enough that he does not lose awareness of what happens to him, and he finds no evidence of seminal discharge (janābah), then ghusl is not required of him.

However, if the period of unconsciousness is prolonged to the point that he does not know what happened to him, and it is possible that he may have entered a state of janābah without knowing it, then ghusl is required of him.

(2)

Whoever forgets to perform **istinjā'** after urinating or defecating, performs wuḍū', and then prays must repeat that prayer.

Although istinjā' is not one of the obligatory acts of wuḍū', removing impurity (*najāsah*) is obligatory. Therefore, whoever prays while there is impurity upon him must repeat that prayer.

Four Questions Concerning Purification

(3)

If the ground is wet but pure, there is no problem with praying upon it. Likewise, there is no problem with praying while wearing a pure, wet garment.

(4)

If someone prays while wearing a garment containing impurity, but he did not know about the impurity beforehand, his prayer remains valid.

However, if he knew that the garment was impure and then forgot and prayed in it, he must repeat that prayer, whether he knew of the impurity before the prayer or did not know of it [at the relevant time].

(5)

If a garment is wide and long, and part of it is impure, one should not pray on it or in it.

If that impure portion is washed and purified, the entire garment becomes pure, and one may pray on it and in it.

Likewise, if the impure portion is cut away from the garment, the entire remaining garment becomes pure, and one may pray on it and in it.

(6)

Question: Is it permissible to drink impure water obtained from a non-Muslim who put his hand into it, after the water has been heated over a fire, as is mentioned in the ruling concerning liquids such as milk, clarified butter, and honey? What is the ruling regarding it?

Answer: It is not permissible except in a situation of necessity.

(7)

Question: What do you say, O you who have inspired us to love wisdom, concerning what is stated in the *Kitāb al-Ṭahārāt* that rinsing the mouth (*maḍmaḍah*), rinsing the nose (*istinshāq*), and istinjā' are Sunnah acts that should not deliberately be abandoned; and that whoever forgets them or is unaware of them does not invalidate his wuḍū' and does not have to repeat a prayer performed with that wuḍū'? What is meant here by istinjā'?

Answer:

Istinjā', rinsing the mouth, and rinsing the nose are Sunnah acts which should not deliberately be abandoned. Whoever leaves them does not invalidate his prayer.

However, *istinjā'* is required for the removal of impurity, because removing impurity is obligatory.

(I say: Whoever prays without performing istinjā' to remove the impurity must repeat the prayer.)

(8)

Question: What do you say, O you in whose gardens of knowledge our souls have flourished, concerning what has been stated in the interpretation of *Da'ā'im*: that the hair of goats is not to be cut in the same manner as the wool of sheep, and that it may be benefited from while they are alive; that it is permissible to wear it and to pray in it and upon it; and that their meat, skins, and bones are likewise permissible and become pure when they are slaughtered? Our master, may one pray upon their hair and skins if they are taken from them after they have been slaughtered?

Answer:

If their hair and skins are taken after they have been slaughtered, it is permissible to pray upon them.

The goat is a type of sheep. It has a visible rear, a tail raised upward, and two horns. It is very common in India.

(9)

If a sick person is able to perform *wuḍū'* but is unable to perform *ghusl*, while *ghusl* is obligatory upon him, he performs **tayammum** for the first prayer and prays.

When he wishes to perform the next prayer, he performs *wuḍū'* and prays. He continues praying with *wuḍū'* in this manner until he becomes able to perform *ghusl*. He then performs *ghusl* and prays.

(10)

Question: If a man has bandaged one of his limbs with medicines prepared by non-Muslims, and then removes the bandage but is unable to wash that limb, should he perform *tayammum* for the prayer or perform *wuḍū'*?

Answer:

He performs *wuḍū'* for the prayer and prays.

If he is able to wipe that limb with a wet cloth or with a wet hand, once or twice, then he should do so.

(11)

If a traveler is required to perform *ghusl* and the time for the *Ẓuhr* prayer arrives, but he has only enough water to perform *wuḍū'*, he performs one *tayammum* for both *ghusl* and *wuḍū'* and prays *Ẓuhr*.

When the time for the 'Aṣr prayer arrives, he performs *wuḍū'* with the water that he has and does not perform *tayammum*, and then prays 'Aṣr.

(12)

Question: It is stated in the books, when discussing *ghusl*, that the person performing *ghusl* should make water flow over his entire body and pass his hands over the parts reached by the water, leaving no place without putting water upon it and following it with his hand.

Is it necessary for him to pass both of his hands over the entire body? And is the *ghusl* complete if there remains a part of his body over which he did not pass his hand?

Answer:

The person performing *ghusl* must make water reach his entire body, so that no part remains without water reaching it.

He must also insert his finger into his navel so that water reaches it.

As for passing the hands over the body, it is not necessary for him to pass both hands over the entire body. Rather, each hand should be passed over whatever part it can reach. If a portion of his body remains over which neither of his hands was passed, there is no problem with that.

(13)

Whoever performs wuḍū' with water from a vessel, believing that the water is pure, and prays for one day or several days, then later discovers that the water was impure, must repeat those prayers that he performed.

Whoever prays wearing a garment that he knows to be pure, and only after praying discovers that the garment had actually become impure, his prayer is valid and he does not have to repeat it.

(14)

Whoever travels with water in two vessels, each containing enough water for one wuḍū', with one vessel containing pure water and the other containing impure water, but he does not know which is pure and which is impure, and he has no other water, should not perform wuḍū' with either of them.

Instead, he performs tayammum and prays.

(15)

If someone has two garments, one pure and the other impure, but he does not know which is pure and which is impure, he should wear one of them and pray.

Then he should wear the other garment and repeat that same prayer a second time.

A Question Concerning Tayammum

Explained by our master al-Muqaddas (may Allah have mercy upon him) in his epistle *Ni'mat al-Ṣibghah al-Ilāhiyyah*

(16)

The servant of the family of Muhammad ﷺ explained this question where explanation was necessary. He said:

Know that tayammum is permitted in eleven circumstances:

1. **For a traveler who cannot find water.**
2. **For a sick person** who has wounds or an illness, among illnesses and diseases, for which he fears harm to himself if water is used. Such a person performs tayammum and prays with it. This also applies to someone who fears that using water will cause him to become ill.
3. **For someone who has only a small amount of water**, and fears that if he performs wuḍū' or ghusl with it, he will become thirsty. He should perform tayammum and preserve the water for himself rather than contribute to his own destruction.
4. **For someone who can only find water in a place where he fears for his life** if he goes to obtain it, because of thieves, wild animals, or anything else that could cause death or destruction. He performs tayammum and prays.
(That is, when he is traveling.)
5. **For someone who finds water in a place that he cannot reach before the prayer time expires.** He performs tayammum and prays.
(When traveling.)
6. **For someone who can only obtain water at an excessively high price.** He should not purchase it for a price that exceeds its normal value by an unreasonable amount; instead, he performs tayammum and prays.

(That is, when the price is excessively high—for example, if the owner asks two hundred, five hundred rupees, or more for a small amount of water.)

7. **If a traveler passes by a well but has nothing with which to draw water from it**, and cannot find anything with which to draw it, nor is he able to reach the water, he performs tayammum and prays.
8. **If a person is caught in a crowd**, such as on Friday, the Day of ‘Arafah, or Eid, and he becomes ritually impure but cannot get through the crowd to reach water, and the prayer time arrives, he performs tayammum and prays with the people. When he leaves, he repeats the prayer.

A concession is likewise given to someone who attends a funeral while not in a state of purification and cannot find water: he may perform tayammum and perform the funeral prayer. There is **no repetition** of the funeral prayer.

9. **If a non-Muslim accepts Islam and cannot find water**, he performs tayammum and prays.
10. **It is recommended for a man who sleeps in the Mosque of the Prophet ﷺ, becomes in a state of janābah, and then wakes up** to perform tayammum. He should not pass through the mosque except while having performed tayammum, until he exits. The same applies to the Sacred Mosque.
11. **If impurity falls into one of two vessels and it is not known which vessel it is**, he should not approach or use either of them. Instead, he performs tayammum and prays.

(That is, when traveling.)

Questions Concerning Purification

(17)

Question: What is the ruling regarding a woman who menstruates, then becomes pure for seven or eight days, and then menstruates again, with the blood being like menstrual blood—dark, foul-smelling, and thick?

Answer:

When she sees the blood, she is considered menstruating; when she becomes free of the blood, she is considered pure.

It has been stated in the books of jurisprudence that the **minimum period of purity is ten days**. There may, in exceptional cases, be a period shorter than this, just as the maximum period of menstruation is ten days, although in exceptional cases it may be longer.

(18)

Question: Medicines are sometimes put into the water here in the municipal water system, causing something to change the color and taste of the water. What is the ruling concerning its purity?

Answer:

One should stop using that water if the altered color becomes predominant in the water, until the change disappears and the water returns to its original color.

(From Mafātīḥ Yāqūtāt al-Ḥamrā’.)

(19)

Question: It is stated in the noble Sharī‘ah that ghusl is required for someone who loses consciousness. Does this apply to sleeping pills that are given to induce sleep, or to an injection that causes a patient to lose consciousness? Is ghusl required in these cases or not?

Answer:

Ghusl is required if the person remains unconscious for a long period.

If the period is not long, then he must perform wuḍū'. Ghusl is not required of him; rather, wuḍū' is required.

(From *Ash'ī'at al-Fayḍ al-Azalī*.)

(20)

Question: What does our master say—may Allah perpetuate his support—about a man who comes to the mosque outside the time of prayer and sits there reciting tasbīḥ or the Qur'an for several hours? When the prayer time arrives, he is already in a state of wuḍū'. Should he perform the two rak'ahs of **taḥiyyat al-masjid** (the greeting of the mosque), or should he begin the Sunnah prayer of that time without performing taḥiyyat al-masjid?

Answer:

He should not perform taḥiyyat al-masjid.

However, if someone arrives shortly before the prayer time, he should perform taḥiyyat al-masjid when the prayer time begins.

(21)

If a man leaves his home as a traveler and reaches the distance at which prayers are shortened, while the sun has already passed its zenith and the time for Ṣalāt has begun, but he has not prayed Ṣalāt, and he intends to pray it during his journey but is unable to do so and its time passes, then he must make up the missed Ṣalāt prayer **as a shortened prayer**.

(22)

If a man arrives at a place where prayers are performed in full, and the time for Ṣalāt, 'Aṣr, or 'Ishā' arrives, but he does not pray during the prescribed time, he must make up the missed prayer as **four rak'ahs**.

(23)

If a man performs the Ṣalāt prayer in full and then travels while the time for Ṣalāt is still current, and he becomes required to repeat that prayer because of forgetfulness or for some other reason, he must repeat it as a **shortened prayer**, whether he is repeating it during its time or making it up afterward.

(From *Kawthar Khuld*.)

(24)

Question: If a man travels from his place to another place twenty miles away, where one of his relatives lives, and he stays there for a day or two before returning to his original place, he performs his prayers in full at that destination. He also performs his prayers in full while traveling there and back whenever their times arrive.

Our master—may Allah prolong his life and allow us to benefit from it, and may He never deprive us of the rays of his blessings—is this ruling established and acted upon?

If the answer is yes, what is the status of his prayer while traveling there if he does not find his relative at that destination, since it is possible that the relative may have traveled from there?

Answer:

The ruling is established and is acted upon **if he is certain that his relative is present at the place to which he is traveling**.

If he does not meet his relative at that place, he repeats the prayers that he performed in full while traveling, performing them as shortened prayers.

If he is not certain that his relative is present at that place, he performs the prayer as a shortened prayer.

(25)

Question: It has been stated in a question and answer that if someone forgets the prostration of forgetfulness and remembers before saying the salām, he performs the prostration; but if he has already left the prayer, there is nothing required of him.

Does this apply to every instance of forgetfulness in prayer—that whenever the person remembers before saying the salām, he performs the prostration, and otherwise he does not?

Answer:

This ruling specifically concerns the prostration, as has been explained and explicitly stated.

(26)

Regarding the question of whether the above applies to everything that a person forgets in prayer:

For everything that a person forgets in prayer, the ruling is determined according to the particular ruling explained in *Da‘ā’im al-Islām* and the other books of jurisprudence.

