ENGLISH TRANSLATION

مَنْ لَا يَحْضُرُهُ الْفَقِيهُ

Man La Yahduruhu Al-Faqih

لِلشَّيْخِ الصَّدُوقِ

Al-Shaykh Al-Saduq

VOLUME 4

TRANSLATION: HAYDAR ALI SHAYKH

BAB UL QAIM
PUBLICATIONS

ENGLISH TRANSLATION OF

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MAN LA YAHDURUHU AL-FAQIH

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Shaykh Al-Saduq

Abu Ja'far Muhammad ibn Ali ibn al-Husayn ibn Babawayh al-Qummi

VOLUME 4



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۞ إِنَّمَا وَلِيُّكُمُ ٱللَّهُ وَرَسُولُهُ وَٱلَّذِينَ ءَامَنُواْ ٱلَّذِينَ يُقِيمُونَ ٱلصَّلَوٰةَ وَيُؤۡتُونَ ٱلزَّكَوٰةَ وَهُمۡ رَٰكِعُونَ ۞

But rather, your Guardian is Allah, and His Rasool, and those who are believers, those who establish the Salat and are giving the Zakat while they are performing Ruku (Surah Al Maida 5:55)

"(It is narrated) from Imam Ali ibn Al-Hussein {a.s} and Imam Al-Baqir {a.s} having said (about) [5:55]: 'It was revealed regarding Ameerul Momineen Imam Ali ibn Abi Talib {a.s}."

(Tafseer Abu Hamza Al Thumali)

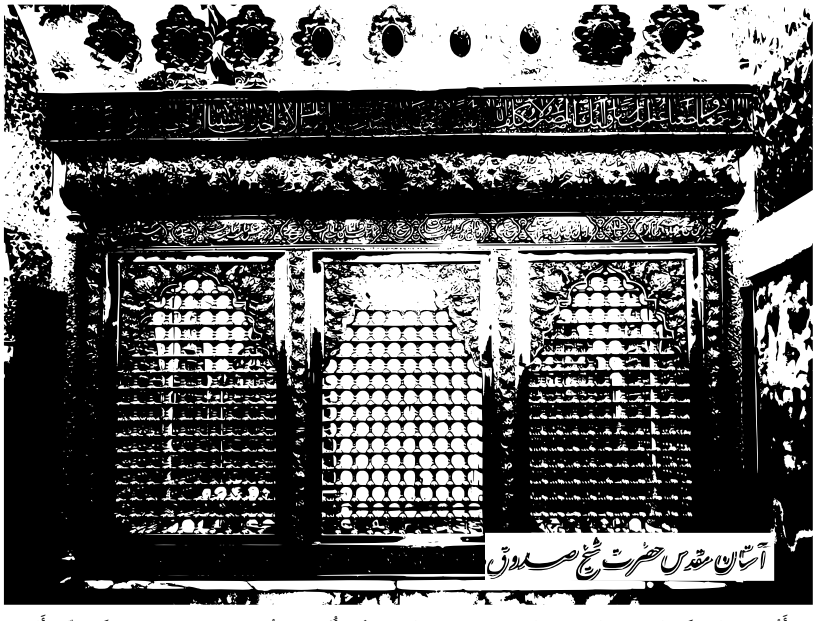


﴿ وَ قَالَ صَلَّى ٱللَّهُ عَلَيۡهِ وَ آلِهِ :فَاطِمَةُ بَضۡعَةٌ مِنِّي مَنۡ آذَاهَا فَقَدۡ آذَانِي وَ مَنۡ آذَانِي فَقَدۡ آذَى ٱللَّهَ ﴾

The Prophet {saws} said: "Fatima {s.a} is a part of Me; whoever harms her, has harmed Me, and thus whoever harms Me; has harmed Allah {SWT}".

(Bihar Al-Anwar, Vol. 30, p. 353)





السَّلَامُ عَلَيْكَ أَيُّهَا العَبْدُ الصَّالِحُ وَالعَالِمُ الفَاضِلُ وَالوَلِيُّ النَّاصِحُ، شَيْخُ الأُمَّةِ وَثِقَةُ الحَدِيثِ وَالمَاضِي إِلَى رَبِّهِ، أَبُو جَعْفَرٍ مُحَمَّدُ بْنُ عَلِيِّ بْنِ بَابَوَيْهِ القُمِّيُّ، رَحِمَكَ اللَّهُ وَرَضِيَ عَنْكَ وَجَزَاكَ اللهُ عَنْ الإِسْلَامِ وَأَهْلِهِ خَيْرَ الجَزَاءِ.

Peace be upon you, O righteous servant, virtuous scholar, and sincere guardian. O Sheikh of the Ummah, trustworthy transmitter of Hadith, and one who departed towards his Lord, Abu Ja'far Muhammad ibn 'Ali ibn Babawayh al-Qummi. May Allah have mercy on you, be pleased with you, and reward you with the best recompense on behalf of Islam and its people.

السَّلَامُ عَلَيْكَ يَا شَيْخَنَا الصَّدُوقُ وَحَافِظُ دِينِ اللهِ، وَمُبَلِّغُ أَحَادِيثِ آلِ مُحَمَّدٍ، وَأَمِينُ الإِمَامِ القَائِمِ فِي زَمَانِهِ، وَنَاصِرُ أَحْكَامِ الدِّينِ، وَدَفَّاعُ عَنْ شَرِيعَةِ سَيِّدِ المُرْسَلِينَ.

Peace be upon you, O our Sheikh Al-Saduq, the preserver of Allah's religion, the conveyer of the traditions of the family of Muhammad, the trustee of the Imam al-Qa'im in his time, the supporter of the rulings of religion, and the defender of the sacred law of the Master of the Messengers.

أَشْهَدُ أَنَّكَ قَدْ بَذَلْتَ جُهْدَكَ فِي نُصْرَةِ دِينِ اللهِ، وَأَفْنَيْتَ عُمُرَكَ فِي خِدْمَةِ الحَدِيثِ وَالعِلْمِ، وَكَانَتْ أَيَّامُكَ مَجْمَعًا لِلرِّوَايَةِ وَالإِفَادَةِ، وَأَنَّكَ كُنْتَ عَلَى بَصِيرَةٍ مِنْ أَمْرِكَ وَمِنْ أَمْرِ أَئِمَّتِكَ الطَّاهِرِينَ.

I bear witness that you exerted your utmost effort in the service of Allah's religion, dedicated your life to the preservation of Hadith and knowledge, and that your days were filled with narration and guidance. I bear witness that you were upon insight regarding your affair and the affair of your purified Imams.

فَرَحِمَكَ اللَّهُ يَا شَيْخَنَا، وَجَعَلَكَ فِي أَعْلَى عِلِّيِّينَ مَعَ الأَئِمَّةِ الهُدَاةِ المَهْدِيِّينَ، وَأَلْحَقَنَا بِكَ فِي دَارِ الكَرَامَةِ وَالرِّضْوَانِ.

May Allah have mercy on you, O our Sheikh, and grant you the highest station in 'Illiyyin alongside the guiding and rightly guided Imams. May He join us with you in the abode of honor and divine pleasure.

اللَّهُمَّ إِنِّي أَتَقَرَّبُ إِلَيْكَ بِزِيَارَةِ وَلِيِّكَ، وَأَسْأَلُكَ بِحُرْمَتِهِ عِنْدَكَ وَبِجَاهِهِ أَنْ تَغْفِرَ لِي ذُنُوبِي، وَتَرْزُقَنِي زِيَارَةَ مَوَالِيَّ الطَّاهِرِينَ، وَأَنْ تَجْمَعَنِي مَعَهُمْ فِي جَنَّاتِ النَّعِيمِ .السَّلَامُ عَلَيْكَ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ.

O Allah, I seek closeness to You through the visitation of Your wali (beloved servant), and I ask You, by his status in Your presence and his esteemed position, to forgive my sins, grant me the opportunity to visit my pure masters, and to unite me with them in the gardens of bliss. Peace be upon you, and the mercy and blessings of Allah.

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INTRODUCTION

The Book of 'Man La Yahduruhu Al-Faqih', was authored by the esteemed Shaykh Al Jaleel, Shaykh Al-Saduq Abu Ja'far Muhammad ibn Ali ibn al-Husayn ibn Babawayh al-Qummi [d.381 AH]. The translation of this work into English has been done by a humble servant of the Ahlulbayt {a.s}, Haydar Ali Shaykh ibn Muhammad. BAB UL QAIM PUBLICATIONS (B.U.Q) is the publishing house of this book, dedicated to providing unrestricted academic access to this valuable work, and making its content free to all. B.U.Q mission is to foster a culture of learning Hadiths, ensuring that everyone has the opportunity to access and share this knowledge. B.U.Q aims to spread this wisdom and teachings widely, as knowledge of the Ahlulbayt {a.s} is a legacy for all of humanity.

In the name of Allah {SWT}, the Most Gracious, the Most Merciful.

Praise be to Allah {SWT}, O' One who clarified the path to the standards of Islam and made Sunnah a guide to the laws and rulings. He sent His beloved Messenger {saws} amongst the creation as extension of his utmost mercy to all of humanity. He revealed the Qur'an as an explanation for everything, concluding his Hujjah through it, and enlightening the path for all people.

Allah {SWT} then illuminated the Infallible lanterns through our Prophet Muhammad {saws}, peace and blessings be upon him and his family, and through his brother, successor and comprehensive inheritor, Commander of the Faithful Imam Ali ibn Abi Talib {a.s}, and his infallible progeny {a.s}, who are the fountains of knowledge of the Sovereign Exalted Allah {SWT}. They are the foundations of the religion and the pillars of certainty. Through them, we have come to know the boundaries of lawful and unlawful and the acts of devotion, and through them alone, we are saved from the brink of eternal ruin, incomprehensible in magnitude and grandeur. Through them alone, we may live a worthy, fulfilling, and elevated life, far from humiliation, misery, and destruction, and so that we may not live in disgrace like exploited cattle or neglectful beasts.

May Allah's {SWT} blessings be upon His trustworthy Messenger {saws} and his pure progeny {a.s}, who are the custodians of the religion, within whom are the comprehensive treasures of the Qur'an and the secrets of the Most Merciful. When they speak; they are the unfathomable knowledge, When they are silent; they are the inimitable truth, When they walk, they are unparalleled, When they rest, they are unrivalled and supreme. In every hardship, they are the solace and strength that sooth our pain; for every illness, they are the everlasting and mending cure; and in every darkness, they stand alone, radiant and unwavering; the beacons of salvations that guide us. None is created like them, and they are created like none – absolutely matchless in their complete embodiment, secondary only to the sole supreme dominion of the One Allah {SWT}, the Al-Mutakabbir and Al-Adheem.

As for this book, 'Man La Yahduruhu al-Faqih', it is known by the scholars and the common folk. It is like the full moon, untouched by the hands of detractors, and few works can compare to it or approach it. Whoever traverses its paths and plains, finds refuge in the stronghold and fortress of Ahlulbayt {a.s}. The reader, no matter how much they delve into the vastness of its ocean and immerse themselves in the sweetness of its words and meanings, will find therein their sought-after aim and fulfilled desire. The one confused by conflicting statements seeks refuge in the firm pillars of this book, from misguidance and calamities.

So, blessed is the one who is guided by the light of its guidance, and how honoured is the one who follows its path – the true path of the Ahlulbayt {a.s}. Such a person will ease their journey of the hereafter, effortlessly picking at the fruits of the gardens and drink from the pure springs on the Day of Resurrection. The companion of this book will find grace on the day of their departure and true happiness when they rest, by Allah's {SWT} will. It will shield them from the troubles of their day and protect them from the dangers of the night. Through it, one will rise in the ascents of dignity and reside in the delight of Imaan and unfathomable eternal bliss.

The author, Shaykh Al Jaleel Al Saduq - may Allah's {SWT} abundant mercy be upon him - compiled this book with his tireless diligence, accurate judgment, sharp intellect, profound knowledge of narrations, extensive awareness of subtleties, keen perception of hidden aspects, deep understanding of jurisprudence and rulings, matters of the lawful and unlawful, and mastery in the discipline. He avoided error and doubt, composed the book skillfully, and conveyed it effectively. He derived his knowledge from its purest sources and obtained light from its niches and infallible lanterns of guidance. He followed the pure Infallible Imams {a.s}; guided by the Prophet {saws} and his family {a.s}, drawing from their infinite universe of knowledge, enlightened by their guidance, and clinging to the rope of their allegiance, never straying from their light.

Therefore, the seeker, delving through the folds of the cherished and eternal pages of this book, finds a clear methodology, evidence-backed jurisprudence, a solid foundation, wise and prudent reasoning, the correct school of thought, the straight truth, deep wisdom, bright proofs, eloquent speech, proper logic, along with landmarks, knowledge, exquisite insights, fascinating anecdotes, light, beauty, wisdom, and noble traditions, all guiding to the only true path and leading to the straight way – only through the Infallible Ahlulbayt {a.s}.

My motivations behind unbridling this ocean of knowledge for the believers was many fold. To compile this book in the manner that you see, my unwavering inspirations to endure the adversity and effort in its preparation was; foremost, the service to my master - Imam al-Zaman, Imam Muhammad ibn Hassan Al-Mahdi; Al-Qa'im; Al-Hujjah; Al-Muntazar; Al-Khalaf al-Salih; Al-Maw'ud; Baqiyatullah; Sahib al-Zaman and satisfaction of His Infallible Forefathers {a.s}.

Secondly, I wanted leave behind this ocean of knowledge as a legacy in honor of my parents and the believers, that they may find guidance, wisdom, and strength in its pages. May it serve as a source of enlightenment, guiding them through the trials of life and helping them to grow in virtue and understanding. This work was a means of investment into my eternal life, and may this serve as mediation for the many sins of myself, my parents and the believers – that we may not remain bereft of the intercession of the Ahlulbayt {a.s} and the famed mercy of Allah {SWT}. My aim was to unlock this treasure and share its knowledge and wisdom, for it to be a means of seeking elevated Imaan, spreading the light of guidance and forgiveness for the sins, an offering of charity that may echo beyond the grave, bringing mercy and peace to the souls of my parents and believers.

Lastly, the effort behind these works stems from the inspiration I have drawn from my esteemed teachers and role models, both past and present, whose dedication to knowledge has ignited a lasting flame within me - may Allah {SWT} extend his mercy over them. Their shining commitment serves as a beacon, encouraging me to undertake projects of this magnitude despite my own felt inadequacies. I have reflected deeply and considered at length, finding this task immense and myself insufficient, and I have often feared my capacity to be deficient for the scale of the task. Yet, as a service to the Ahlulbayt {a.s}, I remain steadfast and eager to

serve their cause until my last, striving to spread their boundless knowledge using every tool at my disposal. I acknowledge the challenges and complexities inherent in such work and apologize for any errors that may arise. The burden is heavy, requiring sacrifice, extensive time, and diligence, but with determination and reliance on His divine support, I have taken on this task. My goal is to grow progressively more comprehensive and precise, piecing together these efforts to form a unified and expansive contribution - may Allah {SWT} reward us for the efforts we expend for the Truth and allows this work to be a source of benefit for generations to come.

I firmly believe in the immense greatness and profound significance of this book. It is a work that truly warrants translation and widespread dissemination among the masses, ideally undertaken by scholars far more learned and capable than myself. Yet, for now, such a pivotal text must rely on the humble efforts of servants like myself. Insha'Allah, it will receive the justice it rightfully deserves in due time. Perhaps by this effort, we will inscribe a new page in the annals of loyalty to our great Infallible Imams {a.s}, and to their teachings.

I supplicate to Allah {SWT} that He grants me the gratitude for the guidance and success He has bestowed, keeps me away from misguidance and error, and allows me to complete this work as a tribute to Shaykh Abu Ja'far al-Saduq - may Allah {SWT} be pleased with him - for he is a true genius scholar, as shown by exemplary effort he expended in authoring this book.

We humbly requests all Momineen to recite Surah Al-Fatiha for the souls of our dearly departed Marhoomeen. May Allah {SWT} elevate their status in Alam-e-Barzakh, surround them with His boundless mercy, and forgive their sins. We also pray that Allah {SWT} bestows His infinite mercy upon our parents and teachers, who inspired and guided us to follow the noble Path of the AhlulBayt {a.s} and encouraged us to dedicate ourselves to spreading their timeless teachings.

A heartfelt dua request for the soul of Marhoom Muhammad Hanif Shaykh ibn Ghulam Abbas, May Allah {SWT} shower him with everlasting mercy and fill his resting place with light.



﴿ إمامُ جَعفَرِ بنِ مُحَمَّدٍ الصّادِقِ عليه السَّلامُ قالَ : سِتَّةٌ يَلْحَقْنَ اَلْمُؤْمِنَ بَعْدَ وَفَاتِهِ وَلَدٌ يَسْتَغْفِرُ لَهُ وَ مُصْحَفٌ يُخَلِّفُهُ وَ غَرْسٌ يَغْرِسُهُ وَ صَدَقَةُ مَاءٍ يُجْرِيهِ وَ قَلِيبٌ يَحْفِرُهُ وَ سُنَّةٌ يُؤْخَذُ بِهَا مِنْ بَعْدِهِ ﴾

Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Six things follow a believer after his death: a child who seeks forgiveness for him, a Quran he leaves behind, a tree he plants, a charity of water he provides, a well he digs, and a good tradition acted upon after him.".
Man La Yahduruhu Al-Faqih, Volume. 1 (Hadith.555)

TRANSLATOR'S FOREWORD

In the name of Allah {SWT}, the Most Gracious, the Most Merciful.

It is with profound gratitude and humility that I present this translation of Man La Yahduruhu Al-Faqih, a cornerstone of Shia Islamic jurisprudence authored by the esteemed Sheikh Al-Saduq (may Allah {SWT} sanctify his soul). This monumental work, deeply rooted in the wisdom of the Ahlulbayt {a.s}, serves as a timeless guide for believers in their faith, worship, and daily life.

The task of translating such a pivotal text was both an honor and a responsibility. Sheikh Al-Saduq's intent in compiling this '*Man La Yahduruhu Al-Faqih*' book was to provide a practical and accessible reference for those who may not have direct access to a jurist. Recognizing its enduring relevance, I undertook this translation with the hope of bringing its profound teachings to a broader audience, ensuring that the divine guidance it encapsulates reaches those who seek it, removing the language barriers.

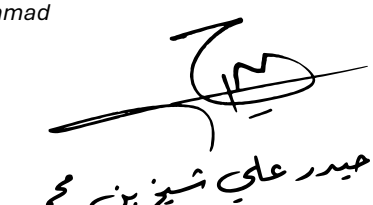
This translation is the result of meticulous study and careful effort. I relied on original Arabic manuscripts to ensure authenticity and accuracy of text, cross-referencing multiple editions of translations of the text to capture its depth and nuances. To enhance the reliability of the translation, I referred to classical Arabic dictionaries and lexical works to clarify complex terms and their contextual meanings. Additionally, I benefited from other notable translational works and other modern tools at our disposal today, comparing them with the original text to maintain integrity and consistency.

Throughout the process, I endeavoured to remain faithful to the original text, preserving the depth and essence of Sheikh Al-Saduq's words while rendering them in a manner accessible to contemporary readers. Where necessary, I have included only little clarifications and annotations to provide context for certain terms and concepts, always with the utmost respect for the original work.

I am also profoundly aware of my own limitations and the challenges inherent in such a task. Any shortcomings or errors are mine alone, and I ask for forgiveness of both Allah {SWT} and the readers. I humbly invite readers to share their feedback, corrections, or insights, as this translation is not an end but a step toward a greater understanding of this revered work.

May this effort, however small, serve as a source of guidance and benefit for all who engage with it. I pray that Allah {SWT} accepts this humble contribution, and that it earns the approval of the Ahlulbayt {a.s}.

With sincere gratitude,
Haydar Ali Shaykh bin Muhammad
[November, 2024]





BACKGROUND OF SHAYKH AL-SADUQ

The distinguished Shaykh Abu Ja'far Muhammad ibn Ali ibn al-Husayn ibn Babawayh al-Qummi, widely recognized as "Al-Saduq", is renowned for his profound religious influence during the fourth century of the Islamic era, his prominence was unanimously acknowledged by the Muslim community, and he was deeply revered and respected.

Shaykh al-Tusi, may Allah {SWT} have mercy on him, mentioned him in "Al-Fihrist" and "Al-Rijal," noting: "Muhammad ibn Ali ibn al-Husayn was a master of hadith memorization, well-versed in jurisprudence and the science of narrators, and a meticulous critic of narrations. Among the scholars of Qom, none were equal to him in terms of memory and extensive knowledge."

The renowned scholar Abu al-Abbas al-Najashi stated: "Abu Ja'far resided in Ray, where he was a leading elder and jurist, a prominent figure among the community in Khurasan. He visited Baghdad and was heard by the scholars of the community during his youth."

Many other notable figures, including Ibn Idris in "Al-Sara'ir," Ibn Shahrashub in "Al-Ma'alim," al-Muhaqqiq al-Hilli in "Al-Mu'tabar," Ibn Tawus in "Iqbal al-A'mal," al-Allamah in "Al-Khulasah," and Ibn Dawud in his "Rijal," praised him. His name was also mentioned by historians like al-Khatib al-Baghdadi in "Tarikh Baghdad" and al-Zarkali in "Al-A'lam."

Born and raised in Qom, he later travelled to various regions, such as Ray, Sitarabad, Gorgan, Nishapur, Mashhad (at the shrine of Imam Ali ibn Musa Ar-Ridha {a.s}), Marw al-Rudh, Sarakhs, Ilak, Samarqand, Farghana, Balkh (beyond the river), Hamadan, Baghdad, Kufa, Fid, Mecca, and Medina.

His father, Ali ibn al-Husayn - may Allah {SWT} have mercy on them both - was a prominent figure among the scholars of Qom, known for his leadership and high standing. During a time when Qom was home to numerous eminent scholars and narrators, he stood out. Despite his scholarly prominence, he lived modestly as a merchant, trading in the market with humility and self-sufficiency. Al-Tusi and al-Najashi documented his numerous works across various subjects, and Ibn al-Nadim mentioned him in their works.

Al-Saduq was born in response to a supplication by Imam Muhammad ibn Hassan al-Mahdi {a.s}, according to historical sources, which attested to his blessed and virtuous character. No praise could truly capture his stature, for even the esteemed Mulla Muhammad Taqi al-Majlisi remarked; "He is a pillar of religion." It is unsurprising that jurists regard his words as akin to transmitted texts and reliable reports. He authored approximately three hundred works, as documented by Shaykh al-Tusi and others. Regrettably, most have been lost over time, with "Madinat al-Ilm" being one of the greatest among them, now lost. Scholars like al-Majlisi searched for it in vain.

Our Scholarly heritage is rich, yet much has been lost to time due to neglect. It is our duty to preserve, revive, and disseminate these treasures to counter the claims of those who question the legacy of our religious scholarship. May we awaken to this task and honor our scholarly heritage with renewed dedication.

SEGMENTS AND SYMBOLS

عَلَيْهِ اَلسَّلاَم	Main Arabic Text	This is the original Arabic text from Shaykh Al-Saduq's book, presented with full tashkil and harakat (diacritical marks) to enhance readability and accessibility for the reader.
۞ بِسْمِ اللهِ ۞	Quranic Ayah	A verse from the Quran Al-Majeed, whether presented in full or partially, is accompanied by its original Arabic text, along with the Surah name and Ayah number for reference.
Hadith.[1] – Main hadith text.	**Hadith Number** & Hadith Text	This is provided to assist readers and researchers in locating the relevant Hadith, with the numbering aligned to the original book for ease of reference.
[AL SADUQ] Commentary	Commentary of Al Saduq	This is the direct translation of the commentary by the esteemed Shaykh Al-Jaleel, Al-Saduq.
[REFERENCES]	**Referenced Hadiths**	This section identifies similar or repeated Hadiths found within the corpus of Shia Hadith literature. It serves as a tool for verifying the accuracy and reliability of the translation.
{ SWT }	Subhanahu wa ta'ala	Islamic honorific that translates to "The Most Glorified, The Most High". It is used when mentioning Allah directly or referring to Him through pronouns such as "He" or "Him," as a way of showing reverence and exalting His divine status
{ AZJ }	Azzawajal	Islamic honorific that translates to "The Mighty and The Majestic". It is used when referring to Allah by titles such as "Lord" or "Rabb," to honor His greatness and majesty.
{ saws }	Sallallahu Alayhi wa Alayhi Wasallam	Islamic honorific that translates to "Peace be upon Him and His Family". It is exclusively for Prophet Muhammad {saws} as a mark of respect and admiring him and his purified family {saws}.
{ a.s }	Alayhis Salam	Islamic honorific that translates to "Peace be upon them". It is used to honor the Infallible Imams of the AhlulBayt {a.s}, the Infallible Prophets {a.s}, and the Angels of Allah {SWT}.

PRELUDE

قالَ الشَّيخُ الإمامُ السَّعيدُ الفَقيهُ [نَزيلُ الرِّيّ] أَبُو جَعفَرٍ مُحَمَّدُ بنُ عَلِيِّ بنِ الحُسَينِ بنِ مُوسَى بنِ بابَوَيْهِ القُمِّيُّ مُصَنِّفُ هذا الكِتابِ - قَدَّسَ اللّهُ رُوحَهُ:-

أَمّا بَعدُ فَإِنَّهُ لَمّا ساقَني القَضاءُ إِلى بِلادِ الغُربَةِ، وخَصَّلَني القَدَرُ مِنها بِأَرضِ بَلقِ مِن قَصبَةِ إيلاك وَرَدَها الشَّريفُ الدِّينُ أَبُو عَبدِ اللّهِ المَعرُوفُ بِنعمَةِ - وَهوَ مُحَمَّدُ بنُ الحَسَنِ بنِ إسحَاقَ بنِ [الحَسَنِ بنِ] الحُسَينِ بنِ إسحَاقَ بنِ مُوسَى بنِ جَعفَرَ بنِ مُحَمَّدِ بنِ عَلِيِّ بنِ الحُسَينِ بنِ عَلِيِّ بنِ أَبِي طالِبٍ عَلَيهِمُ السَّلامُ.

فَدامَ بِمُجالَسَتِهِ سُرُورِي وَانشَرَحَ بِذَاكِرَتِهِ صَدرِي وَعَظُمَ بِمَوَدَّتِهِ تَشَرُّفِي، لِأَخلاقٍ قَد جَمَعَها إِلى شَرَفِهِ مِن سِترٍ وَصَلاحٍ، وَسَكِينَةٍ وَوَقارٍ وَدِيَانَةٍ وَعَفافٍ، وَتَقوًى وَإِخبَاتٍ.

فَذاكَرَنِي بِكِتابٍ صَنَّفَهُ مُحَمَّدُ بنُ زَكرِيّا المُتَطَبِّبُ الرَّازِي وَتَرجَمَهُ بِكِتابٍ "مَن لا يَحضُرُهُ الطَّبِيبُ" وَذَكَرَ أَنَّهُ شافٍ في مَعناهُ، وَسَأَلَنِي أَن أُصَنِّفَ لَهُ كِتابًا في الفِقهِ وَالحَلالِ وَالحَرامِ، وَالشَّرائِعِ وَالأَحكامِ، مُوفِيًا عَلى جَمِيعِ ما صَنَّفتُ في مَعناهُ وَأُتَرجِمُهُ بكتاب "مَن لا يَحضُرُهُ الفَقيهُ" لِيَكونَ إِلَيهِ مَرجِعُهُ وَعَلَيهِ مُعتَمَدُهُ، وَبِهِ أَخذُهُ، وَيَشتَرِكُ في أَجرِهِ مَن يَنظُرُ فيهِ، وَيَنسَخُهُ وَيَعمَلُ بِمَودَعِهِ، هذا مَعَ نَسخِهِ لِأَكثَرِ ما صَحِبَنِي مِن مُصَنَّفَاتِي وَسَماعِهِ لَها، وَرِوايَتِها عَنِّي، وَوُقوفِهِ عَلى جُملَتِها، وَهِيَ مِائَتا كِتابٍ وَخَمسَةٌ وَأَربَعونَ كِتابًا.

فَأَجَبتُهُ - أَدامَ اللّهُ تَوفيقَهُ - إِلى ذلكَ لِأَنِّي وَجَدتُهُ أَهلًا لَهُ، وَصَنَّفتُ لَهُ هذا الكِتابَ بِحَذفِ الأَسانيدِ لِئَلّا تَكثُرَ طُرُقُهُ وَإِن كَثُرَت فَوائِدُهُ، وَلَم أَقصِد فيهِ قَصدَ المُصَنِّفينَ في إِيرادِ جَمِيعِ ما رَوَوهُ، بَل قَصدتُ إِلى إِيرادِ ما أُفتِي بِهِ وَأَحكُمُ بِصِحَّتِهِ وَأَعتَقِدُ فيهِ أَنَّهُ حُجَّةٌ فيما بَينِي وَبَينَ رَبِّي - تَقَدَّسَ ذِكرُهُ وَتَعالَت قُدرَتُهُ .وَجَميعُ ما فيهِ مُستَخرَجٌ مِن كُتُبٍ مَشهورةٍ، عَلَيها المُعَوَّلُ وَإِلَيها المَرجِعُ، مِثلَ كِتابِ حَرِيزِ بنِ عَبدِ اللّهِ السِّجِستانِيِّ وَكِتابِ عُبَيدِ اللّهِ بنِ عَلِيٍّ الحَلَبِيِّ وَكُتُبِ عَلِيِّ بنِ مهزيار الأَهوَازِيِّ، وَكُتُبِ الحُسَينِ بنِ سَعِيدٍ، وَنَوادِرِ أَحمَدَ بنِ مُحَمَّدِ بنِ عِيسَى وَكِتابِ نَوادِرِ الحِكمَةِ تَصنِيفِ مُحَمَّدِ بنِ أَحمَدَ بنِ يَحيى بنِ عِمرانَ الأَشعَرِيِّ وَكِتابِ الرَّحمَةِ لِسَعدِ بنِ عَبدِ اللّهِ وَجامِعِ شَيخِنا مُحَمَّدِ بنِ الحَسَنِ بنِ الوَلِيدِ رَضِيَ اللّهُ عَنهُ وَنَوادِرِ مُحَمَّدِ بنِ أَبِي عُمَيرٍ وَكُتُبِ المُحاسِنِ لِأَحمَدَ بنِ أَبِي عَبدِ اللّهِ البَرقِيِّ وَرِسالَةِ أَبِي - رَضِيَ اللّهُ عَنهُ - إِلَي غَيرِها مِن الأُصولِ وَالمُصَنَّفاتِ الَّتي طُرُقِي إِلَيها مَعرُوفَةٌ في فِهرِسِ الكُتُبِ الَّتي رَوَيتُها عَن مَشايِخِي وَأَسلافي - رَضِيَ اللّهُ عَنهُم.

وَبالَغتُ في ذلكَ جُهدِي، مُستَعِينًا بِاللّهِ، وَمُتَوَكِّلًا عَلَيهِ، وَمُستَغفِرًا مِن التَّقصِيرِ، وَما تَوفِيقِي إِلّا بِاللّهِ عَلَيهِ تَوَكَّلتُ وَإِلَيهِ أُنيبُ، وَهوَ حَسبِي وَنِعمَ الوَكيلُ.

[AL SADUQ]

The honourable Shaykh Al Jaleel, and jurist, Abu Ja'far Muhammad ibn Ali ibn al-Husayn ibn Musa ibn Babawayh al-Qummi, the author of this book - may Allah {SWT} sanctify his soul - wrote:

After praise to Allah {SWT}, it happened that fate drove me to the lands of exile, and destiny brought me to the land of Balkh, specifically the town of Ilaq. There arrived the noble Sharif al-Din Abu Abdullah, known as Ni'mah - Muhammad ibn al-Hasan ibn Ishaq ibn [al-Hasan ibn] al-Husayn ibn Ishaq ibn Musa ibn Ja'far ibn Muhammad ibn Ali ibn al-Husayn ibn Ali ibn Abi Talib (peace be upon them all).

With his companionship, my happiness was prolonged, my heart was comforted by his memory, and my honor was elevated by his affection, due to his noble character combined with virtues such as modesty, piety, calmness, dignity, religiosity, chastity, godliness, and humility.

He mentioned to me a book authored by Muhammad ibn Zakariya al-Razi, the physician, titled *Man La Yahduruhu al-Tabeeb* (For Him Who Has No Access to a Doctor), which he found to be effective in its purpose. He requested that I compile for him a book on jurisprudence, covering lawful and unlawful matters, and the statutes and rulings, comprehensively surpassing all I had previously written on the subject, and title it *Man La Yahduruhu al-Faqih* (For Him Who Has No Access to a Jurist). The intention was for it to serve as his reference, foundation, and guide - one through which he could achieve reward, along with those who read, copy, or act upon its contents.

This was in addition to his copying most of what I carried with me from my works, listening to them, narrating them from me, and familiarizing himself with their entirety, which amounted to two hundred and forty-five books.

I agreed to his request (may Allah {SWT} grant him continuous success) because I found him deserving of it. I compiled this book by omitting the chains of narration to avoid excessive length, while ensuring its benefits were plentiful. I did not intend to follow the approach of other compilers who include all they have narrated. Instead, I included only what I issue fatwas upon, deem to be authentic, and believe to be a proof between me and my Lord {AZJ} - exalted be His remembrance and elevated be His power.

Everything in this book is derived from well-known books that are relied upon and referenced, such as the book of Hariz ibn Abdullah al-Sijistani, the book of Ubaydullah ibn Ali al-Halabi, the works of Ali ibn Mahziyar al-Ahwazi, the books of al-Husayn ibn Sa'id, the *Nawadir* of Ahmad ibn Muhammad ibn Isa, the *Nawadir al-Hikmah* compiled by Muhammad ibn Ahmad ibn Yahya ibn Imran al-Ash'ari, the *Kitab al-Rahmah* by Sa'd ibn Abdullah, the compilation of our Sheikh Muhammad ibn al-Hasan ibn al-Walid (may Allah {SWT} be pleased with them), the *Nawadir* of Muhammad ibn Abi Umayr, the books of al-Muhasin by Ahmad ibn Abi Abdullah al-Barqi, the letters of my father (may Allah be pleased with them), and other foundational texts and compilations.

The paths to these works are well-known in the catalog of books I have narrated from my teachers and predecessors (may Allah {SWT} be pleased with them). I have exerted my utmost effort in this task, seeking Allah's {SWT} assistance, placing my trust in Him, and asking forgiveness for any shortcomings. My success is only through Allah {SWT}. Upon Him I rely, and to Him I turn. He is sufficient for me, and He is the best trustee.

CHAPTER 1 – CHAPTER ON MENTIONING SOME OF THE PROHIBITIONS OF THE PROPHET {saws}

بَابُ ذِكْرِ جُمَلٍ مِنْ مَنَاهِي النَّبِيِّ ص

HADITH 4968

4968 - قَالَ أَبُو جَعْفَرٍ مُحَمَّدُ بْنُ اَلْحُسَيْنِ بْنِ مُوسَى بْنِ بَابَوَيْهِ اَلْقُمِّيُّ اَلْفَقِيهُ نَزِيلُ اَلرَّيِّ مُصَنَّفُ هَذَا اَلْكِتَابِ رَضِيَ اَللَّهُ عَنْهُ وَ أَرْضَاهُ رُوِيَ عَنْ شُعَيْبِ بْنِ وَاقِدٍ عَنِ اَلْحُسَيْنِ بْنِ زَيْدٍ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ ، عَنْ آبَائِهِ عَنْ أَمِيرِ اَلْمُؤْمِنِينَ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «نَهَى رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ عَنِ اَلْأَكْلِ عَلَى اَلْجَنَابَةِ» وَ قَالَ «إِنَّهُ يُورِثُ اَلْفَقْرَ» وَ نَهَى عَنْ تَقْلِيمِ اَلْأَظْفَارِ بِالْأَسْنَانِ وَ عَنِ اَلسِّوَاكِ فِي اَلْحَمَّامِ وَ اَلتَّنَخُّعِ فِي اَلْمَسَاجِدِ وَ نَهَى عَنْ أَكْلِ سُؤْرِ اَلْفَأْرَةِ وَ قَالَ «لاَ تَجْعَلُوا اَلْمَسَاجِدَ طُرُقاً حَتَّى تُصَلُّوا فِيهَا رَكْعَتَيْنِ» وَ نَهَى أَنْ يَبُولَ أَحَدٌ تَحْتَ شَجَرَةٍ مُثْمِرَةٍ أَوْ عَلَى قَارِعَةِ اَلطَّرِيقِ وَ نَهَى أَنْ يَأْكُلَ اَلْإِنْسَانُ بِشِمَالِهِ وَ أَنْ يَأْكُلَ وَ هُوَ مُتَّكِئٌ وَ نَهَى أَنْ تُجَصَّصَ اَلْمَقَابِرُ وَ يُصَلَّى فِيهَا وَ قَالَ «إِذَا اِغْتَسَلَ أَحَدُكُمْ فِي فَضَاءٍ مِنَ اَلْأَرْضِ فَلْيُحَاذِرْ عَلَى عَوْرَتِهِ وَ لاَ يَشْرَبَنَّ أَحَدُكُمُ اَلْمَاءَ مِنْ عِنْدِ عُرْوَةِ اَلْإِنَاءِ فَإِنَّهُ مُجْتَمَعُ اَلْوَسَخِ» وَ نَهَى أَنْ يَبُولَ أَحَدٌ فِي اَلْمَاءِ اَلرَّاكِدِ فَإِنَّهُ مِنْهُ يَكُونُ ذَهَابُ اَلْعَقْلِ وَ نَهَى أَنْ يَمْشِيَ اَلرَّجُلُ فِي فَرْدِ نَعْلٍ أَوْ أَنْ يَتَنَعَّلَ وَ هُوَ قَائِمٌ وَ نَهَى أَنْ يَبُولَ اَلرَّجُلُ وَ فَرْجُهُ بَادٍ لِلشَّمْسِ أَوْ لِلْقَمَرِ وَ قَالَ «إِذَا دَخَلْتُمُ اَلْغَائِطَ فَتَجَنَّبُوا اَلْقِبْلَةَ» ، وَ نَهَى عَنِ اَلزَّنَّةِ عِنْدَ اَلْمُصِيبَةِ وَ نَهَى عَنِ اَلنِّيَاحَةِ وَ اَلِاسْتِمَاعِ إِلَيْهَا وَ نَهَى عَنِ اِتِّبَاعِ اَلنِّسَاءِ اَلْجَنَائِزَ وَ نَهَى أَنْ يُمْحَى شَيْءٌ مِنْ كِتَابِ اَللَّهِ عَزَّ وَ جَلَّ بِالْبُزَاقِ أَوْ يُكْتَبَ بِهِ وَ نَهَى أَنْ يَكْذِبَ اَلرَّجُلُ فِي رُؤْيَاهُ مُتَعَمِّداً وَ قَالَ «يُكَلِّفُهُ اَللَّهُ يَوْمَ اَلْقِيَامَةِ أَنْ يَعْقِدَ شَعِيرَةً وَ مَا هُوَ بِعَاقِدِهَا» وَ نَهَى عَنِ اَلتَّصَاوِيرِ وَ قَالَ «مَنْ صَوَّرَ صُورَةً كَلَّفَهُ اَللَّهُ يَوْمَ اَلْقِيَامَةِ أَنْ يَنْفُخَ فِيهَا وَ لَيْسَ بِنَافِخٍ» وَ نَهَى أَنْ يُحْرَقَ شَيْءٌ مِنَ اَلْحَيَوَانِ بِالنَّارِ وَ نَهَى عَنْ سَبِّ اَلدِّيكِ وَ قَالَ «إِنَّهُ يُوقِظُ لِلصَّلاَةِ» وَ نَهَى أَنْ يَدْخُلَ اَلرَّجُلُ فِي سَوْمِ أَخِيهِ اَلْمُسْلِمِ وَ نَهَى أَنْ يُكْثِرَ اَلْكَلاَمَ عِنْدَ اَلْمُجَامَعَةِ وَ قَالَ «يَكُونُ مِنْهُ خَرَسُ اَلْوَلَدِ» وَ قَالَ «لاَ تُبَيِّتُوا اَلْقُمَامَةَ فِي بُيُوتِكُمْ وَ أَخْرِجُوهَا نَهَاراً فَإِنَّهَا مَقْعَدُ اَلشَّيْطَانِ» وَ قَالَ «لاَ يَبِيتَنَّ أَحَدُكُمْ وَ يَدُهُ غَمِرَةٌ فَإِنْ فَعَلَ فَأَصَابَهُ لَمَمٌ اَلشَّيْطَانِ فَلاَ يَلُومَنَّ إِلاَّ نَفْسَهُ» وَ نَهَى أَنْ يَسْتَنْجِيَ اَلرَّجُلُ بِالرَّوْثِ وَ اَلرِّمَّةِ وَ نَهَى أَنْ تَخْرُجَ اَلْمَرْأَةُ مِنْ بَيْتِهَا بِغَيْرِ إِذْنِ زَوْجِهَا فَإِنْ خَرَجَتْ لَعَنَهَا كُلُّ مَلَكٍ فِي اَلسَّمَاءِ وَ كُلُّ شَيْءٍ تَمُرُّ عَلَيْهِ مِنَ اَلْجِنِّ وَ اَلْإِنْسِ حَتَّى تَرْجِعَ إِلَى بَيْتِهَا وَ نَهَى أَنْ تَتَزَيَّنَ لِغَيْرِ زَوْجِهَا «فَإِنْ فَعَلَتْ كَانَ حَقّاً عَلَى اَللَّهِ عَزَّ وَ جَلَّ أَنْ يُحْرِقَهَا بِالنَّارِ » وَ نَهَى أَنْ تَتَكَلَّمَ اَلْمَرْأَةُ عِنْدَ غَيْرِ زَوْجِهَا أَوْ غَيْرِ ذِي مَحْرَمٍ مِنْهَا أَكْثَرَ مِنْ خَمْسِ كَلِمَاتٍ مِمَّا لاَ بُدَّ لَهَا مِنْهُ وَ نَهَى أَنْ تُبَاشِرَ اَلْمَرْأَةُ اَلْمَرْأَةَ وَ لَيْسَ بَيْنَهُمَا ثَوْبٌ وَ نَهَى أَنْ تُحَدِّثَ اَلْمَرْأَةُ اَلْمَرْأَةَ بِمَا تَخْلُو بِهِ مَعَ زَوْجِهَا وَ نَهَى أَنْ يُجَامِعَ اَلرَّجُلُ أَهْلَهُ مُسْتَقْبِلَ اَلْقِبْلَةِ وَ عَلَى ظَهْرِ طَرِيقٍ عَامِرٍ «فَمَنْ فَعَلَ ذَلِكَ فَعَلَيْهِ «لَعْنَةُ اَللَّهِ وَ اَلْمَلاَئِكَةِ وَ اَلنَّاسِ أَجْمَعِينَ» » وَ نَهَى «أَنْ يَقُولَ اَلرَّجُلُ لِلرَّجُلِ زَوِّجْنِي أُخْتَكَ حَتَّى أُزَوِّجَكَ أُخْتِي» وَ نَهَى عَنْ إِتْيَانِ اَلْعَرَّافِ وَ قَالَ «مَنْ أَتَاهُ وَ صَدَّقَهُ فَقَدْ بَرِئَ مِمَّا أَنْزَلَ اَللَّهُ عَلَى مُحَمَّدٍ » وَ نَهَى عَنِ اَللَّعِبِ بِالنَّرْدِ وَ اَلشِّطْرَنْجِ وَ اَلْكُوبَةِ وَ اَلْعَرْطَبَةِ وَ هِيَ اَلطُّنْبُورُ وَ اَلْعُودُ وَ نَهَى عَنِ اَلْغِيبَةِ وَ اَلِاسْتِمَاعِ إِلَيْهَا وَ نَهَى عَنِ اَلنَّمِيمَةِ وَ اَلِاسْتِمَاعِ إِلَيْهَا وَ قَالَ «لاَ يَدْخُلُ اَلْجَنَّةَ قَتَّاتٌ» يَعْنِي نَمَّاماً وَ نَهَى عَنْ إِجَابَةِ اَلْفَاسِقِينَ إِلَى طَعَامِهِمْ وَ نَهَى عَنِ اَلْيَمِينِ اَلْكَاذِبَةِ وَ قَالَ «إِنَّهَا تَتْرُكُ اَلدِّيَارَ بَلاَقِعَ» وَ قَالَ «مَنْ حَلَفَ

بِيَمِينٍ كَاذِبَةٍ صَبْراً لِيَقْطَعَ بِهَا مَالَ اِمْرِئٍ مُسْلِمٍ لَقِيَ اَللَّهَ عَزَّ وَ جَلَّ وَ هُوَ عَلَيْهِ غَضْبَانُ إِلاَّ أَنْ يَتُوبَ وَ يَرْجِعَ» وَ نَهَى عَنِ اَلْجُلُوسِ عَلَى مَائِدَةٍ يُشْرَبُ عَلَيْهَا اَلْخَمْرُ وَ نَهَى أَنْ يُدْخِلَ اَلرَّجُلُ حَلِيلَتَهُ إِلَى اَلْحَمَّامِ وَ قَالَ «لاَ يَدْخُلَنَّ أَحَدُكُمُ اَلْحَمَّامَ إِلاَّ بِمِئْزَرٍ» وَ نَهَى عَنِ اَلْمُحَادَثَةِ اَلَّتِي تَدْعُو إِلَى غَيْرِ اَللَّهِ عَزَّ وَ جَلَّ وَ نَهَى عَنْ تَصْفِيقِ اَلْوَجْهِ وَ نَهَى عَنِ اَلشُّرْبِ فِي آنِيَةِ اَلذَّهَبِ وَ اَلْفِضَّةِ وَ نَهَى عَنْ لُبْسِ اَلْحَرِيرِ وَ اَلدِّيبَاجِ وَ اَلْقَزِّ لِلرِّجَالِ فَأَمَّا لِلنِّسَاءِ فَلاَ بَأْسَ وَ نَهَى أَنْ تُبَاعَ اَلثِّمَارُ حَتَّى تَزْهُوَ، يَعْنِي تَصْفَرَّ أَوْ تَحْمَرَّ وَ نَهَى عَنِ اَلْمُحَاقَلَةِ، يَعْنِي بَيْعَ اَلتَّمْرِ بِالرُّطَبِ وَ اَلزَّبِيبِ بِالْعِنَبِ وَ مَا أَشْبَهَ ذَلِكَ وَ نَهَى عَنْ بَيْعِ اَلنَّزْدِ وَ أَنْ يُشْتَرَى اَلْخَمْرُ وَ أَنْ يُسْقَى اَلْخَمْرُ وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «لَعَنَ اَللَّهُ اَلْخَمْرَ وَ غَارِسَهَا وَ عَاصِرَهَا وَ شَارِبَهَا وَ سَاقِيَهَا وَ بَائِعَهَا وَ مُشْتَرِيَهَا وَ آكِلَ ثَمَنِهَا وَ حَامِلَهَا وَ اَلْمَحْمُولَةَ إِلَيْهِ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ شَرِبَهَا لَمْ يَقْبَلِ اَللَّهُ لَهُ صَلاَةً أَرْبَعِينَ يَوْماً فَإِنْ مَاتَ وَ فِي بَطْنِهِ شَيْءٌ مِنْ ذَلِكَ كَانَ حَقّاً عَلَى اَللَّهِ عَزَّ وَ جَلَّ أَنْ يَسْقِيَهُ مِنْ طِينَةِ خَبَالٍ وَ هِيَ صَدِيدُ أَهْلِ اَلنَّارِ وَ مَا يَخْرُجُ مِنْ فُرُوجِ اَلزُّنَاةِ فَيَجْتَمِعُ ذَلِكَ فِي قُدُورِ جَهَنَّمَ فَيَشْرَبُهُ أَهْلُ اَلنَّارِ فَ يُصْهَرُ بِهِ مٰا فِي بُطُونِهِمْ وَ اَلْجُلُودُ »

وَ نَهَى عَنْ أَكْلِ اَلرِّبَا وَ شَهَادَةِ اَلزُّورِ وَ كِتَابَةِ اَلرِّبَا وَ قَالَ «إِنَّ اَللَّهَ عَزَّ وَ جَلَّ لَعَنَ آكِلَ اَلرِّبَا وَ مُؤْكِلَهُ وَ كَاتِبَهُ وَ شَاهِدَيْهِ» وَ نَهَى عَنْ بَيْعٍ وَ سَلَفٍ وَ نَهَى عَنْ بَيْعَيْنِ فِي بَيْعٍ وَ نَهَى عَنْ بَيْعٍ مَا لَيْسَ عِنْدَكَ وَ نَهَى عَنْ بَيْعِ مَا لَمْ تُضْمَنْ وَ نَهَى عَنْ مُصَافَحَةِ اَلذِّمِّيِّ وَ نَهَى عَنْ أَنْ يُنْشَدَ اَلشِّعْرُ أَوْ يُنْشَدَ اَلضَّالَّةُ فِي اَلْمَسْجِدِ وَ نَهَى أَنْ يُسَلَّ اَلسَّيْفُ فِي اَلْمَسْجِدِ وَ نَهَى عَنْ ضَرْبِ وُجُوهِ اَلْبَهَائِمِ وَ نَهَى أَنْ يَنْظُرَ اَلرَّجُلُ إِلَى عَوْرَةِ أَخِيهِ اَلْمُسْلِمِ وَ قَالَ «مَنْ تَأَمَّلَ عَوْرَةَ أَخِيهِ اَلْمُسْلِمِ لَعَنَهُ سَبْعُونَ أَلْفَ مَلَكٍ» وَ نَهَى اَلْمَرْأَةَ أَنْ تَنْظُرَ إِلَى عَوْرَةِ اَلْمَرْأَةِ وَ نَهَى أَنْ يُنْفَخَ فِي طَعَامٍ أَوْ شَرَابٍ أَوْ يُنْفَخَ فِي مَوْضِعِ اَلسُّجُودِ وَ نَهَى أَنْ يُصَلِّيَ اَلرَّجُلُ فِي اَلْمَقَابِرِ وَ اَلطُّرُقِ وَ اَلْأَرْحِيَةِ وَ اَلْأَوْدِيَةِ وَ مَرَابِطِ اَلْإِبِلِ وَ عَلَى ظَهْرِ اَلْكَعْبَةِ وَ نَهَى عَنْ قَتْلِ اَلنَّحْلِ وَ نَهَى عَنِ اَلْوَسْمِ فِي وُجُوهِ اَلْبَهَائِمِ وَ نَهَى أَنْ يَحْلِفَ اَلرَّجُلُ بِغَيْرِ اَللَّهِ وَ قَالَ «مَنْ حَلَفَ بِغَيْرِ اَللَّهِ عَزَّ وَ جَلَّ «فَلَيْسَ مِنَ اَللَّهِ فِي شَيْءٍ» » وَ نَهَى أَنْ يَحْلِفَ اَلرَّجُلُ بِسُورَةٍ مِنْ كِتَابِ اَللَّهِ عَزَّ وَ جَلَّ وَ قَالَ «مَنْ حَلَفَ بِسُورَةٍ مِنْ كِتَابِ اَللَّهِ فَعَلَيْهِ بِكُلِّ آيَةٍ مِنْهَا كَفَّارَةُ يَمِينٍ فَمَنْ شَاءَ بَرَّ وَ مَنْ شَاءَ فَجَرَ» ، وَ نَهَى «أَنْ يَقُولَ اَلرَّجُلُ لِلرَّجُلِ لاَ وَ حَيَاتِكَ وَ حَيَاةِ فُلاَنٍ» وَ نَهَى أَنْ يَقْعُدَ اَلرَّجُلُ فِي اَلْمَسْجِدِ وَ هُوَ جُنُبٌ وَ نَهَى عَنِ اَلتَّعَرِّي بِاللَّيْلِ وَ اَلنَّهَارِ وَ نَهَى عَنِ اَلْحِجَامَةِ يَوْمَ اَلْأَرْبِعَاءِ وَ اَلْجُمُعَةِ وَ نَهَى عَنِ اَلْكَلاَمِ يَوْمَ اَلْجُمُعَةِ وَ اَلْإِمَامُ يَخْطُبُ «فَمَنْ فَعَلَ ذَلِكَ فَقَدْ لَغِيَ وَ مَنْ لَغِيَ فَلاَ جُمُعَةَ لَهُ» وَ نَهَى عَنِ اَلتَّخَتُّمِ بِخَاتَمِ صُفْرٍ أَوْ حَدِيدٍ وَ نَهَى أَنْ يُنْقَشَ شَيْءٌ مِنَ اَلْحَيَوَانِ عَلَى اَلْخَاتَمِ وَ نَهَى عَنِ اَلصَّلاَةِ عِنْدَ طُلُوعِ اَلشَّمْسِ وَ عِنْدَ غُرُوبِهَا وَ عِنْدَ اِسْتِوَائِهَا وَ نَهَى عَنْ صِيَامِ سِتَّةِ أَيَّامٍ، يَوْمِ اَلْفِطْرِ وَ يَوْمِ اَلشَّكِّ وَ يَوْمِ اَلنَّحْرِ وَ أَيَّامِ اَلتَّشْرِيقِ وَ نَهَى أَنْ يُشْرَبَ اَلْمَاءُ كَمَا تَشْرَبُ اَلْبَهَائِمُ وَ قَالَ «اِشْرَبُوا بِأَيْدِيكُمْ فَإِنَّهُ أَفْضَلُ أَوَانِيكُمْ» وَ نَهَى عَنِ اَلْبَزَاقِ فِي اَلْبِئْرِ اَلَّتِي يُشْرَبُ مِنْهَا وَ نَهَى أَنْ يُسْتَعْمَلَ أَجِيرٌ حَتَّى يُعْلَمَ مَا أُجْرَتُهُ وَ نَهَى عَنِ اَلْهِجْرَانِ «فَمَنْ كَانَ لاَ بُدَّ فَاعِلاً فَلاَ يَهْجُرْ أَخَاهُ أَكْثَرَ مِنْ ثَلاَثَةِ أَيَّامٍ فَمَنْ كَانَ مُهَاجِراً لِأَخِيهِ أَكْثَرَ مِنْ ذَلِكَ كَانَتِ اَلنَّارُ أَوْلَى بِهِ» ، وَ نَهَى عَنْ بَيْعِ اَلذَّهَبِ بِالذَّهَبِ زِيَادَةً إِلاَّ وَزْناً بِوَزْنٍ وَ نَهَى عَنِ اَلْمَدْحِ وَ قَالَ «أَحْثُوا فِي وُجُوهِ اَلْمَدَّاحِينَ اَلتُّرَابَ» وَ قَالَ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ «مَنْ تَوَلَّى خُصُومَةَ ظَالِمٍ أَوْ أَعَانَ عَلَيْهَا ثُمَّ نَزَلَ بِهِ مَلَكُ اَلْمَوْتِ قَالَ لَهُ أَبْشِرْ بِلَعْنَةِ اَللَّهِ وَ نَارِ جَهَنَّمَ «وَ بِئْسَ اَلْمَصِيرُ» » وَ قَالَ «مَنْ مَدَحَ سُلْطَاناً جَائِراً أَوْ تَخَفَّفَ وَ تَضَعْضَعَ لَهُ طَمَعاً فِيهِ كَانَ قَرِينَهُ فِي اَلنَّارِ » وَ قَالَ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ «قَالَ اَللَّهُ عَزَّ وَ جَلَّ «وَ لاٰ تَرْكَنُوا إِلَى اَلَّذِينَ ظَلَمُوا فَتَمَسَّكُمُ اَلنّٰارُ » » وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ وَلِيَ جَائِراً عَلَى جَوْرٍ كَانَ قَرِينَ

هَامَانَ فِي جَهَنَّمَ وَ مَنْ بَنَى بُنْيَاناً رِيَاءً وَ سُمْعَةً حُمِّلَهُ يَوْمَ اَلْقِيَامَةِ مِنَ اَلْأَرْضِ اَلسَّابِعَةِ وَ هُوَ نَارٌ تَشْتَعِلُ ثُمَّ تُطَوَّقُ فِي عُنُقِهِ وَ يُلْقَى فِي اَلنَّارِ فَلاَ يَحْبِسُهُ شَيْءٌ مِنْهَا دُونَ قَعْرِهَا إِلاَّ أَنْ يَتُوبَ» قِيلَ يَا رَسُولَ اَللَّهِ كَيْفَ يَبْنِي رِيَاءً وَ سُمْعَةً قَالَ «يَبْنِي فَضْلاً عَلَى مَا يَكْفِيهِ اِسْتِطَالَةً مِنْهُ عَلَى جِيرَانِهِ وَ مُبَاهَاةً لِإِخْوَانِهِ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ ظَلَمَ أَجِيراً أَجْرَهُ أَحْبَطَ اَللَّهُ عَمَلَهُ وَ حَرَّمَ عَلَيْهِ رِيحَ اَلْجَنَّةِ وَ إِنَّ رِيحَهَا لَيُوجَدُ مِنْ مَسِيرَةِ خَمْسِمِائَةِ عَامٍ وَ مَنْ خَانَ جَارَهُ شِبْراً مِنَ اَلْأَرْضِ جَعَلَهُ اَللَّهُ طَوْقاً فِي عُنُقِهِ مِنْ تُخُومِ اَلْأَرْضِ اَلسَّابِعَةِ حَتَّى يَلْقَى اَللَّهَ يَوْمَ اَلْقِيَامَةِ مُطَوَّقاً إِلاَّ أَنْ يَتُوبَ وَ يَرْجِعَ أَلاَ وَ مَنْ تَعَلَّمَ اَلْقُرْآنَ ثُمَّ نَسِيَهُ لَقِيَ اَللَّهَ يَوْمَ اَلْقِيَامَةِ مَغْلُولاً يُسَلِّطُ اَللَّهُ عَزَّ وَ جَلَّ عَلَيْهِ بِكُلِّ آيَةٍ مِنْهُ حَيَّةً تَكُونُ قَرِينَتَهُ إِلَى اَلنَّارِ إِلاَّ أَنْ يَغْفِرَ اَللَّهُ لَهُ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ قَرَأَ اَلْقُرْآنَ ثُمَّ شَرِبَ عَلَيْهِ حَرَاماً أَوْ آثَرَ عَلَيْهِ حُبَّ اَلدُّنْيَا وَ زِينَتَهَا اُسْتُوجِبَ عَلَيْهِ سَخَطَ اَللَّهِ إِلاَّ أَنْ يَتُوبَ أَلاَ وَ إِنَّهُ إِنْ مَاتَ عَلَى غَيْرِ تَوْبَةٍ حَاجَّهُ يَوْمَ اَلْقِيَامَةِ فَلاَ يُزَايِلُهُ إِلاَّ مَدْحُوضاً أَلاَ وَ مَنْ زَنَى بِامْرَأَةٍ مُسْلِمَةٍ أَوْ يَهُودِيَّةٍ أَوْ نَصْرَانِيَّةٍ أَوْ مَجُوسِيَّةٍ حُرَّةٍ أَوْ أَمَةٍ ثُمَّ لَمْ يَتُبْ مِنْهُ وَ مَاتَ مُصِرّاً عَلَيْهِ فَتَحَ اَللَّهُ لَهُ فِي قَبْرِهِ ثَلاَثَمِائَةِ بَابٍ تَخْرُجُ مِنْهَا حَيَّاتٌ وَ عَقَارِبُ وَ ثُعْبَانُ اَلنَّارِ فَهُوَ يَحْتَرِقُ إِلَى يَوْمِ اَلْقِيَامَةِ فَإِذَا بُعِثَ مِنْ قَبْرِهِ تَأَذَّى اَلنَّاسُ مِنْ نَتْنِ رِيحِهِ فَيُعْرَفُ بِذَلِكَ وَ بِمَا كَانَ يَعْمَلُ فِي دَارِ اَلدُّنْيَا حَتَّى يُؤْمَرَ بِهِ إِلَى اَلنَّارِ أَلاَ وَ إِنَّ اَللَّهَ عَزَّ وَ جَلَّ حَرَّمَ اَلْحَرَامَ وَ حَدَّ اَلْحُدُودَ فَمَا أَحَدٌ أَغْيَرَ مِنَ اَللَّهِ عَزَّ وَ جَلَّ وَ مِنْ غَيْرَتِهِ حَرَّمَ اَلْفَوَاحِشَ»

وَ نَهَى أَنْ يَطَّلِعَ اَلرَّجُلُ فِي بَيْتِ جَارِهِ وَ قَالَ «مَنْ نَظَرَ إِلَى عَوْرَةِ أَخِيهِ اَلْمُسْلِمِ أَوْ عَوْرَةِ غَيْرِ أَهْلِهِ مُتَعَمِّداً أَدْخَلَهُ اَللَّهُ تَعَالَى مَعَ اَلْمُنَافِقِينَ اَلَّذِينَ كَانُوا يَبْحَثُونَ عَنْ عَوْرَاتِ اَلنَّاسِ وَ لَمْ يَخْرُجْ مِنَ اَلدُّنْيَا حَتَّى يَفْضَحَهُ اَللَّهُ إِلاَّ أَنْ يَتُوبَ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ لَمْ يَرْضَ بِمَا قَسَمَ اَللَّهُ لَهُ مِنَ اَلرِّزْقِ وَ بَثَّ شَكْوَاهُ وَ لَمْ يَصْبِرْ وَ لَمْ يَحْتَسِبْ لَمْ تُرْفَعْ لَهُ حَسَنَةٌ وَ يَلْقَى اَللَّهَ عَزَّ وَ جَلَّ وَ هُوَ عَلَيْهِ غَضْبَانُ إِلاَّ أَنْ يَتُوبَ» وَ نَهَى أَنْ يَخْتَالَ اَلرَّجُلُ فِي مَشْيِهِ وَ قَالَ «مَنْ لَبِسَ ثَوْباً فَاخْتَالَ فِيهِ خَسَفَ اَللَّهُ بِهِ مِنْ شَفِيرِ جَهَنَّمَ فَكَانَ قَرِينَ قَارُونَ لِأَنَّهُ أَوَّلُ مَنِ اِخْتَالَ فَخَسَفَ اَللَّهُ «بِهِ وَ بِدَارِهِ اَلْأَرْضَ» وَ مَنِ اِخْتَالَ فَقَدْ نَازَعَ اَللَّهَ عَزَّ وَ جَلَّ فِي جَبَرُوتِهِ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ ظَلَمَ اِمْرَأَةً مَهْرَهَا فَهُوَ عِنْدَ اَللَّهِ زَانٍ يَقُولُ اَللَّهُ عَزَّ وَ جَلَّ لَهُ يَوْمَ اَلْقِيَامَةِ «عَبْدِي زَوَّجْتُكَ أَمَتِي عَلَى عَهْدِي فَلَمْ تُوفِ بِعَهْدِي وَ ظَلَمْتَ أَمَتِي» فَيُؤْخَذُ مِنْ حَسَنَاتِهِ فَيُدْفَعُ إِلَيْهَا بِقَدْرِ حَقِّهَا فَإِذَا لَمْ تَبْقَ لَهُ حَسَنَةٌ أَمَرَ بِهِ إِلَى اَلنَّارِ بِنَكْثِهِ لِلْعَهْدِ «إِنَّ اَلْعَهْدَ كَانَ مَسْؤُلاً» » وَ نَهَى عَلَيْهِ اَلسَّلاَمُ عَنْ كِتْمَانِ اَلشَّهَادَةِ وَ قَالَ «مَنْ كَتَمَهَا أَطْعَمَهُ اَللَّهُ لَحْمَهُ عَلَى رُءُوسِ اَلْخَلاَئِقِ وَ هُوَ قَوْلُ اَللَّهِ عَزَّ وَ جَلَّ «وَ لاٰ تَكْتُمُوا اَلشَّهٰادَةَ وَ مَنْ يَكْتُمْهٰا فَإِنَّهُ آثِمٌ قَلْبُهُ وَ اَللّٰهُ بِمٰا تَعْمَلُونَ عَلِيمٌ» » وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ آذَى جَارَهُ حَرَّمَ اَللَّهُ عَلَيْهِ رِيحَ اَلْجَنَّةِ «وَ مَأْوٰاهُ جَهَنَّمُ وَ بِئْسَ اَلْمَصِيرُ» وَ مَنْ ضَيَّعَ حَقَّ جَارِهِ فَلَيْسَ مِنَّا وَ مَا زَالَ جَبْرَئِيلُ عَلَيْهِ اَلسَّلاَمُ يُوصِينِي بِالْجَارِ حَتَّى ظَنَنْتُ أَنَّهُ سَيُوَرِّثُهُ وَ مَا زَالَ يُوصِينِي بِالْمَمَالِيكِ حَتَّى ظَنَنْتُ أَنَّهُ سَيَجْعَلُ لَهُمْ وَقْتاً إِذَا بَلَغُوا ذَلِكَ اَلْوَقْتَ أُعْتِقُوا وَ مَا زَالَ يُوصِينِي بِالسِّوَاكِ حَتَّى ظَنَنْتُ أَنَّهُ سَيَجْعَلُهُ فَرِيضَةً وَ مَا زَالَ يُوصِينِي بِقِيَامِ اَللَّيْلِ حَتَّى ظَنَنْتُ أَنَّ خِيَارَ أُمَّتِي لَنْ يَنَامُوا أَلاَ وَ مَنِ اِسْتَخَفَّ بِفَقِيرٍ مُسْلِمٍ فَلَقَدِ اِسْتَخَفَّ بِحَقِّ اَللَّهِ وَ اَللَّهُ يَسْتَخِفُّ بِهِ يَوْمَ اَلْقِيَامَةِ إِلاَّ أَنْ يَتُوبَ » وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ أَكْرَمَ فَقِيراً مُسْلِماً لَقِيَ اَللَّهَ عَزَّ وَ جَلَّ يَوْمَ اَلْقِيَامَةِ وَ هُوَ عَنْهُ رَاضٍ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ عَرَضَتْ لَهُ فَاحِشَةٌ أَوْ شَهْوَةٌ فَاجْتَنَبَهَا مِنْ مَخَافَةِ اَللَّهِ عَزَّ وَ جَلَّ حَرَّمَ اَللَّهُ عَلَيْهِ اَلنَّارَ وَ آمَنَهُ مِنَ اَلْفَزَعِ اَلْأَكْبَرِ وَ أَنْجَزَ لَهُ مَا وَعَدَهُ فِي كِتَابِهِ فِي قَوْلِهِ تَبَارَكَ وَ تَعَالَى «وَ لِمَنْ خٰافَ مَقٰامَ رَبِّهِ جَنَّتٰانِ»

أَلاَ وَ مَنْ عَرَضَتْ لَهُ دُنْيَا وَ آخِرَةٌ فَاخْتَارَ اَلدُّنْيَا عَلَى اَلْآخِرَةِ لَقِيَ اَللَّهَ يَوْمَ اَلْقِيَامَةِ وَ لَيْسَتْ لَهُ حَسَنَةٌ يَتَّقِي بِهَا اَلنَّارَ وَ مَنِ اِخْتَارَ اَلْآخِرَةَ عَلَى اَلدُّنْيَا وَ تَرَكَ اَلدُّنْيَا رَضِيَ اَللَّهُ عَنْهُ وَ غَفَرَ لَهُ مَسَاوِيَ عَمَلِهِ وَ مَنْ مَلَأَ عَيْنَيْهِ مِنْ حَرَامٍ مَلَأَ اَللَّهُ عَيْنَيْهِ يَوْمَ اَلْقِيَامَةِ مِنَ اَلنَّارِ إِلاَّ أَنْ يَتُوبَ وَ يَرْجِعَ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ صَافَحَ اِمْرَأَةً تَحْرُمُ عَلَيْهِ فَقَدْ «بَاءَ بِسَخَطٍ مِنَ اَللَّهِ» عَزَّ وَ جَلَّ وَ مَنِ اِلْتَزَمَ اِمْرَأَةً حَرَاماً قُرِنَ فِي سِلْسِلَةٍ مِنْ نَارٍ مَعَ شَيْطَانٍ فَيُقْذَفَانِ فِي اَلنَّارِ وَ مَنْ غَشَّ مُسْلِماً فِي شِرَاءٍ أَوْ بَيْعٍ فَلَيْسَ مِنَّا وَ يُحْشَرُ يَوْمَ اَلْقِيَامَةِ مَعَ اَلْيَهُودِ لِأَنَّهُمْ أَغَشُّ اَلْخَلْقِ لِلْمُسْلِمِينَ » وَ نَهَى رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَنْ يَمْنَعَ أَحَدٌ اَلْمَاعُونَ جَارَهُ وَ قَالَ «مَنْ مَنَعَ اَلْمَاعُونَ جَارَهُ مَنَعَهُ اَللَّهُ خَيْرَهُ يَوْمَ اَلْقِيَامَةِ وَ وَكَلَهُ إِلَى نَفْسِهِ وَ مَنْ وَكَلَهُ إِلَى نَفْسِهِ فَمَا أَسْوَأَ حَالَهُ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «أَيُّمَا اِمْرَأَةٍ آذَتْ زَوْجَهَا بِلِسَانِهَا لَمْ يَقْبَلِ اَللَّهُ عَزَّ وَ جَلَّ مِنْهَا صَرْفاً وَ لاَ عَدْلاً وَ لاَ حَسَنَةً مِنْ عَمَلِهَا حَتَّى تُرْضِيَهُ وَ إِنْ صَامَتْ نَهَارَهَا وَ قَامَتْ لَيْلَهَا وَ أَعْتَقَتِ اَلرِّقَابَ وَ حَمَلَتْ عَلَى جِيَادِ اَلْخَيْلِ فِي سَبِيلِ اَللَّهِ وَ كَانَتْ فِي أَوَّلِ مَنْ يَرِدُ اَلنَّارَ وَ كَذَلِكَ اَلرَّجُلُ إِذَا كَانَ لَهَا ظَالِماً أَلاَ وَ مَنْ لَطَمَ خَدَّ اِمْرِئٍ مُسْلِمٍ أَوْ وَجْهَهُ بَدَّدَ اَللَّهُ عِظَامَهُ يَوْمَ اَلْقِيَامَةِ وَ حُشِرَ مَغْلُولاً حَتَّى يَدْخُلَ جَهَنَّمَ إِلاَّ أَنْ يَتُوبَ وَ مَنْ بَاتَ وَ فِي قَلْبِهِ غِشٌّ لِأَخِيهِ اَلْمُسْلِمِ بَاتَ فِي سَخَطِ اَللَّهِ وَ أَصْبَحَ كَذَلِكَ حَتَّى يَتُوبَ» وَ نَهَى عَنِ اَلْغِيبَةِ وَ قَالَ «مَنِ اِغْتَابَ اِمْرَأً مُسْلِماً بَطَلَ صَوْمُهُ وَ نُقِضَ وُضُوؤُهُ وَ جَاءَ يَوْمَ اَلْقِيَامَةِ تَفُوحُ مِنْ فِيهِ رَائِحَةٌ أَنْتَنُ مِنَ اَلْجِيفَةِ يَتَأَذَّى بِهَا أَهْلُ اَلْمَوْقِفِ فَإِنْ مَاتَ قَبْلَ أَنْ يَتُوبَ مَاتَ مُسْتَحِلاً لِمَا حَرَّمَ اَللَّهُ عَزَّ وَ جَلَّ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ كَظَمَ غَيْظاً وَ هُوَ قَادِرٌ عَلَى إِنْفَاذِهِ وَ حَلُمَ عَنْهُ أَعْطَاهُ اَللَّهُ أَجْرَ شَهِيدٍ أَلاَ وَ مَنْ تَطَوَّلَ عَلَى أَخِيهِ فِي غِيبَةٍ سَمِعَهَا فِيهِ فِي مَجْلِسٍ فَرَدَّهَا عَنْهُ رَدَّ اَللَّهُ عَنْهُ أَلْفَ بَابٍ مِنَ اَلشَّرِّ فِي اَلدُّنْيَا وَ اَلْآخِرَةِ فَإِنْ هُوَ لَمْ يَرُدَّهَا وَ هُوَ قَادِرٌ عَلَى رَدِّهَا كَانَ عَلَيْهِ كَوِزْرِ مَنِ اِغْتَابَهُ سَبْعِينَ مَرَّةً» وَ نَهَى رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ عَنِ اَلْخِيَانَةِ وَ قَالَ «مَنْ خَانَ أَمَانَةً فِي اَلدُّنْيَا وَ لَمْ يَرُدَّهَا إِلَى أَهْلِهَا ثُمَّ أَدْرَكَهُ اَلْمَوْتُ مَاتَ عَلَى غَيْرِ مِلَّتِي وَ يَلْقَى اَللَّهَ وَ هُوَ عَلَيْهِ غَضْبَانُ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ شَهِدَ شَهَادَةَ زُورٍ عَلَى أَحَدٍ مِنَ اَلنَّاسِ عُلِّقَ بِلِسَانِهِ مَعَ اَلْمُنَافِقِينَ «فِي اَلدَّرْكِ اَلْأَسْفَلِ مِنَ اَلنَّارِ »

وَ مَنِ اِشْتَرَى خِيَانَةً وَ هُوَ يَعْلَمُ فَهُوَ كَالَّذِي خَانَهَا وَ مَنْ حَبَسَ عَنْ أَخِيهِ اَلْمُسْلِمِ شَيْئاً مِنْ حَقِّهِ حَرَّمَ اَللَّهُ عَلَيْهِ بَرَكَةَ اَلرِّزْقِ إِلاَّ أَنْ يَتُوبَ أَلاَ وَ مَنْ سَمِعَ فَاحِشَةً فَأَفْشَاهَا فَهُوَ كَالَّذِي أَتَاهَا وَ مَنِ اِحْتَاجَ إِلَيْهِ أَخُوهُ اَلْمُسْلِمُ فِي قَرْضٍ وَ هُوَ يَقْدِرُ عَلَيْهِ فَلَمْ يَفْعَلْ حَرَّمَ اَللَّهُ عَلَيْهِ رِيحَ اَلْجَنَّةِ أَلاَ وَ مَنْ صَبَرَ عَلَى خُلُقِ اِمْرَأَةٍ سَيِّئَةِ اَلْخُلُقِ وَ اِحْتَسَبَ فِي ذَلِكَ اَلْأَجْرَ أَعْطَاهُ اَللَّهُ ثَوَابَ اَلشَّاكِرِينَ أَلاَ وَ أَيُّمَا اِمْرَأَةٍ لَمْ تَرْفُقْ بِزَوْجِهَا وَ حَمَلَتْهُ عَلَى مَا لاَ يَقْدِرُ عَلَيْهِ وَ مَا لاَ يُطِيقُ لَمْ يَقْبَلِ اَللَّهُ مِنْهَا حَسَنَةً وَ تَلْقَى اَللَّهَ عَزَّ وَ جَلَّ وَ هُوَ عَلَيْهَا غَضْبَانُ أَلاَ وَ مَنْ أَكْرَمَ أَخَاهُ اَلْمُسْلِمَ فَإِنَّمَا يُكْرِمُ اَللَّهَ عَزَّ وَ جَلَّ» وَ نَهَى رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَنْ يَؤُمَّ اَلرَّجُلُ قَوْماً إِلاَّ بِإِذْنِهِمْ وَ قَالَ «مَنْ أَمَّ قَوْماً بِإِذْنِهِمْ وَ هُمْ بِهِ رَاضُونَ فَاقْتَصَدَ بِهِمْ فِي حُضُورِهِ وَ أَحْسَنَ صَلاَتَهُ بِقِيَامِهِ وَ قِرَاءَتِهِ وَ رُكُوعِهِ وَ سُجُودِهِ وَ قُعُودِهِ فَلَهُ مِثْلُ أَجْرِ اَلْقَوْمِ وَ لاَ يُنْقَصُ مِنْ أُجُورِهِمْ شَيْءٌ »

وَ قَالَ «مَنْ مَشَى إِلَى ذِي قَرَابَةٍ بِنَفْسِهِ وَ مَالِهِ لِيَصِلَ رَحِمَهُ أَعْطَاهُ اَللَّهُ عَزَّ وَ جَلَّ أَجْرَ مِائَةِ شَهِيدٍ وَ لَهُ بِكُلِّ خُطْوَةٍ أَرْبَعُونَ أَلْفَ حَسَنَةٍ وَ مُحِيَ عَنْهُ أَرْبَعُونَ أَلْفَ سَيِّئَةٍ وَ رُفِعَ لَهُ مِنَ اَلدَّرَجَاتِ مِثْلُ ذَلِكَ وَ كَانَ كَأَنَّمَا عَبَدَ اَللَّهَ عَزَّ وَ جَلَّ مِائَةَ سَنَةٍ صَابِراً مُحْتَسِباً وَ مَنْ كَفَى ضَرِيراً حَاجَةً مِنْ حَوَائِجِ اَلدُّنْيَا وَ مَشَى لَهُ فِيهَا حَتَّى يَقْضِيَ اَللَّهُ لَهُ حَاجَتَهُ أَعْطَاهُ اَللَّهُ بَرَاءَةً مِنَ اَلنِّفَاقِ وَ بَرَاءَةً مِنَ اَلنَّارِ وَ قَضَى لَهُ سَبْعِينَ حَاجَةً مِنْ حَوَائِجِ اَلدُّنْيَا وَ لاَ يَزَالُ يَخُوضُ

فِي رَحْمَةِ اَللَّهِ عَزَّ وَ جَلَّ حَتَّى يَرْجِعَ وَ مَنْ مَرِضَ يَوْماً وَ لَيْلَةً فَلَمْ يَشْكُ إِلَى عُوَّادِهِ بَعَثَهُ اَللَّهُ عَزَّ وَ جَلَّ يَوْمَ اَلْقِيَامَةِ مَعَ خَلِيلِهِ إِبْرَاهِيمَ خَلِيلِ اَلرَّحْمَنِ عَلَيْهِ اَلسَّلاَمُ حَتَّى يَجُوزَ اَلصِّرَاطَ كَالْبَرْقِ اللاَّمِعِ وَ مَنْ سَعَى لِمَرِيضٍ فِي حَاجَةٍ قَضَاهَا أَوْ لَمْ يَقْضِهَا خَرَجَ مِنْ ذُنُوبِهِ كَيَوْمَ وَلَدَتْهُ أُمُّهُ» فَقَالَ رَجُلٌ مِنَ اَلْأَنْصَارِ بِأَبِي أَنْتَ وَ أُمِّي يَا رَسُولَ اَللَّهِ فَإِنْ كَانَ اَلْمَرِيضُ مِنْ أَهْلِ بَيْتِهِ أَ وَ لَيْسَ ذَلِكَ أَعْظَمَ أَجْراً إِذَا سَعَى فِي حَاجَةِ أَهْلِ بَيْتِهِ قَالَ «نَعَمْ أَلاَ وَ مَنْ فَرَّجَ عَنْ مُؤْمِنٍ كُرْبَةً مِنْ كُرَبِ اَلدُّنْيَا فَرَّجَ اَللَّهُ عَنْهُ اِثْنَتَيْنِ وَ سَبْعِينَ كُرْبَةً مِنْ كُرَبِ اَلْآخِرَةِ وَ اِثْنَتَيْنِ وَ سَبْعِينَ كُرْبَةً مِنْ كُرَبِ اَلدُّنْيَا أَهْوَنُهَا اَلْمَغْصُ» وَ قَالَ «مَنْ يَمْطُلْ عَلَى ذِي حَقٍّ حَقَّهُ وَ هُوَ يَقْدِرُ عَلَى أَدَاءِ حَقِّهِ فَعَلَيْهِ كُلَّ يَوْمٍ خَطِيئَةُ عَشَّارٍ أَلاَ وَ مَنْ عَلَّقَ سَوْطاً بَيْنَ يَدَيْ سُلْطَانٍ جَائِرٍ جَعَلَ اَللَّهُ ذَلِكَ اَلسَّوْطَ يَوْمَ اَلْقِيَامَةِ ثُعْبَاناً مِنْ نَارٍ طُولُهُ سَبْعُونَ ذِرَاعاً يُسَلِّطُهُ اَللَّهُ عَلَيْهِ فِي نَارِ « جَهَنَّمَ وَ بِئْسَ اَلْمَصِيرُ» وَ مَنِ اِصْطَنَعَ إِلَى أَخِيهِ مَعْرُوفاً فَامْتَنَّ بِهِ أَحْبَطَ اَللَّهُ عَمَلَهُ وَ ثَبَّتَ وِزْرَهُ وَ لَمْ يَشْكُرْ لَهُ سَعْيَهُ» ثُمَّ قَالَ عَلَيْهِ اَلسَّلاَمُ «يَقُولُ اَللَّهُ عَزَّ وَ جَلَّ «حَرَّمْتُ اَلْجَنَّةَ عَلَى اَلْمَنَّانِ وَ اَلْبَخِيلِ وَ اَلْقَتَّاتِ وَ هُوَ اَلنَّمَّامُ» أَلاَ وَ مَنْ تَصَدَّقَ بِصَدَقَةٍ فَلَهُ بِوَزْنِ كُلِّ دِرْهَمٍ مِثْلُ جَبَلِ أُحُدٍ مِنْ نَعِيمِ اَلْجَنَّةِ وَ مَنْ مَشَى بِصَدَقَةٍ إِلَى مُحْتَاجٍ كَانَ لَهُ كَأَجْرِ صَاحِبِهَا مِنْ غَيْرِ أَنْ يُنْقَصَ مِنْ أَجْرِهِ شَيْءٌ وَ مَنْ صَلَّى عَلَى مَيِّتٍ صَلَّى عَلَيْهِ سَبْعُونَ أَلْفَ مَلَكٍ وَ غَفَرَ اَللَّهُ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ وَ مَا تَأَخَّرَ فَإِنْ أَقَامَ حَتَّى يُدْفَنَ وَ يُحْثَى عَلَيْهِ اَلتُّرَابُ كَانَ لَهُ بِكُلِّ قَدَمٍ نَقَلَهَا قِيرَاطٌ مِنَ اَلْأَجْرِ وَ اَلْقِيرَاطُ مِثْلُ جَبَلِ أُحُدٍ أَلاَ وَ مَنْ ذَرَفَتْ عَيْنَاهُ مِنْ خَشْيَةِ اَللَّهِ عَزَّ وَ جَلَّ كَانَ لَهُ بِكُلِّ قَطْرَةٍ قَطَرَتْ مِنْ دُمُوعِهِ قَصْرٌ فِي اَلْجَنَّةِ مُكَلَّلاً بِالدُّرِّ وَ اَلْجَوْهَرِ فِيهِ مَا لاَ عَيْنٌ رَأَتْ وَ لاَ أُذُنٌ سَمِعَتْ وَ لاَ خَطَرَ عَلَى قَلْبِ بَشَرٍ أَلاَ وَ مَنْ مَشَى إِلَى مَسْجِدٍ يَطْلُبُ فِيهِ اَلْجَمَاعَةَ كَانَ لَهُ بِكُلِّ خُطْوَةٍ سَبْعُونَ أَلْفَ حَسَنَةٍ وَ يُرْفَعُ لَهُ مِنَ اَلدَّرَجَاتِ مِثْلُ ذَلِكَ فَإِنْ مَاتَ وَ هُوَ عَلَى ذَلِكَ وَكَّلَ اَللَّهُ عَزَّ وَ جَلَّ بِهِ سَبْعِينَ أَلْفَ مَلَكٍ يَعُودُونَهُ فِي قَبْرِهِ وَ يُبَشِّرُونَهُ وَ يُؤْنِسُونَهُ فِي وَحْدَتِهِ وَ يَسْتَغْفِرُونَ لَهُ حَتَّى يُبْعَثَ أَلاَ وَ مَنْ أَذَّنَ مُحْتَسِباً يُرِيدُ بِذَلِكَ وَجْهَ اَللَّهِ عَزَّ وَ جَلَّ أَعْطَاهُ اَللَّهُ ثَوَابَ أَرْبَعِينَ أَلْفَ شَهِيدٍ وَ أَرْبَعِينَ أَلْفَ صِدِّيقٍ وَ يَدْخُلُ فِي شَفَاعَتِهِ أَرْبَعُونَ أَلْفَ مُسِيءٍ مِنْ أُمَّتِي إِلَى اَلْجَنَّةِ أَلاَ وَ إِنَّ اَلْمُؤَذِّنَ إِذَا قَالَ -: أَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اَللَّهُ صَلَّى عَلَيْهِ سَبْعُونَ أَلْفَ مَلَكٍ وَ يَسْتَغْفِرُونَ لَهُ وَ كَانَ يَوْمَ اَلْقِيَامَةِ فِي ظِلِّ اَلْعَرْشِ حَتَّى يَفْرُغَ اَللَّهُ مِنْ حِسَابِ اَلْخَلاَئِقِ وَ يَكْتُبَ لَهُ ثَوَابَ قَوْلِهِ: أَشْهَدُ أَنَّ مُحَمَّداً رَسُولُ اَللَّهِ أَرْبَعُونَ أَلْفَ مَلَكٍ وَ مَنْ حَافَظَ عَلَى اَلصَّفِّ اَلْأَوَّلِ وَ اَلتَّكْبِيرَةِ اَلْأُولَى لاَ يُؤْذِي مُسْلِماً أَعْطَاهُ اَللَّهُ مِنَ اَلْأَجْرِ مَا يُعْطَى اَلْمُؤَذِّنُونَ فِي اَلدُّنْيَا وَ اَلْآخِرَةِ أَلاَ وَ مَنْ تَوَلَّى عِرَافَةَ قَوْمٍ أُتِيَ يَوْمَ اَلْقِيَامَةِ وَ يَدَاهُ مَغْلُولَتَانِ إِلَى عُنُقِهِ فَإِنْ قَامَ فِيهِمْ بِأَمْرِ اَللَّهِ عَزَّ وَ جَلَّ أَطْلَقَهُ اَللَّهُ وَ إِنْ كَانَ ظَالِماً هُوِيَ بِهِ فِي نَارِ « جَهَنَّمَ وَ بِئْسَ اَلْمَصِيرُ» » وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «لاَ تُحَقِّرُوا شَيْئاً مِنَ اَلشَّرِّ وَ إِنْ صَغُرَ فِي أَعْيُنِكُمْ وَ لاَ تَسْتَكْثِرُوا شَيْئاً مِنَ اَلْخَيْرِ وَ إِنْ كَبُرَ فِي أَعْيُنِكُمْ فَإِنَّهُ لاَ كَبِيرَةَ مَعَ اَلاِسْتِغْفَارِ وَ لاَ صَغِيرَةَ مَعَ اَلْإِصْرَارِ». قَالَ شُعَيْبُ بْنُ وَاقِدٍ سَأَلْتُ اَلْحُسَيْنَ بْنَ زَيْدٍ عَنْ طُولِ هَذَا اَلْحَدِيثِ فَقَالَ حَدَّثَنِي جَعْفَرُ بْنُ مُحَمَّدِ بْنِ عَلِيِّ بْنِ اَلْحُسَيْنِ بْنِ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ جَمَعَ هَذَا اَلْحَدِيثَ مِنَ اَلْكِتَابِ اَلَّذِي هُوَ إِمْلاَءُ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَ خَطُّ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ بِيَدِهِ.

H.4968 - Abu Ja'far Muhammad ibn Al-Husayn ibn Musa ibn Babawayh Al-Qummi, the jurist residing in Rayy and the author of this book (may Allah {SWT} be pleased with him and grant him His {SWT} satisfaction), narrated from Shu'ayb ibn Waqid, from Al-Husayn ibn Zayd, from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, from his forefathers, from Commander of the Faithful Imam Ali ibn Abi Talib {a.s}, who said:

"The Messenger of Allah {SWT} (peace be upon him and his family) forbade eating while in a state of major ritual impurity (janabah)" and said: “It leads to poverty."

He {saws} also forbade trimming the nails with teeth, using the miswak (tooth-stick) in the bathhouse, and spitting in the mosques.

He {saws} forbade eating (drinking) the leftovers of a mouse and said: “Do not make the mosques pathways; rather, pray two units of prayer in them before passing through."

He {saws} prohibited urinating under fruit-bearing trees or on public roads.

He {saws} forbade a person from eating with his left hand and from eating while reclining.

He {saws} forbade plastering graves and praying upon them.

He {saws} said: “If one of you bathes in an open area, let him guard his private parts, and do not drink water from the handle of a container, for it is where dirt accumulates."

He {saws} prohibited urinating in stagnant water, saying, "It causes the loss of intellect."

He {saws} forbade walking with only one shoe or putting on shoes while standing.

He {saws} forbade a man from urinating while his private parts are exposed to the sun or the moon.

He {saws} said: “When you enter the place of relieving yourself, avoid facing the qiblah.’"

The Messenger of Allah {SWT} forbade wailing loudly (Al-rannah) during calamities and prohibited lamentation (Al-niyahah) and listening to it.

He {saws} forbade women from following funeral processions.

He {saws} prohibited wiping off anything from the Book of Allah {SWT}, the Mighty and Majestic, with saliva or writing with it.

He {saws} forbade a man from intentionally lying about his dreams and said: "Allah {SWT} will burden him on the Day of Judgment to tie a grain of barley, and he will not be able to do so."

He {saws} prohibited making images and said: "Whoever creates an image, Allah {SWT} will task him on the Day of Judgment to breathe life into it, and he will not be able to do so."

He {saws} forbade burning any living creature with fire.

He {saws} prohibited cursing the rooster and said: "Indeed, it awakens for prayer."

He {saws} forbade a man from interfering in the sale of his Muslim brother.

He {saws} prohibited excessive talking during intimate relations and said: "It results in a child being born mute."

He {saws} said: "Do not leave garbage in your homes overnight. Take it out during the day, for it is the seat of Satan."

The Messenger of Allah {SWT} (peace be upon him and his family) said:

"Let none of you sleep while his hand is unwashed from grease (or impurities). If he does and something harmful happens to him from Satan, he should blame no one but himself."

He {saws} forbade a man from performing istinja (cleaning after relieving oneself) with dung or bones.

He {saws} forbade a woman from leaving her house without her husband's permission. If she does, every angel in the sky and everything she passes from among the jinn and humans will curse her until she returns to her home.

He {saws} forbade a woman from adorning herself for anyone other than her husband, saying: "If she does so, it becomes a right upon Allah {SWT}, the Mighty and Majestic, to burn her in the Fire."

He {saws} prohibited a woman from speaking to a man who is not her husband or a mahram (unmarriageable kin) more than five necessary words.

He {saws} forbade a woman from directly touching another woman without a cloth between them.

He {saws} forbade women from describing their intimate relations with their husbands to other women.

He {saws} prohibited a man from having intimate relations with his wife while facing the Qiblah or on a public road. He {saws} said: "Whoever does so, upon him is the curse of Allah {SWT}, the angels, and all people."

He {saws} forbade a man from saying to another man, "Marry me your sister, and I will marry you mine."

He {saws} prohibited visiting fortune-tellers and said: "Whoever visits one and believes in them has disbelieved in what Allah {SWT} revealed to Muhammad."

He {saws} forbade playing with dice, chess, drums (Al-kubah), and stringed instruments (Al-arṭabah, referring to the lute and oud).

He {saws} forbade backbiting and listening to it, as well as gossiping and listening to it.

He {saws} said: "A tale-bearer will not enter Paradise."

He {saws} forbade accepting invitations to the meals of corrupt individuals.

He {saws} prohibited taking false oaths.

The Messenger of Allah {SWT} (peace be upon him and his family) said:

"Indeed, false oaths leave lands desolate."

And he {saws} said: "Whoever swears a false oath deliberately to unlawfully seize the wealth of a Muslim will meet Allah {SWT}, the Mighty and Majestic, while He {SWT} is angry with him - unless he repents and returns the right."

He {saws} forbade sitting at a table where alcohol is being consumed.

He {saws} prohibited a man from taking his wife into the bathhouse and said: "Let none of you enter the bathhouse without wearing a waistcloth (loincloth)."

He {saws} forbade conversations that lead to anything other than the remembrance of Allah {SWT}, the Mighty and Majestic.

He {saws} prohibited slapping the face and drinking from gold and silver vessels.

He {saws} forbade men from wearing silk, brocade, and fine silk (qazz), though it is permissible for women.

He {saws} forbade selling fruits before they ripen, meaning before they turn yellow or red.

He {saws} prohibited muhaqala, which is selling dates for fresh dates and raisins for grapes or similar transactions.

He {saws} forbade selling dice games (nard) and purchasing or serving alcohol.

He {a.s} said: "May Allah {SWT} curse alcohol, its planter, its presser, its drinker, its server, its seller, its buyer, the one who consumes its price, its carrier, and the one to whom it is carried."

He {a.s} also said: "Whoever drinks it, Allah {SWT} will not accept his prayer for forty days. If he dies with any of it in his stomach, it becomes a right upon Allah {SWT}, the Mighty and Majestic, to make him drink from the mud of filth, which is the pus of the people of Hell and what comes out of the private parts of the adulterers. This mixture will collect in the cauldrons of Hell, and the people of Hell will drink it, causing their insides and skins to melt."

The Messenger of Allah {SWT} (peace be upon him and his family) forbade consuming usury, bearing false witness, and writing contracts involving usury.

He {saws} said: "Indeed, Allah {SWT}, the Mighty and Majestic, has cursed the one who consumes usury, the one who pays it, the one who records it, and its two witnesses."

He {saws} forbade combining a sale with a loan and prohibited two sales in one transaction.

He {saws} forbade selling what one does not possess and selling what has not been guaranteed.

He {saws} prohibited shaking hands with a non-Muslim under a protection pact (dhimmi).

He {saws} forbade reciting poetry or announcing lost items in the mosque.

He {saws} prohibited drawing swords in the mosque.

He {saws} forbade striking animals on their faces.

He {saws} prohibited a man from looking at the private parts of his Muslim brother and said:

"Whoever intentionally looks at the private parts of his Muslim brother, seventy thousand angels will curse him."

He {saws} forbade a woman from looking at the private parts of another woman.

He {saws} prohibited blowing into food or drink and blowing on the place of prostration.

He {saws} forbade praying in graveyards, on pathways, at mills, in valleys, at camel enclosures, and on the roof of the Kaaba.

He {saws} prohibited killing bees and branding animals on their faces.

He {saws} forbade swearing an oath by anything other than Allah {SWT} and said:

"Whoever swears by anything other than Allah {SWT} is not connected to Allah {SWT} in any way."

He {saws} prohibited swearing by a chapter (Surah) of the Book of Allah {SWT} and said:

"Whoever swears by a Surah from the Book of Allah {SWT}, for every verse in it, there is an expiation for the oath. Whoever wishes may fulfill it, and whoever wishes may break it."

The Messenger of Allah {SWT} (peace be upon him and his family) forbade a man from saying to another, "No, by your life" or "by the life of so-and-so."

He {saws} prohibited a man from sitting in the mosque while in a state of major ritual impurity (janabah).

He {saws} forbade exposing oneself naked during the night or day.

He {saws} prohibited cupping (hijama) on Wednesdays and Fridays.

He {saws} forbade speaking while the Imam is delivering the Friday sermon and said: "Whoever does so has engaged in idle talk, and whoever engages in idle talk, his Friday prayer is void."

He {saws} prohibited wearing rings made of brass or iron and forbade engraving images of living creatures on rings.

He {saws} forbade performing prayer at sunrise, sunset, and when the sun is at its zenith.

He {saws} prohibited fasting on six specific days: the Day of Eid Al-Fitr, the Day of Doubt (the 30th of Sha'ban when uncertain if Ramadan has begun), the Day of Eid Al-Adha, and the Days of Tashreeq (the three days following Eid Al-Adha).

He {saws} forbade drinking water in the manner of animals and said: "Drink with your hands, for it is the best of your vessels."

He {saws} prohibited spitting into a well from which water is drawn for drinking.

He {saws} forbade hiring a worker without first agreeing on his wage.

He {saws} prohibited severing ties and said: "Whoever must do so should not abandon his brother for more than three days. Whoever abandons his brother for more than that, the Fire will be more deserving of him."

The Messenger of Allah {SWT} (peace be upon him and his family) forbade selling gold for gold with any increase, except when it is weight for weight.

He {saws} prohibited excessive praise and said: "Throw dust in the faces of those who excessively praise others."

He {saws} also said: "Whoever supports the argument of a wrongdoer or assists him, when the Angel of Death comes to him, it will be said to him: 'Receive the glad tidings of Allah's {SWT} curse and the Fire of Hell, and what a terrible destination!'"

He {saws} said: "Whoever praises a tyrannical ruler or humbles himself before him out of greed will be his companion in the Fire."

The Messenger of Allah {SWT} (peace be upon him and his family) also said: "Allah {SWT}, the Mighty and Majestic, says: 'Do not incline towards the wrongdoers, lest the Fire touch you.'"

He {saws} said: "Whoever supports an oppressor in his oppression will be the companion of Haman (the advisor of Pharaoh) in Hell. And whoever builds a structure for show and reputation will be burdened with it on the Day of Judgment, carried from the seventh layer of the earth while it blazes with fire. It will then be placed around his neck and he will be thrown into the Fire, where nothing will stop him from reaching its depths unless he repents."

It was asked: "O' Messenger of Allah {SWT}, how does one build (for) show and reputation?"

He {saws} replied: "By constructing more than what is necessary for him, to boast over his neighbours and to show off to his brothers."

He {saws} also said: "Whoever wrongs a worker by withholding his due wages, Allah {SWT} will nullify his deeds and forbid him from the fragrance of Paradise, and indeed, its fragrance is detected from a distance of five hundred years."

"Whoever betrays his neighbour over a handspan of land, Allah {SWT} will place it as a collar around his neck from the lowest depths of the earth until he meets Allah {SWT} on the Day of Judgment, unless he repents and turns back."

"Beware! Whoever learns the Qur'an and then forgets it will meet Allah {SWT} on the Day of Judgment shackled, and for every verse he forgot, Allah {SWT}, the Mighty and Majestic, will assign a snake as his companion leading him to Hell, unless Allah {SWT} forgives him."

He {saws} also said: "Whoever recites the Qur'an and then drinks alcohol or prefers the love of this world and its adornments over it, the wrath of Allah {SWT} becomes obligatory upon him, unless he repents. Beware! If he dies without repenting, the Qur'an will argue against him on the Day of Judgment and will not leave him until it defeats him."

"Beware! Whoever commits adultery with a Muslim woman, or a Jewish, Christian, or Magian woman, whether free or a slave, and does not repent before death, Allah {SWT} will open for him in his grave three hundred doors from which snakes, scorpions, and the serpents of the Fire will enter, burning him until the Day of Judgment. When he is resurrected from his grave, people will be harmed by the stench of his odor, and he will be recognized by this and his evil deeds in the worldly life until he is commanded to be thrown into the Fire."

"Beware! Indeed, Allah {SWT}, the Mighty and Majestic, has forbidden what is unlawful and set limits. No one is more protective (ghayoor) than Allah {SWT}, and out of His {SWT} protectiveness, He {SWT} has forbidden immoralities."

The Messenger of Allah {SWT} (peace be upon him and his family) forbade a man from peeking into his neighbor's house and said:

"Whoever intentionally looks at the private parts of his Muslim brother or at those not permissible for him to see, Allah {SWT} the Exalted will place him among the hypocrites who used to search for people's faults. He will not leave this world until Allah {SWT} disgraces him - unless he repents."

He {saws} also said: "Whoever is not content with what Allah {SWT} has allotted for him in sustenance, complains about it, does not show patience, and does not seek reward from Allah {SWT}, none of his good deeds will be accepted, and he will meet Allah {SWT}, the Mighty and Majestic, while He {SWT} is angry with him - unless he repents."

He {saws} forbade arrogance in walking and said: "Whoever wears a garment and walks arrogantly in it, Allah {SWT} will cause him to sink from the edge of Hell, and he will be the companion of Qarun (Korah), for he was the first to act arrogantly, and Allah {SWT} caused the earth to swallow him and his home. Whoever behaves arrogantly has indeed challenged Allah {SWT}, the Mighty and Majestic, in His {SWT} supreme authority."

He {saws} also said: "Whoever wrongs a woman regarding her dowry is considered by Allah {SWT} as an adulterer. Allah {SWT}, the Mighty and Majestic, will say to him on the Day of Judgment:

'My servant, I married you to My maidservant on My covenant, but you did not fulfill My covenant and wronged My maidservant.' Her due will be taken from his good deeds and given to her according to what she is owed. If he has no more good deeds, he will

be commanded to enter the Fire for breaking the covenant, for 'Indeed, the covenant will be questioned about.'"

The Messenger of Allah {SWT} (peace be upon him and his family) forbade concealing testimony and said: "Whoever conceals it, Allah {SWT} will make him eat his own flesh in front of all creation. This is in accordance with Allah's {SWT} saying:

'And do not conceal testimony, for whoever conceals it - his heart is sinful, and Allah {SWT} is Knowing of what you do.'" (Surah Al-Baqarah 2:283)

He {saws} also said: "Whoever harms his neighbour, Allah {SWT} will forbid him from the fragrance of Paradise, 'and his abode will be Hell, and what a miserable destination.' Whoever neglects the rights of his neighbour is not from us.

Archangel Jibril {a.s} continued to advise me regarding the neighbour until I thought he would make him an heir.

He (Jibril {a.s}) kept advising me about slaves until I thought a time would be set when they would automatically be freed.

He (Jibril {a.s}) kept advising me about the use of the toothstick (siwak) until I thought it would be made obligatory.

He (Jibril {a.s}) kept advising me about praying at night until I thought the best of my nation would never sleep."

"Beware! Whoever belittles a poor Muslim has belittled the right of Allah {SWT}, and Allah {SWT} will belittle him on the Day of Judgment unless he repents."

He {saws} also said: "Whoever honors a poor Muslim will meet Allah {SWT}, the Mighty and Majestic, on the Day of Judgment while He {SWT} is pleased with him."

"Whoever is faced with an indecent act or desire and refrains from it out of fear of Allah {SWT}, the Mighty and Majestic, Allah {SWT} will forbid the Fire upon him, grant him safety from the greatest terror, and fulfill for him what He {SWT} promised in His Book in His {SWT} saying:

'But for he who has feared the standing before his Lord {AZJ} are two gardens.'"

(Surah Ar-Rahman 55:46)

"Beware! Whoever is presented with the choice between this world and the Hereafter and chooses the world over the Hereafter will meet Allah {SWT} on the Day of Judgment without a single good deed to shield him from the Fire. But whoever chooses the Hereafter over this world and abandons worldly desires, Allah {SWT} will be pleased with him and will forgive his past misdeeds."

"Whoever fills his eyes with what is forbidden, Allah {SWT} will fill his eyes with fire on the Day of Judgment - unless he repents and turns back."

The Messenger of Allah {SWT}, peace be upon him and his family, also said:

"Whoever shakes hands with a woman who is unlawful for him has indeed incurred the wrath of Allah {SWT}, the Mighty and Majestic. And whoever embraces a forbidden woman will be chained with a shackle of fire alongside a devil, and both will be cast into the Fire."

"Whoever cheats a Muslim in buying or selling is not from us and will be resurrected on the Day of Judgment with the Jews, for they are the most deceitful people towards Muslims."

The Messenger of Allah {SWT} (peace be upon him and his family) forbade anyone from withholding necessary items (ma'oon) from his neighbour and said:

"Whoever withholds useful items from his neighbour, Allah {SWT} will withhold His {SWT} goodness from him on the Day of Judgment and will leave him to his own self. And whoever is left to his own self - how miserable will be his state!"

The Messenger of Allah {SWT}, peace be upon him and his family, said:

"Any woman who harms her husband with her tongue, Allah {SWT}, the Mighty and Majestic, will not accept any obligatory or voluntary acts of worship from her until she pleases him. Even if she fasts during the day, prays during the night, frees slaves, and spends in the way of Allah {SWT} by supporting horses for jihad, she will still be among the first to enter the Fire - unless she seeks his satisfaction. Likewise, the same applies to a man if he wrongs his wife."

"Beware! Whoever slaps the cheek or face of a Muslim, Allah {SWT} will scatter his bones on the Day of Judgment, and he will be resurrected in chains until he is thrown into Hell - unless he repents."

"Whoever sleeps with malice in his heart towards his Muslim brother, he sleeps under the wrath of Allah {SWT} and will awaken in the same state until he repents."

He {saws} also forbade backbiting and said: "Whoever backbites a Muslim, his fast becomes void, his ablution is invalidated, and he will come on the Day of Judgment with a stench emanating from his mouth more foul than that of a decaying corpse, causing discomfort to the people at the gathering. If he dies before repenting, he dies considering lawful what Allah {SWT}, the Mighty and Majestic, has forbidden."

The Messenger of Allah {SWT}, peace be upon him and his family, said:

"Whoever suppresses his anger while being capable of acting upon it and chooses patience, Allah {SWT} will grant him the reward of a martyr."

"Beware! Whoever defends his brother in his absence when he hears someone backbiting him in a gathering, Allah {SWT} will turn away from him a thousand doors of harm in this world and the Hereafter. But if he does not defend him while being capable of doing so, he will bear the sin of backbiting seventy times."

The Messenger of Allah {SWT} (peace be upon him and his family) also forbade betrayal and said:

"Whoever betrays a trust in this world and does not return it to its rightful owner, then death overtakes him, he will die outside of my faith and will meet Allah {SWT} while He is angry with him."

He {saws} further said: "Whoever gives false testimony against someone will be hung by his tongue among the hypocrites in the lowest depths of Hell."

The Messenger of Allah {SWT}, peace be upon him and his family, said: "Whoever purchases something that was acquired through betrayal, knowing its origin, is like the one who committed the betrayal."

"Whoever withholds a rightful due from his Muslim brother, Allah {SWT} will deprive him of the blessings of sustenance - unless he repents."

"Beware! Whoever hears of an indecent act and spreads it is like the one who committed it."

"Whoever's Muslim brother is in need of a loan and he has the means but refuses to help, Allah {SWT} will forbid him from the fragrance of Paradise."

"Beware! Whoever patiently endures the bad character of his wife and seeks reward for it, Allah {SWT} will grant him the reward of the grateful ones."

"Beware! Any woman who does not treat her husband kindly and burdens him with what he cannot bear or handle, Allah {SWT} will not accept any of her good deeds, and she will meet Allah {SWT} while He is angry with her."

"Beware! Whoever honors his Muslim brother is indeed honoring Allah {SWT}, the Mighty and Majestic."

The Messenger of Allah {SWT} (peace be upon him and his family) also forbade a man from leading a group in prayer without their permission and said:

"Whoever leads a group in prayer with their permission, and they are pleased with him, and he is moderate in leading them - perfecting his prayer with proper standing, recitation, bowing, prostration, and sitting - will receive a reward equal to theirs, without their reward being diminished in the least."

The Messenger of Allah {SWT} (peace be upon him and his family) said:

"Whoever goes to visit a relative, using himself and his wealth to maintain family ties, Allah {SWT}, the Mighty and Majestic, will grant him the reward of one hundred martyrs. For every step he takes, he will receive forty thousand good deeds, forty thousand sins will be erased from him, and his rank will be elevated by forty thousand degrees. It will be as if he worshiped Allah {SWT} for one hundred years with patience and seeking reward."

"Whoever fulfills the need of a blind person from the needs of this world and walks with him until Allah {SWT} fulfills his need, Allah {SWT} will grant him freedom from hypocrisy and freedom from the Fire, fulfill seventy of his worldly needs, and he will continue to be immersed in Allah's {SWT} mercy until he returns."

"Whoever falls ill for a day and night and does not complain to his visitors, Allah {SWT} will raise him on the Day of Judgment with His close friend, Ibrahim, the Friend of the Most Merciful {a.s}, allowing him to cross the bridge (Sirat) like a flashing lightning bolt."

"Whoever strives to fulfill the need of a sick person - whether he completes it or not - will leave his sins as pure as the day his mother gave birth to him."

A man from the Ansar said: "May my father and mother be sacrificed for you, O' Messenger of Allah {SWT}! If the sick person is from his own household, isn't that more rewarding when he strives to fulfill their need?"

The Messenger of Allah {SWT} (peace be upon him and his family) replied: "Yes! Indeed, whoever relieves a believer of a worldly hardship, Allah {SWT} will relieve him of seventy-two hardships in the Hereafter and seventy-two hardships in this world, the least of which is Abdominal pain."

The Messenger of Allah {SWT} (peace be upon him and his family) said:

"Whoever delays giving the due right to someone while being capable of fulfilling it, every day that passes upon him will be recorded as the sin of a tax collector (oppressor)."

"Beware! Whoever hangs a whip before a tyrannical ruler (to intimidate others), Allah {SWT} will turn that whip into a serpent of fire on the Day of Judgment, seventy cubits long, which Allah {SWT} will unleash upon him in the Fire of Hell - and what a terrible destination!"

"Whoever does a good deed for his brother but then reminds him of it (to boast), Allah {SWT} will nullify his good deed, record his sin, and will not reward him for his effort."

Then he (peace be upon him and his family) said:

"Allah {SWT}, the Mighty and Majestic, says: 'I have forbidden Paradise to the one who reminds others of his favors, the miser, and the tale-bearer (slanderer).'"

The Messenger of Allah {SWT} (peace be upon him and his family) said:

"Indeed, whoever gives charity, for every dirham he donates, he will receive in return the equivalent of Mount Uhud from the blessings of Paradise. And whoever personally delivers charity to a needy person will have the same reward as the giver, without the giver's reward being diminished in the slightest."

"Whoever offers the funeral prayer (Salat Al-Janazah) for a deceased person, seventy thousand angels will pray for him, and Allah {SWT} will forgive his past and future sins. If he remains until the deceased is buried and the earth is placed over him, for every step he takes, he will earn a qirat of reward, and one qirat is like Mount Uhud."

"Whoever sheds tears out of fear of Allah {SWT}, for every drop of his tears, Allah {SWT} will build for him a palace in Paradise adorned with pearls and jewels, filled with what no eye has seen, no ear has heard, and no mind has imagined."

"Whoever walks to the mosque seeking to join the congregation, for every step he takes, seventy thousand good deeds will be recorded for him, and his rank will be raised by the same number. If he dies in this state, Allah {SWT} will appoint seventy thousand angels to visit him in his grave, to give him glad tidings, comfort him in his loneliness, and seek forgiveness for him until he is resurrected."

"Whoever calls the Adhan (the call to prayer) sincerely, seeking Allah's {SWT} pleasure, Allah {SWT} will reward him with the reward of forty thousand martyrs and forty thousand truthful ones (siddeeqin), and through his intercession, forty thousand sinners from my nation will enter Paradise."

The Messenger of Allah {SWT} (peace be upon him and his family) said:

"Whoever says: 'I bear witness that there is no God but Allah {SWT},' seventy thousand angels will send blessings upon him and seek forgiveness for him. On the Day of Judgment, he will be under the shade of the Throne until Allah {SWT} completes the reckoning of all creation. And whoever says: 'I bear witness that Muhammad is the Messenger of Allah {SWT},' forty thousand angels will write the reward for his statement."

"Whoever maintains the first row (in prayer) and safeguards the first Takbir (opening declaration of prayer) without harming any Muslim, Allah {SWT} will grant him the reward equal to that of the callers to prayer (Mu'adhins) in this world and the hereafter."

"Whoever takes responsibility over a group of people (leadership) will be brought on the Day of Judgment with his hands chained to his neck. If he governed them according to Allah's {SWT} command, Allah {SWT} will release him. But if he ruled unjustly, he will be cast into the Fire of Hell, and what an evil destination it is."

The Prophet (peace be upon him and his family) also said: "Do not belittle any act of evil, even if it seems small in your eyes, and do not think lightly of any act of goodness, even if it appears great in your eyes. For there is no major sin with repentance, and no minor sin with persistence."

Shuayb ibn Waqid said: "I asked Husayn ibn Zayd about the length of this narration, and he replied: ' Imam Jafar ibn Muhammad Al-Sadiq {a.s} ibn Muhammad ibn Ali ibn Al-Husayn ibn Ali ibn Abi Talib {a.s} narrated to me that Imam {a.s} compiled this narration from the book that was dictated by the Messenger of Allah {SWT} (peace be upon him and his family) and written in the handwriting of Imam Ali ibn Abi Talib {a.s}.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.3 • Al-Amali (Lil-Saduq), Vol.1 p.422 • Makarim Al-Akhlaq, Vol.1 p.424 • Majmu'at Warram, Vol.2 p.256 • Al-Wafi, Vol.5 p.1068 • Bihar Al-Anwar, Vol.73 p.328

CHAPTER 2 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING LOOKING AT WOMEN

بَابُ مَا جَاءَ فِي النَّظَرِ إِلَى النِّسَاءِ

HADITH 4969 – 4976

4969 - رُوِيَ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ عُقْبَةَ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «اَلنَّظْرَةُ سَهْمٌ مِنْ سِهَامِ إِبْلِيسَ مَسْمُومٌ مَنْ تَرَكَهَا لِلَّهِ عَزَّ وَ جَلَّ لاَ لِغَيْرِهِ أَعْقَبَهُ اَللَّهُ إِيمَاناً يَجِدُ طَعْمَهُ».

H.4969 - It is narrated from Hisham ibn Salim from Uqbah who said that Abu Abdullah {a.s} said:
"A glance (at what is forbidden) is a poisoned arrow from the arrows of Iblis. Whoever abandons it for the sake of Allah {SWT}, the Mighty and Majestic, not for any other reason, Allah {SWT} will grant him faith whose sweetness he will find in his heart."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.18 • Al-Wafi, Vol.22 p.859 • Wasa'il Al-Shi'ah, Vol.20 p.192

HADITH

4970 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنِ اَلْكَاهِلِيِّ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «اَلنَّظْرَةُ بَعْدَ اَلنَّظْرَةِ تَزْرَعُ فِي اَلْقَلْبِ اَلشَّهْوَةَ وَ كَفَى بِهَا لِصَاحِبِهَا فِتْنَةً».

H.4970 - It is narrated by Ibn Abi Umair from Al-Kahili who said that Abu Abdullah {a.s} said:
"A second glance after the first plants desire in the heart, and that is sufficient as a trial for its beholder."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.18 • Al-Wafi, Vol.22 p.860 • Wasa'il Al-Shi'ah, Vol.20 p.192 • Bihar Al-Anwar, Vol.101 p.41

HADITH

4971 - وَ رَوَى اَلْأَصْبَغُ بْنُ نُبَاتَةَ عَنْ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «يَا عَلِيُّ لَكَ أَوَّلُ نَظْرَةٍ وَ اَلثَّانِيَةُ عَلَيْكَ وَ لاَ لَكَ».

H.4971 - It is narrated by Al-Asbagh bin Nubata from Imam Ali ibn Abi Talib {a.s} who said that the Messenger of Allah {SWT} (peace be upon him and his family) said:
"O' Ali {a.s}, the first glance is for you, but the second is against you and not in your favor."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.19 • Al-Khisal, Vol.1 p.306 • Ma'ani Al-Akhbar, Vol.1 p.127 • Al-Wafi, Vol.22 p.860 • Wasa'il Al-Shi'ah, Vol.20 p.194 • Bihar Al-Anwar, Vol.12 p.67 • Tafsir Nur Al-Thaqalayn, Vol.3 p.589 • Tafsir Kanz Al-Daqaiq, Vol.9 p.277

HADITH

4972 - وَ قَالَ أَبُو بَصِيرٍ لِلصَّادِقِ عَلَيْهِ اَلسَّلاَمُ : اَلرَّجُلُ تَمُرُّ بِهِ اَلْمَرْأَةُ فَيَنْظُرُ إِلَى خَلْفِهَا قَالَ «أَ يَسُرُّ أَحَدُكُمْ أَنْ يُنْظَرَ إِلَى أَهْلِهِ وَ ذَاتِ قَرَابَتِهِ» قُلْتُ لاَ قَالَ «فَارْضَ لِلنَّاسِ مَا تَرْضَاهُ لِنَفْسِكَ».

H.4972 - Abu Basir asked Imam Jafar ibn Muhammad Al-Sadiq {a.s} about a man who looks at a woman passing by and then turns to look at her from behind.
Imam {a.s} replied: "Would any of you like someone to look at his family or close female relatives?"
I said: “No."
Imam {a.s} said: “Then be pleased for others what you are pleased with for yourself."

[REFERENCES] Man La Yahduruhu Al-Faqih, V.4 p.19 • Al-Wafi, Vol.22 p.861 • Wasa’il Al-Shi’ah, Vol.20 p.200

HADITH

4973 - وَ رَوَى هِشَامٌ وَ حَفْصٌ وَ حَمَّادُ بْنُ عُثْمَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ: «مَا يَأْمَنُ اَلَّذِينَ يَنْظُرُونَ فِي أَدْبَارِ اَلنِّسَاءِ أَنْ يُبْتَلَوْا بِذَلِكَ فِي نِسَائِهِمْ».

H.4973 - Hisham, Hafs, and Hammad ibn Uthman narrated from Abu Abdullah (Imam Jafar ibn Muhammad Al-Sadiq {a.s}) that Imam {a.s} said:
"Those who look at women from behind, are they not afraid that the same may happen to their own women?"

[REFERENCES] Da’a’im Al-Islam, Vol.2 p.202 • Man La Yahduruhu Al-Faqih, Vol.4 p.19 • Mustadrak Al-Wasa’il, Vol.14 p.273

HADITH

4974 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ : فِي قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ: ﴿ يٰا أَبَتِ اِسْتَأْجِرْهُ إِنَّ خَيْرَ مَنِ اِسْتَأْجَرْتَ اَلْقَوِيُّ اَلْأَمِينُ ﴾ قَالَ «قَالَ لَهَا شُعَيْبٌ عَلَيْهِ اَلسَّلاَمُ يَا بُنَيَّةِ هَذَا قَوِيٌّ قَدْ عَرَفْتِهِ بِرَفْعِ اَلصَّخْرَةِ اَلْأَمِينُ مِنْ أَيْنَ عَرَفْتِهِ قَالَتْ يَا أَبَتِ إِنِّي مَشَيْتُ قُدَّامَهُ فَقَالَ اِمْشِي مِنْ خَلْفِي فَإِنْ ضَلَلْتُ فَأَرْشِدِينِي إِلَى اَلطَّرِيقِ فَإِنَّا قَوْمٌ لاَ نَنْظُرُ فِي أَدْبَارِ اَلنِّسَاءِ».

H.4974 - Safwan ibn Yahya narrated from Abu Al-Hasan {a.s} regarding the saying of Allah {SWT}, the Mighty and Majestic: "*O’ my father, hire him! Indeed, the best one you can hire is the strong and trustworthy"* (Surah Al-Qasas, 28:26).
Imam {a.s} said: “Shu'ayb {a.s} said to his daughter, My daughter, he is strong as you recognized by his lifting of the rock, but how did you know he is trustworthy?’
She replied: O’ my father, I was walking ahead of him, and he said to me, Walk behind me, and if I go astray, guide me to the path, for we are a people who do not look at the backs of women.’”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.19 • Fiqh Al-Quran, Vol.2 p.145 • Al-Wafi, Vol.22 p.861 • Wasa’il Al-Shi’ah, Vol.20 p.199 • Bihar Al-Anwar, Vol.13 p.32 • Tafsir Nur Al-Thaqalayn, Vol.4 p.123 • Tafsir Kanz Al-Daqaiq, Vol.10 p.58

HADITH

4975 - وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «يَا أَيُّهَا اَلنَّاسُ إِنَّمَا اَلنَّظْرَةُ مِنَ اَلشَّيْطَانِ فَمَنْ وَجَدَ مِنْ ذَلِكَ شَيْئاً فَلْيَأْتِ أَهْلَهُ».

H.4975 - The Messenger of Allah {SWT} (peace be upon him and his family) said:
"O' people, indeed the (lustful) glance is from Satan. So whoever experiences something from that, let him go to his family."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.19 • Al-Wafi, Vol.22 p.761

HADITH

4976 - وَ رَوَى اَلْقَاسِمُ بْنُ مُحَمَّدٍ اَلْجَوْهَرِيُّ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلرَّجُلِ يَعْتَرِضُ اَلْأَمَةَ لِيَشْتَرِيَهَا قَالَ «لاَ بَأْسَ أَنْ يَنْظُرَ إِلَى مَحَاسِنِهَا وَ يَمَسَّهَا مَا لَمْ يَنْظُرْ إِلَى مَا لاَ يَنْبَغِي لَهُ اَلنَّظَرُ إِلَيْهِ».

H.4976 - Al-Qasim ibn Muhammad Al-Jawhari narrated from Ali ibn Abi Hamzah from Abu Basir, who said:
"I asked Abu Abdullah {a.s} about a man who examines a slave woman to purchase her. Imam {a.s} said: 'There is no harm in looking at her attractive features and touching her, as long as he does not look at what is not appropriate for him to see.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.20 • Tahdhib Al-Ahkam, Vol.7 p.75 • Al-Wafi, Vol.17 p.268 • Wasa'il Al-Shi'ah, Vol.18 p.273

CHAPTER 3 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING ADULTERY

بَابُ مَا جَاءَ فِي الزِّنَا

HADITH 4977 – 4987

4977 - قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «لَنْ يَعْمَلَ اِبْنُ آدَمَ عَمَلاً أَعْظَمَ عِنْدَ اَللَّهِ عَزَّ وَ جَلَّ مِنْ رَجُلٍ قَتَلَ نَبِيّاً أَوْ هَدَمَ اَلْكَعْبَةَ اَلَّتِي جَعَلَهَا اَللَّهُ قِبْلَةً لِعِبَادِهِ أَوْ أَفْرَغَ مَاءَهُ فِي اِمْرَأَةٍ حَرَاماً».

H.4977 - The Messenger of Allah {SWT} (peace be upon him and his family) said: "The son of Adam will not commit a deed greater in sin before Allah {SWT}, the Almighty and Majestic, than a man who kills a prophet, or demolishes the Kaaba - which Allah {SWT} has made a direction for His servants in prayer - or discharges his semen unlawfully into a forbidden woman."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.3 p.559 • Man La Yahduruhu Al-Faqih, Vol.4 p.20 • Al-Khisal, Vol.1 p.120 • Rawdat Al-Wa'izin, Vol.2 p.461 • Awali Al-La'ali, Vol.3 p.545 • Al-Wafi, Vol.15 p.213 • Wasa'il Al-Shi'ah, Vol.4 p.299 • Wasa'il Al-Shi'ah, Vol.20 p.318 • Al-Fusul Al-Muhimmah, Vol.2 p.73 • Al-Fusul Al-Muhimmah, Vol.2 p.340

HADITH

4978 - وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «اَلزِّنَا يُورِثُ اَلْفَقْرَ وَ يَدَعُ اَلدِّيَارَ بَلاَقِعَ».

