

Conflicts in the Rulings of Mujtahids

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Statements of Fallibles will always be Inconsistent

أَفَلَا يَتَذَكَّرُونَ الْقُرْآنَ وَلَوْ كَانَ مِنْ عِنْدِ غَيْرِ اللَّهِ لَوَجَدُوا فِيهِ اخْتِلَافًا كَثِيرًا (4:82)

Do they not then meditate on the Quran? And if it were from any other than Allah, they would have found in it many a discrepancy.

وَإِذَا جَاءَهُمْ أَمْرٌ مِنَ الْأَمْنِ أَوْ الْخَوْفِ أَذَاعُوا بِهِ وَلَوْ رَدُّوهُ إِلَى الرَّسُولِ وَإِلَى أُولِي الْأَمْرِ مِنْهُمْ لَعَلِمَهُ الَّذِينَ يَسْتَنبِطُونَهُ مِنْهُمْ وَلَوْ لَا فَضْلُ اللَّهِ عَلَيْكُمْ وَرَحْمَتُهُ لَاتَّبَعْتُمُ الشَّيْطَانَ إِلَّا قَلِيلًا (4:83)

And when there comes to them news of security or fear they spread it abroad; and if they had referred it to the Messenger and to those in authority among them, those among them who can search out the knowledge of it would have known it, and were it not for the grace of Allah upon you and His mercy, you would have certainly followed the Shaitan save a few.

In Tafseer-e-Safi it is written about the Word اخْتِلَافًا كَثِيرًا, that if Quran would be other than Allah^{azwj}'s Words then there will be many defects in it, few of its parts would not be consistent and fall short of eloquence and would not describe past incidents and contain several contradictions.

It is referred to Imam Mohammed Baqir^{asws} in Tafseer-e-Safi that 'Istambat' يَسْتَنبِطُونَهُ (the process of deriving religious orders) can only be practised by the Masoom Imams^{asws}. And it is in Tafseer-e-Aiashi that Imam Ali Raza^{asws} says, Allah^{azwj} in this Verse refers to us^{asws}, we are the ones^{asws} who are worthy of practising يَسْتَنبِطُونَهُ in Quran and are fully aware of Allah^{azwj}'s Halal and Haram. And we^{asws} are His^{azwj} 'Hujjat' on His^{azwj} creation.

In Akmal-u-Deen, Sheikh Sadduq reports from Imam Mohammed Baqir^{asws}: Whoever tried to seek 'Wilayat' and derivation of Divine Knowledge from other than the Ahlul Bait of Prophet^{saww}, has acted against the Commands of Allah^{asws}. Those are away from the religion of Allah^{azwj} and attributed lies to Him^{azwj}, who considered 'Ulul Amr' other than those who are guided by Allah^{azwj} and have assumed that anyone other than Masoom^{asws} is worthy of deriving Allah^{azwj}'s orders. These are the ones who did not turn to Allah^{azwj}'s 'Fazal'¹ where it was meant to be (with Masomeen^{asws}) and, as a result, not only they went astray but also have misguided those who followed them. Thus, no excuse will be accepted from them on the Day of Judgement.²

A blind leading the Blinds!

There are several such claims made by Mujtahids of today, but for the brevity of this article we just give one example:

Agha Seestani says: InShaAllah you will not be blamed (in the Hereafter) if you act as per this book (Touse-ul-Masail). See, Appendix 1.

¹ Divine Blessing, Amir-ul-Momaneen^{asws} as per several traditions of Masomeen^{asws}.

² See, for example, Quran by Imdad Hussain, pg. 117.

Anyone with little knowledge of Islam would realise, this claim is totally against the Quran and traditions of Masomeen^{asws}, see for example the following two verses:

مَنْ اهْتَدَىٰ فَإِنَّمَا يَهْتَدِي لِنَفْسِهِ وَمَنْ ضَلَّ فَإِنَّمَا يَضِلُّ عَلَيْهَا وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ وَمَا كُنَّا مُعَذِّبِينَ حَتَّىٰ نَبْعَثَ رَسُولًا (17:15)

Whoever goes aright, for his own soul does he go aright; and whoever goes astray, to its detriment only does he go astray: nor can the bearer of a burden bear the burden of another, nor do We chastise until We raise a messenger.

قُلْ أَغَيْرَ اللَّهِ أَبْغِي رَبًّا وَهُوَ رَبُّ كُلِّ شَيْءٍ وَلَا تَكْسِبُ كُلُّ نَفْسٍ إِلَّا عَلَيْهَا وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ ثُمَّ إِلَىٰ رَبِّكُمْ مَرْجِعُكُمْ فَيُنَبِّئُكُمْ بِمَا كُنتُمْ فِيهِ تَخْتَلِفُونَ (6:164)

Say: What! shall I seek a Lord other than Allah? And He is the Lord of all things; and no soul earns (evil) but against itself, and no bearer of burden shall bear the burden of another; then to your Lord is your return, so He will inform you of that in which you differed.

Is Hallal and Haram a matter of Point of View?

As per several traditions of Masomeen^{asws} Allah^{azwj}'s 'Halal' is Halal until the day of Judgement and Haram will also remain Haram until the Doms Day.

سُنَّةَ اللَّهِ الَّتِي قَدْ خَلَتْ مِنْ قَبْلُ وَلَنْ تَجِدَ لِسُنَّةِ اللَّهِ تَبْدِيلًا (2348:)

Such has been the course of Allah that has indeed run before, and you shall not find a change in Allah's course.

حدثنا أحمد بن محمد بن الهيثم العجلي رحمه الله قال حدثنا أحمد بن يحيى بن زكريا القطان قال حدثنا بكر بن عبد الله بن حبيب عن تميم بن بهلول عن أبيه عن محمد بن سنان عن حمزة بن حمران قال سمعت أبا عبد الله ع يقول من استأكل بعلمه افتقر فقلت له جعلت فداك إن في شيعتك و مواليك قوما يتحملون علومكم و يبتونها في شيعتكم فلا يعدمون على ذلك منهم البر و الصلة و الإكرام فقال ع ليس أولئك بمستأكلين إنما المستأكل بعلمه الذي يفتي بغير علم و لا هدى من الله عز و جل ليبطل به الحقوق طمعا في حطام الدنيا

It is narrated from Imam Jafar-e-Sadiq^{asws}: Whoever would try to divert to his own advantage in the Divine knowledge (as revealed by Ahlul Bait^{asws}), would loose his worth. Only those would strive on this path, who without any guidance and nomination from Allah^{azwj}, want to corrupt the Just, for the sake of worldly gains by issuing Fatawa.³

We present, below, some examples of Mujtahid's decrees 'Fatawa' from their Articles 'Touzi-ul-Masail'. The selected Mujtahids are quite well known and are followed by most of Usooli Shia but an unbiased reader will soon find out that these Mujtahids do not only contradict themselves but also go against the traditions of Masomeen^{asws}.

However, prior to presenting traditions of Masomeen^{asws} after quoting the contradictions of Fatawa of Mujtahids, it is important to note there cannot be any contradictions in the traditions of Masomeen^{asws}, if one finds any then he has to look into more details the context and background to that traditions, as a hadith may have been reported from that

³ Muani Al-Akhbar, pg. 226, tradition 1. (الأخبار ص : 181 باب معنى الاستكمال بالعلم معاني)

person who was asked to observe Taqqiya or for a specific time/condition, i.e., one can eat haram to save his life but under abnormal conditions when he was compelled to save his life.

(1) Chess:

Agha Khomeini: playing chess as a sport or hobby is not Haram.⁴

A centuries' old and pre-Islamic game 'Shatrange' (Chess) has been prohibited by the Masomeen^{asws}, there are more than 195 references to their^{asws} traditions against playing it or even looking at its table. However, its 'haram' status was made controversial, after 1979 'Revolution' in Iran, with a single fatwa by Agha Khomeini, declaring it permissible, see, Appendix 2-a. We have translated few example traditions of Masomeen^{asws}, below, whereas other traditions and references are given without English translation (see Appendix 2-b-c).

Agha Seestani⁵:

Q185: (Is it permissible) to play chess and backgammon without placing a bet?

A: It is not permissible to play them. (FM, p. 436)

Ahadith of Masomeen^{asws} :

(1)

وسئل الصادق (عليه السلام) " عن قول الله عزوجل: " فاجتنبوا الرجس من الاوثان واجتنبوا قول الزور " قال:
الرجس من الاوثان الشطرنج، وقول الزور الغناء

- Imam Al-Sadiq^{asws} said: "Almighty Allah^{azwj} has said: 'Therefore avoid the uncleanness of the idols and avoid false words', Imam^{asws} said the Verse means: 'stay away from the filth of chess, singing and telling Lies.'⁶

(2)

وروى لنا عبد الواحد بن محمد بن عبدوس النيسابوري رضى الله عنه قال: حدثنا علي بن محمد بن قتيبة، عن الفضل بن شاذان قال: سمعت الرضا (عليه السلام) يقول: " لما حمل رأس الحسين (عليه السلام) إلى الشام أمر يزيد لعنه الله فوضع ونصب عليه مائدة، فأقبل هو وأصحابه يأكلون ويشربون الفقاع فلما فرغوا أمر بالرأس فوضع في طست تحت سريره وبسط عليه رقعة الشطرنج وجلس يزيد لعنه الله يلعب بالشطرنج ويذكر الحسين بن علي وأباه وجده (عليهم السلام) ويستهزئ بذكرهم، فمتى قامر صاحبه تناول الفقاع فشربه ثلاث مرات ثم صب فضله على ما يلي الطست من الارض فمن كان من شيعتنا فليتنورع عن شرب الفقاع واللعب بالشطرنج، ومن نظر إلى الفقاع أو إلى الشطرنج فليذكر الحسين (عليه السلام) وليلعن يزيد وآل زياد، يمحوا الله عزوجل بذلك ذنوبه ولو كانت بعدد النجوم

- Abdul Wahid bin Abdus Niashapuri^{ra} has narrated to us, who has heard it from Ali bin Mohammed bin Qatateebah, who heard it from Fazal bin Shazan, who says

⁴ For details please visit: http://www.dartabligh.org/q_a/c.html - 5

⁵ <http://www.al-islam.org/laws/contemporary/muamalat6.html>

⁶ ذَلِكَ وَمَنْ يُعْظَمْ حُرْمَاتِ اللَّهِ فَهُوَ خَيْرٌ لَهُ عِنْدَ رَبِّهِ وَأَجَلْتُ لَكُمْ النَّعَامَ إِلَّا مَا يَتْلَى عَلَيْكُمْ فَاجْتَنِبُوا الرِّجْسَ مِنَ الْأَوْثَانِ وَاجْتَنِبُوا قَوْلَ الزُّورِ (3022):

That (shall be so); and whoever respects the sacred ordinances of Allah, it is better for him with his Lord; and the cattle are made lawful for you, except that which is recited to you, therefore avoid the uncleanness of the idols and avoid false words

,Mane AlAkhar, pp. 396

Imam Ali Raza^{asws} said: 'When the 'Sacred Head of Imam Hussain^{asws} came to Syria, Yazeed^{la} used to ask his servants to lay a food-table over it and he used to eat food and drink wine with his friends over it and after finishing with the food and drink he would ask his servants to put Imam^{asws}'s 'Sacred Head' underneath his throne and ask for a chess table to be laid on this throne and start playing chess with his friends^{la}. Yazeed^{la} used to crack jokes and mock Imam Hussain^{asws}'s father^{asws} and grandfather^{asws} while playing chess with his friends^{la}. He would continue to drink wine while playing chess but after drinking three times (from his glass), he would pour down the remaining wine unto the floor, next to the wine pot. Therefore, our staunch followers would neither touch wine nor play chess and if one happens to see either of these he should better remember Imam Hussain^{asws} and send 'Laan' on Yazeed^{la} and progeny of Ziad^{la}. For this, Allah^{azwj} will forgive all his sins even if they are more than the stars in the sky.⁷

(3)

ويأتي في حديث علي بن رئاب عن أبي عبد الله (عليه السلام) في الشطرنج قال: المقلب لها كالمقلب لحم الخنزير. قلت: وما على من قلب (1) لحم الخنزير؟ قال: يغسل يده.

- Ali bin Raib narrates from Imam AbuAbullah^{asws} that Imam^{asws} talked about chess and said: Touching it is as turning the pork. I asked: what would be on that that turned the pork? Imam^{asws} replied: he has to wash his hands.

(4)

- My father has told me that he has heard it from Saad bin Abdullah, who heard it from Yaqoob bin Yazaad, who narrated from Hassan bin Mahboob, who from Khalid bin Jareer, who has learnt from Abu Rabah bin Shami, who from Imam Jafar-e-Sadiq^{asws} that Imam^{asws} was asked about a game called 'Nard'⁸ and Chess. Imam^{asws} replied: Do not go near either of them'. I asked what about 'Ghina' (song), Imam^{asws} replied; 'There is noting good about 'Ghina' do not listen to it'. I asked again about the 'Nabeez'⁹? Imam^{asws} replied: Rasool Allah^{saww} has forbidden all those substances which produce drowsiness and all drowsy elements are 'Haram'. The tradition continues.¹⁰

(5)

It is narrated from Imam Jafar-e-Sadiq^{asws} that Allah^{azwj} will forgive everyone sins except those there who drink wine or play chess or propagate innovation(s), which would divide people.¹¹

(2) Khums:

Agha Khomeini: It is obligatory to pay khums on the following seven thing: (1) profit or gain from trading, (2) minerals, (3) treasure-trove, (4) mingling of the

⁷ Manla Yahzarul Fakihi, tradition, no. 5915 (vol. 4).

⁸ A board game which includes use of dice.