The person who forgets should act according to the specific textual ruling concerning whatever he has forgotten in prayer. Know this.

(27)

Question: What is the ruling concerning a roof beneath which there is a grave or a lavatory? Is it permissible to pray above it?

Answer:

Regarding praying above a roof beneath which there is a grave, there is no explicit text stating whether it is permissible or not, so there is no harm in doing so. Allah knows best.

As for praying above a roof beneath which there is a lavatory: if the place is pure, there is no harm in praying above it. Know this.

(28)

Question: A man travels and, on his way, stops at a place that he owns, so he performs his prayer in full. He is accompanied by one of his close relatives (meaning a blood relative). Does this person also perform his prayer in full because the first man does so, and is he considered like the person who stops at the residence of one of his relatives and therefore performs the prayer in full?

Answer:

Both perform the prayer in full: one because of his family, and the other because of his own property.

However, the person who performs the prayer in full because of his family does not do so until he has prayed **five prayers** there, as stipulated in the Shari‘ah.

(29)

Question: A man travels with his nephew and stops at a place on the road where one of his relatives resides. He performs his prayers in full because of that relative. What is the ruling for his nephew who is traveling with him? Does the nephew also perform the prayer in full?

Answer:

His ruling is the same as his uncle's. He performs the prayer in full because of his uncle, just as his uncle does because of his relative.

(30)

Question: What about a traveler who encounters a relative on the road, but that relative has not reached adulthood? Does he perform his prayer in full because of him even though the relative is not an adult?

Answer:

He may perform the prayer in full because of him, whether the relative is an adult or not.

(31)

Question: What is the ruling for someone praying with the people who, out of forgetfulness, recites during a prayer in which the recitation should be quiet—or should be audible—the sūrah **al-Nās** in the first rak‘ah? What should he do, and what should he recite in the second rak‘ah?

Answer:

If he does not remember his mistake until after reciting Sūrat al-Nās but before reaching half of the sūrah, he should stop the sūrah and begin another one.

If he has already reached or passed half of it, he should complete the sūrah. There is no problem if he repeats it in the second rak‘ah, or recites another sūrah that is above it in the sequence.

(32)

Question: If, while leading the people in prayer, you need to appoint another person from among the people present to take your place and complete the remainder of the prayer, and there is another person in one of the rows who is higher than that person in the order of precedence, what is his ruling? May he follow that person in prayer or not?

Answer:

If he knows that the person whom you appointed is below him [in rank/order], he should not follow him. Rather, he should complete whatever remains of his own prayer himself.

Know this and act accordingly.

(33)

Question: A man has a house in a certain place, whether vacant or inhabited, and passes through it while traveling. Does he perform his prayer in full there?

Answer:

He performs his prayer in full if he stops there and prays in it.

(34)

Question: A traveler prayed the ‘Aṣr prayer as two rak‘ahs, but through forgetfulness he had verbally formulated his intention as four rak‘ahs. Is his prayer valid, or must he repeat it?

Answer:

He does not have to repeat it. His prayer has been completed.

(35)

Question: What is the ruling concerning someone who prayed in a place after sweeping it and being certain that there were no grains or pieces of food there, but then one or several grains emerged from beneath his place of prostration? Does he have to repeat the prayer?

Answer:

Some jurists do not consider repetition necessary, arguing that food is not impure and that the prohibition against praying upon food exists out of respect for it, so that the person praying does not deliberately step upon it.

As for someone who prayed after inspecting the area, there is no harm upon him.

Our master therefore ruled that he does **not** have to repeat the prayer, because food is prohibited as a place of prayer out of respect and reverence for it, since it is provision from Allah.

Whoever prays upon it without knowing that it is there has completed his prayer and does not have to repeat it.

He should nevertheless not deliberately do this. He should first look beneath his place of prostration; if there is any food there, he should remove it and then pray.

(36)

If a man leaves his home, or a place in which he performs the prayer in full because he is resident there, intending to travel, and reaches one mile or something similar—which is still below the travel-distance threshold—then cancels his journey or postpones it for a day, two days, or longer, and returns to the place where he was resident, he performs the prayer **in full** there.

This applies whether he performed the prayer in full there because it was his home, because of a relative, or because he intended to remain there for ten days.

(1363, *Mashrabah Tasnīm Nūr*.)

(37)

Question: What is the ruling concerning what is stated in *Da‘ā’im*: that when the Messenger of Allah ﷺ prayed the Fajr prayer after its time had passed, he began with the Sunnah before the obligatory prayer?

Our master, what should someone do if he has missed both the Sunnah of Fajr and the obligatory *Ẓuhr* prayer?

Answer:

He gives precedence to the Sunnah of Fajr when making it up, before the other missed prayers.

(38)

Question: What should a person do if he has prayed two or four rak‘ahs of the Sunnah and then prayed the obligatory prayer with the imam? How should he perform the remainder of the Sunnah—on time (*adā’*) or as a make-up (*qaḍā’*)?

Answer:

Whatever remains of the Sunnah should be made up as *qaḍā’* if its prescribed time has passed.

The Sunnah that comes before the obligatory prayer is treated this way, **except for Maghrib**.

(39)

Question: What does our master say about someone who performed the obligatory prayer with the imam but missed the Sunnah? Should he perform the Sunnah before the voluntary prayer, as *adā’* or *qaḍā’*?

Answer:

There is no harm in performing the voluntary prayer as *adā’* as long as its time has not passed.

However, it is preferable to perform the voluntary prayer as *adā’* first and then perform the missed Sunnah as *qaḍā’*.

(40)

Question: What should a man do if he arrives while the imam is leading the people in the ‘Aṣr prayer, although it is still the time of *Ẓuhr*, and the person arriving knows that the imam is praying ‘Aṣr? Should he intend *Ẓuhr* while following the imam, or should he pray *Ẓuhr* and ‘Aṣr without an imam?

Answer:

If the person enters while the imam is performing ‘Aṣr and there is still time for *Ẓuhr*, he may intend *Ẓuhr* while following the imam.

If the time of *Ẓuhr* passes, he may pray ‘Aṣr with the imam if he wishes and then make up *Ẓuhr*.

There is virtue in performing prayer behind an imam, and it is encouraged.

(41)

If someone prays **shaf'**—two rak'ahs—and becomes occupied with something until Fajr begins, he repeats the shaf' as qaḍā'.

If he prayed three rak'ahs and the sitting portion remained until Fajr began, he does not repeat the three rak'ahs. Instead, he makes up the sitting portion with the intention of qaḍā'.

(42)

Question: If someone recites a supplication containing a verse of prostration, is he required to prostrate?

Answer:

If the verse is one of the **'azā'im** (the verses requiring prostration), then he must prostrate.

(*Salsabīl Ḥukm Ghadaq*, 1364.)

(43)

Question: O one whom Allah has called to Himself and who guides people to the best path, whose knowledge is like water that heals the souls and is sweeter than pure water: What do you say concerning a person who enters the obligatory Fajr or Ṣuḥr prayer with the imam but has not performed the two rak'ahs of the Fajr Sunnah or the Sunnah of Ṣuḥr before the obligatory prayer?

When he makes them up after leaving the congregational prayer, should he give the adhān for them?

Answer:

No, he should not give the adhān.

(44)

Question: If someone performs the obligatory prayer but does not perform the Sunnah because of lack of time or for another reason, should he give the adhān for the Sunnah when he makes it up after completing the obligatory prayer?

Answer:

No, he should not give the adhān.

(45)

Question: If the building in which a person owns property is within his dominion, but the land upon which the building stands is not within his dominion, is he permitted to perform the prayer there in full while traveling?

Answer:

No. He does not perform the prayer in full in a place whose land is not within his dominion.

(46)

Question: Concerning what is stated in *al-Ḥawāshī* regarding forgetfulness:

What is the ruling for a person who joins the imam after the imam has already completed part of the prayer? Does the latecomer have to perform the two prostrations of forgetfulness if the imam performed them before the latecomer joined?

Answer:

Everyone who joins the prayer with the imam performs the two prostrations of forgetfulness performed by his imam, even if the only part of the prayer he caught before the salām was the opening takbīr.

Should the latecomer remain seated until the imam performs the two prostrations of forgetfulness and says the salām? Or should the latecomer make up his missed portion and then the imam and the other worshippers who were not late perform the two prostrations?

Answer:

The latecomer remains seated until the imam says the salām, performs the two prostrations of forgetfulness, and says the salām.

Then the latecomer stands, makes up what he missed, and performs the two prostrations of forgetfulness.

(*Surrur Rushd Marfū‘ah.*)

(47)

Question: What do you say about a man praying behind an imam when the imam becomes forgetful, and the man alerts him by clearing his throat or something similar rather than saying *subhān Allāh*? Is there anything required of the man?

Answer:

Clearing the throat invalidates the prayer if it is done deliberately and without an excuse. He should instead alert the imam through *tasbīḥ* or by making a gesture.

(48)

Question: What is the ruling when a man dies in a place where there are no adult men, but there is an adult woman? May she lead the women in the funeral prayer, or should the men pray individually and then bury him?

Answer:

The prayer being performed by the men is more in accordance with the school of the People of the House عليه السلام.

(49)

Question: What is the ruling concerning a prayer mat, carpet, or other garment upon which there are designs, whether facing the qiblah or elsewhere, provided that the designs do not distract the person praying when he looks at them? Is it permissible to pray upon such a thing, whether the design is where he prostrates or elsewhere?

Answer:

If it is something that distracts the person praying by causing him to look at it, his prayer is not permitted.

If it does not distract him, his prayer is permitted—**except for images**, which he should not pray facing.

(50)

Question: What is the ruling concerning a man praying alone while his wife or a female relative is beside him, praying alone on his right? And what about a man praying while his wife or female relative is directly in front of him and she is praying ahead of him?

Answer:

It is not permissible for the woman to stand ahead of the man and pray while he prays behind her.

(51)

Question: A man wants to pray in congregation and has begun performing voluntary prayers. May he interrupt those voluntary prayers if he fears that he will miss the Sunnah prayer in its prescribed time?

Answer:

If he fears missing the **obligatory prayer**, he interrupts the voluntary prayer. Otherwise, he does not interrupt it.

(*Ṣuwar Ḥawḍ Mawrūd*, 1366.)

(52)

Question: If someone prays in congregation or alone and, out of forgetfulness, performs three rak‘ahs of Ṣuḥr and says the salām, and someone tells him about his mistake, but he does not know the ruling at that moment and therefore stands up and repeats the entire prayer, praying four new rak‘ahs, what is the status of his prayer?

Answer:

He should have prayed one additional rak'ah, said the salām, and performed the two prostrations of forgetfulness.

However, since he repeated the prayer completely and performed four new rak'ahs, there is nothing further required of him.

Likewise, if he forgets something in the prayer and repeats the entire prayer because he does not know the ruling at that time, or because he forgets the ruling at that moment, he has done something that was not required of him, but **nothing further is required of him**

afterward.

(53)

Question: A traveler joins the imam in the final 'Ishā' prayer. Out of forgetfulness, he stands for the third rak'ah with the imam and bows with him. Does this invalidate his prayer? Or should he continue with the imam into the fourth rak'ah and count it as the first rak'ah of his own prayer, then pray one rak'ah by himself after the imam says the salām?

Answer:

His prayer is invalid if he did not catch the opening takbīr with the imam in the fourth rak'ah, because he was required to renew the prayer's intention verbally at that point; if he could not do so verbally, then he should do so in his heart, say the opening takbīr, and pray with the imam as a person who has missed one rak'ah.

When the imam says the salām, he stands and prays one rak'ah.

(54)

Question: During a solar or lunar eclipse, if the eclipse prayer has not been established, is it permissible for someone to perform voluntary or Sunnah prayers during the eclipse?

Answer:

The Sunnah is to perform the eclipse prayer.

(*Ṣuwar Ḥawḍ Mawrūd*, 1366.)

(55)

Question: If a traveler follows a resident imam in a four-rak'ah prayer, the traveler performs two rak'ahs. Is it preferable for him to say the salām and leave, or should he remain seated until the imam finishes the remaining rak'ahs and says the salām?

