



RAMADHAN 1445/2024

GROUP F

COURSE BOOK



RULES REGARDING INHERITANCE

RULING 2691

There are three groups of people who inherit from a deceased person on the basis of kinship.

The first group consists of the deceased's father, mother, and offspring, and in the absence of offspring, the grandchildren, however many generations they go forward. Whoever from among them is nearer to the deceased inherits from him. As long as there is even one person from this group, those in the second group do not inherit.

The second group consists of the deceased's grandfathers, grand- mothers, sisters, and brothers, and in the absence of sisters and brothers, their offspring. Whoever from among them is nearer to the deceased inherits from him. As long as there is even one person from this group, those in the third group do not inherit.

The third group consists of the deceased's paternal uncles and paternal aunts, maternal uncles and maternal aunts, and their offspring. As long as even one person from the paternal uncles and paternal aunts and maternal uncles and maternal aunts of the deceased is alive, their offspring do not inherit. However, if there is one paternal half-uncle from the father's side and one full paternal cousin, and there are no maternal uncles or maternal aunts, then the paternal cousin inherits from him to the exclusion of the paternal half-uncle. If there are a number of paternal uncles or paternal cousins, or if the deceased's widow is alive, then this rule (*ḥukm*) is problematic (*maḥall al-ishkāl*) [i.e. based on obligatory precaution (*al-iḥtiyāṭ al-wājib*)], the rule is not established in this case].¹

¹That is, a paternal half-brother of his father (*al-Masā'il al-Muntakhabah*, p. 477, Ruling 1344).

²As mentioned in [Ruling 6](#), the term 'problematic' (*maḥall al-ishkāl*) amounts to saying the ruling is based on obligatory precaution.

RULING 2692

If there are no paternal uncles, paternal aunts, maternal uncles, or maternal aunts, nor any of their offspring or grandchildren, then the deceased is inherited by the paternal uncles and paternal aunts and maternal uncles and maternal aunts of the deceased's parents. If they are not alive, their offspring inherit. If they are not alive, the paternal uncles and paternal aunts and maternal uncles and maternal aunts of the deceased's paternal grandparents inherit. If they are not alive, their offspring inherit.

RULING 2693

A husband and wife inherit from one another as per the details that will be mentioned later.

RULING 2694

If there is only one heir of the deceased from the first group – for example, his father or mother, or one son or one daughter – then that person inherits the deceased's entire estate. If there is one son and one daughter, then the estate is divided among them in such a way that the son receives twice the share of the daughter.

RULING 2695

If the only heirs of the deceased are his father and his mother, the estate is divided into three parts: two parts are inherited by his father and one part by his mother. However, if the deceased has two brothers or four sisters, or one brother and two sisters, and they are all Muslims and free [i.e. not slaves], and their father is also the father of the deceased even though their mothers may be different, and they have been born, then they do not inherit anything while the deceased's father and mother are alive. In such a case, his mother inherits one-sixth of the estate and his father inherits the rest.

RULING 2696

If the only heirs of the deceased are his father, mother, and one daughter, in the event that the deceased does not have a brother or sister who fulfils the conditions mentioned in the previous ruling, the estate is divided into five parts: his father and mother inherit one part each and his daughter inherits three parts. If the deceased has a brother or sister who fulfils the conditions mentioned previously, then his father inherits one-fifth, his mother one-sixth, and his daughter three-fifths. With regard to the one-thirtieth that remains – which is probably the share of the mother, just as it is probable that three-quarters of it are the share of his daughter and one-quarter is the share of his father – based on obligatory precaution, they must arrive at a settlement (*muṣālaḥah*).

RULING 2697

If the only heirs of the deceased are his father, mother, and one son, the estate is divided into six parts: his father and mother inherit one part each and his son inherits four parts. If the deceased has a number of sons or daughters, then the four parts must be divided equally among them. If he has a son and a daughter, then the four parts must be divided among them in a way that each son receives twice the share of each daughter.

RULING 2698

If the only heirs of the deceased are his father or mother and one or a number of sons, the estate is divided into six parts: one part is inherited by his father or mother and five parts are inherited by his son. And if there are a number of sons, then the five parts are divided equally among them.

RULING 2699

If the only heirs of the deceased are his father or mother and a number of his sons and daughters, the estate is divided into six parts: one part is inherited by his father or mother and the remainder is divided among his sons and daughters in a way that each son receives twice the share of each daughter.

RULING 2700

If the only heirs of the deceased are his father or mother and one daughter, his estate is divided into four parts: one part is inherited by his father or mother and the rest is inherited by his daughter.

RULING 2701

If the only heirs of the deceased are his father or mother and a number of daughters, the estate is divided into five parts: one part is inherited by his father or mother and four parts are divided equally among his daughters.

RULING 2702

If the deceased has no offspring, the child of his son receives the share of the deceased's son even if she is a girl, and the child of his daughter receives the share of the deceased's daughter's share even if he is a boy. For example, if the deceased has a grandson from his daughter and a granddaughter from his son, the estate is divided into three parts: one part is inherited by the grandson from his daughter and two parts are inherited by the granddaughter from his son. With regard to grandchildren inheriting, it is not a condition that their father and mother be deceased.

RULING 2703

The second group of persons who inherit on the basis of kinship consists of the deceased's grandfathers, grandmothers, brothers, and sisters. If the deceased does not have any brothers or sisters, their offspring inherit.

RULING 2704

If the only heir of the deceased is one brother or one sister, he or she inherits the entire estate. If he has more than one full brother or more than one full sister, the estate is divided equally between them. If he has both full brothers and full sisters, then every brother receives twice the share of every sister. For example, if he has two full brothers and one full sister, the estate is divided into five parts: each brother receives two parts while the sister receives one part.

RULING 2705

If the deceased has full brothers and full sisters, his half-brothers and half-sisters who have the same father as the deceased but a different mother do not inherit from him. If he has no full brothers or full sisters and has only one paternal half-sister or only one paternal half-brother, then the entire estate is inherited by him or her. If he has more than one paternal half-brother or more than one paternal half-sister, then the estate is divided equally between them. If he has paternal half-brothers as well as paternal half-sisters, then every half-brother receives twice the share of every half-sister.

RULING 2706

If the only heir of the deceased is one maternal half-sister or one maternal half-brother, their father being different to the father of the deceased, he or she inherits the entire estate. If he has more than one maternal half-brother or more than one maternal half-sister, or more than one of both [i.e. more than one maternal half-brother and more than one maternal half-sister], then the estate is divided equally between them.

RULING 2707

If the deceased has full brothers and full sisters as well as paternal half-brothers and paternal half-sisters and one maternal half-brother or one maternal half-sister, the paternal half-brothers and paternal half-sisters do not inherit. In this case, the estate is divided into six parts: one part is received by the maternal half-brother or maternal half-sister, and the remainder is divided among the full brothers and full sisters, with every brother receiving twice the share of every sister.

RULING 2708

If the deceased has full brothers and full sisters as well as paternal half-brothers and paternal half-sisters and more than one maternal half-brother and maternal half-sister, the paternal half-brothers and paternal half-sisters do not inherit. In this case, the estate is divided into three parts: one part is divided equally between the maternal half-brothers and maternal half-sisters, and the remainder is divided between the full brothers and full sisters, with every brother receiving twice the share of every sister.

RULING 2709

If the only heirs of the deceased are his paternal half-brothers and paternal half-sisters and one maternal half-brother or one maternal half-sister, the estate is divided into six parts: one part is received by the maternal half-brother or maternal half-sister, and the remainder is divided between the paternal half-brothers and paternal half-sisters with every brother receiving twice the share of every sister.

RULING 2710

If the only heirs of the deceased are his paternal half-brother and paternal half-sister and more than one maternal half-brother and maternal half-sister, the estate is divided into three parts: one part is shared equally between the maternal half-brothers and maternal half-sisters, and the remainder is received by the paternal half-brother and paternal half-sister, with every brother receiving twice the share of every sister.

RULING 2711

If the only heirs of the deceased are his brother, sister, and wife, the wife inherits as per the details that will be mentioned later, and the sister and brother inherit as stated in the previous rulings. Furthermore, if a woman dies and her only heirs are her sister, brother, and husband, the husband inherits half of the estate and the sister and the brother inherit as stated in the previous rulings. For the wife or husband to inherit, nothing is deducted from the share of the maternal half-brother and maternal half-sister, but there is a deduction from the share of the full brother and full sister or paternal half-brother and paternal half-sister. For example, if the heirs of the deceased are her husband, maternal half-brother and maternal half-sister, and full brother and full sister, then half of the estate is received by the husband, and one-third of the estate is received by the maternal half-brother and maternal half-sister, whatever remains is the property of the full brother and full sister. Therefore, if the total estate of the deceased is £6000, £3000 goes to the husband, £2000 goes to the maternal half-brother and maternal half-sister, and £1000 is the share of the full brother and full sister.

RULING 2712

If the deceased does not have a sister or a brother, their share of the inheritance is given to their offspring, and the share of the maternal half-brother's child and maternal half-sister's child is divided equally among them. As for the share of the paternal half-brother's child and paternal half-sister's child, or the child of the full sibling, based on the opinion held by most jurists (*mashhūr*), every son receives twice the share of the daughter. However, it is not farfetched (*ba'īd*) that the estate must be divided equally between them and, based on obligatory precaution, they must arrive at a settlement.

¹For practical purposes, a legal opinion that is termed 'not farfetched' equates to a *fatwa*.

RULING 2713

If the only heir of the deceased is one grandfather or one grandmother, irrespective of whether they are paternal or maternal, the entire estate is inherited by him/her. The great grandfather of the deceased does not inherit as long as the grandfather is alive. If the only heirs of the deceased are his paternal grandfather and paternal grandmother, the estate is divided into three parts: two parts are inherited by the grandfather and one part by the grandmother. If the heirs are his maternal grandfather and maternal grandmother, the estate is divided equally between them.

RULING 2714

If the only heir of the deceased is one paternal grandfather or paternal grandmother as well as one maternal grandfather or maternal grandmother, the estate is divided into three parts: two parts are inherited by the paternal grandfather or paternal grandmother and one part by the maternal grandfather or maternal grandmother.

RULING 2715

If the heirs of the deceased are paternal grandparents and maternal grandparents, the estate is divided into three parts: one part is divided equally between the maternal grandfather and the maternal grandmother, and the remaining two parts are inherited by the paternal grandfather and the paternal grandmother, with the paternal grandfather receiving twice the share of the paternal grandmother.