⁹ Wine made out of either dates or grapes.

¹⁰ Mane AlAkhbar, pp. 271, tradition, 223.

¹¹ Tafseer by Imdad Hussain, pp. 43, referece to al-Kafi, also see Manla Yahzarul Fakihi, tradition, no. 1839 (vol. 2, pg. 57).

lawful property with unlawful property, (5) gems obtained from the sea by diving, (6) war booty, (7) land which a 'zimmi' (an infidel living under the protection of Islamic Government) purchases from a Muslim (Rule no. 1748).

Agha Khomeini (Khums is not for Syeds): For example, *khums* is a huge source of income that accrues to the treasury and represents one item in the budget. According to our Shī'i school of thought, *khums* is to be levied in an equitable manner on all agricultural and commercial profits and all natural resources whether above or below the ground—in short, on all forms of wealth and income. It applies equally to the greengrocer with his stall outside this mosque, and to the shipping or mining magnate. They must all pay one-fifth of their surplus income, after customary expenses are deducted, to the Islamic Ruler, so that it enters the treasury. It is obvious that such a huge income serves the purpose of administering the Islamic state and meeting all its financial needs. If we were to calculate one-fifth of the surplus income of all the Muslim countries (or of the whole world, should it enter the fold of Islam), **it would become fully apparent that the purpose for the imposition of such a tax is not merely the upkeep of the *sayyids* or the religious scholars**, but on the contrary, something far more significant—namely, meeting the financial needs of the great organisations and institutions of government. **If an Islamic government is achieved, it will have to be administered on the basis of the taxes that Islam has established—*khums*, *zakât* (this, of course, would not represent an appreciable sum) *jizyah*, and *kharâj*...**¹²

Agha Khoie: It is obligatory to pay khums on the following seven thing: (1) profit or gain from earnings, (2) minerals, (3) treasure-trove, (4) mingling of the lawful property with unlawful property, (5) gems obtained from the sea by diving, (6) war booty, (7) land which a 'zimmi' (an infidel living under the protection of Islamic Government) purchases from a Muslim (Rule no. 1760).

Agha Seestani: Same orders as above but with the addition of profit from the earnings (Rule no. 1760).

Agha Lankarani: Same as Agha Khomeini (Rule no. 1816).

In general, more or less all fatawa have the common basis, with the exception of Agha Khoie and Seestani which consider some sort of profits from the earning, which is difficult to understand, as there could be savings from earnings rather than a profit which comes after investment/trading/putting efforts (where return is not fixed as per one's efforts).

However, Agha Khomeini, in direction contradiction to the rest of Mujtahid and Quran and Hadith insist on treating Khums as a tax and to be utilised for the establishment and execution of Islamic Ruler. The '(4) mingling of the lawful property with unlawful property' is a unrealistic concept, which is based on a fabricated tradition. It must be noted that it would be impossible for a Divine Imam^{asws} to allow his followers to

¹² Islamic Government: Governance of the Jurist, Imam Khomeini, Translated by Prof. Hamid Algar (<http://www.al-islam.org/islamicgovernment>)

legitimately consume their mixture of halal and haram wealth by giving khums on all of it. That would imply that someone who never cared for halal and haram and accumulated wealth by all legal and illegal means will be told later by a Mujtahid, 'give me 20% on all of your wealth and the rest is permissible for you to enjoy'. One should return the illegally looted monies to their respective owner prior to treating his property lawful and pure.

Ahadith of Masomeen^{asws}:

(1)

علي بن إبراهيم بن هاشم، عن أبيه، عن حماد بن عيسى، عن بعض أصحابنا، عن العبد الصالح عليه السلام قال: الخمس من خمسة أشياء من الغنائم والغوص ومن الكنوز ومن المعادن والملاحاة

It is narrated from Masoom^{asws} Khums is obligatory on 5 items: (1) minerals, (2) gems obtained from the sea by diving, (3) war booty, (4) profit from trade or agriculture and (5) land which a 'zimmi' (an infidel living under the protection of Islamic Government) purchases from a Muslim.¹³

(2)

حدثنا محمد بن الحسن رضي الله عنه قال: حدثنا محمد بن الحسن الصفار عن العباس بن معروف عن حماد بن عيسى عن حريز عن رزارة عن أبي جعفر (ع) انه قال: ان أمير المؤمنين (ع) حللهم من الخمس - يعني الشيعة - ليطيب مولدهم

Imam Mohammed Baqir (a.s.) has narrated that Imam Ali (a.s.) has waived al-Khums for his Shias so that their children are born clean/legitimate.¹⁴

The same hadith has also been reported our several books of Ahadith, e.g., Al-Kafi, Manla Yahzar-ul-Faki. However, the big difference here is that for our time Khums has been waived for the followers of Ahlul-Bait^{asws} and no non-masoom has the ability to either collect it or distribute it.

For details, please see, for example: <http://www.hubeali.com/practices/Chapter-5-Zakat-Khums.pdf>

(3) Salat-e-Jumma:

Agha Khomeini: One can offer Two-Rakat Salat-e-Jumma on Friday instead of offering the Zuhar prayers. However, it would be better if one also offer Zuhar

¹³ Al-Kafi, - H 1413, Ch. 130, h 4.

¹⁴ Illul Sharia

prayers as a precaution after Jummah Salat. This precaution is highly recommended (Friday Prayer is offer with Mustahib Niat; Rule no. 733).

Agha Khoie and Seestani: If one offers Jummah Salat then it will suffice for Zuhar prayers, meaning there is no need to need to offer Zuhar prayers (Friday Prayer is offered with Wajib Niat; Rule no. 740).

Agha Lankarani: During the occultation of Imam-e-Zaman^{asws}, Salat-e-Jumma is 'Near Wajib', and it is preferable to offer Jumma Salat but as a matter of precaution, one may recite Zuhar prayers afterwards (Friday Prayer is offered with Mustahib Niat; Rule no. 1536).

Agha Khamenei: Whoever wants to offer both Jumma and Zuhar prayers on Friday, he may do so with the intention of 'nearness to Allah' and there is no need to have the mandatory intention for either of these prayers (Rule no. 354).

Ahadith of Masomeen^{asws}:

(1)

وعن علي عليه السلام أنه قال: لا يصلح الحكم ولا الحدود ولا الجمعة إلا بإمام عدل
Imam Ali^{asws} said: the Hukam¹⁵ and Haddood and Jumma are not valid in the absence of a Just Imam^{asws}.¹⁶

(2)

عن جعفر بن محمد (عليهما السلام) أنه قال: (لا الجمعة إلا مع إمام عدل تقي)
Jaffar Bin Mohammed^{asws} said: There is no Jumma, without the presence of Just and Taqi Imam^{asws}.¹⁷

Further traditions of Masomeen^{asws} on Salat-e-Jumma can be found:
www.hubeali.com

(4) Issues of Moon Sighting:

Agha Khomeini: Moon of the 1st (crescent) is confirmed from five means, out of those one is that 'Hakim-e-Shara' issues an order regarding the moon sighting. (Rule no. 1727) When the 'Hakim-e-Shara' would issue an order regarding this, all have to submit to the order including those who are not his taqleed (Rule no. 1728)

Agha Lankarani: Same as above.

Agha Khoie: The 1st date of an Islamic month is not proved by the order of a religious leader 'Hakim-e-Shara' and it is better to observe precaution (Rule no. 1740).

¹⁵ Divine Law and Punishment which can only be valid under the leadership of a Divine Messenger.

¹⁶ Mustadrak ul Wasil Vol-6 Page-14,

¹⁷ Mustadrak ul Wasil Vol-6 Page-13

Agha Seestani: The 1st day of any month will not be proved by the verdict of a Mujtahed and it is better to observe percaution (Rule no. 1740).

Agha Khamenei: If one is sure of the 1st of the month or listens to the news of the moon sighting from 'Wali-e-Faqi' then there is no need to do any further research (no. 855). If the head of the state gives orders regarding the moon sighting then it is compulsory on all to obey his orders (Rule no. 860).

Here, we can clearly see the difference of opinion among mujtahids. Agha Khoei and Seestani do not regard the fatwa of a Mujtahid/'Hakim-e-Shara' as a final verdict for establishing the 1st of a month whereas Agha Khomeini, Agha Khamenei and Agha Lankarani find it sufficient to follow the 'Hakim-e-Shara' even for those who are not their 'Muqalid'. Let us now consult the traditions of Masomeen^{asws} on moonsighting from which it can be clearly inferred that the above fatawa are not based on the traditions of Masomeen^{asws} but merely on logic:

Ahadith of Masomeen^{asws}:

(1)

فِي شَهْرِ رَمَضَانَ وَحَدُّهُ لَا يُبْصِرُهُ غَيْرُهُ أَلَهُ أَنْ يَصُومَ قَالَ إِذَا وَ سَأَلَ عَلِيُّ بْنُ جَعْفَرٍ أَخَاهُ مُوسَى بْنَ جَعْفَرٍ عَنِ الرَّجُلِ بَرَى الْهِلَالَ لَمْ يَشْكُ فَلْيُفْطِرْ وَ إِلَّا فَلْيَصُمْهُ مَعَ النَّاسِ

And Ali bin Jafar has narrated from his brother Hazrat Imam Musa bin Jafar^{asws} regarding a person who is the only one claiming to has seen the moon crescent while no one else agrees with him then shall he observe fast along with the others? Imam^{asws} replied if he is absolutely sure about the sighting of the moon then he should observe Eid (alone) otherwise he should fast along with the others.¹⁸

(2)

الهِلَالَ فَصُومُوا وَ إِذَا رَأَيْتُمُوهُ فَأَفْطِرُوا وَ لَيْسَ بِالرَّأْيِ وَ النَّظَرِ وَ لَيْسَ الرُّؤْيُ رَوَى مُحَمَّدُ بْنُ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ ع قَالَ إِذَا رَأَيْتُمْ أَنْ يَوْمَ عَشْرَةِ نَقَرٍ يَنْظُرُونَ قَبُولَ وَاحِدٍ مِنْهُمْ هُوَ ذَا هُوَ ذَا وَ يَنْظُرُ تِسْعَةَ فَلَا يَرُونَهُ وَ لَكِنْ إِذَا رَأَهُ وَاحِدٌ رَأَاهُ أَلْفٌ

- Mohammed bin Muslim has narrated from Hazrat Imam Mohammed Baqir^{asws} that start fasting when you see the moon crescent and stop fasting when you observe the crescent of (Shavval). This should not happen based on anyone's 'zun and ghuman' (guess and suspicion) and neither like when ten people stand up to watch the moon and one of them says he has seen it while others could not spot the moon, instead it is like when one would be able to see it then thousand will also observe it.¹⁹

(3)

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عِيسَى عَنْ حَمْرَةَ أَبِي يَعْلَى عَنْ مُحَمَّدِ بْنِ الْحَسَنِ بْنِ أَبِي خَالِدٍ رَفَعَهُ عَنْ أَبِي عَبْدِ اللَّهِ ع إِذَا صَحَّ هِلَالُ شَهْرِ رَجَبٍ فَعُدَّ تِسْعَةً وَ خَمْسِينَ يَوْمًا وَ صُمْ يَوْمَ السَّتِّينَ

Imam Jafar-e-Sadiq^{asws} said: When you observe the Moon of Rajab then count 59 days and start fasting on the 60th day.²⁰

¹⁸ Manla Yazar ul Faqi, Hadith no. 1915

¹⁹ Manla Yazar ul Faqi, Hadith no. 1908

²⁰ Al-Kafi, Soam, Vol. 4, pg. 77, Hadith 8

(4)

يَنْقُصُ أَبَدًا عَنْ حُدُوفِهِ بِنِ مَنصُورٍ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ شَهْرُ رَمَضَانَ ثَلَاثُونَ يَوْمًا لَا عَلَى بِنِ مُحَمَّدٍ عَنْ صَالِحٍ بِنِ أَبِي حَمَّادٍ عَنْ ابْنِ سِنَانٍ
Imam Jafar-e-Sadiq^{asws} said: The month of Ramadhan will always be of 30 days without any exception.²¹

(5)

وَعَنْهُ عَنِ الْحَسَنِ بِنِ الْحُسَيْنِ عَنْ ابْنِ سِنَانٍ عَنْ حُدُوفِهِ مِثْلَهُ
Hazifa also report the same (the month of Ramadhan will always be 30 days) from Al-Hassan bin al-Hussain who from Ibn Sanan.