Answer:

It is preferable for him to remain until he says the salām together with the imam.

(56)

Question: A person is in a house and can hear the adhān of the mosque—whether the mosque of the people of the Zāhir or the mosque of the people of the da'wah. Which is preferable for him: to remain with the people of his household and pray with them, or to go out to the mosque?

Answer:

If it is the **mosque of the people of the da'wah**, then it is preferable for him to go to it.

(57)

Question: It is stated in the *Kitāb al-Ṭahārah* that when an imam becomes forgetful during prayer, the people behind him say *subḥān Allāh* to alert him. The person saying it intends it as tasbīḥ in the prayer, or as Qur'anic recitation; if he intends it as ordinary speech, his prayer becomes invalid.

Our master, does his prayer become invalid if he intends by saying it only to inform the imam of his forgetfulness?

Answer:

He should intend the glorification of Allah and the indication to the imam that he has become forgetful, and nothing else.

(58)

Question: It is stated in the *Kitāb al-Ṭahārah* that whoever forgets the opening takbīr, or deliberately or ignorantly leaves it out and then prays, must repeat the prayer.

Our master, if a man forgets the opening takbīr in a four- or six-rak‘ah prayer after every two rak‘ahs, does this invalidate his prayer?

Answer:

If he does not say the takbīr between each pair of salāms, his prayer is invalid.

Questions Concerning Purification and Prayer

(59)

Question: What do you say, O best of those who have given us from his knowledge what he has not withheld from many of the people of allegiance, concerning a woman who becomes pure from menstruation or post-natal bleeding during the time of a prayer, but after she completes her ritual bath, the time for that prayer has ended? Is she required to make up that prayer or not?

Answer:

If she delayed unnecessarily, she must make it up.

If she was diligent in performing her bath but did not finish it until the prayer time had ended, she is not required to make up that prayer.

(*Takbīr Sakīnah, Faṭḥ Mubīn, 1367 AH.*)

(60)

Question: If an imam is praying with a group of people and the person relaying the imam's takbīr accidentally says the takbīr for bowing (*rukū‘*) while the imam himself does not say the takbīr for bowing, and some of the people raise their heads from the bowing and then realize that the imam did not bow, so they lower themselves and bow with the imam a second time, while others raise their heads from the bowing, renew the opening takbīr (*takbīrat al-iḥrām*), bow with the imam, and complete the prayer with him—does anything fall upon them because of this?

Answer:

Those who bowed twice must repeat that prayer because they added an extra bowing.

As for those who bowed, then stood up, renewed the opening takbīr, and prayed with the imam, their prayer is complete.

(61)

Question: What does our master, the most pious, ascetic, devout, our foremost, most perfect, most generous, bravest, and noblest Dā‘ī of Allah—whose rank and station are higher and loftier than the encompassing celestial sphere—our most honored, most knowledgeable, and most forbearing guide, whose breast is broader and more spacious than the heavens, the deputy of our master al-Baṭīn al-Anza‘, may Allah perpetuate his support—say concerning a man who leads women in prayer in their mosque? If he becomes unable to recite something, may one of them prompt him? And if he forgets something in his prayer, may she say *subḥān Allāh* or clap her hands?

Answer:

She should prompt him if he becomes unable to continue, and she should say *subḥān Allāh* if he becomes forgetful.

(62)

Question: Concerning a traveler who intends to stay in a place for ten days: is he required to pray fifty obligatory prayers?

Answer:

He stays for ten days.

(63)

Question: It is stated in the noble Muhammadan Shari'ah that prayer is not shortened in one's own property, and this applies to its owner. What is the ruling for his children during his lifetime, since after his death the children inherit that property?

Answer:

The children do not perform the prayer in full in their father's property as long as he is alive. After their father's death, they may perform the prayer in full there.

(64)

Question: Concerning a man who stays in a place for ten days and performs his prayers in full with the intention of residing there: may he travel on the tenth day whenever he wishes?

Answer:

He travels on the tenth day **after midday (after the sun has passed the zenith)**.

(65)

Question: If a close blood relative (*dhū mahram*) is a non-Muslim or a *nāṣibī*, does a person perform the prayer in full because of seeing that relative?

Answer:

He performs the prayer in full.

(66)

Question: If a man's son apostatizes and becomes Christian, does the father perform the prayer in full because of seeing him and because the son remains in the place for a day, two days, or more?

Answer:

He performs the prayer in full.

(67)

Question: If a man travels to the distance at which prayer is shortened, and a close relative goes out with him to accompany him or for some other reason, without intending to travel to the shortening-distance himself, and the time for *Ṣuḥr*, 'Aṣr, or 'Ishā' arrives, the traveler prays shortened while his relative, being a resident, prays in full.

If the traveler then meets his close relative on his return before reaching the shortening-distance, and the prayer time arrives, the traveler who has returned performs the prayer in full because he has met his close relative.

(*Takbīr Sakīnah, Faṭḥ Mubīn.*)

(68)

Question: If a woman intends to stay for ten days in a place while she is menstruating, then becomes pure from her menstruation and prays for only five days, does she perform the prayer in full?

Likewise, if she stays with a close relative for an amount of time sufficient for five prayers but does not pray because she is menstruating, then becomes pure and performs only one prayer, does she perform the prayer in full or not?

Answer:

She performs the prayer in full if she intended to stay for ten days, even if she only prayed for five days or even one day.

Likewise, when staying with her close relative, she performs the prayer in full if she remained there for the amount of time corresponding to five prayers, even if she only performed one of them.

(69)

Question: Concerning a person praying who recites *Sūrat Idhā Zulzilat al-Ard* and, in it, accidentally recites “*sharā’irahu*” in place of “*khayrā’irahu*,” and “*khayrā’irahu*” in place of “*sharā’irahu*.” Is there anything upon the person praying because of this?

Answer:

If he recites it like this unintentionally and out of forgetfulness, there is no harm, because it does not change the meaning.

(70)

Question: Concerning a man who intends to stay for ten days in a place but does not perform his prayers in full, claiming that he is not required to complete fifty obligatory prayers there, and therefore prays shortened—what is the status of his prayers?

Answer:

He must repeat the prayers that he performed during those days, since the text in the books of the Dā‘wah does not establish that completing fifty obligatory prayers is required.

(71)

Question: It is related in *Da‘ā’im al-Islām*, from Ja‘far ibn Muḥammad, peace be upon him, concerning a man whom the imam preceded by one rak‘ah: when the imam said the salām, the man forgot to make up what he had missed and left with the people. It says that he should pray the one rak‘ah he missed by itself, recite the tashahhud, say the salām, and leave. If he has already left the prayer, gone home, and his wuḍū’ has subsequently been broken, and then remembers what he did, should he simply perform the one missed rak‘ah, or should he repeat the entire prayer?

Answer:

He repeats the entire prayer.

(72)

Question: If an imam experiences an occurrence such as a nosebleed, vomiting, or something else, but his wuḍū’ has not been broken, what should he do?

Answer:

He must appoint the person immediately behind him to complete whatever remains of his prayer.

(73)

Question: If the imam’s wuḍū’ is broken by a ritual impurity, is the prayer of those following him also invalidated? Or may he appoint someone behind him to complete the remainder of his prayer?

Answer:

The prayer of the imam and the prayer of all those following him are invalidated.

He may not appoint a man from among those behind him to complete the remainder of the prayer.

(74)

Question: If someone performs the obligatory Fajr prayer at the end of its time and does not perform the two rak‘ahs of the Fajr Sunnah because he fears that the time for the obligatory prayer will end, and likewise someone does not perform the Sunnah of Zuhr because of the shortness of the time, and then makes them up after the obligatory prayer—should he give the adhān for them when making them up after the obligatory prayer?

Answer:

No, he does not give the adhān.

(75)

Question: Concerning a traveler who travels to a place where one of his close relatives lives: does he perform his prayer in full there after performing the five prayers there because his close relative is in that place, even before he has met that relative?

Answer:

No. He does not perform the prayer in full until he meets the relative.

(76)

Question: If someone performed his prayer in full because he met his close relative, and then that relative travels away, does he continue performing his prayers in full after the relative's departure, or does he shorten them?

Answer:

He shortens them.

(77)

Question: Should the person praying raise his hands when raising his head from every bowing in each of the five bowings of the eclipse prayer, or should he raise them only in the fifth rak'ah, after which he performs the prostration?

Answer:

He raises his hands when rising from **each bowing in all five**.

(78)

Question: I was asked about a person who leads people in prayer. Sometimes his wuḍū' is broken before he begins the prayer. Is he permitted to appoint as his replacement a person who is below him in rank?

The answer given was that he may do so. What is meant by the unrestricted wording in the question and answer, that if it is unrestricted there is no harm in appointing whomever one wishes?

This would not be applicable to you, because there are qualified people below you in rank where you are. Rather, it would apply to someone who is in a village where there is nobody else among the qualified people.

Answer:

If the permission is unrestricted by authorization from the Walī of Allah, peace be upon him, or authorization from his Dā'ī, then he may appoint whomever he wishes who is below him. Otherwise, he may not.

(79)

Question: I asked concerning some of the workers who, when their master sends them an order to travel from one place to another, whether they may lead in prayer the people accompanying them and the believers whom they meet along the road; whether they may conduct marriages for those who ask them to do so; or whether they may take a covenant from those who request this from them. Is any of this permissible?

Answer:

It is clear that these matters depend upon authorization.

Whoever receives an order to travel from one place to another must obtain authorization from the Walī who grants permission and from his master for him to lead in prayer those accompanying him and those whom he encounters on the road.

If permission is granted, he may do so; otherwise, he must refrain.

Likewise, taking a covenant or conducting a marriage is permissible only if he has been authorized to do so. If he has authorization, there is no harm in performing it; otherwise, he must refrain.

The qualified person of the village—meaning one who has authorization from the Dā'ī of his age for such matters—should take responsibility for these matters in his place.

Know this.

(Ni'mat al-Ṣibghah al-Ilāhiyyah, 1371 AH.)

(80)

Question: A man travels during Ramadan to a town in which his family lives. He fasts and performs his prayers in full there. He then leaves for a place less than the distance of a barīd and stays there for approximately three days. He then leaves for another place less than a barīd from the town in which his family lives and stays there for three days, while his family remains in the first town.

He returns to that first town after ten days. What is the ruling concerning his prayer and fasting after leaving the first town?

Answer:

He prays and fasts.

(81)

Question: If a man leads people in prayer and says the opening takbīr quietly, forgetting to say it aloud, and one of those following him prompts him after he has begun the recitation, should the imam renew the intention or the takbīr?

Answer:

He completes his recitation and continues his prayer until he completes it.

Those praying behind him should intend the prayer as followers of the imam and say the opening takbīr, then pray with him.

Likewise, if the prayer is one in which the recitation is to be quiet, and the imam says the opening takbīr quietly and then recites, when the followers realize that the imam has begun the prayer, they must intend the prayer as followers of him, say the opening takbīr, and bow with him when he bows.

If they do not realize this until the imam has already bowed, they must intend within themselves to pray as followers of him and say **one takbīr—the opening takbīr**—and then bow with him if they are unable to say the takbīr for bowing after the opening takbīr.

(82)

Question: Where does a woman place her hands during the prayer performed while sitting, during recitation? Does she place them upon her chest or upon her thighs like men?

Answer:

She places her hands upon her chest.

(83)

Question: Concerning a man who leads the people in the Eid prayer: after completing the recitation, before the qunūt, he bowed, but none of the people following him bowed with him. He then raised his head from the bowing, performed the qunūt, and completed his prayer. What is the ruling?

Answer:

The prayer of the imam and the prayers of those following him are not valid.

(84)

Question: A man entered the mosque at Ṣuhr time and prayed the obligatory Ṣuhr prayer by himself. Then the imam arrived and led the people in Ṣuhr. May the man join the congregational prayer of Ṣuhr with the imam, or not?

Answer:

What he should have done was wait for the imam of the mosque and follow him. However, once he has prayed by himself, he does not join the congregational prayer with them, nor does he pray a prayer that he has already performed a second time.