RULING 2716

If the only heirs of the deceased are his wife, paternal grandparents, and maternal grandparents, his wife inherits as per the details that will be mentioned later. One-third of the deceased's estate is received by the maternal grandparents, divided equally between them. The remainder is received by the paternal grandparents, with the paternal grandfather receiving twice the share of the paternal grandmother. If the heirs of the deceased are her husband and paternal and maternal grandparents, the husband receives half of the estate and the grandparents inherit in accordance with the instructions that were mentioned in the previous rulings.

RULING 2717

When there is a combination of one brother or sister, or some brothers or sisters with grandparents, there are a number of scenarios, as follows.

1. Each of the grandparents and brother or sister is from the deceased's mother's side. In this case, the estate is divided equally between them even though some of them may be male and others female.
2. All of them are from the father's side. In this, the estate is also divided equally between them, provided that all of them are male or all of them are female. If they are of different genders, every male receives twice as much as every female.
3. The grandfather or grandmother is from the deceased's father's side, and the brother or sister are siblings of the deceased. The rule (ḥukm) in this case is the same as the one in the previous case. It has previously been established that if the paternal half-brother or paternal half-sister of the deceased combines with a full brother or full sister, the paternal half-siblings do not inherit.
4. The grandfathers or grandmothers, or both, paternal and maternal, are combined with brothers or sisters, or both, who are also paternal and maternal. In this case, one-third of the estate is received by the maternal relatives comprising the brothers and sisters, grandfather and grandmother; this is to be

divided equally between the males and the females. Two-thirds of the estate are received by the paternal relatives, with every male receiving twice as much as every female. If all of them are male or all of them are female, then it must be divided equally between them.

5. A paternal grandfather or grandmother combines with a maternal half-brother or maternal half-sister. In this case, if there is only one maternal half-brother or maternal half-sister, he/she receives one-sixth of the estate. If there are more than one, they receive one-third of the estate divided equally among them. The remainder is inherited by the paternal grandfather or paternal grandmother, and if both the paternal grandfather and the paternal grandmother are alive, the paternal grandfather receives twice as much as the paternal grandmother.
6. The maternal grandfather or maternal grandmother, or both, combine with one or more paternal half-brothers. In this case, one-third is for the maternal grandfather or maternal grandmother, and if both are alive then that one-third is divided equally between them. Two-thirds is for the brother or brothers. If one paternal half-sister combines with those maternal grandparents, she receives half, and if there are more than one, they receive two-thirds. In all cases, the share of the maternal grandfather and maternal grandmother is one-third. Based on this, one-sixth of the estate will be left over if there is only one sister. It is doubtful whether she inherits this or it is divided between her and the maternal grandfather and maternal grandmother; in this case, as an obligatory precaution, they must arrive at a settlement [concerning that remaining one-sixth].
7. The grandfathers or grandmothers, or both, paternal and maternal, are combined with one or more paternal half-brother or paternal half-sister. In this case, one-third is for the maternal grandfather or maternal grandmother. If there are more, it is divided equally among them even if some of them are male and others female. The remaining two-thirds of the estate are for the paternal grandfather or paternal grandmother and the paternal half-brother or paternal half-sister, with each male receiving twice the share of each female. If those grandfathers or grandmothers are combined with a maternal half-brother or maternal half-sister, then the share of the maternal grandfather or maternal grandmother and the maternal half-brother or maternal half-sister is one-third, to be divided equally among them even if some of them are male and others female. The share of the paternal grandfather or paternal grandmother is two-thirds, with the paternal grandfather receiving twice the share of the paternal grandmother.
8. There are brothers or sisters, some of whom are paternal half-siblings and others maternal half-siblings, as well as the paternal grandfather or paternal grandmother. In this case, one-sixth of the estate is for the maternal half-brother or maternal half-sister if there is only one of them, and one-third if there are more than one, to be divided equally among them. The remainder of the estate is for the paternal half-brother or paternal half-sister and the paternal grandfather or paternal grandmother, with each male receiving twice the share of each female. If those brothers or sisters are combined with a maternal grandfather or maternal grandmother, the total share of the maternal grandfather or maternal grandmother and the maternal half-brother or maternal half-sister is one-third, to be divided equally among them. The share of the paternal half-brother or paternal half-sister is two-thirds, the male receiving twice the share of the female.

RULING 2718

If the deceased has a brother or sister, their children do not inherit. However, this rule does not apply when the inheritance of a brother's child or sister's child does not clash with that of the brother or sister. For example, if the deceased has a paternal half-brother and maternal grandfather, the paternal half-brother inherits two-thirds and the maternal grandfather inherits one-third of the estate. In this case, if the maternal half-brother of the deceased has a son, then the maternal half-brother's son shares one-third of the estate with the maternal grandfather.

RULING 2719

The third group of heirs consists of paternal uncles, paternal aunts, maternal uncles, maternal aunts, their offspring, and grandchildren. The persons in this group inherit when none of the persons belonging to the first two groups is alive.

RULING 2727

If a woman dies without any offspring, half of her estate is inherited by her husband and the remainder by her other heirs. If she has offspring from that husband or another husband, her husband inherits one-quarter of the estate and the remainder is inherited by her other heirs.

RULING 2728

If a man dies without any offspring, a quarter of his estate is inherited by his wife and the remainder by his other heirs. If he has offspring from that wife or from another wife, his wife inherits one-eighth of the estate and the remainder is inherited by his other heirs. A wife does not inherit anything from the land of a house, garden, plantation, or any other land, neither from the land itself nor from the value of it. Furthermore, she does not inherit from what stands on the land, such as buildings and trees. She does, however, inherit from their value, and the heirs can give her their value from other wealth. The same applies to the trees, crops, and buildings on the land of a garden, plantation, or any other land. However, she does inherit from the actual fruit that was present on the trees at the time of her husband's death.

RULING 2729

If the wife wishes to have right of usage over things that she does not inherit, such as the land of a residential house, she must obtain permission from the other heirs. It is not permitted (*jā'iz*) for the other heirs – as long as they have not given the wife her share – to have disposal over those things of which she inherits the value, such as buildings and trees, which would cause their price to decrease, nor can they sell such things, without the wife's permission.

RULING 2730

If the heirs wish to undertake the valuation of the buildings, trees, and similar things, they must do so in the way experts usually undertake valuations. That is, they must disregard the particulars of the land it is situated on and not base their valuation on how much it would be worth if it were [*per impossibile*] uprooted from the land or it remained unrented on the land.

RULING 2731

The watercourses for subterranean canals and suchlike have the same rule as land, and the bricks and other things used for their construction have the same rule as buildings. As for the water itself, the actual water is inherited.

RULING 2736

The clothes that a husband buys for his wife to wear are treated as part of his estate after his death even though she may have worn them, unless he gave her ownership. A wife is entitled to seek ownership of clothes from her husband as part of his obligations to provide maintenance (*nafaqah*) for her.

RULING 2737

The deceased's Qur'an, ring, sword, and clothes that he had worn or kept to wear belong to the eldest son. If the deceased had more than one of the first three things – for example, he left two copies of the Qur'an or two rings – the obligatory precaution is that the eldest son must arrive at a settlement with the other heirs regarding those things. The same applies to the reading stand (*riḥāl*) for the Qur'an and the gun, dagger, or other weapons. The sheath of the sword and bookmark for the Qur'an are considered part of those items.

RULING 2738

If the deceased has more than one eldest son – for example, two sons are born of two wives at the same time – the items mentioned earlier must be divided equally among them. This rule is specific to the eldest son even though there may be daughters older than him.

RULING 2739

If the deceased has a debt equal to his estate or more, the eldest son must give those things mentioned earlier that belong to him to settle the debt, or he must pay their equivalent worth from his own wealth. If the deceased's debt is less than his estate but his estate without those items that belong to the eldest son is not sufficient to settle his debt, then the eldest son must give from those items or from his own wealth to settle the debt. However, if the rest of his estate is adequate to clear the debt, the obligatory precaution is that the eldest son must still participate in clearing the debt in the manner mentioned previously. For example, if the estate of the

deceased is worth £600 and the items that belong to the eldest son are worth £200 and the deceased has a debt of £300, the eldest son must pay £100 from the items he received to pay off the debt.

RULING 2740

A Muslim inherits from a disbeliever (*kāfir*), but a disbeliever does not inherit from a deceased Muslim, even if he is the deceased's father or son.

RULES REGARDING JABIRAH WUDHU

'*Jabīrah*' refers to the thing with which a wound or a break in a bone is bandaged, and to medication applied to a wound and suchlike.

RULING 323

If on one of the parts of the body on which *wuḍū'* is performed there is a wound, boil, or broken bone, in the event that it is uncovered and water is not harmful for the person, he must perform *wuḍū'* in the normal manner.

RULING 324

If a wound, boil, or broken bone is on one's face or arms, and it is uncovered, and pouring water over it is harmful, then the area around the wound or boil must be washed from top to bottom in the manner that was explained regarding *wuḍū'*. If drawing a wet hand over it is not harmful, it is better that one draw a wet hand over it, place a pure cloth over it, and then draw a wet hand over the cloth as well. As for the case of a broken bone, it is necessary to perform *tayammum* [instead of *jabīrah wuḍū'*].

RULING 325

If a wound, boil, or broken bone is on the front part of the head, or on the feet, and it is uncovered, then in the event that one is unable to wipe it – meaning that the wound, for example, covers the entire area that is to be wiped, or for some reason he is unable to wipe even the unaffected areas – in such a case, it is necessary for him to perform *tayammum*. And based on recommended precaution, he should also perform *wuḍū'* and place a pure cloth over it and wipe over the cloth with the wetness of the *wuḍū'* water left on his hand.

RULING 326

If a boil, wound, or broken bone is covered, and uncovering it is possible without causing excessive difficulty, and water is not harmful for the person, then he must uncover it and perform *wuḍū'*, irrespective of whether the wound and suchlike is on the face, arms, the front part of the head, or the feet.

RULING 327

If a wound, boil, or broken bone that is covered is on the face or arms, in the event that it is harmful to uncover and pour water over it, one must wash as much of the area around it as possible. And based on obligatory precaution, one must also wipe over the *jabīrah*.