(6)

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلٍ بِنِ زِيَادٍ عَنْ مُحَمَّدٍ بِنِ إِسْمَاعِيلَ عَنْ يَعْصَى أَصْحَابِهِ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ إِنَّ اللَّهَ تَبَارَكَ وَ تَعَالَى خَلَقَ الدُّنْيَا فِي سِتَّةِ أَيَّامٍ ثُمَّ اخْتَارَ لَهَا مِنْ أَيَّامِ السَّنَةِ وَالسَّنَةِ ثَلَاثُمِائَةٍ وَ أَرْبَعٍ وَ خَمْسُونَ يَوْمًا شَعْبَانَ لَا يَتِمُّ أَبَدًا رَمَضَانَ لَا يَنْقُصُ وَ اللَّهُ أَبَدًا وَ لَا تَكُونُ قَرِيبَةً نَاقِصَةً إِنَّ اللَّهَ عَزَّ وَ جَلَّ يَقُولُ وَ لَتَكْمِلُوا الْعِدَّةَ وَ شَوَّالٍ تِسْعَةً وَ عِشْرُونَ يَوْمًا وَ ذُو الْقَعْدَةِ ثَلَاثُونَ يَوْمًا لِقَوْلِ اللَّهِ عَزَّ وَ جَلَّ وَ وَاَعِدْنَا مُوسَى ثَلَاثِينَ لَيْلَةً وَ أَتَمَمْنَاهَا بِعِشْرِينَ فَمِائَتٌ مِائَةً وَ أَرْبَعِينَ لَيْلَةً وَ ذُو الْحِجَّةِ تِسْعَةً وَ عِشْرُونَ يَوْمًا وَ الْمَحْرَمُ ثَلَاثُونَ يَوْمًا ثُمَّ الشَّهْرُ بَعْدَ ذَلِكَ شَهْرُ تَامٍ وَ شَهْرُ نَاقِصٍ

Imam Jafar-e-Sadiq^{asws} said: Allah azwj created the earth in 6 days, then specified year and divided it into 354 days, so Shaban would never be of 30 days, but the month of Ramadhan will never be less than 30 days so that the obligation (of fasting) will never fall short of (30) days, since Allah azwj says to fully complete the count.²² Shawal will be of 29 days and Zeeqad 30 days, Allah azwj says I had promised Musa as for 30 nights but then made it 40 days by adding another 10 days. So Zilhajj 29 days and Muharram 30 days, other months are full (30) or of lesser duration (29 days).²³

(7)

مُحَمَّدُ بِنِ يَحْيَى عَنْ مُحَمَّدٍ بِنِ الْحُسَيْنِ عَنْ ابْنِ سِنَانٍ عَنْ حُدُوفِهِ بِنِ مَنصُورٍ عَنْ مُعَاذٍ بِنِ كَثِيرٍ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ شَهْرُ رَمَضَانَ ثَلَاثُونَ يَوْمًا لَا يَنْقُصُ وَ اللَّهُ أَبَدًا
Imam Jafar-e-Sadiq^{asws} said: The month of Razadhan will never be less than 30 days.²⁴

(8)

عَلِيُّ بِنِ مُحَمَّدٍ عَنْ يَعْصَى أَصْحَابِنَا عَنْ مُحَمَّدٍ بِنِ عِيسَى بِنِ عُبَيْدٍ عَنْ إِبْرَاهِيمَ بِنِ مُحَمَّدٍ الْمَدَنِيِّ عَنْ عُمَرَ بِنِ الزَّعْفَرَانِيِّ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ع إِنَّ السَّمَاءَ تُطْبِقُ عَلَيْنَا بِالْعَرَّاقِ الْيَوْمَ وَ الْيَوْمَيْنِ وَ الثَّلَاثَةِ فَآيَ يَوْمٍ نَصُومُ قَالَ انْظُرِ الْيَوْمَ الَّذِي صُمْتَ مِنَ السَّنَةِ الْمَاضِيَةِ وَ صُمْ يَوْمَ الْخَامِسِ
I asked from Imam Jafar-e-Sadiq^{asws}, 'In Iraq, usually two to three days are overcast so which day we should observe fast?' Imam^{asws} replied: 'first recall which day you had observed fast last year, and then fast after the fifth day (after adding 5 days to it) from previous year's day (as a first of Ramadhan).'²⁵

(9)

مُحَمَّدُ بِنِ يَحْيَى عَنْ مُحَمَّدٍ بِنِ أَحْمَدَ عَنِ الْعَبَّاسِ بِنِ مَعْرُوفٍ عَنْ صَفْوَانَ بِنِ يَحْيَى عَنْ مُحَمَّدٍ بِنِ عُثْمَانَ الْخُدْرِيِّ عَنْ يَعْصَى أَصْحَابِهِ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ صُمْ فِي الْعَامِ الْمُسْتَقْبَلِ يَوْمَ الْخَامِسِ مِنْ يَوْمٍ صُمْتَ فِيهِ عَامَ أَوَّلٍ
Imam Jafar-e-Sadiq^{asws} said: 'Next year fast after the fifth day after the day you had starting fasting (month of Ramadhan) in the previous year.'²⁶

(10)

مُحَمَّدُ بِنِ يَحْيَى عَنْ أَحْمَدَ بِنِ مُحَمَّدٍ عَنِ السَّيَّارِيِّ قَالَ كَتَبَ مُحَمَّدُ بِنُ الْفَرَجِ إِلَى الْعَسْكَرِيِّ ع يسأله عما روي من الحساب في الصوم عن آبائك في عد خمسة أيام بين أول السنة الماضية و السنة الثانية التي تأتي فكتب صحيح و لكن عذ في كل أربع سنين خمسا و في السنة الخامسة سنا فيما بين الأولى و الحادث و ما سوى ذلك فإمّا هو خمسة خمسة قال السَّيَّارِيُّ وَ هَذِهِ مِنْ جِهَةِ الْكِبَيْسَةِ قَالَ وَ قَدْ حَسِبَهُ أَصْحَابُنَا فوجدوه صحيحا قال وَ كَتَبَ إِلَيْهِ مُحَمَّدُ بِنُ الْفَرَجِ فِي سَنَةِ ثَمَانَ وَ ثَلَاثِينَ وَ

²¹ Al-Kafi, Soam, Vol. 4, pg. 78, Hadith 1

²² شَهْرُ رَمَضَانَ الَّذِي أُنْزِلَ فِيهِ الْقُرْآنُ هُدًى لِلنَّاسِ وَبَيِّنَاتٍ مِنَ الْهُدَى وَالْفُرْقَانِ فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ وَمَنْ كَانَ مَرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخَرَ يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَ لَا يُرِيدُ بِكُمُ الْعُسْرَ وَلِتُكْمِلُوا الْعِدَّةَ وَلِتُكَبِّرُوا اللَّهَ عَلَى مَا هَدَاكُمْ وَلَعَلَّكُمْ تَشْكُرُونَ (2:185)

The month of Ramazan is that in which the Quran was revealed, a guidance to men and clear proofs of the guidance and the distinction; therefore whoever of you is present in the month, he shall fast therein, and whoever is sick or upon a journey, then (he shall fast) a (like) number of other days; Allah desires ease for you, and He does not desire for you difficulty, and (He desires) that you should complete the number and that you should exalt the greatness of Allah for His having guided you and that you may give thanks.

²³ Al-Kafi, Soam, Vol. 4, pg. 78, Hadith 2.

²⁴ Al-Kafi, Soam, Vol. 4, pg. 78, Hadith 3.

²⁵ Al-Kafi, Soam, Vol. 4, pg. 80, Hadith 1.

²⁶ Al-Kafi, Soam, Vol. 4, pg. 81, Hadith 2.

Conflicts in the Rulings of Mujtahids

مَاتَيْنِ هَذَا الْحِسَابُ لَا يَنْهَيَّا لِكُلِّ إِنْسَانٍ أَنْ يَعْمَلَ عَلَيْهِ إِمَّا هَذَا لِمَنْ يَعْرِفُ السَّنِينَ وَمَنْ يَعْلَمُ مَتَى كَانَتْ السَّنَةُ الْكَبِيرَةُ ثُمَّ يَصِحُّ لَهُ هِلَالُ شَهْرِ رَمَضَانَ أَوَّلَ لَيْلَةٍ فَإِذَا صَحَّ الْهِلَالُ لِلْيَلَانَةِ وَ عَرَفَ السَّنِينَ صَحَّ لَهُ ذَلِكَ إِنْ شَاءَ اللَّهُ

Mohammed bin alFaraj asked from Imam Mohammed Askari^{asws} please verify for me the calculation procedure ascribed from your ancestors that 5 days are to be added to the previous first day of Ramadhan. Imam^{asws} wrote him back that this calculation is just but one needs to add 6 days on the fifth year (5days during the first 4 years but 6 days on the 5th year), otherwise just add 5 years to the previous year's first day of Ramadhan. The narrator says the addition of 6th day happened during the year of 'Kabeeh'. He said that our companions evaluated this method and found it sound, as per the letter which was written by Mohammed bin alFaraj to Imam^{asws} in the year of 238, however, it would be difficult to follow it by an ordinary person unless he strictly calculates the moon days and then follows this method, only with the will of Allah^{azwj27}

(11)

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلٍ بْنِ زِيَادٍ عَنْ مِصْبُورِ بْنِ الْعَبَّاسِ عَنْ إِبْرَاهِيمَ الْأَحْوَلِ عَنْ عُمَرَ بْنِ الزَّعْفَرَانِيِّ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ عَ إِنَّا نَمُكِّثُ فِي الشَّتَاءِ الْيَوْمَ وَالْيَوْمَيْنِ لَا نَرَى شَمْسًا وَلَا نَجْمًا فَأَيَّ يَوْمٍ نَصُومُ قَالَ انْظُرِ الْيَوْمَ الَّذِي صُمِمَتْ مِنْهُ السَّنَةُ الْمَاضِيَّةُ وَ عِدَّةَ خَمْسَةِ أَيَّامٍ وَ صُمِ الْيَوْمُ الْخَامِسَ

I asked from Imam Jafar-e-Sadiq^{asws} that during the winter we are unable to see the Sun and stars then how shall we fast? Imam^{asws} replied add five days to last years first day of Ramadhan and start fasting from that day.²⁸

(12)

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ حَمَزَةَ بْنِ يَعْلَى عَنْ زَكَرِيَّا بْنِ أَدَمَ عَنْ الْكَاهِلِيِّ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ عَ عَنِ الْيَوْمِ الَّذِي يُشْتَكُّ فِيهِ مِنْ شَعْبَانَ قَالَ لَأَنْ أَصُومَ يَوْمًا مِنْ شَعْبَانَ أَحَبُّ إِلَيَّ مِنْ أَنْ أَفْطِرَ يَوْمًا مِنْ شَهْرِ رَمَضَانَ

The narrator says, I asked from Imam Aba Abdullah^{asws} regarding what one would do if first-fast day of Ramazan is not established and one is in doubt whether its Shaban or Ramazan month. Imam^{asws} replied, I would prefer him to fast on the day of Shaban and break it on Ramazan day' eve.²⁹

(13)

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ مُحَمَّدِ بْنِ عِيْسَى عَنْ يُونُسَ عَنْ سَمَاعَةَ قَالَ: سَأَلْتُهُ عَنِ الْيَوْمِ الَّذِي يُشْتَكُّ فِيهِ مِنْ شَهْرِ رَمَضَانَ لَا يَدْرِي أَوْ هُوَ مِنْ شَعْبَانَ أَوْ مِنْ رَمَضَانَ فَصَامَهُ فَكَانَ مِنْ شَهْرِ رَمَضَانَ قَالَ هُوَ يَوْمٌ وَفَّقَ لَهُ وَ لَا قَضَاءَ عَلَيْهِ

I asked from Imam^{asws} regarding a person who is in doubt if it's 1st day of month of Ramazan or Shaban and if he keeps fast and then it turns out later that it was the day of month of Ramazan. Imam^{asws} replied this would be 'Yum-e-Tofeeq' (day of blessing) for him and there is no 'Qaza' for him (for missing an obligatory fast).³⁰

(14)

أَحْمَدُ بْنُ مُحَمَّدٍ عَنْ ابْنِ أَبِي الصُّهْبَانِ عَنْ مُحَمَّدِ بْنِ بَكْرِ بْنِ جَنَاحٍ عَنْ عَلِيِّ بْنِ شَجَرَةَ عَنْ بَشِيرِ النَّبَّالِ عَنْ أَبِي عَبْدِ اللَّهِ عَ قَالَ سَأَلْتُهُ عَنْ صَوْمِ يَوْمِ الشَّكِّ فَقَالَ صُمُّهُ فَإِنَّ يَكُ مِنْ شَعْبَانَ كَانَ تَطَوُّعًا وَإِنْ يَكُ مِنْ شَهْرِ رَمَضَانَ فَيَوْمٌ وَفَّقْتَ لَهُ

I asked from Imam Jafar-e-Sadiq^{asws}, What about the fasting on the day of doubt (Yum-e-Shuuk) Imam^{asws} replied, keep fast, if its on the day of Shaban then it will be a 'Sunniti'³¹ fast but if it turns out to be in the month of Ramazan then it will be the 'Toufeeqi'³² Fast.³³

Commemorating the 1st of Islamic Month:

²⁷ Al-Kafi, Soam, Vol. 4, pg. 81, Hadith 2.

²⁸ Al-Kafi, Soam, Vol. 4, pg. 81, Hadith 4

²⁹ Faroo-e-Kafi, tradition 1, vol. 3, pp. 232.

³⁰ Faroo-e-Kafi, tradition 2, vol. 3, pp. 232.

³¹ A non-obligatory fast based on masomeen^{asws}'s tradition.

³² A blessed fast.

³³ Faroo-e-Kafi, tradition 5, vol. 3, pp. 232.

Agha Khomeini: If moon sighting is confirmed in a city then there is no relevance to the other city unless and until these cities are very close to each other and are on the same horizon 'Ufeeek'(Rule no. 1732)

Agha Lankarani: Same as above.

Agha Khoie: If the first date of a month is proved in a city it is also proved in other cities whether they are near or far and whether or not they have a common horizon, provide they have a common night, even through when it is the first part of the night in one of them and it is the last part of the night in the other (Rule no. 1744).

Agha Seestani: If the first date of a month is proved in a city it is also proved in other cities provided they are united in their horizon (Rule no. 1744).

Agha Khamenei: If the decree includes all the cities, it is valid for all of them (Rule no. 862).

One can clearly notice the difference of opinions among the cited mujtahids, Agha Khamenei and Agha Lankarani do not consider a resident of one city should also be obliged to follow the sighting of the other city's residents but Agha Khoie says at least those cities should have the same 1st day of the month if they overlap in the night (e.g., depending on the Winter 12-14 but in Summer 6-8 hours). On the other hand, Agha Seestani's views are favouring the condition of horizon. However, as per Agha Khamenei the followers of a Mujtahid living in those cities should obey his orders regardless of the horizon.