(85)

Question: Is the prayer performed in full because of seeing one's relatives through breastfeeding (*riḍā'ah*) or not?

Answer:

No, he does not perform the prayer in full because of them.

(86)

Question: It is stated in the Ramadan epistle *Salsabīl Ḥukm Ghadaq* that during travel a person who has a building in his property does not perform the prayer in full if the land upon which he built the place is not his property.

What is the ruling if the place is jointly owned by five partners, or fewer or more, where one owns the bottom floor of the house, another owns the floor above it, a third owns the floor above that, and so on? Does someone who does not own the bottom floor perform the prayer in full, or only the person who owns the bottom floor?

Must the land belong to the person who owns the bottom floor, while those above him own only the airspace?

Answer:

All of the partners perform the prayer in full.

As for the issue mentioned in *Salsabīl Ḥukm Ghadaq*, where the prayer is not performed in full, that applies when the land was taken on lease for a short period, such as fifty or one hundred years, and the house was built upon it.

If the land was taken on lease for a period of one thousand years or something similar, and is called leased land, it is treated like owned land. If a building is constructed upon it, its owner performs the prayer in full.

(87)

Question: It is stated in *al-Ḥawāshī*: What does our master—may Allah perpetuate his support—say about an imam who leads the people in prayer aboard a ship while sitting because the ship is moving, because the space is restricted, or for another reason, when standing is impossible? Is this permissible?

The answer was: there is no harm due to whatever necessity exists. O our master, is there any obligation to act upon this?

Answer:

There is no obligation to act upon it.

(88)

Question: Concerning a place or piece of land that is within a cemetery but has not been designated as a mosque: may prayer be performed there or not?

Answer:

If the land itself is cemetery land, prayer should not be performed there. If a building has been constructed upon it, prayer should not be performed in that building either.

However, if a piece of that land was excluded from the cemetery when the land was originally designated as a cemetery, prayer may be performed there.

(*Ni‘mat al-Şibghah al-Ilāhiyyah*, 1371 AH.)

(89)

Question: A man led the people in Ṣuḥr prayer. When he completed the second rak‘ah, he stood intending the fourth. Someone behind him alerted him by saying *subḥān Allāh*, so he sat down, recited the second tashahhud, said the salām, and performed the two prostrations of forgetfulness.

Those behind him again said *subḥān Allāh*, but the imam did not hear them. After he had said the salām, he was told that he had only prayed two rak‘ahs. He therefore stood and prayed two rak‘ahs with them, recited the tashahhud, said the salām, and performed the two prostrations of forgetfulness.

Is his prayer valid?

Answer:

If he performed the two prostrations of forgetfulness after completing the first two rak‘ahs and then stood and prayed the remaining two rak‘ahs, his prayer is invalid.

He and those following him must repeat the prayer.

(90)

Question: On the day of Eid al-Fiṭr, there was a solar eclipse from sunrise for approximately two hours. What is the ruling concerning the Eid prayer and breaking the fast? Should the eclipse prayer be performed before the Eid prayer?

Answer:

He performs the **Eid prayer first**, then performs the **eclipse prayer**.

As for breaking the fast, it should be done with something such as dates or raisins, without eating a meal.

(91)

Question: If the imam becomes unable to continue and has recited some of the second sūrah but has not reached half of it, then stops and, without anyone prompting him, begins another sūrah with *Bismillāh al-Raḥmān al-Raḥīm*, what is the status of his prayer?

Answer:

His prayer remains valid, and there is nothing upon him.

(92)

Question: When the person performing the great tasbīḥ prayer raises his head from bowing and says, “*Sami‘a Allāhu liman ḥamidah, rabbanā laka al-ḥamd*,” should he then say *Allāhu akbar*—the takbīr for descending into prostration—and perform the tasbīḥs, then descend into prostration without another takbīr?

Or should he say “*Sami‘a Allāhu liman ḥamidah, rabbanā laka al-ḥamd*,” perform the tasbīḥs, and then say the takbīr when descending into prostration?

Answer:

When he raises his head from bowing, having raised his hands, he says:

“*Sami‘a Allāhu liman ḥamidah, rabbanā laka al-ḥamd*,”

and completes the tasbīḥs. Then he says the takbīr and descends into prostration.

He does **not** raise his hands at that point. Rather, he raises them when raising his head from bowing.

(93)

Question: It is stated that a sick person prays while sitting if he is unable to stand. Does he sit in the same manner as he sits in the prayer that is performed while sitting, or does he sit firmly and supported?

Answer:

He sits in the same manner as he sits in the sitting prayer.

For bowing, he sits firmly and supported and lowers his head for the bowing.

If he is unable to prostrate, he likewise sits firmly and supported and lowers his head as much as he is able.

He lowers his head **more for prostration than for bowing.**

(94)

Question: May a man who is lame enter the row with the people in congregational prayer while carrying a stick upon which he leans, enabling him to perform bowing and prostration?

Answer:

Yes. He may pray as a follower of the imam.

However, he should stand at the end, at the side of the last row.

(95)

Question: A man led the people in prayer and recited Sūrat al-Qāri‘ah. In it, instead of reciting:

“fa-ammā man thaqulat mawāzīnuhu fa-ummuhu hāwiyah”

he recited it in place of Allah's statement:

“fa-huwa fī ‘ishatin rāḍiyah.”

What is the status of his prayer?

Answer:

His prayer is invalid, and they must repeat it.

(*Mafātīḥ al-Yāqūtah al-Ḥamrā’*, 1363 AH.)

(96)

Question: A man travels to a place where one of his close relatives lives and intends to perform the five prayers there. However, he does not meet his relative until after he has performed one or two prayers.

What is the ruling concerning the remaining prayers? Does he perform them shortened or in full?

Answer:

He performs them shortened if he did not intend to perform five prayers **after meeting his close relative.**

(97)

Question: What is the limit of the time for the midnight prayer (*ṣalāt nisf al-layl*) in which it may be performed? Does it have a fixed limit like the Ṣuhr prayer?

Ṣuhr may be performed until two hours [in the stated reckoning]. If the time for midnight prayer has passed, with what intention should the prayer be performed, followed by the supplication *“Ilāhī ghārat nujūm samāwātik”*?

Answer:

The midnight prayer may be performed until the completion of its specified midnight hour.

If that hour has passed, he performs the **night prayer (*ṣalāt al-layl*)** and recites the supplication:

“Ilāhī ghārat nujūm samāwātik...”

(98)

Question: What is the ruling concerning a man who suffers from pain in his side or pain in his knees and therefore is unable to stand and sit properly during prayer? May he lead the people in prayer?

Answer:

If the condition is slight enough that he is still able to stand and sit, there is no harm. Otherwise, he should not lead the people.

(99)

Question: A man enters the mosque at the very end of the time for Zuhr and fears that if he performs the greeting of the mosque (*taḥiyyat al-masjid*), he will miss the Zuhr prayer. Should he perform *taḥiyyat al-masjid* or not?

Answer:

He performs the **Zuhr prayer** and does not perform *taḥiyyat al-masjid*.

(100)

Question: Regarding people who joined the Eid prayer with the imam after making the intention and saying the opening takbīr, but none of them verbally stated that they were following the imam—what is the status of their prayer?

Answer: Their prayer is valid if they performed the Eid prayer with the intention of following the imam of the mosque, just as they customarily perform the Eid prayer each year following the imam of the mosque, even if they did not express this verbally with their tongues.

(101)

Question: Regarding a man who leads the people in prayer: he had already prayed Fajr alone at his home, then forgot this and went to the mosque and led the people in prayer. During the second rakʿat, he remembered that he had already prayed at home. What is the status of their prayer?

Answer: They must repeat the prayer.

(102)

Question: Is it permissible for a person who is lame to lead the prayer?

Answer: If the lameness is obvious, he should not lead the prayer. If the lameness is slight and minor, and he is able to place both his feet on the ground when standing and walking, while the lameness appears only slightly when he walks, then there is no objection to his leading the prayer.

(*Nahr al-Nūr al-Shaʿshānī*, 1374 AH)

(103)

Question: Regarding a man who recited Sūrat al-Ghāshiyah in prayer, and recited:

“*Lasta ʿalayhim bi-muṣayṭir, illā man tawallā wa-kafar*”

instead of the correct recitation—what is the status of his prayer?

Answer: He must repeat the prayer.

(104)

Question: If a man travels to a place where he owns land, and there he performs one obligatory prayer in full rather than shortening it, does his wife, who is accompanying him, also perform the prayer in full because of her husband, or not?

Answer: No. She does not perform the prayer in full, because completing the prayer there requires five obligatory prayers.

(105)

Question: If a group prayed Ṣuḥr behind one man, and then another man leads the people in that same prayer, may they join him in that prayer while intending it as ‘Aṣr?

Answer: It is stated in the books of jurisprudence that if a man arrives at the mosque at the time of Ṣuḥr, after the Ṣuḥr prayer has already finished, and the ‘Aṣr prayer has begun, he may perform that prayer with the intention of Ṣuḥr.

However, if he has already prayed Ṣuḥr behind an imam and then goes to another mosque or another place where the Ṣuḥr prayer is being performed, he may not join that prayer while intending it as ‘Aṣr.

(106)

Question: What is the ruling concerning a man who leads the people in Maghrib prayer? He sat for the second tashahhud but mistakenly thought it was the first tashahhud, and began to stand while saying the takbīr for the third rak‘at. Some of those following him alerted him by saying, “Subḥān Allāh.” He then performed the second tashahhud and concluded the prayer. Does he have to perform the two prostrations of forgetfulness (*sajdatā al-sahw*)?

Answer: If he had resolved to stand and said the takbīr, but had not actually risen from the place of prayer, then he does not have to perform the two prostrations of forgetfulness. But if he had risen and then sat back down, he must perform the two prostrations of forgetfulness.

(107)

Question: A man led the people in the final ‘Ishā’ prayer. He completed the first rak‘at, then stood for the second while thinking that it was the third. He recited only the opening chapter (*al-Fātiḥah*) in it. Some of those following him alerted him by saying, “Subḥān Allāh,” but he did not hear them and went into rukū‘. When he raised his head from rukū‘, those behind him said “Subḥān Allāh” a second time. He then began reciting aloud, reciting *al-Fātiḥah* and another sūrah, then performed rukū‘ and prostration, performed the first tashahhud, and then stood and completed the prayer.

What is the ruling concerning this?

Answer: He and those who prayed with him must repeat the prayer, because he added something to his prayer.

(*Balāgh al-Du‘āt al-Fāṭimiyyīn*)

(108)

Question: If a traveler who shortens the prayer (*muqaṣṣir*) leads people who perform the prayer in full (*mutimmūn*), and he forgets something in his prayer and performs the two prostrations of forgetfulness after the salām, should those following him who perform the prayer in full perform the two prostrations of forgetfulness with him, or should they perform them after completing their own prayer?

Likewise, if a *masbūq*—someone who joined the prayer late—missed something from his prayer, and the imam is required to perform the two prostrations of forgetfulness, should the *masbūq* perform them with the imam, or after completing his own prayer?

Answer: Both of them—the one performing the prayer in full and the *masbūq*—perform the two prostrations of forgetfulness after completing their respective prayers.

They do not prostrate with the imam. Rather, they remain seated until the imam finishes his two prostrations of forgetfulness. Then, after the imam gives salām, they stand and complete what remains of their prayer and perform the two prostrations of forgetfulness.

(109)

Question: If someone misses the *Shaf'* prayer, may he repeat it during the daytime at the time of *Zuhr*? And should he repeat it before the *Sunnah* of *Zuhr* or after it?

Answer: He may repeat it at any time in which prayer is permissible. It is preferable for him to repeat it after praying *Zuhr* and before 'Aṣr.

(110)

Question: If someone misses the *Sunnah* prayer of 'Aṣr for some reason and enters the obligatory 'Aṣr prayer in congregation with the imam, may he repeat the *Sunnah* after the obligatory 'Aṣr prayer?

Answer: He should repeat it after *Maghrib* and should not repeat it after 'Aṣr.

Matters Concerning Zakāt

(111)

Question: From the book *al-Hawāshī*: A man dies leaving two hundred dīnārs, or less or more, and he owes zakāt, ḥajj, khums, *shurūā*, kaffārah, *najwā*, and other obligations. From which of these should payment be begun from the estate?