RULING 328

If it is not possible to uncover a wound but the wound and the thing that has been placed over it are pure, and if making water reach the wound is possible and not harmful, then one must make water go over the wound from top to bottom. If the wound or the thing that has been placed over it is impure, in the event that it is possible to wash that thing with water and make the water go over the wound, one must wash it with water and at the time of performing *wuḍū'* he must make the water reach the wound. In the event that water is not harmful for the person but washing it with water is not possible, or, if uncovering the wound causes excessive difficulty or it is harmful for him, he must perform *tayammum*.

RULING 329

If the *jabīrah* completely covers one of the parts of the body on which *wuḍū'* is performed, then performing *jabīrah wuḍū'* is sufficient. However, if the *jabīrah* covers all or most of the parts of the body on which *wuḍū'* is performed, then based on obligatory precaution, one must perform *tayammum* and *jabīrah wuḍū'*.

RULING 330

It is not necessary for the *jabīrah* to be made of something that one is permitted to wear when performing prayers. Therefore, if the *jabīrah* is made of silk or pure parts of an animal whose meat is unlawful to eat, it is permitted to wipe over it.

RULING 331

If someone has a *jabīrah* on the palm of his hand or on his fingers, and at the time of performing *wuḍū'* he draws his wet hand over it, he must wipe his head and feet with the same moisture [that has gathered on the *jabīrah*].

RULING 332

If the *jabīrah* covers the entire surface of the top of the foot except for an area over the toes and at the top of the foot, one must wipe the places that are uncovered and over the *jabīrah* that is covering the other parts.

RULING 333

If there are several *jabīrah*s on one's face or arms, he must wash between them; and if the *jabīrah*s are on the head or the feet, he must wipe between them. As for those places covered by the *jabīrah*, he must act according to the rules of *jabīrah*.

RULING 334

If the *jabīrah* has covered more than the normal area around the wound and it is not possible to remove it without causing excessive difficulty, one must perform *tayammum* unless the *jabīrah* is on a place of the body that *tayammum* is performed on, in which case based on obligatory precaution, it is necessary to perform both *wuḍū'* and *tayammum*. In both cases, if it is possible to remove the *jabīrah* without causing excessive difficulty, the *jabīrah* must be removed. Therefore, if the wound is on the face or arms, the area around it must be washed; and if it is on the head or top of the feet, the area around that must be wiped; and for the place of the wound, one must act according to the rules of *jabīrah*.

RULING 335

If there is no wound, cut, or broken bone on a part of the body on which *wuḍū'* is performed but water is harmful for the person for some other reason, he must perform *tayammum*.

RULING 336*

If phlebotomy³³ has been performed on one of the parts of the body on which *wuḍū'* is performed and water is not harmful for it but the person is unable to wash it because the blood does not congeal and suchlike, then it is necessary for him to perform *tayammum*. However, if one can wash it with water but water is harmful for it, then he must act according to the rules of *jabīrah*.

³³ Phlebotomy is the practise of bloodletting, i.e. a treatment in which a vein is cut to release blood.

RULING 337

If something is stuck on a part of one's body on which *wuḍū'* or *ghusl* is performed and it is not possible to remove it, or the difficulty involved in removing it is such that it cannot be endured, then the person's responsibility is to perform *tayammum*. However, if the thing that is stuck is on a part of the body on which *tayammum* is performed, it is necessary to perform

both *wuḍū'* and *tayammum*. Furthermore, if the thing that is stuck is some form of treatment, it is ruled to be *jabīrah*.

RULING 338*

For all *ghusls* – apart from the *ghusl* given to a corpse – *jabīrah* *ghusl* is performed like *jabīrah wuḍū'*; however, based on obligatory precaution, one must perform it in sequence. If there is a wound or boil on the body, one has the choice of performing *ghusl* or *tayammum*; and in the event that one chooses to perform *ghusl* and the wound is not covered, the recommended precaution is that he should place a pure cloth over the wound or the uncovered boil and wipe over the cloth. However, if there is a broken bone in the body, one must perform *ghusl*, and as a precautionary measure, he must also wipe over the *jabīrah*; and in the event that it is not possible to wipe over the *jabīrah* or the place of the broken bone is uncovered, it is necessary to perform *tayammum*. Therefore, if the place of the broken bone is uncovered, he must perform *tayammum*, and if it is covered, he must perform *ghusl* and wipe over the *jabīrah*. If wiping over the *jabīrah* is not possible, then in the event that the *jabīrah* is not on a part of the body on which *tayammum* is performed, he must perform *tayammum*. If the *jabīrah* is on a part of the body on which *tayammum* is performed, then based on obligatory precaution, he must perform both *ghusl* (without wiping over the injured area) and *tayammum*.

RULING 339

If someone's responsibility is to perform *tayammum* but on some of the parts of his body on which *tayammum* is performed he has a wound, boil, or broken bone, he must perform *jabīrah tayammum* in accordance with the rules of *jabīrah wuḍū'*.

RULING 340

If someone must perform prayers with *jabīrah wuḍū'* or *ghusl*, in the event that he knows his legitimate excuse for not performing normal *wuḍū'* or *ghusl* will remain valid until the end of the time for prayers, he can perform prayers at the beginning of their time. However, if he has hope that his legitimate excuse will expire before the end of the time for prayers, it is better that he wait; and in the event that his legitimate excuse remains valid, he must perform prayers with *jabīrah wuḍū'* or *ghusl* at the end of the time for prayers. If he performed prayers at the beginning of their time and his legitimate excuse expired by the end of the time for prayers, the recommended precaution is that he should perform *wuḍū'* or *ghusl* and repeat the prayers.

RULING 341*

If someone is suffering from an eye disease and if using water is harmful for the eye and its surroundings then the person should perform *Tayammum*, but if it is possible to wash the surrounding of the eye and water is not harmful for the eye then if there is medicine or bandage over the eye then *Jabira Wudhu* is sufficient. but if there is no medicine or bandage on the eye then on the basis of obligatory precaution he should perform *Jabira wudhu* and *Tayammum* as well

RULING 342*

If someone does not know whether his duty is to perform *tayammum* or *jabīrah wuḍū'*, he must perform both of them as a precaution.

RULING 343*

Any action for which wudhu is required, if one performs with *jabīrah wuḍū* are valid, and he can perform subsequent actions (for which wudhu is required) with that wuḍū as well. However, if his duty was to perform both *jabīrah wuḍū* and *tayammum*, then after his legitimate excuse has expired, he must perform wuḍū to do anything that requires wuḍū.

WOMEN WITH WHOM NIKAH IS NOT PERMITTED

RULING 2349

It is unlawful for a man to marry women who are his *maḥram*,⁶ such as his mother, sister, daughter, paternal aunt, maternal aunt, nieces, and mother-in-law.

⁶A *maḥram* is a person one is never permitted to marry on account of being related to them in a particular way, such as being their parent or sibling.

RULING 2350

If a person marries a woman, then even though they may not have had sexual intercourse, her mother, maternal grandmother, and paternal grandmother, however many generations they go back, become *maḥram* to him.

RULING 2351

If a person marries a woman and has sexual intercourse with her, her daughters and granddaughters, however many generations they go forward, become *maḥram* to him, irrespective of whether they are alive at the time of the marriage contract or are born after it.

RULING 2352

Even if a person has not had sexual intercourse with the woman he has married, as long as he is married to her, he must not marry her daughter based on obligatory precaution.

RULING 2353

The paternal and maternal aunts of a person, and the paternal and maternal aunts of his father, and the paternal aunts of his paternal grandfather or paternal grandmother, however many generations they go back, are *maḥram* to him. Similarly, the paternal and maternal aunts of one's mother, and the paternal and maternal aunts of his maternal grandmother or maternal grandfather, however many generations they go back, are *maḥram* to him.

RULING 2354

The father and grandfather of one's husband, however many generations they go back, and his sons and grandsons, however many generations they go forward, are all *maḥram* to her, irrespective of whether they are alive at the time of the marriage contract or are born after it.

RULING 2355

If a person marries a woman, be it in a permanent or temporary marriage, he cannot marry her sister as long as she is married to him.

RULING 2356

If a man gives his wife a revocable divorce (*al-ṭalāq al-rijī*) in the manner that will be explained in the laws on divorce, he cannot marry her sister during the prescribed waiting period (*iddah*). However, he can marry her sister if she is observing *iddah* of an irrevocable divorce (*al-ṭalāq al-bā'in*). And the obligatory precaution is that a man must not marry a woman who is observing *iddah* of a temporary marriage.

RULING 2357

A person cannot marry his wife's niece without her consent. However, if he contracts a marriage with his wife's niece without her consent and afterwards his wife consents to it, there is no problem.

RULING 2358

If a woman realises that her husband has married her niece and she does not say anything about this, in the event that she consents afterwards, the marriage is valid. But if she does not consent, it is invalid.

RULING 2362

A Muslim woman cannot marry a man who is a disbeliever (*kāfir*), be it in a permanent marriage or a temporary one. It makes no difference whether the man is from among the People of the Book (*ahl al-kitāb*)⁷ or not. A Muslim man cannot marry women who are disbelievers other than those from among the People of the Book. However, there is no problem if a Muslim man contracts a temporary marriage with Jewish or Christian women but, based on obligatory precaution, he must not contract a permanent marriage with them. As for Zoroastrian women, based on obligatory precaution, a Muslim man must not contract marriage with them, not even a temporary one.

A man who has a Muslim wife cannot contract marriage with women who are from among the People of the Book without his wife's permission; rather, even with her permission, it is not permitted (*jā'iz*) for him to marry them. As for those who consider themselves Muslims but are subject to the rules applicable to disbelievers, such as *nawāṣib*⁸, a Muslim man or woman cannot marry them in a permanent or temporary marriage. The same applies to marrying an apostate (*murtadd*).

⁷ As mentioned in [Ruling 103](#), the 'People of the Book' are Jews, Christians, and Zoroastrians.

⁸ In [Ruling 103](#), *nawāṣib* (pl. of *nāṣibī*) are defined as 'those who show enmity towards the Imams ('A)'.

SITUATIONS IN WHICH THE DRESS WORN BY ONE WHO IS PRAYING DOES NOT NEED TO BE PAK

RULING 835

In three cases – the details of which will follow afterwards – if the body or clothing of someone performing prayers is impure, his prayers are valid:

1. If due to a wound, sore, or boil on his body the clothing or his body has become impure with blood;
2. If the amount of blood that has made his body or clothing impure is less than the area covered by a dirham. Based on obligatory precaution, a dirham is equal to the size of the upper joint of the thumb;
3. If he is compelled to perform prayers with an impure body or clothing.