(5) Fasting on the Day of Ashura:

All five (Khamenei, Lankarani, Seestani, Khoie and Khamenei) are of the opinion that fasting on the day of Ashura is 'Makru' (it is better not to observe it), see for example Rule no. 1744.

Masomeen^{asws}'s traditions:

- محمد بن يحيى، عن محمد بن الحسين، عن صفوان بن يحيى ; وعلي بن الحكم، عن العلاء بن رزين، عن محمد بن مسلم، عن أحدهما عليهما السلام أنه سئل عن صوم يوم عرفة فقال: [أ] ما أصومه اليوم وهو يوم دعاء ومسألة.

I enquired from Imam^{asws}, regarding fasting on the day of 'Arafa'. Imam^{asws} replied, I do not fast on that day as it is the day for supplications and asking for blessings.³⁴

For further traditions forbidding fasting on the day of Ashura, see Appendix 3.

³⁴ Faroo-e-Kafi, tradition 1, vol. 3, pp. 321.

(6) Wiping feet during Ablution:

Agha Khomeini: It is sufficient if one would place full hand on foot and pull it slightly (Rule no. 254)

Agha Khoie: It is an obligatory precaution that at the time of wiping the foot one should place one's hand on the tips of the fingers and then draw it on the instep, or that one should place the hand on the joint and draw it up to the tips of the fingers and not that one should place the entire hand on the foot and draw it a little (Rule no. 260).

Agha Seestani: After wiping the head, one should wipe with the moisture present in one's feet from any toe of the foot up to the joint. As a recommended precaution, the right foot should be wiped with the right hand, and the left foot with the left hand (Rule no. 258).

Agha Khamenei: If the tips of the toes are not covered in the 'Mash' the 'Wuzu' is invalid and it is obligatory for you to perform the 'Qaza' of the prayers offered earlier. But if there is doubt as to whether the 'Mash' performed covered the sides of the toes or not, then the 'Wuzu' as well as the prayers performed will be Ruled to be valid. (Rule no. 108).

Here we can clearly see the difference of opinion between Agha Khoie and Agha Khomeini.

Ahadith of Masomeen^{asws}:

(1)

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ أَبِي نُصْرٍ عَنْ أَبِي الْحَسَنِ الرُّضَا ع قَالَ سَأَلْتُهُ عَنِ الْمَسْحِ عَلَى الْقَدَمَيْنِ كَيْفَ هُوَ فَوَضَعَ كَفَّهُ عَلَى الْأَصَابِعِ فَمَسَحَهَا إِلَى الْكَعْبَيْنِ إِلَى ظَاهِرِ الْقَدَمِ فَقُلْتُ جُعِلَتْ فِدَاكَ لَوْ أَنَّ رَجُلًا قَالَ بِإِصْبَعَيْنِ مِنْ أَصَابِعِهِ هَكَذَا فَقَالَ لَا إِلَاءَ بِكَفِّهِ

The narrator asked from Imam Ali Raza^{asws} regarding the 'Masa'. Imam^{asws} put his hands on his toes and wiped his hands until the ankle height.³⁵

(2)

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ أَبِي نُصْرٍ عَنْ أَبِي الْحَسَنِ الرُّضَا ع قَالَ سَأَلْتُهُ عَنِ الْمَسْحِ عَلَى الْقَدَمَيْنِ كَيْفَ هُوَ فَوَضَعَ كَفَّهُ عَلَى الْأَصَابِعِ فَمَسَحَهَا إِلَى الْكَعْبَيْنِ إِلَى ظَاهِرِ الْقَدَمِ فَقُلْتُ جُعِلَتْ فِدَاكَ لَوْ أَنَّ رَجُلًا قَالَ بِإِصْبَعَيْنِ مِنْ أَصَابِعِهِ هَكَذَا فَقَالَ لَا إِلَاءَ بِكَفِّهِ

Imam Mohammed Baqir^{asws} has said: The limit of 'Masa' is to put your palms at the end of your toes and wipe it to your ankle joint but first do the 'Masa' of right foot before the left one.³⁶

(7) Maximum Quantity of Water for Ablution:

³⁵ AlKafi, Taharat, chap, 19, Hadith no. 5.

³⁶ Manla Yazar ul Faqi, Hadith no. 88

- None of the Mujtahids give any reference to the quantity of maximum water for Ablution. But as per traditions of Masomeen^{asws}, Ablution becomes void if more than 750ml of water is used.

Ahadith of Masomeen^{asws}:

قَالَ أَبُو الْحَسَنِ مُوسَى بْنُ جَعْفَرٍ عَ لِلْغُسْلِ صَاعٌ مِنْ مَاءٍ وَ لِلْوُضُوءِ مُدٌّ مِنْ مَاءٍ وَ صَاعُ اللَّبَنِ صَ خُمُسُهُ أَمْدَادٌ وَ الْمُدُّ وَزْنُ مِائَتَيْنِ وَ ثَمَانِينَ دِرْهُمًا وَ الدَّرْهُمُ سِتَّةُ دَوَانِيقَ وَ الدَّانِيقُ وَزْنُ سِتِّ حَبَّاتٍ وَ الْحَبَّةُ وَزْنُ حَبَّتَيْنِ مِنْ شَعِيرٍ مِنْ أَوْسَاطِ الْحَبِّ لَا مِنْ صِغَارِهِ وَ لَا مِنْ كِبَارِهِ وَ قَالَ رَسُولُ اللَّهِ صَ الْوُضُوءُ مُدٌّ وَ الْغُسْلُ صَاعٌ وَ سِبْأَتِي أَقْوَامٌ بَعْدِي يَسْتَقُولُونَ ذَلِكَ فَأُولَئِكَ عَلَى خِلَافِ سُنَّتِي وَ الثَّابِتُ عَلَى سُنَّتِي مَعِي فِي حَظِيرَةِ الْقُدُسِ

It is referred from Hazrat Imam Abul Hassan Musa bin Jafara.s that one 'Salay' (circa 3Kg/3litres) and one 'mud' (0.75 Kg/0.75litres) water is sufficient for taking bath and performing ablutions, respectively. The same quantity (one Salay and one mud) has been ascribed from Rasool Allah^{saw} in another Hadith, with the addition, that there will be people among my followers, soon after me, who will consider this quantity of water insufficient and will act against my practices but those, who will adhere to my practices, will be with me in the paradise.³⁷

For more details please visit: <http://www.hubeali.com/practices/Chapter 3 Ablutions and Salat.pdf>

(8) Zakat:

Agha Khomeini: Zakat is compulsory on 9 items: (wheat, barely, palm-dates, raisins, gold, silver, camels, cows and goat/sheep (Rule no. 1850)

Agha Khoie: It is obligatory to pay Zakat on the following 9 things (same items as above; Rule no. 1861).

Agha Seestani: Zakat to be paid on 10 items (nine as above plus on the trading goods; Rule no. 1861).

Agha Lankarani: Zakat to be paid on 9 items (as above) but it is 'Mustahib' to pay Zakat from investment, salary and trading (Rule no. 1920).

We can clearly see the difference of opinions among Agha Khoie, Seestani, Lankarani and Khomeini.

Ahadith of Masomeen^{asws}:

(1)
عَلَيْ بْنِ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادٍ عَنْ حَرِيزٍ عَنْ زُرَّارَةَ وَ مُحَمَّدٍ بْنِ مُسْلِمٍ وَ أَبِي بَصِيرٍ وَ بُرَيْدٍ بْنِ مُعَاوِيَةَ الْعَجَلِيِّ وَ فَضِيلِ بْنِ يَسَارٍ عَنْ أَبِي جَعْفَرٍ وَ أَبِي عَبْدِ اللَّهِ عَ قَالَا فَرَضَ اللَّهُ الزَّكَاةَ مَعَ الصَّلَاةِ فِي الْأَمْوَالِ وَ سَنَّهَا رَسُولُ اللَّهِ صَ فِي تِسْعَةِ أَشْيَاءَ وَ عَفَا رَسُولُ اللَّهِ عَمَّا سِوَاهُنَّ فِي الذَّهَبِ وَ الْفِضَّةِ وَ الْبَابِلِ وَ الْبَقَرِ وَ الْعِزَّةِ وَ الْحِنْطَةِ وَ الشَّعِيرِ وَ التَّمْرِ وَ الزَّيْبِيبِ وَ عَفَا عَمَّا سِوَى ذَلِكَ

³⁷ Mulayahzarulfaqi, Hadith 69&70

It is narrated from AbuAbdullah^{asws} and AbuJafar^{asws} that Allah^{azwj} has made Zakat compulsory similar to Salat on your 'valuables'¹, the tradition of Rasool Allah^{saww} is that Zakat is payable on nine things, the others are forgiven, the former include gold, silver, camel, cow, sheep, wheat, barley, dried dates and dried grapes.³⁸

(2)

وعن محمد بن يحيى ، عن أحمد بن محمد ، عن علي بن حديد ، عن جميل ، عن بعض أصحابنا ، أنه قال : ليس في التبر زكاة إنما هي على الدنانير والدرهم .³⁹

It is narrated from Masoom^{asws}: Zakat is not in the gold, but it is on the dinars and the dirhams .

(3)

- وعن عدة من أصحابنا ، عن أحمد بن محمد بن عيسى ، عن الحسن بن علي بن يقطين ، عن أخيه الحسين ، عن (1) علي بن يقطين قال : سألت أبا الحسن (عليه السلام) عن المال الذي لا يعمل به ولا يقلب ؟ قال : تلزمه الزكاة في كل سنة إلا أن يسبك .⁴⁰

Once Abul Hassan^{asws} was asked about the money that does not give him any profit and does not come back to him. Imam^{asws} replied: 'Zakat requires funds to be present in every year unless such situation arises.

(4)

وبإسناده عن علي بن الحسن بن فضال ، عن جعفر بن محمد بن حكيم ، عن جميل بن دراج ، عن أبي عبد الله وأبي الحسن (عليهما السلام) أنه قال : ليس في التبر زكاة إنما هي على الدنانير والدرهم⁴¹

It is narrated from Imam Abi Abdullah^{asws} and Abul Hassan^{asws} that Imam^{asws} said : Zakat is not on the gold but it is on the dinars and the dirhams (minted from these metals).⁴²

For more details please visit: <http://www.hubeali.com/practices/Chapter-5-Zakat-Khums.pdf>

(9) Nikah and Mutah with the people of Book:

Agha Khomeini: A Muslim woman cannot marry an infidel and a male Muslim cannot marry a non-Muslim woman however, there is no harm in contracting fixed time marriage with women like Jews and Christians (Rule no. 2394)

Agha Khoie and Agha Seestani: A Muslim woman cannot marry an infidel and a male Muslim cannot marry a non-Muslim woman except the (People of the Scriptures i.e., Ahlul Kitab). However, there is no harm in contracting fixed time marriage with women like Jews and Christians and the recommend precaution is that one should not take them in permanent marriage (Rule no. 2406).

Agha Lankarani: Same as above (Rule no. 2462).

Agha Lankarani, Seestani, Khoie and Khumani agree above that a Muslim man can contract marriage 'Mutah' with the lady from the 'Ahlul Kitab' but agha Seestani and Khoie recommend precaution in going for the permanent marriage.

³⁸ Al-Kafi Vol-3 Page-509

³⁹ Al-Kafi Vol-3 P-518

⁴⁰ Al-Kafi Vol-3 P-518

⁴¹ Al-Kafi Vol-3 P-518

⁴² Fur-Kafi Vol-3 Page-47

Hadith:

- وَرَوَى سَعْدَانُ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ لَا يَتَزَوَّجُ الْيَهُودِيَّةَ وَلَا النَّصْرَانِيَّةَ عَلَى حُرَّةٍ مُتْعَةٍ وَغَيْرِ مُتْعَةٍ

Neither Nikah is with Jew lady nor with a Christian lady, regardless of Nikah of permanent or contract marriage.⁴³

For more hadith on this topic please visit:

<http://www.hubeali.com/practices/chapter-6-family-life.pdf>

(10-a) Eating Peacock and Ostriches:

Agha Khoie: The meat of domestic hens, pigeons, sparrows and other such birds is lawful (e.g., nightingale, starlings, lark etc.) The meat of bats, peacocks, different kinds of crows and of all birds like falcons, hawks etc. which have claws and less flap their wings while flying, and keep them static for a longer time, is unlawful (Rule no. 2633).

Agha Seestani: It is recommend precaution to avoid eating all types of crow even the 'Zagh' (crow found on hills) other birds like hens, the pigeons, the sparrows including the ostrich and the peacock are halal to eat. (Rule no. 2633)

Agha Lankarani: The meat of peacock is haram. (Rule no. 2692).

Hadith:

وَلَا بَاسَ بِالْبَانِ الثَّنِيِّ وَالشَّيْرَازِ الْمُتَخَذِ مِنْهَا وَلَا يَجُوزُ أَكْلُ شَيْءٍ مِنَ الْمُسُوخِ وَهِيَ الْقِرْدَةُ وَالْخَنَزِيرُ وَالْكَلْبُ وَالْفِيلُ وَالذَّنْبُ وَالْفَارَةُ وَالْأَرْنَبُ وَالصَّنْبُ وَالطَّائِسُ وَالنَّعَامَةُ وَالْدُّغْمُوصُ وَالْجَرِيُّ وَالسَّرَطَانُ وَالسَّلْحَفَةُ وَالْوَطَاطُ وَالْبَقَعَاءُ وَالثَّعْلَبُ وَالذَّبُّ وَالْيَرْبُوعُ وَالْفَنْقَدُ مُسُوخٌ لَا يَجُوزُ

It is narrated from Imam Mohammed Baqir^{asws} that it is haram to eat peacock and rabbit.⁴⁴

(10-b) Eating Prawns (Sharimps):

Agha Seestani:

QUESTION: If you don't mind, I have another question. This one is about eating fish. As far as I know, the Qur'an does not specifically mention which types of fish and other water-dwelling creatures are halal or haram. I have been taught not to eat lobster and catfish, for instance, but that shrimp and fish with scales are okay. First, is this correct? And second, is there a hadith or other source on which this is based? Thank you for any help you can give, inshallah.