Answer: Payment should begin with zakāt, because it is a debt upon him and is not considered part of his property. Then comes ḥajj, then khums, then kaffārah, and then *shurūā*.

Among us, *shurūā* is known as the right pertaining to the self (*ḥaqq al-nafs*), along with *najwā* and other obligatory rights.

From the book *al-Shumūs*, by our master Ḥātim ibn Ibrāhīm, may God be pleased with him:

"I asked you—may God have mercy upon you—about what is obligatory upon every believer toward his Imam of the Time, peace be upon him. Know—may God have mercy upon you—that the first obligation upon every believer toward his Imam is that, at the beginning of his affairs, he should pay his *najwā*, which is one dīnār.

Then he is obligated to pay *fiṭrah* at every Eid after the fast. It is one dirham for every person, for himself and for each person whom he supports.

Shurūā is one hundred and nineteen dirhams for one in hardship, and one hundred and nineteen dīnārs for one who is wealthy.

There is no deliverance except for the one who frees his neck by paying *shurūā*. If its prescribed limit is that he share his wealth, then he shares the khums."

A Matter Concerning Shurūā

From some of the works of Sayyidnā al-Mu'ayyad al-Shīrāzī, may God be pleased with him

(112)

Question: Why is *shurūā* one hundred and nineteen dirhams, when seventeen dirhams are exchanged for one dīnār according to what the scholars have established? It is obligatory upon those possessing wealth and financial means as one hundred and nineteen dīnārs, corresponding to the number of dirhams for those of limited means.

Answer: God Most High is the Helper. If the days are counted as seven days—the days of the week—and there are five obligatory prayers each day, with seventeen rak'ats in seven days, this amounts to one hundred and nineteen rak'ats. Thus they indicate the limit of one hundred and nineteen.

(113) A Matter Concerning a Bequest to the Imam

From the book *Mukhtaṣar al-Muṣannif*, by the eminent, unique, incomparable dā‘ī, Ya‘qūb ibn Kils, the vizier:

“It is appropriate for the one making a bequest to allocate a portion of his bequest to the Imam, the minimum being one-third of one-third. And [he should allocate a portion] to those relatives of his who would otherwise be prevented by others from inheriting from him, if they are poor.”

(*Rawḍat Firdaws*, 1361 AH)

(114)

Question: I also asked about a fish that is caught alive and then given to a non-believer to hold, and it dies in his hand. What is its status? May it be eaten or not?

Answer: It may be eaten, because it has been properly slaughtered when it was caught alive and God's name was pronounced over it, whether it subsequently died in the hand of a believer or in the hand of a non-believer.

However, if it dies while in the hand of the non-believer and is then eaten, [the ruling is different]. Know this.

(115)

Question: I asked about a type of fish known in our time as “Jahīnkakā.” Is it permissible to eat it or not?

Answer: We investigated its matter and found that it is among those fish which possess scales and which are permissible to eat according to the position of the Ahl al-Bayt, peace be upon them.

This applies when it is caught by believers with God's name pronounced over it...

If the fish you are asking about is, according to our verification, the one known here by the name mentioned, then it is a scaled fish. The textual evidence for the permissibility of eating it is explicit, and there is no sin upon the one who eats it.

(*al-Ṣibghah al-Ilāhiyyah*, 1371 AH)

(116)

Question: If a fish is caught alive and God's name is pronounced over it, and it is then placed in a container filled with water where it dies, is its slaughter valid or not?

Answer: Its slaughter is not valid and it may not be eaten.

(*Mafātīḥ Yāqūtah al-Ḥamrā’*, 1373 AH)

(117)

Question: Is it permissible to eat a fish that has whiskers and scales?

Answer: Every fish that has scales is permissible to eat, and every fish that does not have scales is not permissible to eat.

(*Balāgh al-Du‘āt al-Fāṭimiyyīn*)

Matters Concerning Fasting

From the epistles of Sayyidnā Ṭāhir Sayf al-Dīn, may God be pleased with him

(118)

Question: What do you say concerning a man who is residing in a town during Ramaḍān and then decides to travel to his home or to another town? He leaves that town before the time of *Shaf‘* and reaches his home or another town before midday (*zawāl*). Is his fast valid or not?

And regarding the time limit in this matter, does it extend from after midday until the time of Shaf', or until the time of the final 'Ishā' prayer?

Please answer, O our master and the master of all, may God perpetuate his support.

Answer: His fast is valid if he travels after midday and reaches his home or reaches one of his relatives before midday.

"Had a man traveled from his place of residence after dawn and reached his home, or reached one of his relatives, on that same day before midday, his fast would be broken and he would have to make up the fast of that day."

(Kawthar Khuld, 1360 AH)

(119)

Matter: If a man leaves his place of residence during Ramaḍān after sunset's midday point (*zawāl*) and travels to a place that is within the legal distance of travel, spends the night there, and then returns to his place of residence the following day, reaching it before midday and meeting some of his relatives through whom the prayer is performed in full, or reaching a home that he owns, then his fast is established as valid.

(120)

Matter: If a man has a house that he owns, or land that he owns, at a distance of twenty-three miles or less from the place where he is residing, and he leaves in the morning while fasting, reaching his house or land before midday, and performs the Ṣuhr prayer there in full, then returns that same day to the place where he had been residing, his fast remains valid and is not broken.

(121)

Matter: If a man leaves his place of residence before midday while fasting and travels a distance of twelve miles or more, and he does not have a house or land that he owns there, then returns to his place of residence and reaches it before the sun passes its zenith, his fast is broken and he is required to make it up.

(Rawḍat Firdaws, 1361 AH)

(122)

Question: I asked about the situation of the fasting of some believers who traveled during Ramaḍān from India to Mumbai. Some of them entered it on the ninth day after midday, while others were delayed and entered on the tenth day before midday. What is the status of the fast of the tenth day?

Answer: For the person who entered on the tenth day before midday, his situation regarding missing the fast of the tenth day is the same as that of the person who entered on the ninth day, **unless the person who entered on the tenth day has a family or a residence/place there.**

If he has family there, then he completes his fast when he enters before midday. If he has neither family nor a place there, then he has missed the fast and must make it up.

However, if he entered the place before dawn, then he has caught the fast and must fast, provided that he intended to remain there for ten days.

(123)

Question: In *al-Ḥawāshī*, it is stated that the fasts of vows and expiations (*kaffārah*) may be made up while traveling. In *al-Muntakhabah al-Manzūmah*, however, it states that this is not

permissible while traveling. I therefore asked: How are these two statements reconciled, and which one should be followed?

Answer: The practice should follow what is stated in *al-Muntakhabah*, because it confirms what is also stated in the *Kitāb al-Akhbār* concerning jurisprudence. As for the wording found in *al-Hawāshī*, there is a difficulty in it, and its meaning is subtle and can only be understood through analogy/similarity. Know this.

Chapter: Let us record some jurisprudential matters answered by the servant of the family of Muḥammad, the Pure and the Purified

Ṭāhir Sayf al-Dīn

(124)

Question: If a man's eyes overcome him on one of the nights of Ramaḍān, so that he sleeps until morning and does not eat *suḥūr* (the pre-dawn meal), while he had made the intention to fast before sleeping, what is the ruling?

Answer: His fast is valid, because *suḥūr* is recommended and is not obligatory.

(125)

Question: If someone does not verbalize the intention with his tongue for prayer or fasting, is his prayer and fast valid or not?

Answer: His prayer and fast are valid if he intended in his heart the particular prayer he is performing or the fast he is observing, even if he did not verbalize the intention with his tongue.

(126)

Question: O trustworthy caller of God and guide of those who follow truth and religion, what do you say about the time of midnight, which is the end of the time for the obligatory 'Atamah [‘Ishā’] prayer? Is it at twelve o'clock or one o'clock?

Answer: Midnight is always at the same hour and minute at which the sun reaches its zenith (*zawāl*) during the daytime.

(*Dulū Ghadeer Ḥaqq*, 1362 AH)

(127)

Matter: If a man is fasting and misses an obligatory prayer, not because he deliberately neglected it, nor because he was affected by major ritual impurity (*janābah*), but for another reason, his fast remains valid.

(128)

Matter: If a woman is fasting and her menstruation begins after sunset but before she performs the prayer, her fast remains valid. But if her menstruation begins at all before Maghrib, she must make up that day's fast.

(*Mushrabah Tasnīm Nūr*, 1363 AH)

Question: Regarding people who were fasting in Ramaḍān and broke their fast shortly before sunset because they thought the sun had set and that it was permissible to break the fast. The electric lamps they had used to light every day at the time of the Maghrib adhān were switched on that day shortly before the adhān, so they thought it was sunset and broke their fast. Shortly afterward, they heard the adhān. Are they required to make up that day's fast?

Answer: They are not required to make up the fast of that day.

(129)

Matter: If someone sleeps during the daytime in Ramaḍān, experiences a nocturnal emission (*iḥtilām*), wakes up but does not perform ghusl, and goes back to sleep until he misses an obligatory prayer, he must make up that day's fast.

As for someone who misses an obligatory prayer during Ramaḍān without having become affected by *janābah*, he is not required to make up that day's fast.

(130)

Question: If someone owes make-up (*qada'*) fasts from Ramaḍān and the Day of Ghadīr arrives, should he fast the Day of Ghadīr or not?

Answer: He should observe the fast of Ghadīr.

(131)

Question: If the second day of Shawwāl falls on a Thursday, should one fast that Thursday with the intention of the Sunnah Thursday fast or with the intention of the *tashī'* fast of Ramaḍān?

Answer: He should intend both the Sunnah Thursday fast and the *tashī'* fast together.

(132)

Matter: If someone owes fasts from Ramaḍān and the month of Rajab arrives, he may fast the three *Ayyām al-Bīd* (the three white days) as make-up fasts for Ramaḍān, and he may perform the *Ṣalāt al-Zawāl* on the fifteenth day of Rajab.

If he owes only one or two days of make-up fasting from Ramaḍān, he may fast one or two days as make-up for Ramaḍān and fast the remaining two days—or the remaining day—as voluntary fasts. He may then perform the *Ṣalāt al-Zawāl*.

If he owes a three-day vow fast, he may fast those three days for the vow and perform the *Ṣalāt al-Zawāl*.

However, if a man or woman fasts only two days or one day out of those three days, they may not perform the *Ṣalāt al-Zawāl* in the particular manner transmitted from Imam al-Ṣādiq, peace be upon him, concerning one who fasts the three days—the third, fourth, and fifteenth [of Rajab].

(*Surar Rushd Marfū'ah*)

(133)

Matter: If a man intends to travel by airplane in the morning during Ramaḍān, he must leave his house at night before dawn, leave the boundaries of the town in which he is staying, and board the airplane in the morning. He should reach a place where he has a relative or a property that he owns, such that his prayer there would be performed in full, before midday. If he does this, his fast for that day remains valid.

(134)

Matter: If a man is ill during Ramaḍān and unable to fast, he may not simply give the expiation (*kaffārah*) for his fasting during that month.

Rather, if he recovers from his illness after Ramaḍān, he must make up the fasts he missed.

If he does not make them up and the following Ramaḍān arrives, he must give the expiation for the previous Ramaḍān: for each day that he missed, he gives one poor person **three and a half *arṭāl* of wheat (*burr*)**, according to the measure of the *raṭl* known today.

If the man is chronically ill, or the woman is chronically ill, such that it is not expected that either of them will be able to fast in the future, then they must give the expiation for their fasting during that Ramaḍān in which they were unable to fast: for each day, they give food to one poor person.

(135)

Question: Regarding a voluntary (*nāfilah*) fast: if someone begins such a fast and then eats or drinks forgetfully, does the fast remain valid as with an obligatory fast, or not?

Answer: His fast remains valid.

(136)

Question: Should someone who owes make-up fasts from Ramaḍān observe the fast of the Day of Ghadīr?

Answer: Yes. He should fast it even if he owes make-up fasts from Ramaḍān.