In one case, [despite not falling under any of the three cases above,] if the clothing of someone performing prayers is impure, his prayers are valid, and that is when his small items of clothing – such as his socks and cap – are impure.

The laws (*aḥkām*) of these four situations will be explained in detail in the following rulings.

RULING 836

If blood from a wound, sore, or boil is on the body or clothing of someone performing prayers, he can perform prayers with that blood as long as the wound, sore, or boil has not healed. The same applies to pus that comes out with blood or any medicine that is applied to the wound and becomes impure.

RULING 837

If blood from a cut or wound that heals quickly and is easy to wash is on the body or clothing of someone performing prayers, and the amount of blood is equal to or more than the area covered by a dirham, his prayers are invalid.

RULING 838

If a part of one's body or clothing that is distant from a wound becomes impure by means of the moisture from the wound, it is not permitted to perform prayers with it. However, if part of one's body or clothing around the wound becomes impure by means of the moisture from the wound, there is no problem in performing prayers with it.

RULING 839

If a person's body or clothing has blood on it from piles or a wound that is inside one's mouth or nose etc., he can perform prayers with it; and it makes no difference whether the swollen haemorrhoid vessels are internal or external.

RULING 840

If there is a wound on one's body, and on his body or clothing he sees blood that is equal to or more than the area covered by a dirham but does not know whether it is blood from the wound or not, the obligatory precaution is that he must not perform prayers with it.

RULING 841

If there are several wounds on one's body and they are so close to each other that they are considered one wound, there is no problem in performing prayers with that blood until the time all the wounds heal. However, if the wounds are so far apart from one another that each of them is considered a separate wound, then whenever one of them heals, he must wash the blood from his body and clothing to perform prayers.

RULING 842

If there is even the tiniest amount of *ḥayḍ* blood on the body or clothing of someone performing prayers, the prayers are invalid. Furthermore, based on obligatory precaution, the same applies with regard to blood from an intrinsic impurity (*ʿayn al-najāsah*) – such as a pig or a corpse – and blood from an animal whose meat is unlawful to eat, the blood of lochia (*nifās*), and the blood of an irregular blood discharge (*istiḥāḍah*). However, there is no problem in performing prayers if there are other types of blood on one's body or clothing – such as blood from a human being or an animal whose meat is lawful to eat – even if it is on a number of areas of the body or clothing, provided that their combined area is less than that of a dirham.

RULING 843

If blood spills on clothing that does not have a lining and it reaches the other side, it is considered to be one blood; and the side on which the blood has spread more must be taken into account [when determining its amount in relation to the area covered by a dirham]. However, if the other side of the clothing becomes bloody separately, then each side must be considered separately. Therefore, if the combined area of blood on the front and back of the clothing is less than the area covered by a dirham, prayers with it are valid; but if it is equal to or more than the area covered by a dirham, then prayers performed with it are invalid.

RULING 844

If blood spills on clothing that has a lining and reaches the lining, or it spills on the lining and reaches the upper layer of the clothing, or from one piece of clothing it reaches another piece, then, in each of these cases, the blood must be considered to be separate. Therefore, if the combined area of blood is less than the area covered by a dirham, the prayers are valid; otherwise, they are invalid unless the areas are joined together such that they would be commonly considered to be one area of blood, in which case if the area of blood on the side that has spread more is less than the area covered by a dirham, prayers with it are valid; but if the amount of blood is equal to or more than the area covered by a dirham, then prayers performed with it are invalid.

RULING 845

If the area of blood on one's body or clothing is less than the area covered by a dirham, and some moisture reaches it and spreads it further, prayers performed with it are invalid even if the area of the blood and the moisture is not equal to the area covered by a dirham. However, if moisture only reaches the blood without spreading it, there is no problem in performing prayers with it.

RULING 846

If a person's body or clothing has not become bloody but on account of moisture reaching the blood it becomes impure, he cannot perform prayers with it even if the area that has become impure is less than the area covered by a dirham.

RULING 847

If the area of blood on one's body or clothing is less than the area covered by a dirham and another impurity reaches it – for example, a drop of urine falls on it – then in case it reaches a pure part of the body or clothing, it is not permitted to perform prayers with it. In fact, even if it does not reach a pure part of the body or clothing, it is not correct to perform prayers with it based on obligatory precaution.

RULING 848

If the small items of clothing of someone performing prayers that cannot cover the private parts – such as socks or a cap – become impure, in the event that they are not made from an impure carcass or an animal that is an intrinsic impurity – such as a dog – prayers performed with them are valid. However, if they are made from an impure carcass or an impure animal, then based on obligatory precaution prayers performed with them are invalid. however, there is no problem in performing prayers with an impure ring.

RULING 849

It is permitted for someone performing prayers to have with him an impure object like an impure handkerchief, key, or knife. Similarly, there is no problem in having impure clothing with him [that is not worn].

RULING 850

If a person knows that the area of blood on his body or clothing is less than the area covered by a dirham, but he deems it probable that the blood may be of a type that is not excusable in prayers, it is permitted for him to perform prayers with that blood.

RULING 851

If the area of blood on one's body or clothing is less than the area covered by a dirham, but he does not know that it is a type of blood that is not excusable in prayers and performs prayers, and afterwards he realises that it was a type of blood that is not excusable in prayers, it is not necessary for him to perform the prayer again. Similarly, if he believes that the amount of blood is less than the area covered by a dirham and performs prayers, and afterwards he realises that it was equal to or to or more than the area covered by a dirham, it is not necessary for him to perform the prayer again.

mule unattended.

When ‘Ali (‘a) returned, he was holding two dirhams. He intended to give them to the man who had looked after the mule. He found the mule without the saddle. After reaching home he gave the same two dirhams to his slave for the purchase of another saddle. The slave went to the bazaar found the same rein. It came to be known that the thief had sold the stolen rein for two dirhams. It was the same amount that he could have earned in a lawful way. When the slave related the whole incident to ‘Ali (‘a), he said, “By abandoning patience man converts his Halal sustenance into Haram. Though he does not receive more than what is in his destiny.”²¹

- [1.](#) Khisal of Saduq.
- [2.](#) A person who earns money by passing information of the unknown acquired with the help of jinns.
- [3.](#) Wasa’il ul-Shi’a.
- [4.](#) Safinat ul-Bihar.
- [5.](#) Safinat ul-Bihar.
- [6.](#) Wasa’il ul-Shi’a.
- [7.](#) Bihar al-Anwar.
- [8.](#) Safinat ul-Bihar.
- [9.](#) Safinat ul-Bihar.
- [10.](#) Safinat ul-Bihar.
- [11.](#) al-Kafi.
- [12.](#) al-Kafi.
- [13.](#) al-Kafi.
- [14.](#) Nafasul Mahmum.
- [15.](#) Safinat ul-Bihar.
- [16.](#) Safinat ul-Bihar.
- [17.](#) Safinat ul-Bihar.
- [18.](#) Bihar al-Anwar.
- [19.](#) Bihar al-Anwar.
- [20.](#) al-Kafi.
- [21.](#) Lailail-Akhbar.

The Twenty-Sixth Greater Sin: Usurping The Rights Of Others Or Non-Fulfillment Of Rights

Non-fulfillment of another’s right, without a valid excuse is the twenty-sixth greater sin. If a person who has some right upon someone and demands his right but the one on whom the obligation rests does not fulfill the right, even though he is capable of it, then this person has committed a greater sin. Non-fulfillment of rights as a greater sin is according to Nass (Holy Qur’an and hadith). The frequently quoted tradition of Amash from Imam Ja’far al-Sadiq (‘a) and the hadith of Imam al-Ridha (‘a) as narrated by

Fazl ibn Shazan also include it in he list of greater sins.

Hazrat Imam Ja'far al-Sadiq ('a) says:

“One who does not fulfill the rights of a believer (and does not repay what he owes to him), on the Day of Judgement, Allah will make him stand for five hundred years and blood or sweat will ooze through his body. An announcer from Allah will announce, ‘This is the oppressor who had not fulfilled the right of Allah.’ Then after being admonished for another forty days it will be ordered for him to be thrown into the fire (those who admonish him will be either believers or prophets).

An explanation of this hadith by Allamah Majlisi states that if the sinner’s oppression is not of a very serious nature, sweat will flow from his body and if his oppression is of a serious nature, blood will seep out of him.[1](#)

Allamah Majlisi further says, “This tradition proves that the right of a believer is the right of Allah (S.w.T.). Allah (S.w.T.) has ordered to restore a believer’s right. Disobeying this command is just like usurping the right of Allah (S.w.T.). The tradition further states:

“On the Day of Qiyama a caller will announce, ‘Where are those who oppressed and tortured the friends of Allah?’ Some people will stand up. They will not be having any flesh on their faces. It will be said, ‘These are the ones who tortured the believers, bore enmity towards them, dealt harshly with them due to their belief.’”

It will be ordered that they may be thrown into Hell. Further, Imam Ja'far al-Sadiq ('a) swears by Allah (S.w.T.) the Almighty and says that these people had the same belief as the believers, but they did not respect their rights and also exposed the secrets of the believers.[2](#)

And Imam Ja'far al-Sadiq ('a) has remarked:

“A believer who has something and another believer is in need of it; if the former does not fulfill the need of the needy Mu'min he will not ever taste the food of Paradise nor drink the Rahiq-al-Makhtum (A drink of Paradise).”[3](#)

Demand For Fulfillment Of Rights On The Day Of Qiyama

Hazrat Sajjad ('a) says:

“On the Day of Qiyama a person will be caught by his hand and the people of Mahshar (Gathering) will be told that anyone who has any claim upon him may secure his right.”[4](#)

On the Day of Qiyama, this would be the most difficult ordeal to face. Every person will avoid meeting his relatives and friends and will be in constant dread of the demands they may make of him. Perhaps this is the predicament alluded to in the following Qur'anic ayat:

“The day on which a man shall fly from his brother, And his mother and his father, And his spouse and his son...” (Surah Abasa 80:34–36).

Actual Poverty

The Holy Prophet (S) asked his followers,

“Do you know who is the actual destitute?”

“One who has no money, property or treasure,” they replied. The Holy Prophet (S) said,

“There is no destitute in my Umma except the one who has performed the prayers, kept fasts, paid the Zakat, performed Hajj but on the Day of Judgement a person will come whose property he has usurped, and a person whose blood he had shed and another one whom he had beaten. Then the good deeds of this man will be transferred to those who have rights upon him. If his good deeds are exhausted before all the rights are fulfilled then the sins of those who have rights upon him will be added to his sins. Then he shall be thrown into Hell.”