H.4978 - The Messenger of Allah {SWT} (peace be upon him and his family) said: "Adultery brings about poverty and leaves homes deserted."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.20 • Al-Wafi, Vol.15 p.213 • Wasa'il Al-Shi'ah, Vol.20 p.310

HADITH

4979 - وَ قَالَ عَلَيْهِ اَلسَّلاَمُ: «مَا عَجَّتِ اَلْأَرْضُ إِلَى رَبِّهَا عَزَّ وَ جَلَّ كَعَجِيجِهَا مِنْ ثَلاَثٍ مِنْ دَمٍ حَرَامٍ يُسْفَكُ عَلَيْهَا أَوِ اِغْتِسَالٍ مِنْ زِنًى أَوِ اَلنَّوْمِ عَلَيْهَا قَبْلَ طُلُوعِ اَلشَّمْسِ».

H.4979 - Imam {a.s} said: "The earth has never cried out to its Lord {AZJ}, the Mighty and Majestic, as intensely as it does because of three things: the shedding of unlawful blood upon it, bathing after engaging in unlawful sexual relations, and sleeping on it (earth) before the rising of the sun."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.20 • Awali Al-La'ali, Vol.3 p.545 • Al-Wafi, Vol.15 p.214 • Wasa'il Al-Shi'ah, Vol.20 p.310

HADITH

4980 - وَ فِي رِوَايَةِ عَبْدِ اَللَّهِ بْنِ مَيْمُونٍ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «قَالَ يَعْقُوبُ لِابْنِهِ يُوسُفَ عَلَيْهِ اَلسَّلاَمُ يَا بُنَيَّ لاَ تَزْنِ فَإِنَّ اَلطَّيْرَ لَوْ زَنَى لَتَنَاثَرَ رِيشُهُ».

H.4980 - In the narration of Abdullah ibn Maymun from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, it is reported:
"Prophet Ya'qub {a.s} said to his son Yusuf {a.s}: 'O' my son, do not commit fornication, for if a bird were to commit fornication, its feathers would fall off.'"

[REFERENCES] Fiqh Al-Ridha, Vol.1 p.275 • Al-Kafi, Vol.5 p.542 • Man La Yahduruhu Al-Faqih, Vol.4 p.20 • Awali Al-La'ali, Vol.3 p.546 • Al-Wafi, Vol.15 p.210 • Wasa'il Al-Shi'ah, Vol.20 p.308 • Bihar Al-Anwar, Vol.12 p.266 • Bihar Al-Anwar, Vol.76 p.28 • Mustadrak Al-Wasa'il, Vol.14 p.330

HADITH

4981 - وَ رَوَى عَمْرُو بْنُ أَبِي اَلْمِقْدَامِ عَنْ أَبِيهِ عَنْ أَبِي جَعْفَرٍ ع قَالَ: «كَانَ فِيمَا أَوْحَى اَللَّهُ تَعَالَى إِلَى مُوسَى بْنِ عِمْرَانَ ع «يَا مُوسَى بْنَ عِمْرَانَ مَنْ زَنَى زُنِيَ بِهِ وَ لَوْ فِي اَلْعَقِبِ مِنْ بَعْدِهِ يَا مُوسَى بْنَ عِمْرَانَ عِفَّ تَعِفَّ أَهْلُكَ يَا مُوسَى بْنَ عِمْرَانَ إِنْ أَرَدْتَ أَنْ يَكْثُرَ خَيْرُ أَهْلِ بَيْتِكَ فَإِيَّاكَ وَ اَلزِّنَا يَا مُوسَى بْنَ عِمْرَانَ كَمَا تَدِينُ تُدَانُ» ».

H.4981 - Narrated by Amr ibn Abi Al-Miqdam from his father, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"It was among what Allah {SWT}, the Exalted, revealed to Musa ibn Imran {a.s}:
O' Musa ibn Imran {a.s}, whoever commits adultery will have adultery committed against him, even if it occurs in his progeny after him.
O' Musa ibn Imran {a.s}, preserve your chastity so your family will remain chaste.
O' Musa ibn Imran {a.s}, if you desire the goodness of your household to increase, then beware of adultery.
O' Musa ibn Imran {a.s}, as you act, so will it be done to you."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.21 • Awali Al-La'ali, Vol.3 p.546

HADITH

4982 - وَ صَعِدَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ اَلْمِنْبَرَ فَقَالَ: «ثَلاَثَةٌ «لاَ يُكَلِّمُهُمُ اَللَّهُ يَوْمَ اَلْقِيٰامَةِ » «وَ لاَ يَنْظُرُ إِلَيْهِمْ»... «وَ لاَ يُزَكِّيهِمْ وَ لَهُمْ عَذٰابٌ أَلِيمٌ» شَيْخٌ زَانٍ وَ مَلِكٌ جَبَّارٌ وَ مُقِلٌّ مُخْتَالٌ ».

H.4982 - The Messenger of Allah {SWT} (peace be upon him and his family) ascended the pulpit and said:
"Three types of people Allah {SWT} will not speak to on the Day of Judgment, nor will He {SWT} look at them, nor will He {SWT} purify them, and for them is a painful punishment: an old man who commits adultery, a tyrannical king, and a poor person who is arrogant."

[REFERENCES] Tafsir Al-'Ayyashi, Vol.1 p.179 • Al-Kafi, Vol.2 p.311 • Man La Yahduruhu Al-Faqih, Vol.4 p.21 • Thawab Al-A'mal wa Iqab Al-A'mal, Vol.1 p.222 • Awali Al-La'ali, Vol.1 p.360 • Awali Al-La'ali, Vol.3 p.546 • Al-Wafi, Vol.5 p.872 • Wasa'il Al-Shi'ah, Vol.15 p.379 • Tafsir Al-Burhan, Vol.1 p.644 • Bihar Al-Anwar, Vol.7 p.223

HADITH

4983 - وَ فِي رِوَايَةِ اِبْنِ مُسْكَانَ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «ثَلاَثَةٌ لاَ يُكَلِّمُهُمُ اَللَّهُ يَوْمَ اَلْقِيَامَةِ وَ لاَ يَنْظُرُ إِلَيْهِمْ وَ لاَ يُزَكِّيهِمْ وَ لَهُمْ عَذَابٌ أَلِيمٌ اَلشَّيْخُ اَلزَّانِي وَ اَلدَّيُّوثُ وَ اَلْمَرْأَةُ تُوطِئُ فِرَاشَ زَوْجِهَا».

H.4983 - In the narration of Ibn Muskan from Muhammad ibn Muslim, from Abu Abdullah {a.s}, he said:
"Three types of people Allah {SWT} will not speak to on the Day of Judgment, nor will He {SWT} look at them, nor will He {SWT} purify them, and for them is a painful punishment: an old man who commits adultery, a cuckold (a man who has no sense of honor regarding his family), and a woman who allows another man to violate the sanctity of her husband's bed."

[REFERENCES] Al-Kafi, Vol.5 p.537 • Man La Yahduruhu Al-Faqih, Vol.4 p.21 • Al-Wafi, Vol.15 p.214 • Al-Wafi, Vol.22 p.765 • Wasa'il Al-Shi'ah, Vol.20 p.236 • Wasa'il Al-Shi'ah, Vol.20 p.327 • Tafsir Nur Al-Thaqalayn, Vol.1 p.356 • Tafsir Kanz Al-Daqaiq, Vol.3 p.137

HADITH

4984 - وَ رَوَى عَلِيُّ بْنُ إِسْمَاعِيلَ اَلْمِيثَمِيُّ عَنْ بَشِيرٍ قَالَ : قَرَأْتُ فِي بَعْضِ اَلْكُتُبِ قَالَ اَللَّهُ تَبَارَكَ وَ تَعَالَى «لاَ أُنِيلُ رَحْمَتِي مَنْ يُعَرِّضُنِي لِلْأَيْمَانِ اَلْكَاذِبَةِ وَ لاَ أُدْنِي مِنِّي يَوْمَ اَلْقِيَامَةِ مَنْ كَانَ زَانِياً».

H.4984 - Ali ibn Ismail Al-Mithami narrated from Basheer, who said:
"I read in some books that Allah {SWT}, the Blessed and Exalted, said:
'I will not grant My {SWT} mercy to the one who exposes Me {SWT} to false oaths, nor will I bring near to Me {SWT} on the Day of Judgment the one who was an adulterer.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.21 • Al-Wafi, Vol.15 p.215 • Wasa'il Al-Shi'ah, Vol.20 p.311

HADITH

4985 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «بَرُّوا آبَاءَكُمْ يَبَرَّكُمْ أَبْنَاؤُكُمْ وَ عِفُّوا عَنْ نِسَاءِ اَلنَّاسِ تَعِفَّ نِسَاؤُكُمْ».

H.4985 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Be good to your parents, and your children will be good to you. Remain chaste concerning the women of others, and your women will remain chaste."

[REFERENCES] Al-Kafi, Vol.5 p.554 • Man La Yahduruhu Al-Faqih, Vol.4 p.21 • Al-Khisal, Vol.1 p.55 • Al-Amali (Lil-Saduq), Vol.1 p.288 • Tuhaf Al-'Uqul, Vol.1 p.359 • Awali Al-La'ali, Vol.1 p.252 • Wasa'il Al-Shi'ah, Vol.20 p.356 • Bihar Al-Anwar, Vol.68 p.270 • Bihar Al-Anwar, Vol.71 p.65 • Bihar Al-Anwar, Vol.75 p.242

HADITH

4986 - وَ فِي رِوَايَةِ إِبْرَاهِيمَ بْنِ أَبِي اَلْبِلاَدِ قَالَ: «كَانَتِ اِمْرَأَةٌ عَلَى عَهْدِ دَاوُدَ ع يَأْتِيهَا رَجُلٌ يَسْتَكْرِهُهَا عَلَى نَفْسِهَا فَأَلْقَى اَللَّهُ عَزَّ وَ جَلَّ فِي قَلْبِهَا فَقَالَتْ لَهُ إِنَّكَ لاَ تَأْتِينِي مَرَّةً إِلاَّ وَ عِنْدَ أَهْلِكَ مَنْ يَأْتِيهِمْ قَالَ فَذَهَبَ إِلَى أَهْلِهِ فَوَجَدَ عِنْدَ أَهْلِهِ رَجُلاً فَأَتَى بِهِ دَاوُدَ ع فَقَالَ يَا نَبِيَّ اَللَّهِ أُتِيَ إِلَيَّ مَا لَمْ يُؤْتَ إِلَى أَحَدٍ قَالَ وَ مَا ذَاكَ قَالَ وَجَدْتُ هَذَا اَلرَّجُلَ عِنْدَ أَهْلِي فَأَوْحَى اَللَّهُ تَعَالَى إِلَى دَاوُدَ عَلَيْهِ اَلسَّلاَمُ قُلْ لَهُ «كَمَا تَدِينُ تُدَانُ» ».

H.4986 - In the narration of Ibrahim ibn Abi Al-Bilad, it is reported: "There was a woman during the time of Prophet Dawud {a.s} (David), whom a man would force himself upon. Allah {SWT}, the Almighty and Exalted, inspired her heart, and she said to him: 'You do not come to me except that someone is with your family.'
So the man went to his family and found a man with his wife.
He brought that man to Prophet Dawud {a.s}, and said: 'O' Prophet of Allah {SWT}, something has happened to me that has never happened to anyone else.'
Dawud {a.s} asked: 'And what is that?' The man replied: 'I found this man with my wife.'
Then Allah {SWT}, revealed to Dawud {a.s}, saying: 'Tell him: As you deal, so shall you be dealt with.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.21 • Al-Wafi, Vol.22 p.868 • Wasa'il Al-Shi'ah, Vol.20 p.355 • Bihar Al-Anwar, Vol.14 p.41

HADITH

4987 - وَ رَوَى اَلْعَلاَءُ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ قَالَ قَالَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : «إِذَا زَنَى اَلزَّانِي خَرَجَ مِنْهُ رُوحُ اَلْإِيمَانِ فَإِنِ اِسْتَغْفَرَ عَادَ إِلَيْهِ» قَالَ «وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ «لاَ يَزْنِي اَلزَّانِي حِينَ يَزْنِي وَ هُوَ مُؤْمِنٌ وَ لاَ يَشْرَبُ اَلشَّارِبُ حِينَ يَشْرَبُ وَ هُوَ مُؤْمِنٌ وَ لاَ يَسْرِقُ اَلسَّارِقُ حِينَ يَسْرِقُ وَ هُوَ مُؤْمِنٌ» » قَالَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ «وَ كَانَ أَبِي عَلَيْهِ اَلسَّلاَمُ يَقُولُ «إِذَا زَنَى اَلزَّانِي فَارَقَهُ رُوحُ اَلْإِيمَانِ» قُلْتُ فَهَلْ يَبْقَى فِيهِ مِنَ اَلْإِيمَانِ شَيْءٌ مَا أَوْ قَدِ اِنْخَلَعَ مِنْهُ أَجْمَعُ قَالَ «لاَ بَلْ فِيهِ فَإِذَا قَامَ عَادَ إِلَيْهِ رُوحُ اَلْإِيمَانِ» ».

H.4987 - Al-Ala reported from Muhammad ibn Muslim who said that Abu Jafar {a.s} said: "When a fornicator commits fornication, the spirit of faith departs from him. If he seeks forgiveness, it returns to him."
Imam {a.s} also said that the Messenger of Allah {SWT} said:
"A fornicator does not commit fornication while he is a believer, a drinker does not drink while he is a believer, and a thief does not steal while he is a believer."
Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} further said:
"My father {a.s} used to say: 'When a fornicator commits fornication, the spirit of faith leaves him.'"
I asked: "Does any part of faith remain in him, or does it completely leave him?"
Imam {a.s} replied: "No, rather a part of it remains. But when he ceases the act, the spirit of faith returns to him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.22 • Al-Wafi, Vol.15 p.215 • Wasa'il Al-Shi'ah, Vol.20 p.310

BOOK ON LEGAL PUNISHMENTS

كِتَابُ الْحُدُودِ

CHAPTER 4 – CHAPTER ON WHAT NECESSITATES DISCRETIONARY PUNISHMENT, LEGAL PUNISHMENT, STONING, EXECUTION, AND EXILE IN ADULTERY

بَابُ مَا يَجِبُ بِهِ التَّعْزِيرُ وَ الْحَدُّ وَ الرَّجْمُ وَ الْقَتْلُ وَ النَّفْيُ فِي الزِّنَا

HADITH 4988 – 5046

4988 - رَوَى اَلْقَاسِمُ بْنُ مُحَمَّدٍ عَنْ عَبْدِ اَلصَّمَدِ بْنِ بَشِيرٍ عَنْ سُلَيْمَانَ بْنِ هِلاَلٍ قَالَ: سَأَلَ بَعْضُ أَصْحَابِنَا أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ فَقَالَ جُعِلْتُ فِدَاكَ اَلرَّجُلُ يَنَامُ مَعَ اَلرَّجُلِ فِي لِحَافٍ وَاحِدٍ فَقَالَ «ذُو مَحْرَمٍ» قَالَ لاَ قَالَ «مِنْ ضَرُورَةٍ» قَالَ لاَ قَالَ «يُضْرَبَانِ ثَلاَثِينَ سَوْطاً ثَلاَثِينَ سَوْطاً» قَالَ فَإِنَّهُ فَعَلَ قَالَ «إِنْ كَانَ دُونَ اَلثَّقْبِ فَالْحَدُّ وَ إِنْ هُوَ ثَقَبَ أُقِيمَ قَائِماً ثُمَّ ضُرِبَ ضَرْبَةً بِالسَّيْفِ أَخَذَ اَلسَّيْفُ مِنْهُ مَا أَخَذَ» قَالَ فَقُلْتُ لَهُ فَهُوَ اَلْقَتْلُ فَقَالَ «هُوَ ذَاكَ» قُلْتُ فَامْرَأَةٌ نَامَتْ مَعَ اِمْرَأَةٍ فِي لِحَافٍ فَقَالَ «ذَاتُ مَحْرَمٍ» قُلْتُ لاَ قَالَ «مِنْ ضَرُورَةٍ» قُلْتُ لاَ قَالَ «تُضْرَبَانِ ثَلاَثِينَ سَوْطاً ثَلاَثِينَ سَوْطاً» قُلْتُ فَإِنَّهَا فَعَلَتْ قَالَ فَشَقَّ ذَلِكَ عَلَيْهِ فَقَالَ «أُفٍّ أُفٍّ أُفٍّ» ثَلاَثاً وَ قَالَ «اَلْحَدُّ».

H.4988 - Al-Qasim ibn Muhammad narrated from Abd Al-Ṣamad ibn Bashir from Sulayman ibn Hilal who said:
One of our companions asked Abu Abdullah {a.s}, saying: "May I be your ransom, what is the ruling on a man sleeping with another man under one blanket?"
Imam {a.s} asked: "Is he a close relative (mahram)?"
The man replied: "No."
Imam {a.s} asked: "Is it due to necessity?"
The man said: "No."
Imam {a.s} said: "They are each to be lashed thirty lashes."
The man asked: "What if the act was committed?"
Imam {a.s} replied: "If it was less than penetration, then the prescribed punishment (hadd) applies. But if penetration occurred, he is to be made to stand and struck with the sword, and the sword will take from him whatever it takes."
The man asked: "So, that is execution?"
Imam {a.s} replied: "That is correct."
The man then asked: "And what if a woman sleeps with another woman under one blanket?"
Imam {a.s} asked: "Is she a close relative (mahram)?"
The man replied: "No."
Imam {a.s} asked: "Is it due to necessity?"

The man replied: "No."
Imam {a.s} said: "They are each to be lashed thirty lashes."
The man further asked: "And if they committed the act?"
This greatly distressed Imam {a.s}, and Imam {a.s} said: "Uff! Uff! Uff!" (three times), then said:
"The prescribed punishment (hadd) applies."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.23 • Tahdhib Al-Ahkam, Vol.10 p.41 • Tahdhib Al-Ahkam, Vol.10 p.57 • Al-Istibsar, Vol.4 p.213 • Al-Wafi, Vol.15 p.308 • Wasa'il Al-Shi'ah, Vol.28 p.90

HADITH

4989 - وَ رَوَى حَمَّادٌ عَنْ حَرِيزٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ وَجَدَ رَجُلاً مَعَ اِمْرَأَةٍ فِي لِحَافٍ وَاحِدٍ فَضَرَبَ كُلَّ وَاحِدٍ مِنْهُمَا مِائَةَ سَوْطٍ غَيْرَ سَوْطٍ».

H.4989 - Hammad narrated from Hariz from Abu Abdullah {a.s}:
"Indeed, Imam Ali ibn Abi Talib {a.s} found a man with a woman under one blanket, so he lashed each of them one hundred lashes, minus one lash."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.23 • Tahdhib Al-Ahkam, Vol.10 p.41 • Al-Istibsar, Vol.4 p.213 • Al-Wafi, Vol.15 p.308 • Wasa'il Al-Shi'ah, Vol.20 p.325 • Wasa'il Al-Shi'ah, Vol.28 p.89

HADITH

4990 - وَ رَوَى مُحَمَّدُ بْنُ اَلْفُضَيْلِ عَنْ أَبِي اَلصَّبَّاحِ اَلْكِنَانِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنِ اَلرَّجُلِ وَ اَلْمَرْأَةِ يُوجَدَانِ فِي لِحَافٍ وَاحِدٍ فَقَالَ «اِجْلِدْهُمَا مِائَةَ جَلْدَةٍ مِائَةَ جَلْدَةٍ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ هَذِهِ الْأَخْبَارُ كُلُّهَا مُتَّفِقَةُ الْمَعَانِي إِذَا وُجِدَ الرَّجُلُ مَعَ الرَّجُلِ أَوِ الْمَرْأَةُ مَعَ الْمَرْأَةِ أَوِ الرَّجُلُ مَعَ الْمَرْأَةِ فِي لِحَافٍ وَاحِدٍ مِنْ ضَرُورَةٍ فَلَا شَيْءَ عَلَيْهِمَا وَ إِنْ لَمْ يَكُنْ ذَلِكَ مِنْ ضَرُورَةٍ وَ لَمْ يَكُنْ مِنْهُمَا حَالٌ تُكْرَهُ يُضْرَبُ كُلُّ وَاحِدٍ مِنْهُمَا ثَلَاثِينَ سَوْطاً يُعَزَّرَانِ بِذَلِكَ وَ إِذَا كَانَ مِنْهُمَا الزِّنَا وَ كَانَا غَيْرَ مُحْصَنَيْنِ جُلِدَ كُلُّ وَاحِدٍ مِنْهُمَا مِائَةَ جَلْدَةٍ وَ ذَلِكَ مَتَى أَقَرَّا بِذَلِكَ أَوْ شَهِدَ عَلَيْهِمَا أَرْبَعَةُ عُدُولٍ وَ مَتَى وُجِدَا فِي لِحَافٍ وَ قَدْ عَلِمَ الْإِمَامُ أَنَّهُ قَدْ كَانَ مِنْهُمَا مَا يُوجِبُ الْحَدَّ إِلَّا أَنَّهُمَا لَمْ يُقِرَّا بِهِ وَ لَا شَهِدَ عَلَيْهِمَا أَرْبَعَةُ عُدُولٍ ضَرَبَهُمَا مِائَةَ سَوْطٍ غَيْرَ سَوْطٍ لِأَنَّهُمَا لَمْ يُقِرَّا وَ لَمْ تَقُمْ عَلَيْهِمَا بِالزِّنَا الْبَيِّنَةُ فَيَنْقُصُهُمَا بِذَلِكَ سَوْطاً وَاحِداً لِيَكُونَ مِائَةَ سَوْطٍ غَيْرَ سَوْطٍ لَهُمَا تَعْزِيراً دُونَ الْحَدِّ.

H.4990 - Muhammad ibn Al-Fuḍayl narrated from Abu Al-Ṣabbah Al-Kinani from Abu Abdullah {a.s} who said:
I asked Imam {a.s} about a man and a woman found under one blanket.
Imam {a.s} said: "Flog each of them one hundred lashes, one hundred lashes."

[AL SADUQ]
The author of this book (may Allah {SWT} have mercy on him) commented:
All these narrations are consistent in meaning.
If a man is found with a man, or a woman with a woman, or a man with a woman under one blanket out of necessity, then there is no punishment upon them.

However, if it is not out of necessity and no inappropriate act occurred, each of them should be lashed thirty lashes as a disciplinary action.
If they committed adultery and were not married (i.e., not muḥṣan), each of them should be flogged one hundred lashes, provided they confessed or four just witnesses testified against them.
If they were found under one blanket and the Imam knew that they engaged in something deserving of punishment but they neither confessed nor were there four just witnesses, then each of them should be lashed one hundred lashes minus one lash (ninety-nine lashes) as a disciplinary action, not as a legal punishment, due to the absence of a confession or clear evidence.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.23

HADITH

4991 - وَ رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «لاَ يُجْلَدُ رَجُلٌ وَ لاَ اِمْرَأَةٌ حَتَّى يَشْهَدَ عَلَيْهِ أَرْبَعَةُ شُهُودٍ عَلَى اَلْإِيلاَجِ وَ اَلْإِخْرَاجِ» وَ قَالَ «لاَ أَكُونُ أَوَّلَ اَلشُّهُودِ اَلْأَرْبَعَةِ أَخْشَى اَلرَّوْعَةَ أَنْ يَنْكُلَ بَعْضُهُمْ فَأُجْلَدَ».

H.4991 - Aṣim ibn Humayd narrated from Muhammad ibn Qays from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said:
“The Commander of the Faithful {a.s} said: "A man or a woman shall not be flogged until four witnesses testify explicitly to the act of penetration and withdrawal."
Imam {a.s} also said: "I will not be the first among the four witnesses because I fear that one of them might retract their testimony, and I would then be subjected to flogging."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.24 • Wasa’il Al-Shi’ah, Vol.27 p.409 • Wasa’il Al-Shi’ah, Vol.28 p.97

HADITH

4992 - وَ رَوَى فَضَالَةُ عَنْ دَاوُدَ بْنِ أَبِي يَزِيدَ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ: «إِنَّ أَصْحَابَ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ قَالُوا لِسَعْدِ بْنِ عُبَادَةَ أَ رَأَيْتَ لَوْ وَجَدْتَ عَلَى بَطْنِ اِمْرَأَتِكَ رَجُلاً مَا كُنْتَ صَانِعاً بِهِ قَالَ كُنْتُ أَضْرِبُهُ بِالسَّيْفِ قَالَ فَخَرَجَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ فَقَالَ «مَا ذَا يَا سَعْدُ » فَقَالَ سَعْدٌ قَالُوا لِي لَوْ وَجَدْتَ عَلَى بَطْنِ اِمْرَأَتِكَ رَجُلاً مَا كُنْتَ تَصْنَعُ بِهِ فَقُلْتُ كُنْتُ أَضْرِبُهُ بِالسَّيْفِ فَقَالَ «يَا سَعْدُ فَكَيْفَ بِأَرْبَعَةٍ» فَقَالَ يَا رَسُولَ اَللَّهِ بَعْدَ رَأْيِ عَيْنِي وَ عِلْمِ اَللَّهِ بِأَنَّهُ قَدْ فَعَلَ فَقَالَ «إِي وَ اَللَّهِ بَعْدَ رَأْيِ عَيْنِكَ وَ عِلْمِ اَللَّهِ بِأَنَّهُ قَدْ فَعَلَ لِأَنَّ اَللَّهَ عَزَّ وَ جَلَّ قَدْ جَعَلَ لِكُلِّ شَيْءٍ حَدّاً وَ جَعَلَ لِمَنْ تَعَدَّى ذَلِكَ اَلْحَدَّ حَدّاً» ».

H.4992 - Faḍalah narrated from Dawud ibn Abi Yazid who said:
I heard Abu Abdullah {a.s} say: "The companions of the Messenger of Allah {SWT} (peace be upon him and his family) said to Saʿd ibn Ubadah, 'What would you do if you found a man with your wife?'
He (Sa'd) replied: 'I would strike him with the sword.'
Then the Messenger of Allah {SWT} (peace be upon him and his family) came out and said:
'What is this, O' Saʿd?'
Saʿd said: 'They asked me what I would do if I found a man with my wife, and I said I would strike him with the sword.'
The Prophet (peace be upon him and his family) said: 'O' Saʿd, but what about the requirement of four witnesses?'
Saʿd replied: 'O' Messenger of Allah {SWT}, even after seeing it with my own eyes and knowing, as Allah {SWT} knows, that it has happened?'
The Prophet (peace be upon him and his family) said: 'Yes, by Allah {SWT}, even after you see it with your own eyes and Allah {SWT} knows it has happened, because Allah {SWT}, the Glorious and Exalted, has set limits for everything, and for whoever transgresses these limits, Allah {SWT} has also prescribed a punishment.'"

[REFERENCES] Al-Muhasin, Vol.1 p.274 • Al-Kafi, Vol.7 p.176 • Man La Yahduruhu Al-Faqih, Vol.4 p.24 • Tahdhib Al-Ahkam, Vol.10 p.3 • Awali Al-La'ali, Vol.3 p.599 • Al-Wafi, Vol.15 p.206 • Wasa'il Al-Shi'ah, Vol.28 p.14 • Bihar Al-Anwar, Vol.76 p.43

HADITH

4993 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبَانٍ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ سُئِلَ عَنْ رَجُلٍ مُحْصَنٍ فَجَرَ بِامْرَأَةٍ فَشَهِدَ عَلَيْهِ ثَلاَثَةُ رِجَالٍ وَ اِمْرَأَتَانِ قَالَ «وَجَبَ عَلَيْهِ اَلرَّجْمُ فَإِنْ شَهِدَ عَلَيْهِ رَجُلاَنِ وَ أَرْبَعُ نِسْوَةٍ فَلاَ تَجُوزُ شَهَادَتُهُمْ وَ لاَ يُرْجَمُ وَ لَكِنْ يُضْرَبُ اَلْحَدَّ حَدَّ اَلزَّانِي».

H.4993 - Al-Hasan ibn Mahbub narrated from Aban, from Al-Halabi, from Abu Abdullah {a.s} that Imam {a.s} was asked about a married man who committed adultery with a woman, and three men and two women testified against him.
Imam {a.s} said: "The punishment of stoning becomes obligatory upon him. However, if two men and four women testify against him, their testimony is not accepted, and he is not stoned, but rather he is subjected to the prescribed punishment for a fornicator."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.25 • Wasa'il Al-Shi'ah, Vol.28 p.132

HADITH

4994 - وَ رَوَى شُعَيْبٌ عَنْ أَبِي بَصِيرٍ قَالَ قَالَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : «قَضَى عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ فِي رَجُلٍ تَزَوَّجَ اِمْرَأَةَ رَجُلٍ أَنَّهُ رَجَمَ اَلْمَرْأَةَ وَ ضَرَبَ اَلرَّجُلَ اَلْحَدَّ وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «لَوْ عَلِمْتُ أَنَّكَ عَلِمْتَ لَفَضَخْتُ رَأْسَكَ بِالْحِجَارَةِ» ».

H.4994 - Shuayb narrated from Abu Başir who said that Abu Jafar {a.s} said:
"Imam Ali ibn Abi Talib {a.s} ruled in the case of a man who married another man's wife, that the woman should be stoned, and the man should be given the prescribed punishment (for fornication).
Imam {a.s} then said: 'If I knew that you were aware (that she was already married), I would have crushed your head with stones.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.25 • Ilal Al-Shara'i', Vol.2 p.540 • Bihar Al-Anwar, Vol.76 p.38

HADITH

4995 - : وَ خَرَجَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ بِشُرَاحَةَ اَلْهَمْدَانِيَّةِ فَكَادَ اَلنَّاسُ يَقْتُلُ بَعْضُهُمْ بَعْضاً مِنَ اَلزِّحَامِ فَلَمَّا رَأَى ذَلِكَ أَمَرَ بِرَدِّهَا حَتَّى خَفَّتِ اَلزِّحْمَةُ ثُمَّ أُخْرِجَتْ وَ أُغْلِقَ اَلْبَابُ قَالَ «فَرَمَوْهَا حَتَّى مَاتَتْ» ثُمَّ أَمَرَ بِالْبَابِ فَفُتِحَ قَالَ فَجَعَلَ مَنْ دَخَلَ يَلْعَنُهَا قَالَ فَلَمَّا رَأَى ذَلِكَ نَادَى مُنَادِيهِ «أَيُّهَا اَلنَّاسُ اِرْفَعُوا أَلْسِنَتَكُمْ عَنْهَا فَإِنَّهُ لاَ يُقَامُ حَدٌّ إِلاَّ كَانَ كَفَّارَةَ ذَلِكَ اَلذَّنْبِ كَمَا يُجْزَى اَلدَّيْنُ بِالدَّيْنِ».

H.4995 - The Commander of the Faithful {a.s} brought out Shuraha Al-Hamdaniyyah, and the crowd became so dense that people were almost killing one another due to the overcrowding. When Imam {a.s} saw this, Imam {a.s} ordered her to be taken back until the crowd dispersed.
Then she was brought out again, and the gate was closed.
Imam {a.s} said: "They stoned her until she died."
Afterward, Imam {a.s} commanded that the gate be opened, and whoever entered began cursing her. When Imam {a.s} observed this, Imam {a.s} called out through his announcer, "O' people! Restrain your tongues from her, for no punishment is carried out except that it serves as atonement for that sin, just as a debt is repaid by a debt."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.25 • Ilal Al-Shara'i', Vol.2 p.540 • Tahdhib Al-Ahkam, Vol.10 p.47 • Al-Wafi, Vol.15 p.274 • Wasa'il Al-Shi'ah, Vol.28 p.100 • Bihar Al-Anwar, Vol.76 p.42

HADITH

4996 - وَ رَوَى زُرْعَةُ عَنْ سَمَاعَةَ قَالَ قَالَ : «إِذَا زَنَى اَلرَّجُلُ فَجُلِدَ فَلَيْسَ يَنْبَغِي لِلْإِمَامِ أَنْ يَنْفِيَهُ مِنَ اَلْأَرْضِ اَلَّتِي جُلِدَ فِيهَا إِلَى غَيْرِهَا وَ إِنَّمَا عَلَى اَلْإِمَامِ أَنْ يُخْرِجَهُ مِنَ اَلْمِصْرِ اَلَّذِي جُلِدَ فِيهِ».

H.4996 - Zur'ah narrated from Sama'ah who said:
The Imam {a.s} said: “If a man commits adultery and is flogged, it is not appropriate for the Imam to exile him from the land where he was flogged to another place. Rather, it is upon the Imam to expel him from the city in which he was flogged."

[REFERENCES] Al-Kafi, Vol.7 p.197 • Man La Yahduruhu Al-Faqih, Vol.4 p.25 • Tahdhib Al-Ahkam, Vol.10 p.35 • Al-Wafi, Vol.15 p.287 • Wasa’il Al-Shi’ah, Vol.28 p.123

HADITH

4997 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «اَلشَّيْخُ وَ اَلشَّيْخَةُ جُلِدَ مِائَةً وَ اَلرَّجْمَ وَ اَلْبِكْرُ وَ اَلْبِكْرَةُ جُلِدَ مِائَةً وَ نُفِيَ سَنَةٍ وَ اَلنَّفْيُ مِنْ بَلَدٍ إِلَى بَلَدٍ وَ قَدْ نَفَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ رَجُلَيْنِ مِنَ اَلْكُوفَةِ إِلَى اَلْبَصْرَةِ ».

H.4997 - Hammad narrated from Al-Halabi who reported from Abu Abdullah {a.s} that he said: "An elderly man and an elderly woman are to be flogged one hundred lashes and then stoned.
A virgin man and a virgin woman are to be flogged one hundred lashes and exiled for a year. The exile is from one city to another.
Indeed, Commander of the Faithful {a.s} exiled two men from Kufa to Basra."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.26

HADITH

4998 - وَ رَوَى هِشَامُ بْنُ سَالِمٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ فِي اَلْقُرْآنِ رَجْمٌ قَالَ «نَعَمْ» قُلْتُ كَيْفَ قَالَ « اَلشَّيْخُ وَ اَلشَّيْخَةُ فَارْجُمُوهُمَا اَلْبَتَّةَ فَإِنَّهُمَا قَضَيَا اَلشَّهْوَةَ ».

H.4998 - Hisham ibn Salim narrated from Sulayman ibn Khalid who said:
I asked Abu Abdullah {a.s} about the stoning mentioned in the Quran.
Imam {a.s} replied: “Yes."
I asked: “How is it mentioned?"
Imam {a.s} said: "The old man and the old woman - stone them absolutely, for they have fulfilled their desire."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.26 • Ilal Al-Shara’i’, Vol.2 p.540 • Fiqh Al-Quran, Vol.2 p.392 • Wasa’il Al-Shi’ah, Vol.28 p.67 • Bihar Al-Anwar, Vol.76 p.37

HADITH

4999 - وَ رَوَى اَلْعَلاَءُ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ قَالَ: «إِذَا جَامَعَ اَلرَّجُلُ وَلِيدَةَ اِمْرَأَتِهِ فَعَلَيْهِ مَا عَلَى اَلزَّانِي».

H.4999 - Al-Alaa narrated from Muhammad ibn Muslim, who reported from one of the two Imams (peace be upon them), who said:
"If a man has intercourse with the slave woman of his wife, then upon him is the same punishment as that of a fornicator."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.26 • Tahdhib Al-Ahkam, Vol.8 p.208 • Al-Wafi, Vol.15 p.244 • Wasa'il Al-Shi'ah, Vol.21 p.194 • Wasa'il Al-Shi'ah, Vol.28 p.79

HADITH

5000 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ زَوَّجَ أَمَتَهُ رَجُلاً ثُمَّ وَقَعَ عَلَيْهَا قَالَ «يُضْرَبُ اَلْحَدَّ».

H.5000 - Hammad narrated from Al-Halabi, who reported from Abu Abdullah {a.s} regarding a man who married off his slave woman to another man and then had intercourse with her.
Imam {a.s} said: "He is to be subjected to the legal punishment (Hadd)."

[REFERENCES] Al-Kafi, Vol.7 p.196 • Man La Yahduruhu Al-Faqih, Vol.4 p.26 • Tahdhib Al-Ahkam, Vol.10 p.26 • Al-Wafi, Vol.15 p.321 • Wasa'il Al-Shi'ah, Vol.28 p.79 • Wasa'il Al-Shi'ah, Vol.28 p.81 • Wasa'il Al-Shi'ah, Vol.28 p.121

HADITH

5001 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اِمْرَأَةٍ اِقْتَضَّتْ جَارِيَةً بِيَدِهَا قَالَ «عَلَيْهَا اَلْمَهْرُ وَ تُضْرَبُ اَلْحَدَّ».

H.5001 - Muhammad ibn Abi Umayr narrated from Abdullah ibn Sinan, who reported from Abu Abdullah {a.s} regarding a woman who took the virginity of a bondwoman with her hand.
Imam {a.s} said: "She must pay the dowry and is to be subjected to the legal punishment (Hadd)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.26 • Tahdhib Al-Ahkam, Vol.10 p.47 • Awali Al-La'ali, Vol.3 p.558 • Al-Wafi, Vol.15 p.349 • Wasa'il Al-Shi'ah, Vol.28 p.144 • Wasa'il Al-Shi'ah, Vol.28 p.171

HADITH

5002 - وَ فِي خَبَرٍ آخَرَ: «وَ تُضْرَبُ ثَمَانِينَ».

H.5002 - And in another narration: "She is to be given eighty lashes."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.27

HADITH

5003 - وَ فِي رِوَايَةِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ وَقَعَ عَلَى مُكَاتَبَتِهِ فَقَالَ «إِنْ كَانَتْ أَدَّتِ اَلرُّبُعَ ضُرِبَ اَلْحَدَّ وَ إِنْ كَانَ مُحْصَناً رُجِمَ وَ إِنْ لَمْ يَكُنْ أَدَّتْ شَيْئاً فَلَيْسَ عَلَيْهِ شَيْءٌ».

H.5003 - In the narration of Al-Halabi from Abu Abdullah {a.s}, regarding a man who had intercourse with his slave woman who was in the process of being freed (mukatabah). Imam {a.s} said: "If she had paid a quarter of the contract, he is to be given the prescribed punishment (the hadd), and if he was married (muhsan), he is to be stoned. However, if she had not paid anything, then there is nothing upon him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.27

HADITH

5004 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ مُحَمَّدِ بْنِ اَلْقَاسِمِ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «مَنْ غَشِيَ اِمْرَأَتَهُ بَعْدَ اِنْقِضَاءِ اَلْعِدَّةِ جُلِدَ اَلْحَدَّ وَ إِنْ غَشِيَهَا قَبْلَ اِنْقِضَاءِ اَلْعِدَّةِ كَانَ غِشْيَانُهُ إِيَّاهَا رَجْعَةً لَهَا».

H.5004 - Narrated by Al-Hasan ibn Mahbub from Muhammad ibn Al-Qasim, who said that Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Whoever has intercourse with his wife after the completion of her waiting period ('iddah) is to be subjected to the prescribed punishment (hadd).
However, if he has intercourse with her before the completion of her waiting period, that act is considered a return (reconciliation) to her."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.27 • Tahdhib Al-Ahkam, Vol.10 p.25 • Al-Wafi, Vol.23 p.1050 • Wasa'il Al-Shi'ah, Vol.28 p.131 • Mustadrak Al-Wasa'il, Vol.18 p.66

HADITH

5005 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي غُلاَمٍ صَغِيرٍ لَمْ يُدْرِكِ اِبْنِ عَشْرِ سِنِينَ زَنَى بِامْرَأَةٍ قَالَ «يُجْلَدُ اَلْغُلاَمُ دُونَ اَلْحَدِّ وَ تُضْرَبُ اَلْمَرْأَةُ اَلْحَدَّ كَامِلاً» قُلْتُ فَإِنْ كَانَتْ مُحْصَنَةً قَالَ «لاَ تُرْجَمُ لِأَنَّ اَلَّذِي نَكَحَهَا لَيْسَ بِمُدْرِكٍ وَ لَوْ كَانَ مُدْرِكاً رُجِمَتْ».

H.5005 - Narrated by Al-Hasan ibn Mahbub from Abu Ayyub, from Sulayman ibn Khalid, from Abu Basir, from Abu Abdullah Imam Jafar Al-Sadiq {a.s} regarding a young boy who had not yet reached the age of ten and committed adultery with a woman.
Imam {a.s} said: "The boy is to be beaten with lashes but not subjected to the full prescribed punishment (hadd), whereas the woman is to be given the full hadd punishment."
I asked: "What if she was married (muhsanah)?"
Imam {a.s} replied: "She is not to be stoned because the one who had intercourse with her is not mature. However, if he had been mature, she would have been stoned."

[REFERENCES] Al-Kafi, Vol.7 p.180 • Man La Yahduruhu Al-Faqih, Vol.4 p.27 • Ilal Al-Shara'i', Vol.2 p.534 • Tahdhib Al-Ahkam, Vol.10 p.16 • Al-Wafi, Vol.15 p.299 • Wasa'il Al-Shi'ah, Vol.20 p.320 • Wasa'il Al-Shi'ah, Vol.28 p.81 • Bihar Al-Anwar, Vol.76 p.41

HADITH

5006 - وَ فِي رِوَايَةِ يُونُسَ بْنِ يَعْقُوبَ عَنْ أَبِي مَرْيَمَ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ فِي آخِرِ مَا لَقِيتُهُ عَنْ غُلاَمٍ لَمْ يَبْلُغِ اَلْحُلُمَ وَقَعَ عَلَى اِمْرَأَةٍ أَوْ فَجَرَ بِامْرَأَةٍ أَيُّ شَيْءٍ يُصْنَعُ بِهِمَا قَالَ «يُضْرَبُ اَلْغُلاَمُ دُونَ اَلْحَدِّ وَ يُقَامُ عَلَى اَلْمَرْأَةِ اَلْحَدُّ» فَقُلْتُ جَارِيَةٌ لَمْ تَبْلُغْ وُجِدَتْ مَعَ رَجُلٍ يَفْجُرُ بِهَا قَالَ «تُضْرَبُ اَلْجَارِيَةُ دُونَ اَلْحَدِّ وَ يُقَامُ عَلَى اَلرَّجُلِ اَلْحَدُّ».

H.5006 - Narrated by Yunus ibn Ya'qub from Abu Maryam who said:
I asked Abu Abdullah {a.s} during the last time I met Imam {a.s}, about a boy who had not reached puberty and committed adultery with a woman or fornicated with a woman. What should be done to them?
Imam {a.s} replied: "The boy is to be beaten but not subjected to the full prescribed punishment (hadd), while the hadd punishment is to be carried out on the woman."
I then asked: "What if a young girl who has not reached puberty was found with a man committing fornication with her?"
Imam {a.s} replied: "The girl is to be beaten but not given the full hadd punishment, and the hadd punishment is to be carried out on the man."

[REFERENCES] Al-Kafi, Vol.7 p.180 • Man La Yahduruhu Al-Faqih, Vol.4 p.27 • Tahdhib Al-Ahkam, Vol.10 p.17 • Al-Wafi, Vol.15 p.299 • Wasa'il Al-Shi'ah, Vol.28 p.82

HADITH

5007 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ حَنَانِ بْنِ سَدِيرٍ قَالَ: إِنَّ عَبَّادَ اَلْمَكِّيَّ قَالَ قَالَ لِي سُفْيَانُ اَلثَّوْرِيُّ أَرَى لَكَ مِنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ مَنْزِلَةً فَاسْأَلْهُ عَنْ رَجُلٍ زَنَى وَ هُوَ مَرِيضٌ فَإِنْ أُقِيمَ عَلَيْهِ اَلْحَدُّ خَافُوا أَنْ يَمُوتَ مَا تَقُولُ فِيهِ قَالَ فَسَأَلْتُهُ فَقَالَ لِي «هَذِهِ اَلْمَسْأَلَةُ مِنْ تِلْقَاءِ نَفْسِكَ أَوْ أَمَرَكَ إِنْسَانٌ أَنْ تَسْأَلَ عَنْهَا» فَقُلْتُ لَهُ إِنَّ سُفْيَانَ اَلثَّوْرِيَّ أَمَرَنِي أَنْ أَسْأَلَكَ عَنْهَا فَقَالَ «إِنَّ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أُتِيَ بِرَجُلٍ أَحْبَنَ قَدِ اِسْتَسْقَى بَطْنُهُ وَ بَدَتْ عُرُوقُ فَخِذَيْهِ وَ قَدْ زَنَى بِامْرَأَةٍ مَرِيضَةٍ فَأَمَرَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ فَأُتِيَ بِعُرْجُونٍ فِيهِ مِائَةُ شِمْرَاخٍ فَضَرَبَهُ بِهِ ضَرْبَةً وَاحِدَةً وَ ضَرَبَهَا بِهِ ضَرْبَةً وَاحِدَةً وَ خَلَّى سَبِيلَهُمَا وَ ذَلِكَ قَوْلُ اَللَّهِ عَزَّ وَ جَلَّ ۝ وَ خُذْ بِيَدِكَ ضِغْثاً فَاضْرِبْ بِهِ وَ لاٰ تَحْنَثْ ۝ ».

H.5007 - Narrated by Al-Hasan ibn Mahbub from Hanan ibn Sadir who said:
Indeed, Abbad Al-Makki said that Sufyan Al-Thawri told me, "I see that you have a close relationship with Abu Abdullah {a.s}, so ask Imam {a.s} about a man who committed adultery while he is ill. If the prescribed punishment (hadd) is carried out on him, they fear he might die. What is your opinion on this matter?"
So I asked Imam {a.s}, and Imam {a.s} said to me: "Is this question from yourself, or did someone instruct you to ask about it?"

I replied: “Sufyan Al-Thawri ordered me to ask you about it."
Imam {a.s} said: “The Messenger of Allah {SWT} (peace and blessings be upon him and his family) was brought a man who was obese, his stomach was swollen, and the veins of his thighs were visible, and he had committed adultery with a sick woman.
The Messenger of Allah {SWT} (peace and blessings be upon him and his family) commanded that a palm branch with one hundred stalks be brought, and he struck him with it once and struck her with it once, and then he set them both free.
This is in accordance with the saying of Allah {SWT} Almighty: *'And take in your hand a bundle of thin grass and strike with it, and do not break your oath'*." (Surah Sad 38:44)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.28 • Tahdhib Al-Ahkam, Vol.10 p.32 • Tafsir Al-Burhan, Vol.4 p.664

HADITH

5008 - وَ رَوَى مُوسَى بْنُ بَكْرٍ عَنْ زُرَارَةَ قَالَ قَالَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : «لَوْ أَنَّ رَجُلاً أَخَذَ حُزْمَةً مِنْ قُضْبَانٍ أَوْ أَصْلاً فِيهِ قُضْبَانٌ فَضَرَبَهُ ضَرْبَةً وَاحِدَةً أَجْزَأَهُ عَنْ عِدَّةِ مَا يُرِيدُ أَنْ يَجْلِدَهُ مِنْ عِدَّةِ اَلْقُضْبَانِ».

H.5008 - Narrated by Musa ibn Bakr from Zurara who said:
Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} said: “If a man were to take a bundle of rods or a branch containing multiple rods and struck someone with it once, it would suffice him for however many lashes he intended to administer, equal to the number of rods in that bundle."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.28 • Al-Wafi, Vol.15 p.285 • Wasa’il Al-Shi’ah, Vol.28 p.31 • Mustadrak Al-Wasa’il, Vol.18 p.18

HADITH

5009 - وَ فِي رِوَايَةِ عَبْدِ اَللَّهِ بْنِ اَلْمُغِيرَةِ وَ صَفْوَانَ وَ غَيْرِ وَاحِدٍ رَفَعُوهُ إِلَى أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ: «إِذَا أَقَرَّ اَلزَّانِي اَلْمُحْصَنُ كَانَ أَوَّلَ مَنْ يَرْجُمُهُ اَلْإِمَامُ ثُمَّ اَلنَّاسُ وَ إِذَا قَامَتْ عَلَيْهِ اَلْبَيِّنَةُ كَانَ أَوَّلَ مَنْ يَرْجُمُهُ اَلْبَيِّنَةُ ثُمَّ اَلْإِمَامُ ثُمَّ اَلنَّاسُ».

H.5009 - Narrated by Abdullah ibn Al-Mughira, Safwan, and others, who reported it to Abu Abdullah {a.s}, that Imam {a.s} said:
"If a married adulterer confesses, the Imam should be the first to stone him, followed by the people. But if the evidence is established against him, the witnesses should be the first to stone him, then the Imam, and then the people."

[REFERENCES] Al-Kafi, Vol.7 p.184 • Man La Yahduruhu Al-Faqih, Vol.4 p.28 • Man La Yahduruhu Al-Faqih, Vol.4 p.36 • Tahdhib Al-Ahkam, Vol.10 p.34 • Al-Wafi, Vol.15 p.263 • Wasa’il Al-Shi’ah, Vol.28 p.99

HADITH

5010 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ ضَرَبَ رَجُلاً تَزَوَّجَ اِمْرَأَةً فِي نِفَاسِهَا قَبْلَ أَنْ تَطْهُرَ اَلْحَدَّ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ لَوْ تَزَوَّجَهَا فِي نِفَاسِهَا وَ لَمْ يَدْخُلْ بِهَا حَتَّى تَطْهُرَ لَمْ يَجِبْ عَلَيْهِ الْحَدُّ وَ إِنَّمَا حَدَّهُ ع لِأَنَّهُ دَخَلَ بِهَا.

H.5010 - Narrated by Hammad from Al-Halabi from Abu Abdullah {a.s}:
"Indeed, Imam Ali ibn Abi Talib {a.s} punished with the prescribed punishment (hadd) a man who married a woman during her postpartum bleeding (nifas) before she became pure."

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, commented: If he had married her during her postpartum bleeding but did not consummate the marriage until she became pure, then the prescribed punishment would not have been obligatory upon him. The punishment was applied because he consummated the marriage with her.

[REFERENCES] Al-Kafi, Vol.7 p.193 • Man La Yahduruhu Al-Faqih, Vol.4 p.29 • Tahdhib Al-Ahkam, Vol.10 p.21 • Al-Wafi, Vol.15 p.354 • Wasa'il Al-Shi'ah, Vol.28 p.127

HADITH

5011 - وَ رَوَى أَبَانٌ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «يُضْرَبُ اَلرَّجُلُ اَلْحَدَّ قَائِماً وَ اَلْمَرْأَةُ قَاعِدَةً وَ يُضْرَبُ كُلُّ عُضْوٍ وَ يُتْرَكُ اَلْوَجْهُ وَ اَلْمَذَاكِيرُ».

H.5011 - Narrated by Aban from Zurara from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said: "A man is subjected to the prescribed punishment (hadd) while standing, and a woman while sitting. Every part of the body is struck except the face and the private parts."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.29

HADITH

5012 - وَ فِي رِوَايَةِ سَمَاعَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «حَدُّ اَلزَّانِي كَأَشَدِّ مَا يَكُونُ مِنَ اَلْحُدُودِ».

H.5012 - In the narration of Sama'ah from Abu Abdullah {a.s}, he said:
"The punishment for adultery is the most severe of all prescribed punishments."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.29 • Tahdhib Al-Ahkam, Vol.10 p.31 • Al-Wafi, Vol.15 p.279 • Wasa'il Al-Shi'ah, Vol.28 p.92

HADITH

5013 - وَ رَوَى طَلْحَةُ بْنُ زَيْدٍ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «لاَ يُجَرَّدُ فِي حَدٍّ وَ لاَ يُشْبَحُ يَعْنِي يُمَدُّ» وَ قَالَ «يُضْرَبُ اَلزَّانِي عَلَى اَلْحَالِ اَلَّتِي يُوجَدُ عَلَيْهَا، إِنْ وُجِدَ عُرْيَاناً ضُرِبَ عُرْيَاناً وَ إِنْ وُجِدَ وَ عَلَيْهِ ثِيَابُهُ ضُرِبَ وَ عَلَيْهِ ثِيَابُهُ».

H.5013 - Talhah ibn Zayd narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, that he said:
"A person should not be stripped of their clothing nor stretched out (meaning tied or extended) for any legal punishment."
Imam {a.s} also said: "The adulterer should be beaten in the state in which they are found; if they are found unclothed, they are beaten while unclothed, and if they are found clothed, they are beaten while clothed."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.29 • Tahdhib Al-Ahkam, Vol.10 p.32 • Al-Wafi, Vol.15 p.279 • Wasa'il Al-Shi'ah, Vol.28 p.93

HADITH

5014 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ حَفْصِ بْنِ اَلْبَخْتَرِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ ع قَالَ: «أُتِيَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ بِرَجُلٍ وُجِدَ تَحْتَ فِرَاشِ رَجُلٍ فَأَمَرَ بِهِ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَلُوِّثَ فِي مَخْرُأَةٍ».

H.5014 - Ibn Abi Umayr narrated from Hafs ibn Al-Bukhtari from Abu Abdullah {a.s} who said: "A man was brought to Commander of the Faithful {a.s} after being found beneath another man's bed. The Commander of the Faithful {a.s} ordered that he be dragged through a public latrine."

[REFERENCES] Man La Yahduruhu Al-Faqih, V.4 p.30 • Al-Wafi, V.15 p.350 • Wasa'il Al-Shi'ah, V.28 p.163

HADITH

5015 - وَ رَوَى عَلِيُّ بْنُ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنِ اَلرَّجُلِ يَزْنِي فِي اَلْيَوْمِ اَلْوَاحِدِ مِرَاراً قَالَ «إِنْ زَنَى بِامْرَأَةٍ وَاحِدَةٍ كَذَا وَ كَذَا مَرَّةً فَإِنَّمَا عَلَيْهِ حَدٌّ وَاحِدٌ وَ إِنْ هُوَ زَنَى بِنِسَاءٍ شَتَّى فِي يَوْمٍ وَاحِدٍ أَوْ فِي سَاعَةٍ وَاحِدَةٍ فَإِنَّ عَلَيْهِ فِي كُلِّ اِمْرَأَةٍ فَجَرَ بِهَا حَدّاً».

H.5015 - Ali ibn Abi Hamzah narrated from Abu Basir from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said:
I asked Imam {a.s} about a man who commits adultery multiple times in a single day.
Imam {a.s} replied: "If he commits adultery with the same woman multiple times, then only one punishment (hadd) applies to him. However, if he commits adultery with different women in the same day or even in the same hour, then for each woman he has violated, a separate punishment (hadd) applies."

[REFERENCES] Al-Kafi, Vol.7 p.196 • Man La Yahduruhu Al-Faqih, Vol.4 p.30 • Tahdhib Al-Ahkam, Vol.10 p.37 • Awali Al-La'ali, Vol.3 p.554 • Al-Wafi, Vol.15 p.246 • Wasa'il Al-Shi'ah, Vol.28 p.122

HADITH

5016 - وَ رَوَى يُونُسُ بْنُ يَعْقُوبَ عَنْ أَبِي مَرْيَمَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «أَتَتِ اِمْرَأَةٌ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَقَالَتْ إِنِّي قَدْ فَجَرْتُ فَأَعْرَضَ بِوَجْهِهِ عَنْهَا فَتَحَوَّلَتْ حَتَّى اِسْتَقْبَلَتْ وَجْهَهُ فَقَالَتْ إِنِّي قَدْ فَجَرْتُ فَأَعْرَضَ عَنْهَا بِوَجْهِهِ ثُمَّ اِسْتَقْبَلَتْهُ فَقَالَتْ إِنِّي قَدْ فَجَرْتُ فَأَعْرَضَ عَنْهَا ثُمَّ اِسْتَقْبَلَتْهُ فَقَالَتْ إِنِّي قَدْ فَجَرْتُ فَأَمَرَ بِهَا فَحُبِسَتْ وَ كَانَتْ حَامِلاً فَتَرَبَّصَ بِهَا حَتَّى وَضَعَتْ ثُمَّ أَمَرَ بِهَا بَعْدَ ذَلِكَ فَحُفِرَ لَهَا حَفِيرَةٌ فِي اَلرَّحَبَةِ وَ خَاطَ عَلَيْهَا ثَوْباً جَدِيداً وَ أَدْخَلَهَا اَلْحُفْرَةَ إِلَى اَلْحَقْوِ وَ مَوْضِعِ اَلثَّدْيَيْنِ وَ أَغْلَقَ بَابَ اَلرَّحَبَةِ وَ رَمَاهَا بِحَجَرٍ وَ قَالَ « بِسْمِ اَللَّهِ اَللَّهُمَّ عَلَى تَصْدِيقِ كِتَابِكَ، وَ سُنَّةِ نَبِيِّكَ » ثُمَّ أَمَرَ قَنْبَرَ فَرَمَاهَا بِحَجَرٍ ثُمَّ دَخَلَ مَنْزِلَهُ وَ قَالَ «يَا قَنْبَرُ اِئْذَنْ لِأَصْحَابِ مُحَمَّدٍ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ » فَدَخَلُوا فَرَمَوْهَا بِحَجَرٍ حَجَرٍ ثُمَّ قَامُوا لاَ يَدْرُونَ أَ يُعِيدُونَ حِجَارَتَهُمْ أَوْ يَرْمُونَ بِحِجَارَةٍ غَيْرِهَا وَ بِهَا رَمَقٌ فَقَالُوا يَا قَنْبَرُ أَخْبِرْهُ أَنَّا قَدْ رَمَيْنَاهَا بِحِجَارَتِنَا وَ بِهَا رَمَقٌ فَكَيْفَ نَصْنَعُ فَقَالَ «عُودُوا فِي حِجَارَتِكُمْ» فَعَادُوا حَتَّى قُضِيَتْ فَقَالُوا لَهُ فَقَدْ مَاتَتْ فَكَيْفَ نَصْنَعُ بِهَا قَالَ «فَادْفَعُوهَا إِلَى أَوْلِيَائِهَا وَ مُرُوهُمْ أَنْ يَصْنَعُوا بِهَا كَمَا يَصْنَعُونَ بِمَوْتَاهُمْ» ».

H.5016 - Yunus ibn Ya'qub narrated from Abu Maryam, who narrated from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} that a woman came to Commander of the Faithful {a.s} and said: “I have committed adultery."
Imam {a.s} turned his face away from her.
She moved to face Imam {a.s} again and repeated: "I have committed adultery," but Imam {a.s} turned away once more.
She repeated it a third and then a fourth time.
After the fourth confession, Imam {a.s} ordered that she be detained.
It was discovered that she was pregnant, so Imam {a.s} waited until she gave birth.
Afterward, Imam {a.s} commanded that a pit be dug for her in the open space of Rahbah.
Imam {a.s} dressed her in a new garment and placed her into the pit up to her waist and chest level. Imam {a.s} then closed the gate of Rahbah and threw a stone at her, saying: "In the name of Allah {SWT}. O’ Allah {SWT}, in confirmation of Your Book and the Sunnah of Your Prophet {saws}."
Then Imam {a.s} instructed Qanbar to throw a stone at her. Afterward, Imam {a.s} returned to his house and said: “O’ Qanbar, permit the companions of Muhammad (peace be upon him and his family) to enter."
They entered and began stoning her, each throwing a stone. When they were unsure whether to reuse the same stones or throw new ones while she was still alive, they said: “O’ Qanbar, inform him that we have stoned her with our stones, but she is still alive. What should we do?"
Imam {a.s} replied: “Return to your stones," and they continued until she died.
They asked: “She has now died, what should we do with her?"
Imam {a.s} said: “Hand her over to her family and instruct them to treat her as they would their deceased."

[REFERENCES] Man La Yahduruhu Al-Faqih, V.4 p.30 • Al-Wafi, V.15 p.274 • Wasa’il Al-Shi’ah, V.28 p.107

HADITH

5017 - وَ رَوَى سَعْدُ بْنُ طَرِيفٍ عَنِ اَلْأَصْبَغِ بْنِ نُبَاتَةَ قَالَ: أَتَى رَجُلٌ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَقَالَ يَا أَمِيرَ اَلْمُؤْمِنِينَ إِنِّي زَنَيْتُ فَطَهِّرْنِي فَأَعْرَضَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ بِوَجْهِهِ عَنْهُ ثُمَّ قَالَ لَهُ «اِجْلِسْ» فَأَقْبَلَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ عَلَى اَلْقَوْمِ فَقَالَ «أَ يَعْجِزُ أَحَدُكُمْ إِذَا قَارَفَ هَذِهِ اَلسَّيِّئَةَ أَنْ يَسْتُرَ عَلَى نَفْسِهِ كَمَا سَتَرَ اَللَّهُ عَلَيْهِ» فَقَامَ اَلرَّجُلُ فَقَالَ يَا أَمِيرَ اَلْمُؤْمِنِينَ إِنِّي زَنَيْتُ فَطَهِّرْنِي فَقَالَ «وَ مَا دَعَاكَ إِلَى مَا قُلْتَ» قَالَ طَلَبُ اَلطَّهَارَةِ قَالَ «وَ أَيُّ اَلطَّهَارَةِ أَفْضَلُ مِنَ اَلتَّوْبَةِ» ثُمَّ أَقْبَلَ عَلَى أَصْحَابِهِ يُحَدِّثُهُمْ فَقَامَ اَلرَّجُلُ فَقَالَ يَا أَمِيرَ اَلْمُؤْمِنِينَ إِنِّي زَنَيْتُ فَطَهِّرْنِي فَقَالَ لَهُ «أَ تَقْرَأُ شَيْئاً مِنَ اَلْقُرْآنِ » قَالَ نَعَمْ فَقَالَ «اِقْرَأْ» فَقَرَأَ فَأَصَابَ فَقَالَ لَهُ «أَ تَعْرِفُ مَا يَلْزَمُكَ مِنْ حُقُوقِ اَللَّهِ عَزَّ وَ جَلَّ فِي صَلاَتِكَ وَ زَكَاتِكَ» فَقَالَ نَعَمْ فَسَأَلَهُ فَأَصَابَ فَقَالَ لَهُ «هَلْ بِكَ مِنْ مَرَضٍ يَعْرُوكَ أَوْ تَجِدُ وَجَعاً فِي رَأْسِكَ أَوْ شَيْئاً فِي بَدَنِكَ أَوْ غَمّاً فِي صَدْرِكَ»

فَقَالَ يَا أَمِيرَ اَلْمُؤْمِنِينَ لاَ فَقَالَ «وَيْحَكَ اِذْهَبْ حَتَّى نَسْأَلَ عَنْكَ فِي اَلسِّرِّ كَمَا سَأَلْنَاكَ فِي اَلْعَلاَنِيَةِ فَإِنْ لَمْ تَعُدْ إِلَيْنَا لَمْ نَطْلُبْكَ» قَالَ فَسَأَلَ عَنْهُ فَأُخْبِرَ أَنَّهُ سَالِمُ اَلْحَالِ وَ أَنَّهُ لَيْسَ هُنَاكَ شَيْءٌ يَدْخُلُ عَلَيْهِ بِهِ اَلظَّنُّ قَالَ ثُمَّ عَادَ اَلرَّجُلُ إِلَيْهِ فَقَالَ لَهُ يَا أَمِيرَ اَلْمُؤْمِنِينَ إِنِّي زَنَيْتُ فَطَهِّرْنِي فَقَالَ لَهُ «لَوْ أَنَّكَ لَمْ تَأْتِنَا لَمْ نَطْلُبْكَ وَ لَسْنَا بِتَارِكِيكَ إِذْ لَزِمَكَ حُكْمُ اَللَّهِ عَزَّ وَ جَلَّ» ثُمَّ قَالَ «يَا مَعْشَرَ اَلنَّاسِ إِنَّهُ يُجْزِي مَنْ حَضَرَ مِنْكُمْ رَجْمَهُ عَمَّنْ غَابَ فَنَشَدْتُ اَللَّهَ رَجُلاً مِنْكُمْ يَحْضُرُ غَداً لَمَّا تَلَثَّمَ بِعِمَامَتِهِ حَتَّى لاَ يَعْرِفَ بَعْضُكُمْ بَعْضاً وَ أُتُونِي بِغَلَسٍ حَتَّى لاَ يَنْظُرَ بَعْضُكُمْ بَعْضاً فَإِنَّا لاَ نَنْظُرُ فِي وَجْهِ رَجُلٍ وَ نَحْنُ نَرْجُمُهُ بِالْحِجَارَةِ» قَالَ فَغَدَا اَلنَّاسُ كَمَا أَمَرَهُمْ قَبْلَ إِسْفَارِ اَلصُّبْحِ فَأَقْبَلَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ عَلَيْهِمْ ثُمَّ قَالَ «نَشَدْتُ اَللَّهَ رَجُلاً مِنْكُمْ لِلَّهِ عَلَيْهِ مِثْلُ هَذَا اَلْحَقِّ أَنْ يَأْخُذَ لِلَّهِ بِهِ فَإِنَّهُ لاَ يَأْخُذُ لِلَّهِ عَزَّ وَ جَلَّ بِحَقٍّ مَنْ يَطْلُبُهُ اَللَّهُ بِمِثْلِهِ» قَالَ فَانْصَرَفَ وَ اَللَّهِ قَوْمٌ مَا نَدْرِي مَنْ هُمْ حَتَّى اَلسَّاعَةِ ثُمَّ رَمَاهُ بِأَرْبَعَةِ أَحْجَارٍ وَ رَمَاهُ اَلنَّاسُ.

H.5017 - Sa'd ibn Tarif narrated from Al-Asbagh ibn Nubata who said:

A man came to Commander of the Faithful {a.s} and said: “O’ Commander of the Faithful, I have committed adultery, so purify me."

Commander of the Faithful {a.s} turned his face away from him and then said to him: "Sit down." Then Imam Ali ibn Abi Talib {a.s} turned to the people and said: “Is it beyond any of you, if he commits such a sin, to conceal it upon himself as Allah {SWT} has concealed it for him?"

The man stood up again and said: “O’ Commander of the Faithful, I have committed adultery, so purify me."

Imam Ali ibn Abi Talib {a.s} asked him: "What led you to say what you have said?"

He replied: “The desire for purification."

Imam Ali ibn Abi Talib {a.s} said: “And what purification is better than repentance?"

Then Imam {a.s} turned back to his companions, engaging them in conversation.

Yet again, the man stood up and said: “O’ Commander of the Faithful, I have committed adultery, so purify me."

Imam Ali ibn Abi Talib {a.s} asked him: "Do you recite anything from the Qur'an?"

He replied: “Yes."

Imam Ali ibn Abi Talib {a.s} said: “Recite."
So the man recited and did so correctly.
Imam Ali ibn Abi Talib {a.s} asked him: "Do you know what obligations are upon you from the rights of Allah {SWT}, the Exalted, in your prayers and zakat?"
The man answered: "Yes."
Imam Ali ibn Abi Talib {a.s} questioned him and the man answered correctly.
Then Imam Ali ibn Abi Talib {a.s} asked: “Do you suffer from any illness, or do you feel pain in your head, or any ailment in your body, or any distress in your chest?"
The man replied: “O’ Commander of the Faithful, no (I am not ill or distressed)."
Imam Ali {a.s} said: “Woe to you! Go until we inquire about you privately as we questioned you publicly. If you do not return to us, we will not pursue you."
It is narrated that Imam Ali {a.s} inquired about the man and was informed that he was in sound condition and that there was nothing about him that raised suspicion.
However, the man returned and said: “O’ Commander of the Faithful, I have committed adultery, so purify me."
Imam Ali {a.s} responded, "Had you not come to us, we would not have sought you out. But now, we cannot abandon you as Allah’s {SWT} ruling upon you has become binding."
Then Imam {a.s} addressed the people, saying: "O’ people, it is sufficient for those present among you to carry out the stoning on behalf of those who are absent. I urge anyone among you who will be present tomorrow to cover his face with his turban so that none of you recognize the others. Come to me before dawn so that none of you look at one another, for we do not wish to look into the face of a man while we are stoning him with stones."
The people came as instructed before the break of dawn.
Imam Ali ibn Abi Talib {a.s} addressed them again, saying: "I urge anyone among you, for the sake of Allah {SWT}, who has a right like this upon himself to carry it out for Allah {SWT}. For no one truly upholds Allah’s {SWT} right except that Allah {SWT} will hold him accountable with the same."
After that, some people departed, and by Allah {SWT}, no one knew who they were until that moment. Then Imam Ali ibn Abi Talib {a.s} himself threw four stones at the man, and the people followed by stoning him.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.31 • Al-Wafi, Vol.15 p.271

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5018 - : وَ إِنَّ اِمْرَأَةً أَتَتْ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَقَالَتْ يَا أَمِيرَ اَلْمُؤْمِنِينَ إِنِّي زَنَيْتُ فَطَهِّرْنِي طَهَّرَكَ اَللَّهُ فَإِنَّ عَذَابَ اَلدُّنْيَا أَيْسَرُ مِنْ عَذَابِ اَلْآخِرَةِ اَلَّذِي لاَ يَنْقَطِعُ فَقَالَ «مِمَّ أُطَهِّرُكِ» قَالَتْ مِنَ اَلزِّنَا فَقَالَ لَهَا «فَذَاتُ بَعْلٍ أَنْتِ أَمْ غَيْرُ ذَاتِ بَعْلٍ» فَقَالَتْ ذَاتُ بَعْلٍ فَقَالَ لَهَا «فَحَاضِراً كَانَ بَعْلُكِ أَمْ غَائِباً» قَالَتْ حَاضِراً فَقَالَ «اِنْتَظِرِي حَتَّى تَضَعِي مَا فِي بَطْنِكِ ثُمَّ اِئْتِينِي» فَلَمَّا وَلَّتْ عَنْهُ مِنْ حَيْثُ لاَ تَسْمَعُ كَلاَمَهُ قَالَ «اَللَّهُمَّ هَذِهِ شَهَادَةٌ» فَلَمْ تَلْبَثْ أَنْ أَتَتْهُ فَقَالَتْ إِنِّي وَضَعْتُ فَطَهِّرْنِي فَتَجَاهَلَ عَلَيْهَا وَ قَالَ لَهَا «أُطَهِّرُكِ يَا أَمَةَ اَللَّهِ مِمَّا ذَا» قَالَتْ إِنِّي قَدْ زَنَيْتُ وَ قَدْ وَضَعْتُ فَطَهِّرْنِي قَالَ «وَ ذَاتُ بَعْلٍ أَنْتِ إِذْ فَعَلْتِ مَا فَعَلْتِ أَمْ غَيْرُ ذَاتِ بَعْلٍ» قَالَتْ بَلْ ذَاتُ بَعْلٍ قَالَ «وَ كَانَ بَعْلُكِ غَائِباً أَمْ حَاضِراً» قَالَتْ بَلْ حَاضِراً قَالَ «اِذْهَبِي حَتَّى تُرْضِعِيهِ» فَلَمَّا وَلَّتْ حَيْثُ لاَ تَسْمَعُ كَلاَمَهُ قَالَ «اَللَّهُمَّ إِنَّهُمَا شَهَادَتَانِ » فَلَمَّا أَرْضَعَتْهُ عَادَتْ إِلَيْهِ فَقَالَتْ يَا أَمِيرَ اَلْمُؤْمِنِينَ إِنِّي زَنَيْتُ فَطَهِّرْنِي فَقَالَ لَهَا «وَ ذَاتَ بَعْلٍ كُنْتِ إِذْ فَعَلْتِ مَا فَعَلْتِ أَمْ غَيْرَ ذَاتِ بَعْلٍ» قَالَتْ بَلْ ذَاتَ بَعْلٍ قَالَ «وَ كَانَ زَوْجُكِ حَاضِراً أَمْ غَائِباً» قَالَتْ بَلْ حَاضِراً قَالَ «اِذْهَبِي فَاكْفُلِيهِ حَتَّى يَعْقِلَ أَنْ يَأْكُلَ وَ يَشْرَبَ وَ لاَ يَتَرَدَّى مِنْ سَطْحٍ وَ لاَ يَتَهَوَّرَ فِي بِئْرٍ» فَانْصَرَفَتْ وَ هِيَ تَبْكِي فَلَمَّا وَلَّتْ حَيْثُ لاَ تَسْمَعُ كَلاَمَهُ قَالَ «اَللَّهُمَّ هَذِهِ ثَلاَثُ شَهَادَاتٍ» فَاسْتَقْبَلَهَا عَمْرُو بْنُ حُرَيْثٍ وَ هِيَ تَبْكِي فَقَالَ مَا يُبْكِيكِ قَالَتْ أَتَيْتُ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَسَأَلْتُهُ أَنْ يُطَهِّرَنِي فَقَالَ لِي اُكْفُلِي وَلَدَكِ حَتَّى يَأْكُلَ وَ يَشْرَبَ وَ لاَ يَتَرَدَّى مِنْ سَطْحٍ وَ لاَ يَتَهَوَّرَ فِي بِئْرٍ وَ قَدْ خِفْتُ أَنْ يُدْرِكَنِي اَلْمَوْتُ وَ لَمْ يُطَهِّرْنِي فَقَالَ لَهَا عَمْرُو بْنُ حُرَيْثٍ اِرْجِعِي فَإِنِّي أَكْفُلُ وَلَدَكِ فَرَجَعَتْ فَأَخْبَرَتْ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ بِقَوْلِ عَمْرٍو فَقَالَ لَهَا أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ «لِمَ يَكْفُلُ عَمْرٌو وَلَدَكِ» قَالَتْ يَا أَمِيرَ اَلْمُؤْمِنِينَ إِنِّي زَنَيْتُ فَطَهِّرْنِي قَالَ «وَ ذَاتَ بَعْلٍ كُنْتِ إِذْ فَعَلْتِ مَا فَعَلْتِ» قَالَتْ نَعَمْ قَالَ «وَ كَانَ بَعْلُكِ حَاضِراً أَمْ غَائِباً» قَالَتْ بَلْ حَاضِراً فَرَفَعَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ رَأْسَهُ إِلَى اَلسَّمَاءِ وَ قَالَ «اَللَّهُمَّ إِنِّي قَدْ أَثْبَتُّ ذَلِكَ عَلَيْهَا أَرْبَعَ شَهَادَاتٍ وَ إِنَّكَ قَدْ قُلْتَ لِنَبِيِّكَ صَلَوَاتُ اَللَّهِ عَلَيْهِ وَ آلِهِ فِيمَا أَخْبَرْتَهُ مِنْ دِينِكَ «يَا مُحَمَّدُ مَنْ عَطَّلَ حَدّاً مِنْ حُدُودِي فَقَدْ عَانَدَنِي وَ ضَادَّنِي فِي مُلْكِي» اَللَّهُمَّ وَ إِنِّي غَيْرُ مُعَطِّلٍ حُدُودَكَ وَ لاَ طَالِبٍ مُضَادَّتَكَ وَ لاَ مُعَانِدٍ لَكَ وَ لاَ مُضَيِّعٍ أَحْكَامَكَ بَلْ مُطِيعٌ لَكَ مُتَّبِعٌ لِسُنَّةِ نَبِيِّكَ » فَنَظَرَ إِلَيْهِ عَمْرُو بْنُ حُرَيْثٍ فَقَالَ يَا أَمِيرَ اَلْمُؤْمِنِينَ إِنِّي إِنَّمَا أَرَدْتُ أَنْ أَكْفُلَهُ لِأَنِّي ظَنَنْتُ أَنَّ ذَلِكَ تُحِبُّهُ فَأَمَّا إِذْ كَرِهْتَهُ فَلَسْتُ أَفْعَلُ فَقَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ «بَعْدَ أَرْبَعِ شَهَادَاتٍ بِاللَّهِ لَتَكْفُلَنَّهُ وَ أَنْتَ صَاغِرٌ» ثُمَّ قَامَ عَلَيْهِ اَلسَّلاَمُ فَصَعِدَ اَلْمِنْبَرَ فَقَالَ «يَا قَنْبَرُ نَادِ فِي اَلنَّاسِ اَلصَّلاَةَ جَامِعَةً، فَاجْتَمَعَ اَلنَّاسُ حَتَّى غَصَّ اَلْمَسْجِدُ بِأَهْلِهِ» فَقَالَ «أَيُّهَا اَلنَّاسُ إِنَّ إِمَامَكُمْ خَارِجٌ بِهَذِهِ اَلْمَرْأَةِ إِلَى اَلظَّهْرِ لِيُقِيمَ عَلَيْهَا اَلْحَدَّ إِنْ شَاءَ اَللَّهُ » ثُمَّ نَزَلَ فَلَمَّا أَصْبَحَ خَرَجَ بِالْمَرْأَةِ وَ خَرَجَ اَلنَّاسُ مُتَنَكِّرِينَ مُتَلَثِّمِينَ بِعَمَائِمِهِمْ وَ اَلْحِجَارَةُ فِي أَيْدِيهِمْ وَ أَرْدِيَتِهِمْ وَ أَكْمَامِهِمْ حَتَّى اِنْتَهَوْا إِلَى اَلظَّهْرِ فَأَمَرَ فَحُفِرَ لَهَا حَفِيرَةٌ ثُمَّ دَفَنَهَا فِيهَا إِلَى حَقْوَيْهَا ثُمَّ رَكِبَ بَغْلَتَهُ وَ أَثْبَتَ رِجْلَهُ فِي غَرْزِ اَلرِّكَابِ ثُمَّ وَضَعَ يَدَيْهِ اَلسَّبَّابَتَيْنِ فِي أُذُنَيْهِ ثُمَّ نَادَى بِأَعْلَى صَوْتِهِ «أَيُّهَا اَلنَّاسُ إِنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى عَهِدَ إِلَى نَبِيِّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ عَهْداً وَ عَهِدَ نَبِيُّهُ إِلَيَّ أَنْ لاَ يُقِيمَ اَلْحَدَّ مَنْ لِلَّهِ عَلَيْهِ حَدٌّ فَمَنْ كَانَ لِلَّهِ عَلَيْهِ حَدٌّ مِثْلُ مَا لَهُ عَلَيْهَا فَلاَ يُقِيمُ اَلْحَدَّ عَلَيْهَا» فَانْصَرَفَ اَلنَّاسُ يَوْمَئِذٍ كُلُّهُمْ مَا خَلاَ أَمِيرَ اَلْمُؤْمِنِينَ وَ اَلْحَسَنَ وَ اَلْحُسَيْنَ عَلَيْهِمُ اَلسَّلاَمُ فَأَقَامُوا عَلَيْهَا اَلْحَدَّ وَ مَا مَعَهُمْ غَيْرُهُمْ مِنَ اَلنَّاسِ.

H.5018 - A woman came to the Commander of the Faithful, Imam Ali ibn Abi Talib {a.s}, and said: “O’ Commander of the Faithful, I have committed adultery, so purify me. May Allah {SWT} purify you, for the punishment in this world is lighter than the punishment in the Hereafter, which never ends."
Imam Ali ibn Abi Talib {a.s} asked her: "From what should I purify you?"
She replied: “From adultery."
Imam {a.s} then asked: “Are you a married woman or not?"
She said: “I am married."
Imam {a.s} asked: “Was your husband present or absent?"
She replied: “He was present."
Imam {a.s} said: “Wait until you give birth to what is in your womb, then come to me."
As she turned away and could no longer hear him, Imam {a.s} said: “O’ Allah {SWT}, this is one testimony."
Not long after, she returned and said: “I have given birth. Purify me."
Imam {a.s} feigned ignorance and said: “Purify you from what, O’ servant of Allah {SWT}?"
She replied: “I have committed adultery and have given birth, so purify me."
Imam {a.s} asked her again, "Were you married when you did what you did or not?"
She said: “Yes, I was married."
Imam {a.s} asked: “Was your husband absent or present?"
She answered: "He was present."
Imam {a.s} said: “Go and nurse your child."
As she turned away and could no longer hear him, Imam {a.s} said: “O’ Allah {SWT}, these are two testimonies."
After she had nursed her child, the woman returned to the Commander of the Faithful, Imam Ali ibn Abi Talib {a.s}, and said: “O’ Commander of the Faithful, I have committed adultery, so purify me."
Imam {a.s} asked her: "Were you married when you did what you did or not?"
She replied: “Yes, I was married."
Imam {a.s} asked: “Was your husband present or absent?"
She answered, "He was present."
Imam {a.s} said: “Go and care for your child until he becomes aware enough to eat, drink, not fall from a roof, and not stumble into a well."
The woman turned away weeping, and when she was far enough not to hear him, Imam Ali {a.s} said: “O’ Allah {SWT}, this is the third testimony."
As she was crying, Amr ibn Hurayth met her and asked: “Why are you crying?"
She replied: “I went to the Commander of the Faithful {a.s} and asked him to purify me, but he told me to care for my child until he eats, drinks, does not fall from a roof, and does not stumble into a well. I am afraid that death will come to me before I am purified."
Amr ibn Hurayth said to her: "Return, for I will take responsibility for your child."
She returned to Imam Ali {a.s} and informed him of Amr's offer.
Imam Ali {a.s} asked her: "Why would Amr take responsibility for your child?"
She said: “O’ Commander of the Faithful, I have committed adultery, so purify me."

Imam {a.s} asked: “Were you married when you committed this act?"
She replied: “Yes."
Imam {a.s} then asked: “Was your husband present or absent?"
She replied: “He was present."
At this, the Commander of the Faithful, Imam Ali ibn Abi Talib {a.s}, raised his head toward the sky and said: “O’ Allah {SWT}, I have confirmed this against her with four testimonies. And You {SWT} have said to Your Prophet (peace be upon him and his family) regarding Your {SWT} religion:
‘O’ Muhammad {saws}, whoever abandons one of My {SWT} prescribed punishments has opposed Me {SWT} and contended with Me {SWT} in My {SWT} dominion’.
‘O’ Allah {SWT}, I do not abandon Your {SWT} punishments, nor do I seek to oppose You {SWT} or contend with You {SWT}. I do not neglect Your {SWT} rulings but rather obey You {SWT} and follow the Sunnah of Your {SWT} Prophet."
Amr ibn Hurayth then said: “O’ Commander of the Faithful, I only offered to take responsibility for her child because I thought you would like that. But if you dislike it, I will not do it."
Imam Ali ibn Abi Talib {a.s} responded: "After four testimonies by Allah {SWT}, you will indeed take responsibility for him, and you will do so in humility."
Then Imam Ali ibn Abi Talib {a.s} stood up, ascended the pulpit, and said: “O’ Qanbar, call out among the people that the prayer is gathering."
The people gathered until the mosque was full.
Then Imam Ali ibn Abi Talib {a.s} said: “O’ people, your Imam will go out with this woman at noon to carry out the prescribed punishment upon her, God willing."
Then Imam Ali ibn Abi Talib {a.s} descended from the pulpit.
When the morning came, Imam {a.s} went out with the woman, and the people followed, disguised and veiled with their turbans, holding stones in their hands, hidden in their cloaks and sleeves. They proceeded until they reached the open area (Al-Zuhr).
Imam Ali ibn Abi Talib {a.s} ordered a pit to be dug for her, and she was buried in it up to her waist.
Imam {a.s} then mounted his mule, placed his foot firmly in the stirrup, put his index fingers into his ears, and called out in a loud voice:
"O’ people! Verily, Allah {SWT} the Blessed and Exalted entrusted His Prophet (peace be upon him and his family) with a trust, and His Prophet {saws} entrusted me that none should carry out the prescribed punishment except one upon whom there is no prescribed punishment from Allah {SWT}. Therefore, whoever among you has a punishment upon him from Allah {SWT} like the punishment upon her, let him not execute the punishment upon her."
Upon hearing this, all the people left that day, except for the Commander of the Faithful Imam Ali ibn Abi Talib {a.s} and Imam Hasan ibn Ali {a.s} and Imam Hussain ibn Ali {a.s}. They alone carried out the prescribed punishment upon her, and none of the people remained with them.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.32

HADITH

5019 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «إِنَّ رَجُلاً جَاءَ إِلَى عِيسَى اِبْنِ مَرْيَمَ عَلَيْهِ اَلسَّلاَمُ فَقَالَ لَهُ يَا رُوحَ اَللَّهِ إِنِّي زَنَيْتُ فَطَهِّرْنِي فَأَمَرَ عِيسَى عَلَيْهِ اَلسَّلاَمُ أَنْ يُنَادَى فِي اَلنَّاسِ لاَ يَبْقَى أَحَدٌ إِلاَّ خَرَجَ لِتَطْهِيرِ فُلاَنٍ فَلَمَّا اِجْتَمَعَ وَ اِجْتَمَعُوا وَ صَارَ اَلرَّجُلُ فِي اَلْحُفْرَةِ نَادَى اَلرَّجُلُ لاَ يَحُدَّنِي مَنْ لِلَّهِ فِي جَنْبِهِ حَدٌّ فَانْصَرَفَ اَلنَّاسُ كُلُّهُمْ إِلاَّ يَحْيَى وَ عِيسَى عَلَيْهِ اَلسَّلاَمُ فَدَنَا مِنْهُ يَحْيَى عَلَيْهِ اَلسَّلاَمُ فَقَالَ لَهُ يَا مُذْنِبُ عِظْنِي فَقَالَ لَهُ لاَ تُخَلِّيَنَّ بَيْنَ نَفْسِكَ وَ بَيْنَ هَوَاهَا فَتُرْدِيَكَ قَالَ زِدْنِي قَالَ لاَ تُعَيِّرَنَّ خَاطِئاً بِخَطِيئَةٍ قَالَ زِدْنِي قَالَ لاَ تَغْضَبْ قَالَ حَسْبِي».

H.5019 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"A man came to Isa {a.s} (Jesus), the son of Mariyum {a.s} (Mary), and said:
"O' Spirit of Allah {SWT}, I have committed adultery, so purify me."
Isa {a.s} ordered a public announcement to be made: "Let no one remain behind; everyone must come out for the purification of this man."
When the people had gathered and the man stood in the pit, the man called out, "Let no one execute the punishment upon me except one who has no prescribed punishment from Allah {SWT} upon him."
Upon hearing this, all the people dispersed, leaving only Prophet Yahya {a.s} and Prophet Isa {a.s}. Yahya {a.s} approached the man and said: "O' sinner, advise me."
The man replied: "Do not leave your soul alone with its desires, lest it destroys you."
Yahya {a.s} said: "Give me more advice."
The man said: "Do not shame a sinner for his sin."
Yahya {a.s} asked: "Give me more advice."
The man said: "Do not become angry."
Yahya {a.s} responded, "That is enough for me."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.33 • Majmu'at Warram, Vol.2 p.10 • Al-Wafi, Vol.15 p.273 • Bihar Al-Anwar, Vol.14 p.188

HADITH

5020 - وَ سُئِلَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : عَنِ اَلْمَرْجُومِ يَفِرُّ قَالَ «إِنْ كَانَ أَقَرَّ عَلَى نَفْسِهِ فَلاَ يُرَدُّ وَ إِنْ كَانَ شَهِدَ عَلَيْهِ اَلشُّهُودُ يُرَدُّ». وَ قَدْ رُوِيَ: «أَنَّهُ إِنْ كَانَ أَصَابَهُ أَلَمُ اَلْحِجَارَةِ فَلاَ يُرَدُّ وَ إِنْ لَمْ يَكُنْ أَصَابَهُ أَلَمُ اَلْحِجَارَةِ رُدَّ».

رَوَى ذَلِكَ، صَفْوَانُ عَنْ غَيْرِ وَاحِدٍ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ.

H.5020 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked about a person sentenced to stoning who attempts to flee.
Imam {a.s} replied: "If the person confessed to the crime himself, he should not be brought back. However, if witnesses testified against him, he must be returned."
It has also been narrated: "If the person had already been struck and felt the pain of the stones, he should not be brought back. But if he had not yet felt the pain of the stones, he should be returned."

[AL SADUQ]

This narration was reported by Safwan from multiple sources through Abu Basir, from Imam Jafar ibn Muhammad Al-Sadiq {a.s}.

[REFERENCES] Man La Yahduruhu Al-Faqih, V.4 p.34 • Al-Wafi, V.15 p.266 • Wasa'il Al-Shi'ah, V.28 p.103

HADITH

5021 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ : «أَنَّ ثَلاَثَةً شَهِدُوا عَلَى رَجُلٍ بِالزِّنَا فَقَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «أَيْنَ اَلرَّابِعُ» فَقَالُوا اَلْآنَ يَجِيءُ فَقَالَ عَلَيْهِ اَلسَّلاَمُ «حُدُّوهُمْ فَلَيْسَ فِي اَلْحُدُودِ نَظَرُ سَاعَةٍ» ».

H.5021 - In the narration from Al-Sakuni, it is reported that three individuals testified against a man for committing adultery.
Imam Ali ibn Abi Talib {a.s} asked: "Where is the fourth witness?"
They replied: "He is coming now."
Imam Ali ibn Abi Talib {a.s} then said: "Administer the punishment to them, for there is no delay in enforcing legal punishments."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.34 • Tahdhib Al-Ahkam, Vol.10 p.49 • Wasa'il Al-Shi'ah, Vol.28 p.96

HADITH

5022 - وَ رَوَى عَبْدُ اَللَّهِ بْنُ سِنَانٍ عَنْ إِسْمَاعِيلَ بْنِ جَابِرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: قُلْتُ لَهُ مَا اَلْمُحْصَنُ رَحِمَكَ اَللَّهُ قَالَ «مَنْ كَانَ لَهُ فَرْجٌ يَغْدُو عَلَيْهِ وَ يَرُوحُ فَهُوَ مُحْصَنٌ».

H.5022 - Abdullah ibn Sinan narrated from Ismail ibn Jabir, who reports by Abu Abdullah {a.s}.
I asked Imam {a.s}: "May Allah {SWT} have mercy on you, who is considered Muhsan?"
Imam {a.s} replied: "Whoever has lawful access to a spouse in the morning and evening, he is Muhsan."

[REFERENCES] Al-Kafi, Vol.7 p.179 • Man La Yahduruhu Al-Faqih, Vol.4 p.34 • Tahdhib Al-Ahkam, Vol.10 p.12 • Al-Istibsar, Vol.4 p.204 • Wasa'il Al-Shi'ah, Vol.28 p.68

HADITH

5023 - وَ فِي رِوَايَةِ وَهْبِ بْنِ وَهْبٍ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ آبَائِهِ عَلَيْهِمُ اَلسَّلاَمُ : «أَنَّ عَلِيَّ بْنَ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ أُتِيَ بِرَجُلٍ وَقَعَ عَلَى جَارِيَةِ اِمْرَأَتِهِ فَحَمَلَتْ فَقَالَ اَلرَّجُلُ وَهَبَتْهَا لِي وَ أَنْكَرَتِ اَلْمَرْأَةُ فَقَالَ «لَتَأْتِيَنِّي بِالشُّهُودِ أَوْ لَأَرْجُمَنَّكَ بِالْحِجَارَةِ» فَلَمَّا رَأَتِ اَلْمَرْأَةُ ذَلِكَ اِعْتَرَفَتْ فَجَلَدَهَا عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ اَلْحَدَّ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ جَاءَ هَذَا الْحَدِيثُ هَكَذَا فِي رِوَايَةِ وَهْبِ بْنِ وَهْبٍ وَ هُوَ ضَعِيفٌ وَ الَّذِي أُفْتِي بِهِ وَ أَعْتَمِدُهُ فِي هَذَا الْمَعْنَى.

H.5023 - In the narration of Wahb ibn Wahb from Imam Al-Sadiq {a.s} from his father, Imam Al-Baqir {a.s}, from his forefathers (peace be upon them), it is reported that:
Imam Ali ibn Abi Talib {a.s} was brought a man who had intercourse with his wife's bondwoman, and she became pregnant.
The man claimed: "She (the wife) gifted her to me," but the woman (wife) denied it.
Imam Ali ibn Abi Talib {a.s} said: “Either you bring me witnesses, or I will stone you with stones." When the woman saw this, she confessed, so Imam Ali ibn Abi Talib {a.s} carried out the prescribed punishment (Hadd) on her.

[AL SADUQ]
The compiler of this book (may Allah {SWT} have mercy on him) commented: This narration is reported in this form through Wahb ibn Wahb, and it is weak. However, the ruling I give and rely upon in this matter is based on established rulings.

[REFERENCES] Qurb Al-Isnad, Vol.1 p.53 • Man La Yahduruhu Al-Faqih, Vol.4 p.34

HADITH

5024 - مَا رَوَاهُ اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنِ اَلْعَلاَءِ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : «فِي اَلَّذِي يَأْتِي وَلِيدَةَ اِمْرَأَتِهِ بِغَيْرِ إِذْنِهَا عَلَيْهِ مَا عَلَى اَلزَّانِي يُجْلَدُ مِائَةَ جَلْدَةٍ » قَالَ «وَ لاَ يُرْجَمُ إِنْ زَنَى بِيَهُودِيَّةٍ أَوْ نَصْرَانِيَّةٍ أَوْ أَمَةٍ فَإِنْ فَجَرَ بِامْرَأَةٍ حُرَّةٍ وَ لَهُ اِمْرَأَةٌ حُرَّةٌ فَإِنَّ عَلَيْهِ اَلرَّجْمَ» قَالَ «وَ كَمَا لاَ تُحْصِنُهُ اَلْأَمَةُ وَ اَلْيَهُودِيَّةُ وَ اَلنَّصْرَانِيَّةُ إِنْ زَنَى بِحُرَّةٍ فَكَذَلِكَ لاَ يَكُونُ عَلَيْهِ حَدُّ اَلْمُحْصَنِ إِنْ زَنَى بِيَهُودِيَّةٍ أَوْ نَصْرَانِيَّةٍ أَوْ أَمَةٍ وَ تَحْتَهُ حُرَّةٌ».

H.5024 - It is narrated by Al-Hasan ibn Mahbub from Al-'Alaa from Muhammad ibn Muslim from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a man who has intercourse with his wife's bondwoman without her permission.
Imam {a.s} said: "He is subjected to the punishment of a fornicator - he is to be lashed one hundred times."
Imam {a.s} further said: "However, he is not to be stoned if he commits fornication with a Jewish, Christian, or slave woman. But if he commits fornication with a free woman while he has a lawful free wife, then he is subject to stoning (rajm)."
Imam {a.s} also explained: "Just as a slave woman, a Jewish woman, and a Christian woman do not establish him as a muhsan (one in a valid marital state), so too he is not subjected to the punishment of a muhsan if he commits fornication with a Jewish, Christian, or slave woman while having a free wife."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.35 • Tahdhib Al-Ahkam, Vol.10 p.13 • Al-Istibsar, Vol.4 p.205 • Al-Wafi, Vol.15 p.245 • Wasa'il Al-Shi'ah, Vol.28 p.71

HADITH

5025 - وَ فِي رِوَايَةِ مُحَمَّدِ بْنِ عَمْرِو بْنِ سَعِيدٍ رَفَعَهُ: «أَنَّ اِمْرَأَةً أَتَتْ عُمَرَ فَقَالَتْ يَا أَمِيرَ اَلْمُؤْمِنِينَ إِنِّي فَجَرْتُ فَأَقِمْ فِيَّ حَدَّ اَللَّهِ عَزَّ وَ جَلَّ فَأَمَرَ بِرَجْمِهَا وَ كَانَ عَلِيٌّ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ حَاضِراً فَقَالَ «سَلْهَا كَيْفَ فَجَرْتِ» فَسَأَلَهَا فَقَالَتْ كُنْتُ فِي فَلاَةٍ مِنَ اَلْأَرْضِ فَأَصَابَنِي عَطَشٌ شَدِيدٌ فَرُفِعَتْ لِي خَيْمَةٌ فَأَتَيْتُهَا فَأَصَبْتُ فِيهَا رَجُلاً أَعْرَابِيّاً فَسَأَلْتُهُ مَاءً فَأَبَى عَلَيَّ أَنْ يَسْقِيَنِي إِلاَّ أَنْ أُمَكِّنَهُ مِنْ نَفْسِي فَوَلَّيْتُ مِنْهُ هَارِبَةً فَاشْتَدَّ بِيَ اَلْعَطَشُ حَتَّى غَارَتْ عَيْنَايَ وَ ذَهَبَ لِسَانِي فَلَمَّا بَلَغَ مِنِّي اَلْعَطَشُ أَتَيْتُهُ فَسَقَانِي وَ وَقَعَ عَلَيَّ فَقَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «هَذِهِ اَلَّتِي قَالَ اَللَّهُ عَزَّ وَ جَلَّ ۝ فَمَنِ اُضْطُرَّ غَيْرَ بٰاغٍ وَ لاٰ عٰادٍ فَلاٰ إِثْمَ عَلَيْهِ ۝ هَذِهِ غَيْرُ بَاغِيَةٍ وَ لاَ عَادِيَةٍ فَخَلِّ سَبِيلَهَا» فَقَالَ عُمَرُ لَوْ لاَ عَلِيٌّ لَهَلَكَ عُمَرُ ».

H.5025 - In the narration of Muhammad ibn Amr ibn Sa'id, it is reported that a woman came to Umar and said:
"O' (ruling) Commander of the Faithful, I have committed fornication, so establish upon me the punishment of Allah, the Almighty and Majestic."
Umar ordered that she be stoned.
Imam Ali ibn Abi Talib {a.s}, the (divinely appointed) Commander of the Faithful, was present and said: "Ask her how she committed fornication."
So they asked her, and she said:
"I was in a desolate area of the land, and I was overtaken by severe thirst. Then, I saw a tent in the distance, so I went toward it and found an Arab man inside. I asked him for water, but he refused to give me any unless I allowed him access to myself. I turned away from him and fled, but my thirst intensified until my eyes sank in, and my tongue became dry. When the thirst overwhelmed me, I returned to him, and he gave me water to drink and then had his way with me."
Imam Ali ibn Abi Talib {a.s} said: "This is the case that Allah, the Almighty and Majestic, referred to in His {SWT} words:
'But whoever is compelled by necessity, neither desiring [it] nor transgressing [its limit], there is no sin upon him.' (Surah Al-Baqarah 2:173).
This woman neither sought it nor transgressed, so release her."
Umar then said, "If not for Ali {a.s}, Umar would have perished."

[REFERENCES] Tafsir Al-'Ayyashi, Vol.1 p.74 • Man La Yahduruhu Al-Faqih, Vol.4 p.35 • Tahdhib Al-Ahkam, Vol.10 p.49 • Al-Wafi, Vol.15 p.527 • Wasa'il Al-Shi'ah, Vol.28 p.111 • Tafsir Al-Burhan, Vol.1 p.373 • Bihar Al-Anwar, Vol.76 p.51 • Tafsir Nur Al-Thaqalayn, Vol.1 p.155 • Tafsir Kanz Al-Daqaiq, Vol.2 p.222 • Mustadrak Al-Wasa'il, Vol.18 p.58

HADITH

5026 - وَ رَوَى أَبُو بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ سُئِلَ عَنْ رَجُلٍ أُقِيمَتْ عَلَيْهِ اَلْبَيِّنَةُ أَنَّهُ زَنَى ثُمَّ هَرَبَ قَالَ «إِنْ تَابَ فَمَا عَلَيْهِ شَيْءٌ وَ إِنْ وَقَعَ فِي يَدِ اَلْإِمَامِ قَبْلَ ذَلِكَ أَقَامَ عَلَيْهِ اَلْحَدَّ وَ إِنْ عَلِمَ مَكَانَهُ بَعَثَ إِلَيْهِ ».

H.5026 - Abu Basir narrated from Imam Abu Abdullah {a.s} that he was asked about a man against whom evidence was established that he had committed adultery, but then he escaped.
Imam {a.s} replied: “If he repents, then there is nothing upon him. However, if he is caught by the Imam before his repentance, the prescribed punishment (Hadd) will be carried out upon him. And if the Imam knows his whereabouts, he should send someone to bring him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.36

HADITH

5027 - وَ فِي رِوَايَةِ صَفْوَانَ وَ ابْنِ الْمُغِيرَةِ عَمَّنْ رَوَاهُ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: إِذَا أَقَرَّ الزَّانِي الْمُحْصَنُ كَانَ أَوَّلَ مَنْ يَرْجُمُهُ الْإِمَامُ ثُمَّ النَّاسُ وَ إِذَا قَامَتْ عَلَيْهِ الْبَيِّنَةُ كَانَ أَوَّلَ مَنْ يَرْجُمُهُ الْبَيِّنَةُ ثُمَّ الْإِمَامُ ثُمَّ النَّاسُ.

H.5027 - In the narration of Safwan and Ibn Al-Mughira from someone who reported from Imam Abu Abdullah {a.s}, he said: "If a muhsan (married) fornicator confesses, the first to stone him must be the Imam, followed by the people. But if evidence is established against him, then the first to stone him must be the witnesses, followed by the Imam, and then the people."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.36

HADITH

5028 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ يَزِيدَ اَلْكُنَاسِيِّ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنِ اِمْرَأَةٍ تَزَوَّجَتْ فِي عِدَّتِهَا فَقَالَ «إِنْ كَانَتْ تَزَوَّجَتْ فِي عِدَّةٍ مِنْ بَعْدِ مَوْتِ زَوْجِهَا مِنْ قَبْلِ اِنْقِضَاءِ اَلْأَرْبَعَةِ اَلْأَشْهُرِ وَ عَشْرٍ فَلاَ رَجْمَ عَلَيْهَا وَ عَلَيْهَا ضَرْبُ مِائَةِ جَلْدَةٍ وَ إِنْ كَانَتْ تَزَوَّجَتْ فِي عِدَّةِ طَلاَقٍ لِزَوْجِهَا عَلَيْهَا فِيهَا رَجْعَةٌ فَإِنَّ عَلَيْهَا اَلرَّجْمَ وَ إِنْ كَانَتْ تَزَوَّجَتْ فِي عِدَّةٍ لَيْسَ لِزَوْجِهَا عَلَيْهَا فِيهَا رَجْعَةٌ فَإِنَّ عَلَيْهَا حَدَّ اَلزَّانِي غَيْرِ اَلْمُحْصَنِ وَ إِذَا فَجَرَ نَصْرَانِيٌّ بِامْرَأَةٍ مُسْلِمَةٍ فَلَمَّا أُخِذَ لِيُقَامَ عَلَيْهِ اَلْحَدُّ أَسْلَمَ فَإِنَّ اَلْحُكْمَ فِيهِ أَنْ يُضْرَبَ حَتَّى يَمُوتَ لِأَنَّ اَللَّهَ عَزَّ وَ جَلَّ يَقُولُ: ﴿ فَلَمَّا رَأَوْا بَأْسَنٰا قٰالُوا آمَنّٰا بِاللّٰهِ وَحْدَهُ وَ كَفَرْنٰا بِمٰا كُنّٰا بِهِ مُشْرِكِينَ فَلَمْ يَكُ يَنْفَعُهُمْ إِيمٰانُهُمْ لَمّٰا رَأَوْا بَأْسَنٰا سُنَّتَ اَللّٰهِ اَلَّتِي قَدْ خَلَتْ فِي عِبٰادِهِ وَ خَسِرَ هُنٰالِكَ» اَلْمُبْطِلُونَ ﴾.

أَجَابَ بِذَلِكَ أَبُو الْحَسَنِ عَلِيُّ بْنُ مُحَمَّدٍ الْعَسْكَرِيُّ ع الْمُتَوَكِّلَ لَمَّا بَعَثَ إِلَيْهِ وَ سَأَلَهُ عَنْ ذَلِكَ رَوَى ذَلِكَ جَعْفَرُ بْنُ رِزْقِ اللَّهِ عَنْهُ.

H.5028 - Narrated by Al-Hasan ibn Mahbub from Yazid Al-Kunasi, he said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a woman who married during her waiting period (iddah).
Imam {a.s} said: "If she married during the waiting period after the death of her husband before the completion of four months and ten days, then she is not to be stoned, but she must be given one hundred lashes. However, if she married during the waiting period of a revocable divorce (where her husband could have taken her back), then she is subject to stoning.
And if she married during the waiting period of an irrevocable divorce (where the husband had no right to return to her), then she is subjected to the punishment of an unmarried adulterer, which is lashes and not stoning.
Moreover, if a Christian man commits fornication with a Muslim woman and, when apprehended for the execution of the punishment, he embraces Islam, the ruling for him is that he should be beaten until he dies.
This is because Allah {SWT}, the Exalted, says: '*But when they saw Our punishment, they said: "We believe in Allah {SWT} alone and disbelieve in what we used to associate with Him." But their faith was of no benefit to them when they saw Our punishment, which has been the way of Allah {SWT} with His servants, and the disbelievers there and then were doomed to ruin.*'" (Surah Ghafir 40:84-85)

[AL SADUQ]
Abu Al-Hasan Ali ibn Muhammad Al-Askari {a.s} gave this ruling in response to Al-Mutawakkil when he sent for him and inquired about this matter. This narration was transmitted by Jafar ibn Rizq-Allah {SWT}.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.36

HADITH

5029 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اَلْعَبْدِ يَتَزَوَّجُ اَلْحُرَّةَ ثُمَّ يُعْتَقُ فَيُصِيبُ فَاحِشَةً قَالَ «لاَ رَجْمَ عَلَيْهِ حَتَّى يُوَاقِعَ اَلْحُرَّةَ بَعْدَ مَا يُعْتَقُ» قُلْتُ فَلِلْحُرَّةِ عَلَيْهِ اَلْخِيَارُ إِذَا أُعْتِقَ قَالَ «لاَ قَدْ رَضِيَتْ بِهِ وَ هُوَ مَمْلُوكٌ هُوَ عَلَى نِكَاحِهِ اَلْأَوَّلِ».

H.5029 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab, who reported from Abu Abdullah {a.s} regarding a slave who marries a free woman and is later emancipated but then commits an immoral act.
Imam {a.s} said: "There is no stoning (rajm) upon him until he engages in intercourse with the free woman after his emancipation."
I asked: "Does the free woman have the option (to leave him) when he is freed?"
Imam {a.s} replied: "No, for she accepted him while he was a slave, and he remains upon his original marriage."

[REFERENCES] Al-Kafi, Vol.5 p.487 • Al-Kafi, Vol.7 p.179 • Man La Yahduruhu Al-Faqih, Vol.4 p.37 • Tahdhib Al-Ahkam, Vol.8 p.206 • Tahdhib Al-Ahkam, Vol.10 p.16 • Al-Wafi, Vol.22 p.620 • Wasa'il Al-Shi'ah, Vol.21 p.165 • Wasa'il Al-Shi'ah, Vol.28 p.77

HADITH

5030 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ أُتِيَ بِرَجُلٍ أَصَابَ حَدّاً وَ بِهِ قُرُوحٌ فِي جَسَدِهِ كَثِيرَةٌ فَقَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «أَقِرُّوهُ حَتَّى يَبْرَأَ لاَ تَنْكَئُوهَا عَلَيْهِ فَتَقْتُلُوهُ» ».

H.5030 - In the narration of Al-Sakuni:
It is reported that Imam Ali ibn Abi Talib {a.s} was brought a man who had committed an offense deserving of a legal punishment (hadd), and the man had numerous sores on his body.
Imam Ali ibn Abi Talib {a.s} said: “Delay the execution of the punishment until he recovers. Do not aggravate his sores, lest you kill him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.38

HADITH

5031 - وَ رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنِ اِمْرَأَةٍ ذَاتِ بَعْلٍ زَنَتْ فَحَبِلَتْ فَلَمَّا وَلَدَتْ قَتَلَتْ وَلَدَهَا سِرّاً قَالَ «تُجْلَدُ مِائَةَ جَلْدَةٍ لِأَنَّهَا زَنَتْ وَ تُجْلَدُ مِائَةَ جَلْدَةٍ لِقَتْلِهَا وَلَدَهَا وَ تُرْجَمُ لِأَنَّهَا مُحْصَنَةٌ» قَالَ وَ سَأَلْتُهُ عَنِ اِمْرَأَةٍ غَيْرِ ذَاتِ بَعْلٍ زَنَتْ فَحَبِلَتْ فَقَتَلَتْ وَلَدَهَا سِرّاً قَالَ «تُجْلَدُ مِائَةَ جَلْدَةٍ لِأَنَّهَا زَنَتْ وَ تُجْلَدُ مِائَةَ جَلْدَةٍ لِأَنَّهَا قَتَلَتْ وَلَدَهَا».

H.5031 - It is narrated by Asim ibn Humayd from Muhammad ibn Qays from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} that he was asked about a married woman who committed adultery and became pregnant. After giving birth, she secretly killed her child.
Imam {a.s} said: 'She is to be lashed one hundred times for committing fornication, another hundred lashes for killing her child, and she is to be stoned because she was married (muhsanah).'
I then asked him about an unmarried woman who committed fornication, became pregnant, and then secretly killed her child.
Imam {a.s} said: 'She is to be lashed one hundred times for committing fornication and another hundred lashes for killing her child.'

[REFERENCES] Al-Kafi, Vol.7 p.261 • Man La Yahduruhu Al-Faqih, Vol.4 p.38

HADITH

5032 - وَ رَوَى إِبْرَاهِيمُ بْنُ هَاشِمٍ عَنْ مُحَمَّدِ بْنِ حَفْصٍ عَنْ عَبْدِ اَللَّهِ يَعْنِي اِبْنَ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِذَا زَنَى اَلشَّيْخُ وَ اَلْعَجُوزُ جُلِدَا ثُمَّ رُجِمَا عُقُوبَةً لَهُمَا وَ إِذَا زَنَى اَلنَّصَفُ مِنَ اَلرِّجَالِ رُجِمَ وَ لَمْ يُجْلَدْ إِذَا كَانَ قَدْ أُحْصِنَ وَ إِذَا زَنَى اَلشَّابُّ اَلْحَدَثُ جُلِدَ مِائَةً وَ نُفِيَ سَنَةً مِنْ مِصْرِهِ».

H.5032 - It is narrated by Ibrahim ibn Hashim from Muhammad ibn Hafs from Abdullah ibn Sinan from Abu Abdullah {a.s} who said:
"If an elderly man and an elderly woman commit adultery, they should first be lashed and then stoned as a punishment for them.
If a middle-aged man commits adultery and he is married (muḥṣan), he should be stoned but not lashed.
However, if a young man commits adultery, he should be lashed one hundred times and exiled for one year from his city."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.38 • Tahdhib Al-Ahkam, Vol.10 p.4 • Tahdhib Al-Ahkam, Vol.10 p.5 • Al-Istibsar, Vol.4 p.200 • Al-Istibsar, Vol.4 p.201 • Al-Wafi, Vol.15 p.241 • Wasa'il Al-Shi'ah, Vol.28 p.64 • Al-Fusul Al-Muhimmah, Vol.2 p.514 • Tafsir Nur Al-Thaqalayn, Vol.3 p.569 • Tafsir Kanz Al-Daqaiq, Vol.9 p.241

HADITH

5033 - وَ رُوِيَ عَنْ أَبِي عَبْدِ اَللَّهِ اَلْمُؤْمِنِ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ اَلزِّنَا شَرٌّ أَوْ شُرْبُ اَلْخَمْرِ وَ كَيْفَ صَارَ فِي اَلْخَمْرِ ثَمَانِينَ وَ فِي اَلزِّنَا مِائَةٌ فَقَالَ «يَا إِسْحَاقُ اَلْحَدُّ وَاحِدٌ وَ لَكِنْ زِيدَ هَذَا لِتَضْيِيعِهِ اَلنُّطْفَةَ وَ لِوَضْعِهِ إِيَّاهَا فِي غَيْرِ مَوْضِعِهَا اَلَّذِي أَمَرَ اَللَّهُ عَزَّ وَ جَلَّ بِهِ».

H.5033 - It is narrated from Abu Abdullah Al-Mu'min through Ishaq ibn Ammar who said:
I asked Abu Abdullah {a.s}: "Is adultery worse or drinking wine? And why is the punishment for drinking wine eighty lashes, while for adultery it is one hundred?"
Imam {a.s} replied: "O' Ishaq, the punishment is the same, but it was increased in the case of adultery because it involves wasting the seed and placing it in a place other than where Allah {SWT}, the Almighty and Majestic, has commanded."

[REFERENCES] Al-Kafi, Vol.7 p.262 • Man La Yahduruhu Al-Faqih, Vol.4 p.38 • Ilal Al-Shara'i', Vol.2 p.543 • Tahdhib Al-Ahkam, Vol.10 p.99 • Al-Wafi, Vol.15 p.548 • Wasa'il Al-Shi'ah, Vol.20 p.352 • Wasa'il Al-Shi'ah, Vol.28 p.98 • Wasa'il Al-Shi'ah, Vol.28 p.222 • Bihar Al-Anwar, Vol.76 p.37

HADITH

5034 - وَ رَوَى مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنْ صَالِحِ بْنِ عُقْبَةَ عَنْ أَبِي شِبْلٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ رَجُلٌ مُسْلِمٌ فَجَرَ بِجَارِيَةِ أَخِيهِ فَمَا تَوْبَتُهُ قَالَ «يَأْتِيهِ وَ يُخْبِرُهُ وَ يَسْأَلُهُ أَنْ يَجْعَلَهُ فِي حِلٍّ وَ لاَ يَعُودُ» قُلْتُ فَإِنْ لَمْ يَجْعَلْهُ مِنْ ذَلِكَ فِي حِلٍّ قَالَ «يَلْقَى اَللَّهَ عَزَّ وَ جَلَّ زَانِياً خَائِناً» قَالَ قُلْتُ فَالنَّارُ مَصِيرُهُ قَالَ «شَفَاعَةُ مُحَمَّدٍ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَ شَفَاعَتُنَا تُحِيطُ بِذُنُوبِكُمْ يَا مَعْشَرَ اَلشِّيعَةِ فَلاَ تَعُودُوا وَ لاَ تَتَّكِلُوا عَلَى شَفَاعَتِنَا فَوَ اَللَّهِ لاَ يَنَالُ أَحَدٌ شَفَاعَتَنَا إِذَا فَعَلَ هَذَا حَتَّى يُصِيبَهُ أَلَمُ اَلْعَذَابِ وَ يَرَى هَوْلَ جَهَنَّمَ ».

H.5034 - It is narrated from Muhammad ibn Isma'il through Salih ibn Uqbah from Abu Shibl who said: I asked Abu Abdullah {a.s} about a Muslim man who committed adultery with the bondwoman of his brother. What is his repentance?
Imam {a.s} replied: “He should go to him, inform him of what he has done, and ask him to pardon him, and he must not repeat the act."
I asked: “What if his brother does not pardon him?"
Imam {a.s} said: “Then he will meet Allah {SWT}, the Mighty and Majestic, as an adulterer and a betrayer."
I asked: “Will Hellfire be his destination?"
Imam {a.s} replied: “The intercession of Muhammad (peace be upon him and his family) and our intercession encompasses your sins, O’ Shia community.
But do not return to such acts and do not rely on our intercession, for by Allah {SWT}, no one will attain our intercession if he commits this sin until he experiences the pain of punishment and witnesses the terror of Hell."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.39 • Al-Wafi, Vol.5 p.1095

HADITH

5035 - وَ رَوَى عَمَّارُ بْنُ مُوسَى اَلسَّابَاطِيُّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ شَهِدَ عَلَيْهِ ثَلاَثَةُ رِجَالٍ أَنَّهُ زَنَى بِفُلاَنَةَ وَ شَهِدَ اَلرَّابِعُ أَنَّهُ لاَ يَدْرِي بِمَنْ زَنَى قَالَ «لاَ يُحَدُّ وَ لاَ يُرْجَمُ» وَ سُئِلَ عَنْ مُحْصَنَةٍ زَنَتْ وَ هِيَ حُبْلَى قَالَ «تُقَرُّ حَتَّى تَضَعَ مَا فِي بَطْنِهَا وَ تُرْضِعَ وَلَدَهَا ثُمَّ تُرْجَمُ».

H.5035 - It is narrated from Ammar ibn Musa Al-Sabati that Abu Abdullah {a.s} said:
I asked Imam {a.s} about a man against whom three men testified that he had committed adultery with a certain woman, but the fourth witness testified that he did not know with whom the man had committed adultery.
Imam {a.s} replied: “He is neither to be punished with lashes nor stoned."
Imam {a.s} was also asked about a married woman who committed adultery and was pregnant. Imam {a.s} said: “She should be kept until she gives birth to what is in her womb and nurses her child, then she is to be stoned."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.39

HADITH

5036 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ رَبِيعٍ اَلْأَصَمِّ عَنِ اَلْحَارِثِ بْنِ اَلْمُغِيرَةِ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ لَهُ اِمْرَأَةٌ بِالْعِرَاقِ فَأَصَابَ فُجُوراً فِي اَلْحِجَازِ فَقَالَ «يُضْرَبُ حَدَّ اَلزَّانِي مِائَةَ جَلْدَةٍ وَ لاَ يُرْجَمُ» قُلْتُ فَإِنْ كَانَ مَعَهَا فِي بَلَدٍ وَاحِدٍ وَ هُوَ فِي سِجْنٍ مَحْبُوسٌ لاَ يَقْدِرُ عَلَى أَنْ يَخْرُجَ إِلَيْهَا وَ لاَ تَدْخُلَ عَلَيْهِ أَ رَأَيْتَ إِنْ زَنَى فِي اَلسِّجْنِ قَالَ «هُوَ بِمَنْزِلَةِ اَلْغَائِبِ عَنْ أَهْلِهِ يُجْلَدُ مِائَةً».

H.5036 - It is narrated from Al-Hasan ibn Mahbub, from Rabi' Al-Asam, from Al-Harith ibn Al-Mughira who said: I asked Abu Abdullah {a.s} about a man who had a wife in Iraq but committed adultery in the Hijaz.
Imam {a.s} said: “He will be punished with one hundred lashes as the punishment for adultery but will not be stoned."
I asked: “What if he and his wife were in the same city, but he was imprisoned and unable to go to her, nor could she visit him, and he committed adultery in prison?"
Imam {a.s} replied: “He is like one who is absent from his family and will be lashed one hundred times."

[REFERENCES] Al-Kafi, Vol.7 p.178 • Man La Yahduruhu Al-Faqih, Vol.4 p.39 • Tahdhib Al-Ahkam, Vol.10 p.15 • Al-Wafi, Vol.15 p.250 • Wasa’il Al-Shi’ah, Vol.28 p.73

HADITH

[حدّ ما يكون المسافر فيه معذورا فى الرّجم دون الجلد]

THE PRESCRIBED PUNISHMENT AT WHICH A TRAVELER IS EXCUSED FROM STONING, BUT NOT FROM FLOGGING.

5037 - وَ رَوَى مُحَمَّدُ بْنُ أَحْمَدَ بْنِ يَحْيَى عَنْ مُحَمَّدِ بْنِ اَلْحُسَيْنِ يَرْفَعُهُ قَالَ: فِي اَلْحَدِّ فِي اَلسَّفَرِ اَلَّذِي إِذَا زَنَى لَمْ يُرْجَمْ إِذَا كَانَ مُحْصَناً قَالَ «إِذَا قَصَّرَ وَ أَفْطَرَ فَلَيْسَ بِمُحْصَنٍ».

H.5037 - Muhammad bin Ahmad bin Yahya narrated from Muhammad bin Al-Husayn in a marfu‘ report, who said: Regarding the prescribed punishment (hadd) in travel, in which if one commits adultery, he is not stoned if he is married, it was said:
"If he shortens the prayer and breaks his fast, then he is not considered married (muhsan)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.40 • Al-Wafi, Vol.15 p.253

HADITH

5038 - وَ فِي رِوَايَةِ طَلْحَةَ بْنِ زَيْدٍ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ قَالَ: «لَيْسَ عَلَى زَانٍ عُقْرٌ وَ لاَ عَلَى مُسْتَكْرَهَةٍ حَدٌّ».

H.5038 - In the narration of Talhah ibn Zayd from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, it is reported that Imam Ali ibn Abi Talib {a.s} said: "There is no compensation (Uqr) upon a fornicator, and there is no punishment upon a woman who was coerced (mukraha)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.40 • Tahdhib Al-Ahkam, Vol.10 p.18 • Al-Wafi, Vol.15 p.291 • Wasa'il Al-Shi'ah, Vol.28 p.111

HADITH

5039 - وَ رَوَى عَاصِمٌ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلرَّجُلِ يَزْنِي وَ لَمْ يَدْخُلْ بِأَهْلِهِ أَ يُحْصَنُ قَالَ «لاَ وَ لاَ بِالْأَمَةِ».

H.5039 - In the narration of Aṣim from Muhammad ibn Muslim, he said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a man who commits adultery but has not consummated marriage with his wife. Is he considered muhsan (legally married and liable for stoning)?
Imam {a.s} replied: "No, and not with a bondwoman (amah) either."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.40 • Ilal Al-Shara'i', Vol.2 p.511 • Tahdhib Al-Ahkam, Vol.10 p.16 • Al-Wafi, Vol.15 p.251 • Wasa'il Al-Shi'ah, Vol.28 p.78 • Bihar Al-Anwar, Vol.76 p.40

HADITH

5040 - قَالَ وَ سَأَلَ رِفَاعَةُ بْنُ مُوسَى أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : عَنِ اَلرَّجُلِ يَزْنِي قَبْلَ أَنْ يَدْخُلَ بِأَهْلِهِ أَ يُرْجَمُ قَالَ «لاَ » قُلْتُ هَلْ يُفَرَّقُ بَيْنَهُمَا إِذَا زَنَى قَبْلَ أَنْ يَدْخُلَ بِهَا قَالَ «لاَ».

وَ فِي حَدِيثٍ آخَرَ: عَلَيْهِ اَلْحَدُّ.

H.5040 - Rifaah ibn Musa asked Abu Abdullah {a.s} about a man who commits adultery before consummating his marriage with his wife. Should he be stoned?
Imam {a.s} replied: "No."
I asked: "Should they be separated if he committed adultery before consummating the marriage?"
Imam {a.s} replied: "No."

[AL SADUQ]
And in another narration, it is stated: "The legal punishment (*ha*dd) applies to him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.40

HADITH

5041 - وَ رَوَى جَمِيلٌ عَنْ زُرَارَةَ عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ : فِي رَجُلٍ غَصَبَ اِمْرَأَةً مُسْلِمَةً نَفْسَهَا قَالَ «يُقْتَلُ».

H.5041 - Jamil narrated from Zurarah, from one of the Imams (peace be upon them), regarding a man who forcibly violated a Muslim woman.
Imam {a.s} said: "He is to be killed."

[REFERENCES] Al-Kafi, Vol.7 p.189 • Man La Yahduruhu Al-Faqih, Vol.4 p.41 • Tahdhib Al-Ahkam, Vol.10 p.17 • Awali Al-La'ali, Vol.3 p.552 • Al-Wafi, Vol.15 p.289 • Wasa'il Al-Shi'ah, Vol.28 p.109

HADITH

5042 - وَ فِي رِوَايَةِ اِبْنِ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ عَنْ بُرَيْدٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ اِغْتَصَبَ اِمْرَأَةً فَرْجَهَا قَالَ «يُقْتَلُ مُحْصَناً كَانَ أَوْ غَيْرَ مُحْصَنٍ».