ANSWER:

In the name of the Almighty, It is very true that all creatures apart from prawns (shrimps) and fishes that have scales are haram to eat.⁴⁵

hadith of Masomeen^{asws}:

(1)

⁴³ Manla Hazar-ul-Faqi, hadith no. 4588

⁴⁴ Manla Yazar-ul-Faqi, hadith no. 4197

⁴⁵ http://www.dartabligh.org/q_a/f.html#1

عبد الله (عليه السلام) قال: لا تأكل جريثا ولا مارماهيجا ولا طافيا ولا اربيان ولا طحالا لانه بيت الدم ومضغة الشيطان

Abu Abdullah^{asws} said: Do not eat Jarisa⁴⁶, Marmhijan⁴⁷, dead floating fish, Prawn and Spleen⁴⁸. Because they harboured the blood, and the devil morsel.⁴⁹

(2)

عن علي (عليه السلام) فقدت من بنى اسرائيل اثنتان واحدة في البر، وواحدة في البحر، فلا تأكلوا الا ما عرفتم
Imam Ali^{asws} said: Two deformed groups (transformed into other forms of species after Allah swt's wrath) from the Children of Israel were lost, one in the land and the other in the sea, so you should not eat except what is informed (Halal)⁵⁰

(11) Qasr (reduced) Salat:

Agha Khomeini: If the city has a wall then the beginning of the 8 'Farsakh' (app. 28 miles) will be counted from the wall of the city, and if it does not have a wall, then the distance will start from the last house of the city. However, for very big cities, i.e., Tehran, one should estimate the distance from his house (Rule no. 1277)

Agha Khoie: If the city has a wall, the traveller should reckon 8 'Farsakh' (app. 28 miles) from the wall of the city, and if it does not have a wall, he should reckon the same from the last house of the city (Rule no. 1289).

Agha Seestani: The beginning of the 8 'Farsakh' should be calculated from a point beyond which he will be deemed a traveller, and this point is represented by the last boundary of a city. In certain very big cities, it would be probably reckoned from the end of locality (Rule no. 1289).

Agha Lankarani: : It is important to measure the distance of 8 'Farsakh' from that place where one is considered as traveller. However, there is no particular reference to the bigger cities, unless it is not considered by general public travel when moving between one to second borough (Rule no. 1302).

Agha Khamenei: If one considers the whole of Tehran or a borough as his hometown then all of that City or Tehran is to be considered as hometown and it is correct to fast and offer complete salat and travelling within Tehran will not be considered as travelling. (Rule no. 714).

One can clearly observe that for some Muqalids there will not be any 'Qasar' even if their follower (Muqallid) have to travel much more than the 8 'Farsak' within a big city, the orders regarding the borough is also ambiguous, as in certain western cities borough are extremely large and are not divided based on distances or any other common criteria.

⁴⁶ Fish

⁴⁷ Fish

⁴⁸ The spleen is an organ located in the abdomen of the human/animal body, where it functions in the destruction of old red blood cells and holds a reservoir of blood.

⁴⁹ Ilalusharia Vol-2,Page-562 Wasilushia, Vol-24,Page-175. Bihar Vol-12,Page-177

⁵⁰ Wasilushia, Vol-24,Page-116, Bihar Vol-10,Page-108, Al kishal Vol-2 Page-630

Ahadith of Masomeen^{asws} on Kasr:

See Appendix 4

(12-a) Ablution after Ghusal:

Agha Khomeini: One does not need to do ablution if he has taken the ceremonial bath of 'janabat' but he cannot offer prayers without performing ablution after taking any other kind of bath 'ghusal' (Rule no. 391)

Agha Khoie and Agha Seestani: If a person takes the ceremonial bath of 'janabat' it is not necessary for him to perform ablutions for prayers. In fact one can offer prayers without performing ablutions after obligatory bath (except the bath of middle istihaza) as well as after recommended bath (see: Article No. 651), although as a precautionary measure it is recommended that one should also perform ablutions (Rule no. 397).

Agha Lankarani: Same fatwa as Agha Khomeini.

Agha Khamenei: As a matter of precaution, all other 'ghusal' with the exception of 'ghusal-e-janabat' do require ablution afterwards (Rule no. 202).

Hadith:

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ شَاذَانَ بْنِ الْخَلِيلِ عَنْ يُونُسَ عَنْ يَحْيَى بْنِ طَلْحَةَ عَنْ أَبِيهِ عَنْ عَبْدِ اللَّهِ بْنِ سُلَيْمَانَ قَالَ سَمِعْتُ أَبَا عَبْدِ اللَّهِ ع يَقُولُ الْوُضُوءُ بَعْدَ الْغُسْلِ بِدَعَاةٍ

Suleiman said that I heard Aba Abdullah^{asws} saying that the ablution after the bathing is an innovation.⁵¹

(12-b) Ablution after Bath:

Agha Khomeini: Whoever has taken ceremonial bath he should not need to do ablutions for salat. But for any other bath, he should not offer salat prior to performing ablutions (Rule no. 397)

Agha Khoie: If a person has become ceremonially unclean on the account of an unlawful act, takes a bath with warm water, his bath will be in order even though he may be perspiring at that time and the recommended precaton is that he should take bath with cold water.

⁵¹ Al-Kafi, vol. 3, pg. 45 (الكافي 3 45)

If a person takes the ceremonial bath of janabat, it is not necessary for him to perform ablutions for prayers. In fact one can offer prayers without performing ablutions after obligatory bath as well as after recommended bath, although as a precautionary measure it is recommended that one should also perform ablutions. (Rule no. 379 and 397).

Agha Seestani: Same fatwa as Agha Khoie (Rule no. 397)

Agha Lankarani: Same fatwa as Agha Khomeini.

Agha Khamenei: As a precaution, ablutions after bath is necessary with the exception of bath of janabat (Rule no. 202).

Hadith:

مُحَمَّدُ بْنُ يَحْيَى وَغَيْرُهُ عَنْ مُحَمَّدِ بْنِ أَحْمَدَ عَنْ يَعْقُوبَ بْنِ يَزِيدَ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ رَجُلٍ عَنْ أَبِي عَبْدِ اللَّهِ قَالَ كُلُّ غَسَلٍ قَبْلَهُ وَضُوءٌ إِلَّا غَسْلَ الْجَنَابَةِ وَرَوَى أَنَّهُ لَيْسَ شَيْءٌ مِنَ الْغَسْلِ فِيهِ وَضُوءٌ إِلَّا غَسْلُ يَوْمِ الْجُمُعَةِ فَإِنَّ قَبْلَهُ وَضُوءٌ وَرَوَى أَيُّ وَضُوءٍ أَطْهَرَ مِنَ الْغَسْلِ

Imam Jafar-e-Sadiq^{asws} said: There is no Ghusal with the exception of Ghusal-e-Jumma which requires Wuzu. What can be more cleaning than the ghusal.⁵²

(13) Seriousness in differences: (please read from Touzi-adults only)

Agha Khomeini: (Rule no. 450 and 453)

Agha Khoie: (Rule no. 456).

Agha Seestani: (Rule no. 456)

Only Agha Khoie considers this type of relationship haram whereas Agha Khomeini and Agha Seestani declare it 'Makru'.

(14) Fatwa on Child Legitimacy:

Agha Khomeini (Rule no. 2458), **Agha Khoie** (Rule no. 2471), **Agha Seestani** (Rule no. 2471), **Agha Gulpaigani** (Rule no. 2470), they all have the following ruling:

- If a man sleeps with his wife while fasting in the month of Ramadhan or if she is in impure state, then although his act is illegitimate but the born child will be legitimate.

Ahadith of Masomeen^{asws}:

⁵² Furu-e-Kafi, book Taharat, chapter 28, hadith 13

(1)

ابن الوليد عن الصفار عن أحمد بن الحسين بن سعيد عن علي بن الحكم عن المفضل بن صالح عن جابر الجعفي عن إبراهيم القرشي قال كنا عند أم سلمة بحار الأنوار ج : رضي الله عنها فقالت سمعت رسول الله ص يقول لعلي ع يا علي لا ييغضكم إلا ثلاثة ولد زنا و منافق و من حملت به أمه و هي حائض

There are several traditions on illegitimacy of a child born if woman was in the impure state, Amir-ul-Momaneen^{asws} says that I heard from Prophet Mohammed: That who do not love my progeny is either a Munafiq, child of Zinah or child of Hazz.⁵³

(2)

عَنْ مُحَمَّدِ بْنِ الْحَسَنِ عَنِ الصَّفَّارِ عَنْ أَحْمَدَ بْنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنِ الْمُفَضَّلِ بْنِ صَالِحٍ عَنْ جَابِرِ الْجَعْفِيِّ عَنْ إِبْرَاهِيمَ الْقُرَشِيِّ قَالَ كُنَّا عِنْدَ أُمِّ سَلَمَةَ فَقَالَتْ سَمِعْتُ رَسُولَ اللَّهِ ص يَقُولُ لِعَلِيِّ ع لَا يُيَغِضُكُمْ إِلَّا ثَلَاثَةٌ وَلَدُ زِنَا وَ مُنَافِقٌ وَ مَنْ حَمَلَتْ بِهِ أُمُّهُ وَ هِيَ حَائِضٌ

Imam Jafar-e-Sadiq^{asws} said: Only that will bear enmity against who was either born illegitimate or his mother conceived him in the state Hazz.⁵⁴

(15-a) Fatwa of Seestani on looking a 'Na Mahran' (unrelated):

- It is permissible for a man to look at the beautiful parts of a lady with the intention of marrying her. Her face, hair, palms, calfs, arm and similar other parts are permissible to view. (pg. 251, Rule 385)

Ahadith of Masomeen^{asws}:

حدثنا محمد بن الحسن بن أحمد بن الوليد رضي الله عنه قال حدثنا محمد بن الحسن الصفار عن أحمد بن محمد عن مروك بن عبيد عن بعض أصحابنا عن أبي عبد الله ع قال قلت له ما للرجل أن يرى من المرأة إذا لم يكن لها بمحرم قال الوجه و الكفين و القدمين

Muhammad ibn al-Hasan ibn Ahmad ibn al-Walid^{ra} narrated that Muhammad ibn Hasan al-Saffar, from Ahmad bin Mohammad bin Obaid who from some of our companions that Abu Abdullah^{asws} said: A man may look at a woman, who is unrelated to him (non-mahram) but not more than seeing her face, her hands and her feet.⁵⁵

Also,

Imam Ali Raza^{asws} said: It is forbidden for a man to look at, apart from hair, any those parts of other lady (Namahram), which may arouse him.⁵⁶

⁵³ Bihar ul Anwar 150 27 5 باب 5, AlKhasaal, Sheikh Saddooq,

⁵⁴ Manla YahzarulFaqih, tradition .

وسائل الشيعة 24 318 2- باب تحريم وطء الحائض قبل قبلا قيل أ بحار الأنوار 150 27 5- باب أن حبهم عليهم السلام علامة ط بحار الأنوار 264 39 87- باب حبه و بغضه صلوات الله عليه بحار الأنوار 104 78 4- باب غسل الحيض والاستحاضة و النف علل الشرائع 120 142 1- باب في أن علة محبة أهل البيت ع المناقب 208 3 فصل في بغضه ع ...

⁵⁵ Al-Khasaal, vol, 1, pg. 302, المرأة

⁵⁶ Ayoon-e-Akhbar-e-Raza, vol. 2, pg. 211.