Non-Payments Of Debts And Transgressing Of Rights

Anything owed by a person is a debt incurred by him which should be repaid. The full amount of the money loaned has to be paid as per the agreed payment schedule. The same applies to an item that is sold but not delivered. The seller is obliged to deliver the goods to the buyer on time. Similarly the one who has taken something on hire is responsible for it. A husband is indebted to his wife till he pays the dower amount. The husband is also responsible for the maintenance of his permanent wife. The laws of guarantee are numerous and available in the books of jurisprudence. We shall only discuss the topics that are relevant for our purpose.

Loan For A Fixed Period And Loan Without Time Limit

Loans are of two types. One that is not bound by a time limit or when the date of payment has already expired. The other type of loan has a fixed time for repayment. The creditor cannot demand the loaned property before the due date. If the loanee dies all debts owed by him become due immediately. For example if a person has borrowed something for a year, but dies before the end of the year, his heirs must pay his loan immediately. It is no excuse that the time of payment has not come. But if the creditor dies his heirs do not have the right of demanding the loan before time.

It Is Compulsory To Repay A Debt

If the time of payment is due or if the creditor demands back his loan the debtor is obliged to repay immediately. The loan must be repaid even if the debtor has to sell his excess belongings or even if he

has to sell his things at less than the market value. However if he is compelled to sell at a throwaway price then it is not obligatory for the debtor to sell those things. If the debtor does not have anything like a carpet, clothes, household items, shop etc. that he can sell and repay the loan, then he must take up a job that is suitable for his position. In any case he is under an obligation to clear his due.

Carelessness and sloth with regard to the repayment of loan are absolutely Haram; and a greater sin. If the debtor possesses only those things that are necessary for his life; like a modest house, carpets and clothes etc, then it is not necessary for him to sell them to repay his loan. The creditor cannot compel the debtor to sell off these things. However, if the debtor wishes to sell them of his own accord, he can do so, and the creditor is allowed to accept the loan. But it is desirable that the creditor respites the debtor till the time Allah (S.w.T.) makes him capable of repaying his debts.

It is related by Uthman bin Ziyad: "I informed Imam al-Sadiq ('a) that a person owed money to me and wished to dispose off his residence to repay me. Upon hearing this Imam ('a) said thrice:

"I seek Allah's refuge for you." (That you cause this poor man to sacrifice his dwelling place to pay).

Many similar traditions have been recorded in books of hadith. It is narrated that a famous companion of Imam Musa al-Kadhim ('a) and Imam al-Ridha ('a), by the name of Muhammad bin Abi Umair traded in cloth. It so happened that mounting losses pushed him to the brink of poverty. One of his debtors owed him 10,000 dirhams. When he learnt of the companion's misfortune, he sold his house and brought the money to repay the amount that he owed. Muhammad bin Umair inquired if he had received the amount of 10,000 dirhams as inheritance. When he replied in the negative, he asked if he had received it as a gift from someone. Again he replied, "No, but I have sold the house where I lived, so that I can repay my debt to you."

Muhammad bin Umair related a saying of Imam Ja'far al-Sadiq ('a), prohibiting a creditor to force his debtor to sell his house and said, "By Allah, at present I am in need of each and every dirham but I cannot take a single dirham from this."

Actually Muhammad bin Abi Umair was a rich man having assets worth over 500,000 dirhams. His present state of poverty was because of his closeness to Imam Musa al-Kadhim ('a). Due to this he was imprisoned for four years and lashed mercilessly. The tyrant Caliph confiscated whatever he had. May Allah have mercy upon such oppressed people. It is an established fact that if someone deprives a person of his rights then each day that passes makes him liable to a sin which is equal to collecting Ethesher (a 10% tax collected on orders of tyrant ruler).

Imam Muhammad al-Baqir ('a) says:

"The martyr in Allah's way is absolved of every sin except for the unpaid debt; which has no substitute. Repaying the debt is a must; or the creditor may forgo it. (otherwise even the martyr will be interrogated regarding his debts)."⁵

Moreover, he (‘a) has remarked:

“As soon as the first drop of a martyr’s blood is spilled all his sins are forgiven. Except for the unpaid debt, which is not excused. Its forgiveness can be achieved only by repaying (the debt).”[6](#)

The gravity of all this can be ascertained from the incident when a person from the Ansars departed from this world. He had left behind an unpaid debt of two dinars. The Holy Prophet (S) refused to pray the Salat al-Janaza till some of the relatives undertook the responsibility to repay the deceased’s debt.

When Muawiya bin Wahab questioned Imam Ja’far al-Sadiq (‘a) regarding this tradition, he (‘a) replied:

“This is an authentic tradition and the Prophet’s saying conveys the same meaning that people should derive lesson from it and understand the seriousness of debt. They should not regard it insignificant and must make it a point to repay their debts.”[7](#)

The Holy Prophet (S), Hazrat ‘Ali (‘a), Imam al-Hasan (‘a) and Imam Husayn (‘a) were all having some debts when they departed from this world but they appointed their legatees who repaid their debts after their passing away. This hadith signifies that it is not prohibited to be in debt but to ignore or to delay the repayment of debt is Haram. It is not even advisable to travel (for pilgrimage) to Mecca and Madinah without first clearing one’s debts.

Abu Samaniya asked Imam Muhammad al-Baqir (‘a) regarding this, “I wish to go and settle down in Mecca or Madinah but I am in debt to some of the people here.” Imam (‘a) replied:

“Go home! First repay your debts. It must not be that you die in this condition and meet your Lord while you are in debt. For a believer never does Khayanat (misappropriation of trust).”[8](#)

Not Repaying Debts Is Khayanat To All

The above hadith makes it amply clear that not fulfilling someone’s right or delaying the repayment of debt is equal to Khayanat. Consequently, all the traditions that are recorded in the chapter on Khayanat are equally applicable here and the Prophetic traditions have described Khayanat as a kind of oppression.

The Holy Prophet (S) has announced:

“A Muslim who inspite of being capable delays the repayment of debt has committed oppression upon all the Muslims.”[9](#)

Not repaying a debt is a kind of oppression upon the creditor. In fact such an act is an oppression upon the Muslims in general. This is so because, upon seeing, that this person inspite of being capable is not repaying the debt, others who are capable of lending money will be disinclined to do so, for fear of meeting with a similar fate. Lending is a meritorious act and anyone who is responsible for discouraging

it, has indeed oppressed all Muslims.

Hazrat Imam Ja'far al-Sadiq ('a) has said:

“May Allah curse the one who closed the door of good actions. And it is the one who is not thankful to the one who has done some good towards him. Consequently the doer of good refrains from doing the same favour towards someone else in the future.”[10](#)

Certainly, lending is an act of goodness. Not repaying or causing undue delay in the repayment is disregarding this favour. Also it can result in the creditor avoiding lending his money to anyone else in future.

Method Of Lending And Borrowing

Authentic traditions have greatly emphasised the rewards that are promised for the one who lends. On the other hand, those who avoid this good deed have severe punishment in store. Sometimes it is obligatory to lend and not prohibited to lend. And sometimes it is Mustahab (recommended) to lend and Makruh (detestable) not to lend.

Generally it is detestable to borrow but if the need to do so is genuine the detestability is scaled down. The magnitude of detestability is directly proportional to the actual gravity of the situation. In fact under some circumstances it is obligatory to borrow. For example it becomes obligatory to borrow to save one's life or honour. If a person knows that he will not be able to repay the loan, then precaution demands that he should refrain from borrowing unless he is in dire need.

Rewards For Lending–Punishment For Not Lending

The blessed Prophet of Allah (S) said:

“One who lends to his believing brother and gives him respite till he is capable of repaying it, the amount that he has lent is considered as Zakat and the Angels pray for him and seek Divine mercy for him till this (amount) is returned.”[11](#)

The Messenger of Allah (S) has also remarked:

“If one lends to his Muslim brother, it is for his own (good). Every Dirham that he lends will qualify him for a reward equivalent to Mount Ohud (which is in Mecca) and Mount Sinai. And if he is lenient in collecting his debt he shall cross the bridge of Sirat like a stroke of lightning. And if a Muslim brother relates his woes before a person and this person does not lend him any money, the Heaven shall be denied to him on the Day of recompensing good doers.”[12](#)

It Is Obligatory To Have The Intention Of Repaying Ones Debt

The person who is not in a position to repay his debt must necessarily have the intention to repay it as soon as he is capable of doing so. This intention should have the first priority with him. In fact the intention to repay should be there right at the outset. A person who takes a loan without having the intention to repay it is considered a thief. The following are the traditions of Imam Ja'far al-Sadiq ('a) regarding the intention of a person who takes a loan:

“One who takes a loan but does not care to repay it, is a thief.”¹³

He ('a) has also said:

“There are Three kinds of thieves, one who does not pay Zakat, secondly one who does not consider the amount of Mahr (dower) payable to the wife as an obligatory debt and one who takes a loan but does not intend to repay it.”

The respected Imam ('a) further said,

“If the debtor intends to repay the loan, the Almighty Allah appoints two angels to help him till the loan is repaid. But if he becomes careless of this intention he becomes deprived of Allah's blessings.”¹⁴

The Incapable Debtor Must Be Given Respite

Although it is allowed for a debtor to sell off his unnecessary belongings to repay his debts, the creditor is under divine obligation not to cause undue trouble. The creditor should give respite so that the loanee can easily repay the dues. Under these conditions if he condones his loan altogether, it will be considered a Sadaqah which will remain with Allah (S.w.T.) as his trust and he will continue to benefit from it forever.

The Almighty says in the Holy Qur'an:

“And if (the debtor) is in straitness, then let there be postponement until (he is in) ease, and that you remit (it) as alms is better for you, if you knew.” (Surah al-Baqarah 2:280).

Two important points can be derived from the Qur'anic verse quoted above. One, it is obligatory to give respite to a debtor who is incapable of repaying the loan. Secondly, it is more meritorious for the creditor to condone the loan completely.

Numerous traditions have mentioned these two points.