(*Ṣuwar Ḥawḍ Mawrūd*, 1336 AH)

(137)

Question: What do you say, O best of those who have guided us to the oneness of God, concerning a man who resides in a place during Ramaḍān, fasts there, and performs his prayers in full? After seven days or more, he decides that he must undertake a journey. Is his fasting valid in the same way that his prayer was valid, or not?

Answer: If he had intended to remain there for ten days and then subsequently decided to travel, his fasting and his prayer are both considered complete [valid].

(*Takbīrat Sakīnah*, *Faḥ Mubīn*)

(138)

Question: If someone cannot find wheat (*burr*), may he give rice, lentils, or another type of grain instead as the expiation for fasting?

Answer: If he cannot find wheat, he may give another grain, such as barley, rice, lentils, or something similar, to the value of the amount of wheat that is required from him as expiation.

(139)

Question: Regarding the intention for an obligatory fast: it has been explained in the books of jurisprudence that one who observes an obligatory fast must intend the fast from the night until the final time of *suḥūr*, before dawn. Yet our established practice is that people verbally state their intention after the Fajr prayer. What is required in this matter?

Answer: There is no objection to this, because the people who fast Ramaḍān have already intended in their hearts to fast Ramaḍān, and they intend in their hearts during the night to fast each individual day of it.

As for verbally expressing the intention after the Fajr prayer, this is merely a confirmation of what the fasting person had already intended during the night. He did not begin his intention to fast only at that time.

As for the example of making the intention to fast after dawn, this is like a traveler who does not know whether he will reach a place where he has a residence or a relative before midday. He therefore does not intend to fast. If he reaches the place where he has a residence or relative after dawn but before midday and then intends to fast, that fast is not valid, because

he did not make the intention during the night. He was required to make the intention during the night.

If he had made the intention to fast during the night but did not reach the place before midday, he must make up that day's fast.

(*Falsafah Fawz 'Aẓīm*, 1368 AH)

(140)

Question: If someone eats *suḥūr* during Ramaḍān but is unable to perform the Shaf' and Witr prayers before dawn, does his fast remain valid or not?

Answer: His fast remains valid.

(141)

Question: If someone makes the intention to fast during the night and wakes up fasting, but does not perform the Fajr prayer on time, does his fast remain valid or not?

Answer: His fast remains valid.

(142)

Matter: If someone becomes *junub* during the night of Ramaḍān and does not perform ghusl from *janābah* until dawn arrives, he must continue his fast for that day and make up one day after Ramaḍān.

(*Silsilah Ni'mah 'Uẓmā*)

(143)

Question: If someone owes obligatory make-up fasting and the Day of Ghadīr falls on a Friday, following Thursday, can he count the Thursday fast as a make-up fast for the obligatory fast?

Answer: No. He cannot count it as a make-up fast for the obligatory Ramaḍān fast, because the fast of Ramaḍān cannot be made up during Dhū al-Ḥijjah. Therefore, he should count it as a voluntary fast, since he fasted it because the Day of Ghadīr fell on Friday.

(144)

Question: If a man observes the fast of Dāwūd—fasting one day and breaking the fast the next—and his fasting day happens to fall on Friday, may he connect Friday's fast with the day before it or the day after it, even if this results in three consecutive days of fasting?

Answer: Yes. He may connect the Friday fast with the day before or the day after it, even if this results in three consecutive days of fasting.

(145)

Question: May wheat flour be given as the expiation for fasting when wheat itself is unavailable here? And if flour is also unavailable, may another grain be given as expiation?

Answer: Yes. Wheat flour may be given. Other grains may also be given when wheat is unavailable, according to the price/value of wheat.

(146)

Question: Is it permissible to give the expiation for several missed fasting days all together on one day?

Answer: It should be given separately for each day, as the ruling has been explained.

(147)

Question: A man travels every day during Ramaḍān, after sunrise, from his place to a destination at the distance at which the prayer would be shortened, and returns to his place before sunset. He does this every day. What is the status of his fasting?

Answer: His fast is not valid, because he travels before midday, and traveling before midday invalidates the fast.

(148)

Question: If a fasting person suffers a severe wound from which blood continually flows and does not stop, and he puts medicine into the wound, does his fast remain valid or not?

Answer: If the wound is deep and the medicine enters the body, whether it is introduced by a needle or by another means, the fast does not remain valid.

(149)

Question: Is an injection permissible while fasting, and does the fast remain valid after receiving one?

Answer: The fast is invalidated by it.

(150)

Question: If the Day of Ghadīr falls on a Friday and someone fasts only on the Day of Ghadīr, without connecting it with a fast on the day before or after, must he repeat the fast of the Day of Ghadīr?

Answer: He does not have to repeat the fast of the Day of Ghadīr.

(151)

Question: Regarding a man who leaves during Ramaḍān after midday and travels to another place more than twelve miles away. He leaves that place on the second day before or after dawn and reaches the place from which he departed the previous day before midday, where he has his family. What is the status of his fast?

Answer: His fast remains valid, because the ruling concerning a traveler who reaches his family before midday applies to him.

(*Mafātīḥ al-Yāqūtah al-Ḥamrā'*)

(152)

Question: Regarding a man who is permanently ill and unable to fast during the month of God [Ramaḍān], what food should he give as the expiation for fasting?

Answer: If the following Ramaḍān arrives and he has not made up his fasts between the previous Ramaḍān and this Ramaḍān, then he must give expiation for his fasting: **three and a half *arṭāl* of wheat for each day, to one poor person.**

If Ramaḍān passes without him having given the expiation for the previous Ramaḍān as described, then he should give the expiation for sins to the Dā'ī of the Age according to his ability, following whatever the Dā'ī instructs him to do as he sees appropriate.

(*Nahr al-Nūr al-Sha' sha' ānī*, 1374 AH)

(153)

Question: Regarding a man who has been fasting the month of Rajab for nine years: someone invited him to eat while he was fasting in Rajab, before midday, and he broke his fast. Does he have to repeat the fast of that day or not?

Answer: If he repeats the fast, that is good.

(154)

Question: If someone misses the fast and prayer of the Day of Ghadīr, how should he make them up? Must he make them up on the eighteenth day of another month, or may he make them up on any day of the month?

Answer: He must make up both the fast and the prayer of the Day of Ghadīr, but he may make them up on whichever day he wishes.

(*Balāgh al-Du‘āt al-Fāṭimiyyīn*, 1375 AH)

(155)

Question: A man travels during Ramaḍān to a village less than twelve miles away, intending to go to that village. Then, unexpectedly, he decides to travel to another village two miles or more from there, making the total distance more than twelve miles. He travels there by bicycle or car and then returns from there to the first village before midday. What is the status of his prayer and fasting?

Answer: He performs his prayer in full and fasts, because he did not originally intend to undertake the journey.

(156)

Question: A man travels during Ramaḍān to a place at the distance of shortened prayer. He leaves his home at *suḥūr*, before dawn, and goes to the railway station or bus station, where he waits. He leaves from there after dawn. He knew that the train or vehicle on which he was traveling would depart after dawn. What is the status of his fast?

Answer: If the railway or bus station is within the boundaries of the town, his fast is not valid. If it is outside the town, his fast remains valid.

(157)

Question: It is stated in the Shari‘ah that if a person eats or drinks forgetfully while fasting, his fast remains valid and he does not have to repeat it. If, while fasting, he receives an injection forgetfully, does his fast remain valid or not?

Answer: He should complete his fast if he had forgotten that he was fasting.

(158)

Question: If a man fasts on the Day of Ghadīr and performs the Ghadīr prayer, then breaks his fast because of something that occurs, must he repeat only the fast, or must he repeat the prayer as well as the fast?

Answer: If he repeats both the prayer and the fast, that is preferable. If he repeats only the fast, it is sufficient.

(*Ash‘i‘at al-Fayḍ al-Azalī*)

Matters Concerning Ḥajj

From the epistles of Sayyidnā Ṭāhir Sayf al-Dīn, may God be pleased with him

(159)

Question: What do you say, O one through whose love God has granted us the happiness of religion and worldly life, regarding the ruling in the Shari‘ah that when the *mutamatti‘* completes the ‘umrah, he shortens some of the hair from the sides of his head, his moustache, and his beard, and cuts some of his nails?

O our master, if there are many days between completing his ‘umrah and the Day of ‘Arafah, should he shorten his head hair again whenever it grows longer, or not?

Answer: There is no objection to doing so. He should not shave it completely until he is at Minā after returning from ‘Arafah.

(*Şuwar Hawḍ Mawrūd*, 1366 AH)

(160)

Matter: If a man is poor and another person performs ḥajj on his behalf, and he subsequently becomes wealthy, then he is required to perform ḥajj himself, as stated in *Kitāb al-Da‘ā‘im*. However, if a man or woman gives another man or woman money or dīnārs as a gift, donation, or gift to maintain family ties, and that person performs ḥajj with it, then he is **not** required to perform the obligatory ḥajj again.

(161)

Matter: A man may not throw the three *jamrāt* on behalf of himself and another person together in a single round if he has been appointed as their representative for both. Rather, he must throw the three *jamrāt* on behalf of himself in one round, and then on behalf of the other person in another round.

If two, three, or more people appoint him as their representative, he must throw the *jamrāt* separately on behalf of each one of them, not for all of them in a single round.

(162)

Matter: Ṭawāf may only be performed while in a state of wuḍū’.

If someone performs three circuits of an obligatory ṭawāf while in wuḍū’, then breaks his wuḍū’ and performs four circuits without wuḍū’, he must begin the ṭawāf again.

If he returns to his home in that state, he must return and perform the ṭawāf.

If he performs four circuits while in wuḍū’, then breaks his wuḍū’ and performs three circuits without wuḍū’, he must perform wuḍū’ and repeat the three circuits.

If he has returned to his own country, he should appoint someone to complete those three circuits on his behalf.

Likewise, if two circuits or one circuit remain, he must repeat whatever remains.

(163)

Matter: If a woman who has performed ḥajj begins menstruating while the obligatory ṭawāf remains due upon her, and the bleeding continues, she should wait for the number of days that she normally remains menstruating.

If she does not become pure, she should wait an additional day or two, then perform purification and perform the ṭawāf.

If the bleeding continues and she becomes uncertain whether it is menstrual blood or *istiḥāḍah* (irregular bleeding), she should follow the procedure applicable to a woman experiencing *istiḥāḍah*: she performs purification and performs the ṭawāf.

If she remains in Makkah after doing what has been described and the bleeding stops, she performs ghusl and repeats the ṭawāf and sa'y, with the repetition of the ṭawāf being recommended.

If she has already returned to her country, there is nothing further upon her.

(*Takbīrat Sakīnah, Faḥ Mubīn, 1367 AH*)

(164)

Question: Must the pilgrim enter into iḥrām only at midday on the Day of Tarwiyah from al-Masjid al-Ḥarām, or is it permissible for him to enter iḥrām on the eighth night?

Answer: It is permissible for him to enter iḥrām on the eighth night from al-Masjid al-Ḥarām.

(165)

Question: For those intending to perform ḥajj who travel by car, from where should they enter iḥrām, how should they enter iḥrām, and how should they perform the prayer of iḥrām?

Answer: They should enter iḥrām opposite the mīqāt and near it. They should perform ghusl and prepare themselves for iḥrām at the closest place to the mīqāt from which the airplane departs.

They should perform the prayer of iḥrām at the closest place where they are able to land, at a time when prayer is permissible.

(166)

Question: Is the prayer of greeting the mosque (*Ṣalāt Taḥiyyat al-Masjid*) performed upon entering the Ka'bah al-Ḥarām itself?

Answer: The prayer of greeting the mosque is not obligatory inside the Ka'bah al-Ḥarām. Rather, whoever enters it may perform whatever voluntary prayer he wishes.

(167)

Question: Should a worshipper place a cloth beneath himself to pray upon when praying on the red marble inside the Ka'bah, or not?

Answer: He should not place anything upon it. He should pray directly upon it, seeking blessing from it.

(168)

Question: If someone enters al-Masjid al-Ḥarām at a time of prayer and cannot perform the greeting of the mosque by ṭawāf because of lack of time or because of the great crowd, should he perform the prayer of greeting the mosque or not?