H.5042 - In the narration of Ibn Mahbub from Abu Ayyub from Burayd from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, regarding a man who forcibly violated a woman.
Imam {a.s} said: "He is to be killed, whether he is married or unmarried."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.41

HADITH

5043 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ قَالَ سَمِعْتُ اِبْنَ بُكَيْرٍ يَرْوِي عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ قَالَ: «مَنْ زَنَى بِذَاتِ مَحْرَمٍ حَتَّى يُوَاقِعَهَا ضُرِبَ ضَرْبَةً بِالسَّيْفِ أَخَذَتْ مِنْهُ مَا أَخَذَتْ وَ إِنْ كَانَتْ تَابَعَتْهُ ضُرِبَتْ ضَرْبَةً بِالسَّيْفِ أَخَذَتْ مِنْهَا مَا أَخَذَتْ» قِيلَ وَ مَنْ يَضْرِبُهُمَا وَ لَيْسَ لَهُمَا خَصْمٌ قَالَ «ذَلِكَ إِلَى اَلْإِمَامِ إِذَا رُفِعَا إِلَيْهِ».

H.5043 - In the narration of Al-Hasan ibn Mahbub from Abu Ayyub, who heard Ibn Bukayr narrating from one of the Imams (peace be upon them), it is reported:
"Whoever commits fornication with a close relative (one prohibited in marriage) until intercourse occurs, he is to be struck with the sword in a blow that takes from him whatever it takes.
And if she consented to him, she is to be struck with the sword in a blow that takes from her whatever it takes."
It was asked: "And who carries out the punishment upon them when they have no accuser?"
Imam {a.s} replied: "That is up to the Imam when the case is presented to him."

[REFERENCES] Al-Kafi, Vol.7 p.190 • Man La Yahduruhu Al-Faqih, Vol.4 p.41 • Tahdhib Al-Ahkam, Vol.10 p.23 • Al-Istibsar, Vol.4 p.208 • Al-Wafi, Vol.15 p.293 • Wasa'il Al-Shi'ah, Vol.28 p.113

HADITH

5044 - وَ فِي رِوَايَةِ جَمِيلٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «يُضْرَبُ عُنُقُهُ» أَوْ قَالَ «رَقَبَتُهُ».

H.5044 - In the narration of Jamil from Abu Abdullah {a.s}, he said: "His neck is to be struck,"
Or Imam {a.s} said: “His throat."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.41

HADITH

5045 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ أَنَّهُ رُفِعَ إِلَى عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ : «رَجُلٌ وَقَعَ عَلَى اِمْرَأَةِ أَبِيهِ فَرَجَمَهُ وَ كَانَ غَيْرَ مُحْصَنٍ».

H.5045 - In the narration of Al-Sakuni, it was reported to Imam Ali ibn Abi Talib {a.s} that a man had committed fornication with his father's wife, so Imam {a.s} ordered him to be stoned, even though he was not married (non-muhṣan).

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.42 • Al-Ash’athiyat, Vol.1 p.126 • Tahdhib Al-Ahkam, Vol.10 p.48 • Al-Wafi, Vol.15 p.295 • Wasa’il Al-Shi’ah, Vol.28 p.115 • Mustadrak Al-Wasa’il, Vol.18 p.59

HADITH

5046 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي عُبَيْدَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ وَجَبَ عَلَيْهِ حَدٌّ فَلَمْ يُضْرَبْ حَتَّى خُولِطَ فَقَالَ «إِنْ كَانَ أَوْجَبَ عَلَى نَفْسِهِ اَلْحَدَّ وَ هُوَ صَحِيحٌ لاَ عِلَّةَ بِهِ مِنْ ذَهَابِ عَقْلٍ أُقِيمَ عَلَيْهِ اَلْحَدُّ كَائِناً مَا كَانَ».

H.5046 - In the narration reported by Al-Hasan ibn Mahbub from Ali ibn Riʾab from Abu Ubaydah from Abu Jafar {a.s}, regarding a man upon whom a legal punishment (hadd) was due but he was not punished until he became mentally disturbed.
Imam {a.s} said: "If he had confessed to the hadd upon himself while he was sound in mind and free from any mental illness, then the hadd must be carried out on him regardless of his current state."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.42 • Tahdhib Al-Ahkam, Vol.10 p.19 • Al-Wafi, Vol.15 p.550 • Wasa’il Al-Shi’ah, Vol.28 p.23 • Wasa’il Al-Shi’ah, Vol.28 p.125

CHAPTER 5 – CHAPTER ON THE LEGAL PUNISHMENT FOR SODOMY AND TRIBADISM

بَابُ حَدِّ اللِّوَاطِ وَ السَّحْقِ

HADITH 5047 – 5050

5047 - رَوَى حَمَّادُ بْنُ عُثْمَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: قُلْتُ لَهُ رَجُلٌ أَتَى رَجُلاً قَالَ «إِنْ كَانَ مُحْصَناً فَعَلَيْهِ اَلْقَتْلُ وَ إِنْ لَمْ يَكُنْ مُحْصَناً فَعَلَيْهِ اَلْحَدُّ» قُلْتُ فَمَا عَلَى اَلْمُؤْتَى بِهِ قَالَ «عَلَيْهِ اَلْقَتْلُ عَلَى كُلِّ حَالٍ مُحْصَناً كَانَ أَوْ غَيْرَ مُحْصَنٍ».

H.5047 - In the narration reported by Hammad ibn Uthman from Abu Abdullah {a.s}, he said: I asked Imam {a.s} about a man who approached another man (committing sodomy).
Imam {a.s} replied: "If the perpetrator was married (muḥṣan), then his punishment is execution, and if he was not married, then the legal punishment (hadd) applies to him."
I then asked: "What about the one who was approached?"
Imam {a.s} replied: "He must be executed in all cases, whether he was married or unmarried."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.42 • Awali Al-La'ali, Vol.3 p.559

HADITH

5048 - وَ فِي رِوَايَةِ هِشَامٍ وَ حَفْصِ بْنِ اَلْبَخْتَرِيِّ : أَنَّهُ دَخَلَ نِسْوَةٌ عَلَى أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ فَسَأَلَتْهُ اِمْرَأَةٌ مِنْهُنَّ عَنِ اَلسَّحْقِ فَقَالَ «حَدُّهَا حَدُّ اَلزَّانِي» فَقَالَتِ اِمْرَأَةٌ مَا ذَكَرَ اَللَّهُ ذَلِكَ فِي اَلْقُرْآنِ فَقَالَ «بَلَى» فَقَالَتْ أَيْنَ هُوَ قَالَ «هُنَّ أَصْحَابُ اَلرَّسِّ ».

H.5048 - In the narration of Hisham and Hafṣ ibn Al-Bukhturi, it is reported that a group of women entered upon Abu Abdullah {a.s}, and one of the women asked him about lesbianism (Al-sahaq).
Imam {a.s} replied: "Its punishment is the same as that of the adulterer (Al-zani)."
A woman then said: "But Allah {SWT} has not mentioned that in the Qur'an."
Imam {a.s} replied: "Indeed, He {SWT} has."
She asked: "Where is it mentioned?"
Imam {a.s} said: "They are the people of Al-Rass (Ashab Al-Rass)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.42

HADITH

5049 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ قَالَ: «لَوْ كَانَ يَنْبَغِي لِأَحَدٍ أَنْ يُرْجَمَ مَرَّتَيْنِ لَرُجِمَ اَللُّوطِيُّ».

H.5049 - In the narration of Al-Sakuni from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, it is reported that Imam Ali ibn Abi Talib {a.s} said: "If it were appropriate for anyone to be stoned twice, it would be the one who commits sodomy (Al-Luti)."

[REFERENCES] Al-Kafi, Vol.7 p.199 • Man La Yahduruhu Al-Faqih, Vol.4 p.43 • Al-Ash'athiyat, Vol.1 p.126 • Tahdhib Al-Ahkam, Vol.10 p.53 • Al-Istibsar, Vol.4 p.219 • Al-Wafi, Vol.15 p.332 • Wasa'il Al-Shi'ah, Vol.20 p.332 • Wasa'il Al-Shi'ah, Vol.28 p.157 • Bihar Al-Anwar, Vol.12 p.167 • Bihar Al-Anwar, Vol.76 p.67

HADITH

5050 - وَ رَوَى عَبْدُ اَلرَّحْمَنِ بْنُ أَبِي هَاشِمٍ اَلْبَجَلِيُّ عَنْ أَبِي خَدِيجَةَ قَالَ : «لاَ يَنْبَغِي لِامْرَأَتَيْنِ أَنْ تَنَامَا فِي لِحَافٍ وَاحِدٍ إِلاَّ وَ بَيْنَهُمَا حَاجِزٌ فَإِنْ فَعَلَتَا نُهِيَتَا عَنْ ذَلِكَ فَإِنْ وَجَدُوهُمَا بَعْدَ اَلنَّهْيِ فِي لِحَافٍ وَاحِدٍ جُلِدَتَا كُلُّ وَاحِدَةٍ مِنْهُمَا حَدّاً حَدّاً وَ إِنْ وُجِدَتَا اَلثَّالِثَةَ فِي لِحَافٍ حُدَّتَا فَإِنْ وُجِدَتَا اَلرَّابِعَةَ فِي لِحَافٍ قُتِلَتَا وَ إِذَا أَتَى اَلرَّجُلُ اِمْرَأَتَهُ فَاحْتَمَلَتْ مَاءَهُ فَسَاحَقَتْ بِهِ جَارِيَتَهُ فَحَمَلَتْ رُجِمَتِ اَلْمَرْأَةُ وَ جُلِدَتِ اَلْجَارِيَةُ وَ أُلْحِقَ اَلْوَلَدُ بِأَبِيهِ».

رُوِيَ ذَلِكَ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ع.

H.5050 - Abd Al-Rahman ibn Abi Hashim Al-Bajali narrated from Abu Khadijah:
"It is not appropriate for two women to sleep under the same blanket unless there is a barrier between them. If they do so, they should be prohibited from it, and if they are found again after being warned in the same blanket, each of them should be lashed the prescribed punishment.
If they are found a third time under the same blanket, they should be punished with the prescribed punishment,
If they are found a fourth time under the same blanket, they should be executed.
And if a man approaches his wife and she carries his semen and uses it to commit lesbian acts with her maid, resulting in pregnancy, the wife should be stoned, the maid should be lashed, and the child should be attributed to the father."

[AL SADUQ]
This narration was also reported from Ali ibn Abi Hamzah from Ishaq ibn Ammar from Abu Abdullah {a.s}.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.43

CHAPTER 6 – CHAPTER ON THE LEGAL PUNISHMENT OF SLAVES IN ADULTERY

بَابُ حَدِّ الْمَمَالِيكِ فِي الزِّنَا

HADITH 5051 – 5059

5051 - رَوَى إِبْرَاهِيمُ بْنُ هَاشِمٍ عَنِ اَلْأَصْبَغِ بْنِ اَلْأَصْبَغِ قَالَ حَدَّثَنِي مُحَمَّدُ بْنُ سُلَيْمَانَ اَلْمِصْرِيُّ عَنْ مَرْوَانَ بْنِ مُسْلِمٍ عَنْ عُبَيْدِ بْنِ زُرَارَةَ أَوْ عَنْ بُرَيْدٍ اَلْعِجْلِيِّ اَلشَّكُّ مِنْ مُحَمَّدٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَبْدٌ زَنَى فَقَالَ «يُجْلَدُ نِصْفَ اَلْحَدِّ» قُلْتُ فَإِنَّهُ عَادَ قَالَ «فَيُضْرَبُ مِثْلَ ذَلِكَ» قَالَ قُلْتُ فَإِنَّهُ عَادَ قَالَ «لاَ يُزَادُ عَلَى نِصْفِ اَلْحَدِّ» قَالَ قُلْتُ فَهَلْ يَجِبُ عَلَيْهِ اَلرَّجْمُ فِي شَيْءٍ مِنْ فِعْلِهِ قَالَ «نَعَمْ يُقْتَلُ فِي اَلثَّامِنَةِ إِنْ فَعَلَ ذَلِكَ ثَمَانَ مَرَّاتٍ» قَالَ قُلْتُ فَمَا اَلْفَرْقُ بَيْنَهُ وَ بَيْنَ اَلْحُرِّ وَ إِنَّمَا فِعْلُهُمَا وَاحِدٌ قَالَ «إِنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى رَحِمَهُ أَنْ يَجْمَعَ عَلَيْهِ رِبْقَ اَلرِّقِّ وَ حَدَّ اَلْحُرِّ» قَالَ ثُمَّ قَالَ «وَ عَلَى إِمَامِ اَلْمُسْلِمِينَ أَنْ يَدْفَعَ ثَمَنَهُ إِلَى مَوْلاَهُ مِنْ سَهْمِ اَلرِّقَابِ».

H.5051 - Ibrahim bin Hashim narrated from Al-Asbagh bin Al-Asbagh. He said: Muhammad bin Sulayman Al-Misri narrated to me from Marwan bin Muslim from Ubayd bin Zurarah or from Burayd Al-Ijli (the doubt is from Muhammad), who said:
I asked Abu Abdullah {a.s} about a slave who commits adultery.
Imam {a.s} said: “He is to be lashed half the prescribed punishment."
I asked: “What if he does it again?"
Imam {a.s} replied: “He is to be lashed the same amount."
I asked: “What if he repeats it again?"
Imam {a.s} said: “He is not to be given more than half the prescribed punishment."
I asked: “Is he ever liable for stoning due to any of his actions?"
Imam {a.s} replied: “Yes, he is to be killed on the eighth offense if he does it eight times."
I asked: “What is the difference between him and a free man when their actions are the same?"
Imam {a.s} said: “Allah {SWT}, the Blessed and Exalted, had mercy on him by not combining the burden of slavery and the punishment of a free man upon him."
Then Imam {a.s} said: “It is obligatory upon the leader of the Muslims to pay his price to his master from the zakat share allocated for freeing slaves."

[REFERENCES] Tafsir Al-’Ayyashi, Vol.2 p.93 • Man La Yahduruhu Al-Faqih, Vol.4 p.44 • Al-Wafi, Vol.15 p.325 • Tafsir Al-Burhan, Vol.2 p.802 • Bihar Al-Anwar, Vol.93 p.59

HADITH

5052 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنِ اَلْحَارِثِ بْنِ اَلْأَحْوَلِ عَنْ بُرَيْدٍ اَلْعِجْلِيِّ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي أَمَةٍ تَزْنِي قَالَ «تُجْلَدُ نِصْفَ اَلْحَدِّ كَانَ لَهَا زَوْجٌ أَوْ لَمْ يَكُنْ لَهَا زَوْجٌ ».

H.5052 - Al-Hasan ibn Mahbub narrated from Al-Harith ibn Al-Ahwal from Burayd Al-ʿIjli from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a slave woman who commits adultery.
Imam {a.s} said: “She is to be lashed half the prescribed punishment, whether she has a husband or does not have a husband."

[REFERENCES] Al-Kafi, Vol.7 p.234 • Man La Yahduruhu Al-Faqih, Vol.4 p.44 • Tahdhib Al-Ahkam, Vol.10 p.27 • Al-Wafi, Vol.15 p.323 • Tafsir Al-Safi, Vol.1 p.442 • Wasa’il Al-Shi’ah, Vol.28 p.133 • Tafsir Al-Burhan, Vol.2 p.64 • Tafsir Kanz Al-Daqaiq, Vol.3 p.380

HADITH

5053 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «أُمُّ اَلْوَلَدِ حَدُّهَا حَدُّ اَلْأَمَةِ إِذَا لَمْ يَكُنْ لَهَا وَلَدٌ».

H.5053 - Ibn Mahbub narrated from Ali ibn Riʾab from Zurarah from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said:
"The prescribed punishment for Umm Al-Walad (a slave woman who has borne a child for her master) is the same as that of a slave woman if she has not borne a child."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.45 • Al-Wafi, Vol.10 p.662 • Wasa’il Al-Shi’ah, Vol.28 p.150

HADITH

5054 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ نُعَيْمِ بْنِ إِبْرَاهِيمَ عَنْ مِسْمَعٍ أَبِي سَيَّارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «أُمُّ اَلْوَلَدِ جِنَايَتُهَا فِي حُقُوقِ اَلنَّاسِ عَلَى سَيِّدِهَا» قَالَ «وَ مَا كَانَ مِنْ حَقِّ اَللَّهِ عَزَّ وَ جَلَّ فِي اَلْحُدُودِ فَإِنَّ ذَلِكَ فِي بَدَنِهَا» وَ قَالَ «يُقَاصُّ مِنْهَا لِلْمَمَالِيكِ وَ لاَ قِصَاصَ بَيْنَ اَلْحُرِّ وَ اَلْعَبْدِ».

H.5054 - Ibn Mahbub narrated from Nuaym ibn Ibrahim from Mismaʿ Abu Sayyar from Abu Abdullah {a.s} who said: “The liability of umm Al-walad (a slave woman who has borne a child to her master) concerning the rights of people is upon her master."
Imam {a.s} also said: “As for the rights of Allah {SWT}, the Exalted, regarding prescribed punishments, that is upon her own body."
Furthermore, Imam {a.s} said: “Retribution (qiṣaṣ) applies between her and other slaves, but there is no retribution between a free person and a slave."

[REFERENCES] Al-Kafi, Vol.7 p.306 • Man La Yahduruhu Al-Faqih, Vol.4 p.45 • Tahdhib Al-Ahkam, Vol.10 p.154 • Tahdhib Al-Ahkam, Vol.10 p.196 • Al-Wafi, Vol.16 p.655 • Wasa’il Al-Shi’ah, Vol.28 p.150 • Wasa’il Al-Shi’ah, Vol.29 p.103

HADITH

5055 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَبْدِ اَللَّهِ بْنِ بُكَيْرٍ عَنْ عَنْبَسَةَ بْنِ مُصْعَبٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ إِنْ زَنَتْ جَارِيَةٌ لِي أَحُدُّهَا قَالَ «نَعَمْ وَ لْيَكُنْ ذَلِكَ فِي سِرٍّ فَإِنِّي أَخَافُ عَلَيْكَ اَلسُّلْطَانَ».

H.5055 - Ibn Mahbub narrated from Abdullah ibn Bukayr from Anbasah ibn MuṣAb who said: I asked Abu Abdullah {a.s}, "If my bondwoman commits adultery, should I administer the prescribed punishment on her?"
Imam {a.s} replied: "Yes, but let it be done in secrecy, for I fear the ruler's authority upon you."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.45 • Al-Wafi, Vol.15 p.517 • Wasa'il Al-Shi'ah, Vol.28 p.52

HADITH

5056 - وَ رَوَى إِبْرَاهِيمُ بْنُ هَاشِمٍ عَنْ صَالِحِ بْنِ اَلسِّنْدِيِّ عَنِ اَلْحُسَيْنِ بْنِ خَالِدٍ عَنِ اَلرِّضَا عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ سُئِلَ عَنْ رَجُلٍ كَانَتْ لَهُ أَمَةٌ فَقَالَتِ اَلْأَمَةُ لَهُ مَا أَدَّيْتُ مِنْ مُكَاتَبَتِي فَأَنَا بِهِ حُرَّةٌ عَلَى حِسَابِ ذَلِكَ فَقَالَ لَهَا نَعَمْ فَأَدَّتْ بَعْضَ مُكَاتَبَتِهَا وَ جَامَعَهَا مَوْلاَهَا بَعْدَ ذَلِكَ قَالَ «إِنِ اِسْتَكْرَهَهَا عَلَى ذَلِكَ ضُرِبَ مِنَ اَلْحَدِّ بِقَدْرِ مَا أَدَّتْ مِنْ مُكَاتَبَتِهَا وَ دُرِئَ عَنْهُ مِنَ اَلْحَدِّ بِقَدْرِ مَا بَقِيَ لَهُ مِنْ مُكَاتَبَتِهَا وَ إِنْ كَانَتْ تَابَعَتْهُ كَانَتْ شَرِيكَتَهُ فِي اَلْحَدِّ ضُرِبَتْ مِثْلَ مَا يُضْرَبُ».

H.5056 - Ibrahim ibn Hashim narrated from Ṣalih ibn Al-Sindi from Al-Husayn ibn Khalid who reported from Imam Ali ibn Musa Ar-Ridha {a.s}:
Imam {a.s} was asked about a man who had a slave woman. The slave woman said to him, "I have paid part of my emancipation contract, so I am free according to that portion."
He replied: "Yes."
After she had paid part of her contract, her master had intercourse with her.
The Imam {a.s} said: "If he forced her into that act, he will be punished in proportion to what she had paid of her contract, and the punishment will be waived for him in proportion to what remained of her contract. However, if she willingly participated with him, she will share the punishment equally with him and will be lashed the same amount."

[REFERENCES] Al-Kafi, Vol.6 p.186 • Al-Kafi, Vol.7 p.237 • Man La Yahduruhu Al-Faqih, Vol.4 p.45 • Tahdhib Al-Ahkam, Vol.8 p.268 • Tahdhib Al-Ahkam, Vol.10 p.29 • Al-Istibsar, Vol.4 p.36 • Al-Istibsar, Vol.4 p.210 • Al-Wafi, Vol.15 p.320 • Wasa'il Al-Shi'ah, Vol.23 p.151 • Wasa'il Al-Shi'ah, Vol.28 p.139

HADITH

5057 - وَ سُئِلَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : عَنْ رَجُلٍ أَصَابَ جَارِيَةً مِنَ اَلْفَيْءِ فَوَطِئَهَا قَبْلَ أَنْ يُقْسَمَ قَالَ «تُقَوَّمُ اَلْجَارِيَةُ وَ تُدْفَعُ إِلَيْهِ بِالْقِيمَةِ وَ يُحَطُّ لَهُ مِنْهَا مَا يُصِيبُهُ مِنْهَا مِنَ اَلْفَيْءِ وَ يُجْلَدُ اَلْحَدَّ وَ يُدْرَأُ عَنْهُ مِنَ اَلْحَدِّ بِقَدْرِ مَا كَانَ لَهُ فِيهَا» فَقِيلَ فَكَيْفَ صَارَتِ اَلْجَارِيَةُ تُدْفَعُ إِلَيْهِ بِالْقِيمَةِ دُونَ غَيْرِهَا قَالَ «لِأَنَّهُ وَطِئَهَا وَ لاَ يُؤْمَنُ أَنْ يَكُونَ ثَمَّ حَمْلٌ».

H.5057 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked about a man who took possession of a slave woman from the spoils of war (Al-fay') and had intercourse with her before the division of the spoils.
Imam {a.s} said: “The slave woman should be appraised and handed over to him for her value, and his share from the spoils should be deducted from that amount. He should be lashed according to the imposed punishment, and punishment will be reduced in proportion to his share in her."
It was then asked: “Why is the slave woman handed over to him for her value instead of to someone else?"
Imam {a.s} said: “Because he had intercourse with her, and it is feared that she might be pregnant."

[REFERENCES] Al-Kafi, Vol.7 p.194 • Man La Yahduruhu Al-Faqih, Vol.4 p.46 • Tahdhib Al-Ahkam, Vol.10 p.30 • Al-Wafi, Vol.15 p.319 • Wasa’il Al-Shi’ah, Vol.28 p.120

HADITH

5058 - وَ رَوَى سُلَيْمَانُ بْنُ خَالِدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي عَبْدٍ بَيْنَ رَجُلَيْنِ أَعْتَقَ أَحَدُهُمَا نَصِيبَهُ ثُمَّ إِنَّ اَلْعَبْدَ أَتَى حَدّاً مِنْ حُدُودِ اَللَّهِ عَزَّ وَ جَلَّ قَالَ «إِنْ كَانَ اَلْعَبْدُ حَيْثُ أُعْتِقَ نِصْفُهُ قُوِّمَ لِيُغَرِّمَ اَلَّذِي أَعْتَقَهُ نِصْفَ قِيمَتِهِ فَنِصْفُهُ حُرٌّ يُضْرَبُ نِصْفَ حَدِّ اَلْحُرِّ وَ يُضْرَبُ نِصْفَ حَدِّ اَلْعَبْدِ وَ إِنْ لَمْ يَكُنْ قُوِّمَ فَهُوَ عَبْدٌ يُضْرَبُ حَدَّ اَلْعَبْدِ».

H.5058 - Sulayman bin Khalid narrated from Abu Abdullah, Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked about a slave jointly owned by two men, where one of them freed his share. Later, the slave committed an offense that warranted one of Allah’s {SWT} prescribed punishments.
The Imam {a.s} said: “If, at the time half of him was freed, he was appraised so that the one who freed him could pay half of his value to the other partner, then half of him is free, and he should receive half the punishment prescribed for a free person and half the punishment prescribed for a slave. However, if he was not appraised, then he remains a slave and should receive the full punishment prescribed for a slave."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.46 • Wasa’il Al-Shi’ah, Vol.28 p.137

HADITH

5059 - وَ رَوَى عَبَّادُ بْنُ كَثِيرٍ اَلْبَصْرِيُّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «فِي اَلْمُكَاتَبَيْنِ إِذَا فَجَرَا يُضْرَبَانِ مِنَ اَلْحَدِّ بِقَدْرِ مَا أَدَّيَا مِنْ مُكَاتَبَتِهِمَا حَدَّ اَلْحُرِّ وَ يُضْرَبَانِ اَلْبَاقِيَ حَدَّ اَلْمَمْلُوكِ».

H.5059 - Abbad bin Kathir Al-Basri narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said: "For mukatab slaves (contracted for emancipation), if they commit fornication, they are to be lashed in proportion to what they have paid towards their emancipation with the punishment of a free person, and for the remaining portion, they are lashed with the punishment of a slave."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.47 • Al-Wafi, Vol.15 p.328 • Wasa'il Al-Shi'ah, Vol.28 p.138

CHAPTER 7 – CHAPTER ON THE LEGAL PUNISHMENT FOR INTERCOURSE WITH AN ANIMAL

بَابُ حَدِّ مَنْ أَتَى بَهِيمَةً

HADITH 5060

5060 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ إِسْحَاقَ بْنِ جَرِيرٍ عَنْ سَدِيرٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي اَلرَّجُلِ يَأْتِي اَلْبَهِيمَةَ قَالَ «يُجْلَدُ دُونَ اَلْحَدِّ وَ يُغْرَمُ قِيمَةَ اَلْبَهِيمَةِ لِصَاحِبِهَا لِأَنَّهُ أَفْسَدَهَا عَلَيْهِ وَ تُذْبَحُ وَ تُحْرَقُ وَ تُدْفَنُ إِنْ كَانَ مِمَّا يُؤْكَلُ لَحْمُهُ وَ إِنْ كَانَ مِمَّا يُرْكَبُ ظَهْرُهُ أُغْرِمَ قِيمَتَهَا وَ جُلِدَ دُونَ اَلْحَدِّ وَ أُخْرِجَهَا مِنَ اَلْمَدِينَةِ اَلَّتِي فَعَلَ ذَلِكَ بِهَا إِلَى بِلاَدٍ أُخْرَى حَيْثُ لاَ تُعْرَفُ فَيَبِيعُهَا فِيهَا كَيْ لاَ يُعَيَّرَ بِهَا».

H.5060 - Al-Hasan bin Mahbub narrated from Ishaq bin Jarir from Sadeer from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} was asked about a man who engages in intercourse with an animal.
Imam {a.s} said: "He is to be lashed with a punishment less than the prescribed limit and must compensate the owner for the value of the animal because he has corrupted it for him.
If it is an animal whose meat is consumed, it must be slaughtered, burned, and buried. If it is an animal that is ridden, he must pay its value, be lashed with a punishment less than the prescribed limit, and take it out of the city where he committed the act to another land where it is not known, and sell it there so that he is not disgraced by it."

[REFERENCES] Al-Kafi, Vol.7 p.204 • Man La Yahduruhu Al-Faqih, Vol.4 p.47 • Ilal Al-Shara'i', Vol.2 p.538 • Tahdhib Al-Ahkam, Vol.10 p.61 • Al-Istibsar, Vol.4 p.223 • Al-Wafi, Vol.15 p.346 • Wasa'il Al-Shi'ah, Vol.28 p.358 • Bihar Al-Anwar, Vol.76 p.78

CHAPTER 8 – CHAPTER ON THE LEGAL PUNISHMENT FOR A PROCURER

بَابُ حَدِّ الْقَوَّادِ

HADITH 5061 – 5062

5061 - رَوَى إِبْرَاهِيمُ بْنُ هَاشِمٍ عَنْ صَالِحِ بْنِ اَلسِّنْدِيِّ عَنْ مُحَمَّدِ بْنِ سُلَيْمَانَ اَلْبَصْرِيِّ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ ع أَخْبِرْنِي عَنِ اَلْقَوَّادِ مَا حَدُّهُ قَالَ «لاَ حَدَّ عَلَى اَلْقَوَّادِ أَ لَيْسَ إِنَّمَا يُعْطَى اَلْأَجْرَ عَلَى أَنْ يَقُودَ» قُلْتُ جُعِلْتُ فِدَاكَ إِنَّمَا يَجْمَعُ بَيْنَ اَلذَّكَرِ وَ اَلْأُنْثَى حَرَاماً قَالَ «ذَاكَ اَلْمُؤَلِّفُ بَيْنَ اَلذَّكَرِ وَ اَلْأُنْثَى حَرَاماً» فَقُلْتُ هُوَ ذَاكَ جُعِلْتُ فِدَاكَ قَالَ «يُضْرَبُ ثَلاَثَةَ أَرْبَاعِ حَدِّ اَلزَّانِي خَمْسَةً وَ سَبْعِينَ سَوْطاً وَ يُنْفَى مِنَ اَلْمِصْرِ اَلَّذِي هُوَ فِيهِ».

H.5061 - Ibrahim bin Hashim narrated from Salih bin Al-Sindi from Muhammad bin Sulayman Al-Basri from Abdullah bin Sinan.
He said: I said to Abu Abdullah {a.s}, "Inform me about the qawwad (panderer), what is his prescribed punishment?"
The Imam {a.s} replied: "There is no hadd (fixed legal punishment) on the qawwad. is he not merely receiving payment for facilitating?"
I said: "May I be your ransom, but he is bringing together a man and a woman unlawfully."
Imam {a.s} said: "That is the one who arranges unlawful meetings between a man and a woman."
I said: "Yes, that is the case, may I be your ransom."
Imam {a.s} said: "He is to be lashed three-quarters of the punishment of a fornicator - seventy-five lashes - and he is to be exiled from the city in which he resides."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.47 • Wasa'il Al-Shi'ah, Vol.28 p.171

HADITH

5062 - وَ فِي خَبَرٍ آخَرَ: لَعَنَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ اَلْوَاصِلَةَ وَ اَلْمُوتَصِلَةَ.

يَعْنِي الزَّانِيَةَ وَ الْقَوَّادَةَ فِي هَذَا الْخَبَرِ.

H.5062 - In a narration: Messenger of Allah {SWT} cursed Al-wasilah and Al-muṭasilah.

[AL SADUQ]
This refers to the fornicating woman (zaniyah) and the female procurer (qawwadah) in this narration.
(Al-Wasilah refers to woman who engages in immoral relationships, interpreted as an adulteress or prostitute.)
(Al-Muwattasilah refers to woman who facilitates such unlawful relationships, often interpreted as a female procurer or panderer.)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.48

CHAPTER 9 – CHAPTER ON THE LEGAL PUNISHMENT FOR SLANDEROUS ACCUSATION

بَابُ حَدِّ الْقَذْفِ

HADITH 5063 – 5087

5063 - رَوَى اَلْعَلاَءُ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي اَلَّذِي يَقْذِفُ اِمْرَأَتَهُ قَالَ «يُجْلَدُ» قُلْتُ أَ رَأَيْتَ إِنْ عَفَتْ عَنْهُ قَالَ «لاَ وَ لاَ كَرَامَةَ».

H.5063 - Al-Alaa narrated from Muhammad ibn Muslim from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a man who accuses his wife (of adultery).
Imam {a.s} said: “He is to be flogged."
I asked: “What if she pardons him?"
Imam {a.s} said: “No, and no honor (for him)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.48 • Tahdhib Al-Ahkam, Vol.10 p.80 • Al-Istibsar, Vol.4 p.232 • Al-Wafi, Vol.15 p.535 • Wasa’il Al-Shi’ah, Vol.28 p.207

HADITH

5064 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ حَمَّادِ بْنِ زِيَادٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ قَالَ لِاِمْرَأَتِهِ بَعْدَ مَا دَخَلَتْ عَلَيْهِ لَمْ أَجِدْكِ عَذْرَاءَ قَالَ «لاَ حَدَّ عَلَيْهِ».

H.5064 - Ibn Mahbub narrated from Hammad ibn Ziyad from Sulayman ibn Khalid from Abu Abdullah {a.s} regarding a man who said to his wife after consummating the marriage, "I did not find you a virgin"
Imam {a.s} said: “There is no legal punishment upon him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.48 • Tahdhib Al-Ahkam, Vol.10 p.78 • Al-Istibsar, Vol.4 p.231 • Al-Wafi, Vol.15 p.366 • Wasa’il Al-Shi’ah, Vol.22 p.438

HADITH

5065 - وَ فِي خَبَرٍ آخَرَ قَالَ: «إِنَّ اَلْعُذْرَةَ قَدْ تَسْقُطُ مِنْ غَيْرِ جِمَاعٍ قَدْ تَذْهَبُ بِالنَّكْبَةِ وَ اَلْعَثْرَةِ وَ اَلسَّقْطَةِ».

H.5065 - In another narration, Imam {a.s} said: "Indeed, the hymen may be lost without intercourse; it can be lost due to injury, stumbling, or falling."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.49 • Al-Wafi, Vol.15 p.366 • Wasa’il Al-Shi’ah, Vol.22 p.438

HADITH

5066 - وَ فِي رِوَايَةِ وَهْبِ بْنِ وَهْبٍ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ لَمْ يَكُنْ يَحُدُّ فِي اَلتَّعْرِيضِ حَتَّى يَأْتِيَ بِالْفِرْيَةِ اَلْمُصَرَّحَةِ مِثْلِ يَا زَانِ وَ يَا اِبْنَ اَلزَّانِيَةِ أَوْ لَسْتَ لِأَبِيكَ».

H.5066 - In the narration of Wahb ibn Wahb from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}:
"Indeed, Imam Ali ibn Abi Talib {a.s} would not administer the legal punishment for insinuation unless it was a clear and explicit accusation, such as saying, 'O' adulterer,' or 'O' son of an adulteress,' or 'You are not your father's son.'"

[REFERENCES] Qurb Al-Isnad, Vol.1 p.54 • Qurb Al-Isnad, Vol.1 p.155 • Man La Yahduruhu Al-Faqih, Vol.4 p.49 • Al-Wafi, Vol.15 p.368 • Wasa'il Al-Shi'ah, Vol.28 p.205 • Bihar Al-Anwar, Vol.76 p.117

HADITH

5067 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبَّادِ بْنِ صُهَيْبٍ قَالَ: سُئِلَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ نَصْرَانِيٍّ قَذَفَ مُسْلِماً فَقَالَ لَهُ يَا زَانِ قَالَ «يُجْلَدُ ثَمَانِينَ جَلْدَةً لِحَقِّ اَلْمُسْلِمِ وَ ثَمَانِينَ جَلْدَةً إِلاَّ سَوْطاً لِحُرْمَةِ اَلْإِسْلاَمِ وَ يُحْلَقُ رَأْسُهُ وَ يُطَافُ بِهِ فِي أَهْلِ دِينِهِ لِكَيْ يُنَكَّلَ غَيْرُهُ».

H.5067 - Al-Hasan ibn Mahbub narrated from Abbad ibn Suhayb who said:
Abu Abdullah {a.s} was asked about a Christian who accused a Muslim by saying to him, "O' adulterer."
Imam {a.s} said: "He is to be flogged eighty lashes for violating the right of the Muslim and eighty lashes minus one for violating the sanctity of Islam. His head is to be shaved, and he is to be paraded among the people of his religion so that others may be deterred."

[REFERENCES] Al-Kafi, Vol.7 p.239 • Man La Yahduruhu Al-Faqih, Vol.4 p.49 • Tahdhib Al-Ahkam, Vol.10 p.75 • Al-Wafi, Vol.15 p.380 • Wasa'il Al-Shi'ah, Vol.28 p.199

HADITH

5068 - وَ رُوِيَ عَنْ صَفْوَانَ عَنْ أَبِي بَكْرٍ اَلْحَضْرَمِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ يَفْتَرِي عَلَى رَجُلٍ مِنْ جَاهِلِيَّةِ اَلْعَرَبِ قَالَ «يُضْرَبُ حَدّاً» قُلْتُ يُضْرَبُ حَدّاً قَالَ «نَعَمْ إِنَّ ذَلِكَ يَدْخُلُ عَلَى رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ ».

H.5068 - It was narrated from Safwan from Abu Bakr Al-Hadrami from Imam Abu Abdullah {a.s} who said: I asked Imam {a.s} about a man who slanders a man from the pre-Islamic Arabs.
Imam {a.s} said: "He is to be given the legal punishment."
I asked: "Is he to be given the legal punishment?"
He said: "Yes, because that offense reaches the Messenger of Allah {SWT}."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.49 • Ilal Al-Shara'i', Vol.2 p.393 • Wasa'il Al-Shi'ah, Vol.16 p.37 • Wasa'il Al-Shi'ah, Vol.16 p.254 • Bihar Al-Anwar, Vol.64 p.174

HADITH

5069 - وَ رَوَى جَعْفَرُ بْنُ بَشِيرٍ عَنِ اَلْحُسَيْنِ بْنِ أَبِي اَلْعَلاَءِ عَنْ أَبِي مَخْلَدٍ اَلسَّرَّاجِ عَنْ أَبِي عَبْدِ اَللَّهِ عَ : أَنَّهُ قَضَى فِي رَجُلٍ دَعَا آخَرَ اِبْنَ اَلْمَجْنُونِ وَ قَالَ اَلْآخَرُ لَهُ بَلْ أَنْتَ اِبْنُ اَلْمَجْنُونِ فَأَمَرَ اَلْأَوَّلَ أَنْ يَجْلِدَ صَاحِبَهُ عِشْرِينَ جَلْدَةً وَ قَالَ «اِعْلَمْ أَنَّهُ سَتُعَقَّبُ مِثْلَهَا عِشْرِينَ فَلَمَّا جَلَدَهُ أَعْطَى اَلْمَجْلُودَ اَلسَّوْطَ فَجَلَدَهُ عِشْرِينَ نَكَالاً يُنَكِّلُهُمَا».

H.5069 - Ja'far ibn Bashir narrated from Al-Husayn ibn Abi Al-'Ala from Abu Makhlad Al-Sarraj from Abu Abdullah {a.s}: Imam {a.s} ruled concerning a man who called another "the son of a madman," and the other replied to him, "Rather, you are the son of a madman."
Imam {a.s} commanded the first man to flog his companion twenty lashes and said: “Know that you will also be given twenty lashes in return."
After the first man flogged him, the flogged man was given the whip and he flogged the first man twenty lashes as a means of punishment to discipline both of them.

[REFERENCES] Al-Kafi, Vol.7 p.242 • Man La Yahduruhu Al-Faqih, Vol.4 p.49 • Tahdhib Al-Ahkam, Vol.10 p.81 • Al-Wafi, Vol.15 p.510 • Wasa’il Al-Shi’ah, Vol.28 p.203 • Bihar Al-Anwar, Vol.72 p.298

HADITH

5070 - وَ رَوَى مُحَمَّدُ بْنُ عَبْدِ اَللَّهِ بْنِ هِلاَلٍ عَنْ عُقْبَةَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ قَالَ لِاِمْرَأَتِهِ يَا زَانِيَةُ قَالَ «يُجْلَدُ حَدّاً وَ يُفَرَّقُ بَيْنَهُمَا بَعْدَ مَا جُلِدَ وَ لاَ تَكُونُ اِمْرَأَتُهُ» قَالَ «وَ إِنْ كَانَ قَالَ كَلاَماً أَفْلَتَ مِنْهُ فِي غَيْرِ أَنْ يَعْلَمَ شَيْئاً أَرَادَ أَنْ يَغِيظَهَا بِهِ فَلاَ يُفَرَّقُ بَيْنَهُمَا».

H.5070 - Muhammad ibn Abdullah ibn Hilal narrated from Uqbah ibn Khalid from Abu Abdullah {a.s} who said: I asked Imam {a.s} about a man who said to his wife, "O’ adulteress."
Imam {a.s} said: “He is to be given the legal punishment and they are to be separated after he has been flogged, and she will no longer be his wife."
Imam {a.s} further said: “But if he said something that slipped out unintentionally without having any knowledge of it, intending only to anger her, then they are not to be separated."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.50 • Tahdhib Al-Ahkam, Vol.10 p.88 • Al-Wafi, Vol.15 p.363 • Wasa’il Al-Shi’ah, Vol.28 p.218

HADITH

5071 - وَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «إِذَا كَانَ فِي اَلْحَدِّ لَعَلَّ أَوْ عَسَى فَالْحَدُّ مُعَطَّلٌ».

H.5071 - Commander of the Faithful {a.s} said: "If there is doubt expressed with 'perhaps' or 'it may be' in enforcing a legal punishment, then the punishment is to be suspended."

[REFERENCES] Da’a’im Al-Islam, Vol.2 p.465 • Man La Yahduruhu Al-Faqih, Vol.4 p.50 • Al-Wafi, Vol.15 p.553 • Wasa’il Al-Shi’ah, Vol.28 p.47 • Mustadrak Al-Wasa’il, Vol.18 p.27

HADITH

5072 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «قَاذِفُ اَللَّقِيطِ يُحَدُّ وَ اَلْمَرْأَةُ إِذَا قَذَفَتْ زَوْجَهَا وَ هُوَ أَصَمُّ يُفَرَّقُ بَيْنَهُمَا ثُمَّ لاَ تَحِلُّ لَهُ أَبَداً».

H.5072 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} said: "The one who accuses a foundling (laqiṭ) of fornication is subjected to the prescribed punishment (hadd). And if a woman accuses her husband of fornication while he is deaf, they are separated, and she is never permissible for him again."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.50 • Wasa'il Al-Shi'ah, Vol.28 p.190

HADITH

5073 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ أَبِي بَصِيرٍ قَالَ: سُئِلَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ قَذَفَ اِمْرَأَتَهُ بِالزِّنَا وَ هِيَ خَرْسَاءُ صَمَّاءُ لاَ تَسْمَعُ مَا قَالَ فَقَالَ «إِنْ كَانَ لَهَا بَيِّنَةٌ يَشْهَدُونَ لَهَا عِنْدَ اَلْإِمَامِ جَلَدَهُ اَلْحَدَّ وَ فَرَّقَ بَيْنَهُمَا ثُمَّ لاَ تَحِلُّ لَهُ أَبَداً وَ إِنْ لَمْ يَكُنْ لَهَا بَيِّنَةٌ فَهِيَ حَرَامٌ عَلَيْهِ مَا أَقَامَ مَعَهَا وَ لاَ إِثْمَ عَلَيْهَا مِنْهُ».

H.5073 - Ibn Mahbub narrated from Hisham ibn Salim from Abu Basir who said:
Abu Abdullah {a.s} was asked about a man who accused his wife of adultery while she was mute and deaf, unable to hear what he said.
Imam {a.s} said: "If she has witnesses who testify on her behalf before the Imam, he (the husband) is to be flogged with the legal punishment and they are to be separated, and she will never be permissible for him again. But if she has no witnesses, then she is forbidden to him as long as she remains with him, and there is no sin upon her from him."

[REFERENCES] Al-Kafi, Vol.6 p.166 • Man La Yahduruhu Al-Faqih, Vol.4 p.50 • Tahdhib Al-Ahkam, Vol.7 p.310 • Tahdhib Al-Ahkam, Vol.8 p.193 • Al-Wafi, Vol.21 p.285 • Al-Wafi, Vol.22 p.962 • Wasa'il Al-Shi'ah, Vol.22 p.427

HADITH

5074 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ قَالَ: «مَنْ أَقَرَّ بِوَلَدٍ ثُمَّ نَفَاهُ جُلِدَ اَلْحَدَّ وَ أُلْزِمَ اَلْوَلَدَ».

H.5074 - In the narration of Al-Sakuni, Imam Ali ibn Abi Talib {a.s} said:
"Whoever acknowledges a child and then denies him is to be given the legal punishment and held responsible for the child."

[REFERENCES] Al-Kafi, Vol.7 p.261 • Man La Yahduruhu Al-Faqih, Vol.4 p.51 • Al-Ash'athiyat, Vol.1 p.125 • Tahdhib Al-Ahkam, Vol.10 p.87 • Al-Istibsar, Vol.4 p.233 • Al-Wafi, Vol.15 p.364 • Al-Wafi, Vol.23 p.1427 • Wasa'il Al-Shi'ah, Vol.28 p.209 • Mustadrak Al-Wasa'il, Vol.17 p.214 • Mustadrak Al-Wasa'il, Vol.18 p.104

HADITH

5075 - وَ فِي رِوَايَةِ يُونُسَ بْنِ عَبْدِ اَلرَّحْمَنِ عَنْ بَعْضِ رِجَالِهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «كُلُّ بَالِغٍ مِنْ ذَكَرٍ أَوْ أُنْثَى اِفْتَرَى عَلَى صَغِيرٍ أَوْ كَبِيرٍ أَوْ ذَكَرٍ أَوْ أُنْثَى أَوْ مُسْلِمٍ أَوْ حُرٍّ أَوْ مَمْلُوكٍ فَعَلَيْهِ حَدُّ اَلْفِرْيَةِ وَ عَلَى غَيْرِ اَلْبَالِغِ حَدُّ اَلْأَدَبِ ».

H.5075 - In the narration of Yunus ibn Abd Al-Rahman from some of his narrators from Abu Abdullah {a.s}, he said: "Every adult, whether male or female, who falsely accuses a minor or an adult, a male or a female, a Muslim, a free person, or a slave, is subject to the prescribed punishment (hadd Al-firya).
And for one who is not yet an adult, the punishment is disciplinary (hadd Al-adab)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.51 • Tahdhib Al-Ahkam, Vol.10 p.89 • Al-Istibsar, Vol.4 p.234 • Al-Wafi, Vol.15 p.360 • Wasa'il Al-Shi'ah, Vol.28 p.186

HADITH

5076 - وَ قَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ : «لاَ حَدَّ عَلَى مَجْنُونٍ حَتَّى يُفِيقَ وَ لاَ عَلَى اَلصَّبِيِّ حَتَّى يُدْرِكَ وَ لاَ عَلَى اَلنَّائِمِ حَتَّى يَسْتَيْقِظَ».

H.5076 - Imam Ali ibn Abi Talib {a.s} said:
"There is no legal punishment upon a mad person until they regain sanity, nor upon a child until they reach maturity, nor upon a sleeping person until they wake up."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.51 • Tahdhib Al-Ahkam, Vol.10 p.152 • Al-Wafi, Vol.15 p.282 • Wasa'il Al-Shi'ah, Vol.28 p.22 • Al-Fusul Al-Muhimmah, Vol.2 p.512 • Bihar Al-Anwar, Vol.76 p.88 • Mustadrak Al-Wasa'il, Vol.18 p.13

HADITH

5077 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنِ اَلْعَلاَءِ وَ أَبِي أَيُّوبَ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ قَالَ لِامْرَأَتِهِ يَا زَانِيَةُ أَنَا زَنَيْتُ بِكِ قَالَ «عَلَيْهِ حَدٌّ وَاحِدٌ لِقَذْفِهِ إِيَّاهَا وَ أَمَّا قَوْلُهُ أَنَا زَنَيْتُ بِكِ فَلاَ حَدَّ عَلَيْهِ فِيهِ إِلاَّ أَنْ يَشْهَدَ عَلَى نَفْسِهِ أَرْبَعَ مَرَّاتٍ بِالزِّنَا عِنْدَ اَلْإِمَامِ».

H.5077 - Al-Hasan ibn Mahbub narrated from Al-Ala and Abu Ayyub from Muhammad ibn Muslim from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a man who said to his wife, "O' adulteress, I have committed adultery with you,"
Imam {a.s} said: "He is liable for one legal punishment for accusing her. As for his statement, 'I have committed adultery with you,' there is no legal punishment for that unless he testifies against himself four times for committing adultery before the Imam."

[REFERENCES] Al-Kafi, Vol.7 p.211 • Man La Yahduruhu Al-Faqih, Vol.4 p.51 • Tahdhib Al-Ahkam, Vol.10 p.76 • Al-Manaqib, Vol.4 p.263 • Al-Wafi, Vol.15 p.364 • Wasa'il Al-Shi'ah, Vol.28 p.195

HADITH

5078 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ نُعَيْمِ بْنِ إِبْرَاهِيمَ عَنْ مِسْمَعٍ أَبِي سَيَّارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي أَرْبَعَةٍ شَهِدُوا عَلَى اِمْرَأَةٍ بِالْفُجُورِ أَحَدُهُمْ زَوْجُهَا قَالَ «يُجْلَدُونَ اَلثَّلاَثَةُ وَ يُلاَعِنُهَا زَوْجُهَا وَ يُفَرَّقُ بَيْنَهُمَا وَ لاَ تَحِلُّ لَهُ أَبَداً».

H.5078 - Al-Hasan ibn Mahbub narrated from Nu'aym ibn Ibrahim from Misma Abu Sayyar from Abu Abdullah {a.s} regarding four people who testified against a woman for adultery, and one of them was her husband.
Imam {a.s} said: “The three (other witnesses) are to be flogged, and her husband is to perform lian (mutual cursing) with her. They are to be separated, and she will never be permissible for him again."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.52 • Tahdhib Al-Ahkam, Vol.10 p.79 • Al-Wafi, Vol.15 p.260 • Wasa’il Al-Shi’ah, Vol.22 p.432

HADITH

5079 - وَ قَدْ رُوِيَ: «أَنَّ اَلزَّوْجَ أَحَدُ اَلشُّهُودِ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ: هَذَانِ الْحَدِيثَانِ مُتَّفِقَانِ غَيْرُ مُخْتَلِفَيْنِ وَ ذَلِكَ أَنَّهُ مَتَى شَهِدَ أَرْبَعَةٌ عَلَى امْرَأَةٍ بِالْفُجُورِ أَحَدُهُمْ زَوْجُهَا وَ لَمْ يَنْفِ وَلَدَهَا فَالزَّوْجُ أَحَدُ الشُّهُودِ وَ مَتَى نَفَى وَلَدَهَا مَعَ إِقَامَةِ الشَّهَادَةِ عَلَيْهَا بِالزِّنَا جُلِدَ الثَّلَاثَةُ الْحَدَّ وَ لَاعَنَهَا زَوْجُهَا وَ فُرِّقَ بَيْنَهُمَا وَ لَمْ تَحِلَّ لَهُ أَبَداً لِأَنَّ اللِّعَانَ لَا يَكُونُ إِلَّا بِنَفْيِ الْوَلَدِ وَ إِذَا قَذَفَ عَبْدٌ حُرّاً جُلِدَ ثَمَانِينَ جَلْدَةً لِأَنَّ هَذَا مِنْ حُقُوقِ النَّاسِ.

H.5079 - It has been narrated: "Indeed, the husband is considered one of the witnesses."

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, said:
These two narrations are in agreement and not contradictory. This is because whenever four people testify against a woman for adultery, and one of them is her husband who does not deny his child, the husband is counted as one of the witnesses. However, if he denies his child while testimony is established against her for adultery, the three others are to be flogged with the legal punishment, and the husband must perform lian (mutual cursing) with her, leading to their separation, and she will never be permissible for him again.
This is because lian only occurs when the child is denied.
Additionally, if a slave accuses a free person of adultery, he is to be flogged eighty lashes because this falls under the rights of the people.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.52 • Wasa’il Al-Shi’ah, Vol.22 p.433

HADITH

5080 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَلرَّحْمَنِ عَنْ عُبَيْدِ بْنِ زُرَارَةَ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ: «لَوْ أُتِيتُ بِرَجُلٍ قَدْ قَذَفَ عَبْداً مُسْلِماً بِالزِّنَا لاَ نَعْلَمُ مِنْهُ إِلاَّ خَيْراً لَضَرَبْتُهُ اَلْحَدَّ حَدَّ اَلْحُرِّ إِلاَّ سَوْطاً».

H.5080 - Al-Hasan ibn Mahbub narrated from Abd Al-Rahman from Ubayd ibn Zurarah who said: I heard Abu Abdullah {a.s} say, "If a man were brought to me who had accused a Muslim slave of adultery, and we knew nothing about the slave except goodness, I would administer the legal punishment upon him - the same punishment as for a free person, except one lash less."

[REFERENCES] Al-Kafi, Vol.7 p.208 • Man La Yahduruhu Al-Faqih, Vol.4 p.52 • Tahdhib Al-Ahkam, Vol.10 p.71 • Al-Wafi, Vol.15 p.373 • Wasa'il Al-Shi'ah, Vol.28 p.178 • Tafsir Nur Al-Thaqalayn, Vol.3 p.575 • Tafsir Kanz Al-Daqaiq, Vol.9 p.248

HADITH

5081 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ حَمَّادِ بْنِ زِيَادٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «سُئِلَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ عَنْ مُكَاتَبٍ اِفْتَرَى عَلَى رَجُلٍ مُسْلِمٍ فَقَالَ «يُضْرَبُ حَدَّ اَلْحُرِّ ثَمَانِينَ جَلْدَةً أَدَّى مِنْ مُكَاتَبَتِهِ شَيْئاً أَوْ لَمْ يُؤَدِّ» قِيلَ لَهُ فَإِنْ زَنَى وَ هُوَ مُكَاتَبٌ وَ لَمْ يُؤَدِّ مِنْ مُكَاتَبَتِهِ شَيْئاً قَالَ «هَذَا حَقُّ اَللَّهِ عَزَّ وَ جَلَّ يُطْرَحُ عَنْهُ خَمْسُونَ جَلْدَةً وَ يُضْرَبُ خَمْسِينَ» ».

H.5081 - Al-Hasan ibn Mahbub narrated from Hammad ibn Ziyad from Sulayman ibn Khalid from Abu Abdullah {a.s} who said:
"Imam Ali ibn Abi Talib {a.s} was asked about a mukatab (a slave who has a contract for freedom) who falsely accused a Muslim man.
Imam {a.s} said: 'He is to be flogged with the punishment of a free man - eighty lashes - whether he has paid any part of his contract or not.'
It was asked: 'What if he commits adultery while he is a mukatab and has not paid anything from his contract?'
Imam {a.s} said: 'This is the right of Allah {SWT}, the Mighty and Majestic. Fifty lashes are waived from him, and he is to be flogged fifty lashes.'"

[REFERENCES] Al-Kafi, Vol.7 p.236 • Man La Yahduruhu Al-Faqih, Vol.4 p.52 • Al-Wafi, Vol.15 p.376

HADITH

5082 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ مَالِكِ بْنِ عَطِيَّةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ [عَبْدِ اَللَّهِ خ ل] عَلَيْهِ اَلسَّلاَمُ : فِي اِمْرَأَةٍ قَذَفَتْ رَجُلاً قَالَ «تُجْلَدُ ثَمَانِينَ جَلْدَةً».

H.5082 - Ibn Mahbub narrated from Malik ibn Atiyyah from Abu Basir from Abu Abdullah {a.s} regarding a woman who accused a man (of adultery).
Imam {a.s} said: "She is to be flogged eighty lashes."

[REFERENCES] Al-Kafi, Vol.7 p.205 • Man La Yahduruhu Al-Faqih, Vol.4 p.53 • Tahdhib Al-Ahkam, Vol.10 p.65 • Al-Wafi, Vol.15 p.358 • Wasa'il Al-Shi'ah, Vol.28 p.175 • Tafsir Al-Burhan, Vol.4 p.48

HADITH

5083 - وَ رَوَى مُحَمَّدُ بْنُ سِنَانٍ عَنِ اَلْعَلاَءِ بْنِ اَلْفُضَيْلِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: قُلْتُ لَهُ اَلرَّجُلُ يَنْتَفِي مِنْ وَلَدِهِ وَ قَدْ أَقَرَّ بِهِ قَالَ «إِنْ كَانَ اَلْوَلَدُ مِنْ حُرَّةٍ جُلِدَ اَلْأَبُ خَمْسِينَ سَوْطاً حَدَّ اَلْمَمْلُوكِ وَ إِنْ كَانَ مِنْ أَمَةٍ فَلاَ شَيْءَ عَلَيْهِ». وَ إِذَا قَالَ رَجُلٌ لِرَجُلٍ إِنَّكَ تَعْمَلُ عَمَلَ قَوْمِ لُوطٍ تَنْكِحُ اَلرِّجَالَ ضُرِبَ ثَمَانِينَ جَلْدَةً وَ كَذَلِكَ إِنْ قَالَ لَهُ يَا مَعْفُوجُ يَا مَنْكُوحُ جُلِدَ حَدَّ اَلْقَاذِفِ ثَمَانِينَ جَلْدَةً وَ إِنْ قَذَفَ رَجُلٌ قَوْماً بِكَلِمَةٍ وَاحِدَةٍ فَعَلَيْهِ حَدٌّ وَاحِدٌ إِذَا لَمْ يُسَمِّهِمْ بِأَسْمَائِهِمْ وَ إِنْ سَمَّاهُمْ فَعَلَيْهِ لِكُلِّ رَجُلٍ سَمَّاهُ حَدٌّ رَوَى ذَلِكَ بُرَيْدٌ اَلْعِجْلِيُّ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ.

وَ رُوِيَ: «أَنَّهُمْ إِنْ أَتَوْا بِهِ مُتَفَرِّقِينَ ضُرِبَ لِكُلِّ رَجُلٍ مِنْهُمْ حَدّاً وَاحِداً وَ إِنْ أَتَوْا بِهِ مُجْتَمِعِينَ ضُرِبَ حَدّاً وَاحِداً وَ إِنْ قَذَفَ رَجُلٌ رَجُلاً فَجُلِدَ ثُمَّ عَادَ عَلَيْهِ بِالْقَذْفِ فَإِنْ كَانَ قَالَ إِنَّ اَلَّذِي قُلْتُ لَكَ حَقٌّ لَمْ يُجْلَدْ وَ إِنْ قَذَفَهُ بِالزِّنَا بَعْدَ مَا جُلِدَ فَعَلَيْهِ اَلْحَدُّ وَ إِنْ قَذَفَهُ قَبْلَ أَنْ يُجْلَدَ بِعَشْرِ قَذَفَاتٍ لَمْ يَكُنْ عَلَيْهِ إِلاَّ حَدٌّ وَاحِدٌ ».

H.5083 - Muhammad ibn Sinan narrated from Al-Ala ibn Al-Fudayl from Imam Abu Abdullah {a.s}:

I asked Imam {a.s} about a man who denies his child after having acknowledged him.

Imam {a.s} said: “If the child is from a free woman, the father is to be flogged fifty lashes, which is the punishment for a slave. But if the child is from a slave woman, there is no punishment upon him."

And if a man says to another man: "You commit the act of the people of Lut (engaging in relations with men)," he is to be flogged eighty lashes.

Similarly, if he says to him: "O’ effeminate one" or "O’ one who is penetrated," he is to be flogged with the legal punishment for slander - eighty lashes.

If a man slanders a group of people with a single statement without naming them individually, he is subjected to one legal punishment. However, if he names them specifically, then a separate legal punishment applies to each person he named.

This was narrated by Burayd Al-Ijli from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}.

It has also been narrated: "If they (the slandered individuals) come forward separately, each one of them receives a separate punishment. But if they come forward collectively, only one punishment is administered.

If a man slanders another and is flogged, but then repeats the slander, and if he says, 'What I said to you is true,' he is not flogged again.

However, if he accuses him of adultery again after being flogged, the legal punishment applies. Yet, if he accuses him ten times before being flogged, only one punishment will be administered."

[REFERENCES] Al-Kafi, Vol.7 p.262 • Man La Yahduruhu Al-Faqih, Vol.4 p.53 • Tahdhib Al-Ahkam, Vol.10 p.83 • Al-Istibsar, Vol.4 p.233 • Al-Wafi, Vol.15 p.364 • Wasa’il Al-Shi’ah, Vol.28 p.209

HADITH

5084 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «لاَ حَدَّ لِمَنْ لاَ حَدَّ عَلَيْهِ».

يَعْنِي لَوْ أَنَّ مَجْنُوناً قَذَفَ رَجُلاً لَمْ يَكُنْ عَلَيْهِ حَدٌّ وَ لَوْ قَذَفَهُ رَجُلٌ فَقَالَ لَهُ يَا زَانِ لَمْ يَكُنْ عَلَيْهِ حَدٌّ رَوَى ذَلِكَ أَبُو أَيُّوبَ عَنْ فُضَيْلِ بْنِ يَسَارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ.

H.5084 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"There is no legal punishment for one upon whom legal punishment does not apply."

[AL SADUQ]

This means that if a mad person accuses a man of adultery, no legal punishment is imposed on him. Likewise, if someone accuses a mad person by saying to him, "O' adulterer," there is no legal punishment for it.
This was narrated by Abu Ayyub from Fudayl ibn Yasar from Abu Abdullah {a.s}.

[REFERENCES] Al-Kafi, Vol.7 p.253 • Man La Yahduruhu Al-Faqih, Vol.4 p.54 • Tahdhib Al-Ahkam, Vol.10 p.19

HADITH

5085 - وَ رَوَى هِشَامُ بْنُ سَالِمٍ عَنْ عَمَّارٍ اَلسَّابَاطِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ قَالَ لِرَجُلٍ يَا اِبْنَ اَلْفَاعِلَةِ يَعْنِي اَلزِّنَا فَقَالَ «إِنْ كَانَتْ أُمُّهُ حَيَّةً شَاهِدَةً ثُمَّ جَاءَتْ تَطْلُبُ حَقَّهَا ضُرِبَ ثَمَانِينَ جَلْدَةً وَ إِنْ كَانَتْ غَائِبَةً أُنْتُظِرَ بِهَا حَتَّى تَقْدَمَ فَتَطْلُبَ حَقَّهَا وَ إِنْ كَانَتْ قَدْ مَاتَتْ وَ لَمْ يُعْلَمْ مِنْهَا إِلاَّ خَيْرٌ ضُرِبَ اَلْمُفْتَرِي عَلَيْهَا اَلْحَدَّ ثَمَانِينَ جَلْدَةً».

H.5085 - Hisham ibn Salim narrated from Ammar Al-Sabati from Abu Abdullah {a.s} regarding a man who said to another man, "O' son of an adulteress," intending adultery.
Imam {a.s} said: "If his mother is alive and present, and she comes forward to claim her right, the accuser is to be flogged eighty lashes.
If she is absent, it is to be delayed until she returns and claims her right.
And if she has passed away and nothing is known of her except goodness, the one who falsely accused her is to be given the legal punishment - eighty lashes."

[REFERENCES] Al-Kafi, Vol.7 p.205 • Al-Kafi, Vol.7 p.206 • Man La Yahduruhu Al-Faqih, Vol.4 p.54 • Tahdhib Al-Ahkam, Vol.10 p.66 • Al-Wafi, Vol.15 p.360 • Tafsir Al-Safi, Vol.3 p.418 • Wasa'il Al-Shi'ah, Vol.28 p.187

HADITH

5086 - وَ رَوَى أَبُو أَيُّوبَ عَنْ حَرِيزٍ عَنْ أَبِي عَبْدِ اَللَّهِ ع قَالَ: سَأَلْتُهُ عَنِ اِبْنِ اَلْمَغْصُوبَةِ يَفْتَرِي عَلَيْهِ اَلرَّجُلُ فَيَقُولُ لَهُ يَا اِبْنَ اَلْفَاعِلَةِ فَقَالَ «أَرَى عَلَيْهِ اَلْحَدَّ ثَمَانِينَ جَلْدَةً وَ يَتُوبُ إِلَى اَللَّهِ عَزَّ وَ جَلَّ مِمَّا قَالَ».

H.5086 - Abu Ayyub narrated from Hariz from Abu Abdullah {a.s} who said:
I asked Imam {a.s} about a man falsely accusing the son of a woman whose rights were violated (Al-maghsubah) by saying to him, "O' son of an adulteress."
Imam {a.s} said: "I believe he deserves the legal punishment of eighty lashes and must repent to Allah {SWT}, the Mighty and Majestic, for what he has said."

[REFERENCES] Al-Kafi, Vol.7 p.206 • Man La Yahduruhu Al-Faqih, Vol.4 p.55 • Tahdhib Al-Ahkam, Vol.10 p.67 • Al-Wafi, Vol.15 p.368 • Wasa'il Al-Shi'ah, Vol.28 p.190

HADITH

5087 - وَ رُوِيَ عَنْ أَبِي وَلاَّدٍ اَلْحَنَّاطِ أَنَّهُ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «أُتِيَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ بِرَجُلَيْنِ قَدْ قَذَفَ كُلُّ وَاحِدٍ مِنْهُمَا صَاحِبَهُ فِي بَدَنِهِ فَدَرَأَ عَنْهُمَا اَلْحَدَّ وَ عَزَّرَهُمَا».

H.5087 - It was narrated from Abu Walad Al-Hannat that he said:
Abu Abdullah {a.s} said: "Commander of the Faithful {a.s} was presented with two men, each of whom had accused the other of something concerning his body.
Imam Ali ibn Abi Talib {a.s} waived the legal punishment for both of them and administered disciplinary punishment (ta'zir) to them."

[REFERENCES] Al-Kafi, Vol.7 p.242 • Man La Yahduruhu Al-Faqih, Vol.4 p.55 • Tahdhib Al-Ahkam, Vol.10 p.79 • Al-Wafi, Vol.15 p.371 • Wasa'il Al-Shi'ah, Vol.28 p.202

CHAPTER 10 – CHAPTER ON THE LEGAL PUNISHMENT FOR DRINKING ALCOHOL AND REPORTS REGARDING SINGING AND AMUSEMENTS

بَابُ حَدِّ شُرْبِ الْخَمْرِ وَ مَا جَاءَ فِي الْغِنَاءِ وَ الْمَلَاهِي

HADITH 5088 – 5097

5088 - رَوَى اَلْحَلَبِيُّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ: «لَوْ أَنَّ رَجُلاً دَخَلَ فِي اَلْإِسْلاَمِ فَأَقَرَّ بِهِ ثُمَّ شَرِبَ اَلْخَمْرَ وَ زَنَى وَ أَكَلَ اَلرِّبَا وَ لَمْ يَتَبَيَّنْ لَهُ شَيْءٌ مِنَ اَلْحَلاَلِ وَ اَلْحَرَامِ لَمْ أُقِمْ عَلَيْهِ اَلْحَدَّ إِذَا كَانَ جَاهِلاً إِلاَّ أَنْ تَقُومَ عَلَيْهِ اَلْبَيِّنَةُ أَنَّهُ قَرَأَ اَلسُّورَةَ اَلَّتِي فِيهَا اَلزِّنَا وَ اَلْخَمْرُ وَ أَكْلُ اَلرِّبَا وَ إِذَا جَهِلَ ذَلِكَ أَعْلَمْتُهُ وَ أَخْبَرْتُهُ فَإِنْ رَكِبَهُ بَعْدَ ذَلِكَ جَلَدْتُهُ وَ أَقَمْتُ عَلَيْهِ اَلْحَدَّ».

H.5088 - Al-Halabi narrated from Abu Abdullah {a.s} who said:
"If a man entered Islam, acknowledged it, and then drank alcohol, committed adultery, and consumed usury, without having any knowledge of what is lawful and unlawful, I would not administer the legal punishment upon him if he was ignorant - unless there was evidence that he had recited the Surah in which adultery, alcohol, and usury are mentioned.
If he was unaware of that, I would inform and educate him.
But if he committed those acts after that, I would flog him and enforce the legal punishment upon him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.55 • Al-Wafi, Vol.15 p.526 • Wasa'il Al-Shi'ah, Vol.28 p.32

HADITH

5089 - وَ فِي رِوَايَةِ عَمْرِو بْنِ شِمْرٍ عَنْ جَابِرٍ يَرْفَعُهُ: أَنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ أُتِيَ بِالنَّجَاشِيِّ اَلْحَارِثِيِّ اَلشَّاعِرِ قَدْ شَرِبَ اَلْخَمْرَ فِي شَهْرِ رَمَضَانَ فَضَرَبَهُ ثَمَانِينَ ثُمَّ حَبَسَهُ لَيْلَةً ثُمَّ دَعَا بِهِ مِنَ اَلْغَدِ فَضَرَبَهُ عِشْرِينَ سَوْطاً فَقَالَ يَا أَمِيرَ اَلْمُؤْمِنِينَ ضَرَبْتَنِي ثَمَانِينَ سَوْطاً فِي شُرْبِ اَلْخَمْرِ فَهَذِهِ اَلْعِشْرُونَ مَا هِيَ فَقَالَ «هَذَا لِجُرْأَتِكَ عَلَى شُرْبِ اَلْخَمْرِ فِي شَهْرِ رَمَضَانَ ».

وَ إِذَا شَرِبَ الرَّجُلُ الْخَمْرَ أَوِ النَّبِيذَ الْمُسْكِرَ جُلِدَ ثَمَانِينَ جَلْدَةً وَ كُلُّ مَا أَسْكَرَ كَثِيرُهُ فَقَلِيلُهُ وَ كَثِيرُهُ حَرَامٌ وَ الْفُقَّاعُ بِتِلْكَ الْمَنْزِلَةِ وَ شَارِبُ الْمُسْكِرِ خَمْراً كَانَ أَوْ نَبِيذاً يُجْلَدُ ثَمَانِينَ جَلْدَةً فَإِنْ عَادَ جُلِدَ فَإِنْ عَادَ قُتِلَ وَ قَدْ رُوِيَ أَنَّهُ يُقْتَلُ فِي الرَّابِعَةِ وَ الْعَبْدُ إِذَا شَرِبَ مُسْكِراً جُلِدَ أَرْبَعِينَ جَلْدَةً وَ يُقْتَلُ فِي الثَّامِنَةِ وَ قَالَ أَبِي رَضِيَ اللَّهُ عَنْهُ فِي رِسَالَتِهِ إِلَيَّ اعْلَمْ أَنَّ أَصْلَ الْخَمْرِ مِنَ الْكَرْمِ إِذَا أَصَابَتْهُ النَّارُ أَوْ غَلَى مِنْ غَيْرِ أَنْ تَمَسَّهُ النَّارُ فَيَصِيرَ أَسْفَلُهُ أَعْلَاهُ فَهُوَ خَمْرٌ وَ لَا يَحِلُّ شُرْبُهُ إِلَّا أَنْ يَذْهَبَ ثُلُثَاهُ وَ يَبْقَى ثُلُثُهُ فَإِنْ نَشَّ مِنْ غَيْرِ أَنْ تَمَسَّهُ النَّارُ فَدَعْهُ حَتَّى يَصِيرَ خَلًّا مِنْ ذَاتِهِ مِنْ غَيْرِ أَنْ تُلْقِيَ فِيهِ شَيْئاً فَإِذَا صَارَ خَلًّا مِنْ ذَاتِهِ حَلَّ أَكْلُهُ فَإِنْ تَغَيَّرَ بَعْدَ ذَلِكَ وَ صَارَ خَمْراً فَلَا بَأْسَ أَنْ تُلْقِيَ فِيهِ مِلْحاً أَوْ غَيْرَهُ وَ إِنْ صُبَّ فِي الْخَلِّ خَمْرٌ لَمْ يَجُزْ أَكْلُهُ حَتَّى يُعْزَلَ مِنْ ذَلِكَ الْخَمْرِ فِي إِنَاءٍ وَ يُصْبَرَ حَتَّى يَصِيرَ خَلًّا فَإِذَا صَارَ خَلًّا أُكِلَ ذَلِكَ الْخَلُّ الَّذِي صُبَّ فِيهِ الْخَمْرُ وَ إِنَّ اللَّهَ تَبَارَكَ وَ

تَعَالَى حَرَّمَ الْخَمْرَ بِعَيْنِهَا وَ حَرَّمَ رَسُولُ اللَّهِ ص كُلَّ شَرَابٍ مُسْكِرٍ وَ لَعَنَ الْخَمْرَ وَ غَارِسَهَا وَ حَارِسَهَا وَ حَامِلَهَا وَ الْمَحْمُولَةَ إِلَيْهِ وَ بَائِعَهَا وَ مُشْتَرِيَهَا وَ آكِلَ ثَمَنِهَا وَ عَاصِرَهَا وَ سَاقِيَهَا وَ شَارِبَهَا وَ لَهَا خَمْسَةُ أَسَامِي الْعَصِيرُ وَ هُوَ مِنَ الْكَرْمِ وَ النَّقِيعُ وَ هُوَ مِنَ الزَّبِيبِ وَ الْبِتْعُ وَ هُوَ مِنَ الْعَسَلِ وَ الْمِزْرُ وَ هُوَ مِنَ الشَّعِيرِ وَ النَّبِيذُ وَ هُوَ مِنَ التَّمْرِ وَ الْخَمْرُ مِفْتَاحُ كُلِّ شَرٍّ وَ شَارِبُهَا كَعَابِدِ وَثَنٍ وَ مَنْ شَرِبَهَا حُبِسَتْ صَلَاتُهُ أَرْبَعِينَ يَوْماً فَإِنْ تَابَ فِي الْأَرْبَعِينَ لَمْ تُقْبَلْ تَوْبَتُهُ وَ إِنْ مَاتَ فِيهَا دَخَلَ النَّارَ.

H.5089 - In the narration of Amr ibn Shimr from Jabir, who attributed it to the Prophet:
Commander of the Faithful {a.s} was presented with Al-Najashi Al-Harithiyy, the poet, who had consumed alcohol during the month of Ramadan.
Imam {a.s} flogged him eighty lashes, then imprisoned him for a night.
The next day, Imam {a.s} summoned him and flogged him with twenty more lashes.
Al-Najashi said: “O’ Commander of the Faithful {a.s}, you already flogged me eighty lashes for drinking alcohol. What are these additional twenty for?"
Imam {a.s} replied: “These are for your audacity in drinking alcohol during the month of Ramadan."

[AL SADUQ]
If a man drinks wine or any intoxicating nabidh (fermented drink), he is to be flogged eighty lashes. Anything that intoxicates in large quantities is prohibited in both small and large amounts, and fuqqa (a type of frothy drink) holds the same ruling. A person who drinks any intoxicant, whether wine or nabidh, is to be flogged eighty lashes. If he repeats the act, he is flogged again, and if he repeats it a third time, he is executed. It has also been narrated that execution occurs on the fourth offense.
If a slave drinks an intoxicant, he is to be flogged forty lashes and executed on the eighth offense.
My father, may Allah {SWT} be pleased with him, said in his letter to me:
‘Know that the origin of wine is from grapes. If it is exposed to fire or boils without being touched by fire until its bottom becomes its top, it becomes wine and is prohibited to drink unless two-thirds evaporate and one-third remains. If it ferments without being heated, leave it until it naturally turns into vinegar without adding anything to it. Once it becomes vinegar on its own, it is permissible to consume. If it changes afterward and becomes wine, there is no harm in adding salt or other substances to it.
However, if wine is poured into vinegar, it is not permissible to consume until it is separated, placed in a container, and left to turn into vinegar. Once it becomes vinegar, it is permissible to eat the vinegar into which wine was poured.
Allah {SWT}, the Blessed and Exalted, has prohibited wine itself, and the Messenger of Allah {SWT} (peace be upon him and his family) has forbidden every intoxicating drink. He {saws} cursed wine, its planter, its guardian, its carrier, the one to whom it is carried, its seller, its buyer, the one who consumes its price, the one who presses it, the one who serves it, and the one who drinks it.
Wine has five names:
Al-‘Aseer (the juice), which is made from grapes;
Al-Naqi‘, which is made from raisins;
Al-Bit‘, which is made from honey;

Al-Mizr, which is made from barley; and Al-Nabidh, which is made from dates.
Wine is the key to every evil, and the one who drinks it is like an idol worshipper. Whoever drinks it will have their prayers suspended for forty days. If they repent within those forty days, their repentance will not be accepted, and if they die during that period, they will enter the Fire.

[REFERENCES] Al-Kafi, Vol.7 p.216 • Man La Yahduruhu Al-Faqih, Vol.4 p.55 • Tahdhib Al-Ahkam, Vol.10 p.94 • Al-Manaqib, Vol.2 p.147 • Al-Wafi, Vol.15 p.394 • Wasa'il Al-Shi'ah, Vol.28 p.231 • Bihar Al-Anwar, Vol.40 p.297

HADITH

5090 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «لاَ تُجَالِسُوا شُرَّابَ اَلْخَمْرِ فَإِنَّ اَللَّعْنَةَ إِذَا نَزَلَتْ عَمَّتْ مَنْ فِي اَلْمَجْلِسِ».

وَ لَا تَجُوزُ الصَّلَاةُ فِي بَيْتٍ فِيهِ خَمْرٌ مَحْصُورٌ فِي آنِيَةٍ وَ لَا بَأْسَ بِالصَّلَاةِ فِي ثَوْبٍ أَصَابَتْهُ خَمْرٌ لِأَنَّ اللَّهَ عَزَّ وَ جَلَّ حَرَّمَ شُرْبَهَا وَ لَمْ يُحَرِّمِ الصَّلَاةَ فِي ثَوْبٍ أَصَابَتْهُ.

H.5090 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} said: "Do not sit with those who drink wine, for when the curse descends, it encompasses everyone present in the gathering."

[AL SADUQ]
It is not permissible to perform prayer in a house where wine is stored in containers. However, there is no harm in praying in a garment that has been touched by wine because Allah {SWT}, the Mighty and Majestic, has forbidden its consumption but has not prohibited praying in a garment that has been affected by it.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.57 • Wasa'il Al-Shi'ah, Vol.25 p.374 • Bihar Al-Anwar, Vol.63 p.499

HADITH

5091 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «شَارِبُ اَلْخَمْرِ إِنْ مَرِضَ فَلاَ تَعُودُوهُ وَ إِنْ مَاتَ فَلاَ تَشْهَدُوهُ وَ إِنْ شَهِدَ فَلاَ تُزَكُّوهُ وَ إِنْ خَطَبَ إِلَيْكُمْ فَلاَ تُزَوِّجُوهُ فَإِنَّ مَنْ زَوَّجَ اِبْنَتَهُ شَارِبَ اَلْخَمْرِ فَكَأَنَّمَا قَادَهَا إِلَى اَلزِّنَا وَ مَنْ زَوَّجَ اِبْنَتَهُ مُخَالِفاً لَهُ عَلَى دِينِهِ فَقَدْ قَطَعَ رَحِمَهَا وَ مَنِ اِئْتَمَنَ شَارِبَ اَلْخَمْرِ لَمْ يَكُنْ لَهُ عَلَى اَللَّهِ تَبَارَكَ وَ تَعَالَى ضَمَانٌ».

H.5091 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"If a wine drinker falls ill, do not visit him; if he dies, do not attend his funeral; if he testifies, do not accept his testimony; and if he seeks marriage from you, do not marry him off.
Whoever marries his daughter to a wine drinker, it is as if he has led her to adultery.
And whoever marries his daughter to someone who opposes his faith has severed her family ties. Whoever entrusts a wine drinker with something has no guarantee from Allah {SWT}, the Blessed and Exalted."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.58 • Al-Wafi, Vol.20 p.613 • Wasa'il Al-Shi'ah, Vol.25 p.312

HADITH

5092 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «خَمْسَةٌ مِنْ خَمْسَةٍ مُحَالٌ اَلْحُرْمَةُ مِنَ اَلْفَاسِقِ مُحَالٌ وَ اَلشَّفَقَةُ مِنَ اَلْعَدُوِّ مُحَالٌ وَ اَلنَّصِيحَةُ مِنَ اَلْحَاسِدِ مُحَالٌ وَ اَلْوَفَاءُ مِنَ اَلْمَرْأَةِ مُحَالٌ وَ اَلْهَيْبَةُ مِنَ اَلْفَقِيرِ مُحَالٌ».

وَ الْغِنَاءُ مِمَّا أَوْعَدَ اللَّهُ عَزَّ وَ جَلَّ ◯ عَلَيْهِ النَّارَ وَ هُوَ قَوْلُهُ عَزَّ وَ جَلَ وَ مِنَ النَّاسِ مَنْ يَشْتَرِي لَهْوَ الْحَدِيثِ لِيُضِلَّ عَنْ سَبِيلِ اللَّهِ بِغَيْرِ عِلْمٍ وَ يَتَّخِذَها هُزُواً أُولئِكَ لَهُمْ عَذابٌ مُهِينٌ ◯.

H.5092 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Five things from five are impossible: Honor from a transgressor is impossible, compassion from an enemy is impossible, sincere advice from a jealous person is impossible, loyalty from a woman is impossible, and awe from a poor person is impossible."

[AL SADUQ]
And singing (ghina') is among the acts for which Allah {SWT}, the Mighty and Majestic, has promised the Hellfire.
This is in reference to His {SWT} saying, the Mighty and Majestic: "*And among the people is he who buys idle talk to mislead others from the way of Allah {SWT} without knowledge and takes it in mockery. For them is a humiliating punishment.*" (Surah Luqman 31:6)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.58 • Al-Khisal, Vol.1 p.269 • Uyun Al-Hikam, Vol.1 p.244 • Irshad Al-Qulub, Vol.1 p.195 • Al-Wafi, Vol.26 p.558 • Bihar Al-Anwar, Vol.71 p.194 • Bihar Al-Anwar, Vol.75 p.194 • Bihar Al-Anwar, Vol.100 p.225

HADITH

5093 - وَ سُئِلَ اَلصَّادِقُ عَ : عَنْ قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ ◯ فَاجْتَنِبُوا اَلرِّجْسَ مِنَ اَلْأَوْثٰانِ وَ اِجْتَنِبُوا قَوْلَ اَلزُّورِ ◯ قَالَ «اَلرِّجْسُ مِنَ اَلْأَوْثَانِ اَلشِّطْرَنْجُ وَ قَوْلُ اَلزُّورِ اَلْغِنَاءُ وَ اَلنَّرْدُ أَشَدُّ مِنَ اَلشِّطْرَنْجِ فَأَمَّا اَلشِّطْرَنْجُ فَإِنَّ اِتِّخَاذَهَا كُفْرٌ وَ اَللَّعِبَ بِهَا شِرْكٌ وَ تَعْلِيمَهَا كَبِيرَةٌ مُوبِقَةٌ وَ اَلسَّلاَمَ عَلَى اَللاَّهِي بِهَا مَعْصِيَةٌ وَ مُقَلِّبَهَا كَمُقَلِّبِ لَحْمِ اَلْخِنْزِيرِ وَ اَلنَّاظِرَ إِلَيْهَا كَالنَّاظِرِ إِلَى فَرْجِ أُمِّهِ وَ اَللاَّعِبَ بِالنَّرْدِ قِمَاراً مَثَلُهُ مَثَلُ مَنْ يَأْكُلُ لَحْمَ اَلْخِنْزِيرِ وَ مَثَلَ اَلَّذِي يَلْعَبُ بِهَا مِنْ غَيْرِ قِمَارٍ مَثَلُ مَنْ يَضَعُ يَدَهُ فِي لَحْمِ اَلْخِنْزِيرِ أَوْ فِي دَمِهِ وَ لاَ يَجُوزُ اَللَّعِبُ بِالْخَوَاتِيمِ وَ اَلْأَرْبَعَةَ عَشَرَ وَ كُلُّ ذَلِكَ وَ أَشْبَاهُهُ قِمَارٌ حَتَّى لَعِبُ اَلصِّبْيَانِ بِالْجَوْزِ هُوَ اَلْقِمَارُ وَ إِيَّاكَ وَ اَلضَّرْبَ بِالصَّوَانِيجِ فَإِنَّ اَلشَّيْطَانَ يَرْكُضُ مَعَكَ وَ اَلْمَلاَئِكَةَ تَنْفِرُ عَنْكَ وَ مَنْ بَقِيَ فِي بَيْتِهِ طُنْبُورٌ أَرْبَعِينَ صَبَاحاً «فَقَدْ بٰاءَ بِغَضَبٍ مِنَ اَللّٰهِ» عَزَّ وَ جَلَّ».

H.5093 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked about the saying of Allah {SWT}, the Mighty and Majestic:
"*So avoid the filth of idols and avoid false speech*." (Surah Al-Hajj 22:30)
Imam {a.s} said: "The filth of idols refers to chess, and false speech refers to singing. And backgammon (nard) is worse than chess.
As for chess, adopting it is disbelief, playing it is polytheism, teaching it is a grave and destructive sin, greeting someone engaged in it is disobedience, and touching its pieces is like touching the flesh of swine. Looking at it is like looking at the private parts of one's mother.

The one who plays backgammon with gambling is like one who eats the flesh of swine, and the one who plays it without gambling is like one who places his hand in the flesh or blood of swine.
It is not permissible to play with rings, the fourteen stones, and similar games, as all of them are forms of gambling, even if children play with nuts, it is considered gambling.
Beware of striking the stones together (a form of entertainment), for indeed, Satan runs along with you, and the angels flee from you. And whoever keeps a tambourine in his house for forty days "has incurred the wrath of Allah {SWT}, the Mighty and Majestic."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.58

HADITH

5094 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «إِنَّ اَلْمَلاَئِكَةَ لَتَنْفِرُ عِنْدَ اَلرِّهَانِ وَ تَلْعَنُ صَاحِبَهُ مَا خَلاَ اَلْحَافِرَ وَ اَلْخُفَّ وَ اَلرِّيشَ وَ اَلنَّصْلَ وَ قَدْ سَابَقَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أُسَامَةَ بْنَ زَيْدٍ وَ أَجْرَى اَلْخَيْلَ ».

H.5094 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Indeed, the angels withdraw from gatherings where gambling occurs and curse the one involved in it, except in the case of betting on hoofed animals, animals with padded feet, feathered birds, and arrows. And the Messenger of Allah {SWT} (peace be upon him and his family) himself raced with Usamah ibn Zayd and conducted horse races."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.59 • Al-Wafi, Vol.15 p.149 • Wasa'il Al-Shi'ah, Vol.19 p.251

HADITH

5095 - فَرُوِيَ: «أَنَّ نَاقَةَ اَلنَّبِيِّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ سُبِقَتْ فَقَالَ عَلَيْهِ اَلسَّلاَمُ «إِنَّهَا بَغَتْ وَ قَالَتْ فَوْقِي رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَ حَقٌّ عَلَى اَللَّهِ عَزَّ وَ جَلَّ أَنْ لاَ يَبْغِيَ شَيْءٌ عَلَى شَيْءٍ إِلاَّ أَذَلَّهُ اَللَّهُ وَ لَوْ أَنَّ جَبَلاً بَغَى عَلَى جَبَلٍ لَهَدَّ اَللَّهُ اَلْبَاغِيَ مِنْهُمَا» ».

H.5095 - It has been narrated that the she-camel of the Prophet (peace be upon him and his family), was outrun in a race. So Prophet {saws}, peace be upon him and his family, said:
"It (camel) transgressed and said to itself, 'Upon me is the Messenger of Allah {SWT}, peace and blessings be upon him and his family.'
And it is a right upon Allah {SWT}, the Mighty and Majestic, that nothing transgresses against anything except that He {SWT} humiliates it.
And if a mountain were to transgress against another mountain, Allah would destroy the transgressing one among them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.59

HADITH

5096 - : وَ نَهَى رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ عَنْ تَحْرِيشِ اَلْبَهَائِمِ مَا خَلاَ اَلْكِلاَبَ.

H.5096 - The Messenger of Allah {SWT} (peace be upon him and his family) forbade inciting animals against one another, except in the case of dogs.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.60 • Al-Wafi, Vol.20 p.873 • Wasa'il Al-Shi'ah, Vol.11 p.522 • Bihar Al-Anwar, Vol.61 p.227

HADITH

5097 - : وَ سَأَلَ رَجُلٌ عَلِيَّ بْنَ اَلْحُسَيْنِ عَلَيْهِمَا اَلسَّلاَمُ عَنْ شِرَاءِ جَارِيَةٍ لَهَا صَوْتٌ فَقَالَ «مَا عَلَيْكَ لَوِ اِشْتَرَيْتَهَا فَذَكَّرَتْكَ اَلْجَنَّةَ ».

يَعْنِي بِقِرَاءَةِ الْقُرْآنِ وَ الزُّهْدِ وَ الْفَضَائِلِ الَّتِي لَيْسَتْ بِغِنَاءٍ فَأَمَّا الْغِنَاءُ فَمَحْظُورٌ.

H.5097 - A man asked Imam Ali ibn Al-Hussain {a.s} about purchasing a bondwoman with a beautiful voice.
Imam {a.s} said: "There is no harm upon you if you buy her and she reminds you of Paradise."

[AL SADUQ]
This means through the recitation of the Quran, asceticism, and virtuous speech that is not considered singing. As for singing (ghina'), it is strictly prohibited.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.60

CHAPTER 11 – CHAPTER ON THE LEGAL PUNISHMENT FOR THEFT

بَابُ حَدِّ السَّرِقَةِ

HADITH 5098 – 5130

5098 - رُوِيَ عَنْ أَبِي اَلْحَسَنِ اَلرِّضَا عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ: «لاَ يَزَالُ اَلْعَبْدُ يَسْرِقُ حَتَّى إِذَا اِسْتَوْفَى دِيَةَ يَدِهِ أَظْهَرَهُ اَللَّهُ عَزَّ وَ جَلَّ عَلَيْهِ».

H.5098 - It is narrated from Abu Al-Hasan Imam Ali ibn Musa Ar-Ridha {a.s} that he said: "A servant continues to steal until, when the value of what he has stolen equals the blood money for his hand, Allah {SWT}, the Mighty and Majestic, exposes him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.60 • Uyun Al-Akhbar, Vol.1 p.289 • Awali Al-La'ali, Vol.3 p.566 • Al-Wafi, Vol.15 p.549

HADITH

5099 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «لاَ يُقْطَعُ اَلسَّارِقُ فِي عَامِ سَنَةٍ مُجْدِبَةٍ».

يَعْنِي فِي اَلْمَأْكُولِ دُونَ غَيْرِهِ.

H.5099 - In the narration of Al-Sakuni from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, that he said:
"The hand of a thief is not to be cut off during a year of drought."

[AL SADUQ]
This refers specifically to the theft of food and not to other types of theft.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.60

HADITH

5100 - وَ فِي رِوَايَةِ غِيَاثِ بْنِ إِبْرَاهِيمَ عَنْ أَبِي عَبْدِ اَللَّهِ عَنْ أَبِيهِ عَلَيْهِمَا اَلسَّلاَمُ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ أُتِيَ بِالْكُوفَةِ بِرَجُلٍ سَرَقَ حَمَاماً فَلَمْ يَقْطَعْهُ وَ قَالَ «لاَ أَقْطَعُ فِي اَلطَّيْرِ» ».

H.5100 - In the narration of Ghiyath ibn Ibrahim from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, it is reported: "Imam Ali ibn Abi Talib {a.s} was presented in Kufa with a man who had stolen a pigeon, but he did not cut off his hand and said: 'I do not cut off (a hand) for stealing birds.'"

[REFERENCES] Al-Kafi, Vol.7 p.230 • Man La Yahduruhu Al-Faqih, Vol.4 p.60 • Tahdhib Al-Ahkam, Vol.10 p.111 • Nuzhat Al-Nazir, Vol.1 p.129 • Al-Wafi, Vol.15 p.433 • Wasa'il Al-Shi'ah, Vol.28 p.285

HADITH

5101 - وَ رَوَى سَعْدُ بْنُ طَرِيفٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «قَطَعَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ فِي بَيْضَةِ حَدِيدٍ وَ فِي جُنَّةٍ وَزْنُهَا ثَمَانِيَةٌ وَ ثَلاَثُونَ رِطْلاً».

H.5101 - Sa'd ibn Tarif narrated from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said: "Imam Ali ibn Abi Talib {a.s} ordered the cutting off of a hand for stealing an iron helmet and for a shield that weighed thirty-eight ratl (a unit of weight)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.61 • Wasa'il Al-Shi'ah, Vol.28 p.247

HADITH

5102 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ أَتَى رَجُلاً فَقَالَ أَرْسَلَنِي فُلاَنٌ إِلَيْكَ لِتُرْسِلَ إِلَيْهِ بِكَذَا وَ كَذَا فَأَعْطَاهُ وَ صَدَّقَهُ فَلَقِيَ صَاحِبَهُ فَقَالَ لَهُ إِنَّ رَسُولَكَ أَتَانِي فَبَعَثْتُ إِلَيْكَ مَعَهُ بِكَذَا وَ كَذَا فَقَالَ مَا أَرْسَلْتُهُ إِلَيْكَ وَ لاَ أَتَانِي أَحَدٌ بِشَيْءٍ فَزَعَمَ اَلرَّسُولُ أَنَّهُ قَدْ أَرْسَلَهُ وَ قَدْ دَفَعَهُ إِلَيْهِ قَالَ «إِنْ وَجَدَ عَلَيْهِ بَيِّنَةً أَنَّهُ لَمْ يُرْسِلْهُ قُطِعَتْ يَدُهُ وَ إِنْ لَمْ يَجِدْ عَلَيْهِ بَيِّنَةً فَيَمِينُهُ بِاللَّهِ مَا أَرْسَلَهُ وَ يَسْتَوْفِي اَلْآخَرُ مِنَ اَلرَّسُولِ اَلْمَالَ» قُلْتُ فَإِنْ زَعَمَ أَنَّهُ حَمَلَهُ عَلَى ذَلِكَ اَلْحَاجَةُ قَالَ «يُقْطَعُ لِأَنَّهُ سَرَقَ مَالَ اَلرَّجُلِ».

H.5102 - Hammad narrated from Al-Halabi from Abu Abdullah {a.s} regarding a man who went to another man and said: "So-and-so sent me to you to collect such-and-such," and the man gave it to him, believing him.
Later, he met the original person and said: "Your messenger came to me, and I sent with him such-and-such," but the man replied:
"I did not send him to you, nor did anyone bring me anything."
The supposed messenger then claimed that he had indeed been sent and had delivered the item to him.
Imam {a.s} said: "If proof is established against him that he was never sent, his hand is to be cut off. But if there is no proof, the man must swear by Allah {SWT} that he did not send him, and the other must recover his money from the messenger."
I asked: "What if he claims that necessity compelled him to do so?"
Imam {a.s} replied: "His hand is to be cut off because he has stolen the man's wealth."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.61 • Al-Istibsar, Vol.4 p.243

HADITH

5103 - وَ رُوِيَ عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ أَنَّهُ قَالَ: «لاَ يُقْطَعُ اَلسَّارِقُ حَتَّى يُقِرَّ بِالسَّرِقَةِ مَرَّتَيْنِ فَإِنْ رَجَعَ ضَمِنَ اَلسَّرِقَةَ وَ لَمْ يُقْطَعْ إِذَا لَمْ يَكُنْ لَهُ شُهُودٌ».

H.5103 - It is narrated from one of the two Imams {a.s} that Imam {a.s} said:
"The hand of a thief is not to be cut off until he confesses to the theft twice. If he retracts his confession, he must compensate for what he stole, but his hand will not be cut off if there are no witnesses against him."

[REFERENCES] Tafsir Al-'Ayyashi, Vol.1 p.319 • Man La Yahduruhu Al-Faqih, Vol.4 p.61 • Tahdhib Al-Ahkam, V.10 p.129 • Awali Al-La'ali, V.2 p.354 • Awali Al-La'ali, V.3 p.572 • Al-Wafi, V.15 p.411 • Wasa'il Al-Shi'ah, V.28 p.249 • Tafsir Al-Burhan, V.2 p.296 • Bihar Al-Anwar, V.76 p.190 • Mustadrak Al-Wasa'il, Vol.18 p.123

HADITH

5104 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ قَالَ قَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ : «كُلُّ مَدْخَلٍ يُدْخَلُ إِلَيْهِ بِغَيْرِ إِذْنٍ فَسَرَقَ مِنْهُ اَلسَّارِقُ فَلاَ قَطْعَ عَلَيْهِ».

يَعْنِي اَلْحَمَّامَاتِ وَ اَلْخَانَاتِ وَ اَلْأَرْحِيَةَ وَ اَلْمَسَاجِدَ.

H.5104 - In the narration of Al-Sakuni, Imam Ali ibn Abi Talib {a.s} said:
"Every place that can be entered without permission, and a thief steals from it, there is no cutting off of the hand."

[AL SADUQ]
This refers to places like public bathhouses, inns, mills, and mosques.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.61

HADITH

5105 - وَ رَوَى اَلْعَلاَءُ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنِ اَلصَّبِيِّ يَسْرِقُ قَالَ «إِنْ كَانَ لَهُ سَبْعُ سِنِينَ أَوْ أَقَلُّ رُفِعَ عَنْهُ فَإِنْ عَادَ بَعْدَ اَلسَّبْعِ قُطِعَتْ بَنَانُهُ أَوْ حُكَّتْ حَتَّى تَدْمَى فَإِنْ عَادَ قُطِعَ مِنْهُ أَسْفَلُ مِنْ بَنَانِهِ فَإِنْ عَادَ بَعْدَ ذَلِكَ وَ قَدْ بَلَغَ تِسْعَ سِنِينَ قُطِعَتْ يَدُهُ وَ لاَ يُضَيَّعُ حَدٌّ مِنْ حُدُودِ اَللَّهِ عَزَّ وَ جَلَّ».

H.5105 - Al-Alaa narrated from Muhammad ibn Muslim from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said: I asked Imam {a.s} about a child who steals.
Imam {a.s} said: "If he is seven years old or younger, the punishment is lifted from him.
But if he repeats the act after the age of seven, his fingertip is to be cut off or scraped until it bleeds.
If he repeats it again, a part below his fingertip is to be cut off.
If he steals again after that and has reached nine years of age, his hand is to be cut off.
None of the prescribed punishments of Allah {SWT}, the Mighty and Majestic, are to be neglected."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.62 • Tahdhib Al-Ahkam, Vol.10 p.120 • Al-Istibsar, Vol.4 p.249 • Al-Wafi, Vol.15 p.452 • Wasa'il Al-Shi'ah, Vol.28 p.297

HADITH

5106 - : وَ جَاءَ رَجُلٌ إِلَى أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَأَقَرَّ بِالسَّرِقَةِ فَقَالَ لَهُ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ «أَ تَقْرَأُ شَيْئاً مِنْ كِتَابِ اَللَّهِ عَزَّ وَ جَلَّ» قَالَ نَعَمْ سُورَةَ اَلْبَقَرَةِ فَقَالَ «قَدْ وَهَبْتُ يَدَكَ لِسُورَةِ اَلْبَقَرَةِ » فَقَالَ اَلْأَشْعَثُ أَ تُعَطِّلُ حَدّاً مِنْ حُدُودِ اَللَّهِ تَعَالَى فَقَالَ «وَ مَا يُدْرِيكَ مَا هَذَا إِذَا قَامَتِ اَلْبَيِّنَةُ فَلَيْسَ لِلْإِمَامِ أَنْ يَعْفُوَ وَ إِذَا أَقَرَّ اَلرَّجُلُ عَلَى نَفْسِهِ فَذَاكَ إِلَى اَلْإِمَامِ إِنْ شَاءَ عَفَا وَ إِنْ شَاءَ قَطَعَ».

H.5106 - A man came to Commander of the Faithful {a.s} and confessed to theft.
Commander of the Faithful {a.s} asked him: "Do you recite anything from the Book of Allah {SWT}, the Mighty and Majestic?"
The man replied: “Yes, Surah Al-Baqarah."
Imam {a.s} said: “I have pardoned your hand for the sake of Surah Al-Baqarah."
Al-Ashath objected, saying: "Are you suspending one of the punishments prescribed by Allah {SWT}, the Exalted?"
Commander of the Faithful {a.s} replied: “And what do you know about this matter? When evidence is established, the Imam has no authority to pardon, but when a man confesses against himself, then it is up to the Imam - if he wishes, he may pardon, and if he wishes, he may order the cutting."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.62 • Tahdhib Al-Ahkam, Vol.10 p.129 • Al-Istibsar, Vol.4 p.252 • Awali Al-La’ali, Vol.3 p.572 • Al-Wafi, Vol.15 p.536 • Wasa’il Al-Shi’ah, Vol.28 p.41

HADITH

5107 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «لاَ قَطْعَ فِي ثَمَرٍ وَ لاَ كَثَرٍ وَ اَلْكَثَرُ هُوَ اَلْجُمَّارُ».

H.5107 - In the narration of Al-Sakuni, the Messenger of Allah {SWT} (peace be upon him and his family) said: "There is no cutting (of the hand) for stealing fruit or kathar."
And kathar refers to the inner core of palm trees (Al-jummar).

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.62 • Al-Ash’athiyat, Vol.1 p.142 • Mustadrak Al-Wasa’il, Vol.18 p.139

HADITH

5108 - وَ رَوَى مُحَمَّدُ بْنُ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي نَفَرٍ نَحَرُوا بَعِيراً فَأَكَلُوهُ فَامْتُحِنُوا أَيُّهُمْ نَحَرَ فَشَهِدُوا عَلَى أَنْفُسِهِمْ أَنَّهُمْ نَحَرُوهُ جَمِيعاً لَمْ يَخُصُّوا أَحَداً دُونَ أَحَدٍ فَقَضَى أَنْ تُقْطَعَ أَيْمَانُهُمْ».

H.5108 - Muhammad ibn Qays narrated from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said: "Commander of the Faithful {a.s} ruled in the case of a group of people who slaughtered a camel and ate it. They were investigated to determine who among them had slaughtered it, and they all testified against themselves that they had collectively slaughtered it without specifying any individual over another. So, Imam {a.s} ruled that their right hands be cut off."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.63 • Tahdhib Al-Ahkam, Vol.10 p.129 • Al-Wafi, Vol.15 p.406 • Wasa’il Al-Shi’ah, Vol.28 p.304

HADITH

5109 - وَ رَوَى يُونُسُ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: قُلْتُ لَهُ رَجُلٌ سَرَقَ مِنَ اَلْمَغْنَمِ اَلشَّيْءَ اَلَّذِي يَجِبُ عَلَيْهِ اَلْقَطْعُ قَالَ «يُنْظَرُ كَمِ اَلَّذِي يُصِيبُهُ فَإِنْ كَانَ اَلَّذِي أَخَذَ أَقَلَّ مِنْ نَصِيبِهِ عُزِّرَ وَ دُفِعَ إِلَيْهِ تَمَامُ مَالِهِ وَ إِنْ كَانَ أَخَذَ مِثْلَ اَلَّذِي لَهُ فَلاَ شَيْءَ عَلَيْهِ وَ إِنْ كَانَ أَخَذَ فَضْلاً بِقَدْرِ ثَمَنِ مِجَنٍّ وَ هُوَ رُبُعُ دِينَارٍ قُطِعَ».

H.5109 - Yunus narrated from Abdullah ibn Sinan from Abu Abdullah {a.s} who said:
I asked Imam {a.s} about a man who stole from the war spoils an amount that would normally require his hand to be cut off.
Imam {a.s} said: “It should be examined how much his rightful share is. If what he took was less than his portion, he is to be disciplined (ta'zir) and given the remainder of his share. If he took exactly what was due to him, then there is nothing upon him.
But if he took more than his share equal to the value of a shield, which is a quarter of a dinar, then his hand is to be cut off."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.63 • Tahdhib Al-Ahkam, Vol.10 p.106 • Al-Istibsar, Vol.4 p.242 • Awali Al-La’ali, Vol.3 p.567 • Al-Wafi, Vol.15 p.425 • Wasa’il Al-Shi’ah, Vol.28 p.289

HADITH

5110 - وَ رَوَى مُوسَى بْنُ بَكْرٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ اِكْتَرَى حِمَاراً وَ أَقْبَلَ إِلَى أَصْحَابِ اَلثِّيَابِ فَابْتَاعَ مِنْهُمْ ثَوْباً وَ تَرَكَ اَلْحِمَارَ عِنْدَهُمْ قَالَ «يُرَدُّ اَلْحِمَارُ عَلَى أَصْحَابِهِ وَ يُتْبَعُ اَلَّذِي ذَهَبَ بِالثَّوْبِ وَ لَيْسَ عَلَيْهِ قَطْعٌ إِنَّمَا هِيَ خِيَانَةٌ».

H.5110 - Musa ibn Bakr narrated from Zurarah from Imam Abu Jafar {a.s} who said:
I asked Imam {a.s} about a man who rented a donkey and went to cloth merchants, bought a garment from them, and left the donkey with them.
Imam {a.s} said: “The donkey should be returned to its owner, and the one who took the garment should be pursued. However, there is no cutting (of the hand) upon him because this is an act of betrayal, not theft."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.63

HADITH

5111 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «كَانَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ إِذَا سَرَقَ اَلرَّجُلُ أَوَّلاً قَطَعَ يَمِينَهُ فَإِنْ عَادَ قَطَعَ رِجْلَهُ اَلْيُسْرَى فَإِنْ عَادَ ثَالِثَةً خَلَّدَهُ اَلسِّجْنَ وَ أَنْفَقَ عَلَيْهِ مِنْ بَيْتِ اَلْمَالِ».

H.5111 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"When a man committed theft for the first time, Commander of the Faithful {a.s} would cut off his right hand. If he repeated the theft, he would cut off his left foot.
If he stole a third time, he would imprison him for life and provide for him from the public treasury."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.63 • Awali Al-La’ali, Vol.3 p.571 • Al-Wafi, Vol.15 p.440 • Wasa’il Al-Shi’ah, Vol.28 p.258

HADITH

5112 - وَ رُوِيَ: «أَنَّهُ إِنْ سَرَقَ فِي اَلسِّجْنِ قُتِلَ ».

H.5112 - It has been narrated: "If he steals while in prison, he is to be executed."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.63 • Awali Al-La'ali, Vol.3 p.572 • Wasa'il Al-Shi'ah, Vol.28 p.258

HADITH

5113 - وَ سُئِلَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : عَنْ أَدْنَى مَا يُقْطَعُ فِيهِ اَلسَّارِقُ قَالَ «رُبُعُ دِينَارٍ».

H.5113 - Abu Abdullah {a.s} was asked about the minimum amount for which a thief's hand is to be cut off.
Imam {a.s} said: "A quarter of a dinar."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.64 • Wasa'il Al-Shi'ah, Vol.28 p.247

HADITH

5114 - وَ فِي خَبَرٍ آخَرَ: «خُمُسُ دِينَارٍ».

فَإِذَا دَخَلَ السَّارِقُ دَارَ رَجُلٍ فَجَمَعَ الثِّيَابَ وَ أُخِذَ فِي الدَّارِ وَ مَعَهُ الْمَتَاعُ فَقَالَ إِذَا دَفَعَهُ إِلَى رَبِّ الدَّارِ فَلَيْسَ عَلَيْهِ قَطْعٌ فَإِذَا أَخْرَجَ الْمَتَاعَ مِنْ بَابِ الدَّارِ فَعَلَيْهِ الْقَطْعُ أَوْ يَجِيءُ بِالْمَخْرَجِ مِنْهُ وَ إِذَا أَمَرَ الْإِمَامُ بِقَطْعِ يَمِينِ السَّارِقِ فَقُطِعَ يَسَارُهُ بِالْغَلَطِ فَلَا يُقْطَعُ يَمِينُهُ إِذَا قُطِعَتْ يَسَارُهُ.

H.5114 - In another narration, it is reported: "One-fifth of a dinar."

[AL SADUQ]
If a thief enters a man's house and gathers clothes but is caught inside the house while still holding the goods, then if he hands them over to the owner of the house, there is no cutting (of his hand).
However, if he takes the goods out of the door of the house, then his hand is to be cut off, unless he can prove that he did not take them out.
And if the Imam orders the cutting of the thief's right hand, but by mistake his left hand is cut instead, then his right hand is not to be cut after his left has already been severed.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.64

HADITH

5115 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ سَرَقَ فَقُطِعَتْ يَدُهُ اَلْيُمْنَى ثُمَّ سَرَقَ فَقُطِعَتْ رِجْلَهُ اَلْيُسْرَى ثُمَّ سَرَقَ اَلثَّالِثَةَ قَالَ «كَانَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ يُخَلِّدُهُ فِي اَلسِّجْنِ وَ يَقُولُ «إِنِّي لَأَسْتَحْيِي مِنْ رَبِّي أَنْ أَدَعَهُ بِلاَ يَدٍ يَسْتَنْظِفُ بِهَا وَ لاَ رِجْلٍ يَمْشِي بِهَا إِلَى حَاجَتِهِ» » قَالَ «وَ كَانَ إِذَا قَطَعَ اَلْيَدَ قَطَعَهَا دُونَ اَلْمَفْصِلِ وَ إِذَا قَطَعَ اَلرِّجْلَ قَطَعَهَا مِنَ اَلْكَعْبِ » قَالَ «وَ كَانَ لاَ يَرَى أَنْ يُعْفَى، عَنْ شَيْءٍ مِنَ اَلْحُدُودِ».

H.5115 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab from Zurarah from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a man who stole, and his right hand was cut off. Then he stole again, and his left foot was cut off. Then he stole a third time. Imam {a.s} said: "Commander of the Faithful {a.s} would imprison him for life and would say, 'I feel ashamed before my Lord {AZJ} to leave him without a hand to clean himself with and without a foot to walk with to fulfill his needs.'"
Imam Al-Baqir {a.s} added: "When Imam Ali ibn Abi Talib {a.s} would cut off the hand, he would cut it below the wrist joint, and when he would cut off the foot, he would cut it from the ankle."
Imam Al-Baqir {a.s} also stated: "Imam Ali ibn Abi Talib {a.s} did not believe that any of the prescribed punishments should be pardoned."

[REFERENCES] Tafsir Al-'Ayyashi, Vol.1 p.318 • Man La Yahduruhu Al-Faqih, Vol.4 p.64 • Al-Wafi, Vol.15 p.439 • Tafsir Al-Burhan, Vol.2 p.296 • Bihar Al-Anwar, Vol.76 p.189

HADITH

5116 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ اَلْحَسَنِ بْنِ رِبَاطٍ عَنِ اِبْنِ مُسْكَانَ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِذَا أُقِيمَ عَلَى اَلسَّارِقِ اَلْحَدُّ نُفِيَ إِلَى بَلْدَةٍ أُخْرَى وَ إِنْ سَرَقَ رَجُلٌ فَلَمْ يُقْدَرْ عَلَيْهِ حَتَّى سَرَقَ مَرَّةً أُخْرَى فَأُخِذَ فَجَاءَتِ اَلْبَيِّنَةُ فَشَهِدُوا عَلَيْهِ بِالسَّرِقَةِ اَلْأُولَى وَ اَلْأَخِيرَةِ فَإِنَّهُ تُقْطَعُ يَدُهُ بِالسَّرِقَةِ اَلْأُولَى وَ لاَ تُقْطَعُ رِجْلُهُ بِالسَّرِقَةِ اَلْأَخِيرَةِ لِأَنَّ اَلشُّهُودَ شَهِدُوا عَلَيْهِ جَمِيعاً فِي مَقَامٍ وَاحِدٍ بِالسَّرِقَةِ اَلْأُولَى وَ اَلْأَخِيرَةِ قَبْلَ أَنْ تُقْطَعَ يَدُهُ بِالسَّرِقَةِ اَلْأُولَى وَ لَوْ أَنَّ اَلشُّهُودَ شَهِدُوا عَلَيْهِ بِالسَّرِقَةِ اَلْأُولَى فَقُطِعَتْ يَدُهُ ثُمَّ شَهِدُوا عَلَيْهِ بَعْدُ بِالسَّرِقَةِ اَلْأَخِيرَةِ قُطِعَتْ رِجْلُهُ اَلْيُسْرَى».

H.5116 - Al-Hasan ibn Mahbub narrated from Ali ibn Al-Hasan ibn Ribat from Ibn Muskan from Al-Halabi from Abu Abdullah {a.s} who said:
"When the legal punishment is carried out on a thief, he is to be exiled to another town. If a man steals and is not caught until he steals again and is then apprehended, and evidence is brought against him, with witnesses testifying to both the first and the most recent theft, his hand is to be cut off for the first theft, but his foot is not to be cut off for the second theft.
This is because the witnesses testified to both thefts at the same time before his hand was cut off for the first theft.
However, if the witnesses had testified regarding the first theft and his hand was cut off, and then later testified about the second theft, his left foot would be cut off."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.65 • Mustadrak Al-Wasa'il, Vol.18 p.129

HADITH

5117 - وَ قَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ : «لاَ قَطْعَ فِي اَلدَّغَارَةِ اَلْمُعْلَنَةِ وَ هِيَ اَلْخُلْسَةُ وَ لَكِنِّي أُعَزِّرُهُ وَ لَكِنْ يُقْطَعُ مَنْ يَأْخُذُ وَ يُخْفِي». وَ لَيْسَ عَلَى اَلَّذِي يَسْلُبُ اَلثِّيَابَ قَطْعٌ وَ لَيْسَ عَلَى اَلطَّرَّارِ قَطْعٌ إِذَا طَرَّ مِنَ اَلْقَمِيصِ اَلْأَعْلَى فَإِنْ طَرَّ مِنَ اَلْقَمِيصِ اَلْأَسْفَلِ فَعَلَيْهِ اَلْقَطْعُ وَ لَيْسَ عَلَى اَلْأَجِيرِ وَ لاَ عَلَى اَلضَّيْفِ قَطْعٌ لِأَنَّهُمَا مُؤْتَمَنَانِ وَ قَدْ رُوِيَ أَنَّهُ إِنْ أَضَافَ اَلضَّيْفُ ضَيْفاً فَسَرَقَ قُطِعَ وَ اَلْأَشَلُّ إِذَا سَرَقَ قُطِعَتْ يَمِينُهُ عَلَى كُلِّ حَالٍ شَلاَّءَ كَانَتْ أَوْ صَحِيحَةً فَإِنْ عَادَ فَسَرَقَ قُطِعَتْ رِجْلُهُ اَلْيُسْرَى فَإِنْ عَادَ خُلِّدَ اَلسِّجْنَ وَ أُجْرِيَ عَلَيْهِ مِنْ بَيْتِ مَالِ اَلْمُسْلِمِينَ وَ كُفَّ عَنِ اَلنَّاسِ رَوَى ذَلِكَ اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلاَءٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ. وَ رَوَاهُ اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ وَ لَيْسَ عَلَى اَلْعَبْدِ إِذَا سَرَقَ مِنْ مَالِ مَوْلاَهُ قَطْعٌ لِأَنَّهُ مَالُ اَلرَّجُلِ سَرَقَ بَعْضُهُ بَعْضاً».

H.5117 - Imam Ali ibn Abi Talib {a.s} said:
"There is no cutting (of the hand) for open and public theft, which is snatching (Al-khulsah), but I would discipline him (ta'zir).
However, the one who steals and conceals what he takes is to have his hand cut off."
There is no cutting (of the hand) for one who snatches clothing, nor is there cutting for a pickpocket (*ṭ*arrar) if he steals from the outer garment.
However, if he steals from the inner garment, then cutting is applied.
There is also no cutting for a worker (ajir) or a guest (*ḍ*ayf) because they are entrusted.
However, it has been narrated that if a guest hosts another guest who then steals, his hand is to be cut.
If a paralyzed person (ashall) steals, his right hand is to be cut off regardless of whether it is paralyzed or healthy. If he steals again, his left foot is to be cut off. If he steals a third time, he is to be imprisoned for life, provided for from the public treasury of the Muslims, and restrained from harming people.
This was narrated by Al-Hasan ibn Mahbub from Al-Alaa from Muhammad ibn Muslim from Zurarah from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, and also by Al-Hasan ibn Mahbub from Abdullah ibn Sinan from Abu Abdullah {a.s}.
Additionally, there is no cutting for a slave if he steals from the property of his master because it is considered the wealth of the man himself, as if a part of him has stolen from another part.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.65 • Awali Al-La'ali, Vol.3 p.568 • Wasa'il Al-Shi'ah, Vol.28 p.269

HADITH

5118 - : «وَ اَلنَّبَّاشُ إِذَا كَانَ مَعْرُوفاً بِذَلِكَ قُطِعَ».

H.5118 - "The grave robber (Al-nabbash), if he is known for doing that, is to have his hand cut off."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.67 • Tahdhib Al-Ahkam, Vol.10 p.117 • Al-Istibsar, Vol.4 p.246 • Al-Wafi, Vol.15 p.457 • Wasa'il Al-Shi'ah, Vol.28 p.282

HADITH

5119 - وَ رُوِيَ: «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ قَطَعَ نَبَّاشَ اَلْقَبْرِ فَقِيلَ لَهُ أَ تَقْطَعُ فِي اَلْمَوْتَى فَقَالَ «إِنَّا لَنَقْطَعُ لِأَمْوَاتِنَا كَمَا نَقْطَعُ لِأَحْيَائِنَا» ».

H.5119 - It has been narrated that Imam Ali ibn Abi Talib {a.s} ordered the hand of a grave robber to be cut off.
Imam {a.s} was asked: “Do you cut off (the hand) for stealing from the dead?"
Imam {a.s} replied: “We cut for our dead just as we cut for our living."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.67 • Tahdhib Al-Ahkam, Vol.10 p.116 • Al-Istibsar, Vol.4 p.246 • Awali Al-La’ali, Vol.3 p.569 • Al-Wafi, Vol.15 p.456 • Wasa’il Al-Shi’ah, Vol.28 p.281

HADITH

5120 - وَ رُوِيَ: «أَنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ أُتِيَ بِنَبَّاشٍ فَأَخَذَ بِشَعْرِهِ وَ جَلَدَ بِهِ اَلْأَرْضَ ثُمَّ قَالَ «طَئُوا عَلَيْهِ عِبَادَ اَللَّهِ» فَوُطِئَ حَتَّى مَاتَ».

وَ الْعَبْدُ الْآبِقُ إِذَا سَرَقَ لَمْ يُقْطَعْ وَ كَذَلِكَ الْمُرْتَدُّ إِذَا سَرَقَ وَ لَكِنْ يُدْعَى الْعَبْدُ إِلَى الرُّجُوعِ إِلَى مَوَالِيهِ وَ الْمُرْتَدُّ يُدْعَى إِلَى الدُّخُولِ فِي الْإِسْلَامِ فَإِنْ أَبَى وَاحِدٌ مِنْهُمَا قُطِعَتْ يَدُهُ فِي السَّرِقَةِ ثُمَّ قُتِلَ.

H.5120 - It has been narrated that Commander of the Faithful {a.s} was presented with a grave robber.
Imam {a.s} grabbed him by his hair, struck him against the ground, and then said: “Step on him, O’ servants of Allah {SWT}." So, the people trampled him until he died.

[AL SADUQ]
As for a runaway slave (*Abd* abiq), if he steals, his hand is not to be cut off. Similarly, an apostate (murtadd) who steals is not to have his hand cut off immediately.
However, the slave is to be called to return to his master, and the apostate is to be called to return to Islam. If either of them refuses, then his hand is to be cut off for the theft, and afterward, he is to be executed.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.67 • Awali Al-La’ali, Vol.3 p.570

HADITH

5121 - وَ سُئِلَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : عَنْ قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ ۝ إِنَّما جَزٰاءُ اَلَّذِينَ يُحٰارِبُونَ اَللّٰهَ وَ رَسُولَهُ وَ يَسْعَوْنَ فِي اَلْأَرْضِ فَساداً أَنْ يُقَتَّلُوا أَوْ يُصَلَّبُوا أَوْ تُقَطَّعَ أَيْدِيهِمْ وَ أَرْجُلُهُمْ مِنْ خِلاٰفٍ أَوْ يُنْفَوْا مِنَ اَلْأَرْضِ ۝ فَقَالَ «إِذَا قَتَلَ وَ لَمْ يُحَارِبْ وَ لَمْ يَأْخُذِ اَلْمَالَ قُتِلَ وَ إِذَا حَارَبَ وَ قَتَلَ قُتِلَ وَ صُلِبَ وَ إِذَا حَارَبَ وَ أَخَذَ اَلْمَالَ وَ لَمْ يَقْتُلْ قُطِعَتْ يَدُهُ وَ رِجْلُهُ وَ إِذَا حَارَبَ وَ لَمْ يَقْتُلْ وَ لَمْ يَأْخُذِ اَلْمَالَ نُفِيَ».

وَ يَنْبَغِي أَنْ يَكُونَ نَفْياً يُشْبِهُ الصَّلْبَ وَ الْقَتْلَ يُثَقَّلُ رِجْلَاهُ وَ يُرْمَى فِي الْبَحْرِ.

H.5121 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked about the saying of Allah {SWT}, the Mighty and Majestic:
"*The punishment of those who wage war against Allah {SWT} and His Messenger and strive to spread corruption on earth is that they be killed, or crucified, or have their hands and feet cut off from opposite sides, or be exiled from the land*" (Surah Al-Ma'idah 5:33).
Imam {a.s} said: “If a person kills but does not engage in combat and does not take wealth, he is to be executed.
If he engages in combat and kills, he is to be killed and crucified.
If he engages in combat and takes wealth but does not kill, his hand and foot are to be cut off.
And if he engages in combat but does not kill and does not take wealth, he is to be exiled.”

[AL SADUQ]
It is appropriate that this exile resembles crucifixion and execution, where his legs are weighed down, and he is thrown into the sea.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.67 • Al-Wafi, Vol.15 p.469

HADITH

5122 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «اَلْمَصْلُوبُ يُنْزَلُ عَنِ اَلْخَشَبَةِ بَعْدَ ثَلاَثَةِ أَيَّامٍ يُغَسَّلُ وَ يُدْفَنُ وَ لاَ يَجُوزُ صَلْبُهُ أَكْثَرَ مِنْ ثَلاَثَةِ أَيَّامٍ».

H.5122 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"The crucified person is to be taken down from the wooden structure after three days, washed, and buried. It is not permissible to keep him crucified for more than three days."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.68 • Al-Wafi, Vol.24 p.487 • Wasa’il Al-Shi’ah, Vol.28 p.319 • Mustadrak Al-Wasa’il, Vol.2 p.143 • Mustadrak Al-Wasa’il, Vol.18 p.160

HADITH

5123 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ صَلَبَ رَجُلاً، بِالْحِيرَةِ ثَلاَثَةَ أَيَّامٍ ثُمَّ أَنْزَلَهُ يَوْمَ اَلرَّابِعِ فَصَلَّى عَلَيْهِ وَ دَفَنَهُ».