The Holy Prophet (S) has said:

“Your debtor is not permitted to delay in repaying the loan if he is capable to pay it. In the same way you

are not permitted to pressurise him unduly when you know that he is not in a position to repay you immediately.” [15](#)

The honourable Imam Ja’far al–Sadiq (‘a) has been recorded to have said:

“Do not harass your Muslim brother with a demand to the repayment of debt when you know that he is not able to repay it. Because our exalted grandfather the Messenger of Allah has said that it is not permitted for a Muslim to harass his Muslim brother. And if a creditor gives respite to a loanee he shall become qualified to receive the shade (and protection) of the Almighty on the day when there will be no other shade.” [16](#)

It means that on the Day of Judgement such a person will receive special favours from the Almighty. The Masum (‘a) has also remarked:

“If one wishes that he be given refuge under Divine shade on the day when there will be no other shade, he should grant respite to his debtor and must not demand it (immediately), or should condone his loan completely.” [17](#)

Hazrat Imam Muhammad al–Baqir (‘a) has said:

“There would be some people under the shade of the Arsh on the Day of Qiyama such that their faces will be bright, their dresses and their chairs shall be glittering. Then an announcer will call: These are the people who did good towards the believers and gave respite to the incapable debtor till the time he could repay the debt.” [18](#)

Each Day Of Respite Brings Rewards Of Sadaqah

The trustworthy scholar of the Shi’as, Shaykh Kulayni (r.a.) has recorded that Imam Ja’far al–Sadiq (‘a) is reported to have said:

“One day the Holy Prophet (S) mounted the pulpit and after glorifying Allah and praising the prophets (‘a) said: ‘Those who are present are under the obligation to convey (what I say now) to those who are not present (in the assembly).’

Then He (S) said:

‘If one gives respite to his helpless debtor then till the time he receives his loan it is upon Allah to record the reward of Sadaqah in his scroll of deeds.’” [19](#)

For each day of respite that a person gives his debtor he receives divine reward equivalent to the spending of the loan amount as Sadaqah. Several traditions on this subject could be quoted but the ones mentioned should suffice. It must be remembered that avoiding or delaying the payment of Khums and Zakat is also considered a failure to restore rights. Not paying Zakat is also a Greater sin according

to the rulings of the Qur'an and hadith. We shall deal with it in a separate chapter.

Allah (S.W.T.) Will Forgive

If a person dies before he has repaid his debt and the creditor has not been compensated for it from the belongings left by him; the creditor has not forgiven him his debt and provided the debtor has not been negligent about repaying, nor was the loan taken for an illegal purpose and also the person had every intention of repaying but was unable to do so. Under these circumstances according to traditions Allah (S.w.T.) by His Grace will compensate the creditor on the Day of Judgement.

Muhammad Bin Bashir came to Imam Ja'far al-Sadiq ('a) and told him that he owed a thousand Dinars to Shahab. He requested the Imam to persuade Shahab to respite him till the days of Hajj. So Imam ('a) summoned Shahab and said:

“You know that Muhammad Bin Bashir is among our followers. He owes you a thousand Dinars. This amount was not spent by him on himself. Rather it remained as a debt upon some people and he had to bear the loss. I wish that you will forgo your thousand Dinars.”

Then he ('a) said,

“Maybe you are under the impression that his good deeds will be given to you in return of your loan?”

Shahab said, “Yes, I am under this impression.” Imam ('a) told him,

“The Almighty Allah is Merciful and Just. If someone, in order to achieve Allah's nearness, worships Him on cold winter nights and fasts on hot summer days, circles the Holy Ka'ba. Then do you think after all this Allah will take away his good deeds and give them to you? It is not so, His mercy is much more. By His munificence He recompenses the good deeds of a believer.”

After listening to these words Shahab said that he has condoned his loan forever.

The Debtor Whose Good Deeds Are Given To The Creditor

If the debtor is guilty of being lazy in repaying, or if he had taken the loan for an illegal purpose, or if he has delayed the repayment inspite of being capable of doing so, and if after his death his debt has not been paid nor has the creditor condoned him. Then on the Day of Qiyama his good deeds equivalent to the loan amount shall be given to the creditor and if his good deeds are exhausted or insufficient to cover the amount, sins from the scroll of deeds of the creditor will be transferred to the scroll of the guilty debtor.

Some narrations have described this phenomena in clear words.

Imam Ja'far al-Sadiq ('a) has been recorded to have said:

“The most difficult time on the Day of Qiyama will be when those eligible to receive Khums and Zakat will rise up and besiege the one who has not paid it. They will complain to Allah that this person has not paid the amount due to them from Khums and Zakat. Then Allah will transfer the good deeds of that person and give them to those who were eligible (for Zakat and Khums).”

Imam Ja'far al-Sadiq ('a) has also said that on the Day of Qiyama the creditor will complain against his debtor. Then if the debtor would have good deeds to his credit, they will be taken away for the creditor and if there are no good deeds for this purpose, the sins of the creditor will be added in the scroll of deeds of the debtor.

It is amply evident from the various traditions that if a person dies before fulfilling the rights of others upon him he will not achieve salvation till the rights are restored to the owner or the owner condones him. Or till his good deeds are given to the one who had the right upon him or if there are no good deeds for this purpose the sins of the latter are transferred to the scroll of deeds of the former. Or lastly, until the Ahl ul-Bayt ('a) intercede on his behalf.

Amount Of Compensation

Exactly how many of the good deeds will be required to compensate for an unpaid debt is a matter known by Allah (S.w.T.) and the Holy Prophet (S). Neither we have any knowledge of it nor is it necessary for us to know. However, some traditions do mention some equivalents. For example in a tradition the Holy Prophet (S) said that in lieu of each dirham 600 prayers of the debtor will be paid to the creditor.[20](#)

And if 1/6 Dirham is of silver, then seven hundred accepted prayers of the debtor will be transferred to the rightful owner. (Each silver dirham is equal to the weight of 18 grains of gram). Thus, one who departs from this world while yet in debt will be under very difficult circumstances. Everyone must be very particular to repay one's debt as soon as possible. If a person is unable to repay his debts he must establish contact with Ahl ul-Bayt ('a) and seek their intercession to obtain the forgiveness of the creditor.

The Messenger of Allah (S) says,

“Nothing is more serious after the Greater sins than the fact that a person dies while he is in debt to people and there is nothing to (sell to) repay his debt.”[21](#)

Moreover, the Prophet of Allah (S) told his companions after prayers one day:

“Such and such person who was martyred is still waiting outside Paradise. He cannot enter it because he still owes Three dirhams to a Jew.”

Haste In Repaying Debt Is Mustahab (Recommended)

It has been made amply clear that not repaying debt, or returning the rights is Haram and a Greater sin. Depending upon the demand of the creditor and the ability of the debtor it becomes obligatory to repay the debt as soon as possible. Too much divine reward is promised for this.

Allamah Nuri has quoted in his book *Darus Salam* an incident from the book *Nurul Uyun*. He writes that Sayyid Hashmi, the pious and well known scholar said that he had taken a hundred dinars as loan from a Jew and promised to return them within a period of twenty days. "I returned half the amount to him and then did not see him for some days. People told me that he had gone to Baghdad. One night I dreamt that it was the Day of Qiyama. I was summoned with the other people to account for my deeds. And Allah (S.w.T.), in His Infinite Mercy allowed me to enter Paradise. So I decided to cross the bridge of Sirat as soon as possible. However, the scream of Hell made me fearful. While I was crossing the bridge, all of a sudden my Jew creditor leapt up from below the Hell, engulfed in flames of fire and blocked my way and said, 'Give me 50 Dinar and I'll let you go.' I pleaded to him that I had always been on the look out for him to repay the amount but was unable to find him. He said, 'You are right, but till you repay me you will not be able to traverse this bridge of Sirat.' I said, 'I don't have anything to give.' So in return for his debt he asked me to allow him to put a finger on my body. I gave him the permission and he put his finger on my chest. Just as his finger touched my chest I screamed due to the burning pain and awoke from the dream. The place where the Jew had touched my chest was burnt too." After this he opened his chest to the audience and they saw that there was a terrible wound on it. He said that he was still having it treated, but it did not seem to be cured. When the audience heard all this, they began to wail loudly.

It is also narrated in the 17th volume of *Bihar al-Anwar* that the First Martyr (Shahid al-Awwal) quoted Ahmad bin Abil Jawzi that he said: "It was my wish to see Abu Sulaiman Durrani, who was considered to be a pious and a God-fearing person. Thus, I saw him in a dream after a year of his death. I asked as to how Allah (S.w.T.) had dealt with him?" He said, "O Ahmad! When I was passing through Babe Saghir one day, I saw a camel laden with hay and grass, I plucked a twig from this and do not remember whether I picked eenth with it or threw it away just like that. But a year has passed and I am still occupied in accounting for that twig."

The below Qur'anic verse also supports this fact:

"O my son! Surely if it is the very weight of the grain of a mustard seed, even though it is in (the heart of) rock, or (high above) in the heaven or (deep down) in the earth, Allah will bring it (to light)..." (Surah Luqman 31: 16).

Thus one who has done an iota of good will see it and one who does an iota of evil will see it on the Day of Qiyama. In the letter to Muhammad bin Abi Bakr, 'Ali ('a) says, "O creatures of Allah (S.w.T.)! Know that Allah (S.w.T.) the Gracious shall question you about your every small and big deed." The following

verse is a sufficient proof for this:

***“Then one who does an iota of good shall see it and one who does an iota of evil shall see.”
(Surah Zilzal 99:7-8).***

It is mentioned in Bihar al-Anwar that Sayyid Hasan bin Sayyid ‘Ali Isfahani said: “At the time of my father’s demise I was studying in Najaf al-Ashraf. The responsibilities of my father fell upon some of my brothers. I was unaware of this fact. Seven months after the death of my father, my mother also passed away at Isfahan. Her last remains were brought to Najaf al-Ashraf. On one of those nights I saw my father in dream. I asked him that he had died in Isfahan so how did he reach Najaf? He said, “Yes! Though I died in Isfahan, I was given a place in Najaf.” I asked if mother was also with him?

“She is in Najaf, but in a different house,” he replied. So, I surmised that she was not given a position equal to my father. Then I asked him as to how he was. He said that though previously he was in severe pain now by the grace of Almighty he is comfortable. I was surprised that how a pious and religious person like him could suffer pain. He said that it was due to the fact that he was in debt to Haj Raza the son of Babaju alias Nalband. “Though he had demanded the payment I was unable to repay it. I was suffering torture for this default.” I awoke with a start. I wrote to my brother, the legatee of my father and told him about my dream so that he will make enquiries if my father owed some money to such a person. My brother wrote back that he had gone through all the books of account but could not locate a creditor by that name.