Answer: He should not perform a separate prayer of greeting the mosque. Rather, he should perform the obligatory prayer and the Sunnah prayer that precedes or follows it.

The greeting of al-Masjid al-Ḥarām is **ṭawāf around the Ka'bah al-Ḥarām**.

(169)

Question: Does the reward of one hundred thousand prayers apply to someone who prays in the surrounding area around al-Masjid al-Ḥarām?

Answer: The stated reward of one hundred thousand prayers applies to prayer performed **inside al-Masjid al-Ḥarām**, meaning the area surrounding the Ka'bah up to the furthest boundary of the ṭawāf area.

(170)

Question: Is the Eid prayer performed at Minā or not?

Answer: It is stated in the interpretation of *al-Da‘ā’im* that the Eid prayer is not performed at Minā on the Day of Sacrifice in the manner in which it is performed in other cities.

When the servant of the family of Muḥammad, the Pure and Purified, performed ḥajj, he did not perform the Eid prayer. Rather, he performed two rak‘ahs of Fajr only.

(171)

Question: Is it obligatory for someone who enters the Prophet's Mosque, may God's blessings and peace be upon him, in Madīnah to first perform the prayer of greeting the mosque?

Answer: It is obligatory for him to perform the prayer of greeting the mosque first.

(172)

Question: Does the reward of ten thousand prayers apply to someone who prays in the portion of Madīnah that was added to the Prophet's Mosque after it was originally built?

Answer: The reward of ten thousand prayers applies to someone who prays in the Prophet's Mosque as originally built by him, may God's blessings and peace be upon him, and does not apply to the portions added to it afterward.

(173)

Question: If someone enters al-Masjid al-Ḥarām intending to enter iḥrām from it, must he first perform the greeting ṭawāf, then perform a voluntary ṭawāf, and then enter iḥrām, or is one ṭawāf sufficient?

Answer: One ṭawāf is sufficient.

(174)

Question: If a man enters al-Masjid al-Ḥarām to perform ṭawāf al-nisā’, must he first perform the greeting ṭawāf and then perform ṭawāf al-nisā’?

Answer: One ṭawāf is sufficient, namely ṭawāf al-nisā’.

(175)

Question: In ṭawāf al-nisā’, should the Qur’ān be recited from the beginning toward the end, or from the end toward the beginning?

Answer: It should be recited from the beginning toward the end.

(176)

Question: In the prayer of a voluntary ṭawāf, must the Qur’ān be recited from the end toward the beginning or from the beginning toward the end?

Answer: In the prayer of voluntary ṭawāf, it should be recited from the end toward the beginning. If it is recited from the beginning toward the end, there is no objection.

(177)

Question: If a person is not certain that he committed an act which would require him to offer a sacrificial animal (*dam*), but merely suspects that he may have made a mistake, should he offer a sheep as expiation or not?

Answer: He is not required to offer a *dam* unless he is certain. However, if he offers a sheep as expiation based on his suspicion, there is no objection.

(178)

Question: Should a person perform ghusl using the water of Zamzam, or should he drink from it and pour it over his body?

Answer: He should not perform ghusl with Zamzam water. Rather, he should drink from it and pour it over his body.

(179)

Question: Is it permissible to perform the sacrifice (*udḥiyah*) in Makkah al-Mukarramah on the thirteenth day of Dhū al-Ḥijjah, or not?

Answer: The sacrifice is not permissible in Makkah al-Mukarramah on the thirteenth day. It is only permissible at Minā.

Matters Concerning Marriage and Divorce

From al-Masā'il al-Zayniyyah

(180)

Question: Regarding authorization (*wakālah*) in marriage when the two witnesses are not present.

Answer: Wait until the two witnesses are present. A written document of authorization is not sufficient without the presence of the witnesses. Know this and act accordingly.

(181)

Question: Regarding an adult woman who wishes to marry, whose closest guardian is her brother, but he is absent. She sent word to him asking him either to act as her guardian in her marriage contract or to appoint someone else to do so, but he refused both options. Her paternal uncle is also absent. What is the ruling?

Answer: It was ruled that her paternal uncle should be contacted and asked either to act as her guardian in concluding the marriage contract or to appoint someone else.

If he also refuses, then, if she has another guardian, that guardian should be contacted until all her guardians have refused.

If she has no other guardian, the judge concludes the marriage contract for her.

This is the meaning of what is stated in the books of the *Da'wah*: **"The judge is the guardian of one who has no guardian."**

(182)

Matter: I asked about a man who divorced his wife, but it was not established whether she was pregnant when her husband divorced her, and the husband himself was not certain that she was pregnant.

A ruling was therefore made invalidating the divorce and returning her to her husband.

It was said that the statement in the books of the *Da'wah* that a pregnant woman may be divorced in every circumstance applies when the husband issuing the divorce is certain that his wife is pregnant.

Otherwise, the divorce is not valid until her state of purity (*ṭuhr*) has been established, as stated in the books of jurisprudence.

(183)

Matter: I asked about a man who divorced his wife and had two upright witnesses testify to the divorce. Two years after the divorce, the man died, and the two witnesses also died. The divorced woman now wishes to marry another man. It was ruled that if she brings two upright witnesses to testify to her divorce who were present at the gathering in which the divorce took place, she may marry another husband.

(184)

Question: Regarding a man who was breastfed with the milk of his paternal grandmother: may he marry his cousin, meaning his paternal uncle's daughter?

Answer: He may not marry his cousin, because through breastfeeding she is his niece/sister's daughter in terms of milk kinship.

This applies if the milk was that of his paternal grandmother.

If the milk was not that of his paternal grandmother, then he may marry the daughter of his paternal uncle, but he may not marry the daughter of his full paternal uncle [i.e. where the uncle shares both father and mother with his father], nor the daughter of his paternal uncle who shares his father's mother.

(185)

Question: Regarding a man who divorced his wife while she was absent from him both in terms of time and place, and she was pregnant, but the husband and the witnesses to the divorce were unaware of her pregnancy. Is this divorce permissible?

Answer: This divorce is valid, because the divorce took place while she was absent both temporally and geographically, and in this circumstance knowledge of the pregnancy is not required.

From al-Masā'il al-Zayniyyah

Sayyidnā Ṭayyib Zayn al-Dīn, may God be pleased with him, said in Majmū' al-Masā'il

(186)

Matter: A question was brought before the eminent Dā'ī, namely Sayyidnā 'Abd 'Alī Sayf al-Dīn, may God be pleased with him, concerning a free Muslim woman who wished to marry. She was originally from a distant region and it was not known from which village of the kingdom she came. No guardian of hers was known to be present or absent. No one among the people could establish that she had a guardian who was absent, nor could anyone testify that she had no guardian. Her situation regarding the existence or non-existence of guardians was therefore uncertain.

The eminent Dā'ī was told that Sayyidnā Luqmān Jī ibn Mullā Ḥabīb Allāh Qas had been asked precisely the same question, and he had said:

“Refer it to the eminent Dā'ī, Sayyidnā Wajīh al-Dīn, may God be pleased with him. Whatever ruling he gives is the ruling, because he is the designated Dā'ī, whose obedience is connected with obedience to God and obedience to the Imam of the Time, and whose command is united with his command.”

The matter was therefore referred to him.

The eminent Dā'ī, Sayyidnā Wajīh al-Dīn, may God be pleased with him, ruled:

If a free Muslim woman wishes to marry, an effort should be made to find a guardian who can conclude her marriage contract.

If a guardian is found, he concludes her marriage contract.

If identifying her guardians proves impossible because of the distance of their homelands, the dispersal of her guardians, or something similar, then her guardian is the judge. The judge concludes the marriage with her consent after making every possible effort to locate her guardians. Once no information about any of them can be obtained, they are treated as non-existent for this purpose.

This is the correct ruling to be acted upon.

The *Risālah* states:

“The person responsible for applying the law should carefully examine the rulings of the Shari‘ah generally, and especially the rulings concerning marriage and divorce, testimony, guardianship, authorization, and related matters found in *Da‘ā’im al-Islām*.

It is obligatory upon him to be trustworthy in these matters and to observe them in their application and execution. They require correct understanding and deep reflection. He should never be hasty in them, and should accept only what is sound, clear in its explanation, and supported by textual evidence and proof—without doubt or ambiguity.

He should not give anyone a ruling based merely on personal opinion or analogy, nor issue a definitive ruling concerning matters that are uncertain or confused. This is among the methods of the impure opponents.

Rather, whenever something is unclear to him, he should seek clarification by asking his master. This is the practice of those whose character is religion and piety.

A similar meaning is found in the statement of the Commander of the Believers, our master ‘Alī ibn Abī Ṭālib, peace be upon him, in his letter to Rifā‘ah:

‘Beware of speaking about the matter of divorce, and protect yourself from it whenever you find a way to do so. If the matter overcomes you, refer it to the one who is most upright upon the path, for the ways of marriage and other matters have been obscured by the innovators.’ This further emphasizes what we have written concerning the importance of the matters of divorce and marriage.”

(*Mushrabah Tasnīm Nūr*, 1363 AH)

(187)

Question: Regarding an adult woman who wishes to marry, whose father has been in some region of Abyssinia for nine years. He is no longer known to be there, there is no information about him, and his whereabouts are unknown. Her son, who is not yet an adult, is present. What is the ruling concerning her marriage contract?

Answer: If the absent father is in the status of a missing person (*mafqūd*) and this has been established, then her guardian is the judge.

(188)

Question: Is *khul‘* divorce permissible during pregnancy or not?

Answer: If the husband issuing the divorce is certain that his wife is pregnant, it is permissible. (*Salsabīl Ḥukm Ghadīq*, 1364 AH)

(189)

Matter: A case was brought before Sayyidnā ‘Abd ‘Alī Sayf al-Dīn, may God be pleased with him, concerning a woman whom her husband had divorced according to what is required by the Shari‘ah.

One of the two witnesses to the divorce subsequently forgot the matter, while the other remained present.

He ruled that the divorce should be repeated.

He said:

“As for what has been transmitted—that one of the two witnesses to the divorce may himself be the person who concludes the marriage contract—this applies when one of the two witnesses dies or becomes absent, while the remaining witness has knowledge of both testimonies, in which case he may conclude the marriage contract by order of the judge. But if one of them is merely the sole witness who remains present, the divorce is never established by only one witness.”

By “absent,” I mean that he has become absent in the sense of being like a missing person (*mafqūd*), not merely that he has traveled within the legally recognized distance of shortened prayer.

(190)

Matter: Another matter was brought before him: a man divorced his wife and had two upright witnesses testify to the divorce. Two years after the divorce, he died, and the two witnesses also died.

The woman now wishes to marry.

It was ruled that if she brings two upright witnesses who testify to her divorce and who had been present at the gathering in which the divorce took place, she may marry another husband.

Otherwise, she may not marry until she completes the waiting period (*‘iddah*) of a woman whose husband has died.

(191)

Matter: A case was brought before him concerning a woman who gave birth and then became pure from her postpartum bleeding (*nifās*). Her husband had intercourse with her.

After several days had passed, he wished to divorce her. She was a woman who did not menstruate while she was breastfeeding, and he had had intercourse with her.

The husband was prevented from divorcing this woman until she menstruated.

This case occurred three times, and each time the husband was instructed to wait until her menstruation occurred.

(*Surar Rushd Marfū‘ah*, 1365 AH)

(192)

Question: Regarding a divorced woman who wishes to marry: the two witnesses to her divorce are not present and cannot come to give testimony because of the distance or another reason.

May they give their testimony concerning the divorce before two other men, who then come and give that testimony before the judge, allowing the judge to conclude her marriage based upon their testimony?

Answer: This is a form of **testimony upon testimony** (*shahādah ‘alā al-shahādah*), and it is not permissible in matters of divorce.

(193)

Question: Is the testimony of a person afflicted with leprosy (*abraṣ*) valid for authorization in marriage or in divorce?

Answer: The testimony of a person afflicted with leprosy is not valid either for authorization in marriage or for divorce.

(194)

Question: Regarding an adult woman who wishes to marry and has a father and an adult brother, but her father has been insane and incapable of understanding anything for twenty years: how should her marriage contract be concluded?