H.5123 - In the narration of Al-Sakuni from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, it is reported:
"Indeed, Imam Ali ibn Abi Talib {a.s} crucified a man in Al-Hirah for three days. Then on the fourth day, Imam {a.s} took him down, prayed over him, and buried him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.68

HADITH

5124 - وَ رَوَى عَلِيُّ بْنُ رِئَابٍ عَنْ ضُرَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «مَنْ حَمَلَ اَلسِّلاَحَ بِاللَّيْلِ فَهُوَ مُحَارِبٌ إِلاَّ أَنْ يَكُونَ رَجُلاً لَيْسَ مِنْ أَهْلِ اَلرِّيبَةِ».

H.5124 - Ali ibn Ri'ab narrated from Ḍurays from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said: "Whoever carries a weapon at night is considered a highway robber (muharib), unless he is a man who is not known for suspicion or wrongdoing."

[REFERENCES] Al-Kafi, Vol.7 p.246 • Man La Yahduruhu Al-Faqih, Vol.4 p.68 • Tahdhib Al-Ahkam, Vol.6 p.157 • Tahdhib Al-Ahkam, Vol.10 p.134 • Al-Wafi, Vol.15 p.464 • Tafsir Al-Safi, Vol.2 p.32 • Wasa'il Al-Shi'ah, Vol.15 p.120 • Wasa'il Al-Shi'ah, Vol.28 p.313 • Al-Fusul Al-Muhimmah, Vol.2 p.211 • Tafsir Kanz Al-Daqaiq, Vol.4 p.101

HADITH

5125 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ طَلْحَةَ اَلنَّهْدِيِّ عَنْ سَوْرَةَ بْنِ كُلَيْبٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ رَجُلٌ يَخْرُجُ مِنْ مَنْزِلِهِ يُرِيدُ اَلْمَسْجِدَ أَوْ يُرِيدُ اَلْحَاجَةَ فَيَلْقَاهُ رَجُلٌ أَوْ يَسْتَقْبِلُهُ فَيَضْرِبُهُ وَ يَأْخُذُ ثَوْبَهُ قَالَ «أَيَّ شَيْءٍ يَقُولُ فِيهِ مَنْ قِبَلَكُمْ» قَالَ قُلْتُ يَقُولُونَ هَذِهِ دَغَارَةٌ مُعْلَنَةٌ وَ إِنَّمَا اَلْمُحَارِبُ فِي قُرًى مُشْرِكِيَّةٍ فَقَالَ «أَيُّهُمَا أَعْظَمُ حُرْمَةً دَارُ اَلْإِسْلاَمِ أَوْ دَارُ اَلشِّرْكِ» قَالَ فَقُلْتُ دَارُ اَلْإِسْلاَمِ قَالَ «هَؤُلاَءِ مِنْ أَهْلِ هَذِهِ اَلْآيَةِ: ﴿ إِنَّمٰا جَزٰاءُ اَلَّذِينَ يُحٰارِبُونَ اَللّٰهَ وَ رَسُولَهُ ﴾ » إِلَى آخِرِ اَلْآيَةِ.

H.5125 - Safwan ibn Yahya narrated from Talhah Al-Nahdi from Sawrah ibn Kulayb who said: I asked Abu Abdullah {a.s} about a man who leaves his house intending to go to the mosque or fulfill a need and is met or confronted by another man who strikes him and takes his garment.

Abu Abdullah {a.s} asked: "What do the people in your region say about this?"

I replied: "They say this is open aggression (dagharah muʿlanah), and that a highway robber (muharib) only exists in the lands of polytheists."

Imam {a.s} then asked: "Which is more sacred: the land of Islam or the land of polytheism?"

I replied: "The land of Islam."

Imam {a.s} said: "These people fall under the ruling of this verse:

'The punishment of those who wage war against Allah {SWT} and His Messenger'" (until the end of the verse). (Surah Al-Ma'idah 5:33)

[REFERENCES] Al-Kafi, Vol.7 p.245 • Man La Yahduruhu Al-Faqih, Vol.4 p.68 • Tahdhib Al-Ahkam, Vol.10 p.134 • Al-Wafi, Vol.15 p.464 • Wasa'il Al-Shi'ah, Vol.28 p.314 • Tafsir Al-Burhan, Vol.2 p.285 • Tafsir Nur Al-Thaqalayn, Vol.1 p.622 • Tafsir Kanz Al-Daqaiq, Vol.4 p.101

HADITH

5126 - وَ رُوِيَ عَنْ طَرِيفِ بْنِ سِنَانٍ اَلثَّوْرِيِّ قَالَ: سَأَلْتُ جَعْفَرَ بْنَ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ سَرَقَ حُرَّةً فَبَاعَهَا فَقَالَ «فِيهَا أَرْبَعَةُ حُدُودٍ أَمَّا أَوَّلُهَا فَسَارِقٌ تُقْطَعُ يَدُهُ وَ اَلثَّانِيَةُ إِنْ كَانَ وَطِئَهَا جُلِدَ اَلْحَدَّ وَ عَلَى اَلَّذِي اِشْتَرَى إِنْ كَانَ وَطِئَهَا وَ قَدْ عَلِمَ إِنْ كَانَ مُحْصَناً رُجِمَ وَ إِنْ كَانَ غَيْرَ مُحْصَنٍ جُلِدَ اَلْحَدَّ وَ إِنْ كَانَ لَمْ يَعْلَمْ فَلاَ شَيْءَ عَلَيْهِ وَ لاَ عَلَيْهَا هِيَ وَ إِنْ كَانَ اِسْتَكْرَهَهَا فَلاَ شَيْءَ عَلَيْهَا وَ إِنْ كَانَتْ طَاوَعَتْهُ جُلِدَتِ اَلْحَدَّ».

H.5126 - It was narrated from Tarif ibn Sinan Al-Thawri who said:
I asked Imam Jafar ibn Muhammad Al-Sadiq {a.s} about a man who stole a free woman and sold her.
Imam {a.s} said: "There are four legal punishments in this case.
The first is that since he stole, his hand is to be cut off.
The second is that if he had intercourse with her, he is to be flogged with the legal punishment.
The third is upon the one who bought her: if he had intercourse with her and knew her status, then if he was married (muhsan), he is to be stoned, and if he was unmarried (non-muhsan), he is to be flogged with the legal punishment. However, if he did not know (her status), then there is nothing upon him or upon her.
The fourth is that if she was forced into it, there is no punishment upon her, but if she consented, she is to be flogged with the legal punishment."

[REFERENCES] Al-Kafi, Vol.7 p.229 • Man La Yahduruhu Al-Faqih, Vol.4 p.69 • Tahdhib Al-Ahkam, Vol.10 p.113 • Al-Wafi, Vol.15 p.459 • Wasa'il Al-Shi'ah, Vol.28 p.283

HADITH

5127 - وَ رَوَى مُحَمَّدُ بْنُ عَبْدِ اَللَّهِ بْنِ هِلاَلٍ عَنْ أَبِيهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: قُلْتُ لَهُ أَخْبِرْنِي عَنِ اَلسَّارِقِ لِمَ تُقْطَعُ يَدُهُ اَلْيُمْنَى وَ رِجْلُهُ اَلْيُسْرَى وَ لاَ تُقْطَعُ يَدُهُ اَلْيُمْنَى وَ رِجْلُهُ اَلْيُمْنَى فَقَالَ «مَا أَحْسَنَ مَا سَأَلْتَ إِذَا قُطِعَتْ يَدُهُ اَلْيُمْنَى وَ رِجْلُهُ اَلْيُمْنَى سَقَطَ عَلَى جَانِبِهِ اَلْأَيْسَرِ وَ لَمْ يَقْدِرْ عَلَى اَلْقِيَامِ وَ إِذَا قُطِعَتْ يَدُهُ اَلْيُمْنَى وَ رِجْلُهُ اَلْيُسْرَى اِعْتَدَلَ وَ اِسْتَوَى قَائِماً» قَالَ قُلْتُ جُعِلْتُ فِدَاكَ كَيْفَ يَقُومُ وَ قَدْ قُطِعَتْ رِجْلُهُ قَالَ «إِنَّ اَلْقَطْعَ لَيْسَ مِنْ حَيْثُ رَأَيْتَ تُقْطَعُ إِنَّمَا تُقْطَعُ اَلرِّجْلُ مِنَ اَلْكَعْبِ وَ يُتْرَكُ لَهُ مِنْ قَدَمِهِ مَا يَقُومُ عَلَيْهِ يُصَلِّي وَ يَعْبُدُ اَللَّهَ عَزَّ وَ جَلَّ» قُلْتُ فَمِنْ أَيْنَ تُقْطَعُ اَلْيَدُ قَالَ «تُقْطَعُ اَلْأَرْبَعُ اَلْأَصَابِعِ وَ يُتْرَكُ لَهُ اَلْإِبْهَامُ يَعْتَمِدُ عَلَيْهَا فِي اَلصَّلاَةِ يَغْسِلُ بِهَا وَجْهَهُ لِلصَّلاَةِ».

H.5127 - Muhammad ibn Abdullah ibn Hilal narrated from his father from Abu Abdullah {a.s} who said:
I asked Imam {a.s}: "Tell me why the right hand and the left foot of a thief are cut off, but not the right hand and the right foot?"
Imam {a.s} replied: "What a good question you have asked! If his right hand and right foot were cut off, he would fall onto his left side and would not be able to stand. But when his right hand and left foot are cut off, he remains balanced and can stand upright."

I said: “May I be your ransom, how can he stand when his foot has been cut off?"
Imam {a.s} replied: “The cutting is not as you perceive it. The foot is cut off from the ankle, leaving part of the foot so that he can stand on it, perform prayer, and worship Allah {SWT}, the Mighty and Majestic."
I asked: “From where is the hand cut off?"
Imam {a.s} replied: “The four fingers are cut off, and the thumb is left for him so that he may lean on it during prayer and wash his face for prayer."

[REFERENCES] Al-Kafi, Vol.7 p.225 • Man La Yahduruhu Al-Faqih, Vol.4 p.69 • Tahdhib Al-Ahkam, Vol.10 p.103 • Al-Wafi, Vol.15 p.442 • Wasa’il Al-Shi’ah, Vol.28 p.257 • Tafsir Nur Al-Thaqalayn, Vol.1 p.628 • Tafsir Kanz Al-Daqaiq, Vol.4 p.111

HADITH

5128 - وَ رَوَى إِسْحَاقُ بْنُ عَمَّارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ سَرَقَ مِنْ بُسْتَانٍ عِذْقاً قِيمَتُهُ دِرْهَمَانِ قَالَ «يُقْطَعُ بِهِ».

H.5128 - Ishaq ibn Ammar narrated from Abu Abdullah {a.s} regarding a man who stole a cluster of dates from an orchard worth two dirhams.
Imam {a.s} said: “His hand is to be cut off for that."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.69 • Tahdhib Al-Ahkam, Vol.10 p.128 • Al-Wafi, Vol.15 p.409 • Wasa’il Al-Shi’ah, Vol.28 p.247 • Wasa’il Al-Shi’ah, Vol.28 p.287

HADITH

5129 - وَ رَوَى عَلِيُّ بْنُ رِئَابٍ عَنْ ضُرَيْسٍ اَلْكُنَاسِيِّ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «اَلْعَبْدُ إِذَا أَقَرَّ عَلَى نَفْسِهِ عِنْدَ اَلْإِمَامِ مَرَّةً أَنَّهُ سَرَقَ قَطَعَهُ وَ اَلْأَمَةُ إِذَا أَقَرَّتْ عَلَى نَفْسِهَا عِنْدَ اَلْإِمَامِ بِالسَّرِقَةِ قَطَعَهَا».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ مَتَى كَانَ الْعَبْدُ مِمَّنْ يُعْلَمُ أَنَّهُ يُرِيدُ الْإِضْرَارَ بِسَيِّدِهِ لَمْ يُقْطَعْ إِذَا أَقَرَّ عَلَى نَفْسِهِ بِالسَّرِقَةِ فَإِنْ شَهِدَ عَلَيْهِ شَاهِدَانِ قُطِعَ.

H.5129 - Ali ibn Ri'ab narrated from Ḍurays Al-Kunasi from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said:
"If a male slave confesses to theft once before the Imam, his hand is to be cut off. Likewise, if a female slave confesses to theft before the Imam, her hand is to be cut off."

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, commented: If the slave is known to intend harm to his master, his hand is not to be cut off merely based on his confession of theft. However, if two witnesses testify against him, then his hand is to be cut off.

[REFERENCES] Al-Kafi, Vol.7 p.220 • Al-Kafi, Vol.7 p.237 • Man La Yahduruhu Al-Faqih, Vol.4 p.70 • Tahdhib Al-Ahkam, Vol.10 p.112 • Al-Istibsar, Vol.4 p.244 • Al-Wafi, Vol.15 p.415 • Wasa’il Al-Shi’ah, Vol.28 p.249

HADITH

5130 - رَوَى ذَلِكَ اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ عَنِ اَلْفُضَيْلِ بْنِ يَسَارٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ: «إِذَا أَقَرَّ اَلْمَمْلُوكُ عَلَى نَفْسِهِ بِالسَّرِقَةِ لَمْ يُقْطَعْ وَ إِنْ شَهِدَ عَلَيْهِ شَاهِدَانِ قُطِعَ».

H.5130 - Al-Hasan ibn Mahbub narrated from Abu Ayyub from Al-Fudayl ibn Yasar who said: I heard Abu Abdullah {a.s} say: "If a slave confesses to theft, his hand is not to be cut off. However, if two witnesses testify against him, his hand is to be cut off."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.70 • Wasa'il Al-Shi'ah, Vol.28 p.305

CHAPTER 12 – CHAPTER ON THE IMPLEMENTATION OF LEGAL PUNISHMENTS ON THE MUTE, THE DEAF, AND THE BLIND

بَابُ إِقَامَةِ الْحُدُودِ عَلَى الْأَخْرَسِ وَ الْأَصَمِّ وَ الْأَعْمَى

HADITH 5131

5131 - رَوَى يُونُسُ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ: سُئِلَ أَحَدُهُمَا عَلَيْهِمَا اَلسَّلاَمُ عَنْ حَدِّ اَلْأَخْرَسِ وَ اَلْأَصَمِّ وَ اَلْأَعْمَى قَالَ «عَلَيْهِمُ اَلْحُدُودُ إِذَا كَانُوا يَعْقِلُونَ مَا يَأْتُونَ».

H.5131 - Yunus narrated from Ishaq ibn Ammar who said that one of the two Imams (peace be upon them) was asked about the legal punishments (*h*udud) for a mute, a deaf person, and a blind person.
Imam {a.s} said: "The legal punishments apply to them if they comprehend what they are doing."

[REFERENCES] Al-Kafi, Vol.7 p.244 • Man La Yahduruhu Al-Faqih, Vol.4 p.70 • Tahdhib Al-Ahkam, Vol.10 p.33 • Al-Wafi, Vol.15 p.550 • Wasa'il Al-Shi'ah, Vol.28 p.29

CHAPTER 13 – CHAPTER ON THE LEGAL PUNISHMENT FOR THE ONE WHO CONSUMES USURY AFTER PROOF

بَابُ حَدِّ آكِلِ الرِّبَا بَعْدَ الْبَيِّنَةِ

HADITH 5132

5132 - رَوَى إِسْحَاقُ بْنُ عَمَّارٍ وَ سَمَاعَةُ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: قُلْتُ لَهُ مَا حَدُّ آكِلِ اَلرِّبَا بَعْدَ اَلْبَيِّنَةِ قَالَ «يُؤَدَّبُ فَإِنْ عَادَ أُدِّبَ فَإِنْ عَادَ قُتِلَ».

H.5132 - Ishaq ibn Ammar and Samaah narrated from Abu Basir from Abu Abdullah {a.s} who said: I asked Imam - "What is the punishment for one who consumes usury after clear evidence (has been established)?"
Imam {a.s} replied: “He is to be disciplined. If he returns to it, he is disciplined again. If he repeats it a third time, he is to be killed."

[REFERENCES] Al-Kafi, Vol.7 p.241 • Man La Yahduruhu Al-Faqih, Vol.4 p.70 • Tahdhib Al-Ahkam, Vol.10 p.98 • Tahdhib Al-Ahkam, Vol.10 p.145 • Al-Wafi, Vol.15 p.401 • Wasa’il Al-Shi’ah, Vol.28 p.371

CHAPTER 14 – CHAPTER ON THE LEGAL PUNISHMENT FOR THE ONE WHO CONSUMES CARRION, BLOOD, AND PORK

بَابُ حَدِّ آكِلِ الْمَيْتَةِ وَ الدَّمِ وَ لَحْمِ الْخِنْزِيرِ

HADITH 5133

5133 - رَوَى إِسْحَاقُ بْنُ عَمَّارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ: «آكِلُ اَلْمَيْتَةِ وَ اَلدَّمِ وَ لَحْمِ اَلْخِنْزِيرِ عَلَيْهِ أَدَبٌ فَإِنْ عَادَ أُدِّبَ» قُلْتُ فَإِنْ عَادَ قَالَ «يُؤَدَّبُ وَ لَيْسَ عَلَيْهِ قَتْلٌ».

H.5133 - Ishaq ibn Ammar narrated from Abu Abdullah {a.s} who said:
"One who consumes carrion, blood, or pork is to be disciplined. If he returns to it, he is disciplined again."
I asked: “And if he does it again?"
Imam {a.s} replied: “He is to be disciplined, but there is no execution upon him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.71

CHAPTER 15 – CHAPTER ON OBLIGATIONS WHEN MULTIPLE LEGAL PUNISHMENTS ARE COMBINED UPON A MAN

بَابُ مَا يَجِبُ فِي اجْتِمَاعِ الْحُدُودِ عَلَى رَجُلٍ

HADITH 5134

5134 - رَوَى عَلِيُّ بْنُ رِئَابٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «أَيُّمَا رَجُلٍ اِجْتَمَعَتْ عَلَيْهِ حُدُودٌ فِيهَا اَلْقَتْلُ يُبْدَأُ بِالْحُدُودِ اَلَّتِي هِيَ دُونَ اَلْقَتْلِ ثُمَّ يُقْتَلُ بَعْدَ ذَلِكَ».

H.5134 - Ali ibn Ri’ab narrated from Zurarah from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said: "Any man upon whom multiple legal punishments (hudud) have been established, and among them is the punishment of death, the lesser punishments are to be carried out first, and then he is to be executed afterward."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.71 • Tahdhib Al-Ahkam, Vol.10 p.70 • Al-Wafi, Vol.15 p.546 • Wasa’il Al-Shi’ah, Vol.28 p.34 • Wasa’il Al-Shi’ah, Vol.28 p.36

CHAPTER 16 – CHAPTER ON RARE CASES OF LEGAL PUNISHMENTS

بَابُ نَوَادِرِ الْحُدُودِ

HADITH 5135 – 5149

5135 - رَوَى سُلَيْمَانُ بْنُ دَاوُدَ اَلْمِنْقَرِيُّ عَنْ حَفْصِ بْنِ غِيَاثٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ مَنْ يُقِيمُ اَلْحُدُودَ اَلسُّلْطَانُ أَوِ اَلْقَاضِي فَقَالَ «إِقَامَةُ اَلْحُدُودِ إِلَى مَنْ إِلَيْهِ اَلْحُكْمُ».

H.5135 - Sulayman ibn Dawud Al-Minqari narrated from Hafs ibn Ghiyath who said: I asked Abu Abdullah {a.s}, "Who is responsible for carrying out the legal punishments (hudud) -the ruler or the judge?"
Imam {a.s} replied: “The implementation of the legal punishments belongs to the one who holds the authority of judgment."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.71 • Tahdhib Al-Ahkam, Vol.6 p.314 • Tahdhib Al-Ahkam, Vol.10 p.155 • Al-Wafi, Vol.15 p.537 • Wasa’il Al-Shi’ah, Vol.27 p.299 • Wasa’il Al-Shi’ah, Vol.28 p.49

HADITH

5136 - وَ رُوِيَ: «أَنَّ رَجُلاً جَاءَ بِرَجُلٍ إِلَى أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَقَالَ يَا أَمِيرَ اَلْمُؤْمِنِينَ إِنَّ هَذَا زَعَمَ أَنَّهُ اِحْتَلَمَ بِأُمِّي فَقَالَ «إِنَّ اَلْحُلُمَ بِمَنْزِلَةِ اَلظِّلِّ فَإِنْ شِئْتَ جَلَدْتُ لَكَ ظِلَّهُ» ثُمَّ قَالَ عَلَيْهِ اَلسَّلاَمُ «لَكِنِّي أُوجِعُهُ لِئَلاَّ يَعُودَ يُؤْذِي اَلْمُسْلِمِينَ» ».

H.5136 - It has been narrated that a man brought another man to Commander of the Faithful {a.s} and said: “O’ Commander of the Faithful, this man claimed that he had a wet dream involving my mother."
Commander of the Faithful {a.s} replied: “A dream is like a shadow; if you wish, I will flog his shadow for you."
Then Imam {a.s} said: "However, I will punish him so that he does not repeat such actions and harm the Muslims."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.72

HADITH

5137 - رُوِيَ: «أَنَّهُ دَنَا مِنْ أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ صَبِيَّانِ بِيَدِهِمَا لَوْحَانِ فَقَالاَ يَا أَمِيرَ اَلْمُؤْمِنِينَ خَايِرْ بَيْنَنَا قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ «إِنَّ اَلْجَوْرَ فِي هَذَا كَالْجَوْرِ فِي اَلْأَحْكَامِ أَبْلِغَا مُؤَدِّبَكُمَا عَنِّي أَنَّهُ إِنْ ضَرَبَكُمَا فَوْقَ ثَلاَثٍ كَانَ ذَلِكَ قِصَاصاً يَوْمَ اَلْقِيَامَةِ » ».

H.5137 - It has been narrated that two boys approached Commander of the Faithful {a.s} holding their wooden tablets and said: “O’ Commander of the Faithful, judge between us."
Commander of the Faithful {a.s} replied: “Injustice in this matter is like injustice in legal rulings. Convey to your teacher on my behalf that if he strikes you more than three times, it will be taken as retribution against him on the Day of Judgment."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.72 • Al-Wafi, Vol.15 p.516

HADITH

5138 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ يُونُسَ عَنْ أَبِي اَلْحَسَنِ اَلْمَاضِي عَلَيْهِ اَلسَّلاَمُ قَالَ: «أَصْحَابُ اَلْكَبَائِرِ كُلِّهَا إِذَا أُقِيمَ عَلَيْهِمُ اَلْحَدُّ مَرَّتَيْنِ قُتِلُوا فِي اَلثَّالِثَةِ».

H.5138 - Safwan ibn Yahya narrated from Yunus from Abu Al-Hasan Al-Maḍi {a.s} who said:
"All those who commit major sins (kabaʾir), if the legal punishment (Hadd) is carried out on them twice, they are to be executed on the third offense."

[REFERENCES] Al-Kafi, Vol.7 p.191 • Al-Kafi, Vol.7 p.219 • Man La Yahduruhu Al-Faqih, Vol.4 p.72 • Tahdhib Al-Ahkam, Vol.10 p.37 • Tahdhib Al-Ahkam, Vol.10 p.62 • Tahdhib Al-Ahkam, Vol.10 p.95 • Al-Istibsar, Vol.4 p.212 • Al-Istibsar, Vol.4 p.225 • Nuzhat Al-Nazir, Vol.1 p.125 • Awali Al-La’ali, Vol.2 p.352

HADITH

5139 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «مَنْ ضَرَبْنَاهُ حَدّاً مِنْ حُدُودِ اَللَّهِ فَمَاتَ فَلاَ دِيَةَ لَهُ عَلَيْنَا وَ مَنْ ضَرَبْنَاهُ حَدّاً مِنْ حُدُودِ اَلنَّاسِ فَمَاتَ فَإِنَّ دِيَتَهُ عَلَيْنَا».

H.5139 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Whoever we strike with a legal punishment (hadd) from the punishments of Allah {SWT} and he dies, there is no blood money (diyyah) upon us. But whoever we strike with a legal punishment from the rights of the people and he dies, then his blood money is upon us."

[REFERENCES] Al-Kafi, Vol.7 p.292 • Man La Yahduruhu Al-Faqih, Vol.4 p.72 • Tahdhib Al-Ahkam, Vol.10 p.208 • Al-Istibsar, Vol.4 p.279 • Nuzhat Al-Nazir, Vol.1 p.155 • Al-Wafi, Vol.16 p.807 • Wasa’il Al-Shi’ah, Vol.28 p.17 • Wasa’il Al-Shi’ah, Vol.29 p.64

HADITH

5140 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «جَاءَ رَجُلٌ إِلَى رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ فَقَالَ إِنَّ أُمِّي لاَ تَدْفَعُ يَدَ لاَمِسٍ قَالَ «فَاحْبِسْهَا» قَالَ قَدْ فَعَلْتُ قَالَ «فَامْنَعْ مَنْ يَدْخُلُ عَلَيْهَا» قَالَ قَدْ فَعَلْتُ قَالَ «فَقَيِّدْهَا فَإِنَّكَ لاَ تَبَرُّهَا بِشَيْءٍ أَفْضَلَ مِنْ أَنْ تَمْنَعَهَا مِنْ مَحَارِمِ اَللَّهِ عَزَّ وَ جَلَّ ».

H.5140 - Al-Hasan ibn Mahbub narrated from Abdullah ibn Sinan from Abu Abdullah {a.s} who said: A man came to the Messenger of Allah {SWT} (peace be upon him and his family) and said:
“My mother does not resist the hand of one who touches her."
The Prophet (peace be upon him and his family) said: “Then confine her."
The man replied: “I have done that."
The Prophet {saws} said: “Then prevent anyone from entering upon her."
The man said: “I have done that."
The Prophet {saws} then said: “Then restrain her, for you will not honor her with anything better than preventing her from violating the prohibitions of Allah {SWT}, the Mighty and Majestic."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.72 • Al-Wafi, Vol.15 p.551 • Wasa’il Al-Shi’ah, Vol.28 p.150

HADITH

5141 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ ضُرَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «لاَ يُعْفَى عَنِ اَلْحُدُودِ اَلَّتِي لِلَّهِ عَزَّ وَ جَلَّ دُونَ اَلْإِمَامِ فَأَمَّا مَا كَانَ مِنْ حَقِّ اَلنَّاسِ فِي حَدٍّ فَلاَ بَأْسَ أَنْ يُعْفَى عَنْهُ دُونَ اَلْإِمَامِ».

H.5141 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab from Durays from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said:
"The legal punishments (hudud) that are the rights of Allah {SWT}, the Mighty and Majestic, cannot be pardoned except by the Imam. However, when it comes to the rights of people in a legal punishment, there is no harm if it is pardoned without the Imam’s involvement."

[REFERENCES] Al-Kafi, Vol.7 p.252 • Man La Yahduruhu Al-Faqih, Vol.4 p.73 • Tahdhib Al-Ahkam, Vol.10 p.46 • Tahdhib Al-Ahkam, Vol.10 p.82 • Tahdhib Al-Ahkam, Vol.10 p.124 • Al-Istibsar, Vol.4 p.232 • Al-Wafi, Vol.15 p.533 • Wasa’il Al-Shi’ah, Vol.28 p.40 • Wasa’il Al-Shi’ah, Vol.28 p.205

HADITH

5142 - وَ سُئِلَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : عَنْ رَجُلٍ قَالَ لِامْرَأَةٍ يَا زَانِيَةُ فَقَالَتْ أَنْتَ أَزْنَى مِنِّي قَالَ «عَلَيْهَا اَلْحَدُّ فِيمَا قَذَفَتْهُ بِهِ وَ أَمَّا فِي إِقْرَارِهَا عَلَى نَفْسِهَا فَلاَ تُحَدُّ حَتَّى تُقِرَّ بِذَلِكَ عِنْدَ اَلْإِمَامِ أَرْبَعَ مَرَّاتٍ».

H.5142 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked about a man who said to a woman, "O' adulteress," and she replied: "You are more adulterous than me." Imam {a.s} said: "She is subject to the legal punishment (hadd) for the accusation she made against him. However, regarding her self-admission, she is not to be punished unless she confesses to that before the Imam four times."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.73 • Al-Wafi, Vol.15 p.363 • Wasa'il Al-Shi'ah, Vol.28 p.196

HADITH

5143 - وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «لاَ يَحِلُّ لِوَالٍ يُؤْمِنُ بِاللَّهِ وَ اَلْيَوْمِ اَلْآخِرِ أَنْ يَجْلِدَ أَكْثَرَ مِنْ عَشَرَةِ أَسْوَاطٍ إِلاَّ فِي حَدٍّ».

وَ أُذِنَ فِي أَدَبِ اَلْمَمْلُوكِ مِنْ ثَلاَثَةٍ إِلَى خَمْسَةٍ وَ مَنْ ضَرَبَ مَمْلُوكَهُ حَدّاً لَمْ يَجِبْ عَلَيْهِ لَمْ يَكُنْ لَهُ كَفَّارَةٌ إِلَّا عِتْقُهُ.

H.5143 - The Messenger of Allah {SWT} (peace be upon him and his family) said: "It is not permissible for a ruler who believes in Allah {SWT} and the Last Day to administer more than ten lashes except in the case of a legal punishment (hadd)."

[AL SADUQ]

It is permitted to discipline a servant with three to five lashes. However, whoever strikes his servant beyond what is due without a valid reason has no expiation except to free him.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.73

HADITH

5144 - وَ فِي رِوَايَةِ زِيَادِ بْنِ مَرْوَانَ اَلْقَنْدِيِّ عَمَّنْ ذَكَرَهُ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «لاَ يُقْطَعُ اَلسَّارِقُ فِي سَنَةِ اَلْمَحْقِ فِي شَيْءٍ يُؤْكَلُ مِثْلِ اَلْخُبْزِ وَ اَللَّحْمِ وَ اَلْقِثَّاءِ».

H.5144 - In the narration of Ziyad ibn Marwan Al-Qandi from someone who reported from Abu Abdullah {a.s}, he said: "The hand of a thief is not to be cut off during a year of famine for stealing anything edible, such as bread, meat, or cucumbers."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.73

HADITH

5145 - وَ رُوِيَ عَنْ آدَمَ بْنِ إِسْحَاقَ عَنْ عَبْدِ اَللَّهِ بْنِ مُحَمَّدٍ اَلْجُعْفِيِّ قَالَ: كُنْتُ عِنْدَ أَبِي جَعْفَرٍ ع وَ جَاءَهُ كِتَابُ هِشَامِ بْنِ عَبْدِ اَلْمَلِكِ فِي رَجُلٍ نَبَشَ اِمْرَأَةً فَسَلَبَهَا ثِيَابَهَا وَ نَكَحَهَا فَإِنَّ اَلنَّاسَ قَدِ اِخْتَلَفُوا عَلَيْنَا هَاهُنَا طَائِفَةٌ قَالُوا أُقْتُلُوهُ وَ طَائِفَةٌ قَالُوا أَحْرِقُوهُ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ إِلَيْهِ «أَنَّ حُرْمَةَ اَلْمَيِّتِ كَحُرْمَةِ اَلْحَيِّ حَدُّهُ أَنْ تُقْطَعَ يَدُهُ لِنَبْشِهِ وَ سَلْبِهِ اَلثِّيَابَ وَ يُقَامَ عَلَيْهِ اَلْحَدُّ فِي اَلزِّنَا إِنْ أُحْصِنَ رُجِمَ وَ إِنْ لَمْ يَكُنْ أُحْصِنَ جُلِدَ مِائَةً».

H.5145 - It was narrated from Adam ibn Ishaq from Abdullah ibn Muhammad Al-Jufi who said: I was with Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} when a letter from Hisham ibn Abd Al-Malik arrived regarding a man who had exhumed the grave of a woman, stolen her clothes, and committed intercourse with her.
The people were divided on how to punish him: some said: “Kill him," while others said: “Burn him."
Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} wrote back to him:
"The sanctity of the deceased is like the sanctity of the living. His punishment is that his hand should be cut off for exhuming the grave and stealing the clothing, and the legal punishment for adultery is to be applied to him.
If he was married (muhsan), he is to be stoned, and if he was not married, he is to be flogged one hundred lashes."

[REFERENCES] Al-Kafi, Vol.7 p.228 • Man La Yahduruhu Al-Faqih, Vol.4 p.74 • Tahdhib Al-Ahkam, Vol.10 p.62 • Tahdhib Al-Ahkam, Vol.10 p.116 • Al-Istibsar, Vol.4 p.246 • Al-Wafi, Vol.15 p.353 • Wasa’il Al-Shi’ah, Vol.28 p.278

HADITH

5146 - وَ قَالَ رَسُولُ اَللَّهِ ص : «اِدْرَءُوا اَلْحُدُودَ بِالشُّبُهَاتِ وَ لاَ شَفَاعَةَ وَ لاَ كَفَالَةَ وَ لاَ يَمِينَ فِي حَدٍّ».

H.5146 - The Messenger of Allah {SWT} (peace be upon him and his family) said:
“Avert prescribed punishments through doubts. There is no intercession, no guarantee, and no oath in matters of prescribed punishments.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.74 • Wasa’il Al-Shi’ah, Vol.28 p.47 • Al-Fusul Al-Muhimmah, Vol.2 p.513

HADITH

5147 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ أُتِيَ بِشَارِبٍ فَاسْتَقْرَأَهُ اَلْقُرْآنَ فَقَرَأَهُ فَأَخَذَ رِدَاءَهُ فَأَلْقَاهُ مَعَ أَرْدِيَةِ اَلنَّاسِ ثُمَّ قَالَ لَهُ «خَلِّصْ رِدَاكَ» فَلَمْ يُخَلِّصْهُ فَحَدَّهُ».

H.5147 - In the narration of Al-Sakuni from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, it is reported:
"Imam Ali ibn Abi Talib {a.s} was presented with a man who had consumed alcohol.
Imam {a.s} asked him to recite the Qur'an, and the man recited it.
Then Imam Ali ibn Abi Talib {a.s} took his cloak and threw it among the cloaks of the people and said to him, 'Retrieve your cloak.'
When he could not distinguish it, Imam Ali ibn Abi Talib {a.s} carried out the legal punishment on him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.74

HADITH

5148 - وَ رَوَى أَبُو أَيُّوبَ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِنَّ فِي كِتَابِ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ كَانَ يَضْرِبُ بِالسَّوْطِ وَ بِنِصْفِ اَلسَّوْطِ وَ بِبَعْضِهِ يَعْنِي فِي اَلْحُدُودِ إِذَا أُتِيَ بِغُلاَمٍ أَوْ جَارِيَةٍ لَمْ يُدْرِكَا وَ لَمْ يَكُنْ يُبْطِلُ حَدّاً مِنْ حُدُودِ اَللَّهِ» فَقِيلَ لَهُ كَيْفَ كَانَ يَضْرِبُ بِبَعْضِهِ قَالَ «كَانَ يَأْخُذُ اَلسَّوْطَ بِيَدِهِ مِنْ وَسَطِهِ فَيَضْرِبُ بِهِ أَوْ مِنْ ثُلُثِهِ فَيَضْرِبُ بِهِ عَلَى قَدْرِ أَسْنَانِهِمْ كَذَلِكَ يَضْرِبُهُمْ بِالسَّوْطِ وَ لاَ يُبْطِلُ حَدّاً مِنْ حُدُودِ اَللَّهِ عَزَّ وَ جَلَّ».

H.5148 - Abu Ayyub narrated from Al-Halabi from Abu Abdullah {a.s} who said:
"In the book of Imam Ali ibn Abi Talib {a.s}, it is mentioned that He {a.s} would administer punishment using a whip, half a whip, or even a part of it - meaning in the legal punishments (hudud) when a young boy or girl, who had not yet reached maturity, was brought to him.
Yet, He {a.s} would not nullify any of Allah's {SWT} prescribed punishments."
Imam Al Sadiq {a.s} was asked: "How would he strike with part of the whip?"
Imam {a.s} replied: "Imam Ali ibn Abi Talib {a.s} would hold the whip by its middle and strike with it, or he would hold it by a third and strike with it, in proportion to their ages. In this way, he would strike them with the whip without nullifying any of Allah's {SWT} prescribed punishments, the Mighty and Majestic."

[REFERENCES] Al-Muhasin, Vol.1 p.273 • Al-Kafi, Vol.7 p.176 • Man La Yahduruhu Al-Faqih, Vol.4 p.74 • Tahdhib Al-Ahkam, Vol.10 p.146 • Fiqh Al-Quran, Vol.2 p.366 • Awali Al-La'ali, Vol.3 p.549 • Al-Wafi, Vol.15 p.207 • Wasa'il Al-Shi'ah, Vol.28 p.11 • Bihar Al-Anwar, Vol.76 p.88

HADITH

5149 - وَ خَطَبَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ اَلنَّاسَ فَقَالَ: «إِنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى حَدَّ حُدُوداً فَلاَ تَعْتَدُوهَا وَ فَرَضَ فَرَائِضَ فَلاَ تَنْقُصُوهَا وَ سَكَتَ عَنْ أَشْيَاءَ لَمْ يَسْكُتْ عَنْهَا نِسْيَاناً لَهَا فَلاَ تُكَلِّفُوهَا رَحْمَةً مِنَ اَللَّهِ لَكُمْ فَاقْبَلُوهَا» ثُمَّ قَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «حَلاَلٌ بَيِّنٌ وَ حَرَامٌ بَيِّنٌ وَ شُبُهَاتٌ بَيْنَ ذَلِكَ فَمَنْ تَرَكَ مَا اِشْتَبَهَ عَلَيْهِ مِنَ اَلْإِثْمِ فَهُوَ لِمَا اِسْتَبَانَ لَهُ أَتْرَكُ وَ اَلْمَعَاصِي حِمَى اَللَّهِ عَزَّ وَ جَلَّ فَمَنْ يَرْتَعْ حَوْلَهَا يُوشِكْ أَنْ يَدْخُلَهَا».

H.5149 - Commander of the Faithful {a.s} delivered a sermon to the people and said: "Indeed, Allah {SWT}, the Blessed and Exalted, has set boundaries, so do not transgress them. He {SWT} has made obligations, so do not neglect them.
And He {SWT} has remained silent on certain matters - not out of forgetfulness - so do not burden yourselves with them.
This is a mercy from Allah {SWT} for you, so accept it."
Then Imam Ali ibn Abi Talib {a.s} said:
"What is lawful (halal) is clear, and what is unlawful (haram) is clear, and between them are doubtful matters.
Whoever avoids what is doubtful regarding sin will be even more cautious in avoiding what is clearly sinful.
The acts of disobedience are the sanctuary of Allah {SWT}, the Mighty and Majestic. Whoever grazes near it is likely to fall into it."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.75 • Al-Wafi, Vol.1 p.197 • Wasa'il Al-Shi'ah, Vol.27 p.175

BOOK ON BLOOD MONEY (DIYYAT)

كِتَابُ الدِّيَاتِ

CHAPTER 17 – CHAPTER ON BLOOD MONEY FOR THE LIMBS AND JOINTS, AND BLOOD MONEY FOR THE NUTFAH (SPERM), ALAQAH (CLINGING CLOT), MUDGHAH (EMBRYONIC LUMP), BONES, AND THE SOUL

بَابُ دِيَةِ جَوَارِحِ الْإِنْسَانِ وَ مَفَاصِلِهِ وَ دِيَةِ النُّطْفَةِ وَ الْعَلَقَةِ وَ الْمُضْغَةِ وَ الْعِظَامِ وَ النَّفْسِ

HADITH 5150

5150 - رَوَى اَلْحَسَنُ بْنُ عَلِيِّ بْنِ فَضَّالٍ عَنْ ظَرِيفِ بْنِ نَاصِحٍ عَنْ عَبْدِ اَللَّهِ بْنِ أَيُّوبَ قَالَ حَدَّثَنِي اَلْحُسَيْنُ اَلرُّوَّاسِيُّ عَنِ اِبْنِ أَبِي عُمَيْرٍ اَلطَّبِيبِ قَالَ: عَرَضْتُ هَذِهِ اَلرِّوَايَةَ عَلَى أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ فَقَالَ «نَعَمْ هِيَ حَقٌّ وَ قَدْ كَانَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ يَأْمُرُ عُمَّالَهُ بِذَلِكَ» قَالَ «أَفْتَى عَلَيْهِ اَلسَّلاَمُ فِي كُلِّ عَظْمٍ لَهُ مُخٌّ فَرِيضَةٌ مُسَمَّاةٌ إِذَا كُسِرَ فَجُبِرَ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ جَعَلَ فَرِيضَةَ اَلدِّيَةِ سِتَّةَ أَجْزَاءٍ وَ جَعَلَ فِي اَلْجُرُوحِ وَ اَلْجَنِينِ وَ اَلْأَشْفَارِ وَ اَلشَّلَلِ وَ اَلْأَعْضَاءِ وَ اَلْإِبْهَامِ لِكُلِّ جُزْءٍ سِتَّةَ فَرَائِضَ جَعَلَ دِيَةَ اَلْجَنِينِ مِائَةَ دِينَارٍ وَ جَعَلَ دِيَةَ مَنِيِّ اَلرَّجُلِ إِلَى أَنْ يَكُونَ جَنِيناً خَمْسَةَ أَجْزَاءٍ فَإِذَا كَانَ جَنِيناً قَبْلَ أَنْ تَلِجَهُ اَلرُّوحُ مِائَةَ دِينَارٍ وَ جَعَلَ لِلنُّطْفَةِ عِشْرِينَ دِينَاراً وَ هُوَ اَلرَّجُلُ يُفْرِغُ عَنْ عِرْسِهِ فَيُلْقِي نُطْفَتَهُ وَ هِيَ لاَ تُرِيدُ ذَلِكَ فَجَعَلَ فِيهَا أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ عِشْرِينَ دِينَاراً اَلْخُمُسَ وَ لِلْعَلَقَةِ خُمُسَيْ ذَلِكَ أَرْبَعِينَ دِينَاراً وَ ذَلِكَ لِلْمَرْأَةِ أَيْضاً تُطْرَقُ أَوْ تُضْرَبُ فَتُلْقِيهِ ثُمَّ لِلْمُضْغَةِ سِتِّينَ دِينَاراً إِذَا طَرَحَتْهُ أَيْضاً فِي مِثْلِ ذَلِكَ ثُمَّ لِلْعَظْمِ ثَمَانِينَ دِينَاراً إِذَا طَرَحَتْهُ اَلْمَرْأَةُ ثُمَّ لِلْجَنِينِ أَيْضاً مِائَةَ دِينَارٍ إِذَا طَرَقَهُمْ عَدُوٌّ فَأَسْقَطَتِ اَلنِّسَاءُ فِي مِثْلِ هَذَا وَ أَوْجَبَ عَلَى اَلنِّسَاءِ ذَلِكَ مِنْ جِهَةِ اَلْمَعْقُلَةِ مِثْلَ ذَلِكَ فَإِذَا وُلِدَ اَلْمَوْلُودُ وَ اِسْتَهَلَّ وَ هُوَ اَلْبُكَاءُ فَبَيَّتُوا بِهِمْ فَقَتَلُوا اَلصِّبْيَانَ فَفِيهِمْ أَلْفُ دِينَارٍ لِلذَّكَرِ وَ اَلْأُنْثَى عَلَى مِثْلِ هَذَا اَلْحِسَابِ عَلَى خَمْسِمِائَةِ دِينَارٍ وَ أَمَّا اَلْمَرْأَةُ إِذَا قُتِلَتْ وَ هِيَ حَامِلٌ مُتِمٌّ وَ لَمْ يَسْقُطْ وَلَدُهَا وَ لَمْ يُعْلَمْ هُوَ ذَكَرٌ أَمْ أُنْثَى وَ لَمْ يُعْلَمْ بَعْدَهَا مَاتَ أَوْ قَبْلَهَا فَدِيَتُهُ نِصْفَيْنِ نِصْفَ دِيَةِ اَلذَّكَرِ وَ نِصْفَ دِيَةِ اَلْأُنْثَى وَ دِيَةُ اَلْمَرْأَةِ كَامِلَةً بَعْدَ ذَلِكَ وَ أَفْتَى فِي مَنِيِّ اَلرَّجُلِ يُفْرِغُ عَنْ عِرْسِهِ فَيَغْزِلُ عَنْهَا اَلْمَاءَ وَ لَمْ تُرِدْ ذَلِكَ نِصْفَ خُمُسِ اَلْمِائَةِ مِنْ دِيَةِ اَلْجَنِينِ عَشَرَةُ دَنَانِيرَ وَ إِنْ أَفْرَغَ فِيهَا عِشْرُونَ دِينَاراً وَ جَعَلَ فِي قِصَاصِ جِرَاحَتِهِ وَ مَعْقُلَتِهِ عَلَى قَدْرِ دِيَتِهِ وَ هِيَ مِائَةُ دِينَارٍ وَ قَضَى فِي دِيَةِ جِرَاحِ اَلْجَنِينِ مِنْ حِسَابِ اَلْمِائَةِ عَلَى مَا يَكُونُ مِنْ جِرَاحِ اَلرَّجُلِ وَ اَلْمَرْأَةِ كَامِلَةً وَ أَفْتَى عَلَيْهِ اَلسَّلاَمُ فِي اَلْجَسَدِ وَ جَعَلَهُ سِتَّةَ فَرَائِضَ اَلنَّفْسَ وَ اَلْبَصَرَ وَ اَلسَّمْعَ وَ اَلْكَلاَمَ وَ نَقْصَ اَلصَّوْتِ مِنَ اَلْغَنَنِ وَ اَلْبَحَحِ وَ اَلشَّلَلَ مِنَ اَلْيَدَيْنِ وَ اَلرِّجْلَيْنِ وَ جَعَلَ هَذَا بِقِيَاسِ ذَلِكَ اَلْحُكْمِ ثُمَّ جَعَلَ مَعَ كُلِّ شَيْءٍ مِنْ هَذِهِ قَسَامَةً عَلَى نَحْوِ مَا بَلَغَتِ اَلدِّيَةُ وَ اَلْقَسَامَةَ جَعَلَ فِي اَلنَّفْسِ عَلَى اَلْعَمْدِ خَمْسِينَ رَجُلاً وَ عَلَى اَلْخَطَإِ خَمْسَةً وَ عِشْرِينَ رَجُلاً عَلَى مَا بَلَغَتْ دِيَتُهُ

أَلْفَ دِينَارٍ مِنَ اَلْجُرُوحِ بِقَسَامَةِ سِتَّةِ نَفَرٍ فَمَا كَانَ دُونَ ذَلِكَ فَحِسَابُهُ عَلَى سِتَّةِ نَفَرٍ وَ اَلْقَسَامَةُ فِي اَلنَّفْسِ وَ اَلسَّمْعِ وَ اَلْبَصَرِ وَ اَلْعَقْلِ وَ اَلصَّوْتِ مِنَ اَلْغَنَنِ وَ اَلْبَحَحِ وَ نَقْصِ اَلْيَدَيْنِ وَ اَلرِّجْلَيْنِ فَهَذِهِ سِتَّةُ أَجْزَاءِ اَلرَّجُلِ وَ اَلدِّيَةُ فِي اَلنَّفْسِ أَلْفُ دِينَارٍ وَ اَلْأَنْفِ أَلْفُ دِينَارٍ وَ اَلصَّوْتِ كُلِّهِ مِنَ اَلْغَنَنِ وَ اَلْبَحَحِ أَلْفُ دِينَارٍ وَ شَلَلِ اَلْيَدَيْنِ أَلْفُ دِينَارٍ وَ ذَهَابِ اَلسَّمْعِ كُلِّهِ أَلْفُ دِينَارٍ وَ ذَهَابِ اَلْبَصَرِ كُلِّهِ أَلْفُ دِينَارٍ وَ اَلرِّجْلَيْنِ جَمِيعاً أَلْفُ دِينَارٍ وَ اَلشَّفَتَيْنِ إِذَا اُسْتُؤْصِلَتَا أَلْفُ دِينَارٍ وَ اَلظَّهْرِ إِذَا أَحْدَبَ أَلْفُ دِينَارٍ وَ اَلذَّكَرِ فِيهِ أَلْفُ دِينَارٍ وَ اَللِّسَانِ إِذَا اُسْتُؤْصِلَ أَلْفُ دِينَارٍ وَ اَلْأُنْثَيَيْنِ أَلْفُ دِينَارٍ وَ جَعَلَ عَلَيْهِ اَلسَّلاَمُ دِيَةَ اَلْجِرَاحَةِ فِي اَلْأَعْضَاءِ كُلِّهَا فِي اَلرَّأْسِ وَ اَلْوَجْهِ وَ سَائِرِ اَلْجَسَدِ مِنَ اَلسَّمْعِ وَ اَلْبَصَرِ وَ اَلصَّوْتِ وَ اَلْعَقْلِ وَ اَلْيَدَيْنِ وَ اَلرِّجْلَيْنِ فِي اَلْقَطْعِ وَ اَلْكَسْرِ وَ اَلصَّدْعِ وَ اَلْبَطَطِ وَ اَلْمُوضِحَةِ وَ اَلدَّامِيَةِ وَ نَقْلِ اَلْعِظَامِ وَ اَلنَّاقِبَةِ تَكُونُ فِي شَيْءٍ مِنْ ذَلِكَ فَمَا كَانَ مِنْ عَظْمٍ كُسِرَ فَجُبِرَ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ لَمْ تُنَقَّلْ مِنْهُ اَلْعِظَامُ فَإِنَّ دِيَتَهُ مَعْلُومَةٌ فَإِذَا أَوْضَحَ وَ لَمْ تُنَقَّلْ مِنْهُ اَلْعِظَامُ فَدِيَةُ كَسْرِهِ وَ دِيَةُ مُوضِحَتِهِ وَ لِكُلِّ عَظْمٍ كُسِرَ مَعْلُومٍ فَدِيَتُهُ وَ نَقْلِ عِظَامِهِ نِصْفُ دِيَةِ كَسْرِهِ وَ دِيَةُ مُوضِحَتِهِ رُبُعُ دِيَةِ كَسْرِهِ مِمَّا وَارَتِ اَلثِّيَابُ مِنْ ذَلِكَ غَيْرَ قَصَبَتَيِ اَلسَّاعِدِ وَ اَلْأَصَابِعِ وَ فِي قَرْحَةٍ لاَ تَبْرَأُ ثُلُثُ دِيَةِ ذَلِكَ اَلْعَظْمِ اَلَّذِي هِيَ فِيهِ فَإِذَا أُصِيبَ اَلرَّجُلُ فِي إِحْدَى عَيْنَيْهِ فَإِنَّمَا تُقَاسُ بِبَيْضَةٍ تُرْبَطُ عَلَى عَيْنِهِ اَلْمُصَابَةِ وَ يُنْظَرُ مَا مُنْتَهَى بَصَرِ عَيْنِهِ اَلصَّحِيحَةِ ثُمَّ تُغَطَّى عَيْنُهُ اَلصَّحِيحَةُ وَ يُنْظَرُ مَا مُنْتَهَى بَصَرِ عَيْنِهِ اَلْمُصَابَةِ فَتُعْطَى دِيَتَهُ مِنْ حِسَابِ ذَلِكَ وَ اَلْقَسَامَةُ مَعَ ذَلِكَ مِنَ اَلسِّتَّةِ اَلْأَجْزَاءِ اَلْقَسَامَةُ عَلَى سِتَّةِ نَفَرٍ عَلَى قَدْرِ مَا أُصِيبَ مِنْ عَيْنِهِ فَإِنْ كَانَ سُدُسَ بَصَرِهِ حَلَفَ اَلرَّجُلُ وَحْدَهُ وَ أُعْطِيَ وَ إِنْ كَانَ ثُلُثَ بَصَرِهِ حَلَفَ هُوَ وَ حَلَفَ مَعَهُ رَجُلٌ آخَرُ وَ إِنْ كَانَ نِصْفَ بَصَرِهِ حَلَفَ هُوَ وَ حَلَفَ مَعَهُ رَجُلاَنِ آخَرَانِ فَإِنْ كَانَ ثُلُثَيْ بَصَرِهِ حَلَفَ هُوَ وَ حَلَفَ مَعَهُ ثَلاَثَةُ رِجَالٍ وَ إِنْ كَانَ أَرْبَعَةَ أَخْمَاسِ بَصَرِهِ حَلَفَ هُوَ وَ حَلَفَ مَعَهُ أَرْبَعَةُ رِجَالٍ وَ إِنْ كَانَ بَصَرَهُ كُلَّهُ حَلَفَ هُوَ وَ حَلَفَ مَعَهُ خَمْسَةُ رِجَالٍ ذَلِكَ فِي اَلْقَسَامَةِ فِي اَلْعَيْنِ» قَالَ «وَ أُفْتَى عَلَيْهِ اَلسَّلاَمُ فِيمَنْ لَمْ يَكُنْ لَهُ مَنْ يَحْلِفُ مَعَهُ وَ لَمْ يُوثَقْ بِهِ عَلَى مَا ذَهَبَ مِنْ بَصَرِهِ أَنَّهُ تُضَاعَفُ عَلَيْهِ اَلْيَمِينُ إِنْ كَانَ سُدُسَ بَصَرِهِ حَلَفَ وَاحِدَةً وَ إِنْ كَانَ اَلثُّلُثَ حَلَفَ مَرَّتَيْنِ وَ إِنْ كَانَ اَلنِّصْفَ حَلَفَ ثَلاَثَ مَرَّاتٍ وَ إِنْ كَانَ اَلثُّلُثَيْنِ حَلَفَ أَرْبَعَ مَرَّاتٍ وَ إِنْ كَانَ خَمْسَةَ أَسْدَاسٍ حَلَفَ خَمْسَ مَرَّاتٍ وَ إِنْ كَانَ بَصَرَهُ كُلَّهُ حَلَفَ سِتَّ مَرَّاتٍ ثُمَّ يُعْطَى وَ إِنْ أَبَى أَنْ يَحْلِفَ لَمْ يُعْطَ إِلاَّ مَا حَلَفَ عَلَيْهِ وَ وُثِقَ مِنْهُ بِصِدْقٍ وَ اَلْوَالِي يَسْتَعِينُ فِي ذَلِكَ بِالسُّؤَالِ وَ اَلنَّظَرِ وَ اَلتَّثَبُّتِ فِي اَلْقِصَاصِ وَ اَلْحُدُودِ وَ اَلْقَوَدِ وَ إِنْ أَصَابَ سَمْعَهُ شَيْءٌ فَعَلَى نَحْوِ ذَلِكَ يُضْرَبُ لَهُ بِشَيْءٍ لِكَيْ يُعْلَمَ مُنْتَهَى سَمْعِهِ ثُمَّ يُقَاسُ ذَلِكَ وَ اَلْقَسَامَةُ عَلَى نَحْوِ مَا يُنْقَصُ مِنْ سَمْعِهِ وَ إِنْ كَانَ سَمْعَهُ كُلَّهُ فَعَلَى نَحْوِ ذَلِكَ وَ إِنْ خِيفَ مِنْهُ فُجُورٌ تُرِكَ حَتَّى يَتَغَفَّلَ ثُمَّ يُصَاحُ بِهِ فَإِنْ سَمِعَ عَاوَدُوهُ اَلْخُصُومَةَ إِلَى اَلْحَاكِمِ وَ اَلْحَاكِمُ يَعْمَلُ فِيهِ بِرَأْيِهِ وَ يَحُطُّ عَنْهُ بَعْضَ مَا أَخَذَ وَ إِنْ كَانَ اَلنَّقْصُ فِي اَلْفَخِذِ أَوْ فِي اَلْعَضُدِ فَإِنَّهُ يُقَاسُ بِخَيْطٍ يُقَاسُ رِجْلُهُ اَلصَّحِيحَةُ أَوْ يَدُهُ اَلصَّحِيحَةُ ثُمَّ يُقَاسُ بِهِ اَلْمُصَابَةُ فَيُعْلَمُ مَا نَقَصَ مِنْ يَدِهِ أَوْ رِجْلِهِ وَ إِنْ أُصِيبَ اَلسَّاقُ أَوِ اَلسَّاعِدُ فَمِنَ اَلْفَخِذِ أَوِ اَلْعَضُدِ يُقَاسُ وَ يَنْظُرُ اَلْحَاكِمُ قَدْرَ فَخِذِهِ وَ قَضَى عَلَيْهِ اَلسَّلاَمُ فِي صُدْغِ اَلرَّجُلِ إِذَا أُصِيبَ فَلَمْ يَسْتَطِعْ أَنْ يَلْتَفِتَ إِلاَّ مَا اِنْحَرَفَ اَلرَّجُلُ نِصْفَ اَلدِّيَةِ خَمْسَ مِائَةِ دِينَارٍ وَ مَا كَانَ دُونَ ذَلِكَ فَبِحِسَابِهِ وَ قَضَى فِي شُفْرِ اَلْعَيْنِ اَلْأَعْلَى إِنْ أُصِيبَ فَشُتِرَ فَدِيَتُهُ ثُلُثُ دِيَةِ اَلْعَيْنِ مِائَةُ دِينَارٍ وَ سِتَّةٌ وَ سِتُّونَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ إِنْ أُصِيبَ شُفْرُ اَلْعَيْنِ اَلْأَسْفَلُ فَدِيَتُهُ نِصْفُ دِيَةِ اَلْعَيْنِ مِائَتَا دِينَارٍ وَ خَمْسُونَ دِينَاراً وَ إِنْ أُصِيبَ اَلْحَاجِبُ فَذَهَبَ شَعْرُهُ كُلُّهُ فَدِيَتُهُ نِصْفُ دِيَةِ اَلْعَيْنِ مِائَتَا

دِينَارٍ وَ خَمْسُونَ دِينَاراً فَمَا أُصِيبَ مِنْهُ فَعَلَى حِسَابِ ذَلِكَ وَ إِنْ قُطِعَتْ رَوْثَةُ اَلْأَنْفِ، فَدِيَتُهَا خَمْسُمِائَةِ دِينَارٍ نِصْفُ اَلدِّيَةِ» قَالَ مُصَنِّفُ هَذَا اَلْكِتَابِ رَحِمَهُ اَللَّهُ اَلرَّوْثَةُ مِنَ اَلْأَنْفِ مُجْتَمَعُ مَارِنِهِ «وَ إِنْ أُنْفِذَتْ فِيهِ نَافِذَةٌ لاَ تَنْسَدُّ بِسَهْمٍ أَوْ بِرُمْحٍ فَدِيَتُهُ ثَلاَثُمِائَةٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثٌ وَ إِنْ كَانَتْ نَافِذَةً فَبَرَأَتْ وَ اِلْتَأَمَتْ فَدِيَتُهَا خُمُسُ دِيَةِ رَوْثَةِ اَلْأَنْفِ مِائَةُ دِينَارٍ فَمَا أُصِيبَ فَعَلَى حِسَابِ ذَلِكَ وَ إِنْ كَانَتِ اَلنَّافِذَةُ فِي إِحْدَى اَلْمَنْخِرَيْنِ إِلَى اَلْحَيْشُومِ وَ هُوَ اَلْحَاجِزُ بَيْنَ اَلْمَنْخِرَيْنِ فَدِيَتُهَا عُشْرُ دِيَةِ رَوْثَةِ اَلْأَنْفِ لِأَنَّهُ اَلنِّصْفُ وَ اَلْحَاجِزُ بَيْنَ اَلْمَنْخِرَيْنِ خَمْسُونَ دِينَاراً وَ إِنْ كَانَتِ اَلرَّمْيَةُ نَفَذَتْ فِي إِحْدَى اَلْمَنْخِرَيْنِ وَ اَلْخَيْشُومِ إِلَى اَلْمَنْخِرِ اَلْآخَرِ فَدِيَتُهَا سِتَّةٌ وَ سِتُّونَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ إِذَا قُطِعَتِ اَلشَّفَةُ اَلْعُلْيَا، فَاسْتُؤْصِلَتْ فَدِيَتُهَا نِصْفُ اَلدِّيَةِ خَمْسُمِائَةِ دِينَارٍ فَمَا قُطِعَ مِنْهَا فَبِحِسَابِ ذَلِكَ فَإِنِ اِنْشَقَّتْ فَبَدَا مِنْهَا اَلْأَسْنَانُ ثُمَّ دُووِيَتْ فَبَرَأَتْ وَ اِلْتَأَمَتْ فَدِيَةُ جُرْحِهَا وَ اَلْحُكُومَةُ فِيهِ خُمُسُ دِيَةِ اَلشَّفَةِ مِائَةُ دِينَارٍ وَ مَا قُطِعَ مِنْهَا فَبِحِسَابِ ذَلِكَ وَ إِنْ شُتِرَتْ وَ شِينَتْ شَيْناً قَبِيحاً فَدِيَتُهَا مِائَةُ دِينَارٍ وَ سِتَّةٌ وَ سِتُّونَ دِينَاراً وَ ثُلُثَا دِينَارٍ » قَالَ مُصَنِّفُ هَذَا اَلْكِتَابِ رَحِمَهُ اَللَّهُ اَلشَّتَرُ اِنْشِقَاقُ اَلشَّفَةِ مِنْ أَسْفَلِهَا إِمَّا خِلْقَةً وَ إِمَّا مِنْ شَيْءٍ أَصَابَهَا وَ يُقَالُ شَفَةٌ شَتْرَاءُ إِذَا كَانَتْ كَذَلِكَ «وَ دِيَةُ شَفَةِ اَلسُّفْلَى إِذَا قُطِعَتْ وَ اُسْتُؤْصِلَتْ ثُلُثَا اَلدِّيَةِ كَمَلاً سِتُّمِائَةِ دِينَارٍ وَ سِتَّةٌ وَ سِتُّونَ دِينَاراً وَ ثُلُثَا دِينَارٍ فَمَا قُطِعَ مِنْهَا فَبِحِسَابِ ذَلِكَ فَإِنِ اِنْشَقَّتْ حَتَّى تَبْدُوَ مِنْهَا اَلْأَسْنَانُ ثُمَّ بَرَأَتْ وَ اِلْتَأَمَتْ فَمِائَةُ دِينَارٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ إِنْ أُصِيبَتْ فَشِينَتْ شَيْناً فَاحِشاً فَدِيَتُهَا ثَلاَثُمِائَةِ دِينَارٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ » قَالَ «وَ سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ ذَلِكَ فَقَالَ «بَلَغَنَا أَنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَضَّلَهَا لِأَنَّهَا تُمْسِكُ اَلْمَاءَ وَ اَلطَّعَامَ مَعَ اَلْأَسْنَانِ فَلِذَلِكَ فَضَّلَهَا فِي حُكُومَتِهِ»

وَ فِي اَلْخَدِّ إِذَا كَانَتْ فِيهِ نَافِذَةٌ وَ يُرَى مِنْهَا جَوْفُ اَلْفَمِ فَدِيَتُهَا مِائَةُ دِينَارٍ فَإِنْ دُوِيَ فَبَرَأَ وَ اِلْتَأَمَ وَ بِهِ أَثَرٌ بَيِّنٌ وَ شَيْنٌ فَاحِشٌ فَدِيَتُهُ خَمْسُونَ دِينَاراً فَإِنْ كَانَتْ نَافِذَةٌ فِي اَلْخَدَّيْنِ كِلْتَيْهِمَا فَدِيَتُهَا مِائَةُ دِينَارٍ وَ ذَلِكَ نِصْفُ دِيَةِ اَلَّتِي يُرَى مِنْهَا اَلْفَمُ وَ إِنْ كَانَتْ رَمْيَةٌ بِنَصْلٍ نَشِبَتْ فِي اَلْعَظْمِ حَتَّى تَنْفُذَ إِلَى اَلْحَنَكِ فَدِيَتُهَا مِائَةٌ وَ خَمْسُونَ دِينَاراً جَعَلَ مِنْهَا خَمْسِينَ دِينَاراً لِمُوضِحَتِهَا وَ إِنْ كَانَتْ نَاقِبَةً وَ لَمْ تَنْفُذْ فَدِيَتُهَا مِائَةُ دِينَارٍ فَإِنْ كَانَتْ مُوضِحَةٌ فِي شَيْءٍ مِنَ اَلْوَجْهِ فَدِيَتُهَا خَمْسُونَ دِينَاراً فَإِنْ كَانَ لَهَا شَيْنٌ فِدْيَةُ شَيْنِهَا رُبُعُ دِيَةِ مُوضِحَتِهَا وَ إِنْ كَانَ جُرْحاً وَ لَمْ يُوضِحْ ثُمَّ بَرَأَ وَ كَانَ فِي اَلْخَدِّيْنِ أَثَرٌ فَدِيَتُهُ عَشَرَةُ دَنَانِيرَ وَ إِنْ كَانَ فِي اَلْوَجْهِ صَدْعٌ فَدِيَتُهُ ثَمَانُونَ دِينَاراً فَإِنْ سَقَطَتْ مِنْهُ جَذْوَةُ لَحْمٍ وَ لَمْ تُوضِحْ وَ كَانَ قَدْرَ اَلدِّرْهَمِ فَمَا فَوْقَ ذَلِكَ فَدِيَتُهَا ثَلاَثُونَ دِينَاراً وَ دِيَةُ اَلشَّجَّةِ إِذَا كَانَتْ تُوضِحُ أَرْبَعُونَ دِينَاراً إِذَا كَانَتْ فِي اَلْجَسَدِ وَ فِي مَوَاضِحِ اَلرَّأْسِ خَمْسُونَ دِينَاراً فَإِنْ نُقِّلَ مِنْهَا اَلْعِظَامُ فَدِيَتُهَا مِائَةُ دِينَارٍ وَ خَمْسُونَ دِينَاراً فَإِذَا كَانَتْ نَاقِبَةً فِي اَلرَّأْسِ فَتِلْكَ تُسَمَّى اَلْمَأْمُومَةَ وَ فِيهَا ثُلُثُ اَلدِّيَةِ ثَلاَثُمِائَةِ دِينَارٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ جَعَلَ فِي اَلْأَسْنَانِ فِي كُلِّ سِنٍّ خَمْسِينَ دِينَاراً وَ جَعَلَ اَلْأَسْنَانَ سَوَاءً وَ كَانَ قَبْلَ ذَلِكَ يَجْعَلُ فِي اَلثَّنِيَّةِ خَمْسِينَ دِينَاراً وَ فِيمَا سِوَى ذَلِكَ مِنَ اَلْأَسْنَانِ فِي اَلرَّبَاعِيَةِ أَرْبَعِينَ دِينَاراً وَ فِي اَلنَّابِ ثَلاَثِينَ دِينَاراً وَ فِي اَلضِّرْسِ خَمْسَةً وَ عِشْرِينَ دِينَاراً فَإِذَا اِسْوَدَّتِ اَلسِّنُّ إِلَى اَلْحَوْلِ فَلَمْ تَسْقُطْ فَدِيَتُهَا دِيَةُ اَلسَّاقِطَةِ خَمْسُونَ دِينَاراً وَ إِنِ اِنْصَدَعَتْ فَلَمْ تَسْقُطْ فَدِيَتُهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً فَمَا اِنْكَسَرَ مِنْهَا فَبِحِسَابِهِ مِنَ اَلْخَمْسِينَ اَلدِّينَارَ وَ إِنْ سَقَطَتْ بَعْدُ وَ هِيَ سَوْدَاءُ فَدِيَتُهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً فَإِنِ اِنْصَدَعَتْ وَ هِيَ سَوْدَاءُ فَدِيَتُهَا اِثْنَا عَشَرَ دِينَاراً وَ نِصْفٌ فَمَا اِنْكَسَرَ مِنْهَا مِنْ شَيْءٍ فَبِحِسَابِهِ مِنَ اَلْخَمْسَةِ وَ اَلْعِشْرِينَ اَلدِّينَارَ وَ فِي اَلتَّرْقُوَةِ

إِذَا اِنْكَسَرَتْ فَجُبِرَتْ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ أَرْبَعُونَ دِينَاراً فَإِنِ اِنْصَدَعَتْ فَدِيَتُهَا أَرْبَعَةُ أَخْمَاسِ كَسْرِهَا اِثْنَانِ وَ ثَلاَثُونَ دِينَاراً فَإِنْ أَوْضَحَتْ فَدِيَتُهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ ذَلِكَ خَمْسَةُ أَجْزَاءٍ مِنْ ثَمَانِيَةِ أَجْزَاءٍ مِنْ دِيَتِهَا إِذَا اِنْكَسَرَتْ فَإِنْ نُقِّلَ مِنْهَا اَلْعِظَامُ فَدِيَتُهَا نِصْفُ دِيَةِ كَسْرِهَا عِشْرُونَ دِينَاراً وَ إِنْ نُقِبَتْ فَدِيَتُهَا رُبُعُ دِيَةِ كَسْرِهَا عَشَرَةُ دَنَانِيرَ وَ دِيَةُ اَلْمَنْكِبِ إِذَا كُسِرَ خُمُسُ دِيَةِ اَلْيَدِ مِائَةُ دِينَارٍ فَإِنْ كَانَ فِي اَلْمَنْكِبِ صَدْعٌ فَدِيَتُهُ أَرْبَعَةُ أَخْمَاسِ دِيَةِ كَسْرِهِ ثَمَانُونَ دِينَاراً فَمَا أَوْضَحَ فَدِيَتُهُ رُبُعُ دِيَةِ كَسْرِهِ خَمْسَةٌ وَ عِشْرُونَ دِينَاراً فَإِنْ نُقِّلَتْ مِنْهُ اَلْعِظَامُ فَدِيَتُهُ مِائَةُ دِينَارٍ وَ خَمْسَةٌ وَ سَبْعُونَ دِينَاراً مِنْهَا مِائَةُ دِينَارٍ دِيَةُ كَسْرِهِ وَ خَمْسُونَ دِينَاراً لِنَقْلِ اَلْعِظَامِ وَ خَمْسَةٌ وَ عِشْرُونَ دِينَاراً لِلْمُوضِحَةِ فَإِنْ كَانَتْ نَاقِبَةً فَدِيَتُهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً فَإِنْ رُضَّ فَعَثَمَ فَدِيَتُهُ ثُلُثُ دِيَةِ اَلنَّفْسِ ثَلاَثُمِائَةِ دِينَارٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ فَإِنْ كَانَ فُكَّ فَدِيَتُهُ ثَلاَثُونَ دِينَاراً وَ فِي اَلْعَضُدِ إِذَا كُسِرَتْ فَجُبِرَتْ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ فَدِيَتُهَا خُمُسُ دِيَةِ اَلْيَدِ مِائَةُ دِينَارٍ وَ دِيَةُ مُوضِحَتِهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ دِيَةُ نَقْلِ عِظَامِهَا نِصْفُ دِيَةِ كَسْرِهَا خَمْسُونَ دِينَاراً وَ دِيَةُ نَقْبِهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ فِي اَلْمِرْفَقِ إِذَا كُسِرَ فَجُبِرَ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ فَدِيَتُهُ مِائَةُ دِينَارٍ وَ ذَلِكَ خُمُسُ دِيَةِ اَلْيَدِ فَإِنِ اِنْصَدَعَ فَدِيَتُهُ أَرْبَعَةُ أَخْمَاسِ دِيَةِ كَسْرِهِ ثَمَانُونَ دِينَاراً فَإِنْ أَوْضَحَ فَدِيَتُهُ رُبُعُ دِيَةِ كَسْرِهِ خَمْسَةٌ وَ عِشْرُونَ دِينَاراً فَإِنْ نُقِّلَتْ مِنْهُ اَلْعِظَامُ فَدِيَتُهُ مِائَةُ دِينَارٍ وَ خَمْسَةٌ وَ سَبْعُونَ دِينَاراً لِلْكَسْرِ مِائَةُ دِينَارٍ وَ لِنَقْلِ اَلْعِظَامِ خَمْسُونَ دِينَاراً وَ لِلْمُوضِحَةِ خَمْسَةٌ وَ عِشْرُونَ دِينَاراً فَإِنْ كَانَتْ فِيهِ نَاقِبَةٌ فَدِيَتُهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً فَإِنْ رُضَّ اَلْمِرْفَقُ فَعَثَمَ فَدِيَتُهُ ثُلُثُ دِيَةِ اَلنَّفْسِ ثَلاَثُمِائَةِ دِينَارٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ فَإِنْ كَانَ فُكَّ فَدِيَتُهُ ثَلاَثُونَ دِينَاراً وَ فِي اَلْمِرْفَقِ اَلآخَرِ مِثْلُ هَذَا سَوَاءً وَ فِي اَلسَّاعِدِ إِذَا كُسِرَ فَجُبِرَ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ ثُلُثُ دِيَةِ اَلنَّفْسِ ثَلاَثُمِائَةِ دِينَارٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ فَإِنْ كَانَ كُسِرَ إِحْدَى اَلْقَصَبَتَيْنِ مِنَ اَلسَّاعِدِ فَدِيَتُهُ خُمُسُ دِيَةِ اَلْيَدِ مِائَةُ دِينَارٍ وَ فِي إِحْدَاهُمَا أَيْضاً فِي اَلْكَسْرِ لِأَحَدِ اَلزَّنْدَيْنِ خَمْسُونَ دِينَاراً وَ فِي كِلَيْهِمَا مِائَةُ دِينَارٍ فَإِنِ اِنْصَدَعَ إِحْدَى اَلْقَصَبَتَيْنِ فَفِيهَا أَرْبَعَةُ أَخْمَاسِ دِيَةِ إِحْدَى قَصَبَتَيِ اَلسَّاعِدِ أَرْبَعُونَ دِينَاراً وَ دِيَةُ مُوضِحَتِهَا رُبُعُ كَسْرِهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ دِيَةُ نَقْلِ عِظَامِهَا مِائَةُ دِينَارٍ وَ ذَلِكَ خُمُسُ دِيَةِ اَلْيَدِ وَ إِنْ كَانَتْ نَاقِبَةً فَدِيَتُهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ دِيَةُ نَقْبِهَا نِصْفُ دِيَةِ مُوضِحَتِهَا اِثْنَا عَشَرَ دِينَاراً وَ نِصْفُ دِينَارٍ وَ دِيَةُ نَافِذَتِهَا خَمْسُونَ دِينَاراً فَإِنْ صَارَتْ فِيهِ قَزْحَةٌ لاَ تَبْرَأُ فَدِيَتُهَا ثُلُثُ دِيَةِ اَلسَّاعِدِ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ ذَلِكَ ثُلُثُ دِيَةِ اَلَّذِي هُوَ فِيهِ وَ دِيَةُ اَلرُّسْغِ إِذَا رُضَّ فَجُبِرَ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ ثُلُثُ دِيَةِ اَلْيَدِ مِائَةُ دِينَارٍ وَ سِتَّةٌ وَ سِتُّونَ دِينَاراً وَ ثُلُثَا دِينَارٍ » قَالَ اَلْخَلِيلُ بْنُ أَحْمَدَ اَلرُّسْغُ مَفْصِلُ مَا بَيْنَ اَلسَّاعِدِ وَ اَلْكَفِّ وَ فِي خَلْقِ اَلْإِنْسَانِ لِلتِّيرَانِيِّ اَلرُّسْغُ گردن دست وَ اَلْأَرْسَاغُ جَمَاعَةُ «وَ فِي اَلْكَفِّ إِذَا كُسِرَتْ فَجُبِرَتْ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ خُمُسُ دِيَةِ اَلْيَدِ مِائَةُ دِينَارٍ فَإِنْ فُكَّتِ اَلْكَفُّ فَدِيَتُهَا ثُلُثُ دِيَةِ اَلْيَدِ مِائَةُ دِينَارٍ وَ سِتَّةٌ وَ سِتُّونَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ فِي مُوضِحَتِهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ دِيَةُ نَقْلِ عِظَامِهَا مِائَةُ دِينَارٍ وَ ثَمَانِيَةٌ وَ سَبْعُونَ دِينَاراً نِصْفُ دِيَةِ كَسْرِهَا وَ فِي نَافِذَتِهَا إِنْ لَمْ تَنْسَدَّ خُمُسُ دِيَةِ اَلْيَدِ مِائَةُ دِينَارٍ فَإِنْ كَانَتْ نَافِذَةً فَدِيَتُهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ دِيَةُ اَلْأَصَابِعِ وَ اَلْقَصَبِ اَلَّذِي فِي اَلْكَفِّ فِي اَلْإِبْهَامِ إِذَا قُطِعَ ثُلُثُ دِيَةِ اَلْيَدِ مِائَةُ دِينَارٍ وَ سِتَّةٌ وَ سِتُّونَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ دِيَةُ قَصَبَةِ اَلْإِبْهَامِ اَلَّتِي فِي اَلْكَفِّ تُجْبَرُ عَلَى غَيْرِ عَثْمٍ خُمُسُ دِيَةِ

اَلْإِبْهَامِ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ إِذَا اِسْتَوَى جَبْرُهَا وَ ثَبَتَ وَ دِيَةُ صَدْعِهَا سِتَّةٌ وَ عِشْرُونَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ دِيَةُ مُوضِحَتِهَا ثَمَانِيَةُ دَنَانِيرَ وَ ثُلُثُ دِينَارٍ وَ دِيَةُ نَقْلِ عِظَامِهَا سِتَّةَ عَشَرَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ دِيَةُ نَقْبِهَا ثَمَانِيَةُ دَنَانِيرَ وَ ثُلُثُ دِينَارٍ نِصْفُ دِيَةِ نَقْلِ عِظَامِهَا وَ دِيَةُ مُوضِحَتِهَا نِصْفُ دِيَةِ نَاقِلَتِهَا ثَمَانِيَةُ دَنَانِيرَ وَ ثُلُثُ دِينَارٍ وَ دِيَةُ فَكِّهَا عَشَرَةُ دَنَانِيرَ وَ دِيَةُ اَلْمَفْصِلِ مِنْ أَعْلَى اَلْإِبْهَامِ إِنْ كُسِرَ فَجُبِرَ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ سِتَّةَ عَشَرَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ دِيَةُ اَلْمُوضِحَةِ إِذَا كَانَ فِيهَا أَرْبَعَةُ دَنَانِيرَ وَ سُدُسُ دِينَارٍ وَ دِيَةُ نَقْبِهِ أَرْبَعَةُ دَنَانِيرَ وَ سُدُسُ دِينَارٍ وَ دِيَةُ صَدْعِهِ ثَلاَثَةَ عَشَرَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ دِيَةُ نَقْلِ عِظَامِهَا خَمْسَةُ دَنَانِيرَ وَ مَا قُطِعَ مِنْهَا فَبِحِسَابِهِ عَلَى مَنْزِلَتِهِ وَ فِي اَلْأَصَابِعِ فِي كُلِّ إِصْبَعٍ سُدُسُ دِيَةِ اَلْيَدِ ثَلاَثَةٌ وَ ثَمَانُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ أَصَابِعِ اَلْكَفِّ اَلْأَرْبَعِ سِوَى اَلْإِبْهَامِ دِيَةُ كُلِّ قَصَبَةٍ عِشْرُونَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ دِيَةُ كُلِّ مُوضِحَةٍ فِي كُلِّ قَصَبَةٍ مِنَ اَلْقَصَبِ مِنَ اَلْأَرْبَعِ اَلْأَصَابِعِ أَرْبَعَةُ دَنَانِيرَ وَ سُدُسُ وَ دِيَةُ نَقْلِ كُلِّ قَصَبَةٍ مِنْهُنَّ ثَمَانِيَةُ دَنَانِيرَ وَ ثُلُثُ دِينَارٍ وَ دِيَةُ كَسْرِ كُلِّ مَفْصِلٍ مِنَ اَلْأَصَابِعِ اَلْأَرْبَعِ اَلَّتِي تَلِي اَلْكَفَّ سِتَّةَ عَشَرَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ فِي صَدْعِ كُلِّ قَصَبَةٍ مِنْهُنَّ ثَلاَثَةَ عَشَرَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ إِنْ كَانَ فِي اَلْكَفِّ قَرْحَةٌ لاَ تَبْرَأُ فَدِيَتُهَا ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ فِي نَقْلِ عِظَامِهَا ثَمَانِيَةُ دَنَانِيرَ وَ ثُلُثُ دِينَارٍ وَ فِي مُوضِحَتِهَا أَرْبَعَةُ دَنَانِيرَ وَ سُدُسٌ وَ فِي نَقْبِهَا أَرْبَعَةُ دَنَانِيرَ وَ سُدُسُ دِينَارٍ وَ فِي فَكِّهَا خَمْسَةُ دَنَانِيرَ وَ دِيَةُ اَلْمَفْصِلِ اَلْأَوْسَطِ مِنَ اَلْأَصَابِعِ اَلْأَرْبَعِ إِذَا قُطِعَ فَدِيَتُهُ خَمْسَةٌ وَ خَمْسُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ فِي كَسْرِهِ أَحَدَ عَشَرَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ فِي صَدْعِهِ ثَمَانِيَةُ دَنَانِيرَ وَ نِصْفٌ وَ فِي مُوضِحَتِهِ دِينَارٌ وَ ثُلُثَا دِينَارٍ وَ فِي نَقْلِ عِظَامِهِ خَمْسَةُ دَنَانِيرَ وَ ثُلُثُ دِينَارٍ وَ فِي نَقْبِهِ دِينَارَانِ وَ ثُلُثَا دِينَارٍ وَ فِي فَكِّهِ ثَلاَثَةُ دَنَانِيرَ وَ ثُلُثَا دِينَارٍ وَ فِي اَلْمَفْصِلِ اَلْأَعْلَى مِنَ اَلْأَصَابِعِ اَلْأَرْبَعِ إِذَا قُطِعَ سَبْعَةٌ وَ عِشْرُونَ دِينَاراً وَ نِصْفُ دِينَارٍ وَ رُبُعُ عُشْرِ دِينَارٍ وَ فِي كَسْرِهِ خَمْسَةُ دَنَانِيرَ وَ أَرْبَعَةُ أَخْمَاسِ دِينَارٍ وَ فِي نَقْبِهِ دِينَارٌ وَ ثُلُثٌ وَ فِي فَكِّهِ دِينَارٌ وَ أَرْبَعَةُ أَخْمَاسِ دِينَارٍ وَ فِي ظُفُرِ كُلِّ إِصْبَعٍ مِنْهَا خَمْسَةُ دَنَانِيرَ وَ فِي اَلْكَفِّ إِذَا كُسِرَتْ فَجُبِرَتْ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ فَدِيَتُهَا أَرْبَعُونَ دِينَاراً وَ دِيَةُ صَدْعِهَا أَرْبَعَةُ أَخْمَاسِ دِيَةِ كَسْرِهَا اِثْنَانِ وَ ثَلاَثُونَ دِينَاراً وَ دِيَةُ مُوضِحَتِهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ دِيَةُ نَقْلِ عِظَامِهَا عِشْرُونَ دِينَاراً وَ نِصْفُ دِينَارٍ وَ دِيَةُ نَقْبِهَا رُبُعُ دِيَةِ كَسْرِهَا عَشَرَةُ دَنَانِيرَ وَ دِيَةُ قَرْحَةٍ فِيهَا لاَ تَبْرَأُ ثَلاَثَةَ عَشَرَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ فِي اَلصَّدْرِ إِذَا رُضَّ فَتَثَنَّى شِقَّاهُ كِلاَهُمَا فَدِيَتُهُ خَمْسُمِائَةِ دِينَارٍ وَ دِيَةُ إِحْدَى شِقَّيْهِ إِذَا اِنْثَنَى مِائَتَا دِينَارٍ وَ خَمْسُونَ دِينَاراً وَ إِنِ اِنْثَنَى اَلصَّدْرُ وَ اَلْكَتِفَانِ فَدِيَتُهُ مَعَ اَلْكَتِفَيْنِ أَلْفُ دِينَارٍ وَ إِنِ اِنْثَنَى إِحْدَى اَلْكَتِفَيْنِ مَعَ شِقِّ اَلصَّدْرِ فَدِيَتُهُ خَمْسُمِائَةِ دِينَارٍ وَ دِيَةُ اَلْمُوضِحَةِ فِي اَلصَّدْرِ خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ دِيَةُ مُوضِحَةِ اَلْكَتِفَيْنِ وَ اَلظَّهْرِ خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ إِنِ اِعْتَرَى اَلرَّجُلَ مِنْ ذَلِكَ صَعَرٌ وَ لاَ يَقْدِرُ عَلَى أَنْ يَلْتَفِتَ فَدِيَتُهُ خَمْسُمِائَةِ دِينَارٍ وَ إِنْ كُسِرَ اَلصُّلْبُ فَجُبِرَ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ فَدِيَتُهُ مِائَةُ دِينَارٍ وَ إِنْ عَثَمَ فَدِيَتُهُ أَلْفُ دِينَارٍ وَ فِي اَلْأَضْلاَعِ فِيمَا خَالَطَ اَلْقَلْبَ مِنَ اَلْأَضْلاَعِ إِذَا كُسِرَ مِنْهَا ضِلْعٌ فَدِيَتُهُ خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ دِيَةُ صَدْعِهِ اِثْنَا عَشَرَ دِينَاراً وَ نِصْفٌ وَ دِيَةُ نَقْلِ عِظَامِهِ سَبْعَةُ دَنَانِيرَ وَ نِصْفُ دِينَارٍ وَ مُوضِحَتُهُ عَلَى رُبُعِ كَسْرِهِ وَ دِيَةُ نَقْبِهِ مِثْلُ ذَلِكَ وَ فِي اَلْأَضْلاَعِ مِمَّا يَلِي اَلْعَضُدَيْنِ دِيَةُ كُلِّ ضِلْعٍ عَشَرَةُ دَنَانِيرَ إِذَا كُسِرَ وَ دِيَةُ صَدْعِهِ سَبْعَةُ دَنَانِيرَ وَ دِيَةُ نَقْلِ عِظَامِهِ خَمْسَةُ دَنَانِيرَ وَ مُوضِحَةُ كُلِّ ضِلْعٍ رُبُعُ دِيَةِ كَسْرِهِ دِينَارَانِ وَ نِصْفُ دِينَارٍ وَ إِنْ نُقِبَ ضِلْعٌ مِنْهَا فَدِيَتُهُ دِينَارَانِ وَ نِصْفُ دِينَارٍ وَ فِي اَلْجَائِفَةِ ثُلُثُ دِيَةِ اَلنَّفْسِ ثَلاَثُمِائَةِ دِينَارٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ

وَ إِنْ نُقِبَ مِنَ اَلْجَانِبَيْنِ كِلَيْهِمَا بِرَمْيَةٍ أَوْ طَعْنَةٍ وَقَعَتْ فِي اَلشُّقَاقِ فَدِيَتُهَا أَرْبَعُمِائَةِ دِينَارٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ فِي اَلْأُذُنِ إِذَا قُطِعَتْ فَدِيَتُهَا خَمْسُمِائَةِ دِينَارٍ وَ مَا قُطِعَ مِنْهَا فَبِحِسَابِ ذَلِكَ وَ فِي اَلْوَرِكِ إِذَا كُسِرَ فَجُبِرَ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ خُمُسُ دِيَةِ اَلرِّجْلَيْنِ مِائَتَا دِينَارٍ فَإِنْ صُدِعَ اَلْوَرِكُ فَدِيَتُهُ مِائَةُ دِينَارٍ وَ سِتُّونَ دِينَاراً أَرْبَعَةُ أَخْمَاسِ دِيَةِ كَسْرِهِ وَ إِنْ أُوضِحَتْ فَدِيَتُهُ رُبُعُ دِيَةِ كَسْرِهِ خَمْسُونَ دِينَاراً وَ دِيَةُ نَقْلِ عِظَامِهِ مِائَةٌ وَ خَمْسَةٌ وَ سَبْعُونَ دِينَاراً مِنْهَا لِكَسْرِهَا مِائَةُ دِينَارٍ وَ لِنَقْلِ عِظَامِهَا خَمْسُونَ دِينَاراً وَ لِمُوضِحَتِهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ دِيَةُ فَكِّهَا ثَلاَثُونَ دِينَاراً فَإِنْ رُضَّتْ فَعَثَمَتْ فَدِيَتُهَا ثَلاَثُمِائَةٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ فِي اَلْفَخِذِ إِذَا كُسِرَتْ فَجُبِرَتْ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ خُمُسُ دِيَةِ اَلرِّجْلَيْنِ مِائَتَا دِينَارٍ فَإِنْ عَثَمَتِ اَلْفَخِذُ فَدِيَتُهَا ثَلاَثُمِائَةٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ ثُلُثُ دِيَةِ اَلنَّفْسِ وَ دِيَةُ صَدْعِ اَلْفَخِذِ أَرْبَعَةُ أَخْمَاسِ دِيَةِ كَسْرِهَا مِائَةُ دِينَارٍ وَ سِتُّونَ دِينَاراً وَ إِنْ كَانَتْ قَزْحَةٌ لاَ تَبْرَأُ فَدِيَتُهَا ثُلُثُ دِيَةِ كَسْرِهَا سِتَّةٌ وَ سِتُّونَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ دِيَةُ مُوضِحَتِهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسُونَ دِينَاراً وَ دِيَةُ نَقْلِ عِظَامِهَا نِصْفُ دِيَةِ كَسْرِهَا مِائَةُ دِينَارٍ وَ دِيَةُ نَقْبِهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسُونَ دِينَاراً وَ فِي اَلرُّكْبَةِ إِذَا كُسِرَتْ فَجُبِرَتْ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ خُمُسُ دِيَةِ اَلرِّجْلَيْنِ مِائَتَا دِينَارٍ فَإِنِ اِنْصَدَعَتْ فَدِيَتُهَا أَرْبَعَةُ أَخْمَاسِ دِيَةِ كَسْرِهَا مِائَةٌ وَ سِتُّونَ دِينَاراً وَ دِيَةُ مُوضِحَتِهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسُونَ دِينَاراً وَ دِيَةُ نَقْلِ عِظَامِهَا مِائَةُ دِينَارٍ وَ خَمْسَةٌ وَ سَبْعُونَ دِينَاراً مِنْهَا فِي دِيَةِ كَسْرِهَا مِائَةُ دِينَارٍ وَ فِي نَقْلِ عِظَامِهَا خَمْسُونَ دِينَاراً وَ فِي مُوضِحَتِهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ دِيَةُ نَقْبِهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسُونَ دِينَاراً فَإِذَا رُضَّتْ فَعَثَمَتْ فَفِيهَا ثُلُثُ دِيَةِ اَلنَّفْسِ ثَلاَثُمِائَةٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ فَإِنْ فُكَّتْ فَفِيهَا ثَلاَثَةُ أَجْزَاءٍ مِنْ دِيَةِ اَلْكَسْرِ ثَلاَثُونَ دِينَاراً وَ فِي اَلسَّاقِ إِذَا كُسِرَتْ فَجُبِرَتْ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ خُمُسُ دِيَةِ اَلرِّجْلَيْنِ مِائَتَا دِينَارٍ وَ دِيَةُ صَدْعِهَا أَرْبَعَةُ أَخْمَاسِ دِيَةِ كَسْرِهَا مِائَةٌ وَ سِتُّونَ دِينَاراً وَ فِي مُوضِحَتِهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسُونَ دِينَاراً وَ فِي نَقْلِ عِظَامِهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسُونَ دِينَاراً وَ فِي نَقْبِهَا نِصْفُ دِيَةِ مُوضِحَتِهَا خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ فِي تَعَوُّرِهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسُونَ دِينَاراً وَ فِي قَزْحَةٍ فِيهَا لاَ تَبْرَأُ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً فَإِنْ عَثَمَتِ اَلسَّاقُ فَدِيَتُهَا ثُلُثُ دِيَةِ اَلنَّفْسِ ثَلاَثُمِائَةٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ فِي اَلْكَعْبِ إِذَا رُضَّ فَجُبِرَ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ ثُلُثُ دِيَةِ اَلرِّجْلَيْنِ ثَلاَثُمِائَةٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ فِي اَلْقَدَمِ إِذَا كُسِرَتْ فَجُبِرَتْ عَلَى غَيْرِ عَثْمٍ وَ لاَ عَيْبٍ خُمُسُ دِيَةِ اَلرِّجْلَيْنِ مِائَتَا دِينَارٍ وَ فِي نَاقِبَةٍ فِيهَا رُبُعُ دِيَةِ كَسْرِهَا خَمْسُونَ دِينَاراً وَ دِيَةُ اَلْأَصَابِعِ وَ اَلْقَصَبِ اَلَّتِي فِي اَلْقَدَمِ لِلْإِبْهَامِ ثُلُثُ دِيَةِ اَلرِّجْلَيْنِ ثَلاَثُمِائَةٍ وَ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ دِيَةُ كَسْرِ اَلْإِبْهَامِ اَلْقَصَبَةِ اَلَّتِي تَلِي اَلْقَدَمَ خُمُسُ دِيَةِ اَلْإِبْهَامِ سِتَّةٌ وَ سِتُّونَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ فِي صَدْعِهَا سِتَّةٌ وَ عِشْرُونَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ فِي مُوضِحَتِهَا ثَمَانِيَةُ دَنَانِيرَ وَ ثُلُثُ دِينَارٍ وَ فِي نَقْلِ عِظَامِهَا سِتَّةٌ وَ عِشْرُونَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ فِي نَقْبِهَا ثَمَانِيَةُ دَنَانِيرَ وَ ثُلُثُ دِينَارٍ وَ فِي فَكِّهَا عَشَرَةُ دَنَانِيرَ وَ دِيَةُ اَلْمَفْصِلِ اَلْأَعْلَى مِنَ اَلْإِبْهَامِ وَ هُوَ اَلثَّانِي اَلَّذِي فِيهِ اَلظُّفُرُ سِتَّةَ عَشَرَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ فِي مُوضِحَتِهِ أَرْبَعَةُ دَنَانِيرَ وَ سُدُسُ دِينَارٍ وَ فِي نَقْلِ عِظَامِهِ ثَمَانِيَةُ دَنَانِيرَ وَ ثُلُثُ دِينَارٍ وَ فِي نَاقِبَتِهِ أَرْبَعَةُ دَنَانِيرَ وَ سُدُسٌ وَ فِي صَدْعِهِ ثَلاَثَةَ عَشَرَ دِينَاراً وَ ثُلُثٌ وَ فِي فَكِّهِ خَمْسَةُ دَنَانِيرَ وَ دِيَةُ كُلِّ إِصْبَعٍ مِنْهَا سُدُسُ دِيَةِ اَلرِّجْلِ ثَلاَثَةٌ وَ ثَمَانُونَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ دِيَةُ قَصَبَةِ اَلْأَصَابِعِ اَلْأَرْبَعِ سِوَى اَلْإِبْهَامِ دِيَةُ كَسْرِ كُلِّ قَصَبَةٍ مِنْهَا سِتَّةَ عَشَرَ دِينَاراً وَ ثُلُثٌ وَ دِيَةُ مُوضِحَةِ كُلِّ قَصَبَةٍ

مِنْهُنَّ أَرْبَعَةُ دَنَانِيرَ وَ سُدُسٌ وَ دِيَةُ نَقْلِ كُلِّ عَظْمٍ قَصَبَةٍ مِنْهُنَّ ثَمَانِيَةُ دَنَانِيرَ وَ ثُلُثٌ وَ دِيَةُ صَدْعِهَا ثَلاَثَةَ عَشَرَ دِينَاراً وَ ثُلُثٌ وَ دِيَةُ نَقْبِ كُلِّ قَصَبَةٍ مِنْهُنَّ أَرْبَعَةُ دَنَانِيرَ وَ سُدُسٌ وَ دِيَةُ قَرْحَةٍ لاَ تَبْرَأُ فِي اَلْقَدَمِ ثَلاَثَةٌ وَ ثَلاَثُونَ دِينَاراً وَ ثُلُثٌ وَ دِيَةُ كَسْرِ اَلْمَفْصِلِ اَلَّذِي يَلِي اَلْقَدَمَ مِنَ اَلْأَصَابِعِ سِتَّةَ عَشَرَ دِينَاراً وَ ثُلُثٌ وَ دِيَةُ صَدْعِهَا ثَلاَثَةَ عَشَرَ دِينَاراً وَ ثُلُثُ دِينَارٍ وَ دِيَةُ نَقْلِ عَظْمٍ كُلِّ قَصَبَةٍ مِنْهُنَّ ثَمَانِيَةُ دَنَانِيرَ وَ ثُلُثٌ وَ دِيَةُ مُوضِحَةٍ كُلِّ قَصَبَةٍ أَرْبَعَةُ دَنَانِيرَ وَ سُدُسُ دِينَارٍ وَ دِيَةُ نَقْبِهَا أَرْبَعَةُ دَنَانِيرَ وَ سُدُسُ دِينَارٍ وَ دِيَةُ فَكِّهَا خَمْسَةُ دَنَانِيرَ وَ فِي اَلْمَفْصِلِ اَلْأَوْسَطِ مِنَ اَلْأَصَابِعِ اَلْأَرْبَعِ إِذَا قُطِعَ فَدِيَتُهُ خَمْسَةٌ وَ خَمْسُونَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ دِيَةُ كَسْرِهِ أَحَدَ عَشَرَ دِينَاراً وَ ثُلُثَا دِينَارٍ وَ دِيَةُ صَدْعِهِ ثَمَانِيَةُ دَنَانِيرَ وَ أَرْبَعَةُ أَخْمَاسِ دِينَارٍ وَ دِيَةُ مُوضِحَتِهِ دِينَارَانِ وَ دِيَةُ نَقْلِ عِظَامِهِ خَمْسَةُ دَنَانِيرَ وَ ثُلُثَا دِينَارٍ وَ دِيَةُ فَكِّهِ ثَلاَثَةُ دَنَانِيرَ وَ ثُلُثَا دِينَارٍ وَ دِيَةُ نَقْبِهِ دِينَارَانِ وَ ثُلُثَا دِينَارٍ وَ فِي اَلْمَفْصِلِ اَلْأَعْلَى مِنَ اَلْأَصَابِعِ اَلْأَرْبَعِ اَلَّتِي فِيهَا اَلظُّفُرُ إِذَا قُطِعَ فَدِيَتُهُ سَبْعَةٌ وَ عِشْرُونَ دِينَاراً وَ أَرْبَعَةُ أَخْمَاسِ دِينَارٍ وَ دِيَةُ كَسْرِهِ خَمْسَةُ دَنَانِيرَ وَ أَرْبَعَةُ أَخْمَاسِ دِينَارٍ وَ دِيَةُ صَدْعِهِ أَرْبَعَةُ دَنَانِيرَ وَ خُمُسُ دِينَارٍ وَ دِيَةُ مُوضِحَتِهِ دِينَارٌ وَ ثُلُثُ دِينَارٍ وَ دِيَةُ نَقْلِ عِظَامِهِ دِينَارَانِ وَ خُمُسُ دِينَارٍ وَ دِيَةُ نَقْبِهِ دِينَارٌ وَ ثُلُثُ دِينَارٍ وَ دِيَةُ فَكِّهِ دِينَارٌ وَ أَرْبَعَةُ أَخْمَاسِ دِينَارٍ وَ دِيَةُ كُلِّ ظُفْرٍ عَشَرَةُ دَنَانِيرَ وَ أُفْتِيَ عَلَيْهِ اَلسَّلاَمُ فِي حَلَمَةِ ثَدْيِ اَلرَّجُلِ ثُمُنُ اَلدِّيَةِ مِائَةُ دِينَارٍ وَ خَمْسَةٌ وَ عِشْرُونَ دِينَاراً وَ فِي خُصْيَةِ اَلرَّجُلِ خَمْسُمِائَةِ دِينَارٍ» قَالَ «فَإِنْ أُصِيبَ رَجُلٌ فَأُدِرَ خُصْيَتَاهُ كِلْتَاهُمَا فَدِيَتُهُ أَرْبَعُمِائَةِ دِينَارٍ وَ إِنْ فَجِجَ فَلَمْ يَقْدِرْ عَلَى اَلْمَشْيِ إِلاَّ مَشْياً لاَ يَنْفَعُهُ فَدِيَتُهُ أَرْبَعَةُ أَخْمَاسِ دِيَةِ اَلنَّفْسِ ثَمَانُمِائَةِ دِينَارٍ فَإِنْ أُحْدِبَ مِنْهَا اَلظَّهْرُ فَحِينَئِذٍ تَمَّتْ دِيَتُهُ أَلْفُ دِينَارٍ وَ اَلْقَسَامَةُ فِي كُلِّ شَيْءٍ مِنْ ذَلِكَ سِتَّةُ نَفَرٍ عَلَى مَا بَلَغَتْ دِيَتُهُ وَ أُفْتِيَ عَلَيْهِ اَلسَّلاَمُ فِي اَلْوَجْأَةِ إِذَا كَانَتْ فِي اَلْعَانَةِ فَخُرِقَ اَلصِّفَاقُ فَصَارَتْ أُدْرَةً فِي إِحْدَى اَلْخُصْيَتَيْنِ فَدِيَتُهَا مِائَتَا دِينَارٍ خُمُسُ اَلدِّيَةِ وَ فِي اَلنَّافِذَةِ إِذَا نَفَذَتْ مِنْ رُمْحٍ أَوْ خَنْجَرٍ فِي شَيْءٍ مِنَ اَلرِّجْلِ مِنْ أَطْرَافِهِ فَدِيَتُهَا عُشْرُ دِيَةِ اَلرِّجْلِ مِائَةُ دِينَارٍ وَ قَضَى عَلَيْهِ اَلسَّلاَمُ أَنَّهُ لاَ قَوَدَ لِرَجُلٍ أَصَابَهُ وَالِدُهُ فِي أَمْرٍ يَعْتِبُ فِيهِ عَلَيْهِ فَأَصَابَهُ عَيْبٌ مِنْ قَطْعٍ وَ غَيْرِهِ وَ يَكُونُ لَهُ اَلدِّيَةُ وَ لاَ يُقَادُ وَ لاَ قَوَدَ لِامْرَأَةٍ أَصَابَهَا زَوْجُهَا فَعِيبَتْ فَغُرْمُ اَلْعَيْبِ عَلَى زَوْجِهَا وَ لاَ قِصَاصَ عَلَيْهِ وَ قَضَى عَلَيْهِ اَلسَّلاَمُ فِي اِمْرَأَةٍ رَكَلَهَا زَوْجُهَا فَأَعْفَلَهَا أَنَّ لَهَا نِصْفَ دِيَتِهَا مِائَتَانِ وَ خَمْسُونَ دِينَاراً وَ قَضَى عَلَيْهِ اَلسَّلاَمُ فِي رَجُلٍ اِقْتَصَّ جَارِيَةً بِإِصْبَعِهِ فَخَرَقَ مَثَانَتَهَا فَلاَ تَمْلِكُ بَوْلَهَا فَجَعَلَ لَهَا ثُلُثَ نِصْفِ اَلدِّيَةِ مِائَةً وَ سِتَّةً وَ سِتِّينَ دِينَاراً وَ ثُلُثَيْ دِينَارٍ وَ قَضَى عَلَيْهِ اَلسَّلاَمُ لَهَا عَلَيْهِ صَدَاقَهَا مِثْلَ نِسَاءِ قَوْمِهَا».

وَ أَكْثَرُ رِوَايَةِ أَصْحَابِنَا فِي ذَلِكَ الدِّيَةُ كَامِلَةٌ.

H.5150 - Al-Hasan ibn Ali ibn Fadhal narrated from Zharif ibn Nasih from Abdullah ibn Ayyub, who said Al-Husayn Al-Rawwasi narrated to me from Ibn Abi Umayr, the physician, who said: I presented this narration to Abu Abdullah {a.s}, and Imam{a.s} said: “Yes, it is true. Indeed, the Commander of the Faithful {a.s} used to instruct his officials with this."

He said: “Imam {a.s} gave a ruling that for every bone that contains marrow, there is a specified obligatory compensation if it is broken and healed without any defect or flaw. Imam {a.s} divided the obligatory blood money (diyyah) into six parts and established for wounds, the fetus, the eyelashes, paralysis, limbs, and the thumb, assigning six categories for each.

Fetus

He set the blood money for a fetus at one hundred dinars.

For the sperm of a man until it becomes a fetus, he set five parts, and when it becomes a fetus before the soul enters it, he set it at one hundred dinars.

He allocated twenty dinars for the sperm drop (nutfah), which refers to a man discharging with his wife who does not desire it. Thus, the Commander of the Faithful {a.s} set this ruling for it."

He {a.s} set the compensation for the nutfah (sperm drop) at twenty dinars, which is equivalent to one-fifth (khumus), and for the clot of blood (alaqah), he set it at two-fifths of that, forty dinars. This ruling also applies if a woman is struck or harmed and subsequently miscarries.

- For the muḍghah (chewed-like lump of flesh), he established sixty dinars if she also miscarried under similar circumstances.
- For the bone stage (idham), he set eighty dinars if the woman miscarried.
- For the fully formed fetus (janin), he set one hundred dinars if an enemy attacked them, causing the women to miscarry. He obligated this compensation upon the women from the responsible family (aqilah) accordingly.

If a child is born alive and cries (istihlal, the first cry), and they were attacked during the night, leading to the killing of the children, the compensation for each male child is one thousand dinars, and for each female child, it is calculated accordingly at five hundred dinars.

As for a woman who is killed while pregnant with a fully formed fetus, and the fetus does not miscarry, and it is unknown whether the fetus is male or female, and whether it died before or after the mother, then the compensation for the fetus is half of the male blood money and half of the female blood money, while the woman's full blood money remains obligatory.

He {a.s} also ruled regarding a man who discharges outside his wife during intercourse without her consent. In this case, he imposed half of one-fifth of the fetus's blood money, amounting to ten dinars.

If he discharges inside her without her consent, the compensation is twenty dinars.

He established retaliation (qisas) for injuries and the related compensation according to the extent of the blood money, which is one hundred dinars.

He ruled on the blood money for fetal injuries proportionally from the scale of one hundred dinars, corresponding to what applies to the injuries of a man or a woman in full.

Sensory Organs and Paralysis

He {a.s} also gave rulings concerning the body.

He {a.s} established six obligatory compensations: life (nafs), vision (baṣar), hearing (samʿ), speech (kalam), impairment of voice due to nasal sound (ghanan) or hoarseness (bahah), and paralysis of the hands and legs.

He aligned these rulings with the same principles as the previous laws. Additionally, he prescribed the practice of qasamah (oath-taking) for each of these matters, proportional to the amount of blood money owed.

For intentional murder, qasamah involves fifty men, and for accidental killing, twenty-five men, corresponding to the blood money of one thousand dinars for life.

For wounds requiring qasamah, six people are involved, and anything less follows this calculation.

The qasamah applies to life, hearing, vision, intellect, voice due to hoarseness or harshness, and the loss of hands and legs. These are the six major parts of a person.

Diyyah – Blood Money

The blood money for;

- a life is one thousand dinars,
- for the Nose (if completely severed) one thousand dinars,
- for the complete Total loss of voice (ghanan or bahah) one thousand dinars,
- for paralysis of both hands one thousand dinars,
- for the total loss of hearing one thousand dinars,
- for the complete loss of vision one thousand dinars,
- for loss of both legs together one thousand dinars,
- for the Total removal of both lips one thousand dinars,
- for a severe bent hunchback of the back thousand dinars,
- for the Complete severance of the male genital organ one thousand dinars,
- for the complete removal of the tongue one thousand dinars,
- for Loss of both testicles one thousand dinars.

Injuries; amputation, fractures, cracks, depressions, open wounds (muḍihah), bleeding wounds (damiyah), dislocation of bones, and deep wounds (naqibah)

He {a.s} also established the compensation for injuries to all body parts - whether on the head, face, or the rest of the body - including the senses of hearing, vision, and voice.

He {a.s} also established rulings for the intellect (Aql), the hands, and the legs concerning cases of amputation, fractures, cracks, depressions, open wounds (muḍihah), bleeding wounds (damiyah), dislocation of bones, and deep wounds (naqibah).

If a bone is broken and heals without any deformity or defect and without any bone being displaced, its compensation is clearly defined.

In the case of an open wound (muḍihah) where the bone is exposed but not displaced, both the compensation for the fracture and the open wound are due.

For every bone that is broken, there is a set compensation, and for the dislocation of bones, half of the compensation for a fracture is due.

The compensation for a visible wound (mudihah) is one-fourth of the compensation for a fracture, particularly for those body parts covered by clothing, except for the two forearm bones (qaṣabatay Al-saʿid) and the fingers.

For an ulcer (qarhah) that does not heal, the compensation is one-third of the blood money of the bone where the ulcer is located.

Vision

If a man suffers an injury to one of his eyes, its compensation is measured by placing an eggshell over the injured eye and determining the range of vision of the healthy eye. Then, the healthy eye is covered, and the range of vision of the injured eye is assessed. Compensation is calculated based on this comparison.

The practice of qasamah (oath-taking) applies in these six categories, involving six individuals according to the degree of injury to the eye.

- If one-sixth of the vision is lost, the individual alone swears an oath and receives the compensation.
- If one-third of the vision is lost, he and another man swear and receive the compensation.
- If half of the vision is lost, he and two other men swear.
- If two-thirds of the vision is lost, he and three other men swear.
- If four-fifths of his vision was lost, he would swear an oath along with four other men.
- If all of his vision was lost, he would swear an oath along with five other men.

This was the ruling of qasamah (oath-taking) in the matter of the eye.

He {a.s} also ruled that if someone had no one to swear an oath with him and he was not trusted regarding the extent of his vision loss, the number of oaths he would take would be increased.

- If one-sixth of his vision was lost, he would swear once;
- if one-third, he would swear twice;
- if half, he would swear three times;
- if two-thirds, he would swear four times;
- if five-sixths, he would swear five times;
- and if all of his vision was lost, he would swear six times, after which he would be granted compensation.

However, if he refused to swear, he would only be granted compensation corresponding to what he had sworn for and was trusted upon.

The governor (wali) would assist in this matter by investigating, questioning, and verifying in cases of retaliation (qisas), legal punishments (hudud), and equivalent retribution (qawad).

Hearing

If a person suffered any harm to his hearing, a similar method would be applied. An object would be used to measure the extent of his hearing loss, and compensation would be determined accordingly. If all of his hearing was lost, it would be handled in the same manner.

If there was suspicion of dishonesty, the individual would be left alone until he was caught off-guard, then someone would call out to him. If he responded, his opponents would bring the case back to the judge. The judge would act based on his judgment and could reduce part of the compensation taken.

Thigh or Upper Arm

If the damage was in the thigh (fakhidh) or upper arm (Aḍud), it would be measured with a thread by comparing the healthy leg or arm to the injured one to determine the extent of the loss. If the injury was to the shin (saq) or forearm (saʿid), the comparison would be made using the thigh or upper arm.

The judge would assess the extent of the injury to the thigh.

Temple

He {a.s} ruled that if a man sustained an Injury to the Temple (Ṣudgh), causing him to be unable to turn his head except by shifting his entire body, half of the full blood money (diyyah) was due, which is five hundred dinars. If the injury was less severe, the compensation would be calculated accordingly.

Upper Eyelid

He {a.s} ruled that if the Upper Eyelid (Shufr Al-Ayn Al-Ala) was injured and split, its compensation was one-third of the blood money for the eye, amounting to one hundred sixty-six and two-thirds dinars.

Lower Eyelid

If the Lower Eyelid (Shufr Al-Ayn Al-Asfal) was injured, its compensation was half of the blood money for the eye, which is two hundred fifty dinars.

Eyebrow

If the eyebrow (Al-hajib) was injured and all its hair was lost, the compensation was half of the blood money for the eye, amounting to two hundred fifty dinars. For any partial damage, the compensation would be calculated proportionally.

Nasal Cartilage

If the Nasal Cartilage (Rawthah Al-Anf) of the nose was cut off, the compensation was five hundred dinars, which is half of the full blood money.

The compiler of this book (may Allah {SWT} have mercy on him) explained that the rawthah is the soft, flexible part of the nose.

Nose

If there was a penetrating wound in the Nose (Nafidhah) that could not heal, caused by an arrow or spear, the compensation was three hundred thirty-three and one-third dinars.

However, if the wound healed completely, the compensation was one-fifth of the blood money for the rawthah of the nose, which is one hundred dinars, with proportional compensation for lesser injuries.

If the penetrating wound affected one nostril and extended to the nasal septum (khayshoom), the divider between the nostrils, the compensation was one-tenth of the blood money for the rawthah, which is fifty dinars because the septum represents half.

If a projectile passed through one nostril, the septum, and exited through the other nostril, the compensation was sixty-six dinars.

Upper Lip

If the Upper Lip (Al-Shafah Al-Ulya) was completely cut off, its compensation was half of the full blood money, amounting to five hundred dinars.

For any portion that was cut, the compensation would be calculated proportionally.

If the upper lip was split and the teeth became visible but the wound healed and closed, the compensation for the injury was one-fifth of the blood money for the lip, which is one hundred dinars. The compensation for any portion of it would be determined accordingly.

If the lip was split and became severely disfigured, its compensation was one hundred sixty-six and two-thirds dinars.

The compiler of this book (may Allah {SWT} have mercy on him) explained that shatar refers to the splitting of the lip from its lower part, either naturally or due to an injury. A lip in such a condition is referred to as shafah shatraa.

Lower Lip

If the Lower Lip (Al-Shafah Al-Sufla) was completely cut off, its compensation was two-thirds of the full blood money, amounting to six hundred sixty-six and two-thirds dinars.

For any part of it that was cut, the compensation would be calculated proportionally.

If it was split, exposing the teeth, and then healed and closed, the compensation was one hundred thirty-three and one-third dinars.

If the injury caused severe and ugly disfigurement, the compensation was three hundred thirty-three and one-third dinars.

I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about this, and he said: “It has reached us that the Commander of the Faithful {a.s} favored the lower lip in compensation because it holds water and food along with the teeth. For this reason, he gave it greater compensation in his rulings."

Cheek

If there was a penetrating wound in the Cheek (Al-Khadd) that exposed the inside of the mouth, its compensation was one hundred dinars.

If the wound healed but left a clear and severe disfigurement, the compensation was fifty dinars.

If both cheeks had penetrating wounds, the compensation was one hundred dinars, which is half the compensation for a wound that exposes the mouth.

Wounds with Blades or Arrows

If a sharp object, like an arrowhead, became lodged in the bone and penetrated to the palate, the compensation was one hundred fifty dinars - fifty dinars for the visible wound (mudihah) and the rest for the deeper injury.

If it was a deep wound (naqibah) that did not fully penetrate, the compensation was one hundred dinars.

For any visible wound (mudihah) on the face, the compensation was fifty dinars.

If this wound caused disfigurement, the compensation for the disfigurement was one-fourth of the blood money for the visible wound.

If there was a wound that did not expose the bone but healed, leaving a scar on the cheeks, the compensation was ten dinars.

Head and Skull Injuries

If there was a fracture (ṣadʿ) in the face, the compensation was eighty dinars.

If a piece of flesh fell off without exposing the bone, about the size of a dirham or larger, the compensation was thirty dinars.

For a wound that exposed the bone (mudihah) on the body, the compensation was forty dinars, and for the same injury on the head, it was fifty dinars.

If the bone was displaced due to the injury, the compensation was one hundred fifty dinars.

If there was a penetrating skull wound (naqibah) reaching the brain, known as ma'mumah, and the compensation was one-third of the full blood money, amounting to three hundred thirty-three and one-third dinars.

Teeth Injuries

For each tooth that was lost, the compensation was fifty dinars, and all teeth were treated equally in compensation;

- the compensation for the central incisor (thaniyyah) was set at fifty dinars.
- the compensation for the lateral incisor (rabaʿiyyah) was forty dinars,
- for the canine tooth (nawb) it was thirty dinars,
- and for the molar tooth (dars) it was twenty-five dinars.
- If a tooth turned black within a year but did not fall out, its compensation was equal to that of a fallen tooth, which is fifty dinars.
- If the tooth was cracked but did not fall out, its compensation was twenty-five dinars.

- If part of it broke, the compensation was calculated proportionally from the fifty dinars.
- If the tooth later fell out while it was blackened, the compensation was twenty-five dinars.
- If it was cracked while blackened, the compensation was twelve and a half dinars.
- For any portion that broke off, the compensation was calculated proportionally from the twenty-five dinars.

Collarbone (Tarquwah) Injuries

Regarding the collarbone (tarquwah);

- if it was broken and healed without any deformity or defect, the compensation was forty dinars.
- If it was fractured, the compensation was four-fifths of the full compensation for its break, which is thirty-two dinars.
- If there was a visible wound (mudihah) on it, the compensation was twenty-five dinars, which is five-eighths of its full compensation for a break.
- If the bone was displaced, the compensation was half the blood money for its break, amounting to twenty dinars.
- If it was deeply wounded (naqibah), the compensation was one-fourth of the blood money for its break, totaling ten dinars.

Shoulder (Mankib) Injuries

The compensation for a broken shoulder (mankib) was set at one-fifth of the blood money for the hand, amounting to one hundred dinars.

- If there was a fracture (ṣadʿ) in the shoulder, the compensation was four-fifths of the compensation for its break, which is eighty dinars.
- If there was a visible wound (muḍihah), the compensation was one-fourth of the compensation for its break, totaling twenty-five dinars.
- If the bones were displaced, the compensation was one hundred seventy-five dinars, divided as follows: one hundred dinars for the break, fifty dinars for the displacement of the bones, and twenty-five dinars for the visible wound.
- If there was a deep wound (naqibah), the compensation was one-fourth of the compensation for the break, which is twenty-five dinars.
- If the shoulder was crushed, resulting in deformity, the compensation was one-third of the full blood money for life, amounting to three hundred thirty-three and one-third dinars.
- If it was merely loosened (fukk), the compensation was thirty dinars.

Upper Arm (Adud) Injuries

For the upper arm (Adud);

- if it was broken and healed without deformity or defect, the compensation was one-fifth of the blood money for the hand, totaling one hundred dinars.
- For a visible wound on the upper arm, the compensation was one-fourth of the compensation for its break, amounting to twenty-five dinars.
- If the bones were displaced, the compensation was half of the compensation for its break, which is fifty dinars.
- For a deep wound (naqibah), the compensation was one-fourth of the compensation for its break, equaling twenty-five dinars.

Elbow (Mirfaq) Injuries

For the elbow (mirfaq);

- if it was broken and healed without any deformity or defect, the compensation was one hundred dinars, which is one-fifth of the blood money for the hand.
- If it was fractured, the compensation was four-fifths of the compensation for its break, totaling eighty dinars.
- If there was a visible wound, the compensation was one-fourth of the compensation for its break, amounting to twenty-five dinars.
- If the bones of the elbow (mirfaq) were displaced, the total compensation would be one hundred seventy-five dinars: one hundred dinars for the fracture, fifty dinars for the displacement of the bones, and twenty-five dinars for the visible wound (muḍihah).
- If there was a deep wound (naqibah) in the elbow, the compensation was one-fourth of the compensation for its break, amounting to twenty-five dinars.
- If the elbow was crushed, resulting in deformity, the compensation was one-third of the full blood money, which is three hundred thirty-three and one-third dinars.
- If it was merely loosened (fukk), the compensation was thirty dinars.

The same rulings apply to the other elbow without distinction.

Forearm (Saʿid) Injuries

For the forearm (saʿid);

- if it was broken and healed without any deformity or defect, the compensation was one-third of the full blood money, amounting to three hundred thirty-three and one-third dinars.
- If one of the two forearm bones (qasabatayn) was broken, the compensation was one-fifth of the blood money for the hand, totaling one hundred dinars.
- If one of the two wrist bones (zandan) was fractured, the compensation was fifty dinars, and if both were fractured, it was one hundred dinars.
- If one of the forearm bones was cracked, the compensation was four-fifths of the compensation for its break, totaling forty dinars.

- For a visible wound, the compensation was one-fourth of the compensation for its break, amounting to twenty-five dinars.
- If the bones were displaced, the compensation was one hundred dinars, equaling one-fifth of the blood money for the hand.
- If it was a deep wound (naqibah), the compensation was one-fourth of the compensation for its break, totaling twenty-five dinars.
- For a deep puncture wound (naqb), the compensation was half of the compensation for a visible wound, amounting to twelve and a half dinars.
- The compensation for a deep penetrating wound (nafidhah) in the forearm was fifty dinars.
- If this injury developed into a chronic ulcer that did not heal, the compensation was one-third of the blood money for the forearm, amounting to thirty-three and one-third dinars. This amount reflects one-third of the compensation for the affected area.

Wrist (Rusgh) Injuries

If the wrist (rusgh) was crushed and healed without any deformity or defect, the compensation was one-third of the blood money for the hand, which is one hundred sixty-six and two-thirds dinars.

Al-Khalil ibn Ahmad explained that the rusgh is the joint connecting the forearm (saʿid) to the hand (kaf), and in human anatomy, it refers to the wrist area.

Hand (Kaf) Injuries

If the hand (kaf);

- was broken and healed without any deformity or defect, the compensation was one-fifth of the blood money for the hand, amounting to one hundred dinars.
- If the hand was loosened (fukkah), the compensation was one-third of the blood money for the hand, totaling one hundred sixty-six and two-thirds dinars.
- For a visible wound (muḍihah) in the hand, the compensation was one-fourth of the compensation for its break, which is twenty-five dinars.
- If the bones of the hand were displaced, the compensation was one hundred eighty-eight dinars - this being half the compensation for the hand's break.
- If there was a deep penetrating wound (nafidhah) in the hand that did not close, the compensation was one-fifth of the blood money for the hand, totaling one hundred dinars.
- If the wound was penetrating but did not remain open, the compensation was one-fourth of the compensation for its break, which is twenty-five dinars.

Thumb Injuries

The compensation for the fingers and the bone (qasabah) in the hand is as follows:

- if the thumb (ibham) is completely cut off, the compensation is one-third of the blood money for the hand, amounting to one hundred sixty-six and two-thirds dinars.
- If the thumb bone in the hand is broken and heals without deformity or defect, the compensation is one-fifth of the thumb's blood money, totaling thirty-three and one-third dinars.
- If the thumb bone is cracked, the compensation is twenty-six and two-thirds dinars. For a visible wound (muḍihah), the compensation is eight and one-third dinars.
- If the bones are displaced, the compensation is sixteen and two-thirds dinars.
- For a deep wound (naqibah), the compensation is eight and one-third dinars, which is half of the compensation for bone displacement.
- The compensation for a visible wound is half the compensation for the displacement, amounting to eight and one-third dinars.
- If the thumb is loosened (fukk), the compensation is ten dinars.
- If the joint at the top of the thumb is broken and heals without deformity or defect, the compensation is sixteen and two-thirds dinars.
- For a visible wound in this joint, the compensation is four and one-sixth dinars.
- For a deep puncture wound in this area, the compensation is also four and one-sixth dinars.
- If the joint is cracked, the compensation is thirteen and one-third dinars.
- If the bones are displaced, the compensation is five dinars.