Again I wrote to my brother to find this person and ask him directly if he was having a debt upon my deceased father. My brother replied after sometime and said that he had found that person and questioned him about my father’s debt. He was told that my father did owe him 18 tomans but except Allah (S.w.T.) no one knew about it. He said that after the death of father he had approached my brother and asked him if his name appeared in the list of my father’s creditors. When my brother told him that it was not so, he was perturbed as to how my father failed to note down his name among the creditors. Since he did not have any proof he did not see any way to acquire his money. Upon hearing this my brother offered him the amount of outstanding debt. But he refused to accept it. He said that he had already condoned the amount to my late father.

Imam Muhammad al-Baqir (‘a) has said:

“Oppression is of Three types. One that Allah will not forgive, second which is He will forgive and lastly one which he will ‘take away’.

1. The oppression Allah will never forgive is Shirk.
2. The oppression that Allah forgives is one that a person does upon himself and it is a sin between that person and Allah.

3. The oppression that Allah 'takes away' is that one that a person does by not repaying his debts.[22](#)

The Holy Prophet (S) has remarked,

“One who is able to satisfy (please) his creditors will certainly enter Paradise without any delay in accounting. He will be in the Garden, in the company of Ismail ('a) the son of Ibrahim ('a).”[23](#)

The Messenger of Allah (S) has also said,

The debt which is returned by the debtor is more superior to the worship of a thousand years and the emancipation of a thousand slaves and performing Hajj and Umrah a thousand times.”[24](#)

Prophet Muhammad (S) has also said,

“If someone restores a single dirham to its rightful owner, the Almighty Allah will save him from the fire of Hell and for each Daniq (1/6 of a Dirham) he will get rewards of a prophet and for each Dirham he will get a palace of Red Pearls (in Paradise).”[25](#)

He (S) has also said,

“Returning a right to its owner is better than fasting during the day and the prayers of the night. If a person returns a debt an angel cries out from below the Arsh: O servant (of Allah) from the time you began this good deed, Allah has forgiven all your past sins.

Fulfillment Of The Rights Of People

When a person has something in his possession it can be one of two cases. The first case is the person knows that whatever he has is not fully his own, but a part of it belongs to someone else. The second case is that a person owes another person, but this person has no share in the actual goods or property in possession of the former. For example the thing he had borrowed is already used up but he is in debt to the one who had lent it. In the same way there are various types of sureties and compulsory maintenance that a person is responsible, for these should be disbursed with great care.

The first case includes the following four categories.

a) To know the quantity and the owner.

When it is known that a particular quantity of a thing rightfully belongs to such and such person, it is obligatory to return that same amount to whom it belongs and in case he is dead, to his successors.

b) When the quantity is known but not the owner.

If the exact quantity owed is known but there is a doubt regarding to whom it is owed to the extent that one feels the concerned quantity rightfully belongs to one of Three or five people. Then on the basis of

precaution it is necessary to satisfy all of these people. If it is not possible to satisfy all of them, then there are Three rulings: 1. Lots should be drawn between them and one of them to be given that thing. 2. The goods should be equally distributed among all the possible owners. 3. If the doubt is with reference to a hundred and more people or if the owner is completely unknown then as a precautionary measure, by the permission of Marja al-Taqlid the holder of these goods should give it away as charity. (Everyone has to follow his own Marja al-Taqlid in this matter).

c) When the quantity is not known but the owner is.

Under the circumstances that a person knows that he owes some of the goods in his possession to a particular person, but does not know the exact quantity owed, it is incumbent upon him to give at least a third of the goods to the owner. As a precautionary measure he should give something more and satisfy the owner.

d) When both the owner and the exact quantity are unknown.

A person knows that he owes some of the goods he has to someone. It is Haram for him to use these goods, but he does not know the exact quantity of the goods prohibited for him nor its rightful owner. He may consider a few persons as probable owners but he is unaware as to how much of it belongs to whom. In these circumstances it is incumbent on him to give Khums (1/5) on the total goods. After this the rest of the goods or property becomes totally permissible. (For details refer to the section on Khums in the books of Practical Laws).

In the second condition something is owed by a person but it is not in the form of a tangible good or property. There are four circumstances of this type:

1) If the exact quantity and the rightful owner, are known, then without any doubt that quantity has to be returned to the owner.

2) If the exact quantity is known but not a particular owner, and there is doubt between some selected people that it could belong to anyone of them. In this case it is incumbent to satisfy each of them in the way described in the rules regarding tangible goods. But if the doubt is between a large number of people the value of the goods must be given to the Qazi or given as charity by his permission on behalf of the rightful owner.

3) If the value is not known but the person to whom it is owed is known; the duty of the one who owes it is to restore the minimum quantity supposed and also to persuade the owner to forgo the rest of it.

4) When neither the exact quantity nor the owner is known the law states that an estimate has to be made and the average of the minimum and the maximum amount paid as charity after the permission of the Qazi.

- [2.](#) Wasa'il ul-Shi'a.
- [3.](#) Bihar al-Anwar.
- [4.](#) Layali Al Akhbar.
- [5.](#) Wasa'il ul-Shi'a Chap 4, vol. 13, page 83.
- [6.](#) Wasa'il ul-Shi'a chap.4, Vol. 13, page 85.
- [7.](#) Wasa'il ul-Shi'a.
- [8.](#) al-Kafi vol.5 page 94.
- [9.](#) Wasa'il ul-Shi'a Vol. 13 page 97.
- [10.](#) Bihar al-Anwar, Wasa'il ul-Shi'a.
- [11.](#) Wasa'il ul-Shi'a Chap.6 Vol. 13 page 86.
- [12.](#) Wasa'il ul-Shi'a.
- [13.](#) Wasa'il ul-Shi'a chapter of Tejarat.
- [14.](#) Wasa'il ul-Shi'a.
- [15.](#) Wasa'il ul-Shi'a.
- [16.](#) Wasa'il ul-Shi'a.
- [17.](#) Wasa'il ul-Shi'a.
- [18.](#) Wasa'il ul-Shi'a.
- [19.](#) Wasa'il ul-Shi'a.
- [20.](#) Layali Akhbar.
- [21.](#) Mustadrak ul-Wasa'il.
- [22.](#) Wasa'il ul-Shi'a.
- [23.](#) Mustadrak.
- [24.](#) Mustadrak.
- [25.](#) Mustadrak.

The Twenty-Seventh Greater Sin: Avoiding Jihad

According to the Qur'an and hadith, to flee from Jihad is a Greater Sin. It is the twenty-seventh sin. The following verse of Surah Anfal is clear. It concerns running away from a confrontation with unbelievers when they are less than twice the number of Muslims.

“O you who believe! When you meet those who disbelieve marching for war, then turn not your backs to them. And whoever shall turn his back to them on that day- unless he turn aside for the sake of fighting or withdraws to a company then he, indeed, becomes deserving of Allah's wrath and his abode is hell; and an evil destination shall it be.” (Surah Anfal 8: 15-16).

Hazrat Amir ul-Mu'minin 'Ali ('a) says:

“Those who flee from the battlefield should know that they have angered their Lord and have damned themselves to destruction because fleeing from the battle causes Allah's anger. And one who flees from

Sermon of Fadak

Praise be to Allah for that which He bestowed (upon us); And thanks be to Him for all that which He inspired; and commended in His Name for that which He Provided: From prevalent favors which He created, And abundant benefactions which He offered and perfect grants which He presented; (such benefactions) that their number is much too plentiful to compute; bounties too vast to measure; their limit too distant to be realized; He recommended to them (His creatures) to gain more (of His benefaction) by being grateful for their continuity; He ordained Himself praiseworthy by giving generously to His creatures.

I bear witness that there is no God but Allah, Who is One without partner, a statement which sincere devotion is made to be its interpretation; hearts guarantee its continuation, and illuminated in the minds is its sensibility. He who cannot be perceived with vision; neither be described with tongues; nor can imagination surround His state. He originated things, but not from anything that existed before them, and created them without examples to follow. Rather, He created them with His might and dispersed them according to His will; not for a need did He create them; nor for a benefit (for Him) did He shape them, but to establish His wisdom, bring attention to His obedience, manifest His might, lead His creatures to humbly venerate Him, and to exalt His decrees. He then made the reward for His obedience and punishment for his disobedience, so as to protect His creatures from His Wrath and amass them into His Paradise.

I too bear witness that my father, Muhammad, is His Slave

and Messenger, Whom He chose prior to sending him, named him before sending him; when creatures were still concealed in that which was transcendental, guarded from that which was appalling, and associated with termination and nonexistence. For Allah the Exalted knew that which was to follow, comprehended that which will come to pass, and realized the place of every event. Allah has sent him (Muhammad) as perfection for His commands, a resolution to accomplish His rule, and an implementation of the decrees of His Mercy. So he found the nations to vary in their faiths; Obsessed by their fires, worshipping their idols, and denying Allah despite their knowledge of Him. Therefore, Allah illuminated their darkness with my father, Muhammad, uncovered obscurity from their hearts, and cleared the clouds from their insights. He revealed guidance among the people; so he delivered them from being led astray, led them away from misguidance, guided them to proper religion, and called them to the straight path. Allah then chose to recall him in mercy, love and preference. So, Muhammad is in comfort from the burden of this world, he is surrounded with devoted angels, the satisfaction of the Merciful Lord, and the nearness of the powerful King. So may the praise of Allah be upon my father, His Prophet, trusted, chosen from among His creatures and His sincere friend, and may peace and blessings of Allah be upon him.”

“Surely you are Allah’s slaves at His command and prohibition; you are bearers of His religion and revelation; you are Allah’s trusted ones with yourselves; and His messengers to the nations. Among you does He have righteous authority; a covenant He brought unto you, and an heir He left to guard you; That is the eloquent book of Allah; the truthful Quran; the brilliant light; the shining beam; its insights are indisputable; its secrets are revealed; its indications are manifest; and its followers are blessed by it. (The Quran) leads its adherents to goodwill; and hearing it leads to salvation; with it are the bright divine authorities achieved, His manifest determination

acquired, His prohibited decrees avoided; His manifest evidence recognized; His satisfying proofs made apparent, His permissions granted and His laws written.