(15-b) Fatwa of Seestani on looking a 'Na Mahran':

A young man may let his young sister, aunt, or his little cousins to kiss him out of love and affection. (pg. 277, Rule 462)

Ahadith of Masomeen^{asws}:

(1)

رَوَى مُحَمَّدُ بْنُ يَحْيَى الْخَزَّازُ عَنْ غِيَاثِ بْنِ إِبرَاهِيمَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ ع قَالَ قَالَ عَلِيٌّ ص مُبَاشَرَةَ الْمَرْأَةِ ابْنَتُهَا إِذَا بَلَغَتْ سِتًّا سِنِينَ شَعْبَةً مِنَ الزَّوْنِ

Imam Ali^{asws} said: A mother should stop sleeping with her daughter when she becomes 6 years' old, otherwise it will be a kind of 'Zinah'.⁵⁷

(2)

وَرَوَى عَبْدُ اللَّهِ بْنُ يَحْيَى الْكَاهِلِيُّ قَالَ سَأَلَ أَحْمَدُ بْنُ النُّعْمَانِ أَبَا عَبْدِ اللَّهِ ع فَقَالَ لَهُ عُنْدِي جَوَازِيَةٌ لَيْسَ بَيْنِي وَبَيْنَهَا رَحْمٌ وَلَهَا سِتُّ سِنِينَ قَالَ لَا تَضَعُهَا فِي حَجْرِكَ

Imam Jafar-e-Sadiq^{asws} said: It is not permissible for a man to make a girl of age 6 sit in his lap, if he is bringing her up.⁵⁸

(3)

وَفِي رِوَايَةٍ مُحَمَّدُ بْنُ أَحْمَدَ عَنِ الْعَبِيدِيِّ عَنْ زَكَرِيَّا الْمُؤَمِّنِ رَفَعَهُ أَنَّهُ قَالَ قَالَ أَبُو عَبْدِ اللَّهِ ع إِذَا بَلَغَتِ الْجَارِيَةُ سِتًّا سِنِينَ فَلَا يُقَبِّلُهَا الْغُلَامُ وَالْغُلَامُ لَا يُقَبِّلُ الْمَرْأَةَ إِذَا جَازَ سِتْعَ سِنِينَ

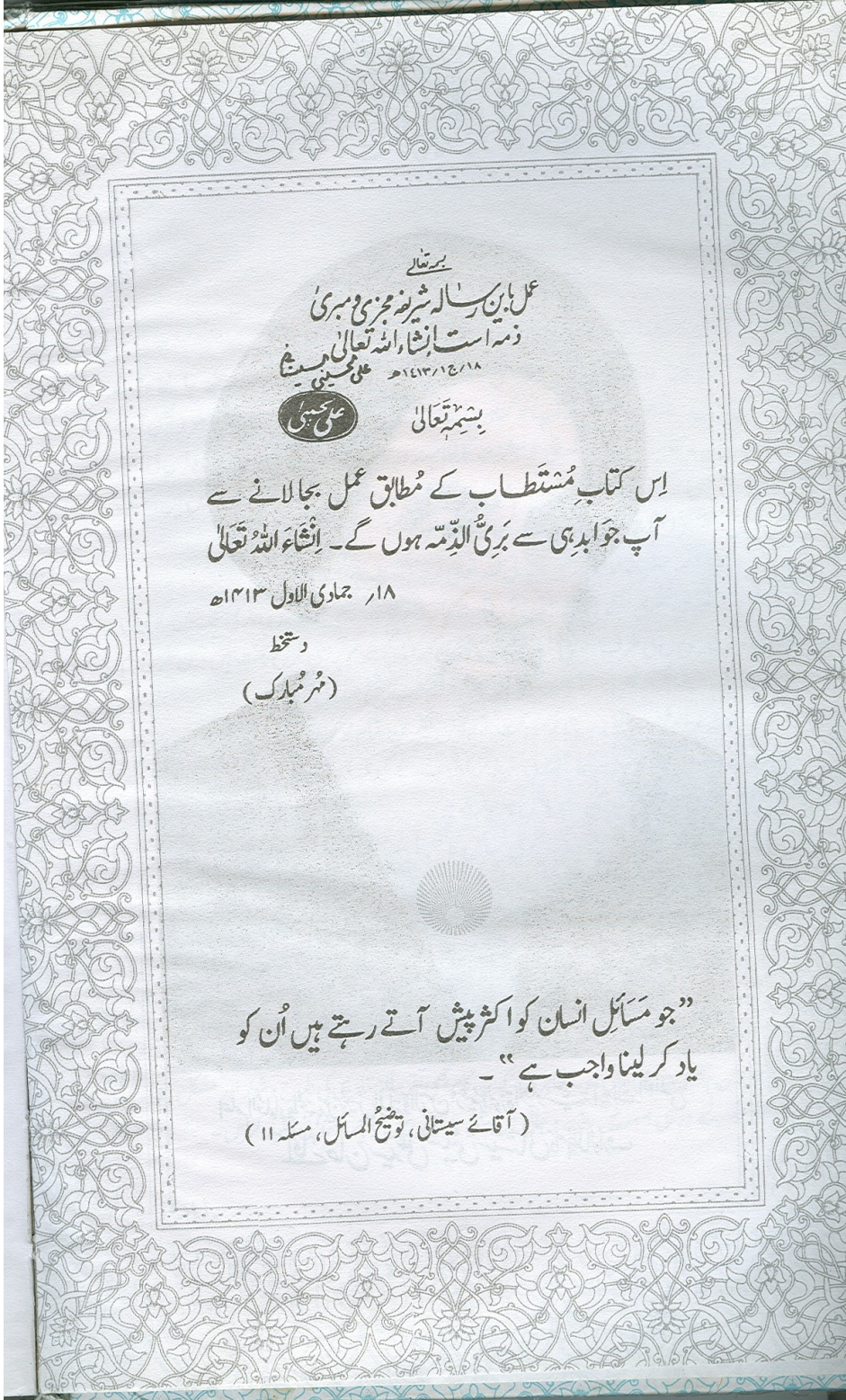
Imam Jafar-e-Sadiq^{asws} said: A girl upon reaching the age of 6, should not be kissed by a male and similarly when a boy reaches the age of 7 no woman should kiss him.⁵⁹

⁵⁷ Manla YahzarulFaqih, tradition 4505.

⁵⁸ Manla YahzarulFaqih, tradition 4506.

⁵⁹ Manla YahzarulFaqih, tradition 4510.

Appendix 1



Appendix 2-a: Agha Khumani's Fatawa Making Chess Permissible

(Reference: http://www.dartabligh.org/q_a/c.html#5)

Question 1

What is the ruling about chess? I specially am curious about reasons to prohibit it, if any.

Answer:

Besmehi Ta'ala

As to the question regarding chess I believe there was enough discussion but since it is posed again I will try to say a few words about it to the best of my ability.

In posing questions such as this it is helpful to mention whose ruling we are interested in. If the interest is in the general treatment of the issue in Shi'a Fiqh, the generality usually in the area of Fiqh and Naqhl (narration) brings ambiguity.

Having said this I believe ruling regarding chess is different depending on whose ruling we are talking about. As it has already been mentioned according to Imam Khomeini playing chess as a sport or hobby is not Haram.

Appendix 2-b: Masomeen^{aws}'s Traditions Against Chess

- بَابُ النَّهْيِ وَالشُّطْرَنْجِ
- 1- مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُعَمَّرِ بْنِ خَلَادٍ عَنْ أَبِي الْحَسَنِ ع قَالَ النَّهْيُ وَالشُّطْرَنْجُ وَالْمَارَبَعَةُ عَشْرَ بِمَنْزِلَةِ وَاحِدَةٍ وَكُلُّ مَا قُومِرَ عَلَيْهِ فَهُوَ مَيْسِرٌ
 - 2- مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ خَالِدٍ وَالحُسَيْنِ بْنِ سَعِيدٍ جَمِيعاً عَنْ النَّضْرِ بْنِ سُوَيْدٍ عَنْ دُرُسْتٍ عَنْ زَيْدِ الشَّحَّامِ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنْ قَوْلِ اللَّهِ عَزَّ وَجَلَّ فَاجْتَنِبُوا الرِّجْسَ مِنَ الْأَوْثَانِ وَاجْتَنِبُوا قَوْلَ الزُّورِ فَقَالَ الرَّجْسُ مِنَ الْأَوْثَانِ الشُّطْرَنْجُ وَقَوْلُ الزُّورِ الْغِنَاءُ
 - 3- عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ ابْنِ أَبِي نَجْرَانَ عَنْ مُتَّى الْحَنَاطِ عَنْ أَبِي بصيرٍ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ قَالَ أَمِيرُ الْمُؤْمِنِينَ ع الشُّطْرَنْجُ وَالنَّهْيُ هُمَا الْمَيْسِرُ
 - 4- عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَقِصِ بْنِ الْبَحْتَرِيِّ عَمَّنْ ذَكَرَهُ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ الشُّطْرَنْجُ مِنَ الْبَاطِلِ
 - 5- ابْنُ أَبِي عُمَيْرٍ عَنْ مُحَمَّدِ بْنِ الْحَكَمِ أَخِي هِشَامِ بْنِ الْحَكَمِ عَنْ عُمَرَ بْنِ يَزِيدَ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ إِنَّ لِلَّهِ فِي كُلِّ لَيْلَةٍ مِنْ شَهْرِ رَمَضَانَ عَقَاءً مِنَ النَّارِ إِلَّا مَنْ أَطْعَمَ عَلَى الْكَافِي ج : 6 ص : 436 مُسَكَّرٌ أَوْ مُشَاحِنٌ أَوْ صَاحِبٌ شَاهِينَ قَالَ فَلْتُ وَ أَيْ شَيْءٌ صَاحِبٌ شَاهِينَ قَالَ الشُّطْرَنْجُ
 - 6- مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ ابْنِ فَضَّالٍ عَنْ عَلِيِّ بْنِ عَقَبَةَ عَنْ ابْنِ بُكَيْرٍ عَنْ زُرَّارَةَ عَنْ أَبِي عَبْدِ اللَّهِ ع أَنَّهُ سُئِلَ عَنِ الشُّطْرَنْجِ وَ عَنْ لُعْبَةٍ شَبِيبِ اللَّيْلِ يُقَالُ لَهَا لُعْبَةُ الْأَمِيرِ وَ عَنْ لُعْبَةِ الثَّلَاثِ فَقَالَ أَرَأَيْتَكَ إِذَا مِيزَ الْحَقُّ مِنَ الْبَاطِلِ مَعَ أَيِّهِمَا يَكُونُ قَالَ فَلْتُ مَعَ الْبَاطِلِ قَالَ فَلَا خَيْرَ فِيهِ
 - 7- عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ بَعْضِ أَصْحَابِهِ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي قَوْلِ اللَّهِ تَبَارَكَ وَتَعَالَى فَاجْتَنِبُوا الرِّجْسَ مِنَ الْأَوْثَانِ وَاجْتَنِبُوا قَوْلَ الزُّورِ قَالَ الرَّجْسُ مِنَ الْأَوْثَانِ هُوَ الشُّطْرَنْجُ وَقَوْلُ الزُّورِ الْغِنَاءُ
 - 8- مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ سِنَانٍ عَنْ عَبْدِ الْمَلِكِ الْقُمِيِّ قَالَ كُنْتُ أَنَا وَ إِدْرِيسُ أَخِي عِنْدَ أَبِي عَبْدِ اللَّهِ ع فَقَالَ إِدْرِيسُ جَعَلْنَا اللَّهُ فِدَاكَ مَا الْمَيْسِرُ فَقَالَ أَبُو عَبْدِ اللَّهِ ع هِيَ الشُّطْرَنْجُ قَالَ فَقُلْتُ أَمَا إِنَّهُمْ يَقُولُونَ إِنَّهَا النَّهْيُ قَالَ وَ النَّهْيُ أَيْضاً

- 9- عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ مُحَمَّدِ بْنِ عِيْسَى عَنْ عَبْدِ اللَّهِ بْنِ عَاصِمٍ عَنْ عَلِيِّ بْنِ إِسْمَاعِيلَ الْمِثْمِيِّ عَنْ رَبِيعِ بْنِ عَبْدِ اللَّهِ عَنْ الْفَضْلِ قَالَ سَأَلْتُ أَبَا جَعْفَرٍ ع عَنْ هَذِهِ الْأَشْيَاءِ الَّتِي يَلْعَبُ بِهَا النَّاسُ **النَّرْدُ وَالشُّطْرَنْجُ** حَتَّى اتَّهَيْتُ إِلَى السُّدْرِ فَقَالَ إِذَا مِيزَ اللَّهُ بَيْنَ الْحَقِّ وَالْبَاطِلِ فِي أَيُّهُمَا يَكُونُ قُلْتُ مَعَ الْبَاطِلِ قَالَ فَمَا لَكَ وَالْبَاطِلَ
- 10- سَهْلٌ عَنْ مُحَمَّدِ بْنِ عِيْسَى عَنْ يُونُسَ عَنْ الْحُسَيْنِ بْنِ عُمَرَ بْنِ يَزِيدٍ عَنْ الْكَافِي ج : 6 ص : 437 أَبِي عَبْدِ اللَّهِ ع قَالَ يَغْفَرُ اللَّهُ فِي شَهْرِ رَمَضَانَ إِلَّا لثَلَاثَةٍ صَاحِبِ مُسْكِرٍ أَوْ صَاحِبِ شَاهِزِينَ أَوْ مُشَاجِحِينَ
- 11- عَنْهُ عَنْ مُحَمَّدِ بْنِ عِيْسَى عَنْ يُونُسَ عَنْ أَبِي أَيُّوبَ عَنْ عَبْدِ اللَّهِ بْنِ جُنْدَبٍ عَنْ أَخْبَرَهُ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ **الشُّطْرَنْجُ مَيْسِرٌ وَالنَّرْدُ مَيْسِرٌ**
- 12- عَلَى بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادِ بْنِ عِيْسَى قَالَ دَخَلَ رَجُلٌ مِنَ الْبَصَرِيِّينَ عَلَى أَبِي الْحَسَنِ الْأَوَّلِ ع فَقَالَ لَهُ جُعِلَتْ فِدَاكَ إِنِّي أَفْعُدُ مَعَ قَوْمٍ يَلْعَبُونَ **بِالشُّطْرَنْجِ وَ لَسْتُ** أَلْعَبُ بِهَا وَلَكِنْ أَنْظُرُ فَقَالَ مَا لَكَ وَلِمَ جَلَسَ لَا يَنْظُرُ اللَّهُ إِلَى أَهْلِهِ
- 13- عَلَى بْنُ إِبْرَاهِيمَ عَنْ هَارُونَ بْنِ مُسْلِمٍ عَنْ مَسْعُودَةَ بْنِ زِيَادٍ عَنْ أَبِي عَبْدِ اللَّهِ ع أَنَّهُ سُئِلَ عَنْ **الشُّطْرَنْجِ** فَقَالَ دَعُوا الْمَجُوسِيَّةَ لِأَهْلِهَا لَعَنَهَا اللَّهُ
- 14- مُحَمَّدٌ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عِيْسَى عَنْ مُوسَى بْنِ الْقَاسِمِ عَنْ مُحَمَّدِ بْنِ عَلِيٍّ عَنْ جَعْفَرٍ ع قَالَ جَاءَ رَجُلٌ إِلَى أَبِي جَعْفَرٍ ع فَقَالَ يَا أَبَا جَعْفَرٍ مَا تَقُولُ **فِي الشُّطْرَنْجِ** الَّتِي يَلْعَبُ بِهَا النَّاسُ فَقَالَ أَخْبَرَنِي أَبِي عَلِيُّ بْنُ الْحُسَيْنِ عَنْ الْحُسَيْنِ بْنِ عَلِيٍّ عَنْ أَمِيرِ الْمُؤْمِنِينَ ع قَالَ قَالَ رَسُولُ اللَّهِ ص مَنْ كَانَ نَاطِقًا فَكَانَ مَنطِقُهُ لِيُغَيِّرَ ذِكْرَ اللَّهِ عَزَّ وَجَلَّ كَانَ لَاغِيًا وَمَنْ كَانَ صَامِتًا فَكَانَ صَمْتُهُ لِيُغَيِّرَ ذِكْرَ اللَّهِ كَانَ سَاهِيًا ثُمَّ سَكَتَ فَقَامَ الرَّجُلُ وَانْصَرَفَ
- 15- عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ ابْنِ مَحْبُوبٍ عَنْ ابْنِ رَبَابٍ قَالَ دَخَلْتُ عَلَى أَبِي عَبْدِ اللَّهِ ع فَقُلْتُ جُعِلَتْ فِدَاكَ مَا تَقُولُ **فِي الشُّطْرَنْجِ** قَالَ الْمُقْلَبُ لَهَا كَالْمُقْلَبِ لَحْمِ الْخَزِيرِ فَقُلْتُ مَا عَلَى مَنْ قُلْتُ لَحْمِ الْخَزِيرِ قَالَ يَغْسِلُ يَدَهُ
- 16- سَهْلٌ بْنُ زِيَادٍ عَنْ عَلِيٍّ بْنِ سَعِيدٍ عَنْ سُلَيْمَانَ الْجَعْفَرِيِّ عَنْ أَبِي الْحَسَنِ الرُّضَا ع قَالَ **المُطْلَعُ فِي الشُّطْرَنْجِ كَالْمُطْلَعِ فِي النَّارِ**
- 17- عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ التُّوفِيِّ عَنْ السَّكُونِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ نَهَى رَسُولُ اللَّهِ ص عَنِ اللَّعِبِ **بِالشُّطْرَنْجِ وَالنَّرْدِ** ثُمَّ كَتَابَ الشَّارِبَةَ وَالْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ وَصَلَّى اللَّهُ عَلَى سَيِّدِنَا مُحَمَّدٍ وَآلِهِ الطَّاهِرِينَ وَتَلَوَهُ كِتَابَ الزِّيِّ وَالتَّجْمَلِ وَالْمَرْوَةَ إِنْ شَاءَ اللَّهُ تَعَالَى