Any portion that is cut off will have its compensation calculated proportionally based on its significance.

Finger Injuries

- For each finger, the compensation is one-sixth of the blood money for the hand, amounting to eighty-three and one-third dinars.
- For each of the four fingers of the hand (excluding the thumb), the compensation for each finger bone (qasabah) is twenty dinars.
- The compensation for each visible wound (muḍihah) on any of the four finger bones (qasabah) is four and one-sixth dinars.
- If the bones of any of these finger bones are displaced, the compensation is eight and one-third dinars.
- The compensation for a fracture of any joint in the four fingers connected to the hand is sixteen and two-thirds dinars.
- If there is a crack (ṣadʿ) in any of these finger bones, the compensation is thirteen and one-third dinars.
- If there is a chronic ulcer in the hand that does not heal, the compensation is thirty-three and one-third dinars.

- For the displacement of the bones in the hand, the compensation is eight and one-third dinars.
- For a visible wound on the hand, the compensation is four and one-sixth dinars.
- For a deep puncture wound (naqibah), compensation is also four and one-sixth dinars.
- If the hand was loosened (fukk), the compensation is five dinars.

Middle joint of any of the four fingers Injuries

- if it is completely severed, the compensation is fifty-five and one-third dinars.
- If it is fractured, the compensation is eleven and one-third dinars.
- If it is cracked, the compensation is eight and a half dinars.
- For a visible wound, the compensation is one and two-thirds dinars.
- If the bones are displaced, the compensation is five and one-third dinars.
- For a deep puncture wound in this joint, the compensation is two and two-thirds dinars.
- If the joint is loosened, the compensation is three and two-thirds dinars.

For the top joint of any of the four fingers Injuries

- if it is cut off, the compensation is twenty-seven and a half dinars and a quarter of a tenth of a dinar.
- If it is fractured, the compensation is five and four-fifths dinars.
- For a deep puncture wound, the compensation is one dinar.
- For loosening (fakk) of the upper finger joint, the compensation is one and four-fifths dinars.
- For the loss of a fingernail on any finger, the compensation is five dinars.

<u>Palm (Kaf) Injuries</u>

If the palm (kaf);

- is broken and heals without deformity or defect, its compensation is forty dinars.
- For a crack (ṣadʿ) in the palm, the compensation is four-fifths of the compensation for its fracture, totaling thirty-two dinars.
- For a visible wound (muḍihah) in the palm, the compensation is twenty-five dinars.
- If the bones in the palm are displaced, the compensation is twenty and a half dinars.
- For a deep puncture wound (naqibah), the compensation is one-fourth of the compensation for its fracture, which is ten dinars.
- For a chronic ulcer in the palm that does not heal, the compensation is thirteen and one-third dinars.

Chest Injuries

- If the chest is crushed, causing both sides to bend inward, the compensation is five hundred dinars.
- If only one side of the chest bends inward, the compensation is two hundred fifty dinars.
- If both the chest and shoulders are bent inward, the total compensation is one thousand dinars.
- If one shoulder and one side of the chest are bent, the compensation is five hundred dinars.
- Bone Exposure (Muḍihah) in the Chest or Shoulders, the compensation is twenty-five dinars.
- The same compensation applies to a visible wound on the shoulders and back, which is also twenty-five dinars.
- If the injury causes the man to suffer from stiffness (ṣaar) that prevents him from turning his head, the compensation is five hundred dinars.

Spinal Injuries

- If the backbone (ṣulb) is broken and heals without any deformity or defect, the compensation is similarly determined.
- If the backbone (ṣulb) was broken and healed without deformity or defect, the compensation was one hundred dinars.
- However, if injury caused a deformity (Atham), compensation was one thousand dinars.

Rib Injuries

For the ribs (aḍlaʿ) near the heart;

- If one rib was broken, the compensation was twenty-five dinars.
- If it was cracked (ṣadʿ), the compensation was twelve and a half dinars.
- If the bone was displaced, the compensation was seven and a half dinars.
- For a visible wound (muḍihah), the compensation was one-fourth of the compensation for the fracture, and the same applies to a deep puncture wound (naqibah).

For the ribs near the upper arms (Aḍudayn);

- the compensation for each broken rib was ten dinars.
- For a crack in one of these ribs, the compensation was seven dinars.
- If the bone was displaced, the compensation was five dinars.
- A visible wound on these ribs had a compensation of two and a half dinars, which is one-fourth of the compensation for the fracture.
- For a puncture wound in these ribs, the compensation was also two and a half dinars.

Internal Penetrating Wounds (Jaʾifah)

- For a deep penetrating wound (ja'ifah) that reaches internal organs, compensation was one-third of full blood money, which is three hundred thirty-three and one-third dinars.
- If both sides of the body were penetrated by a shot or stab wound causing a split, the compensation was four hundred thirty-three and one-third dinars.

Ear Injuries

If the ear (udhun);

- completely cut off, the compensation was five hundred dinars.
- If only a part of the ear was cut, the compensation was calculated proportionally.

Hip (Wariq) Injuries

For the hip (warik);

- if it was broken and healed without deformity or defect, the compensation was one-fifth of the blood money for both legs, amounting to two hundred dinars.
- If the hip was cracked, the compensation was one hundred sixty dinars, which is four-fifths of the compensation for its fracture.
- For a visible wound on the hip, the compensation was one-fourth of the compensation for its fracture, totaling fifty dinars.
- If the hip bone was displaced, the compensation was one hundred dinars.

Out of the total compensation for the hip injury, one hundred dinars are allocated for the fracture, fifty dinars for the displacement of the bones, and twenty-five dinars for visible wound (muḍihah).

- If the hip was loosened (fakk), the compensation was thirty dinars.
- If the hip was crushed and resulted in deformity (Atham), the compensation was three hundred thirty-three and one-third dinars.

Thigh (Fakhdh) Injuries

For the thigh (fakhdh);

- if it was broken and healed without deformity or defect, the compensation was one-fifth of the blood money for both legs, amounting to two hundred dinars.
- If the thigh became deformed (Atham), the compensation was three hundred thirty-three and one-third dinars, which is one-third of the full blood money for life.
- For a crack (ṣadʿ) in the thigh, the compensation was four-fifths of the compensation for its fracture, totaling one hundred sixty dinars.
- If there was a chronic ulcer in the thigh that did not heal, the compensation was one-third of the compensation for its fracture, amounting to sixty-six and two-thirds dinars.

- For a visible Bone Exposure (Muḍihah), the compensation was one-fourth of the compensation for the fracture, totaling fifty dinars.
- If the bones were displaced (Naql), the compensation was half of the compensation for its fracture, which is one hundred dinars.
- For a Deep Puncture (Naqbah) wound, the compensation was one-fourth of the compensation for the fracture, amounting to fifty dinars.

Knee (Rukbah) Injuries

For the knee (rukbah);

- if it was broken and healed without deformity or defect, the compensation was one-fifth of the blood money for both legs, totaling two hundred dinars.
- If it was cracked, the compensation was four-fifths of the compensation for its fracture, which is one hundred sixty dinars.
- For a visible wound in the knee, the compensation was one-fourth of the compensation for its fracture, amounting to fifty dinars.
- If the bones in the knee were displaced, the compensation was one hundred dinars.

Out of the total compensation for the knee injury, one hundred dinars are allocated for the fracture, fifty dinars for the displacement of the bones, and twenty-five dinars for the visible wound (muḍihah).

- For a deep puncture wound (naqibah), the compensation is one-fourth of the compensation for the fracture, totaling fifty dinars.
- If the knee was crushed and resulted in deformity (Atham), the compensation is one-third of the full blood money, amounting to three hundred thirty-three and one-third dinars.
- If the knee was merely loosened (fakk), the compensation is three parts of the compensation for its fracture, totaling thirty dinars.

Shin (Saq) Injuries

For the shin (saq);

- if it was broken and healed without deformity or defect, the compensation was one-fifth of the blood money for both legs, amounting to two hundred dinars.
- If the shin was cracked, the compensation was four-fifths of the compensation for its fracture, totaling one hundred sixty dinars.
- For a visible wound in the shin, the compensation was one-fourth of the compensation for its fracture, amounting to fifty dinars.
- If the bones in the shin were displaced, the compensation was one-fourth of the compensation for its fracture, which is fifty dinars.
- For a deep puncture wound (naqibah) in the shin, the compensation was half the compensation for a visible wound, amounting to twenty-five dinars.
- For a severe injury (taawwur) in the shin, the compensation was one-fourth of the compensation for its fracture, totaling fifty dinars.

- If there was a chronic ulcer in the shin that did not heal, the compensation was thirty-three dinars.
- If the shin was crushed and resulted in deformity (Atham), the compensation was one-third of the full blood money, totaling three hundred thirty-three and one-third dinars.

Ankle and Foot Injuries

- If the ankle (kaʿb) was crushed and healed without deformity or defect, the compensation was one-third of the blood money for both legs, totaling three hundred thirty-three and one-third dinars.
- If the foot (qadam) was broken and healed without deformity or defect, the compensation was one-fifth of the blood money for both legs, amounting to two hundred dinars.
- For a deep puncture wound (naqibah) in the foot, the compensation was one-fourth of the compensation for its fracture, totaling fifty dinars.

Toe Injuries

For the toes and the bones (qasab) in the foot, the compensation for;

The big toe;

- the big toe (ibham) was one-third of the blood money for both legs, totaling three hundred thirty-three and one-third dinars.
- If the bone connected to the big toe was broken, the compensation was one-fifth of the compensation for the big toe, amounting to sixty-six and two-thirds dinars.
- If this bone was cracked (ṣadʿ), the compensation was twenty-six and two-thirds dinars.
- For a visible wound (muḍihah), the compensation was eight and one-third dinars.
- If the bones were displaced, the compensation was twenty-six and two-thirds dinars.
- For a deep puncture wound (naqibah), the compensation was eight and one-third dinars.
- If the bone was loosened (fakk), the compensation was ten dinars.

Upper Joint of the Big Toe;

For the upper joint of the big toe (Al-mafṣil Al-aʿla), which is the second joint where the nail is located;

- if it was broken and healed without deformity, the compensation was sixteen and two-thirds dinars.
- For a visible wound in this joint, the compensation was four and one-sixth dinars.
- If the bones in this joint were displaced, the compensation was eight and one-third dinars.

- For a deep puncture wound in this joint, the compensation was four and one-sixth dinars.
- If the upper joint of the big toe was cracked (ṣadʿ), the compensation was thirteen and one-third dinars.
- If it was loosened (fakk), the compensation was five dinars.

All other toes;
For each toe of the foot;

- the compensation was one-sixth of the blood money for the leg, amounting to eighty-three and one-third dinars.
- For the bones (qasabah) of the other four toes, excluding the big toe, the compensation for breaking each bone was sixteen and one-third dinars.
- For a visible wound (muḍihah) on any of these bones, the compensation was four and one-sixth dinars.
- If the bone was displaced, the compensation was eight and one-third dinars.
- If the bone was cracked, the compensation was thirteen and one-third dinars.
- For a deep puncture wound (naqibah) in any of these bones, the compensation was four and one-sixth dinars.
- If there was a chronic ulcer in the foot that did not heal, the compensation was thirty-three and one-third dinars.
- For a fracture of the joint next to the foot from the toes, the compensation was sixteen and one-third dinars.
- If this joint was cracked, the compensation was thirteen and one-third dinars.
- For displacement of the bone in these finger bones, compensation was eight and one-third dinars.
- For a visible wound in these bones, the compensation was four and one-sixth dinars.
- For a deep puncture wound, the compensation was also four and one-sixth dinars.
- If the joint was loosened (fakk), the compensation was five dinars.

Middle of Toe Joints;
For the middle joint of any of the four toes,

- if it was cut off, the compensation was fifty-five and two-thirds dinars.
- If it was fractured, the compensation was eleven dinars.
- If the middle joint of the four toes was cracked (ṣadʿ), the compensation was eight and four-fifths dinars.
- For a visible wound (muḍihah) in this joint, the compensation was two dinars.
- If the bones in this joint were displaced, the compensation was five and two-thirds dinars.
- For loosening (fakk), the compensation was three and two-thirds dinars.
- For a deep puncture wound (naqibah), the compensation was two and two-thirds dinars.

Upper of Toe Joints;

For the upper joint of the four toes, which contains the nail;

- if it was cut off, the compensation was twenty-seven and four-fifths dinars.
- If it was fractured, the compensation was five and four-fifths dinars.
- For a crack in this joint, the compensation was four and one-fifth dinars.
- For a visible wound in this joint, the compensation was one and one-third dinars.
- If the bones in this joint were displaced, the compensation was two and one-fifth dinars.
- For a deep puncture wound, the compensation was one and one-third dinars.
- If the joint was loosened, the compensation was one and four-fifths dinars.
- For the loss of any toenail, the compensation was ten dinars.

Male Chest (Nipple Injury)

Imam Jafar ibn Muhammad Al-Sadiq {a.s} ruled that the compensation for the loss of the nipple of a man's chest is one-eighth of the full blood money, totaling one hundred twenty-five dinars.

Testicle Injury

The compensation for the loss of one testicle (khuṣyah) of a man was five hundred dinars.

If both testicles were injured and became swollen, the compensation was four hundred dinars.

Severe Hip Injury Leading to Disability

If a man became bowlegged (fahij) and was unable to walk except in a way that was of no benefit to him, the compensation was set at four-fifths of the full blood money, amounting to eight hundred dinars.

If this condition caused his back to become hunched (ahdab), the compensation was then completed to the full blood money, totaling one thousand dinars.

The practice of qasamah (oath-taking) in all such cases involved six individuals, based on the amount of blood money owed.

Injury to Pubic Area

Imam Jafar ibn Muhammad Al-Sadiq {a.s} ruled that;

- In the case of a severe injury (wajah) to the pubic area (Anah) that pierced the Abdominal lining (ṣifaq), causing swelling in one of the testicles, the compensation was two hundred dinars, which is one-fifth of the full blood money.
- For a penetrating wound (nafidhah) inflicted by a spear or dagger on any limb of a man, compensation was one-tenth of the full blood money, amounting to one hundred dinars.

Injuries by Parents

He {a.s} also ruled that there is no retaliation (qawad) for a man injured by his father in a matter where the father was disciplining him, even if the injury caused permanent damage such as a cut or other harm. In such cases, only compensation (diyyah) is due, and no retribution is allowed.

Injuries by Spouses

Similarly, there is no retaliation for a husband who causes injury to his wife. However, the husband must pay compensation for the injury, but no retribution is applied.
He {a.s} ruled that if a husband kicked his wife, rendering her permanently disabled (aʿfala), she was entitled to half of her full blood money, amounting to two hundred fifty dinars.

Violation Against a Female Slave

Additionally, He {a.s} ruled that if a man assaulted a bondwoman (jariyah) by inserting his finger and ruptured her bladder (mathanah), leaving her unable to control her urination, the compensation was set at one-third of half the full blood money, which is one hundred sixty-six and two-thirds dinars. Furthermore, he ruled that the man must also pay her dowry (ṣadaq) equal to that of the women of her people.

[AL SADUQ]

The majority of narrations from our companions (the followers of the Ahlulbayt {a.s}) regarding this matter state that the full diyyah (blood money) is due.

[REFERENCES] Al-Usul Al-Sittah Ashar (T. Dar Al-Shibistri), Vol.1 p.137 • Man La Yahduruhu Al-Faqih, Vol.4 p.75 • Tahdhib Al-Ahkam, Vol.10 p.295 • Al-Wafi, Vol.16 p.779

CHAPTER 18 – CHAPTER ON PROHIBITION OF SHEDDING BLOOD AND TAKING WEALTH UNLAWFULLY, THE PROHIBITION OF ENGAGING IN THE IMPERMISSIBLE, AND REPENTANCE FROM KILLING WHETHER INTENTIONAL OR ACCIDENTAL

بَابُ تَحْرِيمِ الدِّمَاءِ وَ الْأَمْوَالِ بِغَيْرِ حَقِّهَا وَ النَّهْيِ عَنِ التَّعَرُّضِ لِمَا لَا يَحِلُّ وَ التَّوْبَةِ عَنِ الْقَتْلِ إِذَا كَانَ عَمْداً أَوْ خَطَأً

HADITH 5151 – 5174

5151 - رَوَى زُرْعَةُ عَنْ سَمَاعَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِنَّ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَقَفَ بِمِنًى حِينَ قَضَى مَنَاسِكَهُ فِي حَجَّةِ اَلْوَدَاعِ فَقَالَ «أَيُّهَا اَلنَّاسُ اِسْمَعُوا مَا أَقُولُ لَكُمْ وَ اِعْقِلُوهُ فَإِنِّي لاَ أَدْرِي لَعَلِّي لاَ أَلْقَاكُمْ فِي هَذَا اَلْمَوْقِفِ بَعْدَ عَامِنَا هَذَا» ثُمَّ قَالَ «أَيُّ يَوْمٍ أَعْظَمُ حُرْمَةً» قَالُوا هَذَا اَلْيَوْمُ قَالَ «فَأَيُّ شَهْرٍ أَعْظَمُ حُرْمَةً» قَالُوا هَذَا اَلشَّهْرُ قَالَ «فَأَيُّ بَلْدَةٍ أَعْظَمُ حُرْمَةً» قَالُوا هَذِهِ اَلْبَلْدَةُ قَالَ «فَإِنَّ دِمَاءَكُمْ وَ أَمْوَالَكُمْ عَلَيْكُمْ حَرَامٌ كَحُرْمَةِ يَوْمِكُمْ هَذَا فِي شَهْرِكُمْ هَذَا فِي بَلَدِكُمْ هَذَا إِلَى يَوْمِ تَلْقَوْنَهُ فَيَسْأَلُكُمْ عَنْ أَعْمَالِكُمْ أَلاَ هَلْ بَلَّغْتُ» قَالُوا نَعَمْ قَالَ «اَللَّهُمَّ اِشْهَدْ أَلاَ وَ مَنْ كَانَتْ عِنْدَهُ أَمَانَةٌ فَلْيُؤَدِّهَا إِلَى مَنِ اِئْتَمَنَهُ عَلَيْهَا فَإِنَّهُ لاَ يَحِلُّ لَهُ دَمُ اِمْرِئٍ مُسْلِمٍ وَ لاَ مَالُهُ إِلاَّ بِطِيبَةِ نَفْسِهِ فَلاَ تَظْلِمُوا أَنْفُسَكُمْ وَ لاَ تَرْجِعُوا بَعْدِي كُفَّاراً» ».

H.5151 - Zurah narrated from Samaah from Abu Abdullah {a.s}, who said:
"Indeed, the Messenger of Allah {SWT} stood at Mina after completing his rituals during the Farewell Pilgrimage and said:
'O' people, listen to what I {saws} say to you and understand it, for I {saws} do not know, perhaps I {saws} will not meet you again in this place after this year.'
Then Prophet {saws} said: 'Which day is the most sacred?'
They replied: 'This day.'
Prophet {saws} said: 'Which month is the most sacred?'
They replied: 'This month.'
Prophet {saws} said: 'Which land is the most sacred?'
They replied: 'This land.'
Prophet {saws} then said:
'Indeed, your blood and your wealth are sacred upon you, just as the sanctity of this day of yours in this month of yours in this land of yours, until the day you meet Him {SWT}, and He {SWT} will question you about your deeds. Behold! Have I {saws} conveyed?'
They replied: 'Yes.'
Prophet {saws} said:
'O' Allah {SWT}, bear witness. Indeed, whoever has a trust in his possession, let him return it to the one who entrusted him with it, for it is not permissible for anyone to

shed the blood of a Muslim or take his wealth except with his willing consent. So, do not wrong yourselves, and do not turn back as disbelievers after Me {saws}.'"

[REFERENCES] Al-Kafi, Vol.7 p.273 • Al-Kafi, Vol.7 p.274 • Man La Yahduruhu Al-Faqih, Vol.4 p.92 • Al-Wafi, Vol.16 p.563 • Wasa'il Al-Shi'ah, Vol.29 p.10

HADITH

5152 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ مَنْصُورٍ بُزُرْجَ عَنْ أَبِي حَمْزَةَ اَلثُّمَالِيِّ عَنْ عَلِيِّ بْنِ اَلْحُسَيْنِ عَلَيْهِمَا اَلسَّلاَمُ قَالَ «قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «لاَ يَغُرَّنَّكُمْ رَحْبُ اَلذِّرَاعَيْنِ بِالدَّمِ فَإِنَّ لَهُ عِنْدَ اَللَّهِ قَاتِلاً لاَ يَمُوتُ» قَالُوا يَا رَسُولَ اَللَّهِ وَ مَا قَاتِلٌ لاَ يَمُوتُ قَالَ « اَلنَّارُ » ».

H.5152 - Muhammad ibn Abi Umayr narrated from Mansur Buzurj from Abu Hamzah Al-Thumali from Imam Ali ibn Al-Hussain {a.s}, who said: 'The Messenger of Allah {SWT} said:

"Do not be deceived by one who freely sheds blood, for indeed, he has a killer appointed for him by Allah {SWT} who does not die."

They asked: "O' Messenger of Allah {SWT}, and what is the killer that does not die?"

Prophet {saws} said: "The Fire."

[REFERENCES] Al-Kafi, Vol.7 p.272 • Man La Yahduruhu Al-Faqih, Vol.4 p.93 • Ma'ani Al-Akhbar, Vol.1 p.264 • Al-Wafi, Vol.16 p.566 • Wasa'il Al-Shi'ah, Vol.29 p.11 • Bihar Al-Anwar, Vol.101 p.373

HADITH

5153 - وَ رَوَى هِشَامُ بْنُ سَالِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «لاَ يَزَالُ اَلْمُؤْمِنُ فِي فُسْحَةٍ مِنْ دِينِهِ مَا لَمْ يُصِبْ دَماً حَرَاماً» وَ قَالَ «لاَ يُوَفَّقُ قَاتِلُ اَلْمُؤْمِنِ مُتَعَمِّداً لِلتَّوْبَةِ».

H.5153 - Hisham ibn Salim narrated from Abu Abdullah {a.s}, who said:

"A believer remains within the bounds of his faith as long as he does not commit unlawful killing."

Imam {a.s} also said: "One who intentionally kills a believer is not granted success in repentance."

[REFERENCES] Tafsir Al-'Ayyashi, Vol.1 p.267 • Al-Kafi, Vol.7 p.272 • Man La Yahduruhu Al-Faqih, Vol.4 p.93 • Al-Wafi, Vol.16 p.566 • Wasa'il Al-Shi'ah, Vol.29 p.13 • Tafsir Al-Burhan, Vol.2 p.153 • Bihar Al-Anwar, Vol.101 p.378 • Tafsir Nur Al-Thaqalayn, Vol.1 p.533 • Tafsir Kanz Al-Daqaiq, Vol.3 p.507 • Mustadrak Al-Wasa'il, Vol.18 p.205

HADITH

5154 - وَ رَوَى حَمَّادُ بْنُ عُثْمَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «يَجِيءُ يَوْمَ اَلْقِيَامَةِ رَجُلٌ إِلَى رَجُلٍ حَتَّى يُلَطِّخَهُ بِالدَّمِ وَ اَلنَّاسُ فِي اَلْحِسَابِ فَيَقُولُ يَا عَبْدَ اَللَّهِ مَا لِي وَ لَكَ فَيَقُولُ أَعَنْتَ عَلَيَّ يَوْمَ كَذَا وَ كَذَا بِكَلِمَةٍ فَقُتِلْتُ».

H.5154 - Hammad ibn Uthman narrated from Abu Abdullah {a.s}, who said:
"On the Day of Judgment, a man will approach another man and smear him with blood while the people are being held accountable.
The (other) man will say, 'O' servant of Allah {SWT}, what do I have to do with you?'
The man will reply: 'Did you not assist in my killing on such and such a day with a single word, and thus I was killed?'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.93 • Thawab Al-A'mal wa Iqab Al-A'mal, Vol.1 p.277 • Awali Al-La'ali, Vol.3 p.578 • Al-Wafi, Vol.16 p.568 • Wasa'il Al-Shi'ah, Vol.12 p.304 • Wasa'il Al-Shi'ah, Vol.29 p.18 • Bihar Al-Anwar, Vol.7 p.217 • Bihar Al-Anwar, Vol.101 p.383

HADITH

5155 - وَ فِي رِوَايَةِ اَلْعَلاَءِ عَنِ اَلثُّمَالِيِّ قَالَ: «لَوْ أَنَّ رَجُلاً ضَرَبَ رَجُلاً سَوْطاً لَضَرَبَهُ اَللَّهُ سَوْطاً مِنَ اَلنَّارِ».

H.5155 - In the narration of Al-Alaa from Al-Thumali, that Imam {a.s} said:
"If a man were to strike another man with a whip, Allah {SWT} would strike him with a whip of fire."

[REFERENCES] Da'a'im Al-Islam, Vol.2 p.541 • Man La Yahduruhu Al-Faqih, Vol.4 p.93 • Man La Yahduruhu Al-Faqih, Vol.4 p.170 • Al-Wafi, Vol.5 p.964 • Wasa'il Al-Shi'ah, Vol.29 p.22 • Wasa'il Al-Shi'ah, Vol.29 p.22 • Mustadrak Al-Wasa'il, Vol.9 p.148 • Mustadrak Al-Wasa'il, Vol.18 p.216

HADITH

5156 - رَوَى جَمِيلٌ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «لَعَنَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ مَنْ أَحْدَثَ بِالْمَدِينَةِ حَدَثاً أَوْ آوَى مُحْدِثاً، » قُلْتُ وَ مَا ذَلِكَ اَلْحَدَثُ قَالَ «اَلْقَتْلُ».

H.5156 - Jamil narrated from Abu Abdullah {a.s}, who said:
"The Messenger of Allah {SWT} (peace be upon him and his family) cursed the one who commits an offense in Medina or shelters an offender."
I asked: "What is this offense?"
Imam {a.s} said: "It is killing."

[REFERENCES] Al-Kafi, Vol.7 p.275 • Man La Yahduruhu Al-Faqih, Vol.4 p.93 • Ma'ani Al-Akhbar, Vol.1 p.264 • Tahdhib Al-Ahkam, Vol.10 p.216 • Al-Wafi, Vol.14 p.1399 • Al-Wafi, Vol.16 p.573 • Wasa'il Al-Shi'ah, Vol.29 p.22 • Wasa'il Al-Shi'ah, Vol.29 p.26 • Bihar Al-Anwar, Vol.27 p.66 • Bihar Al-Anwar, Vol.101 p.373

HADITH

5157 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ غَيْرِ وَاحِدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «مَنْ أَعَانَ عَلَى مُؤْمِنٍ بِشَطْرِ كَلِمَةٍ جَاءَ يَوْمَ اَلْقِيَامَةِ وَ بَيْنَ عَيْنَيْهِ مَكْتُوبٌ آيِسٌ مِنْ رَحْمَةِ اَللَّهِ».

H.5157 - Ibn Abi Umayr narrated from more than one person from Abu Abdullah {a.s}, who said: "Whoever assists in harming a believer with even half a word will come on the Day of Judgment with the words 'Despairing of the mercy of Allah {SWT}' written between his eyes."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.94 • Thawab Al-A'mal wa Iqab Al-A'mal, Vol.1 p.276 • Awali Al-La'ali, Vol.1 p.365 • Awali Al-La'ali, Vol.3 p.577 • Bihar Al-Anwar, Vol.101 p.383

HADITH

5158 - رَوَى أَبَانٌ عَنْ أَبِي إِسْحَاقَ إِبْرَاهِيمَ اَلصَّيْقَلِ قَالَ قَالَ لِي أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «وُجِدَ فِي ذُؤَابَةِ سَيْفِ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ صَحِيفَةٌ فَإِذَا فِيهَا مَكْتُوبٌ « «بِسْمِ اَللَّهِ اَلرَّحْمَنِ اَلرَّحِيمِ» إِنَّ أَعْتَى اَلنَّاسِ عَلَى اَللَّهِ يَوْمَ اَلْقِيَامَةِ مَنْ قَتَلَ غَيْرَ قَاتِلِهِ وَ ضَرَبَ غَيْرَ ضَارِبِهِ وَ مَنْ تَوَلَّى غَيْرَ مَوَالِيهِ فَهُوَ كَافِرٌ بِمَا أَنْزَلَ اَللَّهُ عَلَى مُحَمَّدٍ وَ مَنْ أَحْدَثَ حَدَثاً أَوْ آوَى مُحْدِثاً لَمْ يَقْبَلِ اَللَّهُ تَعَالَى مِنْهُ، يَوْمَ اَلْقِيَامَةِ صَرْفاً وَ لاَ عَدْلاً» » قَالَ ثُمَّ قَالَ «أَ تَدْرِي مَا يَعْنِي بِقَوْلِهِ مَنْ تَوَلَّى غَيْرَ مَوَالِيهِ» قُلْتُ مَا يَعْنِي بِهِ قَالَ «يَعْنِي أَهْلَ اَلدِّينِ».

وَ الصَّرْفُ اَلتَّوْبَةُ فِي قَوْلِ أَبِي جَعْفَرٍ ع وَ اَلْعَدْلُ اَلْفِدَاءُ فِي قَوْلِ أَبِي عَبْدِ اللَّهِ عَلَيْهِ اَلسَّلاَمُ.

H.5158 - Aban narrated from Abu Ishaq Ibrahim Al-Sayqal, who said:
Abu Abdullah {a.s} said to me: "A scroll was found in the hilt of the sword of Messenger of Allah {SWT} (peace be upon him and his family), and it was written in it:
In the Name of Allah {SWT}, the Most Gracious, the Most Merciful.
Verily, the most defiant of people against Allah {SWT} on the Day of Judgment is the one who kills someone other than his killer, strikes someone other than the one who struck him, and whoever aligns himself with other than his rightful guardians is a disbeliever in what Allah {SWT} revealed to Muhammad {saws}.
And whoever commits an offense or shelters an offender, Allah {SWT} the Exalted will not accept from him any repentance or compensation on the Day of Judgment."
Imam {a.s} then said: "Do you know what is meant by the saying 'whoever aligns himself with other than his rightful guardians'?"
I asked: "What does it mean?"
Imam {a.s} replied: "It means the people of the religion."

[AL SADUQ]
Al-Ṣarf means repentance, according to Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, and Al-Adl means ransom, according to Abu Abdullah {a.s}.

[REFERENCES] Al-Kafi, Vol.7 p.274 • Man La Yahduruhu Al-Faqih, Vol.4 p.94 • Ma'ani Al-Akhbar, Vol.1 p.379 • Bihar Al-Anwar, Vol.74 p.125

HADITH

5159 - وَ رُوِيَ عَنْ حَنَانِ بْنِ سَدِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ ﴿ أَنَّهُ مَنْ قَتَلَ نَفْساً بِغَيْرِ نَفْسٍ أَوْ فَسٰادٍ فِي اَلْأَرْضِ فَكَأَنَّمٰا قَتَلَ اَلنّٰاسَ جَمِيعاً ﴾ قَالَ «هُوَ وَادٍ فِي جَهَنَّمَ لَوْ قَتَلَ اَلنَّاسَ جَمِيعاً كَانَ فِيهِ وَ لَوْ قَتَلَ نَفْساً وَاحِدَةً كَانَ فِيهِ».

H.5159 - It is narrated from Hanan ibn Sadir from Abu Abdullah {a.s} regarding the saying of Allah {SWT}, the Almighty and Majestic:
"*Whoever kills a soul without [the soul having killed] another soul or [without causing] corruption on the earth, it is as if he had killed all mankind*"
(Surah Al-Ma'idah 5:32).
Imam {a.s} said: “It is a valley in Hell; if a person were to kill all of mankind, he would be in it, and if he were to kill just one soul, he would still be in it."

[REFERENCES] Tafsir Al-’Ayyashi, Vol.1 p.313 • Man La Yahduruhu Al-Faqih, Vol.4 p.94 • Al-Wafi, Vol.16 p.565 • Wasa’il Al-Shi’ah, Vol.29 p.13 • Tafsir Al-Burhan, Vol.2 p.283 • Bihar Al-Anwar, Vol.101 p.380 • Tafsir Nur Al-Thaqalayn, Vol.1 p.618 • Mustadrak Al-Wasa’il, Vol.18 p.205

HADITH

5160 - وَ رُوِيَ: «أَنَّهُ يُوضَعُ فِي مَوْضِعٍ مِنْ جَهَنَّمَ إِلَيْهِ يَنْتَهِي شِدَّةُ عَذَابِ أَهْلِهَا لَوْ قَتَلَ اَلنَّاسَ جَمِيعاً لَكَانَ إِنَّمَا يَدْخُلُ ذَلِكَ اَلْمَكَانَ» قِيلَ فَإِنَّهُ قَتَلَ آخَرَ قَالَ «يُضَاعَفُ عَلَيْهِ».

H.5160 - It has been narrated:
“A person who commits murder will be placed in a specific location in Hell, where the severity of punishment for its inhabitants reaches its peak. If he had killed all the people, he would only enter that same place.”
It was asked: “And if he killed another?"
Imam {a.s} said: “His punishment would be doubled."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.94 • Tafsir Kanz Al-Daqaiq, Vol.4 p.95

HADITH

5161 - وَ رَوَى اَلْعَلاَءُ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ قَالَ «قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ» » قَالَ «وَ قَالَ «لَوْ كُنْتُ أَنَا لَتَرَكْتُ اَلْمَالَ وَ لَمْ أُقَاتِلْ » ».

H.5161 - Al-Alaa narrated from Muhammad ibn Muslim from one of the two Imams (peace be upon them), who said:
“The Messenger of Allah {SWT} (peace be upon him and his family) said:
‘Whoever is killed defending his wealth is a martyr.’"
Imam {a.s} also said: “If it were me, I would have abandoned the wealth and not fought."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.95

HADITH

5162 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ مُحَسِّنِ بْنِ أَحْمَدَ عَنْ عِيسَى اَلضَّعِيفِ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ رَجُلٌ قَتَلَ رَجُلاً مَا تَوْبَتُهُ فَقَالَ «يُمَكِّنُ مِنْ نَفْسِهِ» قُلْتُ يَخَافُ أَنْ يَقْتُلُوهُ قَالَ «فَلْيُعْطِهِمُ اَلدِّيَةَ» قُلْتُ يَخَافُ أَنْ يَعْلَمُوا بِذَلِكَ قَالَ «فَلْيَتَزَوَّجْ إِلَيْهِمُ اِمْرَأَةً» قُلْتُ يَخَافُ أَنْ تُطْلِعَهُمْ عَلَى ذَلِكَ قَالَ «فَلْيَنْظُرْ إِلَى اَلدِّيَةِ فَيَجْعَلُهَا صُرَراً ثُمَّ لْيَنْظُرْ مَوَاقِيتَ اَلصَّلاَةِ فَلْيُلْقِهَا فِي دَارِهِمْ».

H.5162 - Ibn Abi Umayr narrated from Muhassin ibn Ahmad from Isa Al-Dhaif, who said:
I asked Abu Abdullah {a.s}: "A man has killed another man; what is his repentance?"
Imam {a.s} replied: “He should surrender himself."
I said: “He fears they will kill him."
Imam {a.s} said: “Then he should give them the blood money (diyyah)."
I said: “He fears they will find out."
Imam {a.s} said: “Then he should marry a woman from among them."
I said: “He fears she might reveal this to them."
Imam {a.s} said: "Then he should take the blood money, divide it into small bundles, observe the times of prayer, and secretly place it in their home."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.95 • Wasa’il Al-Shi’ah, Vol.29 p.74

HADITH

5163 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي وَلاَّدٍ اَلْحَنَّاطِ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ: «مَنْ قَتَلَ نَفْسَهُ مُتَعَمِّداً فَهُوَ فِي نَارِ جَهَنَّمَ خَالِداً فِيهَا».

H.5163 - Al-Hasan ibn Mahbub narrated from Abu Walad Al-Hannat, who said:
“I heard Abu Abdullah {a.s} say, ‘Whoever intentionally kills themselves will be in the Fire of Hell, abiding therein forever.’"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.3 p.571 • Man La Yahduruhu Al-Faqih, Vol.4 p.95 • Thawab Al-A’mal wa Iqab Al-A’mal, Vol.1 p.276 • Al-Wafi, Vol.16 p.568 • Wasa’il Al-Shi’ah, Vol.29 p.24 • Bihar Al-Anwar, Vol.101 p.376

HADITH

5164 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ وَ اِبْنِ بُكَيْرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سُئِلَ عَنِ اَلْمُؤْمِنِ يَقْتُلُ اَلْمُؤْمِنَ مُتَعَمِّداً لَهُ تَوْبَةٌ فَقَالَ «إِنْ كَانَ قَتَلَهُ لِإِيمَانِهِ فَلاَ تَوْبَةَ لَهُ وَ إِنْ كَانَ قَتَلَهُ لِغَضَبٍ أَوْ لِسَبَبِ شَيْءٍ مِنْ أَمْرِ اَلدُّنْيَا فَإِنَّ تَوْبَتَهُ أَنْ يُقَادَ مِنْهُ وَ إِنْ لَمْ يَكُنْ عَلِمَ بِهِ أَحَدٌ اِنْطَلَقَ إِلَى أَوْلِيَاءِ اَلْمَقْتُولِ فَأَقَرَّ عِنْدَهُمْ بِقَتْلِ صَاحِبِهِمْ فَإِنْ عَفَوْا عَنْهُ فَلَمْ يَقْتُلُوهُ أَعْطَاهُمْ اَلدِّيَةَ وَ أَعْتَقَ نَسَمَةً وَ صَامَ «شَهْرَيْنِ مُتَتَابِعَيْنِ»- وَ أَطْعَمَ سِتِّينَ مِسْكِيناً تَوْبَةً إِلَى اَللَّهِ عَزَّ وَ جَلَّ».

H.5164 - Al-Hasan ibn Mahbub narrated from Abdullah ibn Sinan and Ibn Bukayr from Abu Abdullah {a.s}, who was asked about a believer who intentionally kills another believer - does he have repentance?
Imam {a.s} said: “If he killed him because of his faith, then there is no repentance for him.
But if he killed him out of anger or due to some worldly reason, then his repentance is that retribution be taken from him.
If no one knows about it, he should go to the family of the murdered person and confess to them that he killed their relative. If they forgive him and do not kill him, he must give them the blood money (diyyah), free a slave, fast for two consecutive months, and feed sixty needy people as repentance to Allah {SWT}, the Almighty and Majestic."

[REFERENCES] Tafsir Al-’Ayyashi, Vol.1 p.267 • Al-Kafi, Vol.7 p.276 • Man La Yahduruhu Al-Faqih, Vol.4 p.95 • Tahdhib Al-Ahkam, Vol.10 p.163 • Tahdhib Al-Ahkam, Vol.10 p.165 • Awali Al-La’ali, Vol.3 p.578 • Al-Wafi, Vol.16 p.575 • Tafsir Al-Safi, Vol.1 p.484 • Wasa’il Al-Shi’ah, Vol.29 p.30 • Tafsir Al-Burhan, Vol.2 p.149

HADITH

5165 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ سَعِيدٍ اَلْأَزْرَقِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ يَقْتُلُ رَجُلاً مُؤْمِناً قَالَ «يُقَالُ لَهُ مُتْ أَيَّ مِيتَةٍ شِئْتَ إِنْ شِئْتَ يَهُودِيّاً وَ إِنْ شِئْتَ نَصْرَانِيّاً وَ إِنْ شِئْتَ مَجُوسِيّاً ».

H.5165 - Ibn Abi Umayr narrated from Said Al-Azraq from Abu Abdullah {a.s} regarding a man who kills a believing man.
Imam {a.s} said: “It will be said to him, ‘Die in whichever manner you wish - if you wish, as a Jew; if you wish, as a Christian; and if you wish, as a Magian.’”

[REFERENCES] Al-Kafi, Vol.7 p.273 • Man La Yahduruhu Al-Faqih, Vol.3 p.574 • Man La Yahduruhu Al-Faqih, Vol.4 p.96 • Thawab Al-A’mal wa Iqab Al-A’mal, Vol.1 p.277 • Tahdhib Al-Ahkam, Vol.10 p.165 • Awali Al-La’ali, Vol.3 p.578 • Al-Wafi, Vol.16 p.567 • Wasa’il Al-Shi’ah, Vol.29 p.19 • Bihar Al-Anwar, Vol.101 p.377

HADITH

5166 - وَ رَوَى جَابِرٌ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «أَوَّلُ مَا يَحْكُمُ اَللَّهُ عَزَّ وَ جَلَّ فِيهِ، يَوْمَ اَلْقِيَامَةِ اَلدِّمَاءُ فَيُوقَفُ اِبْنَا آدَمَ عَلَيْهِ اَلسَّلاَمُ فَيُفْصَلُ بَيْنَهُمَا ثُمَّ اَلَّذِينَ يَلُونَهُمَا مِنْ أَصْحَابِ اَلدِّمَاءِ حَتَّى لاَ يَبْقَى مِنْهُمْ أَحَدٌ مِنَ اَلنَّاسِ بَعْدَ ذَلِكَ حَتَّى يَأْتِيَ اَلْمَقْتُولُ بِقَاتِلِهِ فَيَشْخُبَ دَمُهُ فِي وَجْهِهِ فَيَقُولُ أَنْتَ قَتَلْتَهُ فَلاَ يَسْتَطِيعُ أَنْ يَكْتُمَ اَللَّهَ حَدِيثاً».

H.5166 - Jabir narrated from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said: The Messenger of Allah {SWT} (peace be upon him and his family) said:
“The first matter that Allah {SWT}, the Almighty and Majestic, will judge on the Day of Judgment is bloodshed.
The sons of Adam {a.s} will be brought forward, and judgment will be passed between them.
Then those who followed them among the people of bloodshed will be judged until none of them remain.
After that, the murdered will bring forth his killer, and his blood will gush onto the killer's face.
The murdered will say: 'You killed me,' and the killer will not be able to conceal any word from Allah {SWT}."

[REFERENCES] Al-Muhasin, Vol.1 p.106 • Al-Kafi, Vol.7 p.271 • Man La Yahduruhu Al-Faqih, Vol.4 p.96 • Thawab Al-A’mal wa Iqab Al-A’mal, Vol.1 p.277 • Awali Al-La’ali, Vol.3 p.578 • Al-Wafi, Vol.16 p.564 • Wasa’il Al-Shi’ah, Vol.29 p.12 • Bihar Al-Anwar, Vol.101 p.376 • Tafsir Nur Al-Thaqalayn, Vol.1 p.609 • Tafsir Kanz Al-Daqaiq, Vol.4 p.91

HADITH

5167 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ قَتَلَ رَجُلاً مَمْلُوكاً مُتَعَمِّداً قَالَ «يُغَرَّمُ قِيمَتَهُ وَ يُضْرَبُ ضَرْباً شَدِيداً» وَ قَالَ فِي رَجُلٍ قَتَلَ مَمْلُوكَهُ قَالَ «يُعْتِقُ رَقَبَةً وَ يَصُومُ «شَهْرَيْنِ مُتَتَابِعَيْنِ» وَ يُطْعِمُ سِتِّينَ مِسْكِيناً ثُمَّ اَلتَّوْبَةُ بَعْدَ ذَلِكَ».

H.5167 - Hammad narrated from Al-Halabi from Abu Abdullah {a.s} regarding a man who intentionally kills another man's slave.
Imam {a.s} said: “He must pay the value of the slave and be severely beaten."
And regarding a man who kills his own slave, Imam {a.s} said:
“He must free a slave, fast for two consecutive months, and feed sixty needy people, and then repent after that."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.96

HADITH

5168 - وَ رَوَى عُثْمَانُ بْنُ عِيسَى وَ زُرْعَةُ عَنْ سَمَاعَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَمَّنْ قَتَلَ مُؤْمِناً مُتَعَمِّداً هَلْ لَهُ تَوْبَةٌ فَقَالَ «لاَ حَتَّى يُؤَدِّيَ دِيَتَهُ إِلَى أَهْلِهِ وَ يُعْتِقَ رَقَبَةً وَ يَصُومَ «شَهْرَيْنِ مُتَتَابِعَيْنِ» وَ يَسْتَغْفِرَ اَللَّهَ عَزَّ وَ جَلَّ وَ يَتُوبَ إِلَيْهِ وَ يَتَضَرَّعَ فَإِنِّي أَرْجُو أَنْ يَتَابَ عَلَيْهِ إِذَا هُوَ فَعَلَ ذَلِكَ» قُلْتُ جُعِلْتُ فِدَاكَ فَإِنْ لَمْ يَكُنْ لَهُ مَالٌ يُؤَدِّي دِيَتَهُ قَالَ «يَسْأَلُ اَلْمُسْلِمِينَ حَتَّى يُؤَدِّيَ دِيَتَهُ إِلَى أَهْلِهِ».

H.5168 - Uthman ibn Isa and Zurah narrated from Samaah from Abu Abdullah {a.s}, who said: I asked Imam {a.s} about a person who intentionally kills a believer - does he have repentance?
Imam {a.s} said: “No, not until he pays the blood money (diyyah) to the victim’s family, frees a slave, fasts for two consecutive months, seeks forgiveness from Allah {SWT} the Almighty and Majestic, repents to Him {SWT}, and humbly supplicates.
I hope that if he does all of this, his repentance will be accepted."
I asked: “May I be your ransom, what if he has no wealth to pay the blood money?"
Imam {a.s} said: “Then he should ask the Muslims for help until he is able to pay the blood money to the victim’s family."

[REFERENCES] Al-Nawadir (Lil-Ash’ari), Vol.1 p.63 • Man La Yahduruhu Al-Faqih, Vol.4 p.96 • Tahdhib Al-Ahkam, Vol.8 p.323 • Tahdhib Al-Ahkam, Vol.10 p.164 • Al-Wafi, Vol.16 p.580 • Wasa’il Al-Shi’ah, Vol.29 p.34 • Bihar Al-Anwar, Vol.101 p.381

HADITH

5169 - وَ رَوَى اَلْقَاسِمُ بْنُ مُحَمَّدٍ اَلْجَوْهَرِيُّ عَنْ كُلَيْبٍ اَلْأَسَدِيِّ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلرَّجُلِ يُقْتَلُ فِي شَهْرٍ حَرَامٍ مَا دِيَتُهُ فَقَالَ «دِيَةٌ وَ ثُلُثٌ».

H.5169 - Al-Qasim ibn Muhammad Al-Jawhari narrated from Kulayb Al-Asadi, who said:
I asked Abu Abdullah {a.s} about a man who is killed during a sacred month - what is his blood money (diyyah)?
Imam {a.s} said: “It is full blood money plus one-third."

[REFERENCES] Al-Kafi, Vol.7 p.281 • Man La Yahduruhu Al-Faqih, Vol.4 p.97 • Al-Wafi, Vol.16 p.601 • Wasa’il Al-Shi’ah, Vol.29 p.203

HADITH

5170 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ مَنْصُورِ بْنِ يُونُسَ عَنْ أَبِي حَمْزَةَ عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ قَالَ: «أُتِيَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ فَقِيلَ يَا رَسُولَ اَللَّهِ قَتِيلٌ فِي جُهَيْنَةَ فَقَامَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ حَتَّى اِنْتَهَى إِلَى مَسْجِدِهِمْ وَ تَسَامَعَ بِهِ اَلنَّاسُ فَأَتَوْهُ فَقَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ قَتَلَ ذَا» قَالُوا يَا رَسُولَ اَللَّهِ مَا نَدْرِي قَالَ «قَتِيلٌ مِنَ اَلْمُسْلِمِينَ بَيْنَ ظَهْرَانَيِ اَلْمُسْلِمِينَ لاَ يُدْرَى مَنْ قَتَلَهُ وَ اَلَّذِي بَعَثَنِي بِالْحَقِّ لَوْ أَنَّ أَهْلَ اَلسَّمَاءِ وَ أَهْلَ اَلْأَرْضِ اِجْتَمَعُوا فَشَرَكُوا فِي دَمِ اِمْرِئٍ مُسْلِمٍ وَ رَضُوا بِهِ لَكَبَّهُمُ اَللَّهُ عَزَّ وَ جَلَّ عَلَى مَنَاخِرِهِمْ فِي اَلنَّارِ » أَوْ قَالَ «عَلَى وُجُوهِهِمْ» ».

H.5170 - Muhammad ibn Abi Umayr narrated from Mansur ibn Yunus from Abu Hamzah from one of the two Imams {a.s}, who said:
"The Messenger of Allah {SWT} was approached, and it was said to Him {saws}: "O' Messenger of Allah {SWT}, there has been a murder in Juhaynah."
The Messenger of Allah {SWT} (peace be upon him and his family) stood up and went to their mosque. The people heard about it and gathered around him.
Prophet (peace be upon him and his family) said: "Who killed this man?"
They replied: "O' Messenger of Allah {SWT}, we do not know."
Prophet {saws} said: "A Muslim has been killed among the Muslims, and no one knows who killed him? By the One {SWT} who sent Me {saws} with the truth, if the people of the heavens and the people of the earth were to come together and participate in the shedding of a Muslim's blood and were pleased with it, Allah {SWT}, the Almighty and Majestic, would surely cast them all down on their faces - or He {SWT} said, on their noses - into the Fire."

[REFERENCES] Al-Kafi, Vol.7 p.272 • Man La Yahduruhu Al-Faqih, Vol.4 p.97 • Awali Al-La'ali, Vol.3 p.577 • Al-Wafi, Vol.16 p.568 • Wasa'il Al-Shi'ah, Vol.29 p.17 • Bihar Al-Anwar, Vol.101 p.383

HADITH

5171 - وَ سَأَلَ سَمَاعَةُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : عَنْ قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ ﴿ وَ مَنْ يَقْتُلْ مُؤْمِناً مُتَعَمِّداً فَجَزَاؤُهُ جَهَنَّمُ ﴾ قَالَ «مَنْ قَتَلَ مُؤْمِناً عَلَى دِينِهِ فَذَاكَ اَلْمُتَعَمِّدُ اَلَّذِي، قَالَ اَللَّهُ عَزَّ وَ جَلَّ فِي كِتَابِهِ وَ أَعَدَّ لَهُ عَذَاباً عَظِيماً» قُلْتُ فَالرَّجُلُ يَقَعُ بَيْنَهُ وَ بَيْنَ اَلرَّجُلِ شَيْءٌ فَيَضْرِبُهُ بِسَيْفِهِ فَيَقْتُلُهُ قَالَ «لَيْسَ ذَاكَ اَلْمُتَعَمِّدَ اَلَّذِي قَالَ اَللَّهُ عَزَّ وَ جَلَّ».

H.5171 - Samaah asked Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} about the saying of Allah {SWT}, the Almighty and Majestic:
"*And whoever kills a believer intentionally, his recompense is Hell*"
(Surah An-Nisa 4:93).
Imam {a.s} said: "Whoever kills a believer because of his faith, that is the intentional killer whom Allah {SWT}, the Almighty and Majestic, mentioned in His {SWT} Book and for whom He {SWT} has prepared a great punishment."
I asked: "What about a man who has a dispute with another man, and in the heat of the moment strikes him with a sword and kills him?"
Imam {a.s} said: "That is not the intentional killing that Allah {SWT}, the Almighty and Majestic, referred to."

[REFERENCES] Al-Kafi, Vol.7 p.275 • Man La Yahduruhu Al-Faqih, Vol.4 p.97 • Ma'ani Al-Akhbar, Vol.1 p.380 • Tahdhib Al-Ahkam, Vol.10 p.164 • Fiqh Al-Quran, Vol.2 p.395 • Al-Wafi, Vol.16 p.569 • Tafsir Al-Safi, Vol.1 p.484 • Wasa'il Al-Shi'ah, Vol.29 p.31 • Tafsir Al-Burhan, Vol.2 p.148 • Bihar Al-Anwar, Vol.101 p.375

HADITH

5172 - وَ رَوَى حَمَّادُ بْنُ عِيسَى عَنْ أَبِي اَلسَّفَاتِجِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ ﴿ وَ مَنْ يَقْتُلْ مُؤْمِناً مُتَعَمِّداً فَجَزٰاؤُهُ جَهَنَّمُ ﴾ قَالَ «إِنْ جَازَاهُ».

H.5172 - Hammad ibn Isa narrated from Abu Al-Safatij from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} regarding the saying of Allah {SWT}, the Almighty and Majestic:
"*And whoever kills a believer intentionally, his recompense is Hell*" (Surah An-Nisa 4:93).
Imam {a.s} said: "If Allah {SWT} chooses to punish him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.98 • Ma'ani Al-Akhbar, Vol.1 p.380 • Tahdhib Al-Ahkam, Vol.10 p.165 • Al-Wafi, Vol.16 p.569 • Wasa'il Al-Shi'ah, Vol.15 p.334 • Wasa'il Al-Shi'ah, Vol.29 p.32 • Tafsir Al-Burhan, Vol.2 p.149 • Bihar Al-Anwar, Vol.101 p.375 • Tafsir Nur Al-Thaqalayn, Vol.1 p.534 • Tafsir Kanz Al-Daqaiq, Vol.3 p.507

HADITH

5173 - وَ فِي رِوَايَةِ إِبْرَاهِيمَ بْنِ أَبِي اَلْبِلاَدِ عَمَّنْ ذَكَرَهُ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «كَانَتْ فِي زَمَنِ أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ اِمْرَأَةٌ صِدْقٌ يُقَالُ لَهَا أُمُّ فَتَّانٍ فَأَتَاهَا رَجُلٌ مِنْ أَصْحَابِ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ فَسَلَّمَ عَلَيْهَا فَوَافَقَهَا مُهْتَمَّةً فَقَالَ لَهَا مَا لِي أَرَاكِ مُهْتَمَّةً قَالَتْ مَوْلاَةٌ لِي دَفَنْتُهَا فَنَبَذَتْهَا اَلْأَرْضُ مَرَّتَيْنِ قَالَ فَدَخَلْتُ عَلَى أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَأَخْبَرْتُهُ فَقَالَ «إِنَّ اَلْأَرْضَ لَتَقْبَلُ اَلْيَهُودِيَّ وَ اَلنَّصْرَانِيَّ فَمَا لَهَا إِلاَّ أَنْ تَكُونَ تُعَذِّبُ بِعَذَابِ اَللَّهِ عَزَّ وَ جَلَّ» ثُمَّ قَالَ «أَمَا إِنَّهُ لَوْ أُخِذَتْ تُرْبَةٌ مِنْ قَبْرِ رَجُلٍ مُسْلِمٍ فَأُلْقِيَ عَلَى قَبْرِهَا لَقَرَّتْ» قَالَ فَأَتَيْتُ أُمَّ فَتَّانٍ فَأَخْبَرْتُهَا فَأَخَذَتْ تُرْبَةً مِنْ قَبْرِ رَجُلٍ مُسْلِمٍ فَأُلْقِيَ عَلَى قَبْرِهَا فَقَرَّتْ فَسَأَلْتُ عَنْهَا مَا كَانَتْ تَفْعَلُ فَقَالُوا كَانَتْ شَدِيدَةَ اَلْحُبِّ لِلرِّجَالِ لاَ تَزَالُ قَدْ وَلَدَتْ وَ أَلْقَتْ وَلَدَهَا فِي اَلتَّنُّورِ».

H.5173 - In the narration of Ibrahim ibn Abi Al-Bilad from someone who mentioned it from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, that he said:
"During the time of the Commander of the Faithful {a.s}, there was a truthful woman known as Umm Fattan. A man from the companions of Imam Ali ibn Abi Talib {a.s} came to her and greeted her, finding her distressed.
He asked her: 'Why do I see you worried?'
She replied: 'A female servant of mine passed away, and I buried her, but the earth rejected her twice.'
The man went to the Commander of the Faithful {a.s} and informed him of this.
Imam Ali ibn Abi Talib {a.s} said: 'Indeed, the earth accepts the Jew and the Christian, so why would it reject her unless she was being punished by Allah {SWT}, the Almighty and Majestic?'
Imam Ali ibn Abi Talib {a.s} then said: 'If soil from the grave of a Muslim man were taken and scattered over her grave, the earth would settle.'"
The man returned to Umm Fattan and informed her of this.
She took soil from the grave of a Muslim man and scattered it over her servant's grave, and the earth accepted her. When he inquired about the servant's deeds, it was said: 'She had an intense love for men, and whenever she gave birth, she would throw her child into the oven.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.98 • Wasa'il Al-Shi'ah, Vol.29 p.25

HADITH

5174 - وَ رَوَى عَلِيُّ بْنُ اَلْحَكَمِ عَنِ اَلْفُضَيْلِ بْنِ سَعْدَانَ [سَعْدَانَ خ ل] عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «كَانَتْ فِي ذُؤَابَةِ سَيْفِ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ صَحِيفَةٌ مَكْتُوبٌ فِيهَا « «لَعْنَةُ اَللَّهِ وَ اَلْمَلاَئِكَةِ وَ اَلنَّاسِ أَجْمَعِينَ» عَلَى مَنْ قَتَلَ غَيْرَ قَاتِلِهِ أَوْ ضَرَبَ غَيْرَ ضَارِبِهِ أَوْ أَحْدَثَ حَدَثاً أَوْ آوَى مُحْدِثاً وَ كُفْرٌ بِاللَّهِ اَلْعَظِيمِ اَلاِنْتِفَاءُ مِنْ حَسَبٍ وَ إِنْ دَقَّ » ».

H.5174 - Ali ibn Al-Hakam narrated from Al-Fudayl ibn Sadan from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"There was a scroll in the hilt of the sword of the Messenger of Allah {SWT} (peace be upon him and his family), and it was written in it:
'The curse of Allah {SWT}, the angels, and all people be upon the one who kills someone other than his killer, strikes someone other than the one who struck him, commits an offense, or shelters an offender.
And to disassociate from one's lineage, no matter how small, is an act of disbelief in Allah {SWT}, the Almighty.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.98 • Al-Wafi, Vol.16 p.573 • Wasa'il Al-Shi'ah, Vol.29 p.22

CHAPTER 19 – CHAPTER ON QASAMAH (OATH OF ALLEGATION IN CASES OF MURDER)

بَابُ الْقَسَامَةِ

HADITH 5175 – 5181

5175 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى حَكَمَ فِي دِمَائِكُمْ بِغَيْرِ مَا حَكَمَ فِي أَمْوَالِكُمْ حَكَمَ فِي أَمْوَالِكُمْ أَنَّ اَلْبَيِّنَةَ عَلَى مَنِ اِدَّعَى وَ اَلْيَمِينَ عَلَى مَنِ أُدُّعِيَ عَلَيْهِ وَ حَكَمَ فِي دِمَائِكُمْ أَنَّ اَلْيَمِينَ عَلَى مَنِ اِدَّعَى وَ اَلْبَيِّنَةَ عَلَى مَنِ أُدُّعِيَ عَلَيْهِ لِئَلاَّ يُبْطَلَ دَمُ اِمْرِئٍ مُسْلِمٍ ».

H.5175 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab from Abu Basir from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"Indeed, Allah {SWT}, Blessed and Exalted, has ruled differently regarding your blood than He {SWT} has regarding your wealth.
In matters of wealth, the ruling is that the burden of proof is upon the claimant, and the oath is upon the one against whom the claim is made.
However, in matters of blood, the ruling is that the oath is upon the claimant, and the proof is upon the one against whom the claim is made, so that the blood of a Muslim is not unjustly nullified."

[REFERENCES] Al-Kafi, Vol.7 p.361 • Al-Kafi, Vol.7 p.415 • Man La Yahduruhu Al-Faqih, Vol.4 p.98 • Tahdhib Al-Ahkam, Vol.6 p.229 • Al-Wafi, Vol.16 p.770 • Wasa'il Al-Shi'ah, Vol.27 p.234 • Wasa'il Al-Shi'ah, Vol.29 p.153 • Al-Fusul Al-Muhimmah, Vol.2 p.500

HADITH

5176 - وَ رَوَى مَنْصُورُ بْنُ يُونُسَ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «سَأَلَنِي عِيسَى بْنُ مُوسَى وَ اِبْنُ شُبْرُمَةَ مَعَهُ عَنِ اَلْقَتِيلِ يُوجَدُ فِي أَرْضِ اَلْقَوْمِ وَحْدَهُمْ فَقُلْتُ وَجَدَ اَلْأَنْصَارُ رَجُلاً فِي سَاقِيَةٍ مِنْ سَوَاقِي خَيْبَرَ فَقَالَتِ اَلْأَنْصَارُ اَلْيَهُودُ قَتَلُوا صَاحِبَنَا فَقَالَ لَهُمْ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ «لَكُمْ بَيِّنَةٌ» فَقَالُوا لاَ فَقَالَ «أَ فَتُقْسِمُونَ» قَالَتِ اَلْأَنْصَارُ كَيْفَ نُقْسِمُ عَلَى مَا لَمْ نَرَهُ فَقَالَ « فَالْيَهُودُ يُقْسِمُونَ» قَالَتِ اَلْأَنْصَارُ يُقْسِمُونَ عَلَى صَاحِبِنَا قَالَ فَوَدَاهُ اَلنَّبِيُّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ مِنْ عِنْدِهِ فَقَالَ اِبْنُ شُبْرُمَةَ أَ فَرَأَيْتَ لَوْ لَمْ يُؤَدِّهِ اَلنَّبِيُّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ قَالَ قُلْتُ لاَ نَقُولُ لِمَا قَدْ صَنَعَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ لَوْ لَمْ يَصْنَعْهُ»
قَالَ فَقُلْتُ لَهُ فَعَلَى مَنِ اَلْقَسَامَةُ قَالَ «عَلَى أَهْلِ اَلْقَتِيلِ».

H.5176 - Mansur ibn Yunus narrated from Sulayman ibn Khalid, who said:
Abu Abdullah {a.s} said: "Isa ibn Musa and Ibn Shubrumah asked me about a murdered person found alone in the land of a people. I (Abu Abdullah {a.s}) said to them: The Ansar once found a man in one of the irrigation channels of Khaybar.
The Ansar said: 'The Jews have killed our companion.'

The Messenger of Allah {SWT} asked them: 'Do you have any evidence?' They replied: 'No.'
Prophet {saws} said: 'Will you swear an oath?'
The Ansar said: 'How can we swear an oath about something we did not witness?'
The Prophet (peace be upon him and his family) said: 'Then the Jews will swear an oath.'
The Ansar responded: 'They will swear an oath concerning our companion?'
So, the Prophet (peace be upon him and his family) personally paid the blood money for the man.
Ibn Shubrumah then asked (Abu Abdullah {a.s}): 'What if the Prophet (peace be upon him and his family) had not paid it?'
I {Abu Abdullah {a.s}) replied: 'We do not say anything about what the Messenger of Allah {SWT} (peace be upon him and his family) did, as if he would not have done it.'
Then I asked Imam {a.s}: 'Upon whom does the qasamah (oath of accusation) fall?'
Imam {a.s} replied: 'It falls upon the family of the murdered person.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.99 • Al-Wafi, Vol.16 p.772 • Wasa'il Al-Shi'ah, Vol.29 p.158

HADITH

5177 - وَ رَوَى مُحَمَّدُ بْنُ سَهْلٍ عَنْ أَبِيهِ عَنْ بَعْضِ أَشْيَاخِهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ سُئِلَ عَنْ رَجُلٍ كَانَ جَالِساً مَعَ قَوْمٍ فَمَاتَ وَ هُوَ مَعَهُمْ أَوْ رَجُلٍ وُجِدَ فِي قَبِيلَةٍ أَوْ عَلَى دَارِ قَوْمٍ فَادُّعِيَ عَلَيْهِمْ قَالَ «لَيْسَ عَلَيْهِمْ قَوَدٌ وَ لاَ يُطَلُّ دَمُهُ عَلَيْهِمُ اَلدِّيَةُ» ».

H.5177 - Muhammad ibn Sahl narrated from his father, from some of his elders, from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"The Commander of the Faithful {a.s} was asked about a man who was sitting with a group of people and died while among them, or a man who was found dead in a tribe or near the house of some people, and they were accused of his death.
Imam {a.s} said: 'There is no retaliation (qisas) upon them, nor is his blood wasted. However, the blood money (diyyah) is upon them.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.99

HADITH

5178 - وَ رَوَى مُوسَى بْنُ بَكْرٍ عَنْ زُرَارَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِنَّمَا جُعِلَتِ اَلْقَسَامَةُ لِيُغَلَّظَ بِهَا فِي اَلرَّجُلِ اَلْمَعْرُوفِ بِالشَّرِّ اَلْمُتَّهَمِ فَإِنْ شَهِدُوا عَلَيْهِ جَازَتْ شَهَادَتُهُمْ».

H.5178 - Musa ibn Bakr narrated from Zurarah from Abu Abdullah {a.s}, who said:
"The practice of Qasamah (the collective oath) was established to impose severity upon a man known for evil and who is suspected. If they testify against him, their testimony is accepted."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.100 • Wasa'il Al-Shi'ah, Vol.29 p.154

HADITH

5179 - وَ رَوَى اَلْقَاسِمُ بْنُ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلْقَسَامَةِ أَيْنَ كَانَ بَدْؤُهَا فَقَالَ «كَانَ مِنْ قِبَلِ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ لَمَّا كَانَ بَعْدَ فَتْحِ خَيْبَرَ تَخَلَّفَ رَجُلٌ مِنَ اَلْأَنْصَارِ عَنْ أَصْحَابِهِ فَرَجَعُوا فِي طَلَبِهِ فَوَجَدُوهُ مُتَشَحِّطاً فِي دَمِهِ قَتِيلاً فَجَاءَتِ اَلْأَنْصَارُ إِلَى رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ فَقَالَتْ يَا رَسُولَ اَللَّهِ قَتَلَتِ اَلْيَهُودُ صَاحِبَنَا فَقَالَ «لِيُقْسِمْ مِنْكُمْ خَمْسُونَ رَجُلاً عَلَى أَنَّهُمْ قَتَلُوهُ» قَالُوا يَا رَسُولَ اَللَّهِ أَ نُقْسِمُ عَلَى مَا لَمْ نَرَهُ قَالَ «فَيُقْسِمُ اَلْيَهُودُ » فَقَالُوا يَا رَسُولَ اَللَّهِ مَنْ يُصَدِّقُ اَلْيَهُودَ فَقَالَ «أَنَا إِذاً أَدِي صَاحِبَكُمْ» »

فَقُلْتُ لَهُ كَيْفَ اَلْحُكْمُ فِيهَا قَالَ «إِنَّ اَللَّهَ عَزَّ وَ جَلَّ حَكَمَ فِي اَلدِّمَاءِ مَا لَمْ يَحْكُمْ فِي شَيْءٍ مِنْ حُقُوقِ اَلنَّاسِ لِتَعْظِيمِهِ اَلدِّمَاءَ لَوْ أَنَّ رَجُلاً اِدَّعَى عَلَى رَجُلٍ عَشَرَةَ آلاَفِ دِرْهَمٍ أَقَلَّ مِنْ ذَلِكَ أَوْ أَكْثَرَ لَمْ يَكُنِ اَلْيَمِينُ عَلَى اَلْمُدَّعِي وَ كَانَتِ اَلْيَمِينُ عَلَى اَلْمُدَّعَى عَلَيْهِ فَإِذَا اِدَّعَى اَلرَّجُلُ عَلَى اَلْقَوْمِ اَلدَّمَ أَنَّهُمْ قَتَلُوا كَانَتِ اَلْيَمِينُ عَلَى مُدَّعِي اَلدَّمِ قَبْلَ اَلْمُدَّعَى عَلَيْهِمْ فَعَلَى اَلْمُدَّعِي أَنْ يَجِيءَ بِخَمْسِينَ يَحْلِفُونَ أَنَّ فُلاَناً قَتَلَ فُلاَناً فَيُدْفَعُ إِلَيْهِمُ اَلَّذِي حُلِفَ عَلَيْهِ فَإِنْ شَاءُوا عَفَوْا عَنْهُ وَ إِنْ شَاءُوا قَتَلُوا وَ إِنْ شَاءُوا قَبِلُوا اَلدِّيَةَ فَإِنْ لَمْ يُقْسِمُوا فَإِنَّ عَلَى اَلْمُدَّعَى عَلَيْهِمْ أَنْ يَحْلِفَ مِنْهُمْ خَمْسُونَ رَجُلاً مَا قَتَلْنَا وَ لاَ عَلِمْنَا لَهُ قَاتِلاً فَإِنْ فَعَلُوا أَدَّى أَهْلُ اَلْقَرْيَةِ اَلَّتِي وُجِدَ فِيهِمْ دِيَتَهُ وَ إِنْ كَانَ بِأَرْضٍ فَلاَةٍ أُدِّيَتْ دِيَتُهُ مِنْ بَيْتِ اَلْمَالِ فَإِنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ كَانَ يَقُولُ «لاَ يُطَلُّ دَمُ اِمْرِئٍ مُسْلِمٍ » ».

H.5179 - Al-Qasim ibn Muhammad narrated from Ali ibn Abi Hamzah from Abu Basir:
I asked Abu Abdullah {a.s} about Qasamah (the collective oath) - where did it originate?
Imam {a.s} said: “It began with the Messenger of Allah {SWT} (peace be upon him and his family).
After the conquest of Khaybar, a man from the Ansar was left behind by his companions. When they returned to search for him, they found him lying in his blood, killed.
The Ansar came to the Messenger of Allah {SWT} (peace be upon him and his family) and said:
‘O’ Messenger of Allah {SWT}, the Jews have killed our companion.'
The Prophet (peace be upon him and his family) said:
‘Fifty men from among you must swear an oath that they (Jews) killed him.'
They said: ‘O’ Messenger of Allah {SWT}, how can we swear about something we did not witness?' Prophet {saws} said: ‘Then the Jews will swear an oath.'
They replied: ‘O’ Messenger of Allah {SWT}, who would believe the Jews?'
The Prophet (peace be upon him and his family) said:
‘Then I will pay the blood money for your companion.'"
I asked Imam {a.s}: "What is the ruling concerning Qasamah?"
Imam {a.s} said: “Indeed, Allah {SWT}, the Almighty and Majestic, has ruled in matters of bloodshed in a way unlike any other matter of people's rights due to the sanctity of blood.

If a man were to claim against another man ten thousand dirhams, whether less or more, the oath would not be upon the claimant but upon the one against whom the claim is made.
However, when a man accuses a group of killing someone, the oath is upon the claimant of the blood before it is upon those accused. The claimant must bring fifty people to swear that a specific person killed another.
Then, the accused is handed over to them.
If they wish, they may forgive him, or if they wish, they may execute him, or if they wish, they may accept the blood money (diyyah).
But if they refuse to swear, then fifty men from the accused group must swear, saying: 'We did not kill him, nor do we know his killer.'
If they do so, the people of the village where the murder occurred must pay the blood money.
If it happened in an isolated area, the blood money is paid from the public treasury (Bayt Al-Mal). The Commander of the Faithful {a.s} used to say:
'The blood of a Muslim must never be wasted.'"

[REFERENCES] Al-Kafi, Vol.7 p.362 • Man La Yahduruhu Al-Faqih, Vol.4 p.100 • Tahdhib Al-Ahkam, Vol.10 p.167 • Al-Wafi, Vol.16 p.768 • Wasa'il Al-Shi'ah, Vol.29 p.156

HADITH

5180 - وَ سَأَلَ سَمَاعَةُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : عَنْ رَجُلٍ يُوجَدُ قَتِيلاً فِي قَرْيَةٍ أَوْ بَيْنَ قَرْيَتَيْنِ قَالَ «يُقَاسُ بَيْنَهُمَا فَأَيَّتُهُمَا كَانَتْ إِلَيْهِ أَقْرَبَ ضُمِّنَتْ».

H.5180 - Samaah asked Abu Abdullah {a.s} about a man who is found murdered in a village or between two villages.
Imam {a.s} said: "The distance between them should be measured, and whichever of the two is closer to him will be held responsible."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.101

HADITH

5181 - وَ رَوَى زُرَارَةُ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِنَّمَا جُعِلَتِ اَلْقَسَامَةُ اِحْتِيَاطاً لِلنَّاسِ لِكَيْمَا إِذَا أَرَادَ اَلْفَاسِقُ أَنْ يَقْتُلَ رَجُلاً أَوْ يَغْتَالَ رَجُلاً حَيْثُ لاَ يَرَاهُ أَحَدٌ خَافَ ذَلِكَ فَامْتَنَعَ مِنَ اَلْقَتْلِ».

H.5181 - Zurarah narrated from Abu Abdullah {a.s}, who said:
"The practice of Qasamah was established as a precaution for people so that if a wicked person intended to kill or assassinate someone where no one could see him, he would fear this ruling and refrain from committing murder."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.101 • Wasa'il Al-Shi'ah, Vol.29 p.151

CHAPTER 20 – CHAPTER ON THOSE WHO HAVE NO BLOOD MONEY IN CASES OF INJURY OR KILLING

بَابُ مَنْ لَا دِيَةَ لَهُ فِي جِرَاحٍ أَوْ قَتْلٍ

HADITH 5182 – 5193

5182 - رَوَى حَمَّادُ بْنُ عِيسَى عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «بَيْنَا رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ فِي بَعْضِ حُجُرَاتِهِ إِذَا اِطَّلَعَ رَجُلٌ فِي شِقِّ اَلْبَابِ وَ بِيَدِ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ مِدْرَاةٌ فَقَالَ «لَوْ كُنْتُ قَرِيباً مِنْكَ لَفَقَأْتُ بِهِ عَيْنَكَ» ».

H.5182 - Hammad ibn Isa narrated from Abu Abdullah {a.s}, who said:
"While the Messenger of Allah {SWT} (peace be upon him and his family) was in one of his rooms, a man peeked through a crack in the door.
The Messenger of Allah {SWT} (peace be upon him and his family) had a combing stick in his hand and said: 'If I were close to you, I would have gouged out your eye with it.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.101 • Al-Wafi, Vol.16 p.813 • Wasa'il Al-Shi'ah, Vol.29 p.66

HADITH

5183 - وَ رَوَى اَلْقَاسِمُ بْنُ مُحَمَّدٍ اَلْجَوْهَرِيُّ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ اِطَّلَعَ عَلَى قَوْمٍ لِيَنْظُرَ إِلَى عَوْرَاتِهِمْ فَرَمَوْهُ فَقَتَلُوهُ أَوْ جَرَحُوهُ أَوْ فَقَئُوا عَيْنَهُ فَقَالَ «لاَ دِيَةَ لَهُ إِنَّ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ اِطَّلَعَ رَجُلٌ فِي حُجْرَتِهِ مِنْ خِلاَلِهَا فَجَاءَهُ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ بِمِشْقَصٍ لِيَفْقَأَ بِهِ عَيْنَهُ فَوَجَدَهُ قَدِ اِنْطَلَقَ فَنَادَاهُ «يَا خَبِيثُ لَوْ ثَبَتَّ لِي لَفَقَأْتُ عَيْنَكَ بِهِ» ».

H.5183 - Al-Qasim ibn Muhammad Al-Jawhari narrated from Ali ibn Abi Hamzah from Abu Basir, who said:
I asked Abu Abdullah {a.s} about a man who spies on a group of people to look at their private matters, and they strike him, killing him, injuring him, or gouging out his eye.
Imam {a.s} said: "There is no blood money (diyyah) for him. The Messenger of Allah {SWT} (peace be upon him and his family) once had a man peep into his room through a crack, so the Messenger of Allah {SWT} (peace be upon him and his family) approached him with an arrowhead to gouge out his eye, but he found that the man had left.
The Prophet (peace be upon him and his family) then called out to him, saying: 'O' wicked one! Had you remained there, I would have gouged out your eye with it.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.102

HADITH

5184 - وَ قَالَ أَبُو جَعْفَرٍ وَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِمَا اَلسَّلاَمُ : «مَنْ قَتَلَهُ اَلْقِصَاصُ فَلاَ دِيَةَ لَهُ».

H.5184 - Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} and Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Whoever is killed through legal retribution (qisas), there is no blood money (diyyah) for him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.102 • Al-Wafi, Vol.16 p.811 • Wasa'il Al-Shi'ah, Vol.29 p.64 • Wasa'il Al-Shi'ah, Vol.29 p.64

HADITH

5185 - وَ رَوَى هِشَامُ بْنُ سَالِمٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «مَنْ بَدَأَ فَاعْتَدَى فَاعْتُدِيَ عَلَيْهِ فَلاَ قَوَدَ لَهُ».

H.5185 - Hisham ibn Salim narrated from Sulayman ibn Khalid, who said:
Abu Abdullah {a.s} said: "Whoever initiates aggression and is then retaliated against, there is no retribution (qisas) for him."

[REFERENCES] Al-Kafi, Vol.7 p.292 • Man La Yahduruhu Al-Faqih, Vol.4 p.102 • Tahdhib Al-Ahkam, Vol.10 p.208 • Al-Wafi, Vol.16 p.808 • Wasa'il Al-Shi'ah, Vol.29 p.60 • Al-Fusul Al-Muhimmah, Vol.2 p.527

HADITH

5186 - وَ رَوَى اَلْعَلاَءُ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ : فِي اَلرَّجُلِ يَسْقُطُ عَلَى اَلرَّجُلِ فَيَقْتُلُهُ قَالَ «لاَ شَيْءَ عَلَيْهِ».

H.5186 - Al-Alaa narrated from Muhammad ibn Muslim from one of the two Imams (peace be upon them) regarding a man who accidentally falls onto another man and kills him.
Imam {a.s} said: "There is nothing upon him (no liability)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.102 • Al-Istibsar, Vol.4 p.280

HADITH

5187 - وَ رَوَى مُحَمَّدُ بْنُ اَلْفُضَيْلِ عَنْ أَبِي اَلصَّبَّاحِ اَلْكِنَانِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «كَانَ صِبْيَانٌ فِي زَمَنِ أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ يَلْعَبُونَ بِأَخْطَارٍ لَهُمْ فَرَمَى أَحَدُهُمْ بِخَطَرِهِ فَدَقَّ رَبَاعِيَةَ صَاحِبِهِ فَرُفِعَ ذَلِكَ إِلَى أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَأَقَامَ اَلرَّامِي اَلْبَيِّنَةَ بِأَنَّهُ قَدْ قَالَ حَذَارِ فَدَرَأَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ عَنْهُ اَلْقِصَاصَ ثُمَّ قَالَ «قَدْ أَعْذَرَ مَنْ حَذَّرَ» ».

H.5187 - Muhammad ibn Al-Fudayl narrated from Abu Al-Ṣabbah Al-Kinani from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"During the time of the Commander of the Faithful {a.s}, some children were playing with their arrows. One of them shot his arrow and broke his companion's front tooth. The matter was brought to the Commander of the Faithful {a.s}.
The shooter presented evidence that he had warned by saying, 'Be careful!' So, the Commander of the Faithful {a.s} dismissed the retribution (qisas) from him and then said:
'The one who gives a warning has fulfilled his responsibility.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.102

HADITH

5188 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ: فِي رَجُلٍ أَرَادَ اِمْرَأَةً عَلَى نَفْسِهَا حَرَاماً فَرَمَتْهُ بِحَجَرٍ فَأَصَابَتْ مِنْهُ مَقْتَلاً قَالَ «لَيْسَ عَلَيْهَا شَيْءٌ فِيمَا بَيْنَهَا وَ بَيْنَ اَللَّهِ عَزَّ وَ جَلَّ فَإِنْ قُدِّمَتْ إِلَى إِمَامٍ عَدْلٍ أَهْدَرَ دَمَهُ».

H.5188 - Safwan ibn Yahya narrated from Abdullah ibn Sinan, who said:
I heard Abu Abdullah {a.s} say regarding a man who tried to force himself unlawfully upon a woman, and she struck him with a stone, causing his death.
Imam {a.s} said: "There is nothing upon her in what is between her and Allah {SWT}, the Majestic. And if she is brought before a just Imam, he will dismiss his (attackers') blood (declare it as wasted)."

[REFERENCES] Al-Nawadir (Lil-Ash'ari), Vol.1 p.156 • Al-Kafi, Vol.7 p.291 • Man La Yahduruhu Al-Faqih, Vol.4 p.103 • Man La Yahduruhu Al-Faqih, Vol.4 p.165 • Tahdhib Al-Ahkam, Vol.10 p.206 • Al-Wafi, Vol.16 p.809 • Wasa'il Al-Shi'ah, Vol.29 p.61 • Mustadrak Al-Wasa'il, Vol.18 p.233

HADITH

5189 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «أَيُّمَا رَجُلٍ عَدَا عَلَى رَجُلٍ لِيَضْرِبَهُ فَدَفَعَهُ عَنْ نَفْسِهِ فَجَرَحَهُ أَوْ قَتَلَهُ فَلاَ شَيْءَ عَلَيْهِ».

H.5189 - Hammad narrated from Al-Halabi from Abu Abdullah {a.s}, who said:
"If any man attacks another man to strike him, and the latter defends himself and injures or kills the attacker, then there is nothing upon him (no liability)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.103 • Al-Wafi, Vol.16 p.808 • Al-Fusul Al-Muhimmah, Vol.2 p.527

HADITH

5190 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي بَصِيرٍ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ قَتَلَ مَجْنُوناً قَالَ إِنْ «كَانَ أَرَادَهُ فَدَفَعَهُ عَنْ نَفْسِهِ فَقَتَلَهُ فَلاَ شَيْءَ عَلَيْهِ مِنْ قَوَدٍ وَ لاَ دِيَةٍ وَ يُعْطَى وَرَثَتُهُ دِيَتَهُ مِنْ بَيْتِ مَالِ اَلْمُسْلِمِينَ » قَالَ «فَإِنْ كَانَ قَتَلَهُ مِنْ غَيْرِ أَنْ يَكُونَ اَلْمَجْنُونُ أَرَادَهُ فَلاَ قَوَدَ لِمَنْ لاَ يُقَادُ مِنْهُ وَ أَرَى أَنَّ عَلَى قَاتِلِهِ اَلدِّيَةَ فِي مَالِهِ يَدْفَعُهَا إِلَى وَرَثَةِ اَلْمَجْنُونِ وَ يَسْتَغْفِرُ اَللَّهَ عَزَّ وَ جَلَّ وَ يَتُوبُ إِلَيْهِ».

H.5190 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab from Abu Basir, who said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a man who killed a mentally ill person.
Imam {a.s} said: "If the mentally ill person had intended to harm him and the man defended himself and killed him, then there is neither retribution (qisas) nor blood money (diyyah) upon him. However, his heirs should be given the blood money from the public treasury (Bayt Al-Mal) of the Muslims."
Imam {a.s} further said: "But if the man killed him without the mentally ill person intending to harm him, then there is no retribution for someone who cannot be avenged, but I believe that the killer must pay the blood money from his own wealth to the heirs of the mentally ill person.
He must also seek forgiveness from Allah {SWT}, the Almighty and Majestic, and repent to Him {SWT}."

[REFERENCES] Al-Kafi, Vol.7 p.294 • Man La Yahduruhu Al-Faqih, Vol.4 p.103 • Ilal Al-Shara'i', Vol.2 p.543 • Tahdhib Al-Ahkam, Vol.10 p.231 • Awali Al-La'ali, Vol.3 p.594 • Al-Wafi, Vol.16 p.667 • Wasa'il Al-Shi'ah, Vol.29 p.71 • Bihar Al-Anwar, Vol.101 p.389

HADITH

5191 - وَ رَوَى جَعْفَرُ بْنُ بَشِيرٍ عَنْ مُعَلًّى أَبِي عُثْمَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ غَشِيَتْهُ دَابَّةٌ فَأَرَادَتْ أَنْ تَطَأَهُ وَ خَشِيَ ذَلِكَ مِنْهَا فَزَجَرَ اَلدَّابَّةَ فَنَفَرَتْ بِصَاحِبِهَا فَصَرَعَتْهُ فَكَانَ جُرْحٌ أَوْ غَيْرُهُ فَقَالَ «لَيْسَ عَلَيْهِ ضَمَانٌ إِنَّمَا زَجَرَ عَنْ نَفْسِهِ وَ هِيَ اَلْجُبَارُ».

H.5191 - Jafar ibn Bashir narrated from Mualla Abu Uthman from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
I asked Imam {a.s} about a man who was approached by an animal that was about to trample him, and fearing harm from it, he shouted at the animal, causing it to panic and throw off its rider, resulting in injury or something similar.
Imam {a.s} said: "There is no liability upon him. He merely repelled the harm from himself, and the animal (dabbah) is considered Al-jubar (i.e., its resulting harm carries no compensation)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.103

HADITH

5192 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «عَوْرَةُ اَلْمُؤْمِنِ عَلَى اَلْمُؤْمِنِ حَرَامٌ» وَ قَالَ «مَنِ اِطَّلَعَ عَلَى مُؤْمِنٍ فِي مَنْزِلِهِ فَعَيْنَاهُ مُبَاحَتَانِ لِلْمُؤْمِنِ فِي تِلْكَ اَلْحَالِ وَ مَنْ دَمَرَ عَلَى مُؤْمِنٍ فِي مَنْزِلِهِ بِغَيْرِ إِذْنِهِ فَدَمُهُ مُبَاحٌ لِلْمُؤْمِنِ فِي تِلْكَ اَلْحَالِ وَ مَنْ جَحَدَ نَبِيّاً مُرْسَلاً نُبُوَّتَهُ وَ كَذَّبَهُ فَدَمُهُ مُبَاحٌ» قَالَ فَقُلْتُ لَهُ أَ رَأَيْتَ مَنْ جَحَدَ اَلْإِمَامَ مِنْكُمْ مَا حَالُهُ فَقَالَ «مَنْ جَحَدَ إِمَاماً بَرِيءٍ مِنَ اَللَّهِ وَ بَرِيءٍ مِنْهُ وَ مِنْ دِينِهِ فَهُوَ كَافِرٌ مُرْتَدٌّ عَنِ اَلْإِسْلاَمِ لِأَنَّ اَلْإِمَامَ مِنَ اَللَّهِ وَ دِينُهُ دِينُ اَللَّهِ وَ مَنْ بَرِيءٍ مِنْ دِينِ اَللَّهِ فَهُوَ كَافِرٌ وَ دَمُهُ مُبَاحٌ فِي تِلْكَ اَلْحَالِ إِلاَّ أَنْ يَرْجِعَ وَ يَتُوبَ إِلَى اَللَّهِ عَزَّ وَ جَلَّ مِمَّا قَالَ » قَالَ «وَ مَنْ فَتَكَ بِمُؤْمِنٍ يُرِيدُ مَالَهُ وَ نَفْسَهُ فَدَمُهُ مُبَاحٌ لِلْمُؤْمِنِ فِي تِلْكَ اَلْحَالِ».

H.5192 - Al-Hasan ibn Mahbub narrated from Abu Ayyub from Muhammad ibn Muslim from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"The privacy (awrah) of a believer is forbidden upon another believer."
Imam {a.s} also said: “Whoever spies on a believer in his home, his eyes are lawful to the believer in that situation. Whoever forcefully enters upon a believer in his home without his permission, his blood is lawful to the believer in that situation. And whoever denies the Prophethood of a divinely sent prophet and rejects him, his blood is lawful."
I then asked Imam {a.s}: "What about someone who rejects the Imam from among you (Ahlulbayt {a.s}) - what is his status?"
Imam {a.s} replied: “Whoever rejects an Imam has disassociated from Allah {SWT}, and Allah {SWT} has disassociated from him, as well as from his religion. He is a disbeliever, an apostate from Islam, because the Imam is appointed by Allah {SWT}, and his religion is the religion of Allah {SWT}.
Whoever disassociates from the religion of Allah {SWT} is a disbeliever, and his blood is lawful in that situation unless he repents and returns to Allah {SWT}, the Almighty and Majestic, from what he has said."
Imam {a.s} further said: “Whoever attacks a believer intending to harm his wealth or his life, his blood is lawful to the believer in that situation."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.104 • Al-Ikhtisas, Vol.1 p.259 • Al-Wafi, Vol.16 p.809 • Bihar Al-Anwar, Vol.76 p.225

HADITH

5193 - وَ رَوَى اِبْنُ فَضَّالٍ عَنِ اِبْنِ بُكَيْرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اَلرَّجُلِ يَقَعُ عَلَى اَلرَّجُلِ فَيَقْتُلُهُ فَمَاتَ اَلْأَعْلَى قَالَ «لاَ شَيْءَ عَلَى اَلْأَسْفَلِ».

H.5193 - Ibn Faddal narrated from Ibn Bukayr from Abu Abdullah {a.s} regarding a man who falls upon another man and kills him, and the one on top dies.
Imam {a.s} said: “There is no liability upon the one below.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.104 • Al-Wafi, Vol.16 p.820 • Wasa’il Al-Shi’ah, Vol.29 p.57

CHAPTER 21 – CHAPTER ON RETALIATION (QISAS) AND THE AMOUNT OF BLOOD MONEY (DIYYAH)

بَابُ الْقَوَدِ وَ مَبْلَغِ الدِّيَةِ

HADITH 5194 – 5222

5194 - رَوَى هِشَامُ بْنُ سَالِمٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ ضُرِبَ بِعَصاً فَلَمْ تُرْفَعْ عَنْهُ حَتَّى قُتِلَ أَ يُدْفَعُ اَلْقَاتِلُ إِلَى أَوْلِيَاءِ اَلْمَقْتُولِ قَالَ «نَعَمْ وَ لَكِنْ لاَ يُتْرَكُ أَنْ يُعْبَثَ بِهِ وَ لَكِنْ يُجَازُ عَلَيْهِ».

H.5194 - Hisham ibn Salim narrated from Sulayman ibn Khalid, who said:
I asked Abu Abdullah {a.s} about a man who was struck with a stick and was not released until he was killed. Should the killer be handed over to the heirs of the slain?
Imam {a.s} said: “Yes, but he should not be left for them to abuse; rather, retribution should be carried out upon him.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.104 • Tahdhib Al-Ahkam, Vol.10 p.157 • Al-Wafi, Vol.16 p.592 • Wasa’il Al-Shi’ah, Vol.29 p.39

HADITH

5195 - وَ رَوَى اَلْفَضْلُ بْنُ عَبْدِ اَلْمَلِكِ عَنْهُ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ: «إِذَا ضَرَبَ اَلرَّجُلُ بِالْحَدِيدَةِ فَذَلِكَ اَلْعَمْدُ» قَالَ وَ سَأَلْتُهُ عَنِ اَلْخَطَإِ اَلَّذِي فِيهِ اَلدِّيَةُ وَ اَلْكَفَّارَةُ أَ هُوَ اَلرَّجُلُ يَضْرِبُ اَلرَّجُلَ فَلاَ يَتَعَمَّدُ قَتْلَهُ قَالَ «نَعَمْ» قُلْتُ فَإِذَا رَمَى شَيْئاً فَأَصَابَ رَجُلاً قَالَ «ذَلِكَ اَلْخَطَأُ اَلَّذِي لاَ يُشَكُّ فِيهِ وَ عَلَيْهِ كَفَّارَةٌ وَ دِيَةٌ».

H.5195 - Al-Fadl ibn Abd Al-Malik narrated from Imam {a.s} that he said:
“If a man strikes with an iron weapon, that is considered intentional killing (Al-‘amd).”
He said: “I asked Imam {a.s} about accidental killing (khata) for which blood money (*diyyah*) and expiation (*kaffarah*) are required - would this include a man who strikes another without intending to kill him?
Imam {a.s} replied: “Yes."
I then asked: “What if he throws something and it hits a man?"
Imam {a.s} said: “That is unquestionably accidental killing, and it requires both expiation and blood money."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.105 • Al-Wafi, Vol.16 p.591

HADITH

5196 - وَ رَوَى اَلنَّضْرُ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «فِي اَلْخَطَإِ شِبْهِ اَلْعَمْدِ أَنْ يُقْتَلَ بِالسَّوْطِ أَوْ بِالْحَجَرِ أَوْ بِالْعَصَا إِنَّ دِيَةَ ذَلِكَ تُغَلَّظُ وَ هِيَ مِائَةٌ مِنَ اَلْإِبِلِ فِيهَا أَرْبَعُونَ خَلِفَةً بَيْنَ ثَنِيَّةٍ إِلَى بَازِلِ عَامِهَا وَ ثَلاَثُونَ حِقَّةً وَ ثَلاَثُونَ اِبْنَةَ لَبُونٍ وَ اَلْخَطَأُ يَكُونُ فِيهِ ثَلاَثُونَ حِقَّةً وَ ثَلاَثُونَ اِبْنَةَ لَبُونٍ وَ عِشْرُونَ اِبْنَةَ مَخَاضٍ وَ عِشْرُونَ اِبْنَ لَبُونٍ ذَكَرٍ وَ قِيمَةُ كُلِّ بَعِيرٍ مِنَ اَلْوَرِقِ مِائَةٌ وَ عِشْرُونَ دِرْهَماً أَوْ عَشَرَةُ دَنَانِيرَ وَ مِنَ اَلْغَنَمِ قِيمَةُ كُلِّ وَاحِدٍ مِنَ اَلْإِبِلِ عِشْرُونَ شَاةً».

H.5196 - Al-Naḍr narrated from Abdullah ibn Sinan, who said:
I heard Abu Abdullah {a.s} say that the Commander of the Faithful {a.s} said:
"In the case of accidental killing resembling intentional killing (khaṭaʾ shibh Al-*A*md), such as when someone is killed with a whip, a stone, or a stick, the blood money (diyyah) is made more severe. It is one hundred camels, among which are forty pregnant camels between the second and fourth year, thirty mature she-camels (*h*iqqah), and thirty young she-camels (ibnat labun).
For unintentional accidental killing (khaṭaʾ), the blood money is thirty mature she-camels (*h*iqqah), thirty young she-camels (ibnat labun), twenty one-year-old she-camels (ibnat makha*ḍ*), and twenty male young camels (ibn labun). The value of each camel in silver is one hundred and twenty dirhams or ten dinars. In sheep, the value of each camel is equivalent to twenty sheep."

[REFERENCES] Al-Kafi, Vol.7 p.281 • Man La Yahduruhu Al-Faqih, Vol.4 p.105 • Tahdhib Al-Ahkam, Vol.10 p.158 • Al-Istibsar, Vol.4 p.259 • Nuzhat Al-Nazir, Vol.1 p.133 • Awali Al-La'ali, Vol.3 p.609 • Al-Wafi, Vol.16 p.600 • Wasa'il Al-Shi'ah, Vol.29 p.199

HADITH

5197 - وَ سَأَلَ مُعَاوِيَةُ بْنُ وَهْبٍ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : عَنْ دِيَةِ اَلْعَمْدِ فَقَالَ «مِائَةٌ مِنْ فُحُولَةِ اَلْإِبِلِ اَلْمَسَانِّ فَإِنْ لَمْ يَكُنْ فَمَكَانَ كُلِّ جَمَلٍ عِشْرُونَ مِنْ فُحُولَةِ اَلْغَنَمِ».

H.5197 - Muawiyah ibn Wahb asked Abu Abdullah {a.s} about the blood money (diyyah) for intentional killing.
Imam {a.s} said: "It is one hundred mature male camels. If they are not available, then for each camel, twenty mature male sheep are to be given in its place."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.106

HADITH

5198 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ خَضِرٍ اَلصَّيْرَفِيِّ عَنْ بُرَيْدٍ اَلْعِجْلِيِّ قَالَ: سُئِلَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ قَتَلَ رَجُلاً مُتَعَمِّداً فَلَمْ يُقَمْ عَلَيْهِ اَلْحَدُّ وَ لَمْ تَصِحَّ اَلشَّهَادَةُ حَتَّى خُولِطَ وَ ذَهَبَ عَقْلُهُ ثُمَّ إِنَّ قَوْماً آخَرِينَ شَهِدُوا عَلَيْهِ بَعْدَ مَا خُولِطَ أَنَّهُ قَتَلَهُ فَقَالَ «إِنْ شَهِدُوا عَلَيْهِ أَنَّهُ قَتَلَهُ حِينَ قَتَلَهُ وَ هُوَ صَحِيحٌ لَيْسَ بِهِ عِلَّةٌ مِنْ فَسَادِ عَقْلٍ قُتِلَ وَ إِنْ لَمْ يَشْهَدُوا عَلَيْهِ بِذَلِكَ وَ كَانَ لَهُ مَالٌ يُعْرَفُ دُفِعَ إِلَى وَرَثَةِ اَلْمَقْتُولِ اَلدِّيَةُ مِنْ مَالِ اَلْقَاتِلِ وَ إِنْ لَمْ يَتْرُكْ مَالاً أُعْطِيَ اَلدِّيَةَ مِنْ بَيْتِ مَالِ اَلْمُسْلِمِينَ وَ لاَ يُبْطَلُ دَمُ اِمْرِئٍ مُسْلِمٍ ».

H.5198 - Al-Hasan ibn Mahbub narrated from Khidr Al-Sayrafi from Burayd Al-Ijli, who said: Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} was asked about a man who intentionally killed another man, but the legal punishment (*ha*dd) was not carried out on him, and the testimony against him was not confirmed until he lost his sanity and became mentally unstable.
Later, another group testified after his insanity that he had committed the murder.
Imam {a.s} said: "If they testified that he killed the man at the time of the murder while he was sound in mind and had no mental illness, then he should be executed.
But if they did not testify to that, and he had known wealth, the blood money (diyyah) should be paid to the heirs of the murdered person from the killer's wealth.
If he left no wealth, the blood money should be paid from the public treasury (Bayt Al-Mal) of the Muslims, for the blood of a Muslim must not be wasted."

[REFERENCES] Al-Kafi, Vol.7 p.295 • Man La Yahduruhu Al-Faqih, Vol.4 p.106 • Tahdhib Al-Ahkam, Vol.10 p.232 • Al-Wafi, Vol.16 p.668 • Wasa'il Al-Shi'ah, Vol.29 p.72

HADITH

5199 - وَ سَأَلَ سُلَيْمَانُ بْنُ خَالِدٍ أَبَا عَبْدِ اَللَّهِ ع: عَنْ رَجُلٍ اِسْتَأْجَرَ ظِئْراً فَأَعْطَاهَا وَلَدَهُ فَكَانَ عِنْدَهَا فَانْطَلَقَتِ اَلظِّئْرُ فَاسْتَأْجَرَتْ أُخْرَى فَغَابَتِ اَلظِّئْرُ بِالْوَلَدِ فَلاَ يُدْرَى مَا صُنِعَ بِهِ وَ اَلظِّئْرُ لاَ تُكَافَى قَالَ «اَلدِّيَةُ كَامِلَةٌ».

H.5199 - Sulayman ibn Khalid asked Abu Abdullah {a.s} about a man who hired a wet nurse and entrusted his child to her. While the child was with her, the wet nurse went and hired another woman to care for the child.
This second wet nurse then disappeared with the child, and it became unknown what happened to the child, and the original wet nurse could not be held accountable.
Imam {a.s} said: "The full blood money (diyyah) must be paid."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.106 • Man La Yahduruhu Al-Faqih, Vol.4 p.161 • Tahdhib Al-Ahkam, Vol.10 p.222 • Al-Wafi, Vol.16 p.831 • Wasa'il Al-Shi'ah, Vol.29 p.267

HADITH

5200 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنِ اَلْحَسَنِ بْنِ حَيٍّ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ ع عَنْ رَجُلٍ وُجِدَ مَقْتُولاً فَجَاءَ رَجُلاَنِ إِلَى وَلِيِّهِ فَقَالَ أَحَدُهُمَا أَنَا قَتَلْتُهُ عَمْداً وَ قَالَ اَلْآخَرُ أَنَا قَتَلْتُهُ خَطَأً فَقَالَ «إِنْ هُوَ أَخَذَ بِقَوْلِ صَاحِبِ اَلْعَمْدِ فَلَيْسَ لَهُ عَلَى صَاحِبِ اَلْخَطَإِ شَيْءٌ وَ إِنْ هُوَ أَخَذَ بِقَوْلِ صَاحِبِ اَلْخَطَإِ فَلَيْسَ لَهُ عَلَى صَاحِبِ اَلْعَمْدِ شَيْءٌ».

H.5200 - Al-Hasan ibn Mahbub narrated from Al-Hasan ibn Hayy, who said:
I asked Abu Abdullah {a.s} about a man who was found murdered. Two men came to guardian of the victim; one of them said: "I killed him intentionally," and other said: "I killed him by mistake."
Imam {a.s} said: "If guardian accepts the statement of one who confessed to intentional killing, then he has no claim against the one who confessed to accidental killing.
And if he accepts the statement of the one who confessed to accidental killing, then he has no claim against the one who confessed to intentional killing."

[REFERENCES] Al-Kafi, Vol.7 p.289 • Man La Yahduruhu Al-Faqih, Vol.4 p.106 • Tahdhib Al-Ahkam, Vol.10 p.172 • Al-Wafi, Vol.16 p.774 • Wasa'il Al-Shi'ah, Vol.29 p.141

HADITH

5201 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَلرَّحْمَنِ بْنِ اَلْحَجَّاجِ قَالَ سَمِعْتُ اِبْنَ أَبِي لَيْلَى يَقُولُ: كَانَتِ اَلدِّيَةُ فِي اَلْجَاهِلِيَّةِ مِائَةً مِنَ اَلْإِبِلِ فَأَقَرَّهَا رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ ثُمَّ إِنَّهُ فَرَضَ عَلَى أَهْلِ اَلْبَقَرِ مِائَتَيْ بَقَرَةٍ وَ فَرَضَ عَلَى أَهْلِ اَلشَّاةِ أَلْفَ شَاةٍ وَ عَلَى أَهْلِ اَلْحُلَلِ مِائَةَ حُلَّةٍ قَالَ عَبْدُ اَلرَّحْمَنِ فَسَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَمَّا رَوَاهُ اِبْنُ أَبِي لَيْلَى فَقَالَ «كَانَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ يَقُولُ «اَلدِّيَةُ أَلْفُ دِينَارٍ وَ قِيمَةُ اَلدِّينَارِ عَشَرَةُ دَرَاهِمَ وَ عَلَى أَهْلِ اَلذَّهَبِ أَلْفُ دِينَارٍ وَ عَلَى أَهْلِ اَلْوَرِقِ عَشَرَةُ آلاَفِ دِرْهَمٍ وَ عَشَرَةُ آلاَفٍ لِأَهْلِ اَلْأَمْصَارِ وَ لِأَهْلِ اَلْبَوَادِي اَلدِّيَةُ مِائَةٌ مِنَ اَلْإِبِلِ وَ لِأَهْلِ اَلسَّوَادِ مِائَتَا بَقَرَةٍ أَوْ أَلْفُ شَاةٍ» ».

H.5201 - Al-Hasan ibn Mahbub narrated from Abd Al-Rahman ibn Al-Hajjaj, who said: I heard Ibn Abi Layla say, "In the pre-Islamic era, the blood money (diyyah) was one hundred camels, and the Messenger of Allah {SWT} (peace be upon him and his family) affirmed it. Then he imposed on the people of cattle two hundred cows, on the people of sheep one thousand sheep, and on the people of garments one hundred garments." Abd Al-Rahman said: 'I asked Abu Abdullah {a.s} about what Ibn Abi Layla narrated, and Imam {a.s} said: "Imam Ali ibn Abi Talib {a.s} used to say:
'The blood money is one thousand dinars, and the value of a dinar is ten dirhams.
For the people of gold, it is one thousand dinars;
for the people of silver, it is ten thousand dirhams;
for the people of the cities, it is ten thousand;
for the people of the deserts, the blood money is one hundred camels;
and for the people of the villages, it is two hundred cows or one thousand sheep.'"

[REFERENCES] Al-Kafi, Vol.7 p.280 • Man La Yahduruhu Al-Faqih, Vol.4 p.107 • Tahdhib Al-Ahkam, Vol.10 p.160 • Al-Istibsar, Vol.4 p.259 • Al-Wafi, Vol.16 p.597 • Wasa'il Al-Shi'ah, Vol.29 p.193

HADITH

5202 - وَ سَمِعَ كُلَيْبُ بْنُ مُعَاوِيَةَ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ: «مَنْ قَتَلَ فِي شَهْرٍ حَرَامٍ فَعَلَيْهِ دِيَةٌ وَ ثُلُثٌ».

H.5202 - Kulayb ibn Muawiyah heard Abu Abdullah Imam Al-Sadiq {a.s} say:
"Whoever kills during a sacred month (haram month) is liable for the full blood money (diyyah) plus one-third."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.107 • Tahdhib Al-Ahkam, Vol.10 p.215 • Al-Wafi, Vol.16 p.601

HADITH

5203 - وَ رَوَى أَبَانٌ عَنْ زُرَارَةَ أَنَّهُ قَالَ سَمِعْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ يَقُولُ: «إِذَا قَتَلَ اَلرَّجُلُ فِي شَهْرٍ حَرَامٍ صَامَ شَهْرَيْنِ مُتَتَابِعَيْنِ مِنْ أَشْهُرِ اَلْحُرُمِ».

H.5203 - Aban narrated from Zurarah, who said:
I heard Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} say, "If a man kills during a sacred month (haram month), he must fast for two consecutive months from the sacred months."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.107 • Tahdhib Al-Ahkam, Vol.10 p.215 • Al-Wafi, Vol.16 p.583 • Wasa'il Al-Shi'ah, Vol.29 p.203

HADITH

5204 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي وَلاَّدٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ قَتَلَ رَجُلاً مُسْلِماً عَمْداً فَلَمْ يَكُنْ لِلْمَقْتُولِ أَوْلِيَاءُ مِنَ اَلْمُسْلِمِينَ إِلاَّ أَوْلِيَاءُ مِنْ أَهْلِ اَلذِّمَّةِ مِنْ قَرَابَتِهِ فَقَالَ «عَلَى اَلْإِمَامِ أَنْ يَعْرِضَ عَلَى قَرَابَتِهِ مِنْ أَهْلِ بَيْتِهِ اَلْإِسْلاَمَ فَمَنْ أَسْلَمَ مِنْهُمْ فَهُوَ وَلِيُّهُ يُدْفَعُ اَلْقَاتِلُ إِلَيْهِ فَإِنْ شَاءَ قَتَلَ وَ إِنْ شَاءَ عَفَا وَ إِنْ شَاءَ أَخَذَ اَلدِّيَةَ فَإِنْ لَمْ يُسْلِمْ مِنْ قَرَابَتِهِ أَحَدٌ كَانَ اَلْإِمَامُ وَلِيَّ أَمْرِهِ إِنْ شَاءَ قَتَلَ وَ إِنْ شَاءَ أَخَذَ اَلدِّيَةَ فَجَعَلَهَا فِي بَيْتِ مَالِ اَلْمُسْلِمِينَ لِأَنَّ جِنَايَةَ اَلْمَقْتُولِ كَانَتْ عَلَى اَلْإِمَامِ فَكَذَلِكَ تَكُونُ دِيَتُهُ لِإِمَامِ اَلْمُسْلِمِينَ » قُلْتُ فَإِنْ عَفَا عَنْهُ اَلْإِمَامُ فَقَالَ «إِنَّمَا هُوَ حَقٌّ لِجَمِيعِ اَلْمُسْلِمِينَ وَ إِنَّمَا عَلَى اَلْإِمَامِ أَنْ يَقْتُلَ أَوْ يَأْخُذَ اَلدِّيَةَ وَ لَيْسَ لَهُ أَنْ يَعْفُوَ».

H.5204 - Al-Hasan ibn Mahbub narrated from Abu Walad, who said:
I asked Abu Abdullah {a.s} about a man who intentionally killed a Muslim man, but the murdered man had no heirs among the Muslims, only relatives from the People of the Book (Ahl Al-Dhimmah) from his family.
Imam {a.s} said: "It is upon the Imam to offer Islam to his non-Muslim relatives. Whoever among them accepts Islam becomes his heir, and the killer is handed over to him. If he wishes, he may kill him, or if he wishes, he may forgive him, or if he wishes, he may take the blood money (diyyah).
If none of his relatives accept Islam, then the Imam becomes responsible for his case. If the Imam wishes, he may execute the killer, or if he wishes, he may take the blood money and deposit it in the public treasury (Bayt Al-Mal) of the Muslims because the responsibility of protecting the murdered person was upon Imam, and likewise, his blood money belongs to Imam of Muslims."
I asked: "What if the Imam forgives the killer?"
Imam {a.s} replied: "It is a right belonging to all Muslims. The Imam must either execute the killer or take the blood money, but he does not have the right to pardon."

[REFERENCES] Al-Kafi, Vol.7 p.359 • Man La Yahduruhu Al-Faqih, Vol.4 p.107 • Tahdhib Al-Ahkam, Vol.10 p.178 • Al-Wafi, Vol.16 p.863 • Wasa'il Al-Shi'ah, Vol.29 p.124

HADITH

5205 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ دَفَعَ رَجُلاً عَلَى رَجُلٍ فَقَتَلَهُ فَقَالَ «اَلدِّيَةُ عَلَى اَلَّذِي وَقَعَ عَلَى اَلرَّجُلِ فَقَتَلَهُ لِأَوْلِيَاءِ اَلْمَقْتُولِ» قَالَ «وَ يَرْجِعُ اَلْمَدْفُوعُ بِالدِّيَةِ عَلَى اَلَّذِي دَفَعَهُ» قَالَ «وَ إِنْ أَصَابَ اَلْمَدْفُوعَ شَيْءٌ فَهُوَ عَلَى اَلدَّافِعِ أَيْضاً».

H.5205 - Ibn Mahbub narrated from Ali ibn Ri'ab from Abdullah ibn Sinan from Abu Abdullah {a.s} regarding a man who pushed another man onto someone else, causing that person's death. Imam {a.s} said: "The blood money (diyyah) is upon the one who fell onto the man and killed him, and it must be paid to the heirs of the murdered person." Imam {a.s} further said: "Then the one who was pushed may seek the *diyyah* from the one who pushed him."
Imam {a.s} also said: "And if the one who was pushed suffers any harm, the responsibility falls upon the one who pushed him as well."

[REFERENCES] Al-Kafi, Vol.7 p.288 • Man La Yahduruhu Al-Faqih, Vol.4 p.108 • Tahdhib Al-Ahkam, Vol.10 p.211 • Al-Istibsar, Vol.4 p.280 • Awali Al-La'ali, Vol.3 p.617 • Al-Wafi, Vol.16 p.819 • Wasa'il Al-Shi'ah, Vol.29 p.57 • Wasa'il Al-Shi'ah, Vol.29 p.238

HADITH

5206 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ أَبِي وَلاَّدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ كَانَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ يَقُولُ: «تُسْتَأْدَى دِيَةُ اَلْخَطَإِ فِي ثَلاَثِ سِنِينَ وَ تُسْتَأْدَى دِيَةُ اَلْعَمْدِ فِي سَنَةٍ».

H.5206 - Ibn Mahbub narrated from Abu Walad from Abu Abdullah {a.s}, who said:
The Commander of the Faithful {a.s} used to say,
"The blood money (diyyah) for accidental killing (khaṭaʾ) is to be paid over three years, while the blood money for intentional killing (*A*md) must be paid within one year."

[REFERENCES] Al-Kafi, Vol.7 p.283 • Man La Yahduruhu Al-Faqih, Vol.4 p.108 • Tahdhib Al-Ahkam, Vol.10 p.162 • Nuzhat Al-Nazir, Vol.1 p.136 • Awali Al-La'ali, Vol.3 p.610 • Al-Wafi, Vol.16 p.601 • Wasa'il Al-Shi'ah, Vol.29 p.205

HADITH

5207 - وَ رَوَى جَعْفَرُ بْنُ بَشِيرٍ عَنْ مُعَلَّى أَبِي عُثْمَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنْ قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ: ﴿ فَمَنْ تَصَدَّقَ بِهِ فَهُوَ كَفَّارَةٌ لَهُ ﴾ قَالَ «يُكَفِّرُ عَنْهُ مِنْ ذُنُوبِهِ عَلَى قَدْرِ مَا عَفَا عَنِ اَلْعَمْدِ.

وَ فِي اَلْعَمْدِ يُقْتَلُ اَلرَّجُلُ بِالرَّجُلِ إِلَّا أَنْ يَعْفُوَ أَوْ يَقْبَلَ اَلدِّيَةَ وَ لَهُ مَا تَرَاضَوْا عَلَيْهِ مِنَ اَلدِّيَةِ وَ فِي شِبْهِ اَلْعَمْدِ اَلْمُغَلَّظَةُ ثَلاَثُ وَ ثَلاَثُونَ حِقَّةً وَ أَرْبَعُ وَ ثَلاَثُونَ جَذَعَةً وَ ثَلاَثُ وَ ثَلاَثُونَ ثَنِيَّةً خَلِفَةً طَرُوقَةَ اَلْفَحْلِ وَ مِنَ اَلشَّاةِ فِي اَلْمُغَلَّظَةِ أَلْفُ كَبْشٍ إِذَا لَمْ يَكُنْ إِبِلٌ.

H.5207 - Jafar ibn Bashir narrated from Mualla Abu Uthman from Abu Abdullah {a.s}, who said: I asked Imam {a.s} about the saying of Allah {SWT}, the Almighty and Majestic: *“But if one remits it as charity, it is an expiation for him.”*.
(Surah Al-Ma'idah 5:45)
Imam {a.s} said: “A portion of his sins will be expiated according to the extent of the forgiveness granted in the case of intentional killing.”

[AL SADUQ]

In cases of intentional murder, a man is executed for killing another man unless the victim’s heirs forgive or accept the blood money (*diyyah*), and they may agree upon any amount of *diyyah* they settle upon.
In cases of semi-intentional killing (shibh Al-amd), the blood money (diyyah mughallazah) consists of: thirty-three hiqqah camels, thirty-four jadh‘ah camels, and thirty-three thaniyyah camels that have borne offspring and been mated with a male camel.
And in cases where camels are not available, the compensation for diyyah mughallazah in sheep is one thousand rams.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.108 • Tafsir Kanz Al-Daqaiq, Vol.4 p.129

HADITH

5208 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ عَنْ حَرِيزٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ قَتَلَ رَجُلاً عَمْداً فَرُفِعَ إِلَى اَلْوَالِي فَدَفَعَهُ اَلْوَالِي إِلَى أَوْلِيَاءِ اَلْمَقْتُولِ لِيَقْتُلُوهُ فَوَثَبَ عَلَيْهِمْ قَوْمٌ فَخَلَّصُوا اَلْقَاتِلَ مِنْ أَيْدِي اَلْأَوْلِيَاءِ فَقَالَ «أَرَى أَنْ يُحْبَسَ اَلَّذِينَ خَلَّصُوا اَلْقَاتِلَ مِنْ أَيْدِي اَلْأَوْلِيَاءِ أَبَداً حَتَّى يَأْتُوا بِالْقَاتِلِ» قِيلَ لَهُ فَإِنْ مَاتَ اَلْقَاتِلُ وَ هُمْ فِي اَلسِّجْنِ فَقَالَ «إِنْ مَاتَ فَعَلَيْهِمُ اَلدِّيَةُ يُؤَدُّونَهَا إِلَى أَوْلِيَاءِ اَلْمَقْتُولِ».

H.5208 - Ibn Mahbub narrated from Abu Ayyub from Hariz from Abu Abdullah {a.s}, who said: I asked Imam {a.s} about a man who intentionally killed another man.
The matter was presented to the governor, and the governor handed the killer over to the heirs of the murdered person to execute him.
However, a group of people attacked and rescued the killer from the heirs.
Imam {a.s} said: “I believe that those who rescued the killer from the hands of the heirs should be imprisoned indefinitely until they bring back the killer."
It was asked: “What if the killer dies while they are in prison?"
Imam {a.s} replied: “If he dies, then they must pay the blood money (diyyah) to the heirs of the murdered person."

[REFERENCES] Al-Kafi, Vol.7 p.286 • Man La Yahduruhu Al-Faqih, Vol.4 p.109 • Tahdhib Al-Ahkam, Vol.10 p.223 • Al-Wafi, Vol.16 p.831 • Wasa’il Al-Shi’ah, Vol.18 p.437 • Wasa’il Al-Shi’ah, Vol.29 p.49

HADITH

5209 - وَ رَوَى هِشَامُ بْنُ سَالِمٍ عَنْ زِيَادِ بْنِ سُوقَةَ عَنِ اَلْحَكَمِ بْنِ عُتَيْبَةَ قَالَ: قُلْتُ لِأَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ مَا تَقُولُ فِي اَلْعَمْدِ وَ اَلْخَطَإِ فِي اَلْقَتْلِ وَ فِي اَلْجِرَاحَاتِ فَقَالَ «لَيْسَ اَلْخَطَأُ مِثْلَ اَلْعَمْدِ اَلْعَمْدُ فِيهِ اَلْقَتْلُ وَ اَلْجِرَاحَاتُ فِيهَا اَلْقِصَاصُ وَ اَلْخَطَأُ فِي اَلْقَتْلِ وَ اَلْجِرَاحَاتِ فِيهِمَا اَلدِّيَةُ» وَ قَالَ ثُمَّ قَالَ لِي «يَا حَكَمُ إِذَا كَانَ اَلْخَطَأُ مِنَ اَلْقَاتِلِ أَوِ اَلْخَطَأُ مِنَ اَلْجَارِحِ وَ كَانَ بَدَوِيّاً فَدِيَةُ مَا جَنَى اَلْبَدَوِيُّ مِنَ اَلْخَطَإِ عَلَى أَوْلِيَائِهِ مِنَ اَلْبَدَوِيِّينَ» قَالَ «وَ إِذَا كَانَ اَلْجَارِحُ قَرَوِيّاً فَإِنَّ دِيَةَ مَا جَنَى مِنَ اَلْخَطَإِ عَلَى أَوْلِيَائِهِ اَلْقَرَوِيِّينَ».

H.5209 - Hisham ibn Salim narrated from Ziyad ibn Suqah from Al-Hakam ibn Utaybah, who said: I asked Abu Jafar {a.s}, "What do you say about intentional and accidental killing and in cases of injuries?"
Imam {a.s} replied: “Accidental killing is not the same as intentional killing. In intentional killing, execution (qiṣaṣ) applies, and for injuries, retribution applies. In accidental killing and injuries, there is blood money (diyyah)."
Then Imam {a.s} said to me: "O’ Hakam, if the unintentional act is committed by the killer or the one who inflicted the injury, and he is a Bedouin, then the diyyah for what the Bedouin has done by mistake falls upon his fellow Bedouin relatives.
And if the one who caused the injury is a villager, then the diyyah for what he has done by mistake falls upon his fellow villagers.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.109 • Tahdhib Al-Ahkam, Vol.10 p.174 • Al-Wafi, Vol.16 p.856

HADITH

5210 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ أَمَرَ رَجُلاً حُرّاً أَنْ يَقْتُلَ رَجُلاً فَقَتَلَهُ قَالَ «يُقْتَلُ بِهِ اَلَّذِي وَلِيَ قَتْلَهُ وَ يُحْبَسُ اَلَّذِي أَمَرَ بِقَتْلِهِ فِي اَلسِّجْنِ أَبَداً حَتَّى يَمُوتَ».

H.5210 - Ibn Mahbub narrated from Ali ibn Ri'ab from Zurarah from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a man who commanded a free man to kill another man, and he carried out the killing.
Imam {a.s} said: “The one who directly committed the murder shall be executed, and the one who ordered the killing shall be imprisoned forever until he dies."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.109

HADITH

5211 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي عُبَيْدَةَ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ قَتَلَ أُمَّهُ قَالَ «لاَ يَرِثُهَا وَ يُقْتَلُ بِهَا صَاغِراً وَ لاَ أَظُنُّ قَتْلَهُ بِهَا كَفَّارَةً لِذَنْبِهِ».

H.5211 - Ibn Mahbub narrated from Ali ibn Ri'ab from Abu Ubaydah, who said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a man who killed his mother.
Imam {a.s} said: “He does not inherit from her, and he is to be executed for her murder in a state of humiliation.
Yet, I do not believe that his execution will serve as an expiation for his sin."

[REFERENCES] Al-Kafi, Vol.7 p.298 • Man La Yahduruhu Al-Faqih, Vol.4 p.109 • Man La Yahduruhu Al-Faqih, Vol.4 p.120 • Tahdhib Al-Ahkam, Vol.10 p.237 • Al-Wafi, Vol.16 p.631 • Wasa’il Al-Shi’ah, Vol.29 p.78

HADITH

5212 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ زُرَارَةَ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ قَتَلَ رَجُلاً خَطَأً فِي أَشْهُرِ اَلْحُرُمِ قَالَ «عَلَيْهِ اَلدِّيَةُ وَ صَوْمُ شَهْرَيْنِ مُتَتَابِعَيْنِ مِنْ أَشْهُرِ اَلْحُرُمِ» قُلْتُ إِنَّ هَذَا يَدْخُلُ فِيهِ اَلْعِيدُ وَ أَيَّامُ اَلتَّشْرِيقِ فَقَالَ «يَصُومُهُ فَإِنَّهُ حَقٌّ لَزِمَهُ».

H.5212 - Ibn Mahbub narrated from Ali ibn Ri’ab from Zurarah, who said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a man who accidentally killed another man during the sacred months (Ashhur Al-*H*urum).
Imam {a.s} said: “He must pay the blood money (diyyah) and fast for two consecutive months from the sacred months."
I said: “But this period includes Eid and the days of Tashriq (the days following Eid Al-Adha)."
Imam {a.s} replied: “He must still fast them, for it is an obligation that has become binding upon him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.110 • Tahdhib Al-Ahkam, Vol.10 p.215 • Al-Wafi, Vol.16 p.582 • Wasa’il Al-Shi’ah, Vol.29 p.204

HADITH

5213 - وَ فِي رِوَايَةِ أَبَانٍ عَنْ زُرَارَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «عَلَيْهِ دِيَةٌ وَ ثُلُثٌ».

H.5213 - In the narration of Aban from Zurarah from Abu Abdullah {a.s}, he said:
"He must pay the full blood money (diyyah) plus one-third."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.110

HADITH

5214 - وَ رَوَى ظَرِيفُ بْنُ نَاصِحٍ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «لَوْ أَنَّ رَجُلاً ضَرَبَ رَجُلاً بِخَزَفَةٍ أَوْ بِآجُرَّةٍ فَمَاتَ كَانَ مُتَعَمِّداً».