Answer: Her marriage contract is concluded under the guardianship of her brother.

(195)

Question: Regarding a pregnant woman whose husband has died: she is near the time of giving birth and is still in her waiting period. Her pregnancy is due before the end of her waiting period, but she cannot give birth except by having her abdomen surgically opened, requiring her to go to the hospital. What is the ruling?

Answer: If she leaves her home to go to the hospital, she is only required to give charity and seek forgiveness.

However, if the longer of the two waiting periods applies to her—four months and ten days—and she gives birth after two or three months and only then leaves her home to go to the hospital, she must begin the waiting period again for **four months and ten days**.

(196)

Question: Regarding a sick woman whose husband has died while she is in her waiting period: if, according to the doctor's opinion, it becomes necessary to move her from the place where she is staying to another location, what happens to her waiting period?

Answer: She may be moved to another place if necessary, and she must begin the waiting period again.

As for a divorced woman whose husband retains the right to take her back (*raj'ah*), she is entitled to maintenance and accommodation.

As for an irrevocably divorced woman (*bā'in*), she is entitled to neither maintenance nor accommodation.

As for a woman whose husband has died, she is not entitled to maintenance or accommodation during her waiting period.

(*Falsafah Fawz 'Aẓīm*, 1368 AH)

(197)

Matter: Another matter was brought before him—meaning Sayyidnā 'Abd 'Alī Sayf al-Dīn—concerning an adult woman who wished to marry.

Her father was absent from her and far away, and his location was unknown because he frequently traveled from one town to another and from one place to another.

Her brother and paternal uncle were present.

Her brother was her closest guardian after her father, but he was not yet an adult, which prevented the paternal uncle from exercising guardianship.

Her family therefore took the brother a distance of two *barīd* away, intending that he would thereby be considered absent and that the paternal uncle could then act as her guardian in the marriage.

Was this permissible?

Answer: Our master ruled that a similar case had occurred in Ṣūr.

There was an adult woman whose father was absent, while her underage brother and her paternal uncle were present. Her family wanted to arrange her marriage. They were told that this was not permissible unless her father appeared, appointed someone as his representative, or her brother reached adulthood. They therefore devised a plan: they took the brother away, thinking that if the brother became absent, the paternal uncle would take his place. But their plan achieved nothing, because it was the **presence of the underage brother**, rather than his physical presence in that particular place, that prevented the paternal uncle from exercising guardianship. His absence therefore did not remove the impediment. The question was then asked: If the person whose presence prevented the paternal uncle from exercising guardianship was himself an underage guardian, and he became absent, then according to the ruling of the noble Sharīʿah, the paternal uncle should be able to conclude the marriage because he is the next closest guardian after him. If the condition of the underage guardian is not treated like that of the father in his absence, nor like the situation in which the judge becomes the guardian while he is present, then why does the Sharīʿah state that when the closest guardian of a woman is underage, the judge is her guardian? Our master answered: The father's presence gives him the authority to conclude the marriage. The underage guardian may conclude the marriage once he reaches adulthood and is present. The questioner then asked why the woman is not treated as one whose marriage is concluded by the judge in this situation, since the Sharīʿah states that when the closest guardian of a woman is underage, the judge is her guardian. The answer is that this applies to a woman who has an underage guardian **and has no living guardian closer than him**. For the judge is the guardian of one who has no guardian. (*Naʿam al-Ṣibghah al-Ilāhiyyah*)

(198)

Question: What is the ruling concerning a boy whom a woman breastfed together with a girl whom she was also breastfeeding? Does he acquire milk kinship only with that girl who was breastfed alongside him, or with all the sons and daughters of the woman who breastfed him?

Answer: He acquires milk kinship with **all of her children**. They are all his brothers and sisters through breastfeeding.

(199)

Question: What does our master and lord, the Generous One—may God make us his ransom—say concerning a woman who was observing the waiting period of a woman whose husband had died? Two and a half months of her waiting period had passed when she was bitten by a snake and was forced to be taken by her family, while maintaining her *satr* (covering), to a man who could perform a healing recitation for her, also while maintaining her *satr*. What is the status of her waiting period?

Answer: She must begin the waiting period again.

(200)

Question: May the marriage contract of a woman be concluded while she is menstruating?

Answer: Her marriage contract may be concluded. There is no objection to this.

(201)

Question: Regarding a married couple whose marriage contract was concluded when they were both children. Two years later, it became known and was established that there was a breastfeeding relationship between them, while they were still both underage. Should they be separated, or should divorce take place after they reach adulthood?

Answer: They should be separated **without divorce**.

(202)

Question: May the two witnesses to a woman's divorce also be the very same two witnesses to her authorization (*wakālah*), or may one of them be?

Answer: Yes, this is permissible and there is no objection to it.

(203)

Question: Is it permissible for a menstruating woman to wash the deceased?

Answer: No, it is not permissible.

(*Nahr al-Nūr al-Sha‘shānī*, 1374 AH)

(204)

Question: If both the husband and the woman's guardian are deaf and mute, how is their marriage concluded?

Answer: The marriage is concluded through an understandable gesture, or through writing and reading if they know how to do so.

(205)

Question: Does a man enter the waiting period of his wife if she has no children from him?

Answer: Yes. He may enter her waiting period whether or not she has children from him.

(*Balāgh al-Du‘āt al-Fāṭimiyyīn*, 1375 AH)

Matters Concerning ‘Aqīqah and Vows

(206)

Question: Regarding someone who breaks the bones of the sheep of the ‘aqīqah accidentally, through forgetfulness, or out of ignorance—does anything become due upon him?

Answer:

Nothing is due upon him, and that is forgiven for him. The same ruling applies to the sheep of the *nafs*. However, one should not deliberately break the bones of the sheep of the ‘aqīqah or the sheep of the *nafs*.

(*Takbīr Sakīnah Fath Mubīn*, 1367 AH)

(207)

Question: If the newborn for whom the ‘aqīqah is being performed is in one house, while the sheep is slaughtered for him in another house, at the exact hour and minute in which the barber was appointed to shave the newborn's head, is this permissible or not?

Answer:

It is permissible, but the person slaughtering the sheep should be informed when the newborn's head is being shaved so that he may slaughter it at that time.

(208)

Question: If the newborn is in Surat, and the reciter reads the supplication of the ‘aqīqah over the telephone from Mumbai, while the listener in Surat slaughters the sheep upon hearing the words, “Bismillah, Allahu Akbar,” is this permissible or not?

Answer:

No, this is not permissible.

(*Na‘am al-Ṣibghah al-Ilāhiyyah*)

(209)

Question: Is it permissible to make use of the hide of the ‘aqīqah, or must it be buried?

Answer:

It is permissible to use it, but one should give that hide in charity.

(210)

Question: Regarding someone who performed the ‘aqīqah for a newborn on the sixth day or the sixteenth day by forgetfulness or mistake, and then remembered it: must he slaughter another sheep and perform the ‘aqīqah again on the twenty-first day from the day of the child's birth?

Answer:

The ‘aqīqah for the newborn is performed on the seventh day, or on the fourteenth day, or on the twenty-first day from the day of his birth. If he performed the ‘aqīqah on the sixth day or the sixteenth day, then he should perform the ‘aqīqah for him again on the twenty-first day.

(*Mafātīḥ Yāqūtah al-Ḥamrā’*)

(211)

Question: Is a completely hornless sheep, which never grew horns at all, slaughtered for the ‘aqīqah?

Answer:

No, it is not slaughtered.

(212)

Question: I asked about someone who made a vow to one of the *Mawālī*—may he be sanctified—to prepare food and gather men. Is he permitted to eat from it or not? As it is stated in *Mukhtaṣar al-Āthār*, concerning the sacrificial offering (*hady*) in Hajj: that which is voluntary may be eaten from, while that which is obligatory may not be eaten from. The obligatory offering is that which arises from a vow, an expiation for hunting, or spoiling something of the Hajj. What is meant by this vow? Is it the vow of an offering that is taken to the Sacred House of Allah, or does it refer to any vow whatsoever?

Answer:

If it was a vow made to one of the *Mawālī* involving some food, then he may eat from it and feed others, unless he had made obligatory upon himself that he would not eat any of it. If he made that obligatory upon himself, then he must abide by what he imposed upon himself; otherwise, he may eat from it according to the custom among people, whereby a person may make a vow while intending in his heart both to feed others and to eat from it himself. As for what was mentioned above from *Mukhtaṣar al-Āthār*, that specifically concerns an offering vowed to be taken to the Sacred House of Allah, where it is slaughtered and its owner does not eat from it.

(213)

Question: Regarding someone who made a vow to Allah to fast for a specified period, then when what he had hoped for came to him, he kept postponing it until he became afflicted with a chronic illness through which he is unable to fast—what is his situation?

Answer:

He may refrain from fasting for as long as his chronic illness continues. When he recovers from his illness, he must fulfill the vow that he made.

I say—by the grace of the Friend of Allah (*Walī Allāh*) upon His earth, peace be upon him—that if, because of his chronic illness, he is unable to fast the days that he vowed to fast, it is recommended for him to feed one believer for each day of the vowed fast, as is prescribed in the expiation for an obligatory fast.

(*Na‘am al-Ṣibghah al-Ilāhiyyah*, 1371 AH)

Matter Concerning Divorce

(214)

Question: A woman was divorced after being asked about her state of purity four days later, and she said that she had not been in a state of purity when the divorce took place. What is the status of her divorce?

Answer:

The divorce is not valid, because the woman denies that she was in a state of purity when the divorce took place. It was necessary to establish that she was in a state of purity at the time of the divorce.

Matter Concerning Purification

(215)

Question: What is the ruling concerning a wet garment that is being dried on sand mixed with shells?

Answer:

The garment is impure because it comes into contact with dead shells. Know this.

Two Matters Concerning Prayer

(216)

Question: A *mafsūh* who was authorized to oversee the workers travelled to another place for some necessity. Before leaving, he gave another *mafsūh* permission to lead the prayer in his place. That second *mafsūh* then led the people in prayer. The worker returned at night, but the aforementioned *mafsūh* did not know that he had returned. In the morning, that *mafsūh* led the people in the Fajr prayer, while the worker went to the mosque and learned what had happened. What is the ruling concerning this prayer?

Answer:

His prayer is permissible because he prayed with the permission of the worker.

(217)

Question: What does the noble Sacred Law—may the peace of Allah be upon its bearer—rule regarding a man who is restricted from exercising authority, but who is permitted to lead the people in prayer, and who experiences the minor nullifier of ablution during his prayer? Should he appoint the next *mafsūh* to complete the remainder of the prayer, and then obtain permission from the governor of his town for this, or should he terminate the prayer?

Answer:

He may appoint the next *mafsūh* to complete the remainder of the prayer, because he had been authorized to lead the prayer. Likewise, the *mafsūh* who comes immediately after him is also one who has permission to lead the prayer.

Two Matters Concerning Zakāt

(218)

Question: What do you say, O our caller to the Abode of Peace, regarding a man who

possessed some wealth but did not pay its one-fifth until he died? Is one-fifth of his entire estate—including houses, servants, and belongings—to be taken out, or not?

Answer:

Yes, one-fifth is to be taken out of his entire estate.

(219)

Question: What does our master—may Allah perpetuate his support—say regarding a man who died, and when his entire estate was examined, it was found sufficient to cover the Hajj and other obligations, such as expiation, *shurūy*, and one-fifth, while during his lifetime the deceased owned little besides a house and belongings? Are the other obligations to be paid, or do the heirs take the estate?

Answer:

If he left wealth, the Hajj obligation takes precedence over the inheritance, because it is a debt that comes before the inheritance. The other obligatory duties are also to be fulfilled if there is enough wealth to cover them while leaving something for the inheritance.

(220)

Question: Regarding a man who intends to travel during the daytime in Ramadan, and therefore breaks his fast before leaving his house, but then subsequently decides to remain—does he owe only a make-up fast, or both the make-up fast and expiation?

Answer:

He has done wrong by his action. If he had genuinely resolved to travel with sincere intention, and then something occurred that prevented his journey, there is no expiation upon him. But if he proceeded to break his fast without having a sincere intention to travel, then he owes both the make-up fast and the expiation.