Appendix 2-c: Referece List of Masomeen^{asws}'s Traditions Against Chess

الكافي	435	6	باب النرد و الشطرنج ص : 435
الكافي	435	6	باب النرد و الشطرنج ص : 435
الكافي	435	6	باب النرد و الشطرنج ص : 435
الكافي	435	6	باب النرد و الشطرنج ص : 435
الكافي	435	6	باب النرد و الشطرنج ص : 435
الكافي	436	6	باب النرد و الشطرنج ص : 435
الكافي	436	6	باب النرد و الشطرنج ص : 435
الكافي	436	6	باب النرد و الشطرنج ص : 435
الكافي	436	6	باب النرد و الشطرنج ص : 435
الكافي	437	6	باب النرد و الشطرنج ص : 435
الكافي	437	6	باب النرد و الشطرنج ص : 435
الكافي	437	6	باب النرد و الشطرنج ص : 435
الكافي	437	6	باب النرد و الشطرنج ص : 435
من لا يحضره الفقيه	98	2	باب فضل شهر رمضان و ثواب صيامه
من لا يحضره الفقيه	3	4	باب ذكر جمل من مناهي النبي ص
من لا يحضره الفقيه	58	4	باب حد شرب الخمر و ما جاء في الغناء
من لا يحضره الفقيه	419	4	و من ألفاظ رسول الله ص الموجزة التي
تهذيب الأحكام	4	60	3- باب فضل شهر رمضان و الصلاة فيه ز
وسائل الشيعة	13	418	3- باب نجاسة الخنزير ص : 17
وسائل الشيعة	18	306	10- باب تأكد استحباب الاجتهاد في ال
وسائل الشيعة	28	49	12- باب جملة ممن ينبغي اجتناب معاشر
وسائل الشيعة	28	50	12- باب جملة ممن ينبغي اجتناب معاشر
وسائل الشيعة	28	51	12- باب جملة ممن ينبغي اجتناب معاشر
وسائل الشيعة	49	79	12- باب تحريم التسليم على الكفار و
وسائل الشيعة	2	85	17- باب جواز التكبس بالمباحات و ذكر
وسائل الشيعة	35	167	17- باب تحريم كسب القمار حتى الكعاب
وسائل الشيعة	99	308	17- باب تحريم الغناء حتى في القرآن
وسائل الشيعة	99	310	17- باب تحريم الغناء حتى في القرآن
وسائل الشيعة	102	318	17- باب تحريم اللعب بالشطرنج و نحو
وسائل الشيعة	102	318	17- باب تحريم اللعب بالشطرنج و نحو
وسائل الشيعة	102	318	17- باب تحريم اللعب بالشطرنج و نحو
وسائل الشيعة	102	319	17- باب تحريم اللعب بالشطرنج و نحو
وسائل الشيعة	102	319	17- باب تحريم اللعب بالشطرنج و نحو
وسائل الشيعة	102	319	17- باب تحريم اللعب بالشطرنج و نحو

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وسائل الشيعة	102	320	17- باب تحريم اللعب بالشطرنج و نحو
وسائل الشيعة	102	320	17- باب تحريم اللعب بالشطرنج و نحو
وسائل الشيعة	102	321	17- باب تحريم اللعب بالشطرنج و نحو
وسائل الشيعة	102	321	17- باب تحريم اللعب بالشطرنج و نحو
وسائل الشيعة	102	321	17- باب تحريم اللعب بالشطرنج و نحو
وسائل الشيعة	102	322	17- باب تحريم اللعب بالشطرنج و نحو
وسائل الشيعة	103	322	17- باب تحريم الحضور عند اللاعب با
وسائل الشيعة	103	322	17- باب تحريم الحضور عند اللاعب با
وسائل الشيعة	103	323	17- باب تحريم الحضور عند اللاعب با
وسائل الشيعة	104	323	17- باب تحريم اللعب بالنرد و غيره
وسائل الشيعة	104	324	17- باب تحريم اللعب بالنرد و غيره
وسائل الشيعة	104	324	17- باب تحريم اللعب بالنرد و غيره
وسائل الشيعة	104	324	17- باب تحريم اللعب بالنرد و غيره
وسائل الشيعة	104	324	17- باب تحريم اللعب بالنرد و غيره
وسائل الشيعة	104	325	17- باب تحريم اللعب بالنرد و غيره
وسائل الشيعة	104	325	17- باب تحريم اللعب بالنرد و غيره
وسائل الشيعة	104	326	17- باب تحريم اللعب بالنرد و غيره
وسائل الشيعة	27	363	25- باب تحريم الفقاع إذا غلى و وجوب
وسائل الشيعة	33	380	27- باب عدم قبول شهادة اللاعب بالنرد
مستدرك الوسائل	10	382	1- باب استحباب التسليم في الحمام ل
مستدرك الوسائل	37	590	2- باب ما يكره من أواني الخمر
مستدرك الوسائل	7	532	6- باب أن من خرج إلى الصيد للهو أو
مستدرك الوسائل	50	239	8- باب الخروج إلى النزهة و إلى الص
مستدرك الوسائل	27	351	8- باب جملة ممن ينبغي اجتنب معاشر
مستدرك الوسائل	5	69	13- باب تحريم أجر الفاجرة و بيع الخم
مستدرك الوسائل	29	118	13- باب تحريم كسب القمار حتى الكعاب
مستدرك الوسائل	78	213	13- باب تحريم الغناء حتى في القرآن
مستدرك الوسائل	79	218	13- باب تحريم استعمال الملاهي بجميع
مستدرك الوسائل	81	222	13- باب تحريم اللعب بالشطرنج و نحوه
مستدرك الوسائل	81	222	13- باب تحريم اللعب بالشطرنج و نحوه
مستدرك الوسائل	81	222	13- باب تحريم اللعب بالشطرنج و نحوه
مستدرك الوسائل	81	223	13- باب تحريم اللعب بالشطرنج و نحوه
مستدرك الوسائل	81	223	13- باب تحريم اللعب بالشطرنج و نحوه
مستدرك الوسائل	82	223	13- باب تحريم الحضور عند اللاعب بال
مستدرك الوسائل	82	223	13- باب تحريم الحضور عند اللاعب بال
مستدرك الوسائل	83	224	13- باب تحريم اللعب بالنرد و غيره م
مستدرك الوسائل	5	50	17- باب تحريم شرب الخمر ص : 2
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بحار الأنوار	310	6	باب 1- أشرط الساعة و قصة يأجوج و م
بحار الأنوار	299	44	باب 36- كفر قتلته ع و ثواب اللعن عل
بحار الأنوار	176	45	باب 39- الوقائع المتأخرة عن قتله صل
بحار الأنوار	109	62	باب 1- جوامع ما يحل و ما يحرم من ال
بحار الأنوار	483	63	باب 1- الأنبذة و المسكرات ص
بحار الأنوار	492	63	باب 1- الأنبذة و المسكرات ص
بحار الأنوار	135	64	تفسير ص : 130
بحار الأنوار	8	73	باب 97- إفشاء السلام و الابتداء به
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بحار الأنوار	231	76	باب 98- القمار ص : 228
بحار الأنوار	232	76	باب 98- القمار ص : 228
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بحار الأنوار	234	76	باب 98- القمار ص : 228
بحار الأنوار	235	76	باب 98- القمار ص : 228
بحار الأنوار	235	76	باب 98- القمار ص : 228
بحار الأنوار	235	76	باب 98- القمار ص : 228
بحار الأنوار	236	76	باب 98- القمار ص : 228
بحار الأنوار	236	76	باب 98- القمار ص : 228
بحار الأنوار	237	76	باب 98- القمار ص : 228
بحار الأنوار	237	76	باب 98- القمار ص : 228
بحار الأنوار	241	76	باب 99- الغناء ص : 239
بحار الأنوار	244	76	باب 99- الغناء ص : 239
بحار الأنوار	245	76	باب 99- الغناء ص : 239
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بحار الأنوار	44	100	باب 4- جوامع المكاسب المحرمة و المح
بحار الأنوار	47	100	باب 4- جوامع المكاسب المحرمة و المح
بحار الأنوار	53	100	باب 4- جوامع المكاسب المحرمة و المح
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الأمالى للطوسي	[39]	[690]	مجلس يوم الجمعة السابع عشر من
تحف العقول	335		و أما تفسير الصناعات ص : 335
تفسير العياشي	(2)	106	(1) من سورة البقرة ص : 25
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تفسير العياشي	(5)	341	(1) من سورة المائدة ص : 288
تفسير العياشي	(5)	341	(1) من سورة المائدة ص : 288
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جامع الأخبار		153	الفصل الرابع عشر و المائة في الشطرن
جامع الأخبار		153	الفصل الرابع عشر و المائة في الشطرن
جامع الأخبار		153	الفصل الرابع عشر و المائة في الشطرن
جامع الأخبار		153	الفصل الرابع عشر و المائة في الشطرن
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الخصال	251	1	النهي عن أربعة أشياء و عن أربعة ظرو
الخصال	330	1	سنة لا ينبغي أن يسلم عليهم و ستة لا
الخصال	484	2	لا يسلم على اثني عشر ص : 484
دعائم الإسلام	4	208	2- فصل ذكر الدخول بالنساء و معاشرته
دعائم الإسلام	4	210	2- فصل ذكر الدخول بالنساء و معاشرته
الدعوات		162	فصل في ذكر أشياء من المأكولات و الم
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رجال ابن داود		153	447- حفص بن البختری ص : 447
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رجال الكشي		340	ما روي في عبد الواحد بن المختار الأ
رجال النجاشي		344	134- حفص بن البختری ص : 134
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روضة الواعظين		458	2 مجلس في ذكر إفشاء السلام ص :
روضة الواعظين		458	2 مجلس في ذكر إفشاء السلام ص :
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شرح نهج البلاغة	197	10	اختلاف الأقوال في عمر الدنيا
الصراط المستقيم	205	3	فصل نذكر فيه نبذة من اختلافهم في أن
الصوارم المهرقة	330	22	الصوارم المهرقة في جواب الصواعق الم
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مستطرفات السرائر	577	و من ذلك ما	استطرفناه من جامع البزن
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مشكاة الأنوار	198	الفصل الرابع في	التسليم و المعانقة
مشكاة الأنوار	198	الفصل الرابع في	التسليم و المعانقة
مشكاة الأنوار	198	الفصل الرابع في	التسليم و المعانقة
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مكارم الأخلاق	424	الفصل الثاني في	ذكر جمل من مناهي ال

و لا تبدلوه و لا تغيروه و أقيموا الصلاة و آتوا الزكاة و أمروا بالمعروف و انهوا عن المنكر ألا و إن رأس أعمالكم الأمر بالمعروف و النهي عن المنكر فعرفوا من لم

Appendix 3: Fasting on Ashura and Arafa:

2 - محمد بن يحيى، عن أحمد بن محمد، عن ابن فضال، عن ثعلبة بن ميمون، عن محمد بن مسلم قال: سمعت أبا جعفر (عليه السلام) يقول: إن رسول الله صلى الله عليه وآله لم يصم يوم عرفة منذ نزل صيام شهر رمضان.