H.5214 - Zarif ibn Naṣih narrated from Ali ibn Abi Hamzah from Abu Basir, who said: Abu Abdullah {a.s} said: “If a man strikes another man with a piece of pottery or a brick and he dies, it is considered intentional killing."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.110

HADITH

5215 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ هِشَامِ بْنِ سَالِمٍ وَ غَيْرِ وَاحِدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ سُئِلَ عَنِ اِمْرَأَةٍ أَعْنَفَ عَلَيْهَا اَلرَّجُلُ فَزَعَمَ أَنَّهَا مَاتَتْ مِنْ عُنْفِهِ عَلَيْهَا قَالَ «اَلدِّيَةُ كَامِلَةً وَ لاَ يُقْتَلُ اَلرَّجُلُ».

H.5215 - Ibn Abi Umayr narrated from Hisham ibn Salim and others from Abu Abdullah {a.s} that that Imam {a.s} was asked about a woman upon whom a man used excessive force, and he claimed that she died due to his violence against her.
Imam {a.s} said: “The full blood money (diyyah) must be paid, but the man is not to be executed."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.111

HADITH

5216 - وَ فِي نَوَادِرِ إِبْرَاهِيمَ بْنِ هَاشِمٍ : أَنَّ اَلصَّادِقَ عَلَيْهِ اَلسَّلاَمُ سُئِلَ عَنْ رَجُلٍ أَعْنَفَ عَلَى اِمْرَأَةٍ أَوِ اِمْرَأَةٍ أَعْنَفَتْ عَلَى زَوْجِهَا فَقَتَلَ أَحَدُهُمَا اَلْآخَرَ قَالَ «لاَ شَيْءَ عَلَيْهِمَا إِذَا كَانَا مَأْمُونَيْنِ فَإِنِ اُتُّهِمَا لَزِمَهُمَا اَلْيَمِينُ بِاللَّهِ أَنَّهُمَا لَمْ يُرِيدَا اَلْقَتْلَ».

H.5216 - In Nawadir of Ibrahim ibn Hashim, it is narrated that Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked about a man who violently assaulted a woman or a woman who violently assaulted her husband, and one of them ended up killing the other.
Imam {a.s} said: “There is nothing upon either of them if they are considered trustworthy. However, if they are suspected, they must swear an oath by Allah {SWT} that they did not intend to kill."

[REFERENCES] Al-Kafi, Vol.7 p.294 • Al-Kafi, Vol.7 p.374 • Man La Yahduruhu Al-Faqih, Vol.4 p.111 • Tahdhib Al-Ahkam, Vol.10 p.209 • Al-Istibsar, Vol.4 p.279 • Awali Al-La’ali, Vol.2 p.363 • Al-Wafi, Vol.16 p.818 • Wasa’il Al-Shi’ah, Vol.29 p.270 • Mustadrak Al-Wasa’il, Vol.18 p.328

HADITH

5217 - وَ رَوَى دَاوُدُ بْنُ سِرْحَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلَيْنِ قَتَلاَ رَجُلاً قَالَ «إِنْ شَاءَ أَوْلِيَاءُ اَلْمَقْتُولِ أَنْ يُؤَدُّوا دِيَةً وَ يَقْتُلُوهُمَا جَمِيعاً قَتَلُوهُمَا».

H.5217 - Dawud ibn Sirhan narrated from Abu Abdullah {a.s} regarding two men who killed another man.
Imam {a.s} said: “If the heirs of the murdered person wish to pay the blood money (diyyah) and execute both of them, they may kill them both."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.111 • Al-Wafi, Vol.16 p.615 • Wasa’il Al-Shi’ah, Vol.29 p.41 • Al-Fusul Al-Muhimmah, Vol.2 p.525

HADITH

5218 - وَ رَوَى سَمَاعَةُ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي قَوْلِهِ عَزَّ وَ جَلَّ ﴿ فَمَنْ عُفِيَ لَهُ مِنْ أَخِيهِ شَيْءٌ فَاتِّبَاعٌ بِالْمَعْرُوفِ ﴾ مَا ذَاكَ اَلشَّيْءُ قَالَ «هُوَ اَلرَّجُلُ يَقْبَلُ اَلدِّيَةَ فَأَمَرَ اَللَّهُ عَزَّ وَ جَلَّ اَلَّذِي لَهُ اَلْحَقُّ أَنْ يَتَّبِعَهُ بِمَعْرُوفٍ وَ لاَ يُعْسِرَهُ وَ أَمَرَ اَلَّذِي عَلَيْهِ اَلْحَقُّ أَنْ لاَ يَظْلِمَهُ وَ أَنْ يُؤَدِّيَهُ إِلَيْهِ بِإِحْسَانٍ إِذَا أَيْسَرَ» فَقُلْتُ أَ رَأَيْتَ قَوْلَهُ عَزَّ وَ جَلَّ ﴿ فَمَنِ اِعْتَدىٰ بَعْدَ ذٰلِكَ فَلَهُ عَذٰابٌ أَلِيمٌ ﴾ قَالَ «هُوَ اَلرَّجُلُ يَقْبَلُ اَلدِّيَةَ أَوْ يُصَالِحُ ثُمَّ يَجِيءُ بَعْدُ فَيُمَثِّلُ أَوْ يَقْتُلُ فَوَعَدَهُ اَللَّهُ عَزَّ وَ جَلَّ عَذَاباً أَلِيماً».

H.5218 - Samaah narrated from Abu Basir from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding the saying of Allah {SWT}, the Almighty and Majestic:
"But if any remission is made by the brother of the slain, then grant [him] a suitable follow-up" (Surah Al-Baqarah 2:178).
I asked: “What is that 'remission'?"
Imam {a.s} said: “It is when a person accepts the blood money (diyyah). Allah {SWT}, the Almighty and Majestic, commanded the one who has the right (the victim's heir) to pursue it in a good manner and not to make it difficult, and He {SWT} commanded the one who owes the blood money not to wrong him and to pay it with kindness when he becomes able to do so."
I then asked: “What about Allah’s {SWT} saying:
'But whoever transgresses after that will have a painful punishment'?"
(Surah Al-Baqarah 2:178).
Imam {a.s} said: “This refers to the person who accepts the blood money or agrees to a settlement and then later comes back to mutilate or kill (the killer). Allah {SWT}, the Almighty and Majestic, has promised him a painful punishment."

[REFERENCES] Al-Kafi, Vol.7 p.359 • Man La Yahduruhu Al-Faqih, Vol.4 p.111 • Tahdhib Al-Ahkam, Vol.10 p.178 • Al-Wafi, Vol.16 p.870 • Tafsir Al-Burhan, Vol.1 p.377 • Tafsir Nur Al-Thaqalayn, Vol.1 p.157

HADITH

5219 - وَ رَوَى دَاوُدُ بْنُ سِرْحَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ حَمَلَ عَلَى رَأْسِهِ مَتَاعاً فَأَصَابَ إِنْسَاناً فَمَاتَ أَوْ كَسَرَ مِنْهُ شَيْئاً قَالَ «هُوَ مَأْمُونٌ».

H.5219 - Dawud ibn Sirhan narrated from Abu Abdullah {a.s} regarding a man who was carrying goods on his head and accidentally struck a person, causing death or breaking something.
Imam {a.s} said: “He is not held liable (ma'mun)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.111

HADITH

5220 - وَ رَوَى مُحَمَّدُ بْنُ أَسْلَمَ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي اَلْحَسَنِ مُوسَى بْنِ جَعْفَرٍ عَلَيْهِمَا اَلسَّلاَمُ قَالَ: قُلْتُ لَهُ جُعِلْتُ فِدَاكَ رَجُلٌ قَتَلَ رَجُلاً مُتَعَمِّداً أَوْ خَطَأً وَ عَلَيْهِ دَيْنٌ وَ مَالٌ فَأَرَادَ أَوْلِيَاؤُهُ أَنْ يَهَبُوا دَمَهُ لِلْقَاتِلِ فَقَالَ «إِنْ وَهَبُوا دَمَهُ ضَمِنُوا اَلدَّيْنَ » قُلْتُ فَإِنْ هُمْ أَرَادُوا قَتْلَهُ فَقَالَ «إِنْ قُتِلَ عَمْداً قُتِلَ قَاتِلُهُ وَ أَدَّى عَنْهُ اَلْإِمَامُ اَلدَّيْنَ مِنْ سَهْمِ اَلْغَارِمِينَ» قُلْتُ فَإِنَّهُ قُتِلَ عَمْداً وَ صَالَحَ أَوْلِيَاؤُهُ قَاتِلَهُ عَلَى اَلدِّيَةِ فَعَلَى مَنِ اَلدَّيْنُ عَلَى أَوْلِيَائِهِ مِنَ اَلدِّيَةِ أَوْ عَلَى إِمَامِ اَلْمُسْلِمِينَ فَقَالَ «بَلْ يُؤَدُّونَ دَيْنَهُ مِنْ دِيَتِهِ اَلَّتِي صَالَحُوا عَلَيْهَا أَوْلِيَاؤُهُ فَإِنَّهُ أَحَقُّ بِدِيَتِهِ مِنْ غَيْرِهِ».

H.5220 - Muhammad ibn Aslam narrated from Ali ibn Abi Hamzah from Abu Al-Hasan Imam Musa ibn Jafar Al-Kadhim {a.s}, who said:
I asked Imam {a.s}: "May I be your ransom! A man was killed, whether intentionally or accidentally, and he had debts and wealth. His heirs wanted to pardon the killer. What is the ruling?"
Imam {a.s} said: “If they pardon his blood, they are responsible for paying his debts."
I asked: “What if they wish to execute the killer?"
Imam {a.s} said: “If he is killed intentionally, his killer is to be executed, and the Imam will pay his debt from the gharimin (debtors) portion of the public treasury (Bayt Al-Mal)."
I asked: “If he was killed intentionally and his heirs reconciled with the killer for blood money (diyyah), who is responsible for the debt? Is it upon his heirs from the blood money or upon the Imam of the Muslims?"
Imam {a.s} replied: “Rather, they must pay his debt from the diyyah they accepted in the settlement because he is more entitled to his blood money than anyone else."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.112 • Al-Wafi, Vol.16 p.865 • Wasa’il Al-Shi’ah, Vol.29 p.123

HADITH

5221 - وَ فِي رِوَايَةِ اِبْنِ بُكَيْرٍ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «كُلُّ مَنْ قَتَلَ بِشَيْءٍ صَغِيرٍ أَوْ كَبِيرٍ بَعْدَ أَنْ يَتَعَمَّدَ فَعَلَيْهِ اَلْقَوَدُ».

H.5221 - In the narration of Ibn Bukayr, Abu Abdullah {a.s} said: "Whoever intentionally kills with anything, whether small or large, is subject to retribution (qiṣaṣ)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.112 • Tahdhib Al-Ahkam, Vol.10 p.162 • Al-Wafi, Vol.16 p.596 • Al-Wafi, Vol.16 p.596 • Wasa'il Al-Shi'ah, Vol.29 p.53 • Wasa'il Al-Shi'ah, Vol.29 p.76

HADITH

5222 - وَ رَوَى اَلْبَزَنْطِيُّ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ ضَرَبَ رَجُلاً بِعَصاً عَلَى رَأْسِهِ فَثَقُلَ لِسَانُهُ قَالَ «يُعْرَضُ عَلَيْهِ حُرُوفُ اَلْمُعْجَمِ فَمَا أَفْصَحَ مِنْهَا فَلاَ شَيْءَ فِيهِ وَ مَا لَمْ يُفْصِحْ بِهِ كَانَ عَلَيْهِ اَلدِّيَةُ وَ هِيَ ثَمَانِيَةٌ وَ عِشْرُونَ حَرْفاً».

H.5222 - Al-Bazanti narrated from Abdullah ibn Sinan from Abu Abdullah {a.s} regarding a man who struck another man on the head with a stick, causing his speech to become impaired.
Imam {a.s} said: "He should be tested with the letters of the Arabic alphabet. For the letters he can articulate clearly, there is no liability. But for the letters he cannot pronounce clearly, there is blood money (diyyah) due for each, and the total is twenty-eight letters."

[REFERENCES] Al-Kafi, Vol.7 p.322 • Man La Yahduruhu Al-Faqih, Vol.4 p.112 • Al-Wafi, Vol.16 p.737 • Wasa'il Al-Shi'ah, Vol.29 p.358

CHAPTER 22 – CHAPTER ON ONE WHOSE MISTAKE IS CONSIDERED INTENTIONAL

بَابُ مَنْ خَطَؤُهُ عَمْدٌ

HADITH 5223 – 5226

5223 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: سُئِلَ عَنِ اَلْغُلاَمِ لَمْ يُدْرِكْ وَ اِمْرَأَةٍ قَتَلاَ رَجُلاً فَقَالَ «إِنَّ خَطَأَ اَلْمَرْأَةِ وَ اَلْغُلاَمِ عَمْدٌ فَإِنْ أَحَبَّ أَوْلِيَاءُ اَلْمَقْتُولِ أَنْ يَقْتُلُوهُمَا قَتَلُوهُمَا وَ يَرُدُّونَ عَلَى أَوْلِيَاءِ اَلْغُلاَمِ خَمْسَةَ آلاَفِ دِرْهَمٍ وَ إِنْ أَحَبُّوا أَنْ يَقْتُلُوا اَلْغُلاَمَ قَتَلُوهُ وَ تَرُدُّ اَلْمَرْأَةُ عَلَى أَوْلِيَاءِ اَلْغُلاَمِ رُبُعَ اَلدِّيَةِ» قَالَ «وَ إِنْ أَحَبَّ أَوْلِيَاءُ اَلْمَقْتُولِ أَنْ يَقْتُلُوا اَلْمَرْأَةَ قَتَلُوهَا وَ يَرُدُّ اَلْغُلاَمُ عَلَى أَوْلِيَاءِ اَلْمَرْأَةِ رُبُعَ اَلدِّيَةِ» قَالَ «وَ إِنْ أَحَبَّ أَوْلِيَاءُ اَلْمَقْتُولِ أَنْ يَأْخُذُوا اَلدِّيَةَ كَانَ عَلَى اَلْغُلاَمِ نِصْفُ اَلدِّيَةِ وَ عَلَى اَلْمَرْأَةِ نِصْفُ اَلدِّيَةِ».

H.5223 - Al-Hasan ibn Mahbub narrated from Hisham ibn Salim from Abu Basir from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} that he was asked about a young boy who had not reached maturity and a woman who together killed a man.
Imam {a.s} said: “The mistake (khaṭa᾽) of a woman and a boy is considered intentional killing (*A*md). If the heirs of the murdered person wish to kill both of them, they may do so, but they must return five thousand dirhams to the boy's heirs.If they wish to kill the boy, they may do so, and the woman must return a quarter of the blood money (diyyah) to the boy's heirs.
If the heirs of the murdered person wish to kill the woman, they may do so, and the boy must return a quarter of the blood money to the woman's heirs.
If the heirs of the murdered person choose to accept blood money, then half of the diyyah is upon the boy and half upon the woman."

[REFERENCES] Al-Kafi, Vol.7 p.301 • Man La Yahduruhu Al-Faqih, Vol.4 p.113 • Tahdhib Al-Ahkam, Vol.10 p.242 • Al-Istibsar, Vol.4 p.286 • Awali Al-La’ali, Vol.3 p.591 • Al-Wafi, Vol.16 p.616 • Wasa’il Al-Shi’ah, Vol.29 p.87

HADITH

5224 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ عَنْ ضُرَيْسٍ اَلْكُنَاسِيِّ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنِ اِمْرَأَةٍ وَ عَبْدٍ قَتَلاَ رَجُلاً خَطَأً فَقَالَ «إِنَّ خَطَأَ اَلْمَرْأَةِ وَ اَلْعَبْدِ مِثْلُ اَلْعَمْدِ فَإِنْ أَحَبَّ أَوْلِيَاءُ اَلْمَقْتُولِ أَنْ يَقْتُلُوهُمَا قَتَلُوهُمَا» قَالَ «وَ إِنْ كَانَ قِيمَةُ اَلْعَبْدِ أَكْثَرَ مِنْ خَمْسَةِ آلاَفِ دِرْهَمٍ رَدُّوا عَلَى سَيِّدِ اَلْعَبْدِ مَا يَفْضُلُ بَعْدَ اَلْخَمْسَةِ آلاَفِ دِرْهَمٍ فَإِنْ أَحَبُّوا أَنْ يَقْتُلُوا اَلْمَرْأَةَ وَ يَأْخُذُوا اَلْعَبْدَ فَعَلُوا إِلاَّ أَنْ يَكُونَ قِيمَتُهُ أَكْثَرَ مِنْ خَمْسَةِ آلاَفِ دِرْهَمٍ فَيَرُدُّوا عَلَى مَوْلَى اَلْعَبْدِ مَا يَفْضُلُ بَعْدَ اَلْخَمْسَةِ آلاَفِ دِرْهَمٍ وَ يَأْخُذُوا اَلْعَبْدَ أَوْ يَفْتَدِيَهُ سَيِّدُهُ وَ إِنْ كَانَتْ قِيمَةُ اَلْعَبْدِ أَقَلَّ مِنْ خَمْسَةِ آلاَفِ دِرْهَمٍ فَلَيْسَ لَهُمْ إِلاَّ اَلْعَبْدُ».

H.5224 - Ibn Mahbub narrated from Abu Ayyub from Ḍurays Al-Kunnasi, who said:
I asked Abu Abdullah {a.s} about a woman and a slave who accidentally killed a man.
Imam {a.s} said: “The mistake (khaṭa’) of a woman and a slave is considered like intentional killing (*A*md). If the heirs of the murdered person wish to kill both of them, they may do so."
Imam {a.s} continued: “If the value of the slave exceeds five thousand dirhams, they must return to the master of the slave the excess amount beyond five thousand dirhams. If they wish, they may execute the woman and take the slave, unless his value exceeds five thousand dirhams, in which case they must pay the master the excess amount beyond five thousand dirhams to take the slave. Alternatively, the master of the slave may ransom him.
And if the value of the slave is less than five thousand dirhams, then they only have the right to take the slave.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.113 • Mustadrak Al-Wasa’il, Vol.18 p.241

HADITH

5225 - وَ رَوَى أَبُو أُسَامَةَ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: فِي اِمْرَأَةٍ قَتَلَتْ رَجُلاً مُتَعَمِّدَةً فَقَالَ «إِنْ شَاءَ أَهْلُهُ أَنْ يَقْتُلُوهَا قَتَلُوهَا وَ لَيْسَ يَجْنِي أَحَدٌ جِنَايَةً عَلَى أَكْثَرَ مِنْ نَفْسِهِ ».

H.5225 - Abu Usamah narrated from Abdullah ibn Sinan from Abu Abdullah {a.s} regarding a woman who intentionally killed a man.
Imam {a.s} said: “If the family of the murdered person wishes to kill her, they may do so. No one bears the burden of a crime beyond their own soul."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.114 • Man La Yahduruhu Al-Faqih, Vol.4 p.119 • Al-Istibsar, Vol.4 p.267 • Al-Wafi, Vol.16 p.604 • Wasa’il Al-Shi’ah, Vol.29 p.85

HADITH

5226 - وَ رَوَى اَلسَّكُونِيُّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ وَ غُلاَمٍ اِجْتَمَعَا فِي قَتْلِ رَجُلٍ فَقَتَلاَهُ فَقَالَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ «إِذَا بَلَغَ اَلْغُلاَمُ خَمْسَةَ أَشْبَارٍ أُقْتُصَّ مِنْهُ وَ أُقْتُصَّ لَهُ وَ إِنْ لَمْ يَكُنْ بَلَغَ اَلْغُلاَمُ خَمْسَةَ أَشْبَارٍ فَقُضِيَ بِالدِّيَةِ».

H.5226 - Al-Sakuni narrated from Abu Abdullah {a.s} regarding a man and a boy who together killed a man.
Imam {a.s} said:
The Commander of the Faithful {a.s} stated: "If the boy has reached five hand spans in height, then retribution (qiṣaṣ) is carried out against him and for him. However, if the boy has not yet reached five hand spans, the ruling is the payment of blood money (diyyah)."

[REFERENCES] Al-Kafi, Vol.7 p.302 • Man La Yahduruhu Al-Faqih, Vol.4 p.114 • Tahdhib Al-Ahkam, Vol.10 p.233 • Tahdhib Al-Ahkam, Vol.10 p.243 • Al-Istibsar, Vol.4 p.287 • Awali Al-La’ali, Vol.3 p.592 • Al-Wafi, Vol.16 p.671 • Wasa’il Al-Shi’ah, Vol.29 p.90 • Wasa’il Al-Shi’ah, Vol.29 p.401

CHAPTER 23 – CHAPTER ON ONE WHOSE INTENTIONAL ACT IS CONSIDERED A MISTAKE

بَابُ مَنْ عَمْدُهُ خَطَأٌ

HADITH 5227 – 5228

5227 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ عَمَّارٍ اَلسَّابَاطِيِّ عَنْ أَبِي عُبَيْدَةَ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ أَعْمَى فَقَأَ عَيْنَ صَحِيحٍ مُتَعَمِّداً فَقَالَ «يَا أَبَا عُبَيْدَةَ إِنَّ عَمْدَ اَلْأَعْمَى مِثْلُ اَلْخَطَإِ هَذَا فِيهِ اَلدِّيَةُ مِنْ مَالِهِ فَإِنْ لَمْ يَكُنْ لَهُ مَالٌ فَإِنَّ دِيَةَ ذَلِكَ عَلَى اَلْإِمَامِ وَ لاَ يُبْطَلُ حَقُّ مُسْلِمٍ ».

H.5227 - Al-Hasan ibn Mahbub narrated from Hisham ibn Salim from Ammar Al-Sabaṭi from Abu Ubaydah, who said: I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a blind man who intentionally gouged out the eye of a sighted person.
Imam {a.s} said: “O’ Abu Ubaydah, the intentional act of a blind man is treated like a mistake (khaṭaʾ). The blood money (diyyah) must be paid from his wealth. If he has no wealth, then the diyyah is upon the Imam. The right of a Muslim must not be invalidated."

[REFERENCES] Al-Kafi, Vol.7 p.302 • Man La Yahduruhu Al-Faqih, Vol.4 p.114 • Al-Ikhtisas, Vol.1 p.255 • Tahdhib Al-Ahkam, Vol.10 p.232 • Awali Al-La’ali, Vol.2 p.361 • Awali Al-La’ali, Vol.3 p.595 • Al-Wafi, Vol.16 p.672 • Bihar Al-Anwar, Vol.101 p.397 • Mustadrak Al-Wasa’il, Vol.18 p.241 • Mustadrak Al-Wasa’il, Vol.18 p.417

HADITH

5228 - وَ رَوَى إِسْمَاعِيلُ بْنُ أَبِي زِيَادٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «أَنَّ مُحَمَّدَ بْنَ أَبِي بَكْرٍ رَضِيَ اَللَّهُ عَنْهُ كَتَبَ إِلَى أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : يَسْأَلُهُ عَنْ رَجُلٍ مَجْنُونٍ قَتَلَ رَجُلاً عَمْداً فَجَعَلَ عَلَيْهِ اَلسَّلاَمُ اَلدِّيَةَ عَلَى قَوْمِهِ وَ جَعَلَ خَطَأَهُ وَ عَمْدَهُ سَوَاءً».

H.5228 - Ismaʿil ibn Abi Ziyad narrated from Abu Abdullah {a.s} that Muhammad ibn Abi Bakr (may Allah {SWT} be pleased with him) wrote to the Commander of the Faithful {a.s} asking about a mentally ill man who intentionally killed another man.
The Commander of the Faithful {a.s} ruled that the blood money (diyyah) was upon his tribe (*A*qilah) and that both his accidental and intentional acts were to be treated the same.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.115 • Tahdhib Al-Ahkam, Vol.10 p.232 • Al-Wafi, Vol.16 p.668 • Wasa’il Al-Shi’ah, Vol.29 p.73 • Wasa’il Al-Shi’ah, Vol.29 p.401

CHAPTER 24 – CHAPTER ON ONE WHO COMMITS A CRIME DESERVING LEGAL PUNISHMENT AND THEN SEEKS REFUGE IN THE SACRED SANCTUARY (HARAM)

بَابٌ فِيمَنْ أَتَى حَدّاً ثُمَّ الْتَجَأَ إِلَى الْحَرَمِ

HADITH 5229

5229 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ هِشَامِ بْنِ اَلْحَكَمِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اَلرَّجُلِ يَجْنِي فِي غَيْرِ اَلْحَرَمِ ثُمَّ يَلْجَأُ إِلَى اَلْحَرَمِ قَالَ «لاَ يُقَامُ عَلَيْهِ اَلْحَدُّ وَ لاَ يُطْعَمُ وَ لاَ يُسْقَى وَ لاَ يُكَلَّمُ وَ لاَ يُبَايَعُ فَإِنَّهُ إِذَا فُعِلَ ذَلِكَ بِهِ يُوشِكُ أَنْ يَخْرُجَ فَيُقَامَ عَلَيْهِ اَلْحَدُّ وَ إِنْ جَنَى فِي اَلْحَرَمِ جِنَايَةً أُقِيمَ عَلَيْهِ اَلْحَدُّ فِي اَلْحَرَمِ فَإِنَّهُ لَمْ يَرَ لِلْحَرَمِ حُرْمَةً».

H.5229 - Ibn Abi Umayr narrated from Hisham ibn Al-Hakam from Abu Abdullah {a.s} regarding a man who commits a crime outside the Sacred Sanctuary (Al-*Ha*ram) and then seeks refuge within it.
Imam {a.s} said: “The legal punishment (*ha*dd) is not to be carried out on him, but he should not be given food or drink, nor spoken to, nor engaged in trade. By doing this to him, it is likely that he will leave, and then the punishment can be enforced upon him. However, if he commits a crime within the Sacred Sanctuary, the legal punishment must be carried out on him within the Haram, for he has shown no respect for its sanctity."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.115 • Tahdhib Al-Ahkam, Vol.10 p.216 • Al-Wafi, Vol.12 p.84 • Wasa’il Al-Shi’ah, Vol.28 p.59

CHAPTER 25 – CHAPTER ON THE RULING REGARDING A MAN WHO KILLS TWO OR MORE MEN, AND A GROUP THAT GATHERS TO KILL A MAN

بَابُ حُكْمِ الرَّجُلِ يَقْتُلُ الرَّجُلَيْنِ أَوْ أَكْثَرَ وَ الْقَوْمِ يَجْتَمِعُونَ عَلَى قَتْلِ رَجُلٍ

HADITH 5230 – 5238

5230 - رَوَى اَلْقَاسِمُ بْنُ مُحَمَّدٍ عَنْ أَبَانٍ عَنِ اَلْفُضَيْلِ بْنِ يَسَارٍ قَالَ: قُلْتُ لِأَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَشَرَةٌ قَتَلُوا رَجُلاً قَالَ «إِنْ شَاءَ أَوْلِيَاؤُهُ قَتَلُوهُمْ جَمِيعاً وَ غَرِمُوا تِسْعَ دِيَاتٍ وَ إِنْ شَاءُوا أَنْ يَتَخَيَّرُوا رَجُلاً فَيَقْتُلُوهُ قَتَلُوهُ وَ أَدَّى اَلتِّسْعَةُ اَلْبَاقُونَ إِلَى أَهْلِ اَلْمَقْتُولِ اَلْأَخِيرِ عُشْرَ اَلدِّيَةِ كُلُّ رَجُلٍ مِنْهُمْ قَالَ ثُمَّ إِنَّ اَلْوَالِيَ يَلِي أَدَبَهُمْ وَ حَبْسَهُمْ».

H.5230 - Al-Qasim ibn Muhammad narrated from Aban from Al-Fuḍayl ibn Yasar, who said: I asked Abu Jafar {a.s} about ten men who killed a man.
Imam {a.s} said: “If the heirs of the murdered person wish, they may kill all of them and pay nine blood monies (diyyat). But if they prefer to choose one of them to execute, they may do so, and the remaining nine must each pay one-tenth of the blood money to the heirs of the murdered person."
Imam {a.s} added, "Afterward, the governor is responsible for disciplining and imprisoning them."

[REFERENCES] Al-Kafi, Vol.7 p.283 • Man La Yahduruhu Al-Faqih, Vol.4 p.115 • Tahdhib Al-Ahkam, Vol.10 p.217 • Al-Istibsar, Vol.4 p.281 • Al-Wafi, Vol.16 p.614 • Wasa’il Al-Shi’ah, Vol.29 p.43

HADITH

5231 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «قَضَى عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ فِي رَجُلَيْنِ أَمْسَكَ أَحَدُهُمَا وَ قَتَلَ اَلْآخَرُ فَقَالَ «يُقْتَلُ اَلْقَاتِلُ وَ يُحْبَسُ اَلْآخَرُ حَتَّى يَمُوتَ غَمّاً كَمَا حَبَسَهُ عَلَيْهِ حَتَّى مَاتَ غَمّاً» ».

H.5231 - Hammad narrated from Al-Halabi from Abu Abdullah {a.s} who said:
"Imam Ali ibn Abi Talib {a.s} ruled in the case of two men where one of them restrained the victim while the other killed him.
Imam {a.s} said: ‘The killer shall be executed, and the one who restrained the victim shall be imprisoned until he dies in grief, just as he caused the victim to be held until he died in grief.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.115 • Wasa’il Al-Shi’ah, Vol.29 p.49

HADITH

5232 - وَ قَالَ: فِي عَشَرَةٍ اِشْتَرَكُوا فِي قَتْلِ رَجُلٍ قَالَ «يَتَخَيَّرُ أَهْلُ اَلْمَقْتُولِ فَأَيُّهُمْ شَاءُوا قَتَلُوهُ وَ يَرْجِعُ أَوْلِيَاؤُهُ عَلَى اَلْبَاقِينَ بِتِسْعَةِ أَعْشَارِ اَلدِّيَةِ».

H.5232 - And Imam {a.s} said regarding ten people who collectively participated in killing a man: "The heirs of the murdered person may choose whichever one of them they wish to execute, and the heirs of the executed person can then seek compensation from the remaining nine for nine-tenths of the blood money (diyyah)."

[REFERENCES] Al-Kafi, Vol.7 p.283 • Man La Yahduruhu Al-Faqih, Vol.4 p.116 • Tahdhib Al-Ahkam, Vol.10 p.218 • Al-Istibsar, Vol.4 p.281 • Al-Wafi, Vol.16 p.613 • Wasa'il Al-Shi'ah, Vol.29 p.42

HADITH

5233 - : وَ قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي سِتَّةِ نَفَرٍ كَانُوا فِي اَلْمَاءِ فَغَرِقَ مِنْهُمْ رَجُلٌ فَشَهِدَ مِنْهُمْ ثَلاَثَةٌ عَلَى اِثْنَيْنِ أَنَّهُمَا غَرَّقَاهُ وَ شَهِدَ اِثْنَانِ عَلَى ثَلاَثَةٍ أَنَّهُمْ غَرَّقُوهُ فَأَلْزَمَهُمُ اَلدِّيَةَ جَمِيعاً أَلْزَمَ اَلاِثْنَيْنِ ثَلاَثَةَ أَسْهُمٍ بِشَهَادَةِ اَلثَّلاَثَةِ عَلَيْهِمَا وَ أَلْزَمَ اَلثَّلاَثَةَ سَهْمَيْنِ بِشَهَادَةِ اَلاِثْنَيْنِ عَلَيْهِمْ.

H.5233 - The Commander of the Faithful {a.s} ruled in the case of six people who were in the water, and one of them drowned. Three of them testified that two others had drowned him, while the two testified that the three had drowned him.
Imam {a.s} obligated all of them to pay the blood money (diyyah).
Imam {a.s} made the two responsible for three shares of the diyyah based on the testimony of the three against them, and he made the three responsible for two shares based on the testimony of the two against them.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.116 • Al-Wafi, Vol.16 p.621

HADITH

5234 - : «وَ قَضَى عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ فِي أَرْبَعَةِ نَفَرٍ اِطَّلَعُوا فِي زُبْيَةِ اَلْأَسَدِ فَخَرَّ أَحَدُهُمْ فَاسْتَمْسَكَ بِالثَّانِي وَ اِسْتَمْسَكَ اَلثَّانِي بِالثَّالِثِ وَ اِسْتَمْسَكَ اَلثَّالِثُ بِالرَّابِعِ حَتَّى أَسْقَطَ بَعْضُهُمْ بَعْضاً عَلَى اَلْأَسَدِ فَقَضَى بِالْأَوَّلِ «أَنَّهُ فَرِيسَةُ اَلْأَسَدِ» وَ غَرَّمَ أَهْلَهُ ثُلُثَ اَلدِّيَةِ لِأَهْلِ اَلثَّانِي وَ غَرَّمَ أَهْلَ اَلثَّانِي لِأَهْلِ اَلثَّالِثِ ثُلُثَيِ اَلدِّيَةِ وَ غَرَّمَ أَهْلَ اَلثَّالِثِ لِأَهْلِ اَلرَّابِعِ اَلدِّيَةَ كَامِلَةً».

H.5234 - Imam Ali ibn Abi Talib {a.s} ruled in the case of four people who were looking into a lion's pit. One of them fell in and grabbed onto the second, the second grabbed onto the third, and the third grabbed onto the fourth until they all pulled each other down onto the lion.
Imam {a.s} ruled that the first was considered the prey of the lion, and his family was required to pay one-third of the blood money (diyyah) to the family of the second.
The family of the second was required to pay two-thirds of the diyyah to the family of the third. The family of the third was required to pay the full diyyah to the family of the fourth.

[REFERENCES] Al-Kafi, Vol.7 p.286 • Man La Yahduruhu Al-Faqih, Vol.4 p.116 • Tahdhib Al-Ahkam, Vol.10 p.239 • Al-Manaqib, Vol.2 p.378 • Awali Al-La'ali, Vol.3 p.627 • Al-Wafi, Vol.16 p.624 • Wasa'il Al-Shi'ah, Vol.29 p.237

HADITH

5235 - وَ رُوِيَ عَنْ عَمْرِو بْنِ أَبِي اَلْمِقْدَامِ قَالَ: كُنْتُ شَاهِداً عِنْدَ اَلْبَيْتِ اَلْحَرَامِ يُنَادِي بِأَبِي جَعْفَرٍ اَلدَّوَانِيقِيِّ رَجُلٌ وَ هُوَ يَطُوفُ وَ يَقُولُ يَا أَمِيرَ اَلْمُؤْمِنِينَ إِنَّ هَذَيْنِ اَلرَّجُلَيْنِ طَرَقَا أَخِي لَيْلاً فَأَخْرَجَاهُ مِنْ مَنْزِلِهِ فَلَمْ يَرْجِعْ إِلَيَّ وَ وَ اَللَّهِ مَا أَدْرِي مَا صَنَعَا بِهِ فَقَالَ لَهُمَا مَا صَنَعْتُمَا بِهِ فَقَالاَ يَا أَمِيرَ اَلْمُؤْمِنِينَ كَلِّمْنَاهُ ثُمَّ رَجَعَ إِلَى مَنْزِلِهِ فَقَالَ لَهُمَا وَافِيَانِي غَداً عِنْدَ صَلاَةِ اَلْعَصْرِ فِي هَذَا اَلْمَكَانِ فَوَافَوْهُ صَلاَةَ اَلْعَصْرِ مِنَ اَلْغَدِ فَقَالَ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ وَ هُوَ قَابِضٌ عَلَى يَدِهِ يَا جَعْفَرُ اِقْضِ بَيْنَهُمْ فَقَالَ «اِقْضِ بَيْنَهُمْ أَنْتَ» قَالَ لَهُ بِحَقِّي عَلَيْكَ إِلاَّ قَضَيْتَ بَيْنَهُمْ قَالَ فَخَرَجَ جَعْفَرٌ عَلَيْهِ اَلسَّلاَمُ فَطُرِحَ لَهُ مُصَلًّى قَصَبٍ فَجَلَسَ عَلَيْهِ ثُمَّ جَاءَ اَلْخُصَمَاءُ فَجَلَسُوا قُدَّامَهُ فَقَالَ لِلْمُدَّعِي «مَا تَقُولُ» فَقَالَ يَا اِبْنَ رَسُولِ اَللَّهِ إِنَّ هَذَيْنِ طَرَقَا أَخِي لَيْلاً فَأَخْرَجَاهُ مِنْ مَنْزِلِهِ وَ وَ اَللَّهِ مَا رَجَعَ إِلَيَّ وَ وَ اَللَّهِ مَا أَدْرِي مَا صَنَعَا بِهِ فَقَالَ «مَا تَقُولاَنِ» فَقَالاَ يَا اِبْنَ رَسُولِ اَللَّهِ كَلَّمْنَاهُ ثُمَّ رَجَعَ إِلَى مَنْزِلِهِ فَقَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «يَا غُلاَمُ أُكْتُبْ «بِسْمِ اَللَّهِ اَلرَّحْمَنِ اَلرَّحِيمِ» قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ «كُلُّ مَنْ طَرَقَ رَجُلاً بِاللَّيْلِ فَأَخْرَجَهُ مِنْ مَنْزِلِهِ فَهُوَ لَهُ ضَامِنٌ إِلاَّ أَنْ يُقِيمَ اَلْبَيِّنَةَ أَنَّهُ قَدْ رَدَّهُ إِلَى مَنْزِلِهِ» يَا غُلاَمُ نَحِّ هَذَا اَلْوَاحِدَ مِنْهُمَا وَ اِضْرِبْ عُنُقَهُ» فَقَالَ يَا اِبْنَ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ مَا أَنَا قَتَلْتُهُ وَ لَكِنِّي أَمْسَكْتُهُ ثُمَّ جَاءَ هَذَا فَوَجَأَهُ فَقَتَلَهُ فَقَالَ «أَنَا اِبْنُ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ يَا غُلاَمُ نَحِّ هَذَا فَاضْرِبْ عُنُقَهُ لِلْآخَرِ» فَقَالَ يَا اِبْنَ رَسُولِ اَللَّهِ وَ اَللَّهِ مَا عَذَّبْتُهُ وَ لَكِنِّي قَتَلْتُهُ بِضَرْبَةٍ وَاحِدَةٍ فَأَمَرَ أَخَاهُ فَضَرَبَ عُنُقَهُ ثُمَّ أَمَرَ بِالْآخَرِ فَضَرَبَ جَنْبَيْهِ وَ حَبَسَهُ فِي اَلسِّجْنِ وَ وَقَّعَ عَلَى رَأْسِهِ يُحْبَسُ عُمُرَهُ يُضْرَبُ كُلَّ سَنَةٍ خَمْسِينَ جَلْدَةً.

H.5235 - It is narrated from Amr ibn Abi Al-Miqdam who said:
I was present at the Sacred House (Al-Bayt Al-Haram) when a man was calling out to Abu Jafar Al-Dawaniqi while he was performing ṭawaf (circumambulation) and said: "O' Commander of the Faithful! These two men came to my brother at night, took him out of his house, and he never returned to me. By Allah {SWT}, I do not know what they did to him."
Abu Jafar asked the two men: "What did you do to him?"

They replied: “O’ Commander of the Faithful! We only spoke to him, and then he returned to his house."

Abu Jafar said to them: "Meet me tomorrow at this place at the time of the afternoon prayer (ṣalat Al-Aṣr)."

The next day, they met him at the appointed time. Abu Jafar took hold of the hand of Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} and said: “O’ Jafar {a.s}, judge between them."

Imam Jafar {a.s} replied: “You judge between them."

Abu Jafar insisted: "I swear by my right over you, you must judge between them."

Imam Jafar ibn Muhammad Al-Sadiq {a.s} then went out, and a prayer mat made of reeds was laid out for him. Imam {a.s} sat upon it, and the disputants sat before him.

Imam Jafar {a.s} asked the claimant, "What do you say?"

The man replied: “O’ son of the Messenger of Allah {SWT}! These two men came to my brother at night, took him out of his house, and by Allah {SWT}, he never returned to me. By Allah {SWT}, I do not know what they did to him."

Imam Jafar {a.s} then turned to the two men and said: “What do you both say?"

The two men replied: “O’ son of the Messenger of Allah {SWT}! We only spoke to him, and then he returned to his home."

Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said: “O’ servant, write:

‘In the name of Allah {SWT}, the Most Merciful, Most Compassionate. The Messenger of Allah {SWT} (peace and blessings be upon him and his family) said: ‘Whoever comes to a man at night and takes him out of his home is responsible for him unless he brings evidence that he returned him to his house.'"

Then Imam {a.s} said: “O’ servant, separate one of them and strike his neck."

The man exclaimed: "O’ son of the Messenger of Allah {SWT}! I did not kill him, but I only held him, and this man came and struck him, killing him."

Imam Jafar {a.s} said: “I am the son of the Messenger of Allah {SWT}. O’ servant, separate this one and strike his neck for the other."

The second man cried: "O’ son of the Messenger of Allah {SWT}! By Allah {SWT}, I did not torture him; I killed him with a single strike."

Imam Jafar ibn Muhammad Al-Sadiq {a.s} ordered his brother to strike his neck.

Then, Imam {a.s} commanded that the first man be lashed on his sides and imprisoned. Imam {a.s} wrote on his record: He shall be imprisoned for life and lashed fifty times every year.

[REFERENCES] Al-Kafi, Vol.7 p.287 • Man La Yahduruhu Al-Faqih, Vol.4 p.117 • Tahdhib Al-Ahkam, Vol.10 p.221 • Awali Al-La’ali, Vol.3 p.619 • Al-Wafi, Vol.16 p.1091

HADITH

5236 - وَ رَوَى اَلسَّكُونِيُّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «كَانَ قَوْمٌ يَشْرَبُونَ فَيَسْكَرُونَ فَتَبَاعَجُوا بِسَكَاكِينَ كَانَتْ مَعَهُمْ فَرُفِعُوا إِلَى أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَسَجَنَهُمْ فَمَاتَ مِنْهُمْ رَجُلاَنِ وَ بَقِيَ رَجُلاَنِ فَقَالَ أَهْلُ اَلْمَقْتُولَيْنِ يَا أَمِيرَ اَلْمُؤْمِنِينَ أَقِدْهُمَا بِصَاحِبَيْنَا فَقَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ لِلْقَوْمِ «مَا تَرَوْنَ»
فَقَالُوا نَرَى أَنْ تُقِيدَهُمَا فَقَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «لَعَلَّ ذَيْنِكَ اَللَّذَيْنِ مَاتَا قَتَلَ كُلُّ وَاحِدٍ مِنْهُمَا صَاحِبَهُ» قَالُوا لاَ نَدْرِي فَقَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «بَلْ أَنَا أَجْعَلُ دِيَةَ اَلْمَقْتُولَيْنِ عَلَى قَبَائِلَ اَلْأَرْبَعَةِ فَآخُذُ دِيَةَ جِرَاحَةِ اَلْبَاقِينَ مِنْ دِيَةِ اَلْمَقْتُولَيْنِ» ».

H.5236 - Al-Sakuni narrated from Abu Abdullah {a.s} that a group of people were drinking and became intoxicated. They began to attack each other with knives they had with them. They were brought before the Commander of the Faithful {a.s}, and Imam {a.s} imprisoned them. Two of them died, and two remained alive.
The families of the two killed men said: “O’ Commander of the Faithful {a.s}! Execute these two in retaliation for our relatives."
Imam Ali ibn Abi Talib {a.s} asked the group: "What do you think?"
They replied: “We think you should retaliate against them."
Imam Ali ibn Abi Talib {a.s} said: “Perhaps those two who died killed each other."
They responded: "We do not know."
Imam Ali ibn Abi Talib {a.s} then said: “Rather, I will distribute the blood money (diyyah) of the two killed among the four tribes, and I will deduct the compensation for the injuries of the survivors from the diyyah of the deceased."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.118 • Awali Al-La’ali, Vol.3 p.623

HADITH

5237 - وَ رُفِعَ إِلَى أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «ثَلاَثَةُ نَفَرٍ وَاحِدٌ مِنْهُمْ أَمْسَكَ رَجُلاً وَ أَقْبَلَ اَلْآخَرُ فَقَتَلَهُ وَ اَلْآخَرُ يَرَاهُمْ فَقَضَى عَلَيْهِ اَلسَّلاَمُ فِي صَاحِبِ اَلرُّؤْيَةِ أَنْ تُسْمَلَ عَيْنَاهُ وَ قَضَى فِي اَلَّذِي أَمْسَكَ أَنْ يُسْجَنَ حَتَّى يَمُوتَ كَمَا أَمْسَكَهُ وَ قَضَى فِي اَلَّذِي قَتَلَ أَنْ يُقْتَلَ».

H.5237 - It was reported to the Commander of the Faithful {a.s} about three men: one of them restrained a man, another approached and killed him, and the third stood by watching them.
Imam Ali ibn Abi Talib {a.s} ruled that the one who merely watched should have his eyes gouged out. Imam {a.s} ruled that the one who restrained the victim should be imprisoned until he dies, just as he held the victim until death. As for the one who committed the murder, Imam {a.s} ruled that he should be executed.

[REFERENCES] Al-Kafi, Vol.7 p.288 • Man La Yahduruhu Al-Faqih, Vol.4 p.118 • Tahdhib Al-Ahkam, Vol.10 p.219 • Al-Wafi, Vol.16 p.626 • Wasa’il Al-Shi’ah, Vol.29 p.50

HADITH

5238 - : «وَ قَضَى عَلَيْهِ اَلسَّلاَمُ فِي رَجُلٍ أَمَرَ عَبْدَهُ أَنْ يَقْتُلَ رَجُلاً فَقَالَ «وَ هَلْ عَبْدُ اَلرَّجُلِ إِلاَّ كَسَيْفِهِ وَ سَوْطِهِ يُقْتَلُ اَلسَّيِّدُ بِهِ وَ يُسْتَوْدَعُ اَلْعَبْدُ اَلسِّجْنَ حَتَّى يَمُوتَ» ».

H.5238 - Imam Ali ibn Abi Talib {a.s} ruled in the case of a man who commanded his servant to kill another man.
Imam {a.s} said: “Is not a man's servant like his sword and his whip? The master shall be executed for the crime, and the servant shall be imprisoned until he dies."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.118

CHAPTER 26 – CHAPTER ON INJURIES AND KILLING BETWEEN WOMEN AND MEN

بَابُ الْجِرَاحَاتِ وَ الْقَتْلِ بَيْنَ النِّسَاءِ وَ الرِّجَالِ

HADITH 5239 – 5243

5239 - رَوَى عَبْدُ اَلرَّحْمَنِ بْنُ اَلْحَجَّاجِ عَنْ أَبَانِ بْنِ تَغْلِبَ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ مَا تَقُولُ فِي رَجُلٍ قَطَعَ إِصْبَعاً مِنْ أَصَابِعِ اَلْمَرْأَةِ كَمْ فِيهَا قَالَ «عَشَرَةٌ مِنَ اَلْإِبِلِ» قُلْتُ قَطَعَ اِثْنَيْنِ فَقَالَ «عِشْرُونَ» قُلْتُ قَطَعَ ثَلاَثاً قَالَ «ثَلاَثُونَ» قُلْتُ قَطَعَ أَرْبَعاً قَالَ «عِشْرُونَ» قُلْتُ سُبْحَانَ اَللَّهِ يَقْطَعُ ثَلاَثاً فَيَكُونُ عَلَيْهِ ثَلاَثُونَ فَيَقْطَعُ أَرْبَعاً فَيَكُونُ عَلَيْهِ عِشْرُونَ إِنَّ هَذَا كَانَ يَبْلُغُنَا وَ نَحْنُ بِالْعِرَاقِ فَنَبْرَأُ مِمَّنْ قَالَهُ وَ نَقُولُ اَلَّذِي قَالَهُ شَيْطَانٌ فَقَالَ «مَهْلاً يَا أَبَانُ هَكَذَا حَكَمَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ إِنَّ اَلْمَرْأَةَ تُعَاقِلُ اَلرَّجُلَ إِلَى ثُلُثِ اَلدِّيَةِ فَإِذَا بَلَغَتِ اَلثُّلُثَ رَجَعَتِ اَلْمَرْأَةُ إِلَى اَلنِّصْفِ يَا أَبَانُ إِنَّكَ أَخَذْتَنِي بِالْقِيَاسِ وَ اَلسُّنَّةُ إِذَا قِيسَتْ مُحِقَ اَلدِّينُ».

H.5239 - Abd Al-Rahman ibn Al-Hajjaj narrated from Aban ibn Taghlib, who said:
I asked Abu Abdullah {a.s}: "What do you say about a man who cuts off one finger of a woman? How much is due for it?"
Imam {a.s} replied: “Ten camels."
I asked: “If he cuts off two (fingers)?"
Imam {a.s} said: “Twenty (camels)."
I asked: “If he cuts off three (fingers)?"
Imam {a.s} said: “Thirty (camels)."
I asked: “If he cuts off four (fingers)?"
Imam {a.s} said: “Twenty (camels)."
I said: “Glory be to Allah {SWT}! He cuts off three fingers, and the compensation is thirty, but if he cuts off four, it becomes twenty? We used to hear this in Iraq and would disassociate ourselves from anyone who said it, claiming that whoever said this was influenced by Satan."
Abu Abdullah {a.s} replied: “Wait, O’ Aban! This is how the Messenger of Allah {SWT} (peace and blessings be upon him and his family) ruled. A woman’s compensation equals that of a man up to one-third of the diyyah (blood money). Once it reaches one-third, the woman’s share reverts to half.
O’ Aban, you are applying analogy (qiyas) here, but the Sunnah, when subjected to analogy, destroys the religion."

[REFERENCES] Al-Kafi, Vol.7 p.299 • Man La Yahduruhu Al-Faqih, Vol.4 p.118 • Tahdhib Al-Ahkam, Vol.10 p.184 • Al-Wafi, Vol.16 p.606 • Wasa’il Al-Shi’ah, Vol.29 p.352

HADITH

5240 - وَ سَأَلَ جَمِيلٌ وَ مُحَمَّدُ بْنُ حُمْرَانَ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : عَنِ اَلْمَرْأَةِ بَيْنَهَا وَ بَيْنَ اَلرَّجُلِ قِصَاصٌ قَالَ «نَعَمْ فِي اَلْجِرَاحَاتِ حَتَّى يَبْلُغَ اَلثُّلُثَ سَوَاءً فَإِذَا بَلَغَ اَلثُّلُثَ سَوَاءً اِرْتَفَعَ اَلرَّجُلُ وَ سَفَلَتِ اَلْمَرْأَةُ».

H.5240 - Jamil and Muhammad ibn Humran asked Abu Abdullah {a.s} about whether qiṣaṣ (retaliation in kind) applies between a woman and a man.
Imam {a.s} replied: “Yes, in cases of wounds (jira*ha*t) up to one-third of the compensation, they are equal. However, once it reaches one-third, the man's compensation increases, and the woman's compensation decreases."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.119

HADITH

5241 - وَ رَوَى أَبُو بَصِيرٍ عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ قَالَ: قُلْتُ رَجُلٌ قَتَلَ اِمْرَأَةً فَقَالَ «إِنْ أَرَادَ أَهْلُ اَلْمَرْأَةِ أَنْ يَقْتُلُوهُ أَدَّوْا نِصْفَ دِيَتِهِ وَ قَتَلُوهُ وَ إِلاَّ قَبِلُوا اَلدِّيَةَ».

H.5241 - Abu Baṣir narrated from one of the Imams (peace be upon them) that they said:
I asked: “What if a man kills a woman?"
Imam {a.s} replied: “If the family of the woman wishes to have him killed, they must pay half of his diyyah (blood money) and then they may kill him. Otherwise, they should accept the diyyah."

[REFERENCES] Al-Kafi, Vol.7 p.300 • Al-Kafi, Vol.7 p.301 • Man La Yahduruhu Al-Faqih, Vol.4 p.119 • Tahdhib Al-Ahkam, Vol.10 p.182 • Al-Istibsar, Vol.4 p.265 • Al-Wafi, Vol.16 p.605 • Al-Wafi, Vol.16 p.605 • Wasa’il Al-Shi’ah, Vol.29 p.82 • Wasa’il Al-Shi’ah, Vol.29 p.82

HADITH

5242 - وَ قَالَ الصَّادِقُ ع فِي اِمْرَأَةٍ قَتَلَتْ زَوْجَهَا مُتَعَمِّدَةً فَقَالَ إِنْ شَاءَ أَهْلُهُ أَنْ يَقْتُلُوهَا قَتَلُوهَا وَ لَيْسَ يَجْنِي أَحَدٌ أَكْثَرَ مِنْ جِنَايَتِهِ عَلَى نَفْسِهِ.

H.5242 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} said regarding a woman who intentionally killed her husband: "If his family wishes to kill her, they may do so. No one bears responsibility for more than the crime they have committed against themselves."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.119

HADITH

5243 - وَ رَوَى مُحَمَّدُ بْنُ سَهْلِ بْنِ اَلْيَسَعِ عَنْ أَبِيهِ عَنِ اَلْحُسَيْنِ بْنِ مِهْرَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنِ اِمْرَأَةٍ دَخَلَ عَلَيْهَا لِصٌّ وَ هِيَ حُبْلَى فَوَقَعَ عَلَيْهَا فَقَتَلَ مَا فِي بَطْنِهَا فَوَثَبَتِ اَلْمَرْأَةُ عَلَى اَللِّصِّ فَقَتَلَتْهُ فَقَالَ «أَمَّا اَلْمَرْأَةُ اَلَّتِي قَتَلَتْ فَلَيْسَ عَلَيْهَا شَيْءٌ وَ دِيَةُ سَخْلَتِهَا عَلَى عَصَبَةِ اَلْمَقْتُولِ اَلسَّارِقِ».

H.5243 - Muhammad ibn Sahl ibn Al-Yasaʿ narrated from his father, from Al-Husayn ibn Mihran, from Abu Abdullah {a.s} who said: I asked Iman {a.s} about a pregnant woman upon whom a thief broke in and assaulted her, causing the death of the child in her womb. The woman then attacked the thief and killed him.
Imam {a.s} replied: "As for the woman who killed him, there is nothing upon her. The diyyah (blood money) for her unborn child is upon the male relatives (*A*ṣaba) of the slain thief."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.119 • Al-Wafi, Vol.16 p.815 • Wasa'il Al-Shi'ah, Vol.29 p.402

CHAPTER 27 – CHAPTER ON A MAN WHO KILLS HIS SON, HIS FATHER, OR HIS MOTHER

بَابُ الرَّجُلِ يَقْتُلُ ابْنَهُ أَوْ أَبَاهُ أَوْ أُمَّهُ

HADITH 5244 – 5247

5244 - رَوَى اَلْقَاسِمُ بْنُ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ ع قَالَ: «لاَ يُقْتَلُ اَلْأَبُ بِابْنِهِ إِذَا قَتَلَهُ وَ يُقْتَلُ اَلِابْنُ بِأَبِيهِ إِذَا قَتَلَ أَبَاهُ» وَ قَالَ «لاَ يَتَوَارَثُ رَجُلاَنِ قَتَلَ أَحَدُهُمَا صَاحِبَهُ».

H.5244 - Al-Qasim ibn Muhammad narrated from Ali ibn Abi Hamzah from Abu Baṣir from Abu Abdullah {a.s} who said: "A father is not executed for killing his son, but a son is executed for killing his father."
Imam {a.s} also said: "Two men who kill one another do not inherit from each other."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.120

HADITH

5245 - وَ رَوَى مُحَمَّدُ بْنُ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ: أَنَّهُ قَالَ: فِي رَجُلٍ قَتَلَ أُمَّهُ قَالَ «إِذَا كَانَ خَطَأً فَإِنَّ لَهُ نَصِيباً مِنْ مِيرَاثِهَا وَ إِنْ كَانَ قَتَلَهَا مُتَعَمِّداً فَلاَ يَرِثُ مِنْهَا شَيْئاً».

H.5245 - Muhammad ibn Qays narrated from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} that he said regarding a man who killed his mother:
"If he killed her accidentally, he is entitled to a share of her inheritance. However, if he killed her intentionally, he does not inherit anything from her."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.120 • Tahdhib Al-Ahkam, Vol.10 p.237

HADITH

5246 - وَ رَوَى عَمْرُو بْنُ شِمْرٍ عَنْ جَابِرٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي اَلرَّجُلِ يَقْتُلُ اِبْنَهُ أَوْ عَبْدَهُ قَالَ «لاَ يُقْتَلُ بِهِ وَ لَكِنْ يُضْرَبُ ضَرْباً شَدِيداً وَ يُنْفَى مِنْ مَسْقَطِ رَأْسِهِ».

H.5246 - Amr ibn Shimr narrated from Jabir from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a man who kills his son or his slave.
Imam {a.s} said: “He is not to be killed for that, but he should be severely beaten and exiled from his hometown."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.120 • Tahdhib Al-Ahkam, Vol.10 p.236 • Al-Wafi, Vol.16 p.632 • Wasa’il Al-Shi’ah, Vol.29 p.79 • Wasa’il Al-Shi’ah, Vol.29 p.93

HADITH

5247 - رَوَى عَلِيُّ بْنُ رِئَابٍ عَنْ أَبِي عُبَيْدَةَ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ ع عَنْ رَجُلٍ قَتَلَ أُمَّهُ قَالَ لَا يَرِثُهَا وَ يُقْتَلُ بِهَا وَ هُوَ صَاغِرٌ وَ لَا أَظُنُّ قَتْلَهُ بِهَا كَفَّارَةً لِذَنْبِهِ.

H.5247 - Ali ibn Riʾab narrated from Abu Ubaydah who said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a man who killed his mother.
Imam {a.s} said: “He does not inherit from her, and he should be killed for it in a state of humiliation. Yet, I do not think that his killing would be an expiation for his sin."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.120

CHAPTER 28 – CHAPTER ON A MUSLIM KILLING A DHIMMI, A SLAVE, A MUDABBAR, OR A MUKATAB, OR THEM KILLING A MUSLIM

بَابُ الْمُسْلِمِ يَقْتُلُ الذِّمِّيَّ أَوِ الْعَبْدَ أَوِ الْمُدَبَّرَ أَوِ الْمُكَاتَبَ أَوْ يَقْتُلُونَ الْمُسْلِمَ

HADITH 5248 – 5275

5248 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «لاَ يُقَادُ مُسْلِمٌ بِذِمِّيٍّ فِي اَلْقَتْلِ وَ لاَ فِي اَلْجِرَاحَاتِ وَ لَكِنْ يُؤْخَذُ مِنَ اَلْمُسْلِمِ فِي جِنَايَتِهِ لِلذِّمِّيِّ بِقَدْرِ جِنَايَتِهِ عَلَى اَلذِّمِّيِّ عَلَى قَدْرِ دِيَةِ اَلذِّمِّيِّ ثَمَانِمِائَةِ دِرْهَمٍ ».

H.5248 - Al-Hasan ibn Mahbub narrated from Ali ibn Riʾab from Muhammad ibn Qays from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said:
"A Muslim is not subjected to retaliation (qiṣaṣ) for killing a Dhimmi (non-Muslim under Muslim protection) in cases of murder or bodily injury. However, the Muslim is required to compensate for his offense against the Dhimmi according to the extent of his harm, and this is equivalent to the Diyyah (blood money) of the Dhimmi, which is eight hundred dirhams."

[REFERENCES] Al-Kafi, Vol.7 p.310 • Man La Yahduruhu Al-Faqih, Vol.4 p.121 • Tahdhib Al-Ahkam, Vol.10 p.188 • Al-Istibsar, Vol.4 p.270 • Awali Al-La'ali, Vol.2 p.362 • Al-Wafi, Vol.16 p.657 • Wasa'il Al-Shi'ah, Vol.29 p.108 • Wasa'il Al-Shi'ah, Vol.29 p.170

HADITH

5249 - وَ رَوَى اِبْنُ مُسْكَانَ عَنْ أَبِي بَصِيرٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ دِيَةِ اَلْيَهُودِيِّ وَ اَلنَّصْرَانِيِّ وَ اَلْمَجُوسِيِّ قَالَ «هُمْ سَوَاءٌ ثَمَانُمِائَةٍ ثَمَانُمِائَةٍ» قَالَ قُلْتُ جُعِلْتُ فِدَاكَ إِنْ أُخِذُوا فِي بَلَدِ اَلْمُسْلِمِينَ وَ هُمْ يَعْمَلُونَ اَلْفَاحِشَةَ أَ يُقَامُ عَلَيْهِمُ اَلْحَدُّ قَالَ «نَعَمْ يُحْكَمُ فِيهِمْ بِأَحْكَامِ اَلْمُسْلِمِينَ ».

H.5249 - Ibn Muskan narrated from Abu Baṣir who said:
I asked Abu Abdullah {a.s} about the blood money (diyyah) for a Jew, a Christian, and a Magian.
Imam {a.s} replied: "They are equal - eight hundred (dirhams), eight hundred (dirhams)."
I asked: "May I be your ransom, if they are caught committing an immoral act in the land of the Muslims, is the legal punishment (hadd) applied to them?"
Imam {a.s} said: "Yes, they are judged according to the rulings of the Muslims."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.121 • Tahdhib Al-Ahkam, Vol.10 p.186 • Al-Wafi, Vol.16 p.662 • Wasa'il Al-Shi'ah, Vol.29 p.219

HADITH

5250 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ سَمَاعَةَ بْنِ مِهْرَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «بَعَثَ اَلنَّبِيُّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ خَالِدَ بْنَ اَلْوَلِيدِ إِلَى اَلْبَحْرَيْنِ فَأَصَابَ بِهَا دِمَاءَ قَوْمٍ مِنَ اَلْيَهُودِ وَ اَلنَّصَارَى وَ اَلْمَجُوسِ فَكَتَبَ إِلَى رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ إِنِّي أَصَبْتُ دِمَاءَ قَوْمٍ مِنَ اَلْيَهُودِ وَ اَلنَّصَارَى فَوَدَيْتُهُمْ ثَمَانِمِائَةٍ ثَمَانِمِائَةٍ وَ أَصَبْتُ دِمَاءَ قَوْمٍ مِنَ اَلْمَجُوسِ وَ لَمْ تَكُنْ عَهِدْتَ إِلَيَّ فِيهِمْ عَهْداً قَالَ فَكَتَبَ إِلَيْهِ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ «إِنَّ دِيَتَهُمْ مِثْلُ دِيَةِ اَلْيَهُودِ وَ اَلنَّصَارَى » وَ قَالَ «إِنَّهُمْ أَهْلُ كِتَابٍ» ».

H.5250 - Ibn Abi Umayr narrated from Samaah ibn Mihran who reported from Abu Abdullah {a.s} that the Prophet (peace be upon him and his family) sent Khalid ibn Al-Walid to Bahrain, where he was involved in shedding the blood of some Jews, Christians, and Magians.
Khalid wrote to the Messenger of Allah {SWT} (peace be upon him and his family), saying: "I have shed the blood of some Jews and Christians, and I paid their blood money (diyyah) as eight hundred (dirhams) each. I also shed the blood of some Magians, but you did not give me any prior instruction regarding them."
The Messenger of Allah {SWT} (peace be upon him and his family) wrote back to him: "Their blood money is the same as that of the Jews and Christians," and he added, "They are People of the Book."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.121 • Tahdhib Al-Ahkam, Vol.10 p.186 • Al-Istibsar, Vol.4 p.268 • Awali Al-La'ali, Vol.3 p.612 • Al-Wafi, Vol.16 p.661 • Wasa'il Al-Shi'ah, Vol.29 p.218

HADITH

5251 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ ضُرَيْسٍ اَلْكُنَاسِيِّ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي نَصْرَانِيٍّ قَتَلَ مُسْلِماً فَلَمَّا أُخِذَ أَسْلَمَ أَقْتُلُهُ بِهِ قَالَ «نَعَمْ» قِيلَ فَإِنْ لَمْ يُسْلِمْ قَالَ «يُدْفَعُ إِلَى أَوْلِيَاءِ اَلْمَقْتُولِ فَإِنْ شَاءُوا قَتَلُوا وَ إِنْ شَاءُوا عَفَوْا وَ إِنْ شَاءُوا اِسْتَرَقُّوا وَ إِنْ كَانَ مَعَهُ مَالٌ عَيْنٌ لَهُ دُفِعَ إِلَى أَوْلِيَاءِ اَلْمَقْتُولِ هُوَ وَ مَالُهُ».

H.5251 - Al-Hasan ibn Mahbub narrated from Ali ibn Riʾab from Ḍurays Al-Kunasi who reported from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a Christian man who killed a Muslim. When he was captured, he accepted Islam.
Imam {a.s} was asked: "Should he be killed for the Muslim he murdered?"
Imam {a.s} replied: "Yes."
It was then asked: "And if he does not accept Islam?"
Imam {a.s} said: "He will be handed over to the heirs of the murdered person. If they wish, they may kill him, if they wish, they may pardon him, and if they wish, they may enslave him. And if he possesses any tangible wealth, it will be handed over to the heirs of the murdered person along with him."

[REFERENCES] Al-Kafi, Vol.7 p.310 • Man La Yahduruhu Al-Faqih, Vol.4 p.121 • Tahdhib Al-Ahkam, Vol.10 p.190 • Awali Al-La'ali, Vol.3 p.590 • Al-Wafi, Vol.16 p.659 • Wasa'il Al-Shi'ah, Vol.29 p.110

HADITH

5252 - وَ رَوَى اَلْقَاسِمُ بْنُ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «دِيَةُ اَلْيَهُودِيِّ وَ اَلنَّصْرَانِيِّ أَرْبَعَةُ آلاَفٍ أَرْبَعَةُ آلاَفٍ وَ دِيَةُ اَلْمَجُوسِيِّ ثَمَانُمِائَةِ دِرْهَمٍ» وَ قَالَ «أَمَا إِنَّ لِلْمَجُوسِ كِتَاباً يُقَالُ لَهُ جَامَاسْفُ ».

H.5252 - Al-Qasim ibn Muhammad narrated from Ali ibn Abi Hamzah from Abu Baṣir, who reported from Abu Abdullah {a.s} that he said:
"The blood money (diyyah) for a Jew and a Christian is four thousand (dirhams), four thousand (dirhams), and the blood money for a Magian (Zoroastrian) is eight hundred dirhams."
Imam {a.s} also said: "Indeed, the Magians have a book called Jamaspf."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.122

HADITH

5253 - وَ قَدْ رُوِيَ: «أَنَّ دِيَةَ اَلْيَهُودِيِّ وَ اَلنَّصْرَانِيِّ وَ اَلْمَجُوسِيِّ أَرْبَعَةُ آلاَفِ دِرْهَمٍ أَرْبَعَةُ آلاَفِ دِرْهَمٍ لِأَنَّهُمْ أَهْلُ اَلْكِتَابِ».

H.5253 - It has been narrated: "The blood money (diyyah) for a Jew, a Christian, and a Magian is four thousand dirhams, four thousand dirhams because they are People of the Book."

[REFERENCES] Man La Yahduruhu Al-Faqih, V.4 p.122 • Al-Wafi, V.16 p.663 • Wasa'il Al-Shi'ah, Vol.29 p.220

HADITH

5254 - وَ رَوَى عَبْدُ اَللَّهِ بْنُ اَلْمُغِيرَةِ عَنْ مَنْصُورٍ عَنْ أَبَانِ بْنِ تَغْلِبَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «دِيَةُ اَلْيَهُودِيِّ وَ اَلنَّصْرَانِيِّ وَ اَلْمَجُوسِيِّ دِيَةُ اَلْمُسْلِمِ ».

قَالَ مُصَنِّفُ هَذَا اَلْكِتَابِ رَحِمَهُ اَللَّهُ هَذِهِ اَلْأَخْبَارُ اخْتَلَفَتْ لِاخْتِلاَفِ اَلْأَحْوَالِ وَ لَيْسَتْ هِيَ عَلَى اخْتِلاَفِهَا فِي حَالٍ وَاحِدَةٍ مَتَى كَانَ اَلْيَهُودِيُّ وَ اَلنَّصْرَانِيُّ وَ اَلْمَجُوسِيُّ عَلَى مَا عُوهِدُوا عَلَيْهِ مِنْ تَرْكِ إِظْهَارِ شُرْبِ اَلْخُمُورِ وَ إِتْيَانِ اَلزِّنَا وَ أَكْلِ اَلرِّبَا وَ اَلْمَيْتَةِ وَ لَحْمِ اَلْخِنْزِيرِ وَ نِكَاحِ اَلْأَخَوَاتِ وَ إِظْهَارِ اَلْأَكْلِ وَ اَلشُّرْبِ بِالنَّهَارِ فِي شَهْرِ رَمَضَانَ وَ اجْتِنَابِ صُعُودِ مَسَاجِدِ اَلْمُسْلِمِينَ وَ اسْتِعْمَلُوا اَلْخُرُوجَ بِاللَّيْلِ عَنْ ظَهْرَانَيِ اَلْمُسْلِمِينَ وَ اَلدُّخُولَ بِالنَّهَارِ لِلتَّسَوُّقِ وَ قَضَاءِ اَلْحَوَائِجِ فَعَلَى مَنْ قَتَلَ وَاحِداً مِنْهُمْ أَرْبَعَةُ آلاَفِ دِرْهَمٍ وَ مَرَّ اَلْمُخَالِفُونَ عَلَى ظَاهِرِ اَلْحَدِيثِ فَأَخَذُوا بِهِ وَ لَمْ يَعْتَبِرُوا اَلْحَالَ وَ مَتَى آمَنَهُمُ اَلْإِمَامُ وَ جَعَلَهُمْ فِي عَهْدِهِ وَ عَقْدِهِ وَ جَعَلَ لَهُمْ ذِمَّةً وَ لَمْ يَنْقُضُوا مَا عَاهَدَهُمْ عَلَيْهِ مِنَ اَلشَّرَائِطِ اَلَّتِي ذَكَرْنَاهَا وَ أَقَرُّوا بِالْجِزْيَةِ وَ أَدَّوْهَا فَعَلَى مَنْ قَتَلَ وَاحِداً مِنْهُمْ خَطَأً دِيَةُ اَلْمُسْلِمِ وَ تَصْدِيقُ ذَلِكَ.

H.5254 - Abdullah ibn Al-Mughirah narrated from Mansur, from Aban ibn Taghlib, from Abu Abdullah {a.s} who said:
"The blood money (diyyah) for a Jew, a Christian, and a Magian is equal to that of a Muslim."

[AL SADUQ]

The compiler of this book, may Allah {SWT} have mercy on him, commented that these narrations differ according to circumstances. Their differences are not due to inconsistency but rather to varying conditions.

If the Jew, Christian, or Magian adheres to the terms of their covenant, refraining from openly consuming alcohol, committing adultery, engaging in usury, eating carrion and pork, marrying close relatives, publicly eating and drinking during the day in Ramadan, entering Muslim mosques, and if they conduct their activities by leaving at night and entering during the day for trade and fulfilling their needs, then whoever kills one of them must pay four thousand dirhams.

However, opponents have taken the apparent meaning of the narration without considering the specific conditions.

If the Imam grants them protection, includes them under his covenant, and they uphold the agreed-upon conditions - such as paying the jizyah - then if one of them is killed by mistake, the killer must pay the full blood money equal to that of a Muslim. This ruling aligns with the principles of justice and protection established by the covenant.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.122 • Awali Al-La'ali, Vol.2 p.366 • Awali Al-La'ali, Vol.3 p.612 • Wasa'il Al-Shi'ah, Vol.29 p.221

HADITH

5255 - مَا رَوَاهُ اَلْحُسَيْنُ بْنُ سَعِيدٍ عَنْ فَضَالَةَ عَنْ أَبَانٍ عَنْ زُرَارَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «مَنْ أَعْطَاهُ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ ذِمَّةً فَدِيَتُهُ كَامِلَةٌ»

قَالَ زُرَارَةُ فَهَؤُلاَءِ مَا قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ وَ هُمْ مَنْ أَعْطَاهُمْ ذِمَّةً. وَ عَلَى مَنْ خَالَفَ الْإِمَامَ فِي قَتْلِ وَاحِدٍ مِنْهُمْ مُتَعَمِّداً اَلْقَتْلُ لِخِلَافِهِ عَلَى إِمَامِ الْمُسْلِمِينَ لَا لِحُرْمَةِ الذِّمِّيِّ.

H.5255 - Al-Husayn ibn Sa'id narrated from Fadalah, from Aban, from Zurara, from Abu Abdullah {a.s} who said: "Whoever was granted protection (dhimmah) by Messenger of Allah {SWT} (peace be upon him and his family), his blood money (diyyah) is complete (to that of a muslim)."

[AL SADUQ]

Zurara commented: "These are the people about whom Abu Abdullah {a.s} spoke, referring to those whom the Prophet {saws} granted protection."

Furthermore, whoever opposes the Imam by intentionally killing one of these protected individuals deserves capital punishment - not because of the sanctity of the dhimmi himself but due to the transgression against the authority of the Muslim leader.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.123 • Tahdhib Al-Ahkam, Vol.10 p.187 • Al-Istibsar, Vol.4 p.269 • Al-Wafi, Vol.16 p.663 • Wasa'il Al-Shi'ah, Vol.29 p.221

HADITH

5256 - كَمَا رَوَاهُ عَلِيُّ بْنُ اَلْحَكَمِ عَنْ أَبِي اَلْمَغْرَاءِ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِذَا قَتَلَ اَلْمُسْلِمُ اَلنَّصْرَانِيَّ فَأَرَادَ أَهْلُ اَلنَّصْرَانِيِّ أَنْ يَقْتُلُوهُ قَتَلُوهُ وَ أَدَّوْا فَضْلَ مَا بَيْنَ اَلدِّيَتَيْنِ».

وَ كَذَلِكَ إِذَا كَانَ اَلْمُسْلِمُ مُتَعَوِّداً لِقَتْلِهِمْ قُتِلَ لِخِلاَفِهِ عَلَى اَلْإِمَامِ ع وَ إِنْ كَانُوا مُظْهِرِينَ اَلْعَدَاوَةَ وَ اَلْغِشَّ لِلْمُسْلِمِينَ.

H.5256 - Ali ibn Al-Hakam narrated from Abu Al-Maghra, from Abu Basir, from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"If a Muslim kills a Christian and the family of the Christian wishes to execute him, they may do so, but they must pay the difference between the two blood monies (diyyahs)."

[AL SADUQ]
Similarly, if the Muslim was habitually killing them, he would be executed due to his opposition to the authority of the Imam {a.s}, even if the Christians were openly hostile and deceitful towards the Muslims.

[REFERENCES] Al-Kafi, Vol.7 p.310 • Man La Yahduruhu Al-Faqih, Vol.4 p.123 • Tahdhib Al-Ahkam, Vol.10 p.189 • Al-Istibsar, Vol.4 p.271 • Al-Wafi, Vol.16 p.659 • Wasa'il Al-Shi'ah, Vol.29 p.108

HADITH

5257 - وَ رَوَى عَلِيُّ بْنُ اَلْحَكَمِ عَنْ أَبَانٍ عَنْ إِسْمَاعِيلَ بْنِ اَلْفَضْلِ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ دِمَاءِ اَلْمَجُوسِ وَ اَلْيَهُودِ وَ اَلنَّصَارَى هَلْ عَلَى مَنْ قَتَلَهُمْ شَيْءٌ إِذَا غَشُّوا اَلْمُسْلِمِينَ وَ أَظْهَرُوا اَلْعَدَاوَةَ وَ اَلْغِشَّ لَهُمْ قَالَ «لاَ إِلاَّ أَنْ يَكُونَ مُتَعَوِّداً لِقَتْلِهِمْ» قَالَ وَ سَأَلْتُهُ عَنِ اَلْمُسْلِمِ يُقْتَلُ بِأَهْلِ اَلذِّمَّةِ وَ أَهْلِ اَلْكِتَابِ إِذَا قَتَلَهُمْ قَالَ «لاَ إِلاَّ أَنْ يَكُونَ مُعْتَاداً لِذَلِكَ لاَ يَدَعُ قَتْلَهُمْ فَيُقْتَلُ وَ هُوَ صَاغِرٌ».

وَ مَتَى لَمْ يَكُنِ اَلْيَهُودُ وَ اَلنَّصَارَى وَ اَلْمَجُوسُ عَلَى مَا عُوهِدُوا عَلَيْهِ مِنَ اَلشَّرَائِطِ اَلَّتِي ذَكَرْنَاهَا فَعَلَى مَنْ قَتَلَ وَاحِداً مِنْهُمْ ثَمَانُمِائَةِ دِرْهَمٍ وَ لَا يُقَادُ لَهُمْ مِنْ مُسْلِمٍ فِي قَتْلٍ وَ لَا جِرَاحَةٍ كَمَا ذَكَرْتُهُ فِي أَوَّلِ هَذَا اَلْبَابِ وَ اَلْخِلَافُ عَلَى اَلْإِمَامِ وَ اَلِامْتِنَاعُ عَلَيْهِ يُوجِبَانِ اَلْقَتْلَ فِيمَا دُونَ ذَلِكَ كَمَا جَاءَ فِي اَلْمُؤْلِي إِذَا وَقَفَ بَعْدَ أَرْبَعَةِ أَشْهُرٍ أَمَرَهُ اَلْإِمَامُ بِأَنْ يَفِيءَ أَوْ يُطَلِّقَ فَمَتَى لَمْ يَفِئْ وَ امْتَنَعَ مِنَ اَلطَّلاَقِ ضُرِبَتْ عُنُقُهُ لِامْتِنَاعِهِ عَلَى إِمَامِ اَلْمُسْلِمِينَ.

H.5257 - Ali ibn Al-Hakam narrated from Aban, from Ismail ibn Al-Fadl, who said:
I asked Abu Abdullah {a.s} about the blood of the Magians, Jews, and Christians - whether there is any penalty upon someone who kills them if they deceive the Muslims and openly display hostility and treachery towards them.
Imam {a.s} replied: "No, unless he is habitual in killing them."
He further said: I asked Imam {a.s} about a Muslim being killed for killing a person from the People of the Book (Ahl Al-Dhimmah) or from the People of the Scripture.
Imam {a.s} replied: "No, unless he is accustomed to doing so and does not desist from killing them, then he will be killed and humiliated."

[AL SADUQ]

If the Jews, Christians, and Magians fail to uphold the conditions they were bound by, then whoever kills one of them must pay eight hundred dirhams in compensation, and a Muslim is not executed for killing them nor for injuring them, as I mentioned earlier in this chapter.

However, rebellion against the Imam and refusal to comply with his authority can warrant execution even for lesser offenses, similar to the ruling on the man who swears to avoid his wife (Al-Mu'li). If after four months he neither reconciles with his wife nor divorces her, the Imam orders him to choose, and if he refuses, his neck is struck for defying the authority of the Muslim leader.

[REFERENCES] Al-Kafi, Vol.7 p.309 • Man La Yahduruhu Al-Faqih, Vol.4 p.124 • Tahdhib Al-Ahkam, Vol.10 p.189 • Al-Istibsar, Vol.4 p.271 • Al-Wafi, Vol.16 p.657 • Wasa'il Al-Shi'ah, Vol.29 p.107

HADITH

5258 - وَ قَدْ قَالَ اَلنَّبِيُّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «مَنْ آذَى ذِمَّتِي فَقَدْ آذَانِي».

فَإِذَا كَانَ فِي إِيذَائِهِمْ إِيذَاءُ النَّبِيِّ ص فَكَيْفَ فِي قَتْلِهِمْ وَ إِنَّمَا أَرَادَ النَّبِيُّ ص بِذَلِكَ- فَاطِمَةَ ص وَ قَالَ إِذَا كَانَ مَنْ آذَى ذِمَّتِي فَقَدْ آذَانِي لِمَنْعِي مِنْ ظُلْمِهِ وَ إِيذَائِهِ فَكَيْفَ مَنْ آذَى ابْنَتِي وَ وَاحِدَتِي الَّتِي هِيَ بَضْعَةٌ مِنِّي وَ سَيِّدَةُ نِسَاءِ الْأَوَّلِينَ وَ الْآخِرِينَ وَ أَتْبَعَ ع ذَلِكَ بِأَنْ قَالَ: «مَنْ آذَاهَا فَقَدْ آذَانِي وَ مَنْ غَاظَهَا فَقَدْ غَاظَنِي وَ مَنْ سَرَّهَا فَقَدْ سَرَّنِي».

H.5258 - The Prophet Muhammad {saws}, peace be upon him and his family, said: "Whoever harms one under my protection (dhimmah) has indeed harmed me."

[AL SADUQ]

If causing harm to them equates to harming the Prophet {saws} himself, then how severe must it be when it comes to killing them?

The Prophet (peace be upon him and his family) intended through this statement to emphasize the sanctity of his daughter, Sayyidah Fatimah {s.a} (peace be upon her).

Prophet {saws} stated: "Whoever harms one under my protection has harmed me," to prevent any form of oppression or harm towards them. How much greater then is the harm caused to my daughter (Fatimah {s.a}), my own flesh and blood, who is the leader of the women of all times?

Prophet {saws} reinforced this meaning by saying: "Whoever harms her (Sayyidah Fatima {s.a}) has harmed me, whoever angers her (Sayyidah Fatima {s.a}) has angered me, and whoever pleases her (Sayyidah Fatima {s.a}) has pleased me."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.124

HADITH

5259 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ بُرَيْدٍ اَلْعِجْلِيِّ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ مُسْلِمٍ فَقَأَ عَيْنَ نَصْرَانِيٍّ فَقَالَ «إِنَّ دِيَةَ عَيْنِ اَلذِّمِّيِّ أَرْبَعُمِائَةِ دِرْهَمٍ».

هَذَا لِمَنْ دِيَةُ نَفْسِهِ ثَمَانُمِائَةِ دِرْهَمٍ.

H.5259 - Buraid Al-Ijli narrated from Abu Abdullah {a.s} that he was asked about a Muslim who gouged out the eye of a Christian.
Imam {a.s} replied: “The blood money (diyyah) for the eye of a dhimmi (non-Muslim under Islamic protection) is four hundred dirhams."

[AL SADUQ]
This ruling applies to one whose full blood money for their life is eight hundred dirhams.

[REFERENCES] Al-Kafi, Vol.7 p.310 • Man La Yahduruhu Al-Faqih, Vol.4 p.125 • Tahdhib Al-Ahkam, Vol.10 p.190 • Al-Wafi, Vol.16 p.664 • Wasa’il Al-Shi’ah, Vol.29 p.218 • Wasa’il Al-Shi’ah, Vol.29 p.323

HADITH

5260 - وَ رَوَى عُثْمَانُ بْنُ عِيسَى عَنْ سَمَاعَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «يُقْتَلُ اَلْعَبْدُ بِالْحُرِّ وَ لاَ يُقْتَلُ اَلْحُرُّ بِالْعَبْدِ وَ لَكِنْ يُغَرَّمُ قِيمَتَهُ وَ يُضْرَبُ ضَرْباً شَدِيداً حَتَّى لاَ يَعُودَ».

H.5260 - Uthman ibn Isa narrated from Sama'ah that Abu Abdullah {a.s} said:
“A slave is to be killed for killing a free man, but a free man is not to be killed for killing a slave. However, he must pay the slave's value and be severely beaten so that he does not repeat such an act."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.125

HADITH

5261 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ: فِي رَجُلٍ يَقْتُلُ مَمْلُوكَهُ مُتَعَمِّداً قَالَ «يُعْجِبُنِي أَنْ يُعْتِقَ رَقَبَةً وَ يَصُومَ شَهْرَيْنِ مُتَتَابِعَيْنِ وَ يُطْعِمَ سِتِّينَ مِسْكِيناً ثُمَّ تَكُونَ اَلتَّوْبَةُ بَعْدَ ذَلِكَ».

H.5261 - Hammad narrated from Al-Halabi that Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said regarding a man who intentionally kills his slave:
"I prefer that he frees a slave, fasts for two consecutive months, and feeds sixty needy people, and then he should repent after that."

[REFERENCES] Al-Kafi, Vol.7 p.302 • Man La Yahduruhu Al-Faqih, Vol.4 p.125 • Tahdhib Al-Ahkam, Vol.10 p.235 • Wasa’il Al-Shi’ah, Vol.29 p.91

HADITH

5262 - وَ سَأَلَ حُمْرَانُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : عَنْ رَجُلٍ ضَرَبَ مَمْلُوكاً لَهُ فَمَاتَ مِنْ ضَرْبِهِ قَالَ «يُعْتِقُ رَقَبَةً».

H.5262 - Humran asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a man who struck his slave, and the slave died as a result of the beating.
Imam {a.s} replied: “He must free a slave."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.125

HADITH

5263 - وَ رَوَى يَحْيَى بْنُ أَبِي اَلْعَلاَءِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِذَا قَتَلَ اَلْعَبْدُ اَلْحُرَّ فَلِأَهْلِ اَلْمَقْتُولِ إِنْ شَاءُوا قَتَلُوا وَ إِنْ شَاءُوا اِسْتَعْبَدُوا».

H.5263 - Yahya ibn Abi Al-'Ala narrated from Abu Abdullah {a.s} who said:
"If a slave kills a free man, the family of the murdered person has the choice: if they wish, they may kill him, and if they wish, they may enslave him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.125 • Tahdhib Al-Ahkam, Vol.10 p.194 • Al-Wafi, Vol.16 p.639 • Wasa’il Al-Shi’ah, Vol.29 p.100

HADITH

5264 - : «وَ قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي مُكَاتَبٍ قُتِلَ فَقَالَ «يُحْسَبُ مَا عَتَقَ مِنْهُ فَيُؤَدَّى دِيَةُ اَلْحُرِّ وَ مَا رَقَّ دِيَةُ اَلْعَبْدِ » » وَ قَالَ «اَلْعَبْدُ لاَ يُغْرِمُ أَهْلَهُ وَرَاءَ نَفْسِهِ شَيْئاً».

H.5264 - Imam Ali ibn Abi Talib {a.s}, Commander of the Faithful, ruled regarding a mukatab (a slave who had a contract for freedom) who was killed: "The portion of him that had been freed is calculated, and the blood money for that part is paid as that of a free man, and the portion that remained in servitude is paid as the blood money of a slave."
Imam {a.s} also said: “A slave does not burden his family with any liability beyond himself."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.126 • Al-Wafi, Vol.16 p.651

HADITH

5265 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنِ اَلْفُضَيْلِ بْنِ يَسَارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ: فِي عَبْدٍ جَرَحَ حُرّاً قَالَ «إِنْ شَاءَ اَلْحُرُّ اِقْتَصَّ مِنْهُ وَ إِنْ شَاءَ أَخَذَهُ إِنْ كَانَتِ اَلْجِرَاحَةُ تُحِيطُ بِرَقَبَتِهِ وَ إِنْ كَانَتْ لاَ تُحِيطُ بِرَقَبَتِهِ اِفْتَدَاهُ مَوْلاَهُ فَإِنْ أَبَى مَوْلاَهُ أَنْ يَفْتَدِيَهُ كَانَ لِلْحُرِّ اَلْمَجْرُوحِ مِنَ اَلْعَبْدِ بِقَدْرِ دِيَةِ جِرَاحَتِهِ وَ اَلْبَاقِي لِلْمَوْلَى يُبَاعُ اَلْعَبْدُ فَيَأْخُذُ اَلْمَجْرُوحُ حَقَّهُ وَ يُرَدُّ اَلْبَاقِي عَلَى اَلْمَوْلَى ».

H.5265 - Imam Abu Abdullah {a.s} was asked about a slave who injured a free man.
Imam {a.s} said: “If the free man wishes, he may take retribution (qisas) from him, and if he wishes, he may take the slave if the injury is severe enough to warrant his execution. If the injury does not warrant execution, then the slave’s master must pay compensation (diyyah).
If the master refuses to pay the compensation, then the injured free man has a right over the slave equivalent to the diyyah of his injury, and the rest belongs to the master. The slave is then sold, the injured party takes his due, and the remainder is returned to the master.”

[REFERENCES] Al-Kafi, Vol.7 p.305 • Man La Yahduruhu Al-Faqih, Vol.4 p.126 • Tahdhib Al-Ahkam, Vol.10 p.196 • Al-Wafi, Vol.16 p.641 • Wasa’il Al-Shi’ah, Vol.29 p.166 • Wasa’il Al-Shi’ah, Vol.29 p.210

HADITH

5266 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَلْعَزِيزِ اَلْعَبْدِيِّ عَنْ عُبَيْدِ بْنِ زُرَارَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ شَجَّ عَبْداً مُوضِحَةً قَالَ «عَلَيْهِ نِصْفُ عُشْرِ قِيمَتِهِ».

H.5266 - Imam Abu Abdullah {a.s} was asked about a man who inflicted a mudhiha (a wound exposing the bone) on a slave.
Imam {a.s} said: “He is liable to pay half of one-tenth of the slave's value."

[REFERENCES] Al-Kafi, Vol.7 p.306 • Man La Yahduruhu Al-Faqih, Vol.4 p.126 • Tahdhib Al-Ahkam, Vol.10 p.193 • Al-Wafi, Vol.16 p.643 • Wasa’il Al-Shi’ah, Vol.29 p.167 • Wasa’il Al-Shi’ah, Vol.29 p.388

HADITH

5267 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي عَبْدٍ جَرَحَ رَجُلَيْنِ قَالَ «هُوَ بَيْنَهُمَا إِنْ كَانَتْ جِنَايَتُهُ تُحِيطُ بِقِيمَتِهِ» قِيلَ لَهُ فَإِنْ جَرَحَ رَجُلاً فِي أَوَّلِ اَلنَّهَارِ وَ جَرَحَ آخَرَ فِي آخِرِ اَلنَّهَارِ قَالَ «هُوَ بَيْنَهُمَا مَا لَمْ يَحْكُمِ اَلْوَالِي فِي اَلْمَجْرُوحِ اَلْأَوَّلِ فَإِنْ كَانَ اَلْوَالِي قَدْ حَكَمَ فِي اَلْمَجْرُوحِ اَلْأَوَّلِ فَدَفَعَهُ إِلَيْهِ بِجِنَايَتِهِ فَجَنَى بَعْدَ ذَلِكَ جِنَايَةً فَإِنَّ جِنَايَتَهُ عَلَى اَلْأَخِيرِ».

H.5267 - Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} was asked about a slave who injured two men.
Imam {a.s} said: “He is to be divided between them if his crime equals his full value."
It was asked: “What if he injured one man in the morning and another in the evening?"
Imam {a.s} replied: “He is to be divided between them as long as the governor has not ruled regarding the first injured person. But if the governor had already ruled and handed the slave over to the first injured party due to his injury, and then the slave committed another injury afterward, then his liability for that second injury falls upon the latter victim."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.127 • Tahdhib Al-Ahkam, Vol.10 p.195 • Al-Istibsar, Vol.4 p.274 • Awali Al-La’ali, Vol.2 p.360 • Awali Al-La’ali, Vol.3 p.586 • Al-Wafi, Vol.16 p.641 • Wasa’il Al-Shi’ah, Vol.29 p.104

HADITH

5268 - وَ رَوَى عَلِيُّ بْنُ رِئَابٍ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِذَا قَتَلَ اَلْحُرُّ اَلْعَبْدَ غُرِّمَ قِيمَتَهُ وَ أُدِّبَ» قِيلَ لَهُ فَإِنْ كَانَتْ قِيمَتُهُ عِشْرِينَ أَلْفاً قَالَ «لاَ يُجَاوَزُ بِقِيمَةِ عَبْدٍ عَنْ دِيَةِ حُرٍّ».

H.5268 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
“If a free man kills a slave, he must pay the slave's value and be disciplined."
It was asked: “What if the value of the slave is twenty thousand?"
Imam {a.s} replied: “The value of a slave cannot exceed the blood money (diyyah) of a free person."

[REFERENCES] Al-Kafi, Vol.7 p.305 • Man La Yahduruhu Al-Faqih, Vol.4 p.127 • Tahdhib Al-Ahkam, Vol.10 p.193 • Al-Istibsar, Vol.4 p.274 • Al-Wafi, Vol.16 p.636 • Wasa’il Al-Shi’ah, Vol.29 p.97 • Wasa’il Al-Shi’ah, Vol.29 p.207

HADITH

5269 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ قَالَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «جِرَاحَاتُ اَلْعَبِيدِ عَلَى نَحْوِ جِرَاحَاتِ اَلْأَحْرَارِ فِي اَلثَّمَنِ».

H.5269 - In the narration of Al-Sakuni, Commander of the Faithful {a.s} said:
“The injuries of slaves are to be compensated in the same manner as the injuries of free people, according to their value."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.127 • Tahdhib Al-Ahkam, Vol.10 p.193 • Tahdhib Al-Ahkam, Vol.10 p.295 • Al-Wafi, Vol.16 p.642 • Al-Wafi, Vol.16 p.728 • Wasa’il Al-Shi’ah, Vol.29 p.168 • Wasa’il Al-Shi’ah, Vol.29 p.388 • Mustadrak Al-Wasa’il, Vol.18 p.277 • Mustadrak Al-Wasa’il, Vol.18 p.410

HADITH

5270 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ أَبِي مُحَمَّدٍ اَلْوَابِشِيِّ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ قَوْمٍ اِدَّعَوْا عَلَى عَبْدٍ جِنَايَةً تُحِيطُ بِرَقَبَتِهِ فَأَقَرَّ اَلْعَبْدُ بِهَا قَالَ «لاَ يَجُوزُ إِقْرَارُ اَلْعَبْدِ عَلَى سَيِّدِهِ» قَالَ «فَإِنْ أَقَامُوا اَلْبَيِّنَةَ عَلَى مَا اِدَّعَوْا عَلَى اَلْعَبْدِ أَخَذُوا اَلْعَبْدَ بِهَا أَوْ يَفْتَدِيهِ مَوْلاَهُ».

H.5270 - Ibn Mahbub narrated from Abu Muhammad Al-Wabishi who said:
I asked Abu Abdullah {a.s} about a group of people who claimed that a slave had committed an offense warranting his execution, and the slave confessed to it.
Imam {a.s} said: “The confession of a slave is not valid against his master."
Imam {a.s} further said: “But if they establish evidence for what they claimed against the slave, they may take the slave for it or his master may ransom him."

[REFERENCES] Al-Kafi, Vol.7 p.305 • Man La Yahduruhu Al-Faqih, Vol.4 p.127 • Tahdhib Al-Ahkam, Vol.10 p.153 • Tahdhib Al-Ahkam, Vol.10 p.194 • Al-Wafi, Vol.16 p.638 • Wasa’il Al-Shi’ah, Vol.29 p.100 • Wasa’il Al-Shi’ah, Vol.29 p.161 • Wasa’il Al-Shi’ah, Vol.29 p.209

HADITH

5271 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ أَبِي بَصِيرٍ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ مُدَبَّرٍ قَتَلَ رَجُلاً عَمْداً قَالَ «يُقْتَلُ بِهِ» قُلْتُ فَإِنْ قَتَلَهُ خَطَأً قَالَ «يُدْفَعُ إِلَى أَوْلِيَاءِ اَلْمَقْتُولِ فَيَكُونُ لَهُمْ رِقّاً فَإِنْ شَاءُوا اِسْتَرَقُّوا وَ إِنْ شَاءُوا بَاعُوا وَ لَيْسَ لَهُمْ أَنْ يَقْتُلُوهُ» ثُمَّ قَالَ «يَا أَبَا مُحَمَّدٍ إِنَّ اَلْمُدَبَّرَ مَمْلُوكٌ».

H.5271 - Ibn Mahbub narrated from Hisham bin Salim from Abu Basir who said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a mudabbar (a slave promised freedom after the owner's death) who intentionally killed a man.
Imam {a.s} said: “He is to be killed in retaliation."
I asked: “What if he killed him by mistake?"
Imam {a.s} replied: “He is handed over to the heirs of the murdered person, and he becomes their slave. If they wish, they can enslave him, and if they wish, they can sell him, but they have no right to kill him."
Then Imam {a.s} said: “O’ Abu Muhammad, indeed the mudabbar is still a slave."

[REFERENCES] Al-Kafi, Vol.7 p.305 • Man La Yahduruhu Al-Faqih, Vol.4 p.127 • Tahdhib Al-Ahkam, Vol.10 p.197 • Al-Wafi, Vol.16 p.647 • Wasa’il Al-Shi’ah, Vol.29 p.102

HADITH

5272 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ ع عَنْ مُكَاتَبٍ قَتَلَ رَجُلاً خَطَأً فَقَالَ «إِنْ كَانَ مَوْلاَهُ حِينَ كَاتَبَهُ اِشْتَرَطَ عَلَيْهِ أَنَّهُ إِنْ عَجَزَ فَهُوَ رَدٌّ إِلَى اَلرِّقِّ فَهُوَ بِمَنْزِلَةِ اَلْمَمْلُوكِ يُدْفَعُ إِلَى أَوْلِيَاءِ اَلْمَقْتُولِ فَإِنْ شَاءُوا اِسْتَرَقُّوا وَ إِنْ شَاءُوا بَاعُوا وَ إِنْ كَانَ مَوْلاَهُ حِينَ كَاتَبَهُ لَمْ يَشْتَرِطْ عَلَيْهِ وَ كَانَ قَدْ أَدَّى مِنْ مُكَاتَبَتِهِ شَيْئاً فَإِنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ كَانَ يَقُولُ «يُعْتَقُ مِنَ اَلْمُكَاتَبِ بِقَدْرِ مَا أَدَّى مِنْ مُكَاتَبَتِهِ وَ عَلَى اَلْإِمَامِ أَنْ يُؤَدِّيَ إِلَى أَوْلِيَاءِ اَلْمَقْتُولِ بِقَدْرِ مَا أُعْتِقَ مِنَ اَلْمُكَاتَبِ وَ لاَ يُبْطَلُ دَمُ اِمْرِئٍ مُسْلِمٍ » وَ أَرَى أَنْ يَكُونَ بِمَا بَقِيَ عَلَى اَلْمُكَاتَبِ مِمَّا لَمْ يُؤَدِّهِ رِقّاً لِأَوْلِيَاءِ اَلْمَقْتُولِ يَسْتَخْدِمُونَهُ حَيَاتَهُ بِقَدْرِ مَا بَقِيَ عَلَيْهِ وَ لَيْسَ لَهُمْ أَنْ يَبِيعُوهُ».

H.5272 - Ibn Mahbub narrated from Abu Ayyub from Muhammad bin Muslim who said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a mukatab (a slave who has a contract for gradual emancipation) who unintentionally killed a man.
Imam {a.s} said: “If his master, when drafting the emancipation contract, stipulated that if he fails to fulfill the payment, he would return to slavery, then he is treated like a slave and handed over to the heirs of the murdered person.
If they wish, they may enslave him, and if they wish, they may sell him.
But if his master, when drafting the contract, did not make such a stipulation and the mukatab had already paid part of the contract amount, then Imam Ali ibn Abi Talib {a.s} used to say:
'He is freed in proportion to what he has paid of his contract, and it is upon the Imam to pay the heirs of the murdered person an amount equivalent to the portion of freedom the mukatab had earned. The blood of a Muslim must not be wasted.'
I {a.s} also believe that regarding the remaining unpaid portion of the contract, the mukatab should remain as a slave to the heirs of the murdered person, serving them

for the rest of his life in proportion to what remains of his contract, but they are not permitted to sell him."

[REFERENCES] Al-Kafi, Vol.7 p.308 • Man La Yahduruhu Al-Faqih, Vol.4 p.128 • Tahdhib Al-Ahkam, Vol.10 p.198 • Al-Wafi, Vol.16 p.652 • Wasa'il Al-Shi'ah, Vol.29 p.105

HADITH

5273 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ حَمَلَ عَبْداً لَهُ عَلَى دَابَّةٍ فَوَطِئَتْ رَجُلاً قَالَ «اَلْغُرْمُ عَلَى اَلْمَوْلَى».

H.5273 - Ibn Mahbub narrated from Ali bin Ri'ab from Abu Abdullah {a.s} regarding a man who placed his slave on a riding animal, and the animal trampled a man.
Imam {a.s} said: "The compensation is upon the master."

[REFERENCES] Al-Kafi, Vol.7 p.351 • Man La Yahduruhu Al-Faqih, Vol.4 p.128 • Man La Yahduruhu Al-Faqih, Vol.4 p.155 • Tahdhib Al-Ahkam, Vol.10 p.227 • Al-Wafi, Vol.16 p.844 • Wasa'il Al-Shi'ah, Vol.29 p.253

HADITH

5274 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي اَلْوَرْدِ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ قَتَلَ عَبْداً خَطَأً قَالَ «عَلَيْهِ قِيمَتُهُ وَ لاَ يُجَاوَزُ بِقِيمَتِهِ عَشَرَةَ آلاَفِ دِرْهَمٍ» قُلْتُ وَ مَنْ يُقَوِّمُهُ وَ هُوَ مَيِّتٌ قَالَ «إِنْ كَانَ لِمَوْلاَهُ شُهُودٌ أَنَّ قِيمَتَهُ يَوْمَ قَتَلَهُ كَذَا وَ كَذَا أُخِذَ بِهَا قَاتِلُهُ وَ إِنْ لَمْ يَكُنْ لِمَوْلاَهُ شُهُودٌ كَانَتِ اَلْقِيمَةُ عَلَى اَلَّذِي قَتَلَهُ مَعَ يَمِينِهِ يَشْهَدُ أَرْبَعَ مَرَّاتٍ بِاللَّهِ مَا لَهُ قِيمَةٌ أَكْثَرَ مِمَّا قَوَّمْتُهُ وَ إِنْ أَبَى أَنْ يَحْلِفَ وَ رَدَّ اَلْيَمِينَ عَلَى اَلْمَوْلَى أُعْطِيَ اَلْمَوْلَى مَا حَلَفَ عَلَيْهِ وَ لاَ يُجَاوَزُ بِقِيمَتِهِ عَشَرَةَ آلاَفِ دِرْهَمٍ» قَالَ «وَ إِنْ كَانَ اَلْعَبْدُ مُؤْمِناً فَقَتَلَهُ عَمْداً أُغْرِمَ قِيمَتَهُ وَ أُعْتِقَ رَقَبَةً وَ صَامَ شَهْرَيْنِ مُتَتَابِعَيْنِ وَ أَطْعَمَ سِتِّينَ مِسْكِيناً وَ تَابَ إِلَى اَللَّهِ عَزَّ وَ جَلَّ».

H.5274 - Ibn Mahbub narrated from Ali bin Ri'ab from Abu Al-Ward who said:
I asked Imam Abu Jafar Al-Baqir {a.s} about a man who accidentally killed a slave.
Imam {a.s} said: "He must pay the slave's value, and his value should not exceed ten thousand dirhams."
I asked: "Who will appraise his value when he is dead?"
Imam {a.s} replied: "If the master has witnesses that his value on the day he was killed was such and such, then the killer must pay that amount. If the master has no witnesses, the killer must swear four times by Allah {SWT} that the slave's value was no more than what he has appraised. If he refuses to swear and the oath is passed to the master, then the master is given the amount he swore upon, but the value must not exceed ten thousand dirhams."
Imam {a.s} further said: "If the slave was a believer and he was killed intentionally, the killer must pay his value, free a slave, fast for two consecutive months, feed sixty needy people, and repent to Allah {SWT}, the Mighty and Majestic."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.128 • Tahdhib Al-Ahkam, Vol.10 p.193 • Al-Wafi, Vol.16 p.637 • Wasa'il Al-Shi'ah, Vol.29 p.208

HADITH

5275 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ أَبِي وَلاَّدٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ مُكَاتَبٍ جَنَى عَلَى رَجُلٍ حُرٍّ جِنَايَةً فَقَالَ «إِنْ كَانَ أَدَّى مِنْ مُكَاتَبَتِهِ شَيْئاً، غُرِّمَ فِي جِنَايَتِهِ بِقَدْرِ مَا أَدَّى مِنْ مُكَاتَبَتِهِ لِلْحُرِّ وَ إِنْ عَجَزَ عَنْ حَقِّ اَلْجِنَايَةِ أُخِذَ ذَلِكَ مِنَ اَلْمَوْلَى اَلَّذِي كَاتَبَهُ، » قُلْتُ فَإِنْ كَانَتِ اَلْجِنَايَةُ لِعَبْدٍ قَالَ «عَلَى مِثْلِ ذَلِكَ يُدْفَعُ إِلَى مَوْلَى اَلْعَبْدِ اَلَّذِي جَرَحَهُ اَلْمُكَاتَبُ وَ لاَ يُقَاصُّ بَيْنَ اَلْمُكَاتَبِ وَ بَيْنَ اَلْعَبْدِ إِذَا كَانَ اَلْمُكَاتَبُ قَدْ أَدَّى مِنْ مُكَاتَبَتِهِ شَيْئاً فَإِنْ لَمْ يَكُنْ أَدَّى مِنْ مُكَاتَبَتِهِ شَيْئاً فَإِنَّهُ يُقَاصُّ لِلْعَبْدِ مِنْهُ أَوْ يُغَرِّمُ اَلْمَوْلَى كُلَّ مَا جَنَى اَلْمُكَاتَبُ لِأَنَّهُ عَبْدُهُ مَا لَمْ يُؤَدِّ مِنْ مُكَاتَبَتِهِ شَيْئاً» قَالَ «وَ وَلَدُ اَلْمُكَاتَبَةِ كَأُمِّهِ إِنْ رَقَّتْ رَقَّ وَ إِنْ عَتَقَتْ عَتَقَ».

H.5275 - Ibn Mahbub narrated from Abu Walad who said:
I asked Abu Abdullah {a.s} about a mukatab (a slave who has entered into a contract for his freedom) who committed an offense against a free man.
Imam {a.s} said: “If he has paid part of his mukataba (freedom contract), he is liable for the offense in proportion to what he has paid. If he cannot cover the liability for the offense, the remainder is taken from the master who set the contract with him."
I asked: “What if the offense was against another slave?"
Imam {a.s} replied: “It is the same; the mukatab is handed over to the master of the injured slave. There is no compensation between the mukatab and the slave if the mukatab has paid part of his contract. However, if he has not paid anything from his mukataba, then compensation is taken directly from him or his master must pay for all the damage caused by the mukatab because he is still his slave until he pays part of his contract."
Imam {a.s} further said: “The child of a mukataba woman follows her status: if she remains a slave, her child is a slave; and if she is freed, her child is also free."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.129 • Al-Wafi, Vol.16 p.651 • Wasa’il Al-Shi’ah, Vol.29 p.214

CHAPTER 29 – CHAPTER ON WHAT REQUIRES FULL BLOOD MONEY AND HALF BLOOD MONEY IN CASES OTHER THAN THE TAKING OF A LIFE

بَابُ مَا يَجِبُ فِيهِ الدِّيَةُ وَ نِصْفُ الدِّيَةِ فِيمَا دُونَ النَّفْسِ

HADITH 5276 – 5294

5276 - فِي رِوَايَةِ اَلسَّكُونِيِّ أَنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ قَالَ: «فِي ذَكَرِ اَلصَّبِيِّ اَلدِّيَةُ وَ فِي ذَكَرِ اَلْعِنِّينِ اَلدِّيَةُ».

H.5276 - In the narration of Al-Sakooni, it is reported that Commander of the Faithful {a.s} said: "For the male child's private part, there is full blood money (diyyah), and for the impotent man's private part, there is also full blood money (diyyah)."

[REFERENCES] Al-Kafi, Vol.7 p.313 • Man La Yahduruhu Al-Faqih, Vol.4 p.129 • Tahdhib Al-Ahkam, Vol.10 p.249 • Al-Wafi, Vol.16 p.704 • Wasa'il Al-Shi'ah, Vol.29 p.339 • Mustadrak Al-Wasa'il, Vol.18 p.375

HADITH

5277 - وَ رَوَى عَبْدُ اَللَّهِ بْنُ مَيْمُونٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَنْ أَبِيهِ عَلَيْهِمَا اَلسَّلاَمُ قَالَ: «أُتِيَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ بِرَجُلٍ قَدْ ضَرَبَ رَجُلاً حَتَّى اِنْتَقَصَ مِنْ بَصَرِهِ فَدَعَا بِرِجَالٍ مِنْ أَسْنَانِهِ ثُمَّ أَرَاهُمْ شَيْئاً فَنَظَرَ مَا اِنْتَقَصَ مِنْ بَصَرِهِ فَأَعْطَاهُ دِيَةَ مَا اِنْتَقَصَ مِنْ بَصَرِهِ».

H.5277 - Abdullah ibn Maymoon narrated from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s} who said:
"A man was brought to Commander of the Faithful {a.s} who had struck another man, causing a reduction in his eyesight.
Commander of the Faithful {a.s} called men of similar age as the injured man and showed them something to observe how much his vision had diminished. Imam {a.s} then awarded the injured man blood money (diyyah) equivalent to the extent of his lost eyesight."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.130 • Tahdhib Al-Ahkam, Vol.10 p.268 • Al-Wafi, Vol.16 p.735 • Wasa'il Al-Shi'ah, Vol.29 p.369

HADITH

5278 - وَ رَوَى مُوسَى بْنُ بَكْرٍ عَنِ اَلْعَبْدِ اَلصَّالِحِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ ضَرَبَ رَجُلاً بِعَصاً فَلَمْ يَرْفَعْ عَنْهُ اَلْعَصَا حَتَّى مَاتَ قَالَ «يُدْفَعُ إِلَى أَوْلِيَاءِ اَلْمَقْتُولِ وَ لَكِنْ لاَ يُتْرَكُ يُتَلَذَّذُ بِهِ وَ لَكِنْ يُجَازُ عَلَيْهِ بِالسَّيْفِ».

H.5278 - Musa ibn Bakr narrated from Al-Abd Al-Salih Imam Al-Kadhim {a.s} regarding a man who struck another man with a stick and did not lift it from him until he died.
Imam {a.s} said: "The killer should be handed over to the heirs of the murdered man, but he should not be left to be tortured for pleasure. Rather, retribution should be carried out upon him with the sword."

[REFERENCES] Al-Kafi, Vol.7 p.279 • Man La Yahduruhu Al-Faqih, Vol.4 p.130 • Tahdhib Al-Ahkam, Vol.10 p.157 • Al-Wafi, Vol.16 p.591 • Wasa'il Al-Shi'ah, Vol.29 p.39 • Wasa'il Al-Shi'ah, Vol.29 p.127

HADITH

5279 - وَ رَوَى اِبْنُ اَلْمُغِيرَةِ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «دِيَةُ اَلْيَدِ إِذَا قُطِعَتْ خَمْسُونَ مِنَ اَلْإِبِلِ فَمَا كَانَ جُرُوحاً دُونَ اَلِاصْطِلاَمِ فَيَحْكُمُ بِهِ ذَوَا عَدْلٍ مِنْكُمْ «وَ مَنْ لَمْ يَحْكُمْ بِمٰا أَنْزَلَ اَللّٰهُ فَأُولٰئِكَ هُمُ اَلْكٰافِرُونَ» »

H.5279 - Ibn Al-Mughira narrated from Abdullah ibn Sinan from Abu Abdullah {a.s} who said: "The blood money (diyya) for a hand if it is cut off is fifty camels.
As for wounds that are less severe than complete amputation, a ruling shall be made concerning them by two just individuals among you.
And whoever does not judge by what Allah {SWT} has revealed, then they are the disbelievers."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.130 • Fiqh Al-Quran, Vol.2 p.416 • Al-Wafi, Vol.16 p.697 • Wasa'il Al-Shi'ah, Vol.29 p.302 • Wasa'il Al-Shi'ah, Vol.29 p.389

HADITH

5280 - وَ رَوَى مُحَمَّدُ بْنُ قَيْسٍ عَنْ أَحَدِهِمَا: فِي رَجُلٍ فَقَأَ عَيْنَ رَجُلٍ وَ قَطَعَ أَنْفَهُ وَ أُذُنَيْهِ ثُمَّ قَتَلَهُ فَقَالَ «إِنْ كَانَ فَرَّقَ ذَلِكَ عَلَيْهِ أُقْتُصَّ مِنْهُ ثُمَّ قُتِلَ وَ إِنْ كَانَ ضَرَبَهُ ضَرْبَةً وَاحِدَةً فَأَصَابَهُ ذَلِكَ ضُرِبَتْ عُنُقُهُ وَ لَمْ يُقْتَصَّ مِنْهُ».

H.5280 - Muhammad ibn Qays narrated from one of the two Imams {a.s} about a man who gouged out another man's eye, cut off his nose and ears, and then killed him.
Imam {a.s} said: "If he inflicted these injuries on him separately, then retaliation (qisas) will be taken for each injury, and then he will be killed. But if he struck him with a single blow that resulted in all those injuries, his neck will be struck (he will be executed), and retaliation will not be taken for the individual injuries."

[REFERENCES] Al-Kafi, Vol.7 p.326 • Man La Yahduruhu Al-Faqih, Vol.4 p.130 • Tahdhib Al-Ahkam, Vol.10 p.252 • Awali Al-La'ali, Vol.3 p.582 • Al-Wafi, Vol.16 p.686 • Wasa'il Al-Shi'ah, Vol.29 p.112 • Al-Fusul Al-Muhimmah, Vol.2 p.531

HADITH

5281 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ عَنْ بُرَيْدٍ اَلْعِجْلِيِّ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِنَّ فِي لِسَانِ اَلْأَخْرَسِ وَ عَيْنِ اَلْأَعْمَى وَ ذَكَرِ اَلْخَصِيِّ اَلْحُرِّ وَ أُنْثَيَيْهِ ثُلُثَ اَلدِّيَةِ وَ فِي ذَكَرِ اَلْغُلاَمِ اَلدِّيَةَ كَامِلَةً».

H.5281 - Ibn Mahbub narrated from Abu Ayyub from Buraid Al-Ijli from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said:
"For the tongue of a mute person, the eye of a blind person, and the private parts and testicles of a free eunuch, one-third of the full blood money (diyya) is due.
However, for the private part of a young boy, the full blood money is due."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.131

HADITH

5282 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ: «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي اَلرَّجُلِ يُضْرَبُ عَلَى عِجَانِهِ فَلاَ يَسْتَمْسِكُ غَائِطُهُ وَ لاَ بَوْلُهُ «إِنَّ فِي ذَلِكَ اَلدِّيَةَ كَامِلَةً»».

H.5282 - Ibn Mahbub narrated from Ishaq ibn Ammar who said:
I heard Abu Abdullah {a.s} say:
"The Commander of the Faithful {a.s} ruled regarding a man who was struck on his hips, causing him to lose control over his stool and urine, that the full blood money (diyya) is due for that."

[REFERENCES] Al-Kafi, Vol.7 p.313 • Al-Kafi, Vol.7 p.315 • Man La Yahduruhu Al-Faqih, Vol.4 p.131 • Tahdhib Al-Ahkam, Vol.10 p.248 • Al-Wafi, Vol.16 p.699 • Wasa'il Al-Shi'ah, Vol.29 p.371

HADITH

5283 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ جَمِيلِ بْنِ صَالِحٍ عَنْ أَبِي عُبَيْدَةَ اَلْحَذَّاءِ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ ضَرَبَ رَجُلاً بِعَمُودِ فُسْطَاطٍ عَلَى رَأْسِهِ ضَرْبَةً وَاحِدَةً فَأَجَافَهُ حَتَّى وَصَلَتِ اَلضَّرْبَةُ إِلَى دِمَاغِهِ فَذَهَبَ عَقْلُهُ فَقَالَ «إِنْ كَانَ اَلْمَضْرُوبُ لاَ يَعْقِلُ مِنْهَا اَلصَّلاَةَ وَ لاَ يَعْقِلُ مَا قَالَ وَ لاَ مَا قِيلَ لَهُ فَإِنَّهُ يُنْتَظَرُ بِهِ سَنَةً فَإِنْ مَاتَ فِيمَا بَيْنَهُ وَ بَيْنَ اَلسَّنَةِ أُقِيدَ بِهِ ضَارِبُهُ وَ إِنْ لَمْ يَمُتْ فِيمَا بَيْنَهُ وَ بَيْنَ اَلسَّنَةِ وَ لَمْ يَرْجِعْ إِلَيْهِ عَقْلُهُ أُغْرِمَ ضَارِبُهُ اَلدِّيَةَ فِي مَالِهِ لِذَهَابِ عَقْلِهِ» قَالَ فَقُلْتُ لَهُ فَمَا تَرَى عَلَيْهِ فِي اَلشَّجَّةِ شَيْئاً فَقَالَ «لاَ لِأَنَّهُ إِنَّمَا ضَرَبَهُ ضَرْبَةً وَاحِدَةً فَجَنَتِ اَلضَّرْبَةُ جِنَايَتَيْنِ فَأَلْزَمْتُهُ أَغْلَظَ اَلْجِنَايَتَيْنِ وَ هِيَ اَلدِّيَةُ وَ لَوْ كَانَ ضَرَبَهُ ضَرْبَتَيْنِ فَجَنَتِ اَلضَّرْبَتَانِ جِنَايَتَيْنِ لَأَلْزَمْتُهُ جِنَايَةَ مَا جَنَتِ اَلضَّرْبَتَانِ كَائِناً مَا كَانَتَا إِلاَّ أَنْ يَكُونَ فِيهِمَا اَلْمَوْتُ فَيُقَادَ بِهِ ضَارِبُهُ وَ تُطْرَحَ اَلْأُخْرَى » قَالَ «وَ إِنْ ضَرَبَهُ ثَلاَثَ ضَرَبَاتٍ وَاحِدَةً بَعْدَ وَاحِدَةٍ فَجَنَيْنَ ثَلاَثَ جِنَايَاتٍ أَلْزَمْتُهُ جِنَايَةَ مَا جَنَيْنَ اَلثَّلاَثُ اَلضَّرَبَاتِ كَائِنَاتٍ مَا كُنَّ مَا لَمْ يَكُنْ فِيهِنَّ اَلْمَوْتُ فَيُقَادَ بِهِ ضَارِبُهُ» قَالَ «وَ إِنْ ضَرَبَهُ عَشَرَ ضَرَبَاتٍ فَجَنَيْنَ جِنَايَةً وَاحِدَةً أَلْزَمْتُهُ تِلْكَ اَلْجِنَايَةَ اَلَّتِي جَنَتْهَا اَلْعَشْرُ اَلضَّرَبَاتِ كَائِنَةً مَا كَانَتْ مَا لَمْ يَكُنْ فِيهَا اَلْمَوْتُ».

H.5283 - Ibn Mahbub narrated from Jamil ibn Salih from Abu Ubaydah Al-Hadhdha' who said: I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a man who struck another man on his head with the pole of a tent, delivering a single blow that penetrated to his brain, causing him to lose his mind.

Imam {a.s} said: "If the struck man can no longer comprehend the prayer, nor understand what is said to him or what he says, then he should be observed for a year. If he dies within that year, the striker is subject to retaliation (qisas). However, if he does not die within that period and his mind does not return, the striker must pay the full blood money (diyya) from his wealth due to the loss of the victim's intellect."

I said to Imam {a.s}: What do you rule upon him regarding the head injury (shajja)?

Imam {a.s} replied: "Nothing, because he only struck him once, and that single blow caused two injuries. Therefore, I imposed upon him the more severe of the two injuries, which is the blood money (diyya).

Had he struck him twice, causing two separate injuries, I would have imposed upon him compensation for both injuries, whatever they may have been - except if one of them resulted in death, in which case the striker would face retaliation (qisas), and the second injury would be disregarded."

Imam {a.s} further said: "If he struck him three times, one after the other, resulting in three injuries, I would impose upon him the liability for whatever the three injuries amounted to, unless one of them led to death, in which case the striker would face retaliation."

Imam {a.s} added: "And if he struck him ten times, but they resulted in a single injury, I would hold him accountable only for that single injury caused by the ten blows, regardless of its severity, as long as it did not result in death."

[REFERENCES] Al-Kafi, Vol.7 p.325 • Man La Yahduruhu Al-Faqih, Vol.4 p.131 • Tahdhib Al-Ahkam, Vol.10 p.253 • Al-Wafi, Vol.16 p.685 • Wasa'il Al-Shi'ah, Vol.29 p.366

HADITH

5284 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ حَبِيبٍ اَلسِّجِسْتَانِيِّ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ قَطَعَ يَدَيْنِ لِرَجُلَيْنِ اَلْيَمِينَيْنِ فَقَالَ «يَا حَبِيبُ تُقْطَعُ يَمِينُهُ لِلرَّجُلِ اَلَّذِي قَطَعَ يَمِينَهُ أَوَّلاً وَ يُقْطَعُ يَسَارُهُ لِلَّذِي قَطَعَ يَمِينَهُ آخِراً لِأَنَّهُ إِنَّمَا قَطَعَ يَدَ اَلرَّجُلِ اَلْأَخِيرِ وَ يَمِينُهُ قِصَاصٌ لِلرَّجُلِ اَلْأَوَّلِ» فَقُلْتُ إِنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ إِنَّمَا كَانَ يَقْطَعُ اَلْيَدَ اَلْيُمْنَى وَ اَلرِّجْلَ اَلْيُسْرَى فَقَالَ «إِنَّمَا كَانَ يَفْعَلُ ذَلِكَ فِيمَا يَجِبُ مِنْ حُقُوقِ اَللَّهِ عَزَّ وَ جَلَّ فَأَمَّا حُقُوقُ اَلْمُسْلِمِينَ يَا حَبِيبُ فَإِنَّهُ يُؤْخَذُ لَهُمْ حُقُوقُهُمْ فِي قِصَاصِ اَلْيَدِ بِالْيَدِ إِذَا كَانَتْ لِلْقَاطِعِ يَدٌ وَ اَلرِّجْلُ بِالْيَدِ إِذَا لَمْ يَكُنْ لِلْقَاطِعِ يَدَانِ» فَقُلْتُ لَهُ أَ مَا تُوجَبُ عَلَيْهِ اَلدِّيَةُ وَ تُتْرَكُ لَهُ رِجْلُهُ فَقَالَ «إِنَّمَا تُوجَبُ عَلَيْهِ اَلدِّيَةُ إِذَا قَطَعَ يَدَ رَجُلٍ وَ لَيْسَ لِلْقَاطِعِ يَدَانِ وَ لاَ رِجْلاَنِ فَثَمَّ تُوجَبُ عَلَيْهِ اَلدِّيَةُ لِأَنَّهُ لَيْسَتْ لَهُ جَارِحَةٌ يُقَاصُّ مِنْهَا».

H.5284 - Ibn Mahbub narrated from Hisham ibn Salim from Habib Al-Sijistani who said:

I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a man who cut off the right hands of two men.

Imam {a.s} replied: “O’ Habib, his right hand is to be cut off in retaliation for the man whose right hand he first severed, and his left hand is to be cut off for the man whose right hand he severed afterward. This is because he initially cut off the first man's right hand, and his own right hand is taken as retaliation for that. Then, for the second man, his left hand is taken."

I said: “But Commander of the Faithful {a.s} used to cut off the right hand and the left foot."

Imam {a.s} replied: “That ruling was for the rights of Allah {SWT}, the Exalted. However, regarding the rights of Muslims, O’ Habib, their rights are taken in full. A hand is taken for a hand in retaliation if the offender has two hands, and a foot is taken for a hand if the offender has no hands."