So Allah made belief to be purification for you from polytheism. He made Prayer, exaltation for you from conceit. Alms, purification for the soul and a (cause of) increase in subsistence. Fasting, an implantation of devotion. Pilgrimage, a construction of religion. Justice, a harmony of the hearts; Obeying us (Ahle Bayt), Management of the nation. Our leadership (Ahle Bayt), safeguard from disunity. Jihad, a strengthening of Islam. Patience, a helping course for deserving (divine) reward. Amr bil Maruf, Public welfare. Kindness to parents, a safeguard from wrath. Maintaining close relations with one's kin, a cause for a longer life and multiplying the number of descendants. Retaliation, (Qisas), for sparing blood (souls). Fulfillment of vows, subjecting oneself to mercy. Completion of weights and measures, a cause for preventing neglect of others' rights. Forbiddance of drinking wines exaltation from atrocity. Avoiding slander, a veil from curse. Abandoning theft, a reason for deserving chastity. Allah has also prohibited polytheism so that one can devote himself to His Lordship. Therefore; fear Allah as He should be feared, and die not except in a state of Islam; obey Allah in that which He has commanded you to do and that which He has forbidden, for surely those truly fear among His servants, who have knowledge.”

“O People! Know that I am Fatima, and my father is Muhammad. I say that repeatedly and initiate it continually; I say not what I say mistakenly, nor do I do what I do aimlessly. Now hath come unto you an Apostle from among yourselves; it grieves him that you should perish; ardently anxious is he over you; to the believers he is most kind and merciful. Thus, if you identify and recognize him, you shall realize that he is my father and not the father of any of your women; the brother of

my cousin (Ali) rather than any of your men. What an excellent identity he was, may the peace and blessings of Allah be upon him and his descendants.

Thus, he propagated the Message, by coming out openly with the warning, and while inclined away from the path of polytheists, (whom he) struck their strength and seized their throats, while he invited (all) to the way of his Lord with wisdom and beautiful preaching He destroyed idols, and defeated heroes, until their group fled and turned their backs. So night revealed its dawn; righteousness uncovered its genuineness; the voice of the religious authority spoke out loud; the evil discords were silenced; the crown of hypocrisy was diminished; the tightening of infidelity and desertion were untied, so you spoke the statement of devotion among a band of starved ones; and you were on the edge of a hole of fire; (you were) the drink of the thirsty one; the opportunity of the desiring one; the fire brand of him who passes in haste; the step for feet; you used to drink from the water gathered on roads; eat jerked meat. (Lady Fatima (a.s) was stating their lowly situation before Islam) You were despised outcasts always in fear of abduction from those around you.

Yet, Allah rescued you through my father, Muhammad after much ado, and after he was confronted by mighty men, the Arab beasts, and the demons of the people of the Book Who, whenever they ignited the fire of war, Allah extinguished it; and whenever the thorn of the devil appeared, or a mouth of the polytheists opened wide in defiance, he would strike its discords with his brother (Ali), who comes not back until he treads its wing with the sole of his feet, and extinguishes its flames with his sword. (Ali is) diligent in Allah's affair, near to the Messenger of Allah, a master among Allah's worshippers, setting to work briskly, sincere in his advice, earnest and exerting himself (in service to Islam); While you were calm, gay, and feeling safe in your comfortable lives, waiting for us

to meet disasters, awaiting the spread of news, you fell back during every battle, and took to your heels at times of fighting. Yet, When Allah chose His Prophet from the dwell of His prophets, and the abode of His sincere (servants); the thorns of hypocrisy appeared on you, the garment of faith became worn out, the misguided ignorant(s) spoke out, the sluggish ignorant came to the front and brayed. The he camel of the vain wiggled his tail in your courtyards and the Devil stuck his head from its place of hiding and called upon you, he found you responsive to his invitation, and observing his deceits. He then aroused you and found you quick (to answer him), and invited you to wrath, therefore; you branded other than your camels and proceeded to other than your drinking places. Then while the era of the Prophet was still near, the gash was still wide, the scar had not yet healed, and the Messenger was not yet buried. A (quick) undertaking as you claimed, aimed at preventing discord (trial), surely, they have fallen into trial already! And indeed Hell surrounds the unbelievers.

How preposterous! What an idea! What a falsehood! For Allah's Book is still among you, its affairs are apparent; its rules are manifest; its signs are dazzling; its restrictions are visible, and its commands are evident. Yet, indeed you have cast it behind your backs! What! Do you detest it? Or according to something else you wish to rule? Evil would be the recompense for wrongdoers! And if anyone desires a religion other than Islam (submission to Allah), it never will it be accepted from him; and in the hereafter, he will be in the ranks of those who have lost.

Surely you have not waited until its stampede seized, and it became obedient. You then started arousing its flames, instigating its ember, complying with the call of the misled devil, quenching the light of the manifest religion, and extinguished the light of the sincere Prophet. You plot against us in deceitful ways, but we are patient with you as if we are

being notched with knives and stung by spearheads in our abdomens, yet now you claim that there is not inheritance for us! What! “Do they then seek after a judgment of (the Days of) ignorance? But how, for a people whose faith is assured, can give better judgment than Allah?”

Don't you know? Yes, indeed it is obvious to you that I am his daughter. O Muslims! Will my inheritance be usurped? O son of Abu Qahafa! Where is it in the Book of Allah that you inherit your father and I do not inherit mine? Surely you have come up with an unprecedented thing. Do you intentionally abandon the Book of Allah and cast it behind your back? Do you not read where it says: “And Suleiman inherited Dawood”? And when it narrates the story of Zakariya and says: ‘so give me an heir as from thyself (One that) will inherit me, and inherit the posterity of Yaqub’ and: ‘But kindred by blood have prior rights against each other in the Book of Allah” And: Allah (thus) directs you as regards your children's (inheritance) to the male, a portion equal to that of two females’ And, If he leaves any goods, that he make a bequest to parents and next of kin, according to reasonable usage; this is due from the pious ones.’ You claim that I have no share! And that I do not inherit my father! What! Did Allah reveal a (Quranic) verse regarding you, from which He excluded my father? Or do you say: ‘these (Fatima and her father) are the people of two faiths, they do not inherit each other?!’ Are we not, me and my father, a people adhering to one faith? Or is it that you have more knowledge about the specifications and generalizations of the Quran than my father and my cousin (Imam Ali)? So, here you are! Take it! (Ready with) its nose rope and saddled! But if shall encounter you on the Day of Gathering; (thus) what a wonderful judge is Allah, a claimant is Muhammad, and a day is the Day of Rising. At the time of the Hour shall the wrongdoers lose; and it shall not benefit you to regret (your actions) then! For every Message, there is a time limit; and soon shall ye know who will be inflicted with torture that will humiliate him,

and who will be confronted by an everlasting punishment.

(Fatima then turned towards the Ansars and said) O you people of intellect! The strong supporters of the nation! And those who embraced Islam; what is this shortcoming in defending my right? And what is this slumber (while you see) injustice (being done toward me)? Did not the Messenger of Allah, my father, used to say: A man is upheld (remembered) by his children? O how quick have you violated (his orders)?! How soon have you plotted against us? But you still are capable (of helping me in) my attempt, and powerful (to help me) in that which I request and (in) my pursuit (of it). Or do you say: “Muhammad has perished;” Surely this is a great calamity; its damage is excessive, its injury is great, its wound (is much too deep) to heal. The Earth became darkened with his departure; the stars eclipsed for his calamity; hopes were seized; mountains submitted; sanctity was violated, and holiness was encroached upon after his death. Therefore, this, by Allah, is the great affliction, and the grand calamity; there is not an affliction, which is the like of it; nor will there be a sudden misfortune (as surprising as this). The Book of Allah, excellent in praising him, announced in the courtyards (of your houses) in the place where you spend your evenings and mornings; a call, a cry, a recitation, and (verses) in order. It had previously come upon His (Allah’s) prophets and messengers; (for it is) a decree final and predestination fulfilled: “Muhammad is not but an Apostle: Many were the apostles that passed away before him. If he died or was slain, will ye then turn back on your heels? If any did turn back on his heels, not the least harm will he do to Allah; but Allah (on the other hand) will swiftly reward those who (serve Him) with gratitude.”

O you people of reflection; will I be usurped the inheritance of my father while you hear and see me?! (And while) You are sitting and gathered around me? You hear my

call, and are included in the (news of the) affair? (But) You are numerous and well equipped! (You have) the means and the power, and the weapons and the shields. Yet, the call reaches you, but you do not answer; the cry comes to you, but you do not come to help? This is while you are characterized by struggle, known for goodness and welfare, the selected group (which was chosen), and the best ones chosen by the Messenger for us, Ahle Bayt. You fought the Arabs, bore with pain and exhaustion, struggled against the nations, and resisted their heroes. We were still, so were you in ordering you and you in obeying us. So that Islam became triumphant, the accomplishment of the days came near, the fort of polytheism was subjected, the outburst of was subjected, the outburst of infidelity calmed down, and the system of religion was well ordered. Thus, (why have you) become confused after clearness? Conceal matters after announcing them? Turned on your heels after daring? Associated (others with Allah) after believing? Will you not fight people who violated their oaths? Plotted to expel the Apostle and became aggressive by being the first (to assault) you? Do ye fear them? Nay, it is Allah Whom ye should more justly fear, if you believe! Nevertheless, I see that you are inclined to easy living; dismissed he who is more worthy of guardianship (Ali); you secluded yourselves with meekness and dismissed that which you accepted. Yet, if you show ingratitude, ye and all on earth together, yet, Allah free of all wants, worthy of all praise.

Surely I have said all that I have said with full knowledge that you intend to forsake me, and knowing the betrayal that your hearts sensed. But it is the state of soul, the effusion of fury, the dissemination of (what is) in the chest and the presentation of the proof. Hence, here it is! Bag it (leadership and) put it on the back of an ill she-camel, which has a thin hump with everlasting disgrace, marked with wrath of Allah, and the blame of ever (which leads to) the Fire of (the wrath of Allah kindled (to a blaze), that which doth mount (right) to the

hearts; for Allah witnesses what you do, and soon will the unjust assailants know what vicissitudes their affairs will take! And I am the daughter of a Warner (the Prophet) to you against a severe punishment. So, act and so will we, and wait, and we shall wait.”¹

¹ *Ash-Shafi*, Sayyid Murtada; *Taraif*, Sayyid Ibne Tawus; Shaykh Saduq has and narrated from Zainab binte Ali in *Kitabus Saqifah*; *Kashful Ghumma*, Ali Ibne Isa Ardibeli; *Ihtijaj Tabarsi*; *Murujuz Zahab*, Masudi; *Balaghatun Nisa* etc.