Imam Mohammed Baqir^{asws} said: 'Rasool Allah^{saww} did not fast on Arafa since fasting during the month of Ramazan was made obligatory.⁶⁰

3 - علي بن إبراهيم، عن أبيه، عن نوح بشعب النيسابوري، عن ياسين الضرير، عن حريز، عن زرارة، عن أبي جعفر وأبي عبد الله (عليهما السلام) قالاً: لا تصم في يوم عاشورا ولا عرفة بمكة ولا في المدينة ولا في وطنك ولا في مصر من الأمصار.

Imam Mohammed Baqir^{asws} and Imam Abi Abdullah^{asws} both said: Don't fast on the day of Arafa and Ashura, neither in Mecca and Medina, nor in your country and in any other city.⁶¹

4 - الحسن بن علي الهاشمي، عن محمد بن موسى، عن يعقوب بن يزيد، عن الحسن بن علي الوشاء قال: حدثني نجبة بن الحارث العطار قال: سألت أبا جعفر (عليه السلام) عن صوم يوم عاشورا، فقال: صوم متروك بنزول شهر رمضان والمتروك بدعة، قال نجبة فسألت أبا عبد الله (عليه السلام) من بعد أبيه (عليه السلام) عن ذلك فأجابني بمثل جواب أبيه، ثم قال: أما إنه صوم يوم ما نزل به كتاب ولا جرت به سنة إلا سنة آل زياد بقتل الحسين بن علي صلوات الله عليهما.

I asked about 'Soam-e-Ashor' from Imam Mohammed Baqir^{asws}. Imam^{asws} replied: This fast was abandoned after mandatory fasting in the month of Ramazan and it is innovation to resurrect that what has been discarded. I asked the same question from Imam Aba Abdullah^{asws} and received the identical answer, but Imam^{asws} also added, there are no words on this fast in Quran, nothing in hadith of Rasool Allah^{saww}. This fast is the tradition of Allay Ziad^{la}.⁶²

⁶⁰ Faroo-e-Kafi, tradition 2, vol. 3, pp. 321.

⁶¹ Faroo-e-Kafi, tradition 3, vol. 3, pp. 321.

⁶² Faroo-e-Kafi, tradition 4, vol. 3, pp. 321.

7 - وعنه، عن محمد بن الحسين، عن محمد بن سنان، عن أبان، عن عبد الملك قال: سألت أبا عبد الله (عليه السلام) عن صوم تاسوعا وعاشورا من شهر المحرم فقال: تاسوعا يوم حوصر فيه الحسين (عليه السلام) وأصحابه رضي الله عنهم بكر بلا واجتمع عليه خيل أهل الشام وأناخوا عليه وفرح ابن مرجانة وعمر بن سعد بتوافر الخيل وكثرتها واستضعفوا فيه الحسين صلوات الله عليه وأصحابه رضي الله عنهم وأيقنوا أن لا يأتي الحسين (عليه السلام) ناصروا يمدده أهل العراق - بابي المستضعف الغريب - ثم قال: وأما يوم عاشورا فيوم أصيب فيه الحسين (عليه السلام) صريحا بين أصحابه وأصحابه صرعى حوله [عراة] أفصوم يكون في ذلك اليوم؟! كلا ورب البيت الحرام ما هو يوم صوم وما هو إلا يوم حزن ومصيبة دخلت على أهل السماء وأهل الأرض وجميع المؤمنين ويوم فرح وسرور لابن مرجانة وآل زياد وأهل الشام غضب الله عليهم وعلى ذرياتهم وذلك يوم بكت عليه جميع بقاع الأرض خلا بقعة الشام، فمن صامه أو تبرك به حشره الله مع آل زياد ممسوخ القلب مسخوط عليه ومن ادخر إلى منزله ذخيرة أعقبه الله تعالى نفاقا في قلبه إلى يوم يلقاه وانتزع البركة عنه وعن أهل بيته وولده وشاركه الشيطان في جميع ذلك.

I asked about the 'Soam' on the 9th and 10th of Moharram from Imam Aba Abdullah^{asws}. Imam^{asws} replied, Syrian army, on the planes of Karbala, rejoiced on the 9th, after forming and moving forward to surround Imam Huassin^{asws} and his^{asws} companions. Ibn Ziad^{la} reinforced his army and proudly looked at the endless rows of his soldiers which had outnumbered few companions of Imam Hussain^{asws}, he was convinced no one will come forward to join Imam Hussain^{asws}'s camp and people of Iraq will consider him^{asws} weak and will not dare to protect Imam^{asws} against his huge build-up. Ashora (10th) was that day when Imam Hussain^{asws} along with companions were lying on the sand of Karbala, with heads removed from their bodies. Is it appropriate to fast on that day? Surely not. By the Lord of Kabah! It is not a fasting day, it's the day of sadness and moaning. All momaneen, on the earth and in the heavens should be grieving on this day. This was a day of joy for the people of Syria, decedents of Marjana and Ibn Ziad^{la}. Allah^{azwj} admonished them on this day; this is the day when all parts of the world cried except the Syrian segment. Allah^{azwj} will resurrect him with 'dead' heart and punish him severely whoever would fast on this day for the purpose of seeking blessings. Allah^{azwj} will take back His^{azwj} blessings and implant disbelief in his heart, to remain there, until the final day, whoever would indulge in acquiring and piling worldly goods, not only for him but also for his family and relatives. And Iblis^{la} will have share in their deeds and activities.⁶³

Appendix 4: Kasr and Kasr Distance⁶⁴:

1 - محمد بن علي بن الحسين بإسناده عن معاوية بن وهب، عن أبي عبد الله عليه السلام - في حديث - قال: هذا واحد إذا قصرت أفطرت وإذا أفطرت قصرت.⁶⁵

It is narrated from Imam Abi Abdullah^{asws} that break fast when your salat becomes 'Kasr' (reduced) and similarly, upon breaking fast offer 'Kasr' salat.⁶⁶

2 - محمد بن الحسن بإسناده عن محمد بن علي بن محبوب، عن علي بن السندي، وعثمان بن عيسى، عن سماعة قال: قال أبو عبد الله عليه السلام - في حديث - وليس يفترق التقصير والافطار، فمن قصر فليفطر.

Imam Abu Abdullah^{asws} said, 'Kasr and Iftar' are connected to each other, hence who offers Kasr salat, he should break his 'Soam' (fast).⁶⁷

1 - محمد بن علي بن الحسين بإسناده عن الفضل بن شاذان، عن الرضا (عليه السلام) أنه سمعه يقول: إنما وجب التقصير في ثمانية فراسخ لا أقل من ذلك ولا أكثر، لأن ثمانية فراسخ مسيرة يوم للعامة والقوافل والاثقال، فوجب التقصير في مسيرة يوم،

⁶³ Faroo-e-Kafi, tradition 7, vol. 3, pp. 321.

⁶⁴ To reduce, decrease, four part salat to two-part.

⁶⁵ Tradition no. 13170

⁶⁶ Wasail-ul-Shia, vol. 7, tradition 1, pp. 124.

⁶⁷ Wasail-ul-Shia, vol. 7, tradition 2, pp. 124.

يوم يكون بعد هذا اليوم فانما هو نظير هذا اليوم، فلو لم يجب في هذا اليوم فما وجب في نظيره إذا كان نظيره مثله لا فرق بينهما.

It is referred to Imam Ali Raza^{asws} that it is mandatory, without increasing or decreasing it, to 'Kasr' salat at a distance of 'Eight Farsak'⁶⁸ (27.3 miles) because this is the usual travelling distance of ordinary people (as per their walking speed) in a day so this is the limit for 'Kasr' if one does not take it as 'Kasr' then one thousand years' travel is not enough for 'Kasr' as the next day will be the same as the previous day.⁶⁹

2 - ورواه في (العلل وعيون الاخبار) باسناد يأتي، وزاد: وقد يختلف المسير فسير البقر إنما هو أربعة فراسخ، وسير الفرس عشرون فرسخا وإنما جعل مسير يوم ثمانية فراسخ، لأن ثمانية فراسخ هو سير الجمال والقوافل وهو الغالب على المسير، وهو أعظم المسير الذي يسيره الجمالون والمكاريون.

The same tradition is also reported in 'Illul Shara' and 'Ayon-ul-Akbar' with the addition that Mola^{asws} commented on the variation of the travelling speed, as cattle driven cart makes 4 'Farsak' in a day whereas a horse rider goes for 20 'Farsak' but for 'Kasr' Allah^{azwj} has fixed 8 Farsak (27.3 miles) as this is the distance which would mostly be covered by people on foot and riding on camels or those who would ride on donkeys and mules.⁷⁰

3 - وباسناده عن عبد الله بن يحيى الكاهلي أنه سمع الصادق (عليه السلام) يقول في التقصير في الصلاة بريد في أربعة وعشرون ميلا، ثم قال: كان أبي يقول: إن التقصير لم يوضع على البغلة السفواء والدابة الناجية، وإنما وضع على سير القطار. ورواه الشيخ باسناده عن أحمد بن محمد بن عيسى، عن علي بن الحكم، عن عبد الله بن يحيى الكاهلي، مثله، إلى قوله: ميلا. ورواه أيضا بهذا السند إلى آخره. أقول: المراد أن ما ورد من تحديد المسافة بمسير يوم مخصوص بسير القطار وهو واضح.

Abdullah bin Yahiya Kahili reports from Imam Jafar-e-Sadiq^{asws} that salat is 'Kasr' at two 'Bareed' (27.3 miles) and also added my father (Imam Mohammed Baqir^{asws}) used to say that this distance is not related to racing horses rather on walking speed, i.e., of camels.⁷¹

4 - وباسناده عن الصفار، عن محمد بن عيسى، عن سليمان بن حفص المروزي قال: قال الفقيه (عليه السلام): التقصير في الصلاة بريدان أو بريد ذاهبا وجائيا، والبريد ستة أميال وهو فرسخان، والتقصير في أربعة فراسخ، فإذا خرج الرجل من منزله بريد اثني عشر ميلا وذلك أربعة فراسخ ثم بلغ فرسخين ونيتة الرجوع أو فرسخين آخرين قصر، وإن رجع عما نوى عند بلوغ فرسخين وأراد المقام فعليه التمام، وإن كان قصر ثم رجع عن نيته أعاد الصلاة. أقول: الإعادة محمولة على الاستحباب لما يأتي، وتفسير البريد بستة أميال وبفرسخين شاذ مخالف للنصوص الكثيرة، ولعل فيه غلطا من النسخ، وأصله ونصف البريد ستة أميال وهو فرسخان، أو لعل المراد بالميل والفرسخ إصطلاح آخر في الفرسخ كالخراساني فهو ضعف الشرعي تقريبا لأن الراوي خراساني، بل لعل قوله: والبريد، إلى آخره، من كلام الراوي ويكون غلطا فيه والله أعلم

Salman bin Hafeez Maruzi narrates from Imam Musa Kazim^{asws} that Salat is 'Kasr' at the distance of two 'Bareed' one Bareed in going away and one Bareed in returning. So the 'Kasr' is after 4 'Farsak'. Thus if one travels 4 Farsak from home and intends to return back to home then he should offer 'Kasr' prayers but if he travels 2 Farsak further and abandons the idea of returning back to home and decides to stay there (which is now at

⁶⁸ One Farsak is 3 Hashimi miles, which are slightly more than the English miles, 1 Sashami mile = 2000 yard, 1m=1760 miles (so 8 Farsak will be 27.2727 miles or 43.88 km), see, <http://www.dailynews.lk/2007/10/13/fea30.asp>

⁶⁹ Wasail-ul-Shia, vol. 5, tradition 1, pp. 407.

⁷⁰ Wasail-ul-Shia, vol. 5, tradition 2, pp. 407.

⁷¹ Wasail-ul-Shia, vol. 5, tradition 3, pp. 407.

a distance of 6 Farsak), he needs to offer full prayers. If he however, has offered 'Kasr' prayers before changing his mind to stay, he needs to repeat his salat.⁷²

Appendix 5: Statements of Agha Khumani from 'Islamic Government: Governance of the Jurist'⁷³:

- Summarizing his assessment of Imam Khomeini, the late Ayatullah Mutahhari[26] compared him with 'Ali ibn Abi Talib ('a), that high exemplar of Islamic courage, wisdom, and spirituality. All who had the privilege to come into the presence of the Imam will concur in his judgment. (note: 26);
- The Holy Qur'an and the books of hadith, which represent the sources for the commands and ordinances of Islam, are completely different from the treatises written by the mujtahids[32] of the present age both in breadth of scope and in the effects they are capable of exerting on the life of society. (after note: 32);
- How could the sayyids ever need so vast a budget? The khums of the bazaar of Baghdad would be enough for the needs of the sayyids and the upkeep of the religious teaching institution, as well as all the poor of the Islamic world, quite apart from the khums of the bazaars of Tehran, Istanbul, Cairo, and other cities. The provision of such a huge budget must obviously be for the purpose of forming a government and administering the Islamic lands (after note: 72);
- The two qualities of knowledge of the law and justice are present in countless fuqaha of the present age. If they come together, they could establish a government of universal justice in the world (after note: 103);
- Considering the fact that the fuqaha do not have the rank of prophethood, and they are indubitably not "wretched sinners," we conclude that, in the light of the tradition quoted above, they must be the legatees or successors of the Most Noble Messenger (s).(notes: 152-153);
- Indeed, both Harun and Ma'mun were Shi'ah (notes: 246);

⁷² Wasail-ul-Shia, vol. 5, tradition 4, pp. 410.

⁷³ <http://www.al-islam.org/islamicgovernment/>