I then asked: “Shouldn't the blood money (diyya) be imposed on him, and his foot be spared?"

Imam {a.s} replied: “Blood money is only required when he cuts off a man's hand and the perpetrator has neither two hands nor two feet. In such a case, blood money is imposed because there is no remaining limb from which retaliation can be taken."

[REFERENCES] Al-Kafi, Vol.7 p.319 • Man La Yahduruhu Al-Faqih, Vol.4 p.132 • Tahdhib Al-Ahkam, Vol.10 p.259 • Awali Al-La’ali, Vol.3 p.587 • Al-Wafi, Vol.16 p.683 • Wasa’il Al-Shi’ah, Vol.29 p.174

HADITH

5285 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنِ اَلْقَاسِمِ بْنِ عُرْوَةَ عَنِ اِبْنِ بُكَيْرٍ عَنْ زُرَارَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «فِي اَلْيَدِ نِصْفُ اَلدِّيَةِ وَ فِي اَلْيَدَيْنِ جَمِيعاً اَلدِّيَةُ وَ فِي اَلرِّجْلَيْنِ كَذَلِكَ وَ فِي اَلذَّكَرِ إِذَا قُطِعَتِ اَلْحَشَفَةُ وَ مَا فَوْقَ ذَلِكَ اَلدِّيَةُ وَ فِي اَلْأَنْفِ إِذَا قُطِعَ اَلْمَارِنُ اَلدِّيَةُ»

قَالَ مُصَنِّفُ هَذَا اَلْكِتَابِ رَحِمَهُ اَللَّهُ وَجَدْتُ فِي كِتَابِ اِبْنِ اَلْأَعْرَابِيِّ فِي صِفَةِ خَلْقِ اَلْإِنْسَانِ أَنَّ اَلْمَارِنَ مَا لاَنَ مِنْ غُضْرُوفِهِ وَ اَلْغُضْرُوفُ هُوَ اَلرَّقِيقُ اَلْأَبْيَضُ كَالْعَظْمِ يَكُونُ فِي اَلْمَارِنِ وَ اَلْمَارِنَ كُلَّهُ غَضَارِيفُ «وَ فِي اَلشَّفَتَيْنِ اَلدِّيَةُ وَ فِي اَلْعَيْنَيْنِ اَلدِّيَةُ وَ فِي إِحْدَاهُمَا نِصْفُ اَلدِّيَةِ».

H.5285 - Ibn Abi Umayr narrated from Al-Qasim ibn Urwah from Ibn Bukayr from Zurara from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"For the hand, there is half of the full blood money (diyya), and for both hands together, the full diyya is due. Similarly, for both legs, the full diyya applies.
For the male organ, if the glans (Al-hashafa) and above it are cut off, the full diyya is required.
For the nose, if the soft part (Al-marin) is cut off, the full diyya applies."

[AL SADUQ]
The compiler of this book, may Allah {SWT} have mercy on him, commented:
I found in the book of Ibn Al-A'rabi regarding the description of human anatomy that Al-marin refers to the soft part of the cartilage, and cartilage is the thin, white, bone-like tissue found in the soft part of the nose. The entire marin consists of cartilage.
Imam {a.s} further said: "For the lips, the full diyya applies. For both eyes, the full diyya is due, and for one eye, half of the diyya is required."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.132

HADITH

5286 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ أَبِي جَمِيلَةَ عَنْ أَبَانِ بْنِ تَغْلِبَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «فِي اَلشَّفَةِ اَلسُّفْلَى سِتَّةُ آلاَفٍ وَ فِي اَلْعُلْيَا أَرْبَعَةُ آلاَفٍ لِأَنَّ اَلسُّفْلَى تُمْسِكُ اَلْمَاءَ».

H.5286 - Ibn Mahbub narrated from Abu Jameelah from Aban ibn Taghlib from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"For the lower lip, the compensation is six thousand (dirhams), and for the upper lip, it is four thousand (dirhams) because the lower lip holds water."

[REFERENCES] Al-Kafi, Vol.7 p.312 • Man La Yahduruhu Al-Faqih, Vol.4 p.132 • Tahdhib Al-Ahkam, Vol.10 p.246 • Al-Istibsar, Vol.4 p.288 • Nuzhat Al-Nazir, Vol.1 p.139 • Awali Al-La'ali, Vol.3 p.634 • Al-Wafi, Vol.16 p.692 • Wasa'il Al-Shi'ah, Vol.29 p.294

HADITH

5287 - وَ رُوِيَ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي رَجُلٍ أُصِيبَ إِحْدَى عَيْنَيْهِ أَنْ تُؤْخَذَ بَيْضَةُ نَعَامَةٍ فَيُمْشَى بِهَا وَ تُوثَقَ عَيْنُهُ اَلصَّحِيحَةُ حَتَّى لاَ يُبْصِرَ بِهَا وَ يَنْتَهِيَ بَصَرُهُ ثُمَّ يُحْسَبَ مَا بَيْنَ مُنْتَهَى بَصَرِ عَيْنِهِ اَلَّتِي أُصِيبَتْ وَ بَيْنَ عَيْنِهِ اَلصَّحِيحَةِ فَيُؤَدَّى بِحِسَابِ ذَلِكَ».

H.5287 - It is narrated from Muhammad ibn Qays from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said:
"The Commander of the Faithful {a.s} ruled concerning a man who lost one of his eyes that an ostrich egg should be taken, and the man's healthy eye should be covered so he cannot see with it. Then, his vision should be measured to its limit, and the distance between the range of his injured eye and his healthy eye should be calculated. Compensation should be paid accordingly based on that measurement."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.133 • Tahdhib Al-Ahkam, Vol.10 p.266 • Al-Wafi, Vol.16 p.735 • Wasa'il Al-Shi'ah, Vol.29 p.369

HADITH

5288 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «كُلُّ مَا كَانَ فِي اَلْإِنْسَانِ اِثْنَيْنِ فَفِيهِمَا اَلدِّيَةُ وَ فِي إِحْدَاهُمَا نِصْفُ اَلدِّيَةِ وَ مَا كَانَ وَاحِداً فَفِيهِ اَلدِّيَةُ».

H.5288 - It is narrated from Ibn Abi Umair from Hisham ibn Salim from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"Everything in the human body that exists in pairs carries the full blood money (diyya) for both, and half the blood money for one. And whatever exists as a single part in the body carries the full blood money."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.133 • Tahdhib Al-Ahkam, Vol.10 p.258 • Nuzhat Al-Nazir, Vol.1 p.145 • Awali Al-La'ali, Vol.3 p.629 • Awali Al-La'ali, Vol.3 p.633 • Al-Wafi, Vol.16 p.691 • Wasa'il Al-Shi'ah, Vol.29 p.287 • Al-Fusul Al-Muhimmah, Vol.2 p.536

HADITH

5289 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَبْدِ اَلْوَهَّابِ بْنِ اَلصَّبَّاحِ عَنْ عَلِيٍّ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ: فِي رَجُلٍ وُجِئَ فِي أُذُنِهِ فَادَّعَى أَنَّ إِحْدَى أُذُنَيْهِ نَقَصَ مِنْ سَمْعِهِ بِهَا شَيْءٌ قَالَ «تُشَدُّ اَلَّتِي ضُرِبَتْ شَدّاً جَيِّداً وَ تُفْتَحُ اَلصَّحِيحَةُ فَيُضْرَبُ لَهُ بِالْجَرَسِ حِيَالَ وَجْهِهِ وَ يُقَالُ لَهُ اِسْمَعْ فَإِذَا خَفِيَ عَلَيْهِ صَوْتُ اَلْجَرَسِ عُلِّمَ مَكَانُهُ ثُمَّ يُذْهَبُ بِالْجَرَسِ مِنْ خَلْفِهِ فَيُضْرَبُ بِهِ مِنْ خَلْفِهِ حَتَّى يَخْفَى عَلَيْهِ اَلصَّوْتُ فَإِذَا خَفِيَ عَلَيْهِ عُلِّمَ مَكَانُهُ ثُمَّ يُقَاسُ مَا بَيْنَهُمَا فَإِنْ كَانَا سَوَاءً عُلِمَ أَنَّهُ قَدْ صَدَقَ ثُمَّ يُؤْخَذُ بِهِ عَنْ يَمِينِهِ فَيُضْرَبُ بِهِ حَتَّى يَخْفَى ثُمَّ يُعَلَّمُ ثُمَّ يُؤْخَذُ بِهِ عَنْ يَسَارِهِ فَيُضْرَبُ بِهِ حَتَّى يَخْفَى ثُمَّ يُعَلَّمُ بِهِ ثُمَّ يُقَاسُ مَا بَيْنَهُمَا فَإِنْ كَانَا سَوَاءً عُلِمَ أَنَّهُ قَدْ صَدَقَ» قَالَ «ثُمَّ تُفْتَحُ أُذُنُهُ اَلْمُعْتَلَّةُ وَ تُشَدُّ اَلْأُخْرَى شَدّاً جَيِّداً ثُمَّ يُضْرَبُ بِالْجَرَسِ مِنْ قُدَّامِهِ ثُمَّ يُعَلَّمُ حَتَّى يَخْفَى يُصْنَعُ بِهِ كَمَا صُنِعَ أَوَّلَ مَرَّةٍ بِأُذُنِهِ اَلصَّحِيحَةِ ثُمَّ يُقَاسُ مَا بَيْنَ اَلصَّحِيحَةِ وَ اَلْمُعْتَلَّةِ فَيُقَوَّمُ مِنْ حِسَابِ ذَلِكَ».

H.5289 - It is narrated from Ibn Mahbub from Abdul Wahhab ibn Al-Sabbah from Ali from Abu Basir from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} that he said regarding a man who was struck in his ear and claimed that one of his ears had diminished in hearing.

Imam {a.s} said: “The injured ear should be tightly bound, and the healthy ear should be left open. A bell should be struck in front of his face, and he should be asked to listen. If the sound of the bell becomes faint for him, its position should be noted.

Then, the bell should be taken behind him and rung until the sound fades for him; when it fades, its position should be marked. The distance between the two positions is then measured. If they are equal, it is known that he has spoken the truth.

Then, the bell should be taken to his right side and rung until the sound fades, and its position should be marked. Similarly, the bell should be taken to his left side and rung until the sound fades, and its position should be marked. If the distances are equal, it is confirmed that he has spoken the truth."

Imam {a.s} further said: “Then the affected ear should be opened, and the healthy ear should be tightly bound. The bell should be rung in front of him, and the process repeated as it was initially done with the healthy ear. Then, the difference between the healthy and the affected ear should be measured, and compensation determined accordingly."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.133

HADITH

5290 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ أَبِيهِ عَنْ حَمَّادِ بْنِ زِيَادٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ وَجَأَ أُذُنَ رَجُلٍ بِعَظْمٍ فَادَّعَى أَنَّهُ ذَهَبَ سَمْعُهُ كُلُّهُ قَالَ «يُؤَجَّلُ سَنَةً وَ يُتَرَصَّدُ بِشَاهِدَيْ عَدْلٍ فَإِنْ جَاءَا فَشَهِدَا أَنَّهُ سَمِعَ وَ أَنَّهُ أَجَابَ عَلَى سَمْعٍ فَلاَ حَقَّ لَهُ وَ إِنْ لَمْ يُعْثَرْ عَلَى أَنَّهُ سَمِعَ اُسْتُحْلِفَ ثُمَّ إِنَّهُ أُعْطِيَ اَلدِّيَةَ» قَالَ قُلْتُ فَإِنَّهُ يَسْمَعُ بَعْدَ مَا أُعْطِيَ اَلدِّيَةَ قَالَ «هُوَ شَيْءٌ أَعْطَاهُ اَللَّهُ تَعَالَى إِيَّاهُ» قَالَ وَ سَأَلْتُهُ عَنِ اَلْعَيْنِ يَدَّعِي صَاحِبُهَا أَنَّهُ لاَ يُبْصِرُ بِهَا قَالَ «يُؤَجَّلُ سَنَةً ثُمَّ يُسْتَحْلَفُ بَعْدَ اَلسَّنَةِ أَنَّهُ لاَ يُبْصِرُ ثُمَّ يُعْطَى اَلدِّيَةَ» قُلْتُ فَإِنَّهُ أَبْصَرَ بَعْدَ ذَلِكَ قَالَ «هُوَ شَيْءٌ أَعْطَاهُ اَللَّهُ إِيَّاهُ».

H.5290 - It is narrated from Ibn Mahbub from his father from Hammad ibn Ziyad from Sulayman ibn Khalid from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:

I asked Imam {a.s} about a man who struck another man's ear with a bone, and the man claimed that he had completely lost his hearing.

Imam {a.s} said: “He should be given a respite for one year, and two just witnesses should observe him. If they testify that he heard and responded to hearing, then he has no right (to compensation).

But if it cannot be confirmed that he heard, he should be made to swear an oath, and then he should be given the full compensation (blood money)."

I asked: “What if he regains his hearing after receiving the compensation?"

Imam {a.s} replied: “It is something Allah {SWT} the Exalted has granted him."
I then asked Imam {a.s} about someone who claimed he could no longer see with his eye.
Imam {a.s} said: “He should be given a respite for one year, and after the year, he should swear an oath that he cannot see, and then he should be given the full compensation (blood money)."
I asked: “What if he regains his sight after that?"
Imam {a.s} replied: “It is something Allah {SWT} has granted him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.133

HADITH

5291 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ : «أَنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ قَضَى فِي اَلصُّلْبِ إِذَا اِنْكَسَرَ اَلدِّيَةَ».

H.5291 - In the narration of Al-Sakooni, it is reported that Commander of the Faithful {a.s} ruled that if the spine is broken, the full blood money (diya) is due.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.134 • Al-Wafi, Vol.16 p.695

HADITH

5292 - وَ رَوَى هِشَامُ بْنُ سَالِمٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ كُسِرَ بُعْصُوصُهُ فَلَمْ يَمْلِكِ اِسْتَهُ مَا فِيهِ مِنَ اَلدِّيَةِ فَقَالَ «اَلدِّيَةُ كَامِلَةٌ» قَالَ وَ سَأَلْتُهُ عَنْ رَجُلٍ وَقَعَ بِجَارِيَةٍ فَأَفْضَاهَا وَ هِيَ إِذَا نَزَلَتْ بِتِلْكَ اَلْمَنْزِلَةِ لَمْ تَلِدْ فَقَالَ «اَلدِّيَةُ كَامِلَةٌ».

H.5292 - Hisham ibn Salim narrated from Sulayman ibn Khalid who said:
I asked Abu Abdullah {a.s} about a man whose coccyx (tailbone) was broken, resulting in his inability to control his bowels.
Imam {a.s} replied: “The full blood money (diya) is due."
Sulayman further asked Imam {a.s} about a man who engaged in intercourse with a slave girl and caused *ifda'* (a severe injury of female reproductive organs), and she, in that condition, would never be able to bear children.
Imam {a.s} replied: “The full blood money (diya) is due."

[REFERENCES] Al-Kafi, Vol.7 p.313 • Man La Yahduruhu Al-Faqih, Vol.4 p.134 • Tahdhib Al-Ahkam, Vol.10 p.248 • Al-Wafi, Vol.16 p.698 • Wasa'il Al-Shi'ah, Vol.29 p.370

HADITH

5293 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ تَزَوَّجَ جَارِيَةً فَوَقَعَ عَلَيْهَا فَأَفْضَاهَا قَالَ «عَلَيْهِ اَلْإِجْرَاءُ عَلَيْهَا مَا دَامَتْ حَيَّةً».

H.5293 - Hammad narrated from Al-Halabi who said:
I asked Abu Abdullah {a.s} about a man who married a slave girl, then had intercourse with her and caused *ifda'* (a severe injury of female reproductive organs).
Imam {a.s} replied: "He is responsible for providing for her needs as long as she is alive."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.134 • Tahdhib Al-Ahkam, Vol.10 p.249 • Al-Istibsar, Vol.4 p.294 • Al-Wafi, Vol.16 p.702 • Wasa'il Al-Shi'ah, Vol.20 p.494 • Wasa'il Al-Shi'ah, Vol.29 p.282

HADITH

5294 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ قَالَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «لاَ تُقَاسُ عَيْنٌ فِي يَوْمٍ غَيْمٍ».

H.5294 - In the narration of Al-Sakuni, it is reported that Commander of the Faithful {a.s} said: "An eye is not to be examined (for diyyah) on a cloudy day."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.134 • Tahdhib Al-Ahkam, Vol.10 p.267 • Tahdhib Al-Ahkam, Vol.10 p.268 • Al-Wafi, Vol.16 p.736 • Wasa'il Al-Shi'ah, Vol.29 p.365 • Wasa'il Al-Shi'ah, Vol.29 p.365 • Mustadrak Al-Wasa'il, Vol.18 p.394

CHAPTER 30 – CHAPTER ON THE BLOOD MONEY FOR FINGERS, TEETH, AND BONES

بَابُ دِيَةِ الْأَصَابِعِ وَ الْأَسْنَانِ وَ الْعِظَامِ

HADITH 5295 – 5304

5295 - رَوَى عُثْمَانُ بْنُ عِيسَى عَنْ سَمَاعَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنِ اَلْأَصَابِعِ هَلْ لِبَعْضِهَا عَلَى بَعْضٍ فَضْلٌ فِي اَلدِّيَةِ قَالَ «هُنَّ سَوَاءٌ فِي اَلدِّيَةِ».

H.5295 - It is narrated by Uthman ibn Isa from Sama'ah from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said: I asked Imam {a.s} about the fingers - whether some of them have more value over others in terms of blood money (diyyah).
Imam {a.s} replied: "They are all equal in blood money (diyyah)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.134 • Tahdhib Al-Ahkam, Vol.10 p.259 • Al-Istibsar, Vol.4 p.291 • Al-Wafi, Vol.16 p.716 • Wasa'il Al-Shi'ah, Vol.29 p.347

HADITH

5296 - وَ رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنِ اَلسِّنِّ وَ اَلذِّرَاعِ يُكْسَرَانِ عَمْداً أَ لَهُمَا أَرْشٌ أَوْ قَوَدٌ فَقَالَ «قَوَدٌ» قَالَ قُلْتُ فَإِنْ أَضْعَفُوا لَهُ اَلدِّيَةَ فَقَالَ «إِنْ أَرْضَوْهُ بِمَا شَاءَ فَهُوَ لَهُ».

H.5296 - It is narrated by Asim ibn Humaid from Abu Basir from Abu Abdullah {a.s} who said: I asked Imam {a.s} about a tooth or an arm that is intentionally broken - does it require compensation (financial payment) or is there retaliation (qisas)?
Imam {a.s} replied: "Retaliation (qisas)."
I asked: "What if they offer him blood money instead?"
Imam {a.s} replied: "If he is satisfied with whatever they offer, then it is permissible for him."

[REFERENCES] Al-Kafi, Vol.7 p.320 • Man La Yahduruhu Al-Faqih, Vol.4 p.135 • Tahdhib Al-Ahkam, Vol.10 p.275 • Al-Wafi, Vol.16 p.682 • Wasa'il Al-Shi'ah, Vol.29 p.176 • Tafsir Nur Al-Thaqalayn, Vol.1 p.636 • Tafsir Kanz Al-Daqaiq, Vol.4 p.128

HADITH

5297 - وَ فِي رِوَايَةِ اِبْنِ بُكَيْرٍ عَنْ زُرَارَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «فِي اَلْإِصْبَعِ عَشْرٌ مِنَ اَلْإِبِلِ إِذَا قُطِعَتْ مِنْ أَصْلِهَا أَوْ شُلَّتْ».

H.5297 - In the narration of Ibn Bukayr from Zurara from Abu Abdullah {a.s}, he said: "For each finger, there is a compensation of ten camels if it is cut off from its base or becomes paralyzed."

[REFERENCES] Man La Yahduruhu Al-Faqih, V.4 p.135 • Al-Wafi, V.16 p.714 • Wasa'il Al-Shi'ah, Vol.29 p.348

HADITH

5298 - وَ فِي رِوَايَةِ جَمِيلٍ عَنْ بَعْضِ أَصْحَابِنَا عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ قَالَ: فِي سِنٍّ اَلصَّبِيِّ يَضْرِبُهَا اَلرَّجُلُ فَتَسْقُطُ ثُمَّ تَنْبُتُ قَالَ «لَيْسَ عَلَيْهِ قِصَاصٌ وَ عَلَيْهِ اَلْأَرْشُ» وَ قَالَ فِي اَلرَّجُلِ تُكْسَرُ يَدُهُ ثُمَّ تَبْرَأُ يَدُهُ قَالَ «لاَ يُقْتَصُّ مِنْهُ وَ لَكِنْ يُعْطَى اَلْأَرْشَ» وَ سُئِلَ جَمِيلٌ كَمِ اَلْأَرْشُ فِي سِنِّ اَلصَّبِيِّ وَ كَسْرِ اَلْيَدِ قَالَ «شَيْءٌ يَسِيرٌ».

وَ لَمْ يَرْوِ فِيهِ شَيْئاً مَعْلُوماً.

H.5298 - In the narration of Jameel from some of our companions from one of the Imams (peace be upon them), that it was reported regarding the tooth of a child that is struck by a man and falls out but later grows back

Imam {a.s} said: "There is no retaliation (qisas) upon him, but he must pay compensation (arsh)."

Regarding a man whose hand is broken but later heals,

Imam {a.s} said: "There is no retaliation against him, but he must pay compensation (arsh)."

When Jamil was asked about the amount of compensation for the child's tooth and the broken hand, Imam {a.s} replied: "It is a small amount"

[AL SADUQ]

However. Imam {a.s} did not narrate any specific value for it.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.135

HADITH

5299 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «أَصَابِعُ اَلْيَدَيْنِ وَ اَلرِّجْلَيْنِ فِي اَلدِّيَةِ سَوَاءٌ» وَ قَالَ «فِي اَلسِّنِّ إِذَا ضُرِبَتِ اُنْتُظِرَ بِهَا سَنَةً فَإِنْ وَقَعَتْ أُغْرِمَ اَلضَّارِبُ خَمْسَمِائَةِ دِرْهَمٍ وَ إِنْ لَمْ تَقَعْ وَ اِسْوَدَّتْ أُغْرِمَ ثُلُثَيْ دِيَتِهَا».

H.5299 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:

"The fingers of the hands and feet are equal in compensation (diyyah)."

Imam {a.s} also said: "If a tooth is struck, it should be observed for a year. If it falls out, the striker must pay five hundred dirhams. However, if it does not fall out but turns black, the striker must pay two-thirds of its compensation."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.135

HADITH

5300 - : «وَ قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي اَلْأَسْنَانِ اَلَّتِي تُقْسَمُ عَلَيْهَا اَلدِّيَةُ أَنَّهَا ثَمَانِي وَ عِشْرُونَ سِنّاً سِتَّةَ عَشَرَ فِي مَوَاخِيرِ اَلْفَمِ وَ اِثْنَا عَشَرَ فِي مَقَادِيمِهِ فَدِيَةُ كُلِّ سِنٍّ مِنَ اَلْمَقَادِيمِ إِذَا كُسِرَ حَتَّى يَذْهَبَ خَمْسُونَ دِينَاراً فَيَكُونُ ذَلِكَ سِتَّمِائَةِ دِينَارٍ وَ دِيَةُ كُلِّ سِنٍّ مِنَ اَلْمَوَاخِيرِ إِذَا كُسِرَ حَتَّى يَذْهَبَ عَلَى اَلنِّصْفِ مِنْ دِيَةِ اَلْمَقَادِيمِ خَمْسَةٌ وَ عِشْرُونَ دِينَاراً فَيَكُونُ ذَلِكَ أَرْبَعَمِائَةِ دِينَارٍ فَذَلِكَ أَلْفُ دِينَارٍ فَمَا نَقَصَ فَلاَ دِيَةَ لَهُ وَ مَا زَادَ فَلاَ دِيَةَ لَهُ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ إِذَا أُصِيبَتِ الْأَسْنَانُ كُلُّهَا فَمَا زَادَ عَلَى الْخِلْقَةِ الْمُسْتَوِيَةِ وَ هِيَ ثَمَانِي وَ عِشْرُونَ سِنّاً فَلَا دِيَةَ لَهَا وَ إِذَا أُصِيبَتِ الزَّائِدَةُ مُفْرَدَةً عَنْ جَمِيعِهَا فَفِيهَا ثُلُثُ دِيَةِ الَّتِي تَلِيهَا.

H.5300 - Imam Ali ibn Abi Talib {a.s} ruled regarding the teeth for which blood money (diyyah) is divided that they are twenty-eight in total - sixteen in back of the mouth and twelve in the front.

The compensation for each of the front teeth, if broken and completely lost, is fifty dinars, totaling six hundred dinars.

The compensation for each of the back teeth, if broken and completely lost, is half the amount of the front teeth, which is twenty-five dinars, totaling four hundred dinars.

Altogether, the full compensation for all these teeth is one thousand dinars. Anything less than this has no diyyah, and anything more has no diyyah.

[AL SADUQ]

The compiler of this book (may Allah {SWT} have mercy on him) explains that if all the teeth are damaged, anything beyond the natural set of twenty-eight teeth carries no compensation. However, if an extra tooth is individually damaged apart from the main set, it carries one-third of the compensation of the tooth adjacent to it.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.136 • Al-Wafi, Vol.16 p.710 • Wasa'il Al-Shi'ah, Vol.29 p.342 • Al-Fusul Al-Muhimmah, Vol.2 p.539

HADITH

5301 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ فُضَيْلِ بْنِ يَسَارٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلذِّرَاعِ إِذَا ضُرِبَ فَانْكَسَرَ مِنْهُ اَلزَّنْدُ فَقَالَ «إِذَا يَبِسَتْ مِنْهُ اَلْكَفُّ أَوْ شَلَّتْ أَصَابِعُ اَلْكَفِّ كُلُّهَا فَإِنَّ فِيهَا ثُلُثَيْ دِيَةِ اَلْيَدِ» قَالَ «وَ إِنْ شَلَّتْ بَعْضُ اَلْأَصَابِعِ وَ بَقِيَ بَعْضٌ فَإِنَّ فِي كُلِّ إِصْبَعٍ شَلَّتْ ثُلُثَيْ دِيَتِهَا» قَالَ «وَ كَذَلِكَ اَلْحُكْمُ فِي اَلسَّاقِ وَ اَلْقَدَمِ إِذَا شَلَّتْ أَصَابِعُ اَلْقَدَمِ».

H.5301 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked about a forearm (the arm below the elbow) that was struck and resulted in the fracture of the wrist bone.

Imam {a.s} replied: If the hand becomes paralyzed or all the fingers of the hand become immobile due to the injury, then two-thirds of the blood money (diyyah) of the entire hand is applicable.

Imam {a.s} further stated: If only some of the fingers become paralyzed while others remain functional, then for each finger that becomes paralyzed, two-thirds of its

individual diyyah is applicable. The same ruling applies to the leg and foot if the toes of the foot become paralyzed.

[REFERENCES] Al-Kafi, Vol.7 p.328 • Man La Yahduruhu Al-Faqih, Vol.4 p.136 • Tahdhib Al-Ahkam, Vol.10 p.257 • Tahdhib Al-Ahkam, Vol.10 p.293 • Al-Istibsar, Vol.4 p.290 • Al-Wafi, Vol.16 p.715 • Wasa'il Al-Shi'ah, Vol.29 p.347

HADITH

5302 - وَ رَوَى مُحَمَّدُ بْنُ يَحْيَى اَلْخَزَّازُ عَنْ غِيَاثِ بْنِ إِبْرَاهِيمَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «فِي اَلْإِصْبَعِ اَلزَّائِدَةِ إِذَا قُطِعَتْ ثُلُثُ دِيَةِ اَلصَّحِيحَةِ».

H.5302 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said that if an extra (supernumerary) finger is cut off, then one-third of the blood money (diyyah) of a normal finger is applicable.

[REFERENCES] Al-Kafi, Vol.7 p.338 • Man La Yahduruhu Al-Faqih, Vol.4 p.137 • Tahdhib Al-Ahkam, Vol.10 p.256 • Al-Wafi, Vol.16 p.715 • Wasa'il Al-Shi'ah, Vol.29 p.345

HADITH

5303 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي اَلْجُرْحِ فِي اَلْأَصَابِعِ إِذَا أَوْضَحَ اَلْعَظْمُ عُشْرَ دِيَةِ اَلْإِصْبَعِ إِذَا لَمْ يُرِدِ اَلْمَجْرُوحُ أَنْ يَقْتَصَّ».

H.5303 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said that Commander of the Faithful {a.s} ruled regarding an injury to the fingers that if the wound exposes the bone, then one-tenth of the blood money (diyyah) of that finger is due, provided that the injured person does not wish to seek retaliation (qisas).

[REFERENCES] Al-Kafi, Vol.7 p.327 • Man La Yahduruhu Al-Faqih, Vol.4 p.137 • Al-Wafi, Vol.16 p.726 • Wasa'il Al-Shi'ah, Vol.29 p.176 • Wasa'il Al-Shi'ah, Vol.29 p.386

HADITH

5304 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ زِيَادِ بْنِ سُوقَةَ عَنِ اَلْحَكَمِ بْنِ عُتَيْبَةَ قَالَ: قُلْتُ لِأَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ أَصْلَحَكَ اَللَّهُ إِنَّ بَعْضَ اَلنَّاسِ لَهُ فِي فِيهِ اِثْنَتَانِ وَ ثَلاَثُونَ سِناً وَ بَعْضَهُمْ لَهُ ثَمَانِي وَ عِشْرُونَ سِناً فَعَلَى كَمْ تُقْسَمُ دِيَةُ اَلْأَسْنَانِ فَقَالَ «اَلْحِلْقَةُ إِنَّمَا هِيَ ثَمَانِي وَ عِشْرُونَ سِناً اِثْنَتَا عَشْرَةَ سِناً فِي مَقَادِيمِ اَلْفَمِ وَ سِتَّ عَشْرَةَ سِناً فِي مَوَاخِيرِهِ فَعَلَى هَذَا قُسِمَتْ دِيَةُ اَلْأَسْنَانِ فَدِيَةُ كُلِّ سِنٍّ مِنَ اَلْمَقَادِيمِ إِذَا كُسِرَ حَتَّى يَذْهَبَ خَمْسُمِائَةِ دِرْهَمٍ وَ هِيَ اِثْنَتَا عَشْرَةَ سِناً فَدِيَتُهَا سِتَّةُ آلاَفِ دِرْهَمٍ وَ دِيَةُ كُلِّ سِنٍّ مِنَ اَلْأَضْرَاسِ إِذَا كُسِرَ حَتَّى يَذْهَبَ مِائَتَانِ وَ خَمْسُونَ دِرْهَماً وَ هِيَ سِتَّ عَشْرَةَ سِناً فَدِيَتُهَا كُلُّهَا أَرْبَعَةُ آلاَفِ دِرْهَمٍ فَجَمِيعُ دِيَةِ اَلْمَقَادِيمِ وَ اَلْمَوَاخِيرِ مِنَ اَلْأَسْنَانِ عَشَرَةُ آلاَفِ دِرْهَمٍ وَ إِنَّمَا وُضِعَتِ اَلدِّيَةُ عَلَى هَذَا فَمَا زَادَ عَلَى ثَمَانِيَ وَ عِشْرِينَ سِناً فَلاَ دِيَةَ لَهُ وَ مَا نَقَصَ فَلاَ دِيَةَ لَهُ»

وَ هَكَذَا وَجَدْنَاهُ فِي كِتَابِ أَمِيرِ اَلْمُؤْمِنِينَ قَالَ اَلْحَكَمُ فَقُلْتُ إِنَّ اَلدِّيَاتِ إِنَّمَا كَانَتْ تُؤْخَذُ قَبْلَ اَلْيَوْمِ مِنَ اَلْإِبِلِ وَ اَلْبَقَرِ وَ اَلْغَنَمِ فَقَالَ «إِنَّمَا كَانَ ذَلِكَ فِي اَلْبَوَادِي قَبْلَ اَلْإِسْلاَمِ فَلَمَّا ظَهَرَ اَلْإِسْلاَمُ وَ كَثُرَ اَلْوَرِقُ فِي اَلنَّاسِ قَسَمَهَا أَمِيرُ

اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ عَلَى اَلْوَرِقِ» قَالَ اَلْحَكَمُ فَقُلْتُ لَهُ أَ رَأَيْتَ مَنْ كَانَ اَلْيَوْمَ مِنْ أَهْلِ اَلْبَوَادِي مَا اَلَّذِي يُؤْخَذُ مِنْهُ فِي اَلدِّيَةِ اَلْيَوْمَ اَلْوَرِقُ أَوِ اَلْإِبِلُ فَقَالَ «اَلْإِبِلُ هِيَ مِثْلُ اَلْوَرِقِ بَلْ هِيَ أَفْضَلُ مِنَ اَلْوَرِقِ فِي اَلدِّيَةِ إِنَّهُمْ كَانُوا يَأْخُذُونَ مِنْهُمْ فِي دِيَةِ اَلْخَطَإِ مِائَةً مِنَ اَلْإِبِلِ يُحْسَبُ لِكُلِّ بَعِيرٍ مِائَةُ دِرْهَمٍ فَذَلِكَ عَشَرَةُ آلاَفِ دِرْهَمٍ» قُلْتُ فَمَا أَسْنَانُ اَلْمِائَةِ اَلْبَعِيرِ فَقَالَ «مَا حَالَ عَلَيْهَا اَلْحَوْلُ ذُكْرَانٌ كُلُّهَا».

H.5304 – Ibn Mahbub narrated from Hisham ibn Salim, from Ziyad ibn Suqah, from Al-Hakam ibn ‘Utaybah, who said: I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, “May Allah rectify your affairs. Some people have thirty-two teeth in their mouths, while others have twenty-eight. Upon how many teeth is the diyyah (blood money) calculated?”

Imam {a.s} said: “The natural creation consists of twenty-eight teeth - twelve in the front of the mouth and sixteen in the back. The diyyah of the teeth has been distributed based on this.

The diyyah for each of the twelve front teeth, if broken and completely lost, is five hundred dirhams, making the total diyyah for them six thousand dirhams.

The diyyah for each of the sixteen molars, if broken and completely lost, is two hundred and fifty dirhams, making the total diyyah for them four thousand dirhams.

Thus, the total diyyah for both the front and back teeth amounts to ten thousand dirhams.

The diyyah has been set according to this calculation, so any extra teeth beyond twenty-eight have no diyyah, nor is there a diyyah for any missing teeth beyond this standard count.”

And thus, we found it recorded in the book of Commander of the Faithful Imam Ali ibn Abi Talib {a.s}.

Al-Hakam said: I then asked, “Before today, diyyah (blood money) used to be taken from camels, cows, and sheep. What is the ruling on that?”

Imam {a.s} said: “That was in the desert communities before Islam. But when Islam became widespread and silver (warq) became abundant among people, Commander of the Faithful Imam Ali ibn Abi Talib {a.s}, set the diyyah in terms of silver.”

Al-Hakam continued: I then asked Imam {a.s}, “What about those who live in the desert today? What should be taken from them as diyyah - silver or camels?”

Imam {a.s} said: “Camels are equivalent to silver, rather, they are even better than silver for diyyah. Indeed, they used to take one hundred camels for unintentional killing (diyat Al-khata’), with each camel being valued at one hundred dirhams, making a total of ten thousand dirhams.”

I asked: “What are the required ages of the one hundred camels?”

Imam {a.s} said: “They should all be male camels that have completed one full year.”

[REFERENCES] Al-Kafi, Vol.7 p.329 • Man La Yahduruhu Al-Faqih, Vol.4 p.137 • Tahdhib Al-Ahkam, Vol.10 p.254 • Al-Wafi, Vol.16 p.709

CHAPTER 31 – CHAPTER ON A MAN WHO IS KILLED, AND SOME OF HIS HEIRS PARDON WHILE OTHERS DEMAND RETALIATION OR BLOOD MONEY

بَابُ الرَّجُلِ يُقْتَلُ فَيَعْفُو بَعْضُ أَوْلِيَائِهِ وَ يُرِيدُ بَعْضُهُمُ الْقَوَدَ وَ بَعْضُهُمُ الدِّيَةَ

HADITH 5305 – 5307

5305 - فِي رِوَايَةِ جَمِيلِ بْنِ دَرَّاجٍ قَالَ: «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي رَجُلٍ قُتِلَ وَ لَهُ وَلِيَّانِ فَعَفَا أَحَدُهُمَا وَ أَرَادَ اَلْآخَرُ أَنْ يَقْتُلَ قَالَ «يَقْتُلُ وَ يَرُدُّ عَلَى أَوْلِيَاءِ اَلْمَقْتُولِ اَلْمُقَادِ نِصْفَ اَلدِّيَةِ» ».

H.5305 - In the narration of Jameel ibn Darraj, it is reported that Commander of the Faithful {a.s} ruled regarding a man who was killed and had two heirs.
One of them forgave the killer, while the other wanted to proceed with the execution.
Imam {a.s} ruled: "He may execute the killer but must return half of the blood money (diyyah) to the heirs of the slain."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.138 • Al-Wafi, Vol.16 p.866

HADITH

5306 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي وَلاَّدٍ اَلْحَنَّاطِ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ قُتِلَ وَ لَهُ أَبٌ وَ أُمٌّ وَ اِبْنٌ فَقَالَ اَلاِبْنُ أَنَا أُرِيدُ أَنْ أَقْتُلَ قَاتِلَ أَبِي وَ قَالَ اَلْآخَرُ أَنَا أَعْفُو وَ قَالَ اَلْآخَرُ أَنَا أُرِيدُ أَنْ آخُذَ اَلدِّيَةَ قَالَ «فَلْيُعْطِ اَلاِبْنُ أُمَّ اَلْمَقْتُولِ اَلسُّدُسَ مِنَ اَلدِّيَةِ وَ يُعْطِي وَرَثَةَ اَلْقَاتِلِ اَلسُّدُسَ مِنَ اَلدِّيَةِ حَقَّ اَلْأَبِ اَلَّذِي عَفَا وَ يَقْتُلُهُ».

H.5306 - Al-Hasan ibn Mahbub narrated from Abu Walad Al-Hannat that he asked Abu Abdullah {a.s} about a man who was killed and had a father, a mother, and a son. The son said: “I want to kill the murderer of my father," the mother said: “I forgive," and the father said: “I want to take the blood money (diyyah)."
Imam {a.s} replied: “The son should give the mother of the murdered man one-sixth of the blood money and give the heirs of the murderer one-sixth of the blood money in the right of the father who forgave, and then he may kill the murderer."

[REFERENCES] Al-Kafi, Vol.7 p.356 • Man La Yahduruhu Al-Faqih, Vol.4 p.138 • Tahdhib Al-Ahkam, Vol.10 p.175 • Al-Istibsar, Vol.4 p.264 • Al-Wafi, Vol.16 p.866 • Wasa’il Al-Shi’ah, Vol.29 p.113

HADITH

5307 - وَ رَوَى اَلْحَسَنُ بْنِ مَحْبُوبٍ عَنْ أَبِي وَلاَّدٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ قُتِلَ وَ لَهُ أَوْلاَدٌ صِغَارٌ وَ كِبَارٌ أَ رَأَيْتَ إِنْ عَفَا أَوْلاَدُهُ اَلْكِبَارُ فَقَالَ «لاَ يُقْتَلُ وَ يَجُوزُ عَفْوُ اَلْكِبَارِ فِي حِصَصِهِمْ فَإِذَا كَبِرَ اَلصِّغَارُ كَانَ لَهُمْ أَنْ يَطْلُبُوا حَقَّهُمْ مِنَ اَلدِّيَةِ». وَ قَدْ رُوِيَ: «أَنَّهُ إِذَا عَفَا وَاحِدٌ مِنَ اَلْأَوْلِيَاءِ عَنِ اَلدَّمِ اِرْتَفَعَ اَلْقَوَدُ».

H.5307 - Al-Hasan ibn Mahbub narrated from Abu Walad who said:
I asked Abu Abdullah {a.s} about a man who was killed and had both young and adult children.
I asked: “What if his adult children forgave (the murderer)?"
Imam {a.s} replied: “The murderer will not be killed, and the forgiveness of the adults is valid concerning their shares. When the younger children reach adulthood, they have the right to claim their share of the blood money (diyyah)."
It has also been narrated: "If one of the heirs forgives regarding the blood, the retribution (qisas) is nullified."

[REFERENCES] Al-Kafi, Vol.7 p.357 • Man La Yahduruhu Al-Faqih, Vol.4 p.139 • Tahdhib Al-Ahkam, Vol.10 p.176 • Al-Istibsar, Vol.4 p.264 • Al-Wafi, Vol.16 p.867 • Wasa’il Al-Shi’ah, Vol.29 p.114

CHAPTER 32 – CHAPTER ON AL-‘AQILAH (COLLECTIVE OBLIGATION FOR BLOOD MONEY)

بَابُ الْعَاقِلَةِ

HADITH 5308 – 5313

5308 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ مَالِكِ بْنِ عَطِيَّةَ عَنْ أَبِيهِ عَنْ سَلَمَةَ بْنِ كُهَيْلٍ قَالَ: أُتِيَ عَلِيُّ بْنُ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ بِرَجُلٍ قَدْ قَتَلَ رَجُلاً خَطَأً فَقَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «مَنْ عَشِيرَتُكَ وَ قَرَابَتُكَ» فَقَالَ مَا لِي بِهَذِهِ اَلْبَلْدَةِ قَرَابَةٌ وَ لاَ عَشِيرَةٌ فَقَالَ «مِنْ أَهْلِ أَيِّ اَلْبُلْدَانِ أَنْتَ» فَقَالَ أَنَا رَجُلٌ مِنْ أَهْلِ اَلْمَوْصِلِ وُلِدْتُ بِهَا وَ لِي فِيهَا قَرَابَةٌ وَ أَهْلُ بَيْتٍ فَسَأَلَ أَمِيرُ اَلْمُؤْمِنِينَ عَنْهُ فَلَمْ يَجِدْ لَهُ بِالْكُوفَةِ قَرَابَةً وَ لاَ عَشِيرَةً قَالَ فَكَتَبَ إِلَى عَامِلِهِ عَلَى اَلْمَوْصِلِ «أَمَّا بَعْدُ فَإِنَّ فُلاَنَ بْنَ فُلاَنٍ وَ حِلْيَتُهُ كَذَا وَ كَذَا قَتَلَ رَجُلاً مِنَ اَلْمُسْلِمِينَ خَطَأً وَ قَدْ ذَكَرَ أَنَّهُ رَجُلٌ مِنْ أَهْلِ اَلْمَوْصِلِ وَ أَنَّ لَهُ بِهَا قَرَابَةً وَ أَهْلَ بَيْتٍ وَ قَدْ بَعَثْتُ بِهِ إِلَيْكَ مَعَ رَسُولِي فُلاَنِ بْنِ فُلاَنٍ وَ حِلْيَتُهُ كَذَا وَ كَذَا فَإِذَا وَرَدَا عَلَيْكَ إِنْ شَاءَ اَللَّهُ فَقَرَأْتَ كِتَابِي فَافْحَصْ عَنْ أَمْرِهِ وَ سَلْ عَنْ قَرَابَتِهِ مِنَ اَلْمُسْلِمِينَ فَإِنْ كَانَ مِنْ أَهْلِ اَلْمَوْصِلِ مِمَّنْ وُلِدَ بِهَا وَ أَصَبْتَ لَهُ بِهَا قَرَابَةً مِنَ اَلْمُسْلِمِينَ فَاجْمَعْهُمْ إِلَيْكَ ثُمَّ انْظُرْ فَإِنْ كَانَ هُنَاكَ رَجُلٌ يَرِثُهُ لَهُ سَهْمٌ فِي اَلْكِتَابِ لاَ يَحْجُبُهُ عَنْ مِيرَاثِهِ أَحَدٌ مِنْ قَرَابَتِهِ فَأَلْزِمْهُ اَلدِّيَةَ وَ خُذْهُ بِهَا فِي ثَلاَثِ سِنِينَ وَ إِنْ لَمْ يَكُنْ لَهُ مِنْ قَرَابَتِهِ أَحَدٌ لَهُ سَهْمٌ فِي اَلْكِتَابِ وَ كَانُوا قَرَابَتَهُ سَوَاءً فِي اَلنَّسَبِ فَفُضَّ اَلدِّيَةَ عَلَى قَرَابَتِهِ مِنْ قِبَلِ أَبِيهِ وَ عَلَى قَرَابَتِهِ مِنْ قِبَلِ أُمِّهِ مِنَ اَلرِّجَالِ اَلْمُدْرِكِينَ اَلْمُسْلِمِينَ ثُمَّ اِجْعَلْ عَلَى قَرَابَتِهِ مِنْ قِبَلِ أَبِيهِ ثُلُثَيِ اَلدِّيَةِ وَ اِجْعَلْ عَلَى قَرَابَتِهِ مِنْ قِبَلِ أُمِّهِ ثُلُثَ اَلدِّيَةِ وَ إِنْ لَمْ تَكُنْ لَهُ قَرَابَةٌ مِنْ أُمِّهِ فَفُضَّ اَلدِّيَةَ عَلَى قَرَابَتِهِ مِنْ قِبَلِ أَبِيهِ مِنَ اَلرِّجَالِ اَلْمُدْرِكِينَ اَلْمُسْلِمِينَ ثُمَّ خُذْهُمْ بِهَا وَ اِسْتَأْدِهِمُ اَلدِّيَةَ فِي ثَلاَثِ سِنِينَ وَ إِنْ لَمْ يَكُنْ لَهُ قَرَابَةٌ مِنْ قِبَلِ أَبِيهِ وَ لاَ قَرَابَةٌ مِنْ قِبَلِ أُمِّهِ فَفُضَّ اَلدِّيَةَ عَلَى أَهْلِ اَلْمَوْصِلِ مِمَّنْ وُلِدَ بِهَا وَ نَشَأَ وَ لاَ تُدْخِلَنَّ فِيهِمْ غَيْرَهُمْ مِنْ أَهْلِ اَلْبُلْدَانِ ثُمَّ اِسْتَأْدِ ذَلِكَ مِنْهُمْ فِي ثَلاَثِ سِنِينَ فِي كُلِّ سَنَةٍ نَجْماً حَتَّى تَسْتَوْفِيَهُ إِنْ شَاءَ اَللَّهُ وَ إِنْ لَمْ يَكُنْ لِفُلاَنِ بْنِ فُلاَنٍ قَرَابَةٌ مِنْ أَهْلِ اَلْمَوْصِلِ وَ لَمْ يَكُنْ مِنْ أَهْلِهَا وَ كَانَ مُبْطِلاً فَرُدَّهُ إِلَيَّ مَعَ رَسُولِي فُلاَنِ بْنِ فُلاَنٍ إِنْ شَاءَ اَللَّهُ فَأَنَا وَلِيُّهُ وَ اَلْمُودِي عَنْهُ وَ لاَ يُبْطَلُ دَمُ اِمْرِئٍ مُسْلِمٍ ».

H.5308 - Al-Hasan ibn Mahbub narrated from Malik ibn Atiyyah from his father from Salamah ibn Kuhayl who said: A man who had killed another man by mistake was brought to Commander of the Faithful Imam Ali ibn Abi Talib {a.s}.

Imam Ali {a.s} asked him: "Who are your relatives and kin?"

The man replied: "I have no relatives or kin in this town."

Imam Ali {a.s} then asked: "From which town are you?"

The man said: "I am a man from Mosul. I was born there and have relatives and family there."

Imam Ali {a.s} inquired about him but found that he had no relatives or kin in Kufa.

So, Imam Ali {a.s} wrote to his governor in Mosul:

"After the greeting, so-and-so (mentioning his name and description) has killed a Muslim man by mistake. He claims that he is a man from Mosul and has relatives and family there. I have sent him to you with my messenger (mentioning his name and description). When they arrive, God willing, and you read my letter, investigate his situation and inquire about his Muslim relatives.

If he indeed belongs to Mosul, was born there, and you find that he has relatives among the Muslims, gather them together. Then, if there is a man among them who inherits from him with a rightful share in the Book (of Allah {SWT}) and is not barred from his inheritance by any other relative, obligate him to pay the blood money (diyyah) over the course of three years.

If the deceased has a relative who is entitled to inherit according to the Book (Qur'an), then obligate that heir to pay the blood money (diyyah) over three years.

However, if he has no relative entitled to inheritance from his family, and his relatives are equal in lineage, then distribute the blood money (diyyah) equally among his paternal and maternal male relatives who are adults and Muslims.

Assign two-thirds of the blood money to his paternal relatives and one-third to his maternal relatives. If he has no maternal relatives, distribute the entire blood money among his paternal male relatives who are adults and Muslims. Collect the blood money from them over three years.

If he has neither paternal nor maternal relatives, distribute the blood money among the people of Mosul who were born and raised there, and do not include anyone else from other regions. Collect the amount from them over three years in annual instalments until the full amount is paid, God willing.

However, if so-and-so has no relatives in Mosul and is not from its people, and his claim is false, then send him back to me with my messenger, so-and-so, God willing. I am his guardian and responsible for paying his blood money, and the blood of a Muslim cannot be disregarded."

[REFERENCES] Al-Kafi, Vol.7 p.364 • Man La Yahduruhu Al-Faqih, Vol.4 p.139 • Tahdhib Al-Ahkam, Vol.10 p.171 • Awali Al-La'ali, Vol.3 p.664 • Al-Wafi, Vol.16 p.855 • Wasa'il Al-Shi'ah, Vol.29 p.392

HADITH

5309 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي وَلاَّدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «لَيْسَ بَيْنَ أَهْلِ اَلذِّمَّةِ مُعَاقَلَةٌ فِيمَا يَجْنُونَ مِنْ قَتْلٍ أَوْ جِرَاحَةٍ إِنَّمَا يُؤْخَذُ ذَلِكَ مِنْ أَمْوَالِهِمْ فَإِنْ لَمْ يَكُنْ لَهُمْ مَالٌ رَجَعَتِ اَلْجِنَايَةُ عَلَى إِمَامِ اَلْمُسْلِمِينَ لِأَنَّهُمْ يُؤَدُّونَ إِلَيْهِ اَلْجِزْيَةَ كَمَا يُؤَدِّي اَلْعَبْدُ اَلضَّرِيبَةَ إِلَى سَيِّدِهِ» قَالَ «وَ هُمْ مَمَالِيكُ لِلْإِمَامِ فَمَنْ أَسْلَمَ مِنْهُمْ فَهُوَ حُرٌّ».

H.5309 - Al-Hasan ibn Mahbub narrated from Abu Walad, from Abu Abdullah {a.s} said: "There is no mutual liability among the People of the Covenant (Ahl Al-Dhimma) regarding crimes they commit, whether it be murder or bodily injury. Such compensation is taken from their wealth. If they have no wealth, the responsibility for the crime returns to the leader of the Muslims because they pay the jizyah tax to him just as a slave pays a tax to his master."
Imam {a.s} further stated: "They are under the authority of the Imam, and whoever among them embraces Islam becomes free."

[REFERENCES] Al-Kafi, Vol.7 p.364 • Man La Yahduruhu Al-Faqih, Vol.4 p.141 • Ilal Al-Shara'i', Vol.2 p.541 • Tahdhib Al-Ahkam, Vol.10 p.170 • Al-Wafi, Vol.16 p.860 • Wasa'il Al-Shi'ah, Vol.29 p.391 • Bihar Al-Anwar, Vol.101 p.406

HADITH

5310 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «كَانَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ يَجْعَلُ جِنَايَةَ اَلْمَعْتُوهِ عَلَى عَاقِلَتِهِ خَطَأً أَوْ عَمْداً».

H.5310 - Al-Hasan ibn Mahbub narrated from Abu Ayyub, from Muhammad ibn Muslim, from Abu Ja'far Imam Muhammad ibn Ali Al-Baqir {a.s} said:
"Commander of the Faithful {a.s} would assign the liability for the offense committed by a mentally impaired person (ma'tooh) to his family (Aqilah), whether it was accidental or intentional."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.141 • Tahdhib Al-Ahkam, Vol.10 p.233 • Al-Wafi, Vol.16 p.669 • Wasa'il Al-Shi'ah, Vol.29 p.400 • Mustadrak Al-Wasa'il, Vol.18 p.243 • Mustadrak Al-Wasa'il, Vol.18 p.417

HADITH

5311 - وَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «لاَ تَعْقِلُ اَلْعَاقِلَةُ إِلاَّ مَا قَامَتْ عَلَيْهِ اَلْبَيِّنَةُ وَ أَتَاهُ رَجُلٌ فَاعْتَرَفَ عِنْدَهُ فَجَعَلَهُ فِي مَالِهِ خَاصَّةً وَ لَمْ يَجْعَلْ عَلَى عَاقِلَتِهِ مِنْهُ شَيْئاً».

H.5311 - Commander of the Faithful {a.s} said: "The Aqilah (the male relatives responsible for blood money) is only liable for what has been established by evidence. If a man came to him and confessed (to a crime), he made its compensation from his own wealth specifically and did not place any responsibility on his Aqilah for it."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.141 • Tahdhib Al-Ahkam, Vol.10 p.175 • Al-Istibsar, Vol.4 p.262 • Al-Wafi, Vol.16 p.857 • Wasa'il Al-Shi'ah, Vol.29 p.398

HADITH

5312 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «لاَ تَضْمَنُ اَلْعَاقِلَةُ عَمْداً وَ لاَ إِقْرَاراً وَ لاَ صُلْحاً».

H.5312 - Al-Hasan ibn Mahbub narrated from Ali ibn Abi Hamzah, from Abu Basir, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said: "The Aqilah (male relatives responsible for blood money) is not liable for intentional acts, nor for confessions, nor for settlements."

[REFERENCES] Al-Kafi, Vol.7 p.366 • Man La Yahduruhu Al-Faqih, Vol.4 p.142 • Tahdhib Al-Ahkam, Vol.10 p.170 • Tahdhib Al-Ahkam, Vol.10 p.170 • Al-Istibsar, Vol.4 p.261 • Al-Istibsar, Vol.4 p.261 • Al-Wafi, Vol.16 p.857 • Wasa'il Al-Shi'ah, Vol.29 p.394 • Wasa'il Al-Shi'ah, Vol.29 p.394 • Mustadrak Al-Wasa'il, Vol.18 p.415

HADITH

5313 - وَ رَوَى اَلْعَلاَءُ عَنْ مُحَمَّدٍ اَلْحَلَبِيِّ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ ضَرَبَ رَأْسَ رَجُلٍ بِمِعْوَلٍ فَسَالَتْ عَيْنَاهُ عَلَى خَدَّيْهِ فَوَثَبَ اَلْمَضْرُوبُ عَلَى ضَارِبِهِ فَقَتَلَهُ فَقَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «هَذَانِ مُعْتَدِيَانِ جَمِيعاً فَلاَ أَرَى عَلَى اَلَّذِي قَتَلَ اَلرَّجُلَ قَوَداً لِأَنَّهُ قَتَلَهُ حِينَ قَتَلَهُ وَ هُوَ أَعْمَى وَ اَلْأَعْمَى جِنَايَتُهُ خَطَأٌ تُلْزَمُ عَاقِلَتُهُ يُؤْخَذُونَ بِهَا فِي ثَلاَثِ سِنِينَ وَ فِي كُلِّ سَنَةٍ نَجْمٌ فَإِنْ لَمْ يَكُنْ لِلْأَعْمَى عَاقِلَةٌ لَزِمَتْهُ دِيَةُ مَا جَنَى فِي مَالِهِ يُؤْخَذُ بِهَا فِي ثَلاَثِ سِنِينَ وَ يَرْجِعُ اَلْأَعْمَى عَلَى وَرَثَةِ ضَارِبِهِ بِدِيَةِ عَيْنَيْهِ».

H.5313 - Al-Alaˀ narrated from Muhammad Al-Halabi who said:
I asked Abu Abdullah {a.s} about a man who struck another man's head with a pickaxe, causing his eyes to fall onto his cheeks. The injured man then attacked his assailant and killed him.
Abu Abdullah {a.s} said: "Both of them were aggressors. Therefore, I do not see that the one who killed the man should face retaliation because he killed him while he was blind, and the crime of a blind person is considered a mistake.
His blood money (diyyah) is the responsibility of his Aqilah (male relatives responsible for blood money), to be paid over three years, with one-third paid each year. If the blind man has no Aqilah, the compensation must be paid from his own wealth over three years. Moreover, the blind man has the right to claim the blood money for his eyes from the heirs of his attacker."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.142 • Tahdhib Al-Ahkam, Vol.10 p.232 • Awali Al-La'ali, Vol.3 p.595 • Al-Wafi, Vol.16 p.673 • Wasa'il Al-Shi'ah, Vol.29 p.399

CHAPTER 33 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING A MAN WHO STRIKES ANOTHER MAN, CAUSING CONTINUOUS URINATION

بَابُ مَا جَاءَ فِي رَجُلٍ ضَرَبَ رَجُلًا فَلَمْ يَنْقَطِعْ بَوْلُهُ

HADITH 5314 – 5315

5314 - رُوِيَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ أَنَّهُ قَالَ: سَأَلَ رَجُلٌ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ وَ أَنَا حَاضِرٌ عَنْ رَجُلٍ ضَرَبَ رَجُلاً فَلَمْ يَنْقَطِعْ بَوْلُهُ قَالَ «إِنْ كَانَ اَلْبَوْلُ يَمُرُّ إِلَى اَللَّيْلِ فَعَلَيْهِ اَلدِّيَةُ وَ إِنْ كَانَ إِلَى نِصْفِ اَلنَّهَارِ فَعَلَيْهِ ثُلُثَا اَلدِّيَةِ وَ إِنْ كَانَ إِلَى اِرْتِفَاعِ اَلنَّهَارِ فَعَلَيْهِ ثُلُثُ اَلدِّيَةِ».

H.5314 - It was narrated from Ishaq ibn Ammar that he said:
A man asked Abu Abdullah {a.s}, while I was present, about a man who struck another man, causing his urine to flow continuously without stopping.
Imam {a.s} said: "If the urine continues until the night, then the full blood money (diyyah) is due. If it continues until midday, then two-thirds of the blood money is due. If it continues only until the morning rises, then one-third of the blood money is due."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.142 • Awali Al-La'ali, Vol.3 p.644

HADITH

5315 - وَ رَوَى غِيَاثُ بْنُ إِبْرَاهِيمَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ قَضَى فِي رَجُلٍ ضُرِبَ حَتَّى سَلِسَ بَوْلُهُ بِالدِّيَةِ اَلْكَامِلَةِ».

H.5315 - It was narrated by Ghiyath ibn Ibrahim from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s} that:
"Indeed, Imam Ali ibn Abi Talib {a.s} ruled concerning a man who was struck until he suffered from continuous urination (incontinence) that he is entitled to the full blood money (diyyah)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.143 • Tahdhib Al-Ahkam, Vol.10 p.251 • Awali Al-La'ali, Vol.3 p.644 • Al-Wafi, Vol.16 p.700 • Wasa'il Al-Shi'ah, Vol.29 p.371

CHAPTER 34 – CHAPTER ON THE BLOOD MONEY FOR THE NUTFAH (SPERM), ALAQAH (CLINGING CLOT), MUDGHAH (EMBRYONIC LUMP), BONE, AND FETUS

بَابُ دِيَةِ النُّطْفَةِ وَ الْعَلَقَةِ وَ الْمُضْغَةِ وَ الْعَظْمِ وَ الْجَنِينِ

HADITH 5316 – 5324

5316 - رَوَى مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ بَزِيعٍ عَنْ صَالِحِ بْنِ عُقْبَةَ عَنْ سُلَيْمَانَ بْنِ صَالِحٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِنَّ فِي اَلنُّطْفَةِ عِشْرِينَ دِينَاراً وَ فِي اَلْعَلَقَةِ أَرْبَعِينَ دِينَاراً وَ فِي اَلْمُضْغَةِ سِتِّينَ دِينَاراً وَ فِي اَلْعَظْمِ ثَمَانِينَ دِينَاراً فَإِذَا كُسِيَ اَللَّحْمَ فَمِائَةٌ ثُمَّ هِيَ مِائَةٌ حَتَّى يَسْتَهِلَّ فَإِذَا اِسْتَهَلَّ فَالدِّيَةُ كَامِلَةٌ ».

H.5316 - It was narrated by Muhammad ibn Ismaʿil ibn Buzayʿ from Ṣalih ibn Uqbah from Sulayman ibn Ṣalih from Abu Abdullah {a.s} who said:
"Indeed, for the sperm-drop (nutfah) there is a compensation of twenty dinars,
for the clot (Alaqah) forty dinars,
for the lump of flesh (muḍghah) sixty dinars,
for the bone (Aẓm) eighty dinars,
and when it is clothed with flesh, it is one hundred dinars.
Then it remains one hundred until it lets out a cry (at birth), and when it lets out a cry, the full blood money (diyyah) becomes due."

[REFERENCES] Al-Kafi, Vol.7 p.345 • Man La Yahduruhu Al-Faqih, Vol.4 p.143 • Tahdhib Al-Ahkam, Vol.10 p.281 • Al-Istibsar, Vol.4 p.299 • Al-Wafi, Vol.16 p.744 • Wasa'il Al-Shi'ah, Vol.29 p.313

HADITH

5317 - وَ رَوَى مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنْ يُونُسَ اَلشَّيْبَانِيِّ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ ع فَإِنْ خَرَجَ فِي اَلنُّطْفَةِ قَطْرَةُ دَمٍ قَالَ «فِي اَلْقَطْرَةِ عُشْرُ اَلنُّطْفَةِ فِيهَا اِثْنَانِ وَ عِشْرُونَ دِينَاراً» قَالَ قُلْتُ فَإِنْ قَطَرَتْ قَطْرَتَانِ قَالَ «فَأَرْبَعَةٌ وَ عِشْرُونَ دِينَاراً» قُلْتُ فَإِنْ قَطَرَتْ ثَلاَثٌ قَالَ «فَسِتَّةٌ وَ عِشْرُونَ دِينَاراً» قُلْتُ فَأَرْبَعٌ قَالَ «ثَمَانٌ وَ عِشْرُونَ وَ فِي خَمْسٍ ثَلاَثُونَ فَإِنْ زَادَتْ عَلَى اَلنِّصْفِ فَبِحِسَابِ ذَلِكَ حَتَّى تَصِيرَ عَلَقَةً فَإِذَا كَانَ عَلَقَةً فَأَرْبَعُونَ دِينَاراً».

H.5317 - It was narrated by Muhammad ibn Ismaʿil from Yunus Al-Shaybani who said:
I asked Abu Abdullah {a.s}: "What if a drop of blood appears in the sperm-drop (nutfah)?"
Imam {a.s} replied: "For a single drop, it is one-tenth of the compensation for the nutfah, which is twenty-two dinars."
I asked: "What if there are two drops?"
Imam {a.s} said: "Then it is twenty-four dinars."
I asked: "What if there are three drops?"
Imam {a.s} said: "Then it is twenty-six dinars."
I asked: "And four drops?"

Imam {a.s} said: “Then twenty-eight dinars. And for five drops, it is thirty dinars.”
Imam {a.s} continued: “If it exceeds half of the sperm, then the compensation is calculated accordingly until it becomes a clot (*‘alaqah*). When it reaches the stage of a clot, the compensation is forty dinars.”

[REFERENCES] Man La Yahduruhu Al-Faqih, V4 p143 • Awali Al-La’ali, V2 p.161 • Wasa’il Al-Shi’ah, V29 p.314

HADITH

5318 - وَ رَوَى مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنْ أَبِي شِبْلٍ قَالَ: حَضَرْتُ يُونُسَ اَلشَّيْبَانِيَّ وَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يُخْبِرُهُ بِالدِّيَاتِ فَقُلْتُ لَهُ فَإِنَّ اَلنُّطْفَةَ خَرَجَتْ مُتَخَضْخِضَةً بِالدَّمِ قَالَ «قَدْ عَلِقَتْ إِنْ كَانَ دَمٌ صَافٍ فَفِيهِ أَرْبَعُونَ وَ إِنْ كَانَ دَمٌ أَسْوَدُ فَلاَ شَيْءَ عَلَيْهِ إِلاَّ اَلتَّعْزِيرَ لِأَنَّهُ مَا كَانَ مِنْ دَمٍ صَافٍ فَذَلِكَ لِلْوَلَدِ وَ مَا كَانَ مِنْ دَمٍ أَسْوَدَ فَإِنَّمَا ذَلِكَ مِنَ اَلْجَوْفِ» قَالَ أَبُو شِبْلٍ فَإِنَّ اَلْعَلَقَةَ قَدْ صَارَتْ فِيهَا شِبْهُ اَلْعِرْقِ مِنَ اَللَّحْمِ قَالَ «فِيهِ اِثْنَانِ وَ أَرْبَعُونَ اَلْعُشْرُ» قُلْتُ فَإِنَّ عُشْرَ أَرْبَعِينَ أَرْبَعَةٌ قَالَ «إِنَّمَا هُوَ عُشْرُ اَلْمُضْغَةِ لِأَنَّهُ إِنَّمَا ذَهَبَ عُشْرُهَا وَ كُلَّمَا زَادَتْ زِيدَ حَتَّى تَبْلُغَ اَلسِّتِّينَ» قَالَ قُلْتُ فَإِنِّي رَأَيْتُ فِي اَلْمُضْغَةِ شِبْهَ اَلْعُقْدَةِ عَظْماً يَابِساً قَالَ «فَذَاكَ اَلْعَظْمُ اَلَّذِي أَوَّلُ مَا يُبْتَدَأُ فِيهِ أَرْبَعَةُ دَنَانِيرَ فَإِنْ زَادَ فَزِدْ أَرْبَعَةً حَتَّى يُتِمَّ اَلثَّمَانِينَ وَ كَذَلِكَ إِذَا كُسِيَ اَلْعَظْمُ لَحْماً فَكَذَلِكَ» قَالَ قُلْتُ فَإِذَا وَكَزَهَا فَسَقَطَ اَلصَّبِيُّ لاَ يُدْرَى أَ حَيٌّ كَانَ أَمْ لاَ قَالَ «هَيْهَاتَ يَا أَبَا شِبْلٍ إِذَا ذَهَبَتِ اَلْخَمْسَةُ اَلْأَشْهُرِ فَقَدْ صَارَتْ فِيهِ اَلْحَيَاةُ وَ اِسْتَوْجَبَ اَلدِّيَةَ».

H.5318 - It was narrated by Muhammad ibn Ismaʿil from Abu Shibl who said:
I was present with Yunus Al-Shaybani while Abu Abdullah {a.s} was informing him about blood money (diyat).
I asked Imam {a.s}: "What if the sperm-drop (nutfah) came out mixed with blood?"
Imam {a.s} replied: “If it has clotted and the blood is pure, then it is forty dinars. But if it is black blood, then there is nothing upon him except disciplinary punishment (taʿzir), because pure blood is for the child, while black blood is from within the body."
Abu Shibl asked: “What if the clot (Alaqah) has a vein-like piece of flesh in it?"
Imam {a.s} replied: “It is forty-two dinars, with one-tenth of it."
I asked: “Is one-tenth of forty not four?"
Imam {a.s} said: “It is one-tenth of the mu*ḍ*ghah (chewed-like substance) because only one-tenth of it was lost. As it grows, the amount increases until it reaches sixty."
I asked: “I saw in the mu*ḍ*ghah something like a solid bone knot."
Imam {a.s} said: “That is the bone, which initially starts with four dinars. If it increases, then add four more until it completes eighty dinars. Similarly, when the bone is covered with flesh, it follows the same ruling."
I asked: “If a woman was struck, causing the fetus to miscarry and it is not known whether the fetus was alive or not?"
Imam {a.s} replied: “Far from it, O’ Abu Shibl! Once five months have passed, life has been instilled in it, and full blood money (diyyah) becomes obligatory."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.144

HADITH

5319 - وَ فِي رِوَايَةِ مُحَمَّدِ بْنِ أَبِي عُمَيْرٍ عَنْ مُحَمَّدِ بْنِ أَبِي حَمْزَةَ عَنْ دَاوُدَ بْنِ فَرْقَدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «جَاءَتِ اِمْرَأَةٌ فَاسْتَعْدَتْ عَلَى أَعْرَابِيٍّ قَدْ أَفْزَعَهَا فَأَلْقَتْ جَنِيناً فَقَالَ اَلْأَعْرَابِيُّ لَمْ يُهِلَّ وَ لَمْ يَصِحْ وَ مِثْلُهُ يُطَلُّ فَقَالَ لَهُ اَلنَّبِيُّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ «اُسْكُتْ سَجَّاعَةُ عَلَيْكَ غُرَّةٌ عَبْدٌ أَوْ أَمَةٌ» ».

H.5319 - In the narration of Muhammad ibn Abi Umayr from Muhammad ibn Abi Hamzah from Dawud ibn Farqad from Abu Abdullah {a.s}, it is reported:
A woman came forward to complain about a Bedouin who had frightened her, causing her to miscarry her fetus.
The Bedouin argued: "It neither cried out nor made any sound, and something like this is simply wasted (i.e., not compensated)."
The Prophet (peace and blessings be upon him and his family) said to him:
"Be quiet!, O' rhyming speaker! Upon you is a ghurrah (compensation for a miscarried fetus) - either a male or female slave."

[REFERENCES] Al-Kafi, Vol.7 p.343 • Man La Yahduruhu Al-Faqih, Vol.4 p.145 • Tahdhib Al-Ahkam, Vol.10 p.286 • Al-Istibsar, Vol.4 p.300 • Al-Wafi, Vol.16 p.755 • Wasa'il Al-Shi'ah, Vol.29 p.319

HADITH

5320 - وَ رَوَى جَمِيلُ بْنُ دَرَّاجٍ عَنْ عُبَيْدِ بْنِ زُرَارَةَ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ إِنَّ اَلْغُرَّةَ تَكُونُ بِمِائَةِ دِينَارٍ وَ تَكُونُ بِعَشَرَةِ دَنَانِيرَ فَقَالَ «بِخَمْسِينَ».

H.5320 - In the narration of Jamil ibn Darraj from Ubayd ibn Zurarah, he said:
I asked Abu Abdullah {a.s}: "The ghurra (compensation for a miscarried fetus) is sometimes valued at one hundred dinars and sometimes at ten dinars."
Imam {a.s} replied: "It is fifty."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.145 • Tahdhib Al-Ahkam, Vol.10 p.287 • Al-Wafi, Vol.16 p.756 • Wasa'il Al-Shi'ah, Vol.29 p.321

HADITH

5321 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي عُبَيْدَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اِمْرَأَةٍ شَرِبَتْ دَوَاءً وَ هِيَ حَامِلٌ لِتَطْرَحَ وَلَدَهَا فَأَلْقَتْ وَلَدَهَا قَالَ «إِنْ كَانَ لَهُ عَظْمٌ قَدْ نَبَتَ عَلَيْهِ اَللَّحْمُ وَ شُقَّ لَهُ اَلسَّمْعُ وَ اَلْبَصَرُ فَإِنَّ عَلَيْهَا دِيَةً تُسَلِّمُهَا إِلَى أَبِيهِ» قَالَ «وَ إِنْ كَانَ عَلَقَةً أَوْ مُضْغَةً فَإِنَّ عَلَيْهَا أَرْبَعِينَ دِينَاراً أَوْ غُرَّةً تُسَلِّمُهَا إِلَى أَبِيهِ» قُلْتُ فَهِيَ لاَ تَرِثُ مِنْ وَلَدِهَا مِنْ دِيَتِهِ قَالَ «لاَ لِأَنَّهَا قَتَلَتْهُ».

H.5321 - In the narration by Al-Hasan ibn Mahbub from Ali ibn Riʾab from Abu Ubaydah from Abu Abdullah {a.s} regarding a woman who drank medicine while she was pregnant to abort her child and then miscarried.
Imam {a.s} said: "If the fetus had developed bones covered with flesh and its hearing and sight had been formed, then she must pay the full blood money (diyyah) and hand it over to the child's father."
Imam {a.s} further said: "If it was still in the stage of a clot (*A*laqah) or a piece of flesh (mu*ḍ*ghah), then she must pay forty dinars or provide a ghurra (compensation), handing it over to the father."
I asked: “Does she inherit anything from her child's blood money?"
Imam {a.s} replied: “No, because she killed the child."

[REFERENCES] Al-Kafi, Vol.7 p.344 • Man La Yahduruhu Al-Faqih, Vol.4 p.145 • Tahdhib Al-Ahkam, Vol.10 p.287 • Al-Istibsar, Vol.4 p.301 • Awali Al-La’ali, Vol.3 p.647 • Al-Wafi, Vol.16 p.752 • Wasa’il Al-Shi’ah, Vol.29 p.318

HADITH

5322 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ نُعَيْمِ بْنِ إِبْرَاهِيمَ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ قَتَلَ جَنِينَ أَمَةٍ لِقَوْمٍ فِي بَطْنِهَا فَقَالَ «إِنْ كَانَ مَاتَ فِي بَطْنِهَا بَعْدَ مَا ضَرَبَهَا فَعَلَيْهِ نِصْفُ عُشْرِ قِيمَةِ اَلْأَمَةِ وَ إِنْ ضَرَبَهَا فَأَلْقَتْهُ حَيّاً فَمَاتَ فَإِنَّ عَلَيْهِ عُشْرَ قِيمَةِ اَلْأَمَةِ».

H.5322 - In the narration by Al-Hasan ibn Mahbub from Nuaym ibn Ibrahim from Abdullah ibn Sinan from Abu Abdullah {a.s} regarding a man who killed the fetus of a female slave belonging to a group of people while it was still in her womb.
Imam {a.s} said: "If the fetus died in her womb after he struck her, then he must pay half of one-tenth of the value of the female slave. However, if he struck her and she miscarried the fetus alive and then it died, he must pay one-tenth of the value of the female slave."

[REFERENCES] Al-Kafi, Vol.7 p.344 • Man La Yahduruhu Al-Faqih, Vol.4 p.146 • Tahdhib Al-Ahkam, Vol.10 p.152 • Tahdhib Al-Ahkam, Vol.10 p.288 • Awali Al-La’ali, Vol.3 p.649 • Al-Wafi, Vol.16 p.757 • Wasa’il Al-Shi’ah, Vol.29 p.322

HADITH

5323 - وَ سَأَلَ سَمَاعَةُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : عَنْ رَجُلٍ ضَرَبَ اِبْنَتَهُ وَ هِيَ حُبْلَى فَأَسْقَطَتْ سِقْطاً مَيِّتاً فَاسْتَعْدَى زَوْجُ اَلْمَرْأَةِ عَلَيْهِ فَقَالَتِ اَلْمَرْأَةُ لِزَوْجِهَا إِنْ كَانَ لِهَذَا اَلسِّقْطِ دِيَةٌ وَ لِي مِنْهُ مِيرَاثٌ فَإِنَّ مِيرَاثِي مِنْهُ لِأَبِي قَالَ «يَجُوزُ لِأَبِيهَا مَا وَهَبَتْ لَهُ».

H.5323 - Samaah asked Abu Abdullah {a.s} about a man who struck his pregnant daughter, causing her to miscarry a stillborn child. The woman's husband sought legal action against her father.
The woman said to her husband, “If this fetus has a diyyah (blood money), and I am entitled to an inheritance from it, then I give my share of the inheritance to my father.” Imam {a.s} responded: “It is permissible for her father to receive what she has gifted to him.”

[REFERENCES] Al-Kafi, Vol.7 p.346 • Man La Yahduruhu Al-Faqih, Vol.4 p.146 • Man La Yahduruhu Al-Faqih, Vol.4 p.319 • Tahdhib Al-Ahkam, Vol.10 p.288 • Al-Wafi, Vol.10 p.537 • Wasa’il Al-Shi’ah, Vol.26 p.38 • Wasa’il Al-Shi’ah, Vol.29 p.324

HADITH

5324 - وَ رَوَى اَلْحُسَيْنُ بْنُ سَعِيدٍ عَنْ مُحَمَّدِ بْنِ اَلْفُضَيْلِ قَالَ: سَأَلْتُ أَبَا اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ عَنْ لِصٍّ دَخَلَ عَلَى اِمْرَأَةٍ حُبْلَى فَوَقَعَ عَلَيْهَا فَأَلْقَتْ مَا فِي بَطْنِهَا فَوَثَبَتْ عَلَيْهِ اَلْمَرْأَةُ فَقَتَلَتْهُ قَالَ «يُطَلُّ دَمُ اَللِّصِّ وَ عَلَى اَلْمَقْتُولِ دِيَةُ سَخْلَتِهَا».

H.5324 - Al-Husayn ibn Saʿid narrated from Muhammad ibn Al-Fuḍayl who said:
I asked Abu Al-Hasan {a.s} about a thief who entered upon a pregnant woman, assaulted her, and caused her to miscarry. The woman then attacked the thief and killed him.
Imam {a.s} replied: “The blood of the thief is not avenged (yutallu), but the diyyah (blood money) for her miscarried fetus is due upon her.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.146 • Wasa’il Al-Shi’ah, Vol.29 p.402

CHAPTER 35 – CHAPTER ON WHAT IS OBLIGATORY WHEN A MUSLIM MAN IS IN THE LAND OF POLYTHEISM AND IS KILLED BY MUSLIMS, AND THEN THE IMAM BECOMES AWARE OF IT

بَابُ مَا يَجِبُ فِي الرَّجُلِ الْمُسْلِمِ يَكُونُ فِي أَرْضِ الشِّرْكِ فَيَقْتُلُهُ الْمُسْلِمُونَ ثُمَّ يَعْلَمُ بِهِ الْإِمَامُ

HADITH 5325

5325 - رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ بَعْضِ أَصْحَابِهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ مُسْلِمٍ كَانَ فِي أَرْضِ اَلشِّرْكِ فَقَتَلَهُ اَلْمُسْلِمُونَ ثُمَّ عَلِمَ بِهِ اَلْإِمَامُ بَعْدُ فَقَالَ «يُعْتِقُ مَكَانَهُ رَقَبَةً مُؤْمِنَةً وَ ذَلِكَ قَوْلُ اَللَّهِ عَزَّ وَ جَلَّ ۝ فَإِنْ كٰانَ مِنْ قَوْمٍ عَدُوٍّ لَكُمْ وَ هُوَ مُؤْمِنٌ فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ ۝ ».

H.5325 - Ibn Abi Umayr narrated from some of his companions from Abu Abdullah {a.s} regarding a Muslim man who was in the land of the disbelievers and was mistakenly killed by the Muslims. Later, the Imam became aware of it.
Imam {a.s} said: "A believing slave must be freed in his place, and this is in accordance with the saying of Allah {SWT}, the Mighty and Majestic:
'But if he belonged to a people hostile to you and he was a believer, then the freeing of a believing slave [is required]' (Surah An-Nisa 4:92).

[REFERENCES] Tafsir Al-'Ayyashi, Vol.1 p.266 • Man La Yahduruhu Al-Faqih, Vol.4 p.147 • Tahdhib Al-Ahkam, Vol.10 p.315 • Al-Wafi, Vol.16 p.580 • Tafsir Al-Safi, Vol.1 p.483 • Wasa'il Al-Shi'ah, Vol.29 p.231 • Tafsir Al-Burhan, Vol.2 p.148 • Tafsir Al-Burhan, Vol.2 p.152 • Bihar Al-Anwar, Vol.101 p.378 • Tafsir Nur Al-Thaqalayn, Vol.1 p.532

CHAPTER 36 – CHAPTER ON WHAT IS OBLIGATORY UPON ONE WHO STEPS ON A MAN'S ABDOMEN CAUSING HIM TO SOIL HIS CLOTHES

بَابُ مَا يَجِبُ عَلَى مَنْ دَاسَ بَطْنَ رَجُلٍ حَتَّى أَحْدَثَ فِي ثِيَابِهِ

HADITH 5326

5326 - فِي رِوَايَةِ اَلسَّكُونِيِّ : «أَنَّ رَجُلاً رُفِعَ إِلَى عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ وَ قَدْ دَاسَ بَطْنَ رَجُلٍ حَتَّى أَحْدَثَ فِي ثِيَابِهِ فَقَضَى عَلَيْهِ اَلسَّلاَمُ عَلَيْهِ «أَنْ يُدَاسَ بَطْنُهُ حَتَّى يُحْدِثَ كَمَا أَحْدَثَ أَوْ يَغْرَمَ ثُلُثَ اَلدِّيَةِ» ».

H.5326 - In the narration of Al-Sakuni, it is reported that a man was brought to Imam Ali ibn Abi Talib {a.s} who had trampled on another man's stomach until he defecated in his clothes. Commander of the Faithful Imam Ali ibn Abi Talib {a.s} ruled:
"His stomach should be trampled until he defecates as the victim did, or he must pay one-third of the blood money (diyyah)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.147 • Mustadrak Al-Wasa'il, Vol.18 p.283

CHAPTER 37 – CHAPTER ON A MAN WHO TRANSGRESSES IN MARRYING A WOMAN AND PERSISTS UNTIL SHE DIES

بَابُ الرَّجُلِ يَتَعَدَّى فِي نِكَاحِ امْرَأَةٍ فَيُلِحُّ عَلَيْهَا حَتَّى تَمُوتَ

HADITH 5327

5327 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنِ اَلْحَارِثِ بْنِ مُحَمَّدٍ عَنْ زَيْدٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ نَكَحَ اِمْرَأَتَهُ فِي دُبُرِهَا فَأَلَحَّ عَلَيْهَا حَتَّى مَاتَتْ مِنْ ذَلِكَ قَالَ «عَلَيْهِ اَلدِّيَةُ».

H.5327 - Al-Hasan ibn Mahbub narrated from Al-Harith ibn Muhammad from Zayd from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a man who had intercourse with his wife in her rear and persisted until she died from it.
Imam {a.s} said: "He must pay the full blood money (diyyah)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.148 • Tahdhib Al-Ahkam, Vol.10 p.233 • Al-Wafi, Vol.16 p.817 • Wasa'il Al-Shi'ah, Vol.29 p.269

CHAPTER 38 – CHAPTER ON THE BLOOD MONEY FOR THE TONGUE OF A MUTE PERSON

بَابُ دِيَةِ لِسَانِ الْأَخْرَسِ

HADITH 5328

5328 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلَهُ بَعْضُ آلِ زُرَارَةَ عَنْ رَجُلٍ قَطَعَ لِسَانَ رَجُلٍ أَخْرَسَ فَقَالَ «إِنْ كَانَ وَلَدَتْهُ أُمُّهُ وَ هُوَ أَخْرَسُ فَعَلَيْهِ اَلدِّيَةُ وَ إِنْ كَانَ لِسَانُهُ ذَهَبَ بِوَجَعٍ أَوْ آفَةٍ بَعْدَ مَا كَانَ يَتَكَلَّمُ فَإِنَّ عَلَى اَلَّذِي قَطَعَ ثُلُثَ دِيَةِ لِسَانِهِ».

H.5328 - Al-Hasan ibn Mahbub narrated from Hisham ibn Salim from Abu Baṣir from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} that someone from the family of Zurarah asked Imam {a.s} about a man who cut off the tongue of a mute person.
Imam {a.s} said: "If his mother gave birth to him mute, then the full blood money (diyyah) is due. But if his tongue was lost due to an illness or an affliction after he had been able to speak, then the one who cut it off must pay one-third of the diyyah of the tongue."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.148

CHAPTER 39 – CHAPTER ON WHAT IS OBLIGATORY IN CASES OF IFDA' (CAUSING REPRODUCTIVE RUPTURE)

بَابُ مَا يَجِبُ فِي الْإِفْضَاءِ

HADITH 5329

قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي اِمْرَأَةٍ أُفْضِيَتْ بِالدِّيَةِ».

The Commander of the Faithful {a.s} ruled in the case of a woman who was harmed through Ifda' (a severe injury during intercourse that causes damage) that full blood money (diyyah) is due.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.148 • Al-Wafi, Vol.16 p.703

HADITH

5329 - وَ فِي نَوَادِرِ اَلْحِكْمَةِ أَنَّ اَلصَّادِقَ عَلَيْهِ اَلسَّلاَمُ قَالَ: «فِي رَجُلٍ أَفْضَتِ اِمْرَأَتُهُ جَارِيَتَهُ بِيَدِهَا فَقَضَى أَنْ تُقَوَّمَ قِيمَةً وَ هِيَ صَحِيحَةٌ وَ قِيمَةً وَ هِيَ مُفْضَاةٌ فَيُغْرِمَهَا مَا بَيْنَ اَلصِّحَّةِ وَ اَلْعَيْبِ وَ أَجْبَرَهَا عَلَى إِمْسَاكِهَا لِأَنَّهَا لاَ تَصْلُحُ لِلرِّجَالِ».

H.5329 - In Nawadir Al-*H*ikmah, it is narrated that Imam Jafar ibn Muhammad Al-Sadiq {a.s} said: In the case of a man whose wife caused harm (Ifda') to his bondwoman with her hand, the ruling was that the bondwoman should be appraised at her full value when she was healthy and then at her value after being harmed. The wife must pay the difference between the value when she was healthy and the value after the defect. Furthermore, the wife was compelled to keep the bondwoman in her possession because she was no longer suitable for men.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.149 • Al-Wafi, Vol.16 p.703 • Wasa'il Al-Shi'ah, Vol.20 p.515 • Wasa'il Al-Shi'ah, Vol.29 p.330

CHAPTER 40 – CHAPTER ON WHAT IS OBLIGATORY FOR ONE UPON WHOM HOT WATER IS POURED ON HIS HEAD, CAUSING HIS HAIR TO FALL OUT

بَابُ مَا يَجِبُ فِيمَنْ صُبَّ عَلَى رَأْسِهِ مَاءٌ حَارٌّ فَذَهَبَ شَعْرُهُ

HADITH 5330 – 5331

5330 - رَوَى جَعْفَرُ بْنُ بَشِيرٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ رَجُلٌ صَبَّ مَاءً حَارّاً عَلَى رَأْسِ رَجُلٍ فَامْتَعَطَ شَعْرُهُ فَلاَ يَنْبُتُ أَبَداً قَالَ «عَلَيْهِ اَلدِّيَةُ».

H.5330 - It is narrated from Ja'far ibn Bashir, from Hisham ibn Salim, from Sulayman ibn Khalid, who said: I asked Abu Abdullah {a.s} about a man who poured hot water on another man's head, causing his hair to fall out and never grow back.
Imam {a.s} said: “He must pay the full blood money (diyyah)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.149

HADITH

5331 - وَ رُوِيَ عَنْ سَلَمَةَ بْنِ تَمَّامٍ قَالَ: أَهْرَاقَ رَجُلٌ عَلَى رَأْسِ رَجُلٍ قِدْراً فِيهَا مَرَقٌ فَذَهَبَ شَعْرُهُ فَاخْتَصَمُوا فِي ذَلِكَ إِلَى عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ فَأَجَّلَهُ سَنَةً فَلَمْ يَنْبُتْ شَعْرُهُ فَقَضَى عَلَيْهِ بِالدِّيَةِ.

H.5331 - It is narrated from Salamah ibn Tammam that a man poured a pot of broth over another man's head, causing his hair to fall out. They disputed this matter before Imam Ali ibn Abi Talib {a.s}, who delayed the judgment for a year. When the man's hair did not grow back, Imam Ali ibn Abi Talib {a.s} ruled that the perpetrator must pay the full blood money (diyyah).

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.150 • Tahdhib Al-Ahkam, Vol.10 p.262 • Awali Al-La’ali, Vol.3 p.629 • Al-Wafi, Vol.16 p.707 • Wasa’il Al-Shi’ah, Vol.29 p.342

CHAPTER 41 – CHAPTER ON WHAT IS OBLIGATORY IN THE CASE OF A SHAVED BEARD

بَابُ مَا يَجِبُ فِي اللِّحْيَةِ إِذَا حُلِقَتْ

HADITH 5332

5332 - فِي رِوَايَةِ اَلسَّكُونِيِّ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ قَضَى فِي اَللِّحْيَةِ إِذَا حُلِقَتْ فَلَمْ تَنْبُتْ بِالدِّيَةِ كَامِلَةً فَإِذَا نَبَتَتْ فَثُلُثُ اَلدِّيَةِ».

H.5332 - In the narration of Al-Sakuni, it is reported that Imam Ali ibn Abi Talib {a.s} ruled that if a man's beard was shaved off and it did not grow back, the full blood money (diyyah) must be paid. However, if the beard grew back, only one-third of the diyyah was required.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.150

CHAPTER 42 – CHAPTER ON WHAT IS OBLIGATORY UPON ONE WHO CUTS HIS WIFE'S PRIVATE PART

بَابُ مَا يَجِبُ عَلَى مَنْ قَطَعَ فَرْجَ امْرَأَتِهِ

HADITH 5333

5333 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَلرَّحْمَنِ بْنِ سَيَابَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ «إِنَّ فِي كِتَابِ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ : «لَوْ أَنَّ رَجُلاً قَطَعَ فَرْجَ اِمْرَأَتِهِ لَأُغْرِمَنَّهُ لَهَا دِيَتَهَا فَإِنْ لَمْ يُؤَدِّ إِلَيْهَا اَلدِّيَةَ قَطَعْتُ لَهَا فَرْجَهُ إِنْ طَلَبَتْ ذَلِكَ» ».

H.5333 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Indeed, in the book of Imam Ali ibn Abi Talib {a.s}, it is written: 'If a man were to cut off the private part of his wife, I would obligate him to pay her full blood money (diyyah). If he does not pay her the diyyah, I would cut off his private part for her if she demands it.'"

[REFERENCES] Al-Kafi, Vol.7 p.313 • Man La Yahduruhu Al-Faqih, Vol.4 p.150 • Tahdhib Al-Ahkam, Vol.10 p.251 • Tahdhib Al-Ahkam, Vol.10 p.280 • Al-Istibsar, Vol.4 p.266 • Al-Wafi, Vol.16 p.607 • Mustadrak Al-Wasa'il, Vol.18 p.278

CHAPTER 43 – CHAPTER ON WHAT IS OBLIGATORY UPON ONE WHO KICKS A WOMAN IN HER PRIVATE PART, AND SHE CLAIMS THAT SHE NO LONGER MENSTRUATES

بَابُ مَا يَجِبُ عَلَى مَنْ رَكَلَ امْرَأَةً فِي فَرْجِهَا فَزَعَمَتْ أَنَّهَا لَا تَحِيضُ

HADITH 5334 – 5335

5334 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ بَعْضِ رِجَالِهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ رَكَلَ اِمْرَأَةً فِي فَرْجِهَا فَزَعَمَتْ أَنَّهَا لاَ تَحِيضُ وَ كَانَ طَمْثُهَا مُسْتَقِيماً قَالَ «يُتَرَبَّصُ بِهَا سَنَةً فَإِنْ رَجَعَ إِلَيْهَا اَلطَّمْثُ وَ إِلاَّ غُرِّمَ اَلرَّجُلُ ثُلُثَ دِيَتِهَا لِفَسَادِ طَمْثِهَا وَ عَقْرِ رَحِمِهَا».

H.5334 - Abu Abdullah {a.s} was asked about a man who kicked a woman in her private area, and she claimed that her menstruation had stopped while it was previously regular.
Imam {a.s} said: "She should be observed for one year. If her menstruation returns, then nothing is required. But if it does not return, the man must pay one-third of her blood money (diyyah) for the damage to her menstruation and the harm caused to her womb."

[REFERENCES] Man La Yahduruhu Al-Faqih, V.4 p.151 • Al-Wafi, V.16 p.704 • Wasa'il Al-Shi'ah, Vol.29 p.373

HADITH

5335 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ أَبِي بَصِيرٍ قَالَ: قُلْتُ لِأَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ مَا تَرَى فِي رَجُلٍ ضَرَبَ اِمْرَأَةً شَابَّةً عَلَى بَطْنِهَا فَعَقَرَ رَحِمَهَا وَ أَفْسَدَ طَمْثَهَا وَ ذَكَرَتْ أَنَّهُ قَدِ اِرْتَفَعَ طَمْثُهَا عَنْهَا لِذَلِكَ وَ قَدْ كَانَ طَمْثُهَا مُسْتَقِيماً قَالَ «يُنْتَظَرُ بِهَا سَنَةً فَإِنْ صَلَحَ رَحِمُهَا وَ عَادَ طَمْثُهَا إِلَى مَا كَانَ وَ إِلاَّ اُسْتُحْلِفَتْ وَ أُغْرِمَ ضَارِبُهَا ثُلُثَ دِيَتِهَا لِفَسَادِ رَحِمِهَا وَ اِرْتِفَاعِ طَمْثِهَا».

H.5335 - Al-Hasan ibn Mahbub narrated from Hisham ibn Salim, from Abu Basir, who said: I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}:
"What is your ruling regarding a man who struck a young woman on her abdomen, causing damage to her womb and disrupting her menstruation? She reported that her menstruation had ceased due to this injury, whereas it had previously been regular."
Imam {a.s} said: "She should be observed for one year. If her womb recovers and her menstruation returns to normal, then there is no liability. But if it does not return, she is to take an oath, and the assailant must pay one-third of her diyyah (blood money) for the damage to her womb and the cessation of her menstruation."

[REFERENCES] Al-Kafi, Vol.7 p.314 • Man La Yahduruhu Al-Faqih, Vol.4 p.151 • Tahdhib Al-Ahkam, Vol.10 p.251 • Al-Wafi, Vol.16 p.703 • Wasa'il Al-Shi'ah, Vol.29 p.372

CHAPTER 44 – CHAPTER ON THE BLOOD MONEY FOR THE JOINTS OF THE FINGERS

بَابُ دِيَةِ مَفَاصِلِ الْأَصَابِعِ

HADITH 5336

5336 - فِي رِوَايَةِ اَلسَّكُونِيِّ : «أَنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ كَانَ يَقْضِي فِي كُلِّ مَفْصِلٍ مِنَ اَلْأَصَابِعِ بِثُلُثِ عَقْلِ تِلْكَ اَلْأَصَابِعِ إِلاَّ اَلْإِبْهَامَ فَإِنَّهُ كَانَ يَقْضِي فِي مَفْصِلِهَا بِنِصْفِ عَقْلِ تِلْكَ اَلْإِبْهَامِ لِأَنَّ لَهَا مَفْصِلَيْنِ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ سُمِّيَتِ الدِّيَةُ عَقْلًا لِأَنَّ الدِّيَاتِ كَانَتْ إِبِلًا تُعْقَلُ بِفِنَاءِ وَلِيِّ الْمَقْتُولِ.

H.5336 - In a narration from Al-Sakuni, it is reported that Commander of the Faithful {a.s} ruled that for every joint in the fingers, the compensation (diyyah) would be one-third of the full blood money of that finger, except for the thumb.
For the thumb, he ruled that the compensation for its joint would be half of its total blood money because it has two joints.

[AL SADUQ]
The compiler of this book (may Allah {SWT} have mercy on him) explained that Diyyah was called ‘aql because in the past, blood money was paid in camels that were tied (tu‘qal) in the courtyard of the guardian of the slain person.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.151 • Tahdhib Al-Ahkam, Vol.10 p.257 • Al-Wafi, Vol.16 p.716 • Wasa’il Al-Shi’ah, Vol.29 p.350

CHAPTER 45 – CHAPTER ON THE BLOOD MONEY FOR THE TESTICLES

بَابُ دِيَةِ الْبَيْضَتَيْنِ

HADITH 5337

5337 - فِي رِوَايَةِ مُحَمَّدِ بْنِ أَحْمَدَ بْنِ يَحْيَى بْنِ عِمْرَانَ اَلْأَشْعَرِيِّ عَنْ مُحَمَّدِ بْنِ هَارُونَ عَنْ أَبِي يَحْيَى اَلْوَاسِطِيِّ رَفَعَهُ إِلَى أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «اَلْوَلَدُ يَكُونُ مِنَ اَلْبَيْضَةِ اَلْيُسْرَى فَإِذَا قُطِعَتْ فَفِيهَا ثُلُثَا اَلدِّيَةِ وَ فِي اَلْيُمْنَى ثُلُثُ اَلدِّيَةِ».

H.5337 - In a narration from Muhammad ibn Ahmad ibn Yahya ibn Imran Al-Ash'ari through Muhammad ibn Harun from Abu Yahya Al-Wasiti, who raised it to Abu Abdullah {a.s}, it is reported that Imam {a.s} said: "A child is conceived from the left testicle, so if it is severed, the compensation (diyyah) is two-thirds of the full blood money, and for the right testicle, it is one-third of the blood money."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.152 • Awali Al-La’ali, Vol.3 p.641 • Al-Wafi, Vol.16 p.697 • Wasa’il Al-Shi’ah, Vol.29 p.311 • Bihar Al-Anwar, Vol.57 p.377

CHAPTER 46 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING FOUR PERSONS WHO KILL A MAN; A SLAVE, A FREE MAN, A FREE WOMAN, AND A MUKATAB.

بَابُ مَا جَاءَ فِي أَرْبَعَةِ أَنْفُسٍ مَمْلُوكٍ وَ حُرٍّ وَ حُرَّةٍ وَ مُكَاتَبٍ قَتَلُوا رَجُلًا

HADITH 5338

5338 - سُئِلَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : عَنْ أَرْبَعَةِ أَنْفُسٍ قَتَلُوا رَجُلاً مَمْلُوكٍ وَ حُرٍّ وَ حُرَّةٍ وَ مُكَاتَبٍ قَدْ أَدَّى نِصْفَ مُكَاتَبَتِهِ فَقَالَ عَلَيْهِ اَلسَّلاَمُ «عَلَيْهِمُ اَلدِّيَةُ عَلَى اَلْحُرِّ رُبْعُ اَلدِّيَةِ وَ عَلَى اَلْحُرَّةِ رُبْعُ اَلدِّيَةِ وَ عَلَى اَلْمَمْلُوكِ أَنْ يُخَيَّرَ مَوْلاَهُ فَإِنْ شَاءَ أَدّى عَنْهُ وَ إِنْ شَاءَ دَفَعَهُ بِرُمَّتِهِ وَ لاَ يَغْرَمُ أَهْلُهُ شَيْئاً وَ عَلَى اَلْمُكَاتَبِ فِي مَالِهِ نِصْفُ اَلرُّبُعِ وَ عَلَى اَلَّذِينَ كَاتَبُوهُ نِصْفُ اَلرُّبُعِ فَذَلِكَ اَلرُّبُعُ لِأَنَّهُ قَدْ عَتَقَ نِصْفُهُ».

وَ هَذَا الْخَبَرُ فِي كِتَابِ مُحَمَّدِ بْنِ أَحْمَدَ يَرْوِيهِ عَنْ إِبْرَاهِيمَ بْنِ هَاشِمٍ بِإِسْنَادِهِ يَرْفَعُهُ إِلَى أَبِي عَبْدِ اللَّهِ عَلَيْهِ اَلسَّلاَمُ.

H.5338 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked about four individuals who killed a man: one was a slave, one was a free man, one was a free woman, and one was a mukatab (a slave who had entered into a contract for his freedom and had paid half of it).
Imam {a.s} said: "The compensation (diyyah) is to be divided as follows:
the free man must pay one-fourth of the diyyah,
the free woman must pay one-fourth of the diyyah,
and regarding the slave, his master is given the choice - if he wills, he can pay on his behalf, and if he wills, he can surrender him entirely, and the slave's family bears no responsibility.
As for the mukatab, half of one-fourth of the diyyah is taken from his own wealth, and the other half of that one-fourth is taken from those who entered into the contract with him, because half of him has been freed."

[AL SADUQ]
This narration is also found in the book of Muhammad ibn Ahmad, transmitted from Ibrahim ibn Hashim with his chain of narrators, reaching up to Abu Abdullah {a.s}.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.152 • Tahdhib Al-Ahkam, Vol.10 p.244 • Al-Wafi, Vol.16 p.618 • Wasa'il Al-Shi'ah, Vol.29 p.41 • Wasa'il Al-Shi'ah, Vol.29 p.214

CHAPTER 47 – CHAPTER ON WHAT IS OBLIGATORY UPON ONE WHO TORTURES HIS SLAVE UNTIL HE DIES

بَابُ مَا يَجِبُ عَلَى مَنْ عَذَّبَ عَبْدَهُ حَتَّى مَاتَ

HADITH 5339

5339 - فِي رِوَايَةِ اَلسَّكُونِيِّ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ رُفِعَ إِلَيْهِ رَجُلٌ عَذَّبَ عَبْدَهُ حَتَّى مَاتَ فَضَرَبَهُ مِائَةً نَكَالاً وَ حَبَسَهُ وَ غَرَّمَهُ قِيمَةَ اَلْعَبْدِ وَ تَصَدَّقَ بِهَا».

H.5339 - In a narration from Al-Sakuni, it is reported that a man was brought before Imam Ali ibn Abi Talib {a.s} who had tortured his slave until the slave died.
Imam Ali ibn Abi Talib {a.s} ordered that the man be lashed one hundred times as a form of punishment, imprisoned him, and required him to pay the value of the slave, which was then given in charity.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.153

CHAPTER 48 – CHAPTER ON THE BLOOD MONEY FOR THE CHILD OF ADULTERY

بَابُ دِيَةِ وَلَدِ الزِّنَا

HADITH 5340

5340 - فِي رِوَايَةِ جَعْفَرِ بْنِ بَشِيرٍ عَنْ بَعْضِ رِجَالِهِ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ دِيَةِ وَلَدِ اَلزِّنَا قَالَ «ثَمَانْمِائَةِ دِرْهَمٍ مِثْلُ دِيَةِ اَلْيَهُودِيِّ وَ اَلنَّصْرَانِيِّ وَ اَلْمَجُوسِيِّ ».

H.5340 - In a narration from Ja'far ibn Bashir through some of his transmitters, it is reported that someone asked Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} about the blood money (diya) of a child born from adultery.
Imam {a.s} replied: “Eight hundred dirhams, similar to the diyyah of a Jew, a Christian, and a Magian."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.153 • Tahdhib Al-Ahkam, Vol.10 p.315 • Awali Al-La’ali, Vol.3 p.614 • Al-Wafi, Vol.16 p.665 • Wasa’il Al-Shi’ah, Vol.29 p.222

CHAPTER 49 – CHAPTER ON REPORTS REGARDING ONE WHO DIGS A WELL OR SOMETHING ELSE IN HIS OWN PROPERTY OR IN ANOTHER'S PROPERTY, AND A PERSON FALLS INTO IT AND PERISHES

بَابُ مَا جَاءَ فِيمَنْ أَحْدَثَ بِئْراً أَوْ غَيْرَهَا فِي مِلْكِهِ أَوْ فِي غَيْرِ مِلْكِهِ فَوَقَعَ فِيهَا إِنْسَانٌ فَعَطِبَ

HADITH 5341 – 5347

5341 - رَوَى زُرْعَةُ وَ عُثْمَانُ بْنُ عِيسَى عَنْ سَمَاعَةَ قَالَ: سَأَلْتُهُ عَنِ اَلرَّجُلِ يَحْفِرَ اَلْبِئْرَ فِي دَارِهِ أَوْ فِي أَرْضِهِ فَقَالَ «أَمَّا مَا حَفَرَ فِي مِلْكِهِ فَلَيْسَ عَلَيْهِ ضَمَانٌ وَ أَمَّا مَا حَفَرَ فِي اَلطَّرِيقِ أَوْ فِي غَيْرِ مِلْكِهِ فَهُوَ ضَامِنٌ لِمَا يَسْقُطُ فِيهَا».

H.5341 - Zurah and Uthman ibn Isa narrated from Samaah, who said:
I asked Imam {a.s} about a man who digs a well in his house or on his land.
Imam {a.s} said: "If he digs it within his own property, there is no liability upon him.
But if he digs it in a public road or in a place that does not belong to him, then he is liable for anything that falls into it."

[REFERENCES] Al-Kafi, Vol.7 p.349 • Man La Yahduruhu Al-Faqih, Vol.4 p.153 • Tahdhib Al-Ahkam, Vol.10 p.229 • Wasa'il Al-Shi'ah, Vol.29 p.241

HADITH

5342 - وَ فِي رِوَايَةِ يُونُسَ بْنِ عَبْدِ اَلرَّحْمَنِ عَنْ رَجُلٍ مِنْ أَصْحَابِنَا عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ سُئِلَ عَنِ اَلْجُسُورِ أَ يَضْمَنُ أَهْلُهَا شَيْئاً قَالَ «لاَ».

H.5342 - In the narration of Yunus ibn Abd Al-Rahman from one of our companions, from Abu Abdullah {a.s}, he was asked about bridges and whether their owners are liable for anything.
Imam {a.s} replied: "No."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.154 • Tahdhib Al-Ahkam, Vol.10 p.224 • Al-Wafi, Vol.16 p.828 • Wasa'il Al-Shi'ah, Vol.29 p.260

HADITH

5343 - وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «مَنْ أَخْرَجَ مِيزَاباً أَوْ كَنِيفاً أَوْ وَتَدَ وَتِداً أَوْ أَوْثَقَ دَابَّةً أَوْ حَفَرَ بِئْراً فِي طَرِيقِ اَلْمُسْلِمِينَ فَأَصَابَ شَيْئاً فَعَطِبَ فَهُوَ لَهُ ضَامِنٌ».

H.5343 - The Messenger of Allah {SWT} (peace be upon him and his family) said:
"Whoever extends a water spout, a drain, drives a peg, ties an animal, or digs a well in the path of Muslims and it causes harm or damage to anything, then he is liable for it."

[REFERENCES] Al-Kafi, Vol.7 p.350 • Man La Yahduruhu Al-Faqih, Vol.4 p.154 • Tahdhib Al-Ahkam, Vol.10 p.230 • Awali Al-La'ali, Vol.3 p.625 • Al-Wafi, Vol.16 p.823 • Wasa'il Al-Shi'ah, Vol.29 p.245 • Al-Fusul Al-Muhimmah, Vol.2 p.535

HADITH

5344 - وَ رَوَى مُحَمَّدُ بْنُ عَبْدِ اَللَّهِ بْنِ هِلاَلٍ عَنْ عُقْبَةَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «كَانَ مِنْ قَضَاءِ اَلنَّبِيِّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ «أَنَّ اَلْمَعْدِنَ جُبَارٌ وَ اَلْبِئْرَ جُبَارٌ وَ اَلْعَجْمَاءَ جُبَارٌ» ».

وَ الْعَجْمَاءُ الْبَهِيمَةُ مِنَ الْأَنْعَامِ وَ الْجُبَارُ مِنَ الْهَدَرِ الَّذِي لَا يُغَرَّمُ.

H.5344 - Muhammad ibn Abdullah ibn Hilal narrated from Uqbah ibn Khalid, from Abu Abdullah {a.s}, who said:
"Among the rulings of the Prophet {saws} (peace upon him and his family) was:
'There is no liability (Jubar) for injuries caused by a mine, a well, or an animal.'"

[AL SADUQ]
The term Ajma' refers to domesticated animals from livestock, and Jubar means something that is considered accidental and does not entail financial compensation.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.154 • Al-Wafi, Vol.16 p.827

HADITH

5345 - وَ رَوَى وُهَيْبُ بْنُ حَفْصٍ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنْ غُلاَمٍ دَخَلَ دَارَ قَوْمٍ يَلْعَبُ فَوَقَعَ فِي بِئْرِهِمْ أَ يَضْمَنُونَ قَالَ «لَيْسَ يَضْمَنُونَ وَ إِنْ كَانُوا مُتَّهَمِينَ ضَمِنُوا».

H.5345 - Wuhayb ibn Hafs narrated from Abu Basir, who narrated from Abu Abdullah {a.s}, who said: I asked Imam {a.s} about a boy who entered the house of some people to play and fell into their well. Are they liable?
Imam {a.s} said: "They are not liable, but if they are accused (of negligence or wrongdoing), then they are liable."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.154 • Tahdhib Al-Ahkam, Vol.10 p.212 • Al-Wafi, Vol.16 p.825 • Wasa'il Al-Shi'ah, Vol.29 p.255

HADITH

5346 - وَ رَوَى اَلْحُسَيْنُ بْنُ سَعِيدٍ عَنْ عَلِيِّ بْنِ اَلنُّعْمَانِ عَنْ أَبِي اَلصَّبَّاحِ اَلْكِنَانِيِّ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «مَنْ أَضَرَّ بِشَيْءٍ مِنْ طَرِيقِ اَلْمُسْلِمِينَ فَهُوَ لَهُ ضَامِنٌ».

H.5346 - Al-Husayn ibn Said narrated from Ali ibn Al-Numan, who narrated from Abu Al-Sabbah Al-Kinani, who narrates that Abu Abdullah {a.s} said:
"Whoever causes harm to any part of the path of the Muslims is liable for it."

[REFERENCES] Al-Kafi, Vol.7 p.350 • Man La Yahduruhu Al-Faqih, Vol.4 p.155 • Tahdhib Al-Ahkam, Vol.10 p.230 • Tahdhib Al-Ahkam, Vol.10 p.231 • Al-Wafi, Vol.16 p.825 • Al-Wafi, Vol.18 p.1072 • Wasa'il Al-Shi'ah, Vol.19 p.238 • Wasa'il Al-Shi'ah, Vol.29 p.241 • Wasa'il Al-Shi'ah, Vol.29 p.243 • Al-Fusul Al-Muhimmah, Vol.2 p.535

HADITH

5347 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ سُئِلَ عَنِ اَلشَّيْءِ يُوضَعُ عَلَى اَلطَّرِيقِ فَتَمُرُّ بِهِ اَلدَّابَّةُ فَتَنْفِرُ بِصَاحِبِهَا فَتَعْقِرُهُ قَالَ «كُلُّ شَيْءٍ يُضِرُّ بِطَرِيقِ اَلْمُسْلِمِينَ فَصَاحِبُهُ ضَامِنٌ لِمَا يُصِيبُهُ».

H.5347 - Hammad narrated from Al-Halabi, who narrated from Abu Abdullah {a.s} that he was asked about an object placed on the road, and an animal passes by it, becomes startled, and injures its rider.
Imam {a.s} said: "Anything that causes harm on the path of the Muslims, its owner is liable for whatever results from it."

[REFERENCES] Al-Kafi, Vol.7 p.349 • Man La Yahduruhu Al-Faqih, Vol.4 p.155 • Al-Wafi, Vol.16 p.824 • Wasa'il Al-Shi'ah, Vol.29 p.243

CHAPTER 50 – CHAPTER ON WHAT IS OBLIGATORY WHEN AN ANIMAL STRIKES A PERSON WITH ITS FRONT OR HIND LEGS

بَابُ مَا يَجِبُ فِي الدَّابَّةِ تُصِيبُ إِنْسَاناً بِيَدِهَا أَوْ رِجْلِهَا

HADITH 5348 – 5353

5348 - رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ سُئِلَ عَنِ اَلرَّجُلِ يَمُرُّ عَلَى طَرِيقٍ مِنْ طُرُقِ اَلْمُسْلِمِينَ فَتُصِيبُ دَابَّتُهُ إِنْسَاناً بِرِجْلِهَا فَقَالَ «لَيْسَ عَلَيْهِ مَا أَصَابَتْ بِرِجْلِهَا وَ لَكِنْ عَلَيْهِ مَا أَصَابَتْ بِيَدَيْهَا لِأَنَّ رِجْلَهَا خَلْفَهُ إِنْ رَكِبَ وَ إِنْ قَادَ دَابَّتَهُ فَإِنَّهُ يَمْلِكُ بِإِذْنِ اَللَّهِ يَدَيْهَا يَضَعُهُمَا حَيْثُ يَشَاءُ».

H.5348 - Hammad narrated from Al-Halabi, who narrated from Abu Abdullah {a.s} that he was asked about a man passing through one of the paths of the Muslims, and his animal strikes a person with its leg.
Imam {a.s} said: “He is not liable for what it strikes with its leg, but he is liable for what it strikes with its front legs because its hind leg is behind him if he is riding. However, if he is leading the animal, then by the permission of Allah {SWT}, he has control over its front legs and can place them wherever he wishes."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.155 • Al-Istibsar, Vol.4 p.284 • Al-Wafi, Vol.16 p.842 • Wasa’il Al-Shi’ah, Vol.29 p.247

HADITH

5349 - وَ رَوَى الْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي رَجُلٍ حَمَلَ عَبْدَهُ عَلَى دَابَّةٍ فَوَطِئَتْ رَجُلًا فَقَالَ الْغُرْمُ عَلَى مَوْلَاهُ.

H.5349 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri’ab, who narrated from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} regarding a man who placed his servant on an animal, and the animal trampled a man.
Imam {a.s} said: “The compensation is upon the master."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.155

HADITH

5350 - وَ رَوَى يُونُسُ بْنُ عَبْدِ اَلرَّحْمَنِ رَفَعَهُ إِلَى أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «بَهِيمَةُ اَلْأَنْعَامِ لاَ يَغْرَمُ أَهْلُهَا شَيْئاً مَا دَامَتْ مُرْسَلَةً».

H.5350 - Yunus ibn Abd Al-Rahman narrated, raising it to Abu Abdullah {a.s}, who said: "The owners of livestock are not liable for anything as long as the animals are left to roam freely."

[REFERENCES] Al-Kafi, Vol.7 p.351 • Man La Yahduruhu Al-Faqih, Vol.4 p.155 • Tahdhib Al-Ahkam, Vol.10 p.234 • Al-Istibsar, Vol.4 p.286 • Al-Wafi, Vol.16 p.841 • Wasa'il Al-Shi'ah, Vol.29 p.246 • Mustadrak Al-Wasa'il, Vol.18 p.318 • Mustadrak Al-Wasa'il, Vol.18 p.328

HADITH

5351 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ كَانَ يُضَمِّنُ اَلْقَائِدَ وَ اَلسَّائِقَ وَ اَلرَّاكِبَ».

H.5351 - In the narration of Al-Sakuni:
"Indeed, Imam Ali ibn Abi Talib {a.s} used to hold the one leading (the animal), the one driving (the animal), and the rider accountable."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.156 • Al-Wafi, Vol.16 p.843 • Wasa'il Al-Shi'ah, Vol.29 p.249

HADITH

5352 - : «وَ قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي دَابَّةٍ عَلَيْهَا رَدِيفَانِ فَقَتَلَتِ اَلدَّابَّةُ رَجُلاً أَوْ جَرَحَتْهُ فَقَضَى بِالْغَرَامَةِ بَيْنَ اَلرَّدِيفَيْنِ بِالسَّوِيَّةِ».

H.5352 - "And the Commander of the Faithful {a.s} ruled regarding an animal carrying two riders, and the animal killed or injured a man.
Imam {a.s} ruled that the compensation would be equally divided between the two riders."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.156

HADITH

5353 - وَ فِي رِوَايَةِ غِيَاثِ بْنِ إِبْرَاهِيمَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ ضَمَّنَ صَاحِبَ اَلدَّابَّةِ مَا وَطِئَتْ بِيَدَيْهَا وَ مَا نَفَحَتْ بِرِجْلَيْهَا فَلاَ ضَمَانَ عَلَيْهِ إِلاَّ أَنْ يَضْرِبَهَا إِنْسَانٌ».

H.5353 - In the narration of Ghiyath ibn Ibrahim from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}:
"Indeed, Imam Ali ibn Abi Talib {a.s} held the owner of the animal liable for what it trampled with its front legs and what it struck with its hind legs. However, there is no liability upon him unless a person strikes the animal."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.156 • Wasa'il Al-Shi'ah, Vol.29 p.248

CHAPTER 51 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING TWO MEN WHO TOGETHER SEVER THE HAND OF A MAN

بَابُ مَا جَاءَ فِي رَجُلَيْنِ اجْتَمَعَا عَلَى قَطْعِ يَدِ رَجُلٍ

HADITH 5354

5354 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ أَبِي مَرْيَمَ اَلْأَنْصَارِيِّ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلَيْنِ اِجْتَمَعَا عَلَى قَطْعِ يَدِ رَجُلٍ فَقَالَ «إِنْ أَحَبَّ أَنْ يَقْطَعَهُمَا أَدَّى إِلَيْهِمَا دِيَةَ يَدٍ فَاقْتَسَمَاهَا ثُمَّ يَقْطَعُهُمَا وَ إِنْ أَحَبَّ أَخَذَ مِنْهُمَا دِيَةَ يَدِهِ فَإِنْ قَطَعَ يَدَ أَحَدِهِمَا رَدَّ اَلَّذِي لَمْ تُقْطَعْ يَدُهُ عَلَى اَلَّذِي قُطِعَتْ يَدُهُ رُبُعَ اَلدِّيَةِ».

H.5354 - Al-Hasan ibn Mahbub narrated from Hisham ibn Salim, who narrated from Abu Maryam Al-Ansari, who narrated from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding two men who together cut off the hand of another man.

Imam {a.s} said: "If the victim wishes to cut off their hands, he must first pay them the compensation for one hand, which they will then divide between themselves, and afterward, he may cut off both of their hands.

However, if he wishes, he may take the compensation for his hand from them. If he cuts off the hand of only one of them, then the one whose hand was not cut off must pay a quarter of the compensation to the one whose hand was cut off."

[REFERENCES] Al-Kafi, Vol.7 p.284 • Man La Yahduruhu Al-Faqih, Vol.4 p.156 • Tahdhib Al-Ahkam, Vol.10 p.240 • Al-Wafi, Vol.16 p.620 • Wasa'il Al-Shi'ah, Vol.29 p.186

CHAPTER 52 – CHAPTER ON WHAT IS OBLIGATORY UPON ONE WHO SEVERES THE HEAD OF A DECEASED PERSON

بَابُ مَا يَجِبُ عَلَى مَنْ قَطَعَ رَأْسَ مَيِّتٍ

HADITH 5355 – 5358

5355 - رَوَى اَلْحُسَيْنُ بْنُ خَالِدٍ عَنْ أَبِي اَلْحَسَنِ مُوسَى عَلَيْهِ اَلسَّلاَمُ قَالَ: «دِيَةُ اَلْجَنِينِ إِذَا ضُرِبَتْ أُمُّهُ فَسَقَطَ مِنْ بَطْنِهَا قَبْلَ أَنْ تُنْشَأَ فِيهِ اَلرُّوحُ مِائَةُ دِينَارٍ وَ هِيَ لِوَرَثَتِهِ وَ دِيَةُ اَلْمَيِّتِ إِذَا قُطِعَ رَأْسُهُ وَ شُقَّ بَطْنُهُ فَلَيْسَتْ هِيَ لِوَرَثَتِهِ إِنَّمَا هِيَ لَهُ دُونَ اَلْوَرَثَةِ» فَقُلْتُ وَ مَا اَلْفَرْقُ بَيْنَهُمَا فَقَالَ «إِنَّ اَلْجَنِينَ أَمْرٌ مُسْتَقْبِلٌ يُرْجَى نَفْعُهُ وَ إِنَّ هَذَا قَدْ مَضَى وَ ذَهَبَتْ مَنْفَعَتُهُ فَلَمَّا مُثِّلَ بِهِ بَعْدَ وَفَاتِهِ صَارَتْ دِيَةُ اَلْمُثْلَةِ لَهُ لاَ لِغَيْرِهِ يُحَجُّ بِهَا عَنْهُ أَوْ يُفْعَلُ بِهَا أَبْوَابُ اَلْبِرِّ مِنْ صَدَقَةٍ وَ غَيْرِ ذَلِكَ » قُلْتُ فَإِنَّهُ دَخَلَ عَلَيْهِ رَجُلٌ لِيَحْفِرَ لَهُ بِئْراً يُغَسِّلُهُ فِيهَا فَسَدِرَ اَلرَّجُلُ فِيمَا يَحْفِرُ بَيْنَ يَدَيْهِ فَمَالَتْ مِسْحَاتُهُ فِي يَدِهِ فَأَصَابَتْ بَطْنَهُ فَشَقَّتْهُ فَمَا عَلَيْهِ فَقَالَ «إِنْ كَانَ هَكَذَا فَهُوَ خَطَأٌ وَ إِنَّمَا عَلَيْهِ اَلْكَفَّارَةُ عِتْقُ رَقَبَةٍ أَوْ صِيَامُ شَهْرَيْنِ مُتَتَابِعَيْنِ أَوْ صَدَقَةٌ عَلَى سِتِّينَ مِسْكِيناً مُدٌّ لِكُلِّ مِسْكِينٍ بِمُدِّ اَلنَّبِيِّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ ».

H.5355 - Al-Husayn ibn Khalid narrated from Abu Al-Hasan Imam Musa ibn Jafar Al-Kadhim {a.s}, who said:
"The diyyah (blood money) for a fetus, if its mother is struck and it is miscarried before the soul is breathed into it, is one hundred dinars, and this belongs to its heirs.
As for the diyyah of a deceased person whose head is severed and whose abdomen is cut open, it does not go to his heirs; rather, it belongs to him alone."
I asked: "What is the difference between the two cases?"
Imam {a.s} said: "The fetus represents a future life, and its benefit is anticipated. But the deceased has already passed away, and his benefit has ceased. Therefore, when he is mutilated after death, the diyyah for the mutilation is his alone, not for others. It is to be used to perform Hajj on his behalf or for acts of charity and other good deeds."
I then asked: "What if a man enters to dig a grave to wash the deceased, but while digging, he loses focus, and his shovel slips from his hand and strikes the abdomen of the deceased, cutting it open? What is required of him?"
Imam {a.s} said: "If it happened in this manner, it is considered unintentional (khata'), and he is required to perform kaffarah (expiation): to free a slave, or fast for two consecutive months, or feed sixty poor people, giving each one a mudd (a measure) according to the mudd of the Prophet, peace and blessings be upon him and his family."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.157

HADITH

5356 - وَ فِي نَوَادِرِ مُحَمَّدِ بْنِ أَبِي عُمَيْرٍ أَنَّ اَلصَّادِقَ عَلَيْهِ اَلسَّلاَمُ قَالَ: «قَطْعُ رَأْسِ اَلْمَيِّتِ أَشَدُّ مِنْ قَطْعِ رَأْسِ اَلْحَيِّ».

H.5356 - In Nawadir of Muhammad ibn Abi Umayr, it is narrated that Imam Jafar ibn Muhammad Al-Sadiq {a.s} said: "Beheading the dead is more severe than beheading the living."

[REFERENCES] Al-Kafi, Vol.7 p.348 • Man La Yahduruhu Al-Faqih, Vol.4 p.157 • Tahdhib Al-Ahkam, Vol.10 p.272 • Al-Istibsar, Vol.4 p.296 • Al-Wafi, Vol.16 p.763 • Wasa'il Al-Shi'ah, Vol.29 p.328

HADITH

5357 - وَ فِي رِوَايَةِ عَبْدِ اَللَّهِ بْنِ مُسْكَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ قَطَعَ رَأْسَ اَلْمَيِّتِ قَالَ «عَلَيْهِ اَلدِّيَةُ لِأَنَّ حُرْمَتَهُ مَيِّتاً كَحُرْمَتِهِ وَ هُوَ حَيٌّ».

قَالَ مُصَنِّفُ هَذَا اَلْكِتَابِ رَحِمَهُ اَللَّهُ هَذَانِ اَلْحَدِيثَانِ غَيْرُ مُخْتَلِفَيْنِ لِأَنَّ كُلَّ وَاحِدٍ مِنْهُمَا فِي حَالٍ مَتَى قَطَعَ رَجُلٌ رَأْسَ مَيِّتٍ وَ كَانَ مِمَّنْ أَرَادَ قَتْلَهُ فِي حَيَاتِهِ فَعَلَيْهِ اَلدِّيَةُ وَ مَتَى لَمْ يُرِدْ قَتْلَهُ فِي حَيَاتِهِ فَعَلَيْهِ مِائَةُ دِينَارٍ دِيَةُ اَلْجَنِينِ.

H.5357 - In the narration of Abdullah ibn Muskan from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, regarding a man who beheaded a dead person
Imam {a.s} said: "The blood money is upon him because the sanctity of the deceased is like his sanctity when he was alive."

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, said: These two narrations are not contradictory because each pertains to a specific situation. If a man beheads a deceased person and was among those who intended to kill him during his lifetime, then the full blood money is upon him. However, if he did not intend to kill him during his lifetime, then he is liable to pay one hundred dinars, equivalent to the blood money of a fetus.

[REFERENCES] Al-Kafi, Vol.7 p.348 • Man La Yahduruhu Al-Faqih, Vol.4 p.157 • Tahdhib Al-Ahkam, Vol.10 p.273 • Tahdhib Al-Ahkam, Vol.10 p.273 • Al-Istibsar, Vol.4 p.297 • Al-Istibsar, Vol.4 p.297 • Awali Al-La'ali, Vol.2 p.367 • Awali Al-La'ali, Vol.3 p.653 • Al-Wafi, Vol.16 p.762 • Al-Wafi, Vol.16 p.764

HADITH

5358 - وَ رُوِيَ عَنْ أَبِي جَمِيلَةَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ مَيِّتٌ قُطِعَ رَأْسُهُ قَالَ «عَلَيْهِ اَلدِّيَةُ» قُلْتُ فَمَنْ يَأْخُذُ دِيَتَهُ قَالَ «اَلْإِمَامُ هَذَا لِلَّهِ عَزَّ وَ جَلَّ وَ إِنْ قُطِعَتْ يَمِينُهُ أَوْ شَيْءٌ مِنْ جَوَارِحِهِ فَعَلَيْهِ اَلْأَرْشُ لِلْإِمَامِ».

H.5358 - It is narrated from Abu Jamilah, from Ishaq ibn Ammar, who said:
I asked Abu Abdullah {a.s} about a deceased person whose head was cut off.
Imam {a.s} said: “The blood money is upon the one who did it."
I asked: “Who receives his blood money?"
Imam {a.s} said: “The Imam, for this belongs to Allah {SWT}, the Mighty and Majestic. And if his right hand or any of his limbs is cut off, the compensation (Al-arsh) is also due to the Imam."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.158 • Tahdhib Al-Ahkam, Vol.10 p.272 • Al-Istibsar, Vol.4 p.297 • Al-Wafi, Vol.16 p.764 • Wasa’il Al-Shi’ah, Vol.29 p.326

CHAPTER 53 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING A SLAP THAT CAUSES BLACKENING, GREENING, OR REDDENING

بَابُ مَا جَاءَ فِي اللَّطْمَةِ تَسْوَدُّ أَوْ تَخْضَرُّ أَوْ تَحْمَرُّ

HADITH 5359

5359 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ لَطَمَ رَجُلاً عَلَى وَجْهِهِ فَاسْوَدَّتِ اَللَّطْمَةُ فَقَالَ «إِذَا اِسْوَدَّتِ اَللَّطْمَةُ فَفِيهَا سِتَّةُ دَنَانِيرَ وَ إِذَا اِخْضَرَّتْ فَفِيهَا ثَلاَثَةُ دَنَانِيرَ وَ إِذَا اِحْمَرَّتْ فَفِيهَا دِينَارٌ وَ نِصْفٌ وَ فِي اَلْبَدَنِ نِصْفُ ذَلِكَ».

H.5359 - Al-Hasan ibn Mahbub narrated from Ishaq ibn Ammar, who narrated from Abu Abdullah {a.s}, who said: I asked Imam {a.s} about a man who slapped another man on his face, and the slap caused the skin to turn black.
Imam {a.s} said: “If the slap causes the skin to turn black, the compensation is six dinars. If it turns green, the compensation is three dinars. If it turns red, the compensation is one and a half dinars. For the same injuries on the body, the compensation is half of that amount."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.158 • Al-Wafi, Vol.16 p.706

CHAPTER 54 – CHAPTER ON WHAT IS OBLIGATORY UPON ONE WHO APPROACHES A SLEEPING MAN, AND WHEN HE TURNS ON HIS BACK, HE AWAKENS AND KILLS HIM

بَابُ مَا يَجِبُ عَلَى مَنْ أَتَى رَجُلًا وَ هُوَ رَاقِدٌ فَلَمَّا صَارَ عَلَى ظَهْرِهِ انْتَبَهَ فَقَتَلَهُ

HADITH 5360

5360 - رَوَى اَلْحُسَيْنُ بْنُ خَالِدٍ عَنْ أَبِي اَلْحَسَنِ اَلْأَوَّلِ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ سُئِلَ عَنْ رَجُلٍ أَتَى رَجُلاً وَ هُوَ رَاقِدٌ فَلَمَّا صَارَ عَلَى ظَهْرِهِ اِنْتَبَهَ فَبَعَجَهُ بَعْجَةً فَقَتَلَهُ قَالَ «لاَ دِيَةَ لَهُ وَ لاَ قَوَدَ».

H.5360 - Al-Husayn ibn Khalid narrated from Abu Al-Hasan Al-Awwal {a.s} that he was asked about a man who approached another man while he was lying down. When he got on top of him, the man woke up and struck him with a severe blow, killing him. Imam {a.s} said: “There is neither blood money (compensation) for him nor retaliation (legal retribution)."

[REFERENCES] Al-Kafi, Vol.7 p.293 • Man La Yahduruhu Al-Faqih, Vol.4 p.158 • Al-Wafi, Vol.16 p.815

CHAPTER 55 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING THREE PEOPLE WHO TOGETHER DEMOLISH A WALL, AND IT FALLS ON ONE OF THEM, CAUSING HIS DEATH

بَابُ مَا جَاءَ فِي ثَلَاثَةٍ اشْتَرَكُوا فِي هَدْمِ حَائِطٍ فَوَقَعَ عَلَى وَاحِدٍ مِنْهُمْ فَمَاتَ

HADITH 5361

5361 - رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي هَدْمِ حَائِطٍ اِشْتَرَكَ فِيهِ ثَلاَثَةٌ فَوَقَعَ عَلَى وَاحِدٍ مِنْهُمْ فَمَاتَ فَضَمَّنَ اَلْبَاقِينَ دِيَتَهُ، لِأَنَّ كُلَّ وَاحِدٍ مِنْهُمْ ضَامِنُ صَاحِبِهِ».

H.5361 - Muhammad ibn Abi Umayr narrated from Ali ibn Abi Hamzah, who narrated from Abu Basir, who narrated from Abu Abdullah {a.s}, who said:
"The Commander of the Faithful {a.s} ruled regarding the demolition of a wall in which three people participated. When it collapsed on one of them and caused his death, he held the remaining two responsible for his blood money because each one of them is accountable for his companion."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.159

CHAPTER 56 – CHAPTER ON A MAN WHO IS KILLED WHILE HE HAS AN OUTSTANDING DEBT

بَابُ الرَّجُلِ يُقْتَلُ وَ عَلَيْهِ دَيْنٌ

HADITH 5362

5362 - رَوَى مُحَمَّدُ بْنُ أَسْلَمَ اَلْجَبَلِيُّ عَنْ يُونُسَ بْنِ عَبْدِ اَلرَّحْمَنِ عَنْ عَبْدِ اَللَّهِ بْنِ مُسْكَانَ عَنْ أَبِي بَصِيرٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ يُقْتَلُ وَ عَلَيْهِ دَيْنٌ وَ لَيْسَ لَهُ مَالٌ فَهَلْ لِأَوْلِيَائِهِ أَنْ يَهَبُوا دَمَهُ لِقَاتِلِهِ وَ عَلَيْهِ دَيْنٌ فَقَالَ «إِنَّ أَصْحَابَ اَلدَّيْنِ هُمُ اَلْخُصَمَاءُ لِلْقَاتِلِ فَإِنْ وَهَبَ أَوْلِيَاؤُهُ دَمَهُ لِلْقَاتِلِ ضَمِنُوا اَلدَّيْنَ لِلْغُرَمَاءِ وَ إِلاَّ فَلاَ».

H.5362 - Muhammad ibn Aslam Al-Jabali narrated from Yunus ibn Abd Al-Rahman, who narrated from Abdullah ibn Muskan, who narrated from Abu Basir, who said:
I asked Abu Abdullah {a.s} about a man who is killed while he has debt and possesses no wealth. Do his heirs have the right to pardon his killer while he has debt?
Imam {a.s} said: “The creditors are the ones who have a claim against the killer. If his heirs pardon his killer, they become responsible for paying the debt to the creditors. If they do not pardon him, then they are not responsible."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.159 • Tahdhib Al-Ahkam, Vol.10 p.314 • Mustadrak Al-Wasa’il, Vol.18 p.253

CHAPTER 57 – CHAPTER ON THE LIABILITY OF A WET NURSE IF SHE ROLLS OVER A CHILD, CAUSING DEATH, OR HANDS THE CHILD OVER TO ANOTHER WET NURSE WHO THEN DISAPPEARS WITH THE CHILD

بَابُ ضَمَانِ الظِّئْرِ إِذَا انْقَلَبَتْ عَلَى الصَّبِيِّ فَمَاتَ أَوْ تَدْفَعُ الْوَلَدَ إِلَى ظِئْرٍ أُخْرَى فَتَغِيبُ بِهِ

HADITH 5363 – 5365

5363 - رَوَى مُحَمَّدُ بْنُ أَحْمَدَ بْنِ يَحْيَى بْنِ عِمْرَانَ اَلْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ نَاجِيَةَ عَنْ مُحَمَّدِ بْنِ عَلِيٍّ عَنْ عَبْدِ اَلرَّحْمَنِ بْنِ سَالِمٍ عَنْ أَبِيهِ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «أَيُّمَا ظِئْرِ قَوْمٍ قَتَلَتْ صَبِيّاً لَهُمْ وَ هِيَ نَائِمَةٌ فَانْقَلَبَتْ عَلَيْهِ فَقَتَلَتْهُ فَإِنَّمَا عَلَيْهَا اَلدِّيَةُ مِنْ مَالِهَا خَاصَّةً إِنْ كَانَتْ إِنَّمَا ظَاءَرَتْ طَلَبَ اَلْعِزِّ وَ اَلْفَخْرِ وَ إِنْ كَانَتْ إِنَّمَا ظَاءَرَتْ مِنَ اَلْفَقْرِ فَإِنَّ اَلدِّيَةَ عَلَى عَاقِلَتِهَا».

H.5363 - Muhammad ibn Ahmad ibn Yahya ibn Imran Al-Ash'ari narrated from Muhammad ibn Najiyah, who narrated from Muhammad ibn Ali, who narrated from Abd Al-Rahman ibn Salim, who narrated from his father, who narrated from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"Any wet nurse of a people who accidentally kills their child while sleeping - by rolling over and causing the child's death - the blood money is to be paid from her personal wealth if she took on nursing for the sake of pride and honor.
However, if she undertook nursing due to poverty, then the blood money is upon her family ('Aqilah)."

[REFERENCES] Al-Kafi, Vol.7 p.370 • Man La Yahduruhu Al-Faqih, Vol.4 p.160 • Tahdhib Al-Ahkam, Vol.10 p.222 • Awali Al-La'ali, Vol.3 p.615 • Al-Wafi, Vol.16 p.859 • Wasa'il Al-Shi'ah, Vol.29 p.265 • Bihar Al-Anwar, Vol.101 p.393

HADITH

5364 - وَ رَوَى هِشَامُ بْنُ سَالِمٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ اسْتَأْجَرَ ظِئْراً فَأَعْطَاهُ وَلَدَهُ فَكَانَ عِنْدَهَا فَانْطَلَقَتِ الظِّئْرُ فَاسْتَأْجَرَتْ ظِئْراً أُخْرَى فَغَابَتِ الظِّئْرُ بِالْوَلَدِ فَلَا يُدْرَى مَا صُنِعَ بِهِ وَ الظِّئْرُ لَا تُكَافَى قَالَ الدِّيَةُ كَامِلَةٌ.

وَ رَوَاهُ عَلِيُّ بْنُ النُّعْمَانِ عَنِ ابْنِ مُسْكَانَ عَنْ أَبِي عَبْدِ اللَّهِ ع مِثْلَهُ- وَ رَوَاهُ حَمَّادٌ عَنِ الْحَلَبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ع مِثْلَهُ.

H.5364 - Hisham ibn Salim narrated from Sulayman ibn Khalid, who narrated from Abu Abdullah {a.s}, who said: I asked Imam {a.s} about a man who hired a wet nurse and gave her his child. While the child was with her, the wet nurse went and hired another wet nurse.
The second wet nurse disappeared with the child, and it was unknown what happened to the child, and the original wet nurse could not be held accountable.
Imam {a.s} said: "The full blood money (diyyah) is due."

[AL SADUQ]
This narration was also reported by Ali ibn Al-Numan from Ibn Muskan, from Abu Abdullah {a.s}, with the same wording. It was likewise narrated by Hammad from Al-Halabi, from Abu Abdullah {a.s}, with the same content.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.161

HADITH

5365 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ قَالَ: سُئِلَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ اِسْتَأْجَرَ ظِئْراً فَدَفَعَ إِلَيْهَا وَلَدَهُ فَغَابَتْ عَنْهُ بِهِ سِنِينَ ثُمَّ جَاءَتْ بِالْوَلَدِ فَزَعَمَتْ أُمُّهُ أَنَّهَا لاَ تَعْرِفُهُ قَالَ «لَيْسَ لَهُمْ ذَلِكَ فَلْيَقْبَلُوهُ فَإِنَّمَا اَلظِّئْرُ مَأْمُونَةٌ».

H.5365 - Hammad narrated from Al-Halabi, who said:
Abu Abdullah {a.s} was asked about a man who hired a wet nurse and entrusted his child to her. She disappeared with the child for several years and then returned with the child. The mother claimed that she did not recognize the child.
Imam {a.s} said: “They do not have the right to reject him; they must accept him, for the wet nurse is trusted."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.161

CHAPTER 58 – CHAPTER ON WHAT LIABILITY IS OBLIGATORY UPON THE OWNER OF A DOG IF IT BITES

بَابُ مَا يَجِبُ مِنَ الضَّمَانِ عَلَى صَاحِبِ الْكَلْبِ إِذَا عَقَرَ

HADITH 5366

5366 - رَوَى اَلْحُسَيْنُ بْنُ عُلْوَانَ عَنْ عَمْرِو بْنِ خَالِدٍ عَنْ زَيْدِ بْنِ عَلِيٍّ عَنْ آبَائِهِ عَلَيْهِمُ اَلسَّلاَمُ عَنْ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ : «أَنَّهُ كَانَ يُضَمِّنُ صَاحِبَ اَلْكَلْبِ إِذَا عَقَرَ نَهَاراً وَ لاَ يُضَمِّنُهُ إِذَا عَقَرَ بِاللَّيْلِ».
وَ إِذَا دَخَلْتَ دَارَ قَوْمٍ بِإِذْنِهِمْ فَعَقَرَكَ كَلْبُهُمْ فَهُمْ ضَامِنُونَ وَ إِذَا دَخَلْتَ بِغَيْرِ إِذْنِهِمْ فَلَا ضَمَانَ عَلَيْهِمْ.

H.5366 - Al-Husayn ibn Alwan narrated from Amr ibn Khalid, from Zayd ibn Ali, from his forefathers (peace be upon them), from Imam Ali ibn Abi Talib {a.s}:
"Imam {a.s} used to hold the owner of a dog liable if it bit during the day, but he would not hold him liable if it bit during the night.
And if you enter the house of people with their permission and their dog bites you, they are liable. However, if you enter without their permission, there is no liability upon them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.161

CHAPTER 59 – CHAPTER ON UMM AL-WALAD KILLING HER MASTER BY MISTAKE OR INTENTIONALLY

بَابُ أُمِّ الْوَلَدِ تَقْتُلُ سَيِّدَهَا خَطَأً أَوْ عَمْداً

HADITH 5367

5367 - رَوَى وَهْبُ بْنُ وَهْبٍ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ كَانَ يَقُولُ: «إِذَا قَتَلَتْ أُمُّ اَلْوَلَدِ سَيِّدَهَا خَطَأً فَهِيَ حُرَّةٌ وَ لاَ تَبِعَةَ عَلَيْهَا وَ إِنْ قَتَلَتْهُ عَمْداً قُتِلَتْ بِهِ».

H.5367 - Wahb ibn Wahb narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s} that Imam {a.s} used to say:
"If a slave woman who has borne a child (umm Al-walad) kills her master by mistake, she becomes free and there is no liability upon her. However, if she intentionally kills him, she is to be executed for him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.162 • Tahdhib Al-Ahkam, Vol.10 p.200 • Al-Istibsar, Vol.4 p.276 • Al-Wafi, Vol.16 p.656 • Wasa'il Al-Shi'ah, Vol.29 p.216 • Wasa'il Al-Shi'ah, Vol.29 p.404

CHAPTER 60 – CHAPTER ON WHAT IS OBLIGATORY UPON ONE WHO SETS FIRE TO THE HOUSE OF A PEOPLE, CAUSING THE HOUSE AND ITS INHABITANTS TO BURN

بَابُ مَا يَجِبُ عَلَى مَنْ أَشْعَلَ نَاراً فِي دَارِ قَوْمٍ فَاحْتَرَقَتِ الدَّارُ وَ أَهْلُهَا

HADITH 5368

5368 - فِي رِوَايَةِ اَلسَّكُونِيِّ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ قَضَى فِي رَجُلٍ أَقْبَلَ بِنَارٍ فَأَشْعَلَهَا فِي دَارِ قَوْمٍ فَاحْتَرَقَتِ اَلدَّارُ وَ اِحْتَرَقَ أَهْلُهَا وَ اِحْتَرَقَ مَتَاعُهُمْ قَالَ «يُغَرِّمُ قِيمَةَ اَلدَّارِ وَ مَا فِيهَا ثُمَّ يُقْتَلُ» ».

H.5368 - In the narration of Al-Sakuni: "Indeed, Imam Ali ibn Abi Talib {a.s} ruled regarding a man who came with fire and set it ablaze in the house of some people, causing the house, its inhabitants, and their belongings to burn.
Imam {a.s} said: 'He must compensate for the value of the house and everything in it, and then he is to be executed.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.162 • Tahdhib Al-Ahkam, Vol.10 p.231 • Wasa'il Al-Shi'ah, Vol.28 p.315 • Wasa'il Al-Shi'ah, Vol.29 p.279

CHAPTER 61 – CHAPTER ON WHAT IS OBLIGATORY UPON THE OWNER OF A FRENZIED CAMEL IF IT KILLS A MAN

بَابُ مَا يَجِبُ عَلَى صَاحِبِ الْبُخْتِيِّ الْمُغْتَلِمِ إِذَا قَتَلَ رَجُلًا

HADITH 5369

5369 - رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : سُئِلَ عَنْ بُخْتِيٍّ اِغْتَلَمَ فَخَرَجَ مِنَ اَلدَّارِ فَقَتَلَ رَجُلاً فَجَاءَ أَخُو اَلرَّجُلِ فَضَرَبَ اَلْفَحْلَ بِالسَّيْفِ فَعَقَرَهُ فَقَالَ «صَاحِبُ اَلْبُخْتِيِّ ضَامِنٌ لِلدِّيَةِ وَ يَقْبِضُ ثَمَنَ بُخْتِيِّهِ».

H.5369 - Hammad narrated from Al-Halabi, who narrated from Abu Abdullah {a.s}, that he was asked about a male camel (bukhti) that became enraged, left the house, and killed a man. Then the brother of the man came and struck the camel with a sword, injuring it.
Imam {a.s} said: “The owner of the camel is liable for the blood money, and he is entitled to receive the price of his camel."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.162 • Al-Wafi, Vol.16 p.846

CHAPTER 62 – CHAPTER ON WHAT IS OBLIGATORY REGARDING THE EXECUTION OF RETALIATION (QISAS)

بَابُ مَا يَجِبُ مِنْ إِحْيَاءِ الْقِصَاصِ

HADITH 5370

5370 - رَوَى عَلِيُّ بْنُ اَلْحَكَمِ عَنْ أَبَانٍ اَلْأَحْمَرِيِّ عَنْ أَبِي بَصِيرٍ يَحْيَى بْنِ أَبِي اَلْقَاسِمِ اَلْأَسَدِيِّ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «لَمَّا حَضَرَتِ اَلنَّبِيَّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ اَلْوَفَاةُ نَزَلَ جَبْرَئِيلُ عَلَيْهِ اَلسَّلاَمُ فَقَالَ يَا رَسُولَ اَللَّهِ هَلْ لَكَ فِي اَلرُّجُوعِ إِلَى اَلدُّنْيَا فَقَالَ «لاَ قَدْ بَلَّغْتُ رِسَالاَتِ رَبِّي» فَأَعَادَهَا عَلَيْهِ فَقَالَ «لاَ بَلِ اَلرَّفِيقَ اَلْأَعْلَى» ثُمَّ قَالَ اَلنَّبِيُّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَ اَلْمُسْلِمُونَ حَوْلَهُ مُجْتَمِعُونَ «أَيُّهَا اَلنَّاسُ إِنَّهُ لاَ نَبِيَّ بَعْدِي وَ لاَ سُنَّةَ بَعْدَ سُنَّتِي، فَمَنِ اِدَّعَى بَعْدَ ذَلِكَ فَدَعْوَاهُ وَ بِدْعَتُهُ فِي اَلنَّارِ فَاقْتُلُوهُ وَ مَنِ اِتَّبَعَهُ فَإِنَّهُ فِي اَلنَّارِ أَيُّهَا اَلنَّاسُ أَحْيُوا اَلْقِصَاصَ وَ أَحْيُوا اَلْحَقَّ لِصَاحِبِ اَلْحَقِّ وَ لاَ تَفَرَّقُوا أَسْلِمُوا وَ سَلِّمُوا تَسْلَمُوا ۝ كَتَبَ اَللَّهُ لَأَغْلِبَنَّ أَنَا وَ رُسُلِي إِنَّ اَللَّهَ قَوِيٌّ عَزِيزٌ ۝ »

H.5370 - Ali ibn Al-Hakam narrated from Aban Al-Ahmari, who narrated from Abu Basir Yahya ibn Abi Al-Qasim Al-Asadi, who narrated from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"When the Prophet (peace be upon him and his family) was nearing his death, Jibril {a.s} descended and said:
'O' Messenger of Allah {SWT}, would you like to return to the world?'
Prophet {saws} replied: 'No, I have conveyed the messages of my Lord {AZJ}.'
Jibril {a.s} repeated the offer.
Prophet {saws} responded: 'No, rather [I choose] the Highest Companion.'
Then the Prophet (peace and blessings be upon him and his family), while the Muslims were gathered around him, said: 'O' people, there is no prophet after me and no tradition after my tradition. Whoever claims otherwise after this, his claim and innovation are in the Fire, so kill him and whoever follows him, for they are in the Fire.
O' people, revive retribution (qisas) and uphold the right for its rightful owner. Do not become divided. Submit to Allah {SWT} and be at peace so that you may be safe.'
Allah {SWT} has decreed:
"*Surely I will prevail, I and My messengers." Indeed, Allah {SWT} is All-Powerful, Almighty.*"
(Surah Al-Mujadilah 58:21)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.163 • Mishkat Al-Anwar, Vol.1 p.145 • Al-Wafi, Vol.26 p.166

CHAPTER 63 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING A THIEF WHO OVERPOWERS A WOMAN FOR HER PRIVATE PART AND KILLS HER CHILD

بَابُ مَا جَاءَ فِي السَّارِقِ يُكَابِرُ امْرَأَةً عَلَى فَرْجِهَا وَ يَقْتُلُ وَلَدَهَا

HADITH 5371 – 5374

5371 - رَوَى يُونُسُ بْنُ عَبْدِ اَلرَّحْمَنِ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ ع قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ سَارِقٍ دَخَلَ عَلَى اِمْرَأَةٍ لِيَسْرِقَ مَتَاعَهَا فَلَمَّا جَمَعَ اَلثِّيَابَ تَبِعَتْهَا نَفْسُهُ فَوَاقَعَهَا فَتَحَرَّكَ اِبْنُهَا فَقَامَ إِلَيْهِ فَقَتَلَهُ بِفَأْسٍ كَانَ مَعَهُ فَلَمَّا فَرَغَ حَمَلَ اَلثِّيَابَ وَ ذَهَبَ لِيَخْرُجَ حَمَلَتْ عَلَيْهِ بِالْفَأْسِ فَقَتَلَتْهُ فَجَاءَ أَهْلُهُ يَطْلُبُونَ بِدَمِهِ مِنَ اَلْغَدِ فَقَالَ أَبُو عَبْدِ اَللَّهِ «يَضْمَنُ مَوَالِيهِ اَلَّذِينَ طَلَبُوا بِدَمِهِ دِيَةَ اَلْغُلاَمِ وَ يَضْمَنُ اَلسَّارِقُ فِيمَا تَرَكَ أَرْبَعَةَ آلاَفِ دِرْهَمٍ بِمَا كَابَرَهَا عَلَى فَرْجِهَا لِأَنَّهُ زَانٍ وَ هُوَ فِي مَالِهِ يَغْرَمُهُ وَ لَيْسَ عَلَيْهَا فِي قَتْلِهَا إِيَّاهُ شَيْءٌ لِأَنَّهُ سَارِقٌ ».

H.5371 - Yunus ibn Abd Al-Rahman narrated from Abdullah ibn Sinan, who narrated from Abu Abdullah {a.s}, who said:
I asked Imam {a.s} about a thief who entered upon a woman to steal her belongings. After gathering the clothes, his desires overcame him, and he violated her. When her son stirred, the thief struck him with an axe he had with him and killed him. After finishing, the thief carried the clothes and was about to leave when the woman attacked him with the axe and killed him. The thief's family came the next day demanding retaliation for his blood.
Abu Abdullah {a.s} said: "His guardians who sought retaliation for his blood must pay the blood money for the boy. The thief is liable for what he left behind - four thousand dirhams - for having forced himself upon her because he committed adultery. This amount must be taken from his wealth. As for the woman, she bears no responsibility for killing him because he was a thief."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.164 • Wasa'il Al-Shi'ah, Vol.29 p.60

HADITH

5372 - وَ رَوَى مُحَمَّدُ بْنُ اَلْفُضَيْلِ عَنِ اَلرِّضَا عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنْ لِصٍّ دَخَلَ عَلَى اِمْرَأَةٍ وَ هِيَ حُبْلَى فَقَتَلَ مَا فِي بَطْنِهَا فَعَمَدَتِ اَلْمَرْأَةُ إِلَى سِكِّينٍ فَوَجَأَتْهُ بِهِ فَقَتَلَتْهُ قَالَ «هَدَرَ دَمُ اَللِّصِّ».

H.5372 - Muhammad ibn Al-Fudayl narrated from Imam Ali ibn Musa Ar-Ridha {a.s}, who said: I asked Imam {a.s} about a thief who entered upon a pregnant woman and killed the child in her womb. The woman then took a knife and stabbed him, killing him.
Imam {a.s} said: “The blood of the thief is void (without consequence)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.164 • Al-Wafi, Vol.16 p.815 • Wasa’il Al-Shi’ah, Vol.29 p.61

HADITH

5373 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ ع يَقُولُ فِي رَجُلٍ رَاوَدَ امْرَأَةً عَلَى نَفْسِهَا حَرَاماً فَرَمَتْهُ بِحَجَرٍ فَأَصَابَتْ مِنْهُ مَقْتَلًا قَالَ لَيْسَ عَلَيْهَا شَيْءٌ فِيمَا بَيْنَهَا وَ بَيْنَ اَللَّهِ عَزَّ وَ جَلَّ فَإِنْ قُدِّمَتْ إِلَى إِمَامٍ عَدْلٍ أَهْدَرَ دَمَهُ.

H.5373 - Al-Hasan ibn Mahbub narrated from Abdullah ibn Sinan, who said:
I heard Abu Abdullah {a.s} say regarding a man who tried to seduce a woman for unlawful relations, and she threw a stone at him, striking him in a fatal spot and killing him.
Imam {a.s} said: “There is nothing upon her in the matter between her and Allah {SWT}, the Mighty and Majestic. And if she is brought before a just Imam, he will declare his blood to be void."

[REFERENCES] Al-Kafi, Vol.7 p.189 • Man La Yahduruhu Al-Faqih, Vol.4 p.165 • Al-Wafi, Vol.15 p.290 • Wasa’il Al-Shi’ah, Vol.28 p.108

HADITH

5374 - وَ رَوَى جَمِيلُ بْنُ دَرَّاجٍ عَنْ زُرَارَةَ قَالَ: قُلْتُ لِأَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ اَلرَّجُلُ يَغْصِبُ اَلْمَرْأَةَ نَفْسَهَا قَالَ «يُقْتَلُ».

H.5374 - Jamil ibn Darraj narrated from Zurara, who said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a man who forces himself upon a woman.
Imam {a.s} said: “He is to be killed."

[REFERENCES] Al-Kafi, Vol.7 p.189 • Man La Yahduruhu Al-Faqih, Vol.4 p.165 • Al-Wafi, Vol.15 p.290 • Wasa’il Al-Shi’ah, Vol.28 p.108

CHAPTER 64 – CHAPTER ON A WOMAN WHO BRINGS A MAN INTO HER HUSBAND'S HOUSE, AND HER HUSBAND KILLS HIM, AND THE WOMAN THEN KILLS HER HUSBAND, AND WHAT IS OBLIGATORY IN THAT CASE

بَابُ الْمَرْأَةِ تُدْخِلُ بَيْتَ زَوْجِهَا رَجُلًا فَيَقْتُلُهُ زَوْجُهَا وَ تَقْتُلُ الْمَرْأَةُ زَوْجَهَا وَ مَا يَجِبُ فِي ذَلِكَ

HADITH 5375

5375 - رَوَى يُونُسُ بْنُ عَبْدِ اَلرَّحْمَنِ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: قُلْتُ لَهُ رَجُلٌ تَزَوَّجَ اِمْرَأَةً فَلَمَّا كَانَ لَيْلَةُ اَلْبِنَاءِ عَمَدَتِ اَلْمَرْأَةُ إِلَى رَجُلٍ صَدِيقٍ لَهَا فَأَدْخَلَتْهُ اَلْحَجَلَةَ فَلَمَّا ذَهَبَ اَلرَّجُلُ يُبَاضِعُ أَهْلَهُ ثَارَ اَلصَّدِيقُ فَاقْتَتَلاَ فِي اَلْبَيْتِ فَقَتَلَ اَلزَّوْجُ اَلصَّدِيقَ وَ قَامَتِ اَلْمَرْأَةُ فَضَرَبَتِ اَلرَّجُلَ ضَرْبَةً فَقَتَلَتْهُ بِالصَّدِيقِ قَالَ «تَضْمَنُ اَلْمَرْأَةُ دِيَةَ اَلصَّدِيقِ وَ تُقْتَلُ بِالزَّوْجِ».

H.5375 - Yunus ibn Abd Al-Rahman narrated from Abdullah ibn Sinan, who narrated from Abu Abdullah {a.s}, who said:
I asked Imam {a.s} about a man who married a woman, and on the night of consummation, the woman brought in a male friend of hers and let him enter the bridal chamber. When the husband approached to be intimate with his wife, the friend suddenly attacked him, and they fought in the house until the husband killed the friend. Then the woman struck the husband and killed him because of her friend.
Imam {a.s} said: "The woman must pay the blood money for her (male) friend, and she is to be executed for killing her husband."

[REFERENCES] Al-Kafi, Vol.7 p.293 • Man La Yahduruhu Al-Faqih, Vol.4 p.165 • Tahdhib Al-Ahkam, Vol.10 p.209 • Al-Manaqib, Vol.4 p.255 • Awali Al-La'ali, Vol.3 p.622 • Al-Wafi, Vol.16 p.832 • Wasa'il Al-Shi'ah, Vol.29 p.62 • Wasa'il Al-Shi'ah, Vol.29 p.258 • Mustadrak Al-Wasa'il, Vol.18 p.323

CHAPTER 65 – CHAPTER ON ONE WHO DIES IN THE CROWDS OF EID, ARAFAH, OR NEAR A WELL OR BRIDGE, AND IT IS UNKNOWN WHO KILLED HIM

بَابُ مَنْ مَاتَ فِي زِحَامِ الْأَعْيَادِ أَوْ عَرَفَةَ أَوْ عَلَى بِئْرٍ أَوْ جِسْرٍ لَا يُعْلَمُ مَنْ قَتَلَهُ

HADITH 5376

5376 - رَوَى اَلسَّكُونِيُّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ قَالَ قَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ : «مَنْ مَاتَ فِي زِحَامِ جُمُعَةٍ أَوْ عِيدٍ أَوْ عَرَفَةَ أَوْ عَلَى بِئْرٍ أَوْ جِسْرٍ لاَ يُعْلَمُ مَنْ قَتَلَهُ فَدِيَتُهُ عَلَى بَيْتِ اَلْمَالِ».

H.5376 - Al-Sakuni narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, who said that Imam Ali ibn Abi Talib {a.s} said:
"Whoever dies in the crowd of Friday prayer, Eid, Arafah, at a well, or on a bridge, and it is unknown who caused his death, his blood money is to be paid from the Public Treasury (Bayt Al-Mal)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.165 • Al-Wafi, Vol.16 p.833

CHAPTER 66 – CHAPTER ON A MAN WHO IS KILLED AND FOUND IN DISMEMBERED PARTS

بَابُ الرَّجُلِ يُقْتَلُ فَيُوجَدُ مُتَفَرِّقاً

HADITH 5377 – 5378

5377 - رَوَى مُحَمَّدُ بْنُ سِنَانٍ عَنْ طَلْحَةَ بْنِ زَيْدٍ عَنِ اَلْفَضْلِ بْنِ عُثْمَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اَلرَّجُلِ يُقْتَلُ فَيُوجَدُ رَأْسُهُ فِي قَبِيلَةٍ وَ وَسَطُهُ وَ صَدْرُهُ وَ يَدَاهُ فِي قَبِيلَةٍ وَ اَلْبَاقِي فِي قَبِيلَةٍ قَالَ «دِيَتُهُ عَلَى مَنْ وُجِدَ فِي قَبِيلَتِهِ صَدْرُهُ وَ يَدَاهُ وَ اَلصَّلاَةُ عَلَيْهِ».

H.5377 - Muhammad ibn Sinan narrated from Talhah ibn Zayd, from Al-Fadl ibn Uthman, who narrated from Abu Abdullah {a.s} regarding a man who was killed, and his head was found in one tribe, his torso and arms in another tribe, and the rest of his body in yet another tribe.
Imam {a.s} said: "The blood money is upon the tribe where his torso and arms were found, and the funeral prayer is to be performed over him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.1 p.167 • Man La Yahduruhu Al-Faqih, Vol.4 p.166 • Al-Wafi, Vol.24 p.491 • Wasa'il Al-Shi'ah, Vol.3 p.135

HADITH

5378 - وَ سُئِلَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : عَنْ رَجُلٍ قُتِلَ وَ وُجِدَ أَعْضَاؤُهُ مُتَفَرِّقَةً كَيْفَ يُصَلَّى عَلَيْهِ قَالَ «يُصَلَّى عَلَى اَلَّذِي فِيهِ قَلْبُهُ».

H.5378 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked about a man who was killed and whose body parts were found scattered.
How should the funeral prayer be performed for him?
Imam {a.s} said: "The prayer should be performed over the part that contains his heart."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.166 • Al-Wafi, Vol.24 p.491 • Wasa'il Al-Shi'ah, Vol.3 p.135

CHAPTER 67 – CHAPTER ON HEAD WOUNDS AND THEIR NAMES

بَابُ الشِّجَاجِ وَ أَسْمَائِهَا

HADITH –

قَالَ الْأَصْمَعِيُّ أَوَّلُ الشِّجَاجِ الْحَارِصَةُ وَ هِيَ الَّتِي تَحْرِصُ الْجِلْدَ يَعْنِي تُشَقِّقُهُ وَ مِنْهُ قِيلَ حَرَصَ الْقَصَّارُ الثَّوْبَ أَيْ شَقَّهُ ثُمَّ الْبَاضِعَةُ وَ هِيَ الَّتِي تَشُقُّ اللَّحْمَ بَعْدَ الْجِلْدِ ثُمَّ الْمُتَلَاحِمَةُ وَ هِيَ الَّتِي أَخَذَتْ فِي اللَّحْمِ وَ لَمْ تَبْلُغِ السِّمْحَاقَ ثُمَّ السِّمْحَاقُ وَ هِيَ الَّتِي بَيْنَهَا وَ بَيْنَ الْعَظْمِ قِشْرَةٌ رَقِيقَةٌ وَ كُلُّ قِشْرَةٍ رَقِيقَةٍ فَهِيَ سِمْحَاقٌ وَ مِنْهُ قِيلَ فِي السَّمَاءِ سَمَاحِيقُ مِنْ غَيْمٍ وَ عَلَى الشَّاةِ سَمَاحِقُ مِنْ شَحْمٍ ثُمَّ الْمُوضِحَةُ وَ هِيَ الَّتِي تُبْدِي وَضَحَ الْعَظْمِ ثُمَّ الْهَاشِمَةُ وَ هِيَ الَّتِي تَهْشِمُ الْعَظْمَ ثُمَّ الْمُنَقِّلَةُ وَ هِيَ الَّتِي تَخْرُجُ مِنْهَا فَرَاشُ الْعِظَامِ وَ فَرَاشُ الْعِظَامِ قِشْرَةٌ تَكُونُ عَلَى الْعَظْمِ دُونَ اللَّحْمِ وَ مِنْهُ قَوْلُ النَّابِغَةِ وَ يَتْبَعُهُمْ مِنْهَا فَرَاشُ الْحَوَاجِبِ ثُمَّ الْمَأْمُومَةُ وَ هِيَ الَّتِي تَبْلُغُ أُمَّ الرَّأْسِ وَ هِيَ الْجِلْدَةُ الَّتِي تَكُونُ عَلَى الدِّمَاغِ وَ مِنَ الشِّجَاجِ وَ الْجِرَاحَاتِ الْجَائِفَةُ وَ هِيَ الَّتِي تَبْلُغُ فِي الْجَسَدِ الْجَوْفَ وَ فِي الرَّأْسِ الدِّمَاغَ.

[AL SADUQ]

Al-Asmaʿi states:

The first type of head injury (shijaj) is the harişah, which is the one that scratches or splits the skin. From this comes the saying, "The launderer tore (haraṣa) the cloth," meaning he ripped it.

Then comes the baḍiah, which is the injury that cuts through the flesh after the skin.

Next is the mutalahimah, which penetrates into the flesh but does not reach the thin membrane covering the bone (simhaq).

Then is the simhaq, which is the wound where only a thin layer remains between it and the bone. Every thin layer is called simhaq. This term is also used to describe thin clouds in the sky (samaʾ samahiq) and thin layers of fat on a sheep.

Following that is the muḍihah, which exposes and reveals the bone.

Then comes the hashimah, which crushes the bone.

After that is the munaqqilah, which shatters the bone into pieces, causing fragments (farash Al-ʿiẓam) - thin layers that remain on the bone beneath the flesh. The poet Al-Nabighah referenced this in his verse: "And following them are the thin fragments of their brows."

Then is the maʾmumah, which reaches the protective covering of the head (umm Al-raʾs), the membrane covering the brain.

Among other types of wounds are the jaʾifah, which penetrates into the internal body cavity or, in the case of the head, reaches the brain.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.167

CHAPTER 68 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING ONE WHO KILLS AND THEN FLEES

بَابُ مَا جَاءَ فِيمَنْ قَتَلَ ثُمَّ فَرَّ

HADITH 5379 – 5380

5379 - رَوَى اَلْحَسَنُ بْنُ عَلِيِّ بْنِ فَضَّالٍ عَنْ ظَرِيفِ بْنِ نَاصِحٍ عَنْ أَبَانِ بْنِ عُثْمَانَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ قَتَلَ رَجُلاً عَمْداً ثُمَّ فَرَّ فَلَمْ يُقْدَرْ عَلَيْهِ حَتَّى مَاتَ قَالَ «إِنْ كَانَ لَهُ مَالٌ أُخِذَ مِنْهُ وَ إِلاَّ أُخِذَ مِنَ اَلْأَقْرَبِ فَالْأَقْرَبِ».

H.5379 - Al-Hasan ibn Ali ibn Faddal narrated from Zharif ibn Nasih, from Aban ibn Uthman, from Abu Basir, who narrated from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a man who intentionally killed another man and then fled, and he could not be captured until he died.
Imam {a.s} said: "If he had wealth, the blood money is taken from it. If he had no wealth, it is taken from his closest relatives, and then from those next closest to him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.167 • Tahdhib Al-Ahkam, Vol.10 p.170 • Al-Istibsar, Vol.4 p.262 • Nuzhat Al-Nazir, Vol.1 p.132 • Awali Al-La'ali, Vol.2 p.365 • Awali Al-La'ali, Vol.3 p.604 • Al-Wafi, Vol.16 p.858 • Wasa'il Al-Shi'ah, Vol.29 p.395

HADITH

5380 - وَ رَوَى اَلْحَسَنُ بْنُ عَلِيِّ بْنِ فَضَّالٍ عَنِ اِبْنِ بُكَيْرٍ عَنْ عُبَيْدِ بْنِ زُرَارَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اَلرَّجُلِ يُؤْخَذُ وَ عَلَيْهِ حُدُودٌ إِحْدَاهُنَّ اَلْقَتْلُ قَالَ «كَانَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ يُقِيمُ عَلَيْهِ اَلْحُدُودَ قَبْلُ ثُمَّ يَقْتُلُهُ وَ لاَ تُخَالِفْ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ ».

H.5380 - Al-Hasan ibn Ali ibn Faddal narrated from Ibn Bukayr, from Ubayd ibn Zurara, who narrated from Abu Abdullah {a.s} regarding a man who was apprehended with multiple legal punishments (hudud) upon him, one of which was execution.
Imam {a.s} said: "Imam Ali ibn Abi Talib {a.s} used to carry out the other hudud first and then execute him. Do not oppose Imam Ali ibn Abi Talib {a.s}."

[REFERENCES] Al-Kafi, Vol.7 p.250 • Man La Yahduruhu Al-Faqih, Vol.4 p.167 • Tahdhib Al-Ahkam, Vol.10 p.45 • Al-Wafi, Vol.15 p.545 • Wasa'il Al-Shi'ah, Vol.28 p.34 • Wasa'il Al-Shi'ah, Vol.28 p.35

CHAPTER 69 – CHAPTER ON THE BLOOD MONEY FOR WOUNDS AND HEAD INJURIES

بَابُ دِيَةِ الْجِرَاحَاتِ وَ الشِّجَاجِ

HADITH 5381 – 5387

5381 - رَوَى اَلْقَاسِمُ بْنُ مُحَمَّدٍ اَلْجَوْهَرِيُّ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «فِي اَلْمُوضِحَةِ خَمْسَةٌ مِنَ اَلْإِبِلِ وَ فِي اَلسِّمْحَاقِ اَلَّتِي دُونَ اَلْمُوضِحَةِ أَرْبَعَةٌ مِنَ اَلْإِبِلِ وَ فِي اَلْمُنَقِّلَةِ خَمْسَةَ عَشَرَ مِنَ اَلْإِبِلِ وَ فِي اَلْجَائِفَةِ ثُلُثُ اَلدِّيَةِ ثَلاَثٌ وَ ثَلاَثُونَ مِنَ اَلْإِبِلِ وَ فِي اَلْمَأْمُومَةِ ثُلُثُ اَلدِّيَةِ».

H.5381 - Al-Qasim ibn Muhammad Al-Jawhari narrated from Ali ibn Abi Hamzah, from Abu Basir, who narrated from Abu Abdullah {a.s}, who said:
"For an Al-muḍihah (a wound that exposes the bone), the compensation is five camels.
For the as-simhaq (a wound just below the skin but not exposing the bone), it is four camels.
For the Al-munaqqilah (a wound that causes bone fragments), compensation is fifteen camels.
For the Al-jaʾifah (a wound that reaches the internal organs), it is one-third of the full blood money, which is thirty-three camels.
Likewise, for the Al-maʾmumah (a wound reaching the membrane of the brain), it is also one-third of the full blood money."

[REFERENCES] Al-Kafi, Vol.7 p.326 • Man La Yahduruhu Al-Faqih, Vol.4 p.167 • Ma'ani Al-Akhbar, Vol.1 p.329 • Tahdhib Al-Ahkam, Vol.10 p.289 • Tahdhib Al-Ahkam, Vol.10 p.290 • Tahdhib Al-Ahkam, Vol.10 p.290 • Al-Wafi, Vol.16 p.720 • Al-Wafi, Vol.16 p.721 • Wasa'il Al-Shi'ah, Vol.29 p.379 • Wasa'il Al-Shi'ah, Vol.29 p.380

HADITH

5382 - وَ فِي رِوَايَةِ اِبْنِ اَلْمُغِيرَةِ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «فِي اَلْبَاضِعَةِ ثَلاَثَةٌ مِنَ اَلْإِبِلِ».

H.5382 - In the narration of Ibn Al-Mughirah from Abdullah ibn Sinan, from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, that he said:
"For the baḍiah (a wound that cuts through the flesh after the skin), the compensation is three camels."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.168 • Al-Wafi, Vol.16 p.721

HADITH

5383 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ صَالِحِ بْنِ رَزِينٍ عَنْ ذَرِيحٍ اَلْمُحَارِبِيِّ قَالَ: سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ شَجَّ رَجُلاً مُوضِحَةً وَ شَجَّهُ آخَرُ دَامِيَةً فِي مَقَامٍ وَاحِدٍ فَمَاتَ اَلرَّجُلُ قَالَ «عَلَيْهِمَا اَلدِّيَةُ فِي أَمْوَالِهِمَا نِصْفَيْنِ».

H.5383 - Al-Hasan ibn Mahbub narrated from Salih ibn Razin, from Dharih Al-Muharibi, who said: I asked Abu Abdullah {a.s} about a man who was struck by one person with a muḍihah wound (a wound that exposes the bone) and by another person with a damiyah wound (a bleeding wound) in the same instance, and the man died.
Imam {a.s} said: "The blood money is upon both of them, divided equally between their wealth."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.168 • Tahdhib Al-Ahkam, Vol.10 p.292 • Al-Wafi, Vol.16 p.727 • Wasa'il Al-Shi'ah, Vol.29 p.280

HADITH

5384 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنِ اَلْحَسَنِ بْنِ حَيٍّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: سَأَلْتُهُ عَنِ اَلْمُوضِحَةِ فِي اَلرَّأْسِ كَمَا هِيَ فِي اَلْوَجْهِ فَقَالَ «اَلْمُوضِحَةُ وَ اَلشِّجَاجُ فِي اَلْوَجْهِ وَ اَلرَّأْسِ سَوَاءٌ فِي اَلدِّيَةِ لِأَنَّ اَلْوَجْهَ مِنَ اَلرَّأْسِ وَ لَيْسَ اَلْجِرَاحَاتُ فِي اَلْجَسَدِ كَمَا هِيَ فِي اَلرَّأْسِ».

H.5384 - Ibn Mahbub narrated from Al-Hasan ibn Hayy, who narrated from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said: I asked Imam {a.s} about the muḍihah (a wound that exposes the bone) on the head - whether it is the same as on the face.
Imam {a.s} said: "The muḍihah and other head wounds are the same in blood money (diyyah) whether they occur on the face or the head because the face is part of the head. However, injuries on the body are not treated the same as those on the head."

[REFERENCES] Al-Kafi, Vol.7 p.327 • Man La Yahduruhu Al-Faqih, Vol.4 p.169 • Tahdhib Al-Ahkam, Vol.10 p.291 • Al-Wafi, Vol.16 p.726 • Wasa'il Al-Shi'ah, Vol.29 p.385

HADITH

5385 - وَ فِي رِوَايَةِ أَبَانٍ قَالَ: «اَلْجَائِفَةُ مَا وَقَعَتْ فِي اَلْجَوْفِ لَيْسَ لِصَاحِبِهِ قِصَاصٌ إِلاَّ اَلْحُكُومَةُ وَ اَلْمُنْقِّلَةُ تُنَقِّلُ مِنْهَا اَلْعِظَامُ لَيْسَ فِيهَا قِصَاصٌ إِلاَّ اَلْحُكُومَةُ وَ فِي اَلْمَأْمُومَةِ ثُلُثُ اَلدِّيَةِ لَيْسَ فِيهَا قِصَاصٌ إِلاَّ اَلْحُكُومَةُ».

H.5385 - In the narration of Aban, he said:
"Al-jaifah (a wound that penetrates into the internal cavity) has no qisas (retaliation); only hukumah (compensatory assessment) is applied.
Al-munqilah (a wound that causes bone fragments to dislodge) also has no qisas; only hukumah is applied.
For Al-ma'mumah (a wound that reaches the covering membrane of the brain), one-third of the diyah (blood money) is due, and there is no qisas for it, except for hukumah."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.169 • Wasa'il Al-Shi'ah, Vol.29 p.179

HADITH

5386 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ : «أَنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ قَضَى فِي اَلْهَاشِمَةِ بِعَشْرٍ مِنَ اَلْإِبِلِ».

H.5386 - In the narration of Al-Sakuni: "Indeed, the Commander of the Faithful {a.s} ruled that for the hashimah (a wound that fractures the bone), the compensation is ten camels."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.169 • Tahdhib Al-Ahkam, Vol.10 p.293 • Al-Wafi, Vol.16 p.725 • Wasa'il Al-Shi'ah, Vol.29 p.382

HADITH

5387 - وَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي عَبْدٍ شَجَّ رَجُلاً مُوضِحَةً ثُمَّ شَجَّ آخَرَ فَقَالَ «هُوَ بَيْنَهُمَا».

H.5387 - Abu Abdullah {a.s} said regarding a slave who struck one man with a muḍihah wound (a wound that exposes the bone) and then struck another man similarly:
"The compensation is to be divided between them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.169 • Tahdhib Al-Ahkam, Vol.10 p.294 • Al-Wafi, Vol.16 p.727 • Wasa'il Al-Shi'ah, Vol.29 p.104

CHAPTER 70 – CHAPTER ON RARE CASES OF BLOOD MONEY (DIYYAT)

بَابُ نَوَادِرِ الدِّيَاتِ

HADITH 5388 – 5401

5388 - رَوَى عَمْرُو بْنُ عُثْمَانَ عَنْ أَبِي جَمِيلَةَ عَنْ سَعْدٍ اَلْإِسْكَافِ عَنِ اَلْأَصْبَغِ بْنِ نُبَاتَةَ قَالَ: قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي جَارِيَةٍ رَكِبَتْ جَارِيَةً فَنَخَسَتْهَا جَارِيَةٌ أُخْرَى فَقَمَصَتِ اَلْمَرْكُوبَةُ فَصَرَعَتِ اَلرَّاكِبَةَ فَمَاتَتْ فَقَضَى بِدِيَتِهَا نِصْفَيْنِ بَيْنَ اَلنَّاخِسَةِ وَ اَلْمَنْخُوسَةِ.

H.5388 - Amr ibn Uthman narrated from Abu Jamilah, from Sa'd Al-Iskaf, from Al-Asbagh ibn Nubatah, who said:
Commander of the Faithful Imam Ali ibn Abi Talib {a.s}, ruled in a case where a slave girl was riding on another slave girl. A third slave girl prodded the one being ridden, causing her to buck, which led to the rider falling and dying.
He ruled that the diyah (blood money) for the deceased should be divided equally between the one who prodded (nakhisah) and the one who was prodded (mankhusah).

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.169 • Tahdhib Al-Ahkam, Vol.10 p.241 • Awali Al-La'ali, Vol.3 p.618 • Al-Wafi, Vol.16 p.625 • Wasa'il Al-Shi'ah, Vol.29 p.240 • Mustadrak Al-Wasa'il, Vol.18 p.316 • Mustadrak Al-Wasa'il, Vol.18 p.317

HADITH

5389 - وَ رُوِيَ عَنْ وَهْبِ بْنِ وَهْبٍ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ قَالَ قَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ : «مَنْ قَتَلَ حَمِيمَ قَوْمٍ فَلْيُصَالِحْهُمْ مَا قَدَرَ عَلَيْهِ فَإِنَّهُ أَخَفُّ لِحِسَابِهِ».

H.5389 - It is narrated from Wahb ibn Wahb, from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, that Imam Ali ibn Abi Talib {a.s} said:
"Whoever kills a close relative (hamim) of a people should seek reconciliation with them as much as he is able, for it will lighten his reckoning."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.170 • Al-Wafi, Vol.16 p.579 • Wasa'il Al-Shi'ah, Vol.29 p.74

HADITH

5390 - رَوَى عَبْدُ اللَّهِ بْنُ سِنَانٍ عَنِ الثُّمَالِيِّ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ قَالَ: لَوْ أَنَّ رَجُلًا ضَرَبَ رَجُلًا سَوْطاً لَضَرَبَهُ اللَّهُ سَوْطاً مِنَ النَّارِ.

H.5390 - Abdullah ibn Sinan narrated from Al-Thumali, from Sa'id ibn Al-Musayyab, from Jabir ibn Abdullah, who said:
"If a man strikes another man with a whip, Allah {SWT} will strike him with a whip of fire."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.170

HADITH

5391 - وَ فِي رِوَايَةِ اِبْنِ فَضَّالٍ عَنْ بَعْضِ أَصْحَابِهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «دِيَةُ كَلْبِ اَلصَّيْدِ أَرْبَعُونَ دِرْهَماً وَ دِيَةُ كَلْبِ اَلْمَاشِيَةِ عِشْرُونَ دِرْهَماً وَ دِيَةُ اَلْكَلْبِ اَلَّذِي لَيْسَ لِلصَّيْدِ وَ لاَ لِلْمَاشِيَةِ زَبِيلٌ مِنْ تُرَابٍ عَلَى اَلْقَاتِلِ أَنْ يُعْطِيَ وَ عَلَى صَاحِبِهِ أَنْ يَقْبَلَ».

H.5391 - In the narration of Ibn Faddal from some of his companions from Abu Abdullah {a.s}, that Imam {a.s} said:
"The diyah (compensatory blood money) for a (killing) hunting dog is forty dirhams, the diyah for a livestock dog is twenty dirhams, and the diyah for a dog that is neither for hunting nor for livestock is a basket of dirt - the killer must give it, and the owner must accept it."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.170 • Al-Wafi, Vol.16 p.875 • Wasa'il Al-Shi'ah, Vol.29 p.227 • Mustadrak Al-Wasa'il, Vol.18 p.306

HADITH

5392 - وَ رَوَى مُحَمَّدُ بْنُ سِنَانٍ عَنْ أَبِي اَلْجَارُودِ قَالَ سَمِعْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ يَقُولُ: «كَانَتْ بَغْلَةُ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ لاَ يَرُدُّوهَا عَنْ شَيْءٍ وَقَعَتْ فِيهِ » قَالَ «فَأَتَاهَا رَجُلٌ مِنْ بَنِي مُدْلِجٍ وَ قَدْ وَقَعَتْ فِي قَصَبٍ لَهُ فَفَوَّقَ لَهَا سَهْماً فَقَتَلَهَا» فَقَالَ لَهُ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «وَ اَللَّهِ لاَ تُفَارِقُنِي حَتَّى تَدِيَهَا» قَالَ «فَوَدَاهَا سِتَّمِائَةِ دِرْهَمٍ».

H.5392 - Muhammad ibn Sinan narrated from Abu Al-Jarud who said: I heard Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} say:
"The mule of the Messenger of Allah {SWT} (peace be upon him and his family) was never stopped from going anywhere it wanted."
Imam {a.s} said: "A man from Banu Mudlij came, and the mule had entered his field of reeds. He prepared an arrow and killed it."
Then Imam Ali ibn Abi Talib {a.s} said to him: "By Allah {SWT}, you will not leave me until you compensate for it."
So he compensated for it with six hundred dirhams.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.171 • Al-Wafi, Vol.16 p.877 • Wasa'il Al-Shi'ah, Vol.29 p.262

HADITH

5393 - وَ رَوَى جَمِيلُ بْنُ دَرَّاجٍ عَنْ بَعْضِ أَصْحَابِنَا عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ : فِي رَجُلٍ كَسَرَ يَدَ رَجُلٍ ثُمَّ بَرَأَتْ يَدُ اَلرَّجُلِ فَقَالَ «لَيْسَ عَلَيْهِ فِي هَذَا قِصَاصٌ وَ لَكِنَّهُ يُعْطِي اَلْأَرْشَ».

H.5393 - Jameel ibn Darraj narrated from some of our companions from one of the two Imams {a.s} regarding a man who broke another man's hand, and then the man's hand healed.
Imam {a.s} said: “There is no retaliation (qisas) in this case, but he must pay compensation (Al-arsh)."

[REFERENCES] Al-Kafi, Vol.7 p.320 • Man La Yahduruhu Al-Faqih, Vol.4 p.171 • Tahdhib Al-Ahkam, Vol.10 p.275 • Tahdhib Al-Ahkam, Vol.10 p.278 • Al-Wafi, Vol.16 p.684 • Wasa’il Al-Shi’ah, Vol.29 p.177 • Tafsir Nur Al-Thaqalayn, Vol.1 p.637 • Tafsir Kanz Al-Daqaiq, Vol.4 p.128

HADITH

5394 - وَ رَوَى اَلْحُسَيْنُ بْنُ سَعِيدٍ عَنِ اِبْنِ أَبِي عُمَيْرٍ عَنْ مُحَمَّدِ بْنِ أَبِي حَمْزَةَ وَ حُسَيْنٍ اَلرَّوَّاسِيِّ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ: قُلْتُ لِأَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ اَلْمَرْأَةُ تَخَافُ اَلْحَبَلَ فَتَشْرَبُ اَلدَّوَاءَ فَتُلْقِي مَا فِي بَطْنِهَا فَقَالَ «لاَ» فَقُلْتُ إِنَّمَا هُوَ نُطْفَةٌ قَالَ «إِنَّ أَوَّلَ مَا يُخْلَقُ نُطْفَةٌ».

H.5394 - Al-Husayn ibn Said narrated from Ibn Abi Umayr from Muhammad ibn Abi Hamzah and Husayn Al-Rawwasi from Ishaq ibn Ammar, who said:
I asked Abu Al-Hasan {a.s} about a woman who fears pregnancy and drinks medicine to cause a miscarriage.
Imam {a.s} replied: “No."
I said: “It is only a drop of fluid (nutfah)."
Imam {a.s} said: “Indeed, the first stage of creation is a drop of fluid (nutfah)."

[REFERENCES] Al-Usul Al-Sittah Ashar (T. Dar Al-Shibistri), Vol.1 p.109 •Al-Usul Al-Sittah Ashar (T. Dar Al-HADITH), Vol.1 p.320 • Man La Yahduruhu Al-Faqih, Vol.4 p.171 • Al-Wafi, Vol.16 p.569 • Wasa’il Al-Shi’ah, Vol.29 p.25 • Mustadrak Al-Wasa’il, Vol.18 p.218

HADITH

5395 - وَ رَوَى اَلْحُسَيْنُ بْنُ سَعِيدٍ عَنْ فَضَالَةَ عَنْ دَاوُدَ بْنِ فَرْقَدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «سَأَلَنِي دَاوُدُ بْنُ عَلِيٍّ عَنْ رَجُلٍ كَانَ يَأْتِي بَيْتَ رَجُلٍ فَنَهَاهُ أَنْ يَأْتِيَ بَيْتَهُ فَأَبَى أَنْ يَفْعَلَ فَذَهَبَ إِلَى اَلسُّلْطَانِ فَقَالَ اَلسُّلْطَانُ إِنْ فَعَلَ فَاقْتُلْهُ قَالَ فَقَتَلَهُ فَمَا تَرَى فِيهِ فَقُلْتُ أَرَى أَنْ لاَ يَقْتُلَهُ إِنَّهُ إِنِ اِسْتَقَامَ هَذَا ثُمَّ شَاءَ أَنْ يَقُولَ كُلُّ إِنْسَانٍ لِعَدُوِّهِ دَخَلَ بَيْتِي فَقَتَلْتُهُ».

H.5395 - Al-Husayn ibn Said narrated from Fadalah from Dawud ibn Farqad from Abu Abdullah {a.s}, that Imam {a.s} recounted:
"Dawud ibn Ali asked me about a man who used to visit another man's house, and the owner forbade him from coming to his house, but he refused to stop. So the owner went to the ruler, and the ruler said: 'If he does it again, kill him.'
So the man killed him. What is your opinion on this?"
So I (Imam {a.s}) said: "I see that he should not have killed him. If this ruling were upheld, then anyone could later claim that an enemy entered their house, and they killed him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.172 • Al-Wafi, Vol.16 p.778 • Wasa'il Al-Shi'ah, Vol.29 p.135

HADITH

5396 - وَ رَوَى مُحَمَّدُ بْنُ أَحْمَدَ بْنِ يَحْيَى عَنْ عَلِيِّ بْنِ إِسْمَاعِيلَ عَنْ أَحْمَدَ بْنِ اَلنَّضْرِ عَنِ اَلْحُصَيْنِ بْنِ عَمْرٍو عَنْ يَحْيَى بْنِ سَعِيدِ بْنِ اَلْمُسَيَّبِ : أَنَّ مُعَاوِيَةَ كَتَبَ إِلَى أَبِي مُوسَى اَلْأَشْعَرِيِّ أَنَّ اِبْنَ أَبِي اَلْحُسَيْنِ وَجَدَ عَلَى بَطْنِ اِمْرَأَتِهِ رَجُلاً فَقَتَلَهُ وَ قَدْ أَشْكَلَ حُكْمُ ذَلِكَ عَلَى اَلْقُضَاةِ فَسَلْ عَلِيّاً عَنْ هَذَا اَلْأَمْرِ قَالَ فَسَأَلَ أَبُو مُوسَى عَلِيّاً عَلَيْهِ اَلسَّلاَمُ فَقَالَ «وَ اَللَّهِ مَا هَذَا فِي هَذِهِ اَلْبِلاَدِ يَعْنِي اَلْكُوفَةَ وَ مَا يَلِيهَا وَ مَا هَذَا بِحَضْرَتِي فَمِنْ أَيْنَ جَاءَكَ هَذَا» قَالَ كَتَبَ إِلَيَّ مُعَاوِيَةُ أَنَّ اِبْنَ أَبِي اَلْحُسَيْنِ وَجَدَ مَعَ اِمْرَأَتِهِ رَجُلاً فَقَتَلَهُ وَ قَدْ أَشْكَلَ حُكْمُ ذَلِكَ عَلَى اَلْقُضَاةِ فَرَأْيُكَ فِي هَذَا فَقَالَ عَلَيْهِ اَلسَّلاَمُ «أَنَا أَبُو اَلْحَسَنِ إِنْ جَاءَ بِأَرْبَعَةٍ يَشْهَدُونَ عَلَى مَا شَهِدَ وَ إِلاَّ دُفِعَ إِلَيْهِ بِرُمَّتِهِ».

H.5396 - Muhammad ibn Ahmad ibn Yahya narrated from Ali ibn Isma'il from Ahmad ibn Al-Nadr from Al-Husayn ibn Amr from Yahya ibn Said ibn Al-Musayyab that Mu'awiyah wrote to Abu Musa Al-Ashari, saying:
"The son of Abu Al-Husayn found a man with his wife and killed him. This matter has become confusing for the judges, so ask Imam Ali ibn Abi Talib {a.s} about this issue."
Abu Musa asked Imam Ali ibn Abi Talib {a.s}, and Imam {a.s} replied:
"By Allah {SWT}, this matter is not in this land - meaning Kufa and its surroundings - nor is it in my presence. So how did this come to you?"
He (Abu Musa) replied: "Mu'awiyah wrote to me that the son of Abu Al-Husayn found a man with his wife and killed him, and this matter has confused the judges. What is your opinion on this?"
Imam Ali ibn Abi Talib {a.s} said:
"I am Abu Al-Hasan {a.s}. If he brings four witnesses who testify to what he claimed, then so be it. Otherwise, he should be handed over in full (for punishment)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.172 • Ithbat Al-Huda, Vol.3 p.439

HADITH

5397 - وَ فِي رِوَايَةِ اِبْنِ أَبِي عُمَيْرٍ عَنْ جَمِيلٍ عَنْ بَعْضِ أَصْحَابِنَا عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ قَالَ: «إِذَا مَاتَ وَلِيُّ اَلْمَقْتُولِ قَامَ وَلَدُهُ مِنْ بَعْدِهِ مَقَامَهُ بِالدَّمِ».

H.5397 - In the narration of Ibn Abi Umayr from Jameel from some of our companions from one of the two Imams (peace be upon them), that They {a.s} said:
"If the guardian of the murdered person dies, his child assumes his position regarding the right to seek retribution for the blood."

[REFERENCES] Al-Kafi, Vol.7 p.370 • Man La Yahduruhu Al-Faqih, Vol.4 p.172 • Tahdhib Al-Ahkam, Vol.10 p.179 • Al-Wafi, Vol.16 p.864 • Wasa'il Al-Shi'ah, Vol.29 p.130

HADITH

5398 - وَ رَوَى مُحَمَّدُ بْنُ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي عَيْنِ فَرَسٍ فُقِئَتْ بِرُبُعِ ثَمَنِهِ يَوْمَ فُقِئَتِ اَلْعَيْنُ».

H.5398 - Muhammad ibn Qays narrated from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said:
"The Commander of the Faithful {a.s} ruled that if the eye of a horse is gouged out, the compensation is a quarter of its value on the day its eye was gouged out."

[REFERENCES] Al-Kafi, Vol.7 p.367 • Man La Yahduruhu Al-Faqih, Vol.4 p.172 • Al-Wafi, Vol.16 p.873

HADITH

5399 - : «وَ قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي أَرْبَعَةِ أَنْفُسٍ شُرَكَاءَ فِي بَعِيرٍ فَعَقَلَهُ أَحَدُهُمْ فَانْطَلَقَ اَلْبَعِيرُ فَعَبِثَ بِعِقَالِهِ فَتَرَدَّى فَانْكَسَرَ فَقَالَ أَصْحَابُهُ لِلَّذِي عَقَلَهُ اِغْرَمْ لَنَا بَعِيرَنَا فَقَضَى بَيْنَهُمْ «أَنْ يَغْرَمُوا لَهُ حَظَّهُ مِنْ أَجْلِ أَنَّهُ أَوْثَقَ حَظَّهُ فَذَهَبَ حَظُّهُمْ بِحَظِّهِ» ».

H.5399 - The Commander of the Faithful {a.s} ruled regarding four people who were partners in a camel. One of them tied it, but the camel struggled with its tether, broke free, fell, and was injured.
The other owners said to the one who had tied it, "You must compensate us for our camel."
So Imam {a.s} ruled between them, saying:
"They must compensate him for his share because he had secured his portion properly, but their shares were lost along with his.".

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.173 • Tahdhib Al-Ahkam, Vol.10 p.231 • Al-Wafi, Vol.16 p.877 • Wasa'il Al-Shi'ah, Vol.29 p.276

HADITH

5400 - وَ فِي رِوَايَةِ مُحَمَّدِ بْنِ أَحْمَدَ بْنِ يَحْيَى بِإِسْنَادِهِ قَالَ: رُفِعَ إِلَى اَلْمَأْمُونِ رَجُلٌ دَفَعَ رَجُلاً فِي بِئْرٍ فَمَاتَ فَأَمَرَ بِهِ أَنْ يُقْتَلَ فَقَالَ اَلرَّجُلُ إِنِّي كُنْتُ فِي مَنْزِلِي فَسَمِعْتُ اَلْغَوْثَ فَخَرَجْتُ مُسْرِعاً وَ مَعِي سَيْفِي فَمَرَرْتُ عَلَى هَذَا وَ هُوَ عَلَى شَفِيرِ بِئْرٍ فَدَفَعْتُهُ فَوَقَعَ فِي اَلْبِئْرِ فَسَأَلَ اَلْمَأْمُونُ اَلْفُقَهَاءَ فِي ذَلِكَ فَقَالَ بَعْضُهُمْ يُقَادُ بِهِ وَ قَالَ بَعْضُهُمْ يُفْعَلُ بِهِ كَذَا وَ كَذَا فَسَأَلَ أَبَا اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ عَنْ ذَلِكَ وَ كَتَبَ إِلَيْهِ فَقَالَ «دِيَتُهُ عَلَى أَصْحَابِ اَلْغَوْثِ اَلَّذِينَ صَاحُوا اَلْغَوْثَ» قَالَ فَاسْتَعْظَمَ ذَلِكَ اَلْفُقَهَاءُ فَقَالُوا لِلْمَأْمُونِ سَلْهُ مِنْ أَيْنَ قُلْتَ هَذَا فَسَأَلَ فَقَالَ عَلَيْهِ اَلسَّلاَمُ «إِنَّ اِمْرَأَةً اِسْتَعْدَتْ إِلَى سُلَيْمَانَ بْنِ دَاوُدَ عَلَيْهِ اَلسَّلاَمُ عَلَى رِيحٍ فَقَالَتْ كُنْتُ عَلَى فَوْقِ بَيْتِي فَدَفَعَتْنِي رِيحٌ فَوَقَعْتُ إِلَى اَلدَّارِ فَانْكَسَرَتْ يَدِي فَدَعَا سُلَيْمَانُ عَلَيْهِ اَلسَّلاَمُ بِالرِّيحِ فَقَالَ لَهَا مَا حَمَلَكِ عَلَى مَا صَنَعْتِ بِهَذِهِ اَلْمَرْأَةِ فَقَالَتِ اَلرِّيحُ يَا نَبِيَّ اَللَّهِ إِنَّ سَفِينَةَ بَنِي فُلاَنٍ كَانَتْ فِي اَلْبَحْرِ قَدْ أَشْرَفَ أَهْلُهَا عَلَى اَلْغَرَقِ فَمَرَرْتُ بِهَذِهِ اَلْمَرْأَةِ وَ أَنَا مُسْتَعْجِلَةٌ فَوَقَعَتْ فَانْكَسَرَتْ يَدُهَا فَقَضَى سُلَيْمَانُ عَلَيْهِ اَلسَّلاَمُ بِأَرْشِ يَدِهَا عَلَى أَصْحَابِ اَلسَّفِينَةِ».

H.5400 - In the narration of Muhammad ibn Ahmad ibn Yahya through his chain of transmission, it is reported that a man was brought before Al-Ma'mun for having pushed another man into a well, resulting in his death. Al-Ma'mun ordered that the man be executed.

The man said: “I was in my house when I heard cries for help. I rushed out quickly with my sword and passed by this man who was standing at the edge of a well. I pushed him, and he fell into the well."

Al-Ma'mun consulted the jurists about this matter. Some of them said he should be subjected to retribution, while others suggested different punishments.

Al-Ma'mun then asked Abu Al-Hasan {a.s} about this matter and wrote to him.

Abu Al-Hasan {a.s} replied: “His blood money is upon those who cried out for help."

The jurists found this ruling surprising and said to Al-Ma'mun: "Ask him on what basis he gave this ruling."

When Al-Ma'mun asked, Abu Al-Hasan {a.s} said: “A woman once complained to Prophet Sulayman ibn Dawud {a.s} about the wind.

She said: ‘I was on the roof of my house when a gust of wind pushed me, and I fell into a courtyard, breaking my arm.'

Sulayman {a.s} summoned the wind and asked: ‘What caused you to do this to this woman?'

The wind replied: ‘O’ Prophet of Allah {SWT}, the ship of a certain people was in the sea and was on the verge of sinking. I passed by this woman while hurrying to help them, and she fell, breaking her arm.'

Sulayman {a.s} ruled that the compensation for her arm should be paid by the people of the ship."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.173 • Al-Wafi, Vol.16 p.1087 • Wasa’il Al-Shi’ah, Vol.29 p.265

HADITH

5401 - وَ فِي رِوَايَةِ أَبَانِ بْنِ عُثْمَانَ : أَنَّ عُمَرَ بْنَ اَلْخَطَّابِ أُتِيَ بِرَجُلٍ قَدْ قَتَلَ أَخَا رَجُلٍ فَدَفَعَهُ إِلَيْهِ وَ أَمَرَهُ أَنْ يَقْتُلَهُ فَضَرَبَهُ اَلرَّجُلُ حَتَّى رَأَى أَنَّهُ قَدْ قَتَلَهُ فَحُمِلَ إِلَى مَنْزِلِهِ فَوَجَدُوا بِهِ رَمَقاً فَعَالَجُوهُ حَتَّى بَرَأَ فَلَمَّا خَرَجَ أَخَذَهُ أَخُ اَلْمَقْتُولِ اَلْأَوَّلِ فَقَالَ أَنْتَ قَاتِلُ أَخِي وَ لِيَ أَنْ أَقْتُلَكَ فَقَالَ لَهُ قَدْ قَتَلْتَنِي مَرَّةً فَانْطَلَقَ بِهِ إِلَى عُمَرَ فَأَمَرَ بِقَتْلِهِ فَخَرَجَ وَ هُوَ يَقُولُ يَا أَيُّهَا اَلنَّاسُ وَ اَللَّهِ قَدْ قَتَلَنِي مَرَّةً فَمَرُّوا بِهِ عَلَى عَلِيِّ بْنِ أَبِي طَالِبٍ صَلَوَاتُ اَللَّهِ عَلَيْهِ فَأَخْبَرَهُ بِخَبَرِهِ فَقَالَ «لاَ تَعْجَلْ عَلَيْهِ حَتَّى أَخْرُجَ إِلَيْكَ» فَدَخَلَ عَلَيْهِ اَلسَّلاَمُ عَلَى عُمَرَ فَقَالَ «لَيْسَ اَلْحُكْمُ فِيهِ هَكَذَا» فَقَالَ مَا هُوَ يَا أَبَا اَلْحَسَنِ قَالَ «يَقْتَصُّ هَذَا مِنْ أَخِ اَلْمَقْتُولِ اَلْأَوَّلِ مَا صَنَعَ بِهِ ثُمَّ يَقْتُلُهُ بِأَخِيهِ» فَظَنَّ اَلرَّجُلُ أَنَّهُ إِنِ اِقْتَصَّ مِنْهُ أَتَى عَلَى نَفْسِهِ فَعَفَا عَنْهُ وَ تَتَارَكَا.

H.5401 - In the narration of Aban ibn Uthman, it is reported that Umar ibn Al-Khattab was presented with a man who had killed another man's brother. Umar handed him over to the victim's brother and ordered him to kill him. The man struck him until he thought he had killed him. He was carried to his home, and they found he still had some life in him.

They treated him until he recovered. When he recovered, the brother of the first murdered man seized him and said:

"You are the killer of my brother, and I have the right to kill you."

The man replied: "You have already killed me once."

He was then brought before Umar, who ordered his execution.

As he was being taken away, he cried out:

"O' people, by Allah {SWT}, he has already killed me once!"

They passed by Imam Ali ibn Abi Talib {a.s} and informed him of the situation.

Imam Ali ibn Abi Talib {a.s} said: "Do not rush to kill him until I come out to you."

Imam {a.s} entered upon Umar and said: "This is not the correct ruling in this matter."

Umar asked: "Then what is it, O' Abu Al-Hasan {a.s}?"

Imam Ali ibn Abi Talib {a.s} replied: "This man should exact retribution from the brother of the first murdered man for what he did to him, and then he can be executed for his brother."

The man thought that if he took retribution, it would lead to his own death, so he pardoned him, and they both left each other in peace.

[REFERENCES] Al-Kafi, Vol.7 p.360 • Man La Yahduruhu Al-Faqih, Vol.4 p.174 • Tahdhib Al-Ahkam, Vol.10 p.278 • Al-Wafi, Vol.16 p.872 • Wasa'il Al-Shi'ah, Vol.29 p.125

BOOK ON BEQUESTS (WASIYYAH)

كِتَابُ الْوَصِيَّةِ

CHAPTER 71 – CHAPTER ON BEQUESTS FROM THE TIME OF ADAM {a.s}

بَابُ الْوَصِيَّةِ مِنْ لَدُنْ آدَمَ ع

HADITH 5402 – 5408

5402 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ مُقَاتِلِ بْنِ سُلَيْمَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : « أَنَا سَيِّدُ اَلنَّبِيِّينَ وَ وَصِيِّي سَيِّدُ اَلْوَصِيِّينَ وَ أَوْصِيَاؤُهُ سَادَةُ اَلْأَوْصِيَاءِ إِنَّ آدَمَ عَلَيْهِ اَلسَّلاَمُ سَأَلَ اَللَّهَ عَزَّ وَ جَلَّ أَنْ يَجْعَلَ لَهُ وَصِيّاً صَالِحاً فَأَوْحَى اَللَّهُ عَزَّ وَ جَلَّ إِلَيْهِ «إِنِّي أَكْرَمْتُ اَلْأَنْبِيَاءَ بِالنُّبُوَّةِ ثُمَّ اِخْتَرْتُ مِنْ خَلْقِي خَلْقاً وَ جَعَلْتُ خِيَارَهُمُ اَلْأَوْصِيَاءَ» فَأَوْحَى اَللَّهُ تَعَالَى ذِكْرُهُ إِلَيْهِ «يَا آدَمُ أَوْصِ إِلَى شِيثٍ » فَأَوْصَى آدَمُ عَلَيْهِ اَلسَّلاَمُ إِلَى شِيثٍ وَ هُوَ هِبَةُ اَللَّهِ بْنُ آدَمَ وَ أَوْصَى شِيثٌ إِلَى اِبْنِهِ شَبَّانَ وَ هُوَ اِبْنُ نَزْلَةَ اَلْحَوْرَاءِ اَلَّتِي أَنْزَلَهَا اَللَّهُ عَزَّ وَ جَلَّ عَلَى آدَمَ مِنَ اَلْجَنَّةِ فَزَوَّجَهَا اِبْنَهُ شِيثاً وَ أَوْصَى شَبَّانُ إِلَى محلث وَ أَوْصَى محلث إِلَى محوق وَ أَوْصَى محوق إِلَى غثميشا وَ أَوْصَى غثميشا إِلَى أَخْنُوخَ وَ هُوَ إِدْرِيسُ اَلنَّبِيُّ عَلَيْهِ اَلسَّلاَمُ وَ أَوْصَى إِدْرِيسُ إِلَى نَاحُورَ وَ دَفَعَهَا نَاحُورُ إِلَى نُوحٍ عَلَيْهِ اَلسَّلاَمُ وَ أَوْصَى نُوحٌ إِلَى سَامٍ وَ أَوْصَى سَامٌ إِلَى عَثَامِرَ وَ أَوْصَى عَثَامِرُ إِلَى برغيثاشا وَ أَوْصَى برغيثاشا إِلَى يَافِثَ وَ أَوْصَى يَافِثُ إِلَى برة وَ أَوْصَى برة إِلَى جفسية وَ أَوْصَى جفسية إِلَى عِمْرَانَ وَ دَفَعَهَا عِمْرَانُ إِلَى إِبْرَاهِيمَ اَلْخَلِيلِ عَلَيْهِ اَلسَّلاَمُ وَ أَوْصَى إِبْرَاهِيمُ إِلَى اِبْنِهِ إِسْمَاعِيلَ وَ أَوْصَى إِسْمَاعِيلُ إِلَى إِسْحَاقَ وَ أَوْصَى إِسْحَاقُ إِلَى يَعْقُوبَ وَ أَوْصَى يَعْقُوبُ إِلَى يُوسُفَ وَ أَوْصَى يُوسُفُ إِلَى بَثْرِيَاءَ وَ أَوْصَى بَثْرِيَاءُ إِلَى شُعَيْبٍ وَ دَفَعَهَا شُعَيْبٌ إِلَى مُوسَى بْنِ عِمْرَانَ عَلَيْهِ اَلسَّلاَمُ وَ أَوْصَى مُوسَى بْنُ عِمْرَانَ إِلَى يُوشَعَ بْنِ نُونٍ وَ أَوْصَى يُوشَعُ بْنُ نُونٍ إِلَى دَاوُدَ وَ أَوْصَى دَاوُدُ إِلَى سُلَيْمَانَ عَلَيْهِ اَلسَّلاَمُ وَ أَوْصَى سُلَيْمَانُ إِلَى آصَفَ بْنِ بَرْخِيَا وَ أَوْصَى آصَفُ بْنُ بَرْخِيَا إِلَى زَكَرِيَّا وَ دَفَعَهَا زَكَرِيَّا إِلَى عِيسَى اِبْنِ مَرْيَمَ عَلَيْهِ اَلسَّلاَمُ وَ أَوْصَى عِيسَى اِبْنُ مَرْيَمَ إِلَى شَمْعُونَ بْنِ حَمُّونَ اَلصَّفَا وَ أَوْصَى شَمْعُونُ إِلَى يَحْيَى بْنِ زَكَرِيَّا وَ أَوْصَى يَحْيَى بْنُ زَكَرِيَّا إِلَى مُنْذِرٍ وَ أَوْصَى مُنْذِرٌ إِلَى سُلَيْمَةَ وَ أَوْصَى سُلَيْمَةُ إِلَى بُرْدَةَ » «ثُمَّ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ » «وَ دَفَعَهَا إِلَيَّ بُرْدَةُ وَ أَنَا أَدْفَعُهَا إِلَيْكَ يَا عَلِيُّ وَ أَنْتَ تَدْفَعُهَا إِلَى وَصِيِّكَ وَ يَدْفَعُهَا وَصِيُّكَ إِلَى أَوْصِيَائِكَ مِنْ وُلْدِكَ وَاحِدٍ بَعْدَ وَاحِدٍ حَتَّى تُدْفَعَ إِلَى خَيْرِ أَهْلِ اَلْأَرْضِ بَعْدَكَ وَ لَتَكْفُرَنَّ بِكَ اَلْأُمَّةُ وَ لَتَخْتَلِفَنَّ عَلَيْكَ اِخْتِلاَفاً شَدِيداً اَلثَّابِتُ عَلَيْكَ كَالْمُقِيمِ مَعِي وَ اَلشَّاذُّ عَنْكَ فِي اَلنَّارِ وَ اَلنَّارُ مَثْوَى اَلْكَافِرِينَ.»

وَ قَدْ وَرَدَتِ اَلْأَخْبَارُ اَلصَّحِيحَةُ بِالْأَسَانِيدِ اَلْقَوِيَّةِ: «أَنَّ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ ، أَوْصَى بِأَمْرِ اَللَّهِ تَعَالَى إِلَى عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ وَ أَوْصَى عَلِيُّ بْنُ أَبِي طَالِبٍ إِلَى اَلْحَسَنِ وَ أَوْصَى اَلْحَسَنُ إِلَى اَلْحُسَيْنِ وَ أَوْصَى اَلْحُسَيْنُ إِلَى عَلِيِّ بْنِ اَلْحُسَيْنِ وَ أَوْصَى عَلِيُّ بْنُ اَلْحُسَيْنِ إِلَى مُحَمَّدِ بْنِ عَلِيٍّ اَلْبَاقِرِ وَ أَوْصَى مُحَمَّدُ بْنُ عَلِيٍّ اَلْبَاقِرُ إِلَى جَعْفَرِ بْنِ مُحَمَّدٍ اَلصَّادِقِ وَ أَوْصَى جَعْفَرُ بْنُ مُحَمَّدٍ اَلصَّادِقُ إِلَى مُوسَى بْنِ جَعْفَرٍ وَ أَوْصَى مُوسَى بْنُ جَعْفَرٍ إِلَى اِبْنِهِ عَلِيِّ بْنِ مُوسَى اَلرِّضَا وَ أَوْصَى عَلِيُّ بْنُ مُوسَى اَلرِّضَا إِلَى اِبْنِهِ مُحَمَّدِ بْنِ عَلِيٍّ وَ أَوْصَى مُحَمَّدُ بْنُ عَلِيٍّ إِلَى اِبْنِهِ عَلِيِّ بْنِ مُحَمَّدٍ وَ أَوْصَى عَلِيُّ بْنُ مُحَمَّدٍ إِلَى

اِبْنِهِ اَلْحَسَنِ بْنِ عَلِيٍّ وَ أَوْصَى اَلْحَسَنُ بْنُ عَلِيٍّ إِلَى اِبْنِهِ حُجَّةِ اَللَّهِ اَلْقَائِمِ بِالْحَقِّ اَلَّذِي لَوْ لَمْ يَبْقَ مِنَ اَلدُّنْيَا إِلاَّ يَوْمٌ وَاحِدٌ لَطَوَّلَ اَللَّهُ ذَلِكَ اَلْيَوْمَ حَتَّى يَخْرُجَ فَيَمْلَأَهَا عَدْلاً وَ قِسْطاً كَمَا مُلِئَتْ جَوْراً وَ ظُلْماً». صَلَوَاتُ اللَّهِ عَلَيْهِ وَ عَلَى آبَائِهِ الطَّاهِرِينَ.

H.5402 - Al-Hasan ibn Mahbub narrated from Muqatil ibn Sulayman from Abu Abdullah {a.s} who said that the Messenger of Allah {SWT} said:
"I am the master of the prophets, and my successor (Imam Ali {a.s}) is the master of the successors, and his successors (the Imams {a.s}) are the masters of the successors.
Indeed, Adam {a.s} asked Allah {SWT}, the Glorious and Exalted, to appoint for him a righteous successor.
Allah {SWT}, the Glorious and Exalted, revealed to him:
'I have honored the prophets with prophethood, and then I selected from My creation individuals and made the best among them the successors.'
So Allah {SWT}, Exalted is His {SWT} remembrance, revealed to him: '*O' Adam, appoint Seth as your successor.*'
Thus, Adam {a.s} appointed Seth, who is the Gift of Allah {SWT}, son of Adam, as his successor.
Seth then appointed his son Shabban as his successor, and Shabban was the son of Nazla Al-Hawra, whom Allah {SWT}, the Glorious and Exalted, sent down to Adam from Paradise, and Adam married her to his son Seth.
Shabban appointed Muhlith as his successor, Muhlith appointed Mahuq, Mahuq appointed Ghathmisha, Ghathmisha appointed Akhnukh, who is Prophet Idris {a.s}.
Idris appointed Nahur, and Nahur passed it on to Nuh {a.s}. Nuh appointed his son Sam, Sam appointed Athamir, and Athamir appointed Barghithasha.
And Barghithasha appointed Yafith as his successor, Yafith appointed Barra, Barra appointed Jafsiya, Jafsiya appointed Imran, and Imran entrusted it to Ibrahim Al-Khalil {a.s}. Ibrahim appointed his son Ismail, Ismail appointed Ishaq, Ishaq appointed Yaqub, Yaqub appointed Yusuf, Yusuf appointed Bathriya, Bathriya appointed Shuayb, and Shuayb entrusted it to Musa ibn Imran {a.s}.
Musa ibn Imran appointed Yusha ibn Nun, Yusha ibn Nun appointed Dawud, Dawud appointed Sulayman {a.s}, Sulayman appointed Asif ibn Barkhiya, Asif ibn Barkhiya appointed Zakariya, and Zakariya entrusted it to Isa ibn Maryam {a.s}. Isa ibn Maryam appointed Shamun ibn Hamun Al-Safa, Shamun appointed Yahya ibn Zakariya, Yahya ibn Zakariya appointed Mundhir, Mundhir appointed Sulaymah, and Sulaymah appointed Burdah."
Then the Messenger of Allah {SWT} (peace be upon him and his family) said:
"Burdah entrusted it to me, and I now entrust it to you, O' Ali {a.s}.
You {a.s} will entrust it to your successor {a.s}, and your successor {a.s} will entrust it to his successors {a.s} from your offspring, one after another, until it reaches the best of the people of the earth after you.
Surely, the nation will disbelieve in you, and they will differ greatly over you. The one who remains steadfast with you {a.s} is like the one who remains with me {saws}, and the one who separates from you {a.s} will be in the Fire, and the Fire is the abode of the disbelievers."

[AL SADUQ]

Authentic reports with strong chains of transmission have been narrated stating that the Messenger of Allah {SWT} (peace be upon him and his family), by the command of Allah {SWT} the Exalted, appointed Imam Ali ibn Abi Talib {a.s} as his successor.
Imam Ali ibn Abi Talib {a.s} appointed Imam Hasan ibn Ali {a.s},
Imam Hasan ibn Ali {a.s} appointed Imam Hussain ibn Ali {a.s},
Imam Hussain ibn Ali {a.s} appointed Imam Ali ibn Al-Hussain {a.s},
Imam Ali ibn Al-Hussain {a.s} appointed Imam Muhammad ibn Ali Al-Baqir {a.s},
Imam Muhammad Al-Baqir {a.s} appointed Imam Jafar ibn Muhammad Al-Sadiq {a.s},
Imam Jafar ibn Muhammad Al-Sadiq {a.s} appointed Imam Musa ibn Jafar Al-Kadhim {a.s},
Imam Musa ibn Jafar Al-Kadhim {a.s} appointed Imam Ali ibn Musa Ar-Ridha {a.s},
Imam Ali ibn Musa Ar-Ridha {a.s} appointed Imam Muhammad ibn Ali Al-Jawad {a.s},
Imam Muhammad ibn Ali Al-Jawad {a.s} appointed Imam Ali ibn Muhammad Al-Hadi {a.s},
Imam Ali ibn Muhammad Al-Hadi {a.s} appointed Imam Hasan ibn Ali Al-Askari {a.s},
and Imam Hasan ibn Ali Al-Askari {a.s} appointed his son, the Proof of Allah {SWT}, the Riser with the Truth, Imam Muhammad ibn Hassan Al-Mahdi {a.s}.
If only one day remained in this world, Allah {SWT} would prolong that day until the appointed Qaim {a.s} appears and fills the earth with justice and fairness just as it had been filled with oppression and injustice.
May Allah's {SWT} blessings be upon Him {a.s} and upon his pure forefathers {a.s}.

[REFERENCES] Al-Imamah wa Al-Tabsirah, Vol.1 p.21 • Man La Yahduruhu Al-Faqih, Vol.4 p.174 • Kamal Al-Din, Vol.1 p.211 • Al-Amali (Lil-Saduq), Vol.1 p.402 • Al-Amali (Lil-Tusi), Vol.1 p.442 • Bisharat Al-Mustafa, Vol.1 p.82 • Qisas Al-Anbiya (Lil-Rawandi), Vol.1 p.371 • Muntakhab Al-Anwar, Vol.1 p.25 • Al-Wafi, Vol.2 p.294 • Ithbat Al-Huda, Vol.2 p.36

HADITH

5403 - وَ رَوَى يُونُسُ بْنُ عَبْدِ اَلرَّحْمَنِ عَنْ عَاصِمِ بْنِ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيٍّ اَلْبَاقِرِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «إِنَّ اِسْمَ اَلنَّبِيِّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ فِي صُحُفِ إِبْرَاهِيمَ اَلْمَاحِي وَ فِي تَوْرَاةِ مُوسَى اَلْحَادُّ وَ فِي إِنْجِيلِ عِيسَى أَحْمَدُ وَ فِي اَلْفُرْقَانِ مُحَمَّدٌ » قِيلَ فَمَا تَأْوِيلُ اَلْمَاحِي قَالَ «اَلْمَاحِي صُورَةَ اَلْأَصْنَامِ وَ مَاحِي اَلْأَوْثَانِ وَ اَلْأَزْلاَمِ وَ كُلِّ مَعْبُودٍ دُونَ اَلرَّحْمَنِ» وَ قِيلَ فَمَا تَأْوِيلُ اَلْحَادِّ قَالَ «يُحَادُّ مَنْ حَادَّ اَللَّهَ وَ دِينَهُ قَرِيباً كَانَ أَوْ بَعِيداً» قِيلَ فَمَا تَأْوِيلُ أَحْمَدَ قَالَ «حَسُنَ ثَنَاءُ اَللَّهِ عَزَّ وَ جَلَّ عَلَيْهِ فِي اَلْكُتُبِ بِمَا حُمِدَ مِنْ أَفْعَالِهِ» قِيلَ فَمَا تَأْوِيلُ مُحَمَّدٍ قَالَ «إِنَّ اَللَّهَ وَ مَلاَئِكَتَهُ وَ جَمِيعَ أَنْبِيَائِهِ وَ رُسُلِهِ وَ جَمِيعَ أُمَمِهِمْ يَحْمَدُونَهُ وَ يُصَلُّونَ عَلَيْهِ وَ إِنَّ اِسْمَهُ اَلْمَكْتُوبَ عَلَى اَلْعَرْشِ، مُحَمَّدٌ رَسُولُ اَللَّهِ وَ كَانَ عليه السلام يَلْبَسُ مِنَ اَلْقَلاَنِسِ اَلْيَمَنِيَّةَ وَ اَلْبَيْضَاءَ وَ اَلْمُضَرَّبَةَ ذَاتَ اَلْأُذُنَيْنِ فِي اَلْحُرُوبِ وَ كَانَتْ لَهُ عَنَزَةٌ يَتَّكِئُ عَلَيْهَا وَ يُخْرِجُهَا فِي اَلْعِيدَيْنِ فَيَخْطُبُ بِهَا وَ كَانَ لَهُ قَضِيبٌ يُقَالُ لَهُ اَلْمَمْشُوقُ وَ كَانَ لَهُ فُسْطَاطٌ يُسَمَّى اَلْكِنَّ وَ كَانَتْ لَهُ قَصْعَةٌ تُسَمَّى اَلسَّعَةَ وَ كَانَ لَهُ قَعْبٌ يُسَمَّى اَلرِّيَّ وَ كَانَ لَهُ فَرَسَانِ يُقَالُ لِأَحَدِهِمَا اَلْمُرْتَجِزُ وَ اَلْآخِرِ اَلسَّكْبُ وَ كَانَ لَهُ بَغْلَتَانِ يُقَالُ لِإِحْدَيهُمَا اَلدُّلْدُلُ وَ اَلْأُخْرَى اَلشَّهْبَاءُ وَ كَانَتْ لَهُ نَاقَتَانِ يُقَالُ لِإِحْدَيهُمَا اَلْعَضْبَاءُ وَ اَلْأُخْرَى اَلْجَدْعَاءُ وَ كَانَ لَهُ سَيْفَانِ يُقَالُ لِأَحَدِهِمَا ذُو اَلْفَقَارِ وَ اَلْأُخْرَى اَلْعَوْنُ وَ كَانَ لَهُ سَيْفَانِ آخَرَانِ يُقَالُ لِأَحَدِهِمَا اَلْمِخْذَمُ وَ اَلْآخَرِ اَلرَّسُومُ وَ كَانَ لَهُ حِمَارٌ يُسَمَّى اَلْيَعْفُورَ وَ كَانَتْ لَهُ عِمَامَةٌ تُسَمَّى اَلسَّحَابَ وَ كَانَ لَهُ دِرْعٌ تُسَمَّى ذَاتَ اَلْفُضُولِ لَهَا ثَلاَثُ حَلَقَاتٍ فِضَّةٍ حَلْقَةٌ بَيْنَ يَدَيْهَا وَ حَلْقَتَانِ خَلْفَهَا وَ كَانَتْ لَهُ رَايَةٌ تُسَمَّى اَلْعُقَابَ وَ كَانَ لَهُ بَعِيرٌ يَحْمِلُ عَلَيْهِ يُقَالُ لَهُ اَلدِّيبَاجُ وَ كَانَ لَهُ لِوَاءٌ يُسَمَّى اَلْمَغْلُومَ وَ كَانَ لَهُ مِغْفَرٌ يُسَمَّى اَلْأَسْعَدَ فَسَلَّمَ ذَلِكَ كُلَّهُ إِلَى عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ عِنْدَ مَوْتِهِ وَ أَخْرَجَ خَاتَمَهُ وَ جَعَلَهُ فِي إِصْبَعِهِ فَذَكَرَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ وَجَدَ فِي قَائِمَةِ سَيْفٍ مِنْ سُيُوفِهِ صَحِيفَةً فِيهَا ثَلاَثَةُ أَحْرُفٍ «صِلْ مَنْ قَطَعَكَ وَ قُلِ اَلْحَقَّ وَ لَوْ عَلَى نَفْسِكَ وَ أَحْسِنْ إِلَى مَنْ أَسَاءَ إِلَيْكَ» ».

H.5403 - Yunus ibn Abd Al-Rahman narrated from Asim ibn Humayd from Muhammad ibn Qays from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"Indeed, the name of the Prophet (peace be upon him and his family) in the scriptures of Ibrahim is Al-Mahi (the Eraser), in the Torah of Musa it is Al-Had (the Opponent), in the Gospel of Isa it is Ahmad, and in the Qur'an it is Muhammad {saws}."
It was asked: “What is the meaning of Al-Mahi?"
Imam {a.s} said: “Al-Mahi is "The one who erases the image of idols, removes the traces of false deities, and eliminates every object of worship besides the Most Merciful {SWT}."
It was asked: “What is the meaning of Al-Had?"
Imam {a.s} said: “Al-Had is the one who stands in opposition to those who oppose Allah {SWT} and His {SWT} religion, whether they are near or far."
It was asked: “What is the meaning of Ahmad?"
Imam {a.s} said: “Ahmad means that Allah {SWT}, the Mighty and Majestic, has praised him in the scriptures for the praiseworthy deeds he performed."
It was asked: “What is the meaning of Muhammad?"
Imam {a.s} said: “Indeed, Allah {SWT}, His {SWT} angels, all His {SWT} Prophets {a.s}, Messengers {a.s}, and all their praise and send blessings upon Him {saws}, and His {saws} name is inscribed upon the Throne: 'Muhammad {saws} is the Messenger of Allah {SWT}.'"

He {saws} used to wear Yemeni caps, white caps, and a wrapped turban with two flaps during battles.
He {saws} had a staff called ‘Anazah, which he would lean on and take out for the two Eid sermons.
He {saws} had a rod called Al-Mamshuq and a tent called Al-Kinn.
He {saws} had a large wooden bowl called Al-Sa‘ah and a drinking vessel called Al-Riyy.
He {saws} had two horses: one named Al-Murtajiz and the other named Al-Sakb.
He {saws} had two mules: one named Al-Duldul and the other named Al-Shahba.
He {saws} had two camels: one named Al-‘Adhba and the other named Al-Jad‘a.
He {saws} had two swords: one named Dhu Al-Fiqar and the other named Al-‘Awn.
He {saws} had two additional swords: one named Al-Mikhdham and the other named Al-Rasum.
He {saws} had a donkey named Al-Ya‘fur.
He {saws} had a turban called Al-Sahab.
He {saws} had a coat of armor called Dhat Al-Fudul, which had three silver rings - one in the front and two in the back.
He {saws} had a banner called Al-‘Uqab.
He {saws} had a camel for carrying loads named Al-Dibaj.
He {saws} had a flag called Al-Ma‘lum.
He {saws} had a war helmet called Al-As‘ad.
Upon His {saws} passing, He {saws} entrusted all of these to Commander of the Faithful Imam Ali ibn Abi Talib {a.s}, and placed his ring on Imam Ali’s {a.s} finger.
Commander of the Faithful Imam Ali ibn Abi Talib {a.s} said that he found a scroll inside the hilt of one of the Prophet’s {saws} swords, which contained three statements:
"Maintain ties with those who cut you off."
"Speak the truth, even if it is against yourself."
"Show kindness to those who wrong you."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.177 • Al-Wafi, Vol.3 p.577

HADITH

5404 - وَ رَوَى اَلْمُعَلَّى بْنُ مُحَمَّدٍ اَلْبَصْرِيُّ عَنْ جَعْفَرِ بْنِ سُلَيْمَانَ عَنْ عَبْدِ اَللَّهِ بْنِ اَلْحَكَمِ عَنْ أَبِيهِ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ اِبْنِ عَبَّاسٍ قَالَ قَالَ اَلنَّبِيُّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «إِنَّ عَلِيّاً وَصِيِّي وَ خَلِيفَتِي وَ زَوْجَتَهُ فَاطِمَةَ سَيِّدَةَ نِسَاءِ اَلْعَالَمِينَ اِبْنَتِي وَ اَلْحَسَنَ وَ اَلْحُسَيْنَ سَيِّدَا شَبَابِ أَهْلِ اَلْجَنَّةِ وَلَدَايَ مَنْ وَالاهُمْ فَقَدْ وَالانِي وَ مَنْ عَادَاهُمْ فَقَدْ عَادَانِي وَ مَنْ نَاوَأَهُمْ فَقَدْ نَاوَأَنِي وَ مَنْ جَفَاهُمْ فَقَدْ جَفَانِي وَ مَنْ بَرَّهُمْ فَقَدْ بَرَّنِي وَصَلَ اَللَّهُ مَنْ وَصَلَهُمْ وَ قَطَعَ اَللَّهُ مَنْ قَطَعَهُمْ وَ نَصَرَ اَللَّهُ مَنْ أَعَانَهُمْ وَ خَذَلَ اَللَّهُ مَنْ خَذَلَهُمْ: اَللَّهُمَّ مَنْ كَانَ لَهُ مِنْ أَنْبِيَائِكَ وَ رُسُلِكَ ثَقَلٌ وَ أَهْلُ بَيْتٍ فَعَلِيٌّ وَ فَاطِمَةُ وَ اَلْحَسَنُ وَ اَلْحُسَيْنُ أَهْلُ بَيْتِي وَ ثَقَلِي فَأَذْهِبْ عَنْهُمُ اَلرِّجْسَ وَ طَهِّرْهُمْ تَطْهِيراً ».

H.5404 - Al-Mualla ibn Muhammad Al-Basri narrated from Jafar ibn Sulayman from Abdullah ibn Al-Hakam from his father from Said ibn Jubayr from Ibn Abbas, who said:
The Prophet (peace be upon him and his family) said:
"Indeed, Ali {a.s} is my successor and caliph, and his wife (Sayyida) Fatimah {a.s}, my daughter, is the leader of the women of the worlds.
Al-Hasan {a.s} and Al-Hussain {a.s} are the leaders of the youth of Paradise, and they are my sons.
Whoever befriends Them {a.s} has befriended me {saws},
Whoever opposes Them {a.s} has opposed me {saws}.
Whoever fights against Them {a.s} has fought against me {saws},
Whoever distances himself from Them {a.s} has distanced himself from me {saws},
And whoever honors Them {a.s} has honored me {saws}.
May Allah {SWT} the Majestic, maintain ties with those who maintain ties with Them {a.s} and sever ties with those who sever ties with them {a.s}.
May Allah {SWT} the Majestic, support those who aid Them {a.s} and abandon those who abandon them {a.s}.
O' Allah {SWT}! Just as every prophet and messenger had their own household and entrusted ones; Ali {a.s}, (Sayyida) Fatimah {a.s}, Al-Hasan {a.s}, and Al-Hussain {a.s} are my household and my entrusted ones.
So remove impurity from Them {a.s} and purify Them {a.s} completely."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.179 • Man La Yahduruhu Al-Faqih, Vol.4 p.420 • Al-Amali (Lil-Saduq), Vol.1 p.57 • Al-Amali (Lil-Saduq), Vol.1 p.473 • Bisharat Al-Mustafa, Vol.1 p.16 • Al-Wafi, Vol.2 p.326 • Ithbat Al-Huda, Vol.2 p.38 • Bihar Al-Anwar, Vol.35 p.210 • Bihar Al-Anwar, Vol.37 p.35

HADITH

5405 - وَ رُوِيَ عَنِ اِبْنِ عَبَّاسٍ أَنَّهُ قَالَ سَمِعْتُ اَلنَّبِيَّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ يَقُولُ لِعَلِيٍّ عَلَيْهِ اَلسَّلاَمُ : «يَا عَلِيُّ أَنْتَ وَصِيِّي أَوْصَيْتُ إِلَيْكَ بِأَمْرِ رَبِّي وَ أَنْتَ خَلِيفَتِي اِسْتَخْلَفْتُكَ بِأَمْرِ رَبِّي يَا عَلِيُّ أَنْتَ اَلَّذِي تُبَيِّنُ لِأُمَّتِي مَا يَخْتَلِفُونَ فِيهِ بَعْدِي وَ تَقُومُ فِيهِمْ مَقَامِي قَوْلُكَ قَوْلِي وَ أَمْرُكَ أَمْرِي وَ طَاعَتُكَ طَاعَتِي وَ طَاعَتِي طَاعَةُ اَللَّهِ وَ مَعْصِيَتُكَ مَعْصِيَتِي وَ مَعْصِيَتِي مَعْصِيَةُ اَللَّهِ عَزَّ وَ جَلَّ».

H.5405 - It is narrated from Ibn Abbas that he said:
I heard the Prophet {saws} say to Imam Ali ibn Abi Talib {a.s}:
"O' Ali {a.s}, you are my successor. I have entrusted to you by the command of my Lord {AZJ}, and you are my caliph.
I have appointed you by the command of my Lord {AZJ}.
O' Ali {a.s}, you are the one who will clarify for my nation what they will differ over after me, and you will stand in my place among them.
Your words are my words, your command is my command, obedience to you is obedience to me, and obedience to me is obedience to Allah {SWT}.
Disobedience to you is the disobedience to me, and the disobedience to me is the disobedience to Allah {SWT}, the Mighty and Majestic."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.179 • Ithbat Al-Huda, Vol.3 p.25

HADITH

5406 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عَبْدِ اَللَّهِ اَلْكُوفِيُّ عَنْ مُوسَى بْنِ عِمْرَانَ اَلنَّخَعِيِّ عَنْ عَمِّهِ اَلْحُسَيْنِ بْنِ يَزِيدَ عَنِ اَلْحَسَنِ بْنِ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِيهِ عَنْ يَحْيَى بْنِ أَبِي اَلْقَاسِمِ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَدِّهِ عَلَيْهِمُ اَلسَّلاَمُ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : « اَلْأَئِمَّةُ بَعْدِي اِثْنَا عَشَرَ أَوَّلُهُمْ عَلِيُّ بْنُ أَبِي طَالِبٍ وَ آخِرُهُمُ اَلْقَائِمُ فَهُمْ خُلَفَائِي وَ أَوْصِيَائِي وَ أَوْلِيَائِي وَ حُجَجُ اَللَّهِ عَلَى أُمَّتِي بَعْدِي اَلْمُقِرُّ بِهِمْ مُؤْمِنٌ وَ اَلْمُنْكِرُ لَهُمْ كَافِرٌ».

H.5406 - Muhammad ibn Abi Abdullah Al-Kufi narrated from Musa ibn Imran Al-Nakhai from his uncle Al-Husayn ibn Yazid from Al-Hasan ibn Ali ibn Abi Hamzah from his father from Yahya ibn Abi Al-Qasim from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, from his grandfather Imam Hussain ibn Ali {a.s}, peace be upon them all, who said:
The Messenger of Allah {SWT} (peace be upon him and his family) said:
"The Imams {a.s} after me are twelve.
The first of them is Ali ibn Abi Talib {a.s}, and the last of them is the Riser (Al-Qa'im {a.s}).
They are my successors, my trustees, my guardians, and the proofs of Allah {SWT} over my nation after me.
Whoever acknowledges them is a believer, and whoever denies them is a disbelever."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.179 • Uyun Al-Akhbar, Vol.1 p.59 • Kamal Al-Din, Vol.1 p.259 • Kifayat Al-Athar, Vol.1 p.145 • Kifayat Al-Athar, Vol.1 p.153 • I'lam Al-Wara, Vol.2 p.173 • Jami' Al-Akhbar, Vol.1 p.17 • Kashf Al-Ghummah, Vol.2 p.507 • Al-Wafi, Vol.2 p.313 • Ithbat Al-Huda, Vol.2 p.38

HADITH

5407 - وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «إِنَّ لِلَّهِ تَعَالَى مِائَةَ أَلْفِ نَبِيٍّ وَ أَرْبَعَةً وَ عِشْرِينَ أَلْفَ نَبِيٍّ أَنَا سَيِّدُهُمْ وَ أَفْضَلُهُمْ وَ أَكْرَمُهُمْ عَلَى اَللَّهِ عَزَّ وَ جَلَّ وَ لِكُلِّ نَبِيٍّ وَصِيٌّ أَوْصَى إِلَيْهِ بِأَمْرِ اَللَّهِ تَعَالَى ذِكْرُهُ وَ إِنَّ وَصِيِّي عَلِيَّ بْنَ أَبِي طَالِبٍ لَسَيِّدُهُمْ وَ أَفْضَلُهُمْ وَ أَكْرَمُهُمْ عَلَى اَللَّهِ عَزَّ وَ جَلَّ».

H.5407 - The Messenger of Allah {SWT} (peace be upon him and his family) said:
"Indeed, Allah {SWT}, the Exalted, has one hundred and twenty-four thousand prophets.
I am the master, the best, and the most honored of them before Allah {SWT}, the Mighty and Majestic.
Every prophet had a successor whom he appointed by the command of Allah {SWT}, the Exalted in His remembrance.
Verily, my successor, Ali ibn Abi Talib {a.s}, is the master, the best, and the most honored among all of their successors before Allah {SWT}, the Mighty and Majestic."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.180 • Qisas Al-Anbiya (Lil-Rawandi), Vol.1 p.372 • Al-Wafi, Vol.2 p.326 • Ithbat Al-Huda, Vol.3 p.26

HADITH

5408 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي اَلْجَارُودِ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ جَابِرِ بْنِ عَبْدِ اَللَّهِ اَلْأَنْصَارِيِّ قَالَ : دَخَلْتُ عَلَى فَاطِمَةَ عَلَيْهَا اَلسَّلاَمُ وَ بَيْنَ يَدَيْهَا لَوْحٌ فِيهِ أَسْمَاءُ اَلْأَوْصِيَاءِ مِنْ وُلْدِهَا فَعَدَدْتُ اِثْنَيْ عَشَرَ أَحَدُهُمْ اَلْقَائِمُ ثَلاَثَةٌ مِنْهُمْ مُحَمَّدٌ وَ أَرْبَعَةٌ مِنْهُمْ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ.

وَ قَدْ أَخْرَجْتُ الْأَخْبَارَ الْمُسْنَدَةَ الصَّحِيحَةَ فِي هَذَا الْمَعْنَى فِي كِتَابِ كَمَالِ الدِّينِ وَ تَمَامِ النِّعْمَةِ فِي إِثْبَاتِ الْغَيْبَةِ وَ كَشْفِ الْحَيْرَةِ وَ لَمْ أُورِدْ مِنْهَا شَيْئاً فِي هَذَا الْمَوْضِعِ لِأَنِّي وَضَعْتُ هَذَا الْكِتَابَ لِمُجَرَّدِ الْفِقْهِ دُونَ غَيْرِهِ وَ اللَّهُ الْمُوَفِّقُ لِلصَّوَابِ وَ الْمُعِينُ عَلَى اكْتِسَابِ الثَّوَابِ.

H.5408 - Al-Hasan ibn Mahbub narrated from Abu Al-Jarud from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} from Jabir ibn Abdullah Al-Ansari, who said:
"I entered upon Sayyida Fatimah {s.a}, and before her {s.a} was a tablet in which were the names of the successors from her offspring. I counted twelve, and one of them was the Riser (Al-Qa'im {a.s}). Three of them were named Muhammad {a.s}, and four of them were named Ali {a.s}."

[AL SADUQ]
I have presented the authenticated and well-supported narrations on this subject in the book Kamal Al-Din wa Tamam Al-Nimah fi Ithbat Al-Ghaybah wa Kashf Al-Hayrah (The Perfection of Religion and the Completion of Blessing in the Proof of Occultation and the Unveiling of Perplexity).
However, I have not included any of them in this place because I have composed this book solely for jurisprudence and nothing else. Allah {SWT} is the One who grants success in reaching the truth and assists in attaining reward.

[REFERENCES] Al-Kafi, Vol.1 p.532 • Man La Yahduruhu Al-Faqih, Vol.4 p.180 • Uyun Al-Akhbar, Vol.1 p.46 • Uyun Al-Akhbar, Vol.1 p.47 • Kamal Al-Din, Vol.1 p.269 • Kamal Al-Din, Vol.1 p.311 • Kamal Al-Din, Vol.1 p.313 • Al-Ghaybah (Lil-Tusi), Vol.1 p.139 • I'lam Al-Wara, Vol.2 p.166 • Jami' Al-Akhbar, Vol.1 p.17

CHAPTER 72 – CHAPTER ON THE FAVOR THAT ALLAH {SWT}, BLESSED AND EXALTED, BESTOWS UPON HIS SERVANT AT THE TIME OF DEATH BY RESTORING HIS SIGHT, HEARING, AND INTELLECT SO THAT HE MAY MAKE A BEQUEST

بَابُ مَا يَمُنُّ اللَّهُ تَبَارَكَ وَ تَعَالَى بِهِ عَلَى عَبْدِهِ عِنْدَ الْوَفَاةِ مِنْ رَدِّ بَصَرِهِ وَ سَمْعِهِ وَ عَقْلِهِ لِيُوصِيَ

HADITH 5409

5409 - رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ حَمَّادِ بْنِ عُثْمَانَ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «مَا مِنْ مَيِّتٍ تَحْضُرُهُ اَلْوَفَاةُ إِلاَّ رَدَّ اَللَّهُ عَلَيْهِ مِنْ سَمْعِهِ وَ بَصَرِهِ وَ عَقْلِهِ لِلْوَصِيَّةِ أَخَذَ اَلْوَصِيَّةَ أَوْ تَرَكَ وَ هِيَ اَلرَّاحَةُ اَلَّتِي يُقَالُ لَهَا رَاحَةُ اَلْمَوْتِ فَهِيَ حَقٌّ عَلَى كُلِّ مُسْلِمٍ ».

H.5409 - Muhammad ibn Abi Umayr narrated from Hammad ibn Uthman who said that Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"There is no dying person approaching death except that Allah {SWT} restores to him his hearing, sight, and intellect for the purpose of making a will - whether he chooses to make the will or not. This is the state referred to as the 'relief of death,' and it is a duty upon every Muslim."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.180 • Rawdat Al-Wa'izin, Vol.2 p.482 • Wasa'il Al-Shi'ah, Vol.2 p.446 • Bihar Al-Anwar, Vol.100 p.195

CHAPTER 73 – CHAPTER ON ALLAH'S {SWT}, MIGHTY AND MAJESTIC, PROOF AGAINST THE ONE WHO NEGLECTS MAKING A BEQUEST

بَابُ حُجَّةِ اللَّهِ عَزَّ وَ جَلَّ عَلَى تَارِكِ الْوَصِيَّةِ

HADITH 5410

5410 - رَوَى مُحَمَّدُ بْنُ عِيسَى بْنِ عُبَيْدٍ عَنْ زَكَرِيَّا اَلْمُؤْمِنِ عَنْ عَلِيِّ بْنِ أَبِي نُعَيْمٍ عَنْ أَبِي حَمْزَةَ عَنْ بَعْضِ اَلْأَئِمَّةِ عَلَيْهِمُ اَلسَّلاَمُ قَالَ : «إِنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى يَقُولُ «اِبْنَ آدَمَ تَطَوَّلْتُ عَلَيْكَ بِثَلاَثٍ سَتَرْتُ عَلَيْكَ مَا لَوْ يَعْلَمُ بِهِ أَهْلُكَ مَا وَارَوْكَ وَ أَوْسَعْتُ عَلَيْكَ فَاسْتَقْرَضْتُ مِنْكَ فَلَمْ تُقَدِّمْ خَيْراً وَ جَعَلْتُ لَكَ نَظِرَةً عِنْدَ مَوْتِكَ فِي ثُلُثِكَ فَلَمْ تُقَدِّمْ خَيْراً» ».

H.5410 - Muhammad ibn Isa ibn Ubayd narrated from Zakariyya Al-Mu'min from Ali ibn Abi Nuaym from Abu Hamzah from one of the Imams (peace be upon them), who said: "Indeed, Allah {SWT}, the Blessed and Exalted, says:
'O' son of Adam, I have favored you with three things:
I concealed from others matters about you that, had your family known, they would not have buried you.
I expanded your sustenance, yet when I asked you to lend (in charity), you did not offer any good.
And I granted you a respite at your death in one-third of your wealth, yet you did not present any good.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.181 • Al-Khisal, Vol.1 p.136 • Tahdhib Al-Ahkam, Vol.9 p.175 • Rawdat Al-Wa'izin, Vol.2 p.483 • Al-Wafi, Vol.24 p.23 • Wasa'il Al-Shi'ah, Vol.2 p.447 • Wasa'il Al-Shi'ah, Vol.19 p.263 • Kulliyat HADITH Qudsi, Vol.1 p.679 • Kulliyat HADITH Qudsi, Vol.1 p.708 • Bihar Al-Anwar, Vol.67 p.19

CHAPTER 74 – CHAPTER ON BEQUESTS BEING AN OBLIGATION UPON EVERY MUSLIM

بَابٌ فِي الْوَصِيَّةِ أَنَّهَا حَقٌّ عَلَى كُلِّ مُسْلِمٍ

HADITH 5411 – 5412

5411 - رَوَى مُحَمَّدُ بْنُ اَلْفُضَيْلِ عَنْ أَبِي اَلصَّبَّاحِ اَلْكِنَانِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنِ اَلْوَصِيَّةِ فَقَالَ «هِيَ حَقٌّ عَلَى كُلِّ مُسْلِمٍ ».

H.5411 - Muhammad ibn Al-Fudayl narrated from Abu Al-Sabbah Al-Kinani from Abu Abdullah Imam Al-Sadiq {a.s}, who said: I asked Imam {a.s} about making a will.
Imam {a.s} said: "It is a duty upon every Muslim."

[REFERENCES] Al-Kafi, Vol.7 p.3 • Man La Yahduruhu Al-Faqih, Vol.4 p.181 • Wasa'il Al-Shi'ah, Vol.2 p.446 • Wasa'il Al-Shi'ah, Vol.19 p.257 • Ithbat Al-Huda, Vol.1 p.126

HADITH

5412 - وَ رَوَى اَلْعَلاَءُ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ قَالَ قَالَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : «اَلْوَصِيَّةُ حَقٌّ وَ قَدْ أَوْصَى رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ فَيَنْبَغِي لِلْمُسْلِمِ أَنْ يُوصِيَ ».

H.5412 - Al-Ala' narrated from Muhammad ibn Muslim, who said that Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} said:
"Making a will is a duty, and the Messenger of Allah {SWT} (peace be upon him and his family) indeed made a will. Therefore, it is appropriate for a Muslim to make a will."

[REFERENCES] Al-Kafi, Vol.7 p.3 • Man La Yahduruhu Al-Faqih, Vol.4 p.181 • Al-Wafi, Vol.24 p.22 • Wasa'il Al-Shi'ah, Vol.19 p.257 • Ithbat Al-Huda, Vol.1 p.116

CHAPTER 75 – CHAPTER ON BEQUESTS COMPLETING WHAT IS DEFICIENT IN ZAKAT

بَابٌ فِي أَنَّ الْوَصِيَّةَ تَمَامُ مَا نَقَصَ مِنَ الزَّكَاةِ

HADITH 5413

5413 - رَوَى مَسْعَدَةُ بْنُ صَدَقَةَ اَلرَّبَعِيُّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ قَالَ قَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ : «اَلْوَصِيَّةُ تَمَامُ مَا نَقَصَ مِنَ اَلزَّكَاةِ».

H.5413 - Masadah ibn Sadaqah Al-Rabii narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, that Imam Ali ibn Abi Talib {a.s} said:
"Making a will completes what is lacking from the payment of zakat."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.182 • Tahdhib Al-Ahkam, Vol.9 p.173 • Tahdhib Al-Ahkam, Vol.9 p.173 • Rawdat Al-Wa'izin, Vol.2 p.482 • Al-Wafi, Vol.24 p.24 • Wasa'il Al-Shi'ah, Vol.19 p.259 • Wasa'il Al-Shi'ah, Vol.19 p.259 • Ithbat Al-Huda, Vol.1 p.126 • Bihar Al-Anwar, Vol.100 p.194

CHAPTER 76 – CHAPTER ON THE REWARD OF ONE WHO MAKES A BEQUEST WITHOUT BIAS OR HARM

بَابُ ثَوَابِ مَنْ أَوْصَى فَلَمْ يَحِفْ وَ لَمْ يُضَارَّ

HADITH 5414

5414 - رَوَى اَلسَّكُونِيُّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ قَالَ قَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ : «مَنْ أَوْصَى فَلَمْ يَحِفْ وَ لَمْ يُضَارَّ كَانَ كَمَنْ تَصَدَّقَ بِهِ فِي حَيَاتِهِ».

H.5414 - Al-Sakuni narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, that Imam Ali ibn Abi Talib {a.s} said:
"Whoever makes a will without being excessive or causing harm, it is as if he gave it in charity during his lifetime."

[REFERENCES] Al-Kafi, Vol.7 p.62 • Man La Yahduruhu Al-Faqih, Vol.4 p.182 • Tahdhib Al-Ahkam, Vol.9 p.174 • Al-Wafi, Vol.24 p.24 • Wasa'il Al-Shi'ah, Vol.2 p.447 • Wasa'il Al-Shi'ah, Vol.19 p.264 • Al-Fusul Al-Muhimmah, Vol.2 p.315 • Bihar Al-Anwar, Vol.100 p.195

CHAPTER 77 – CHAPTER ON REPORTS REGARDING ONE WHO DOES NOT MAKE A BEQUEST AT THE TIME OF DEATH FOR HIS RELATIVES WHO DO NOT INHERIT ANYTHING FROM HIS WEALTH, WHETHER SMALL OR LARGE

بَابُ مَا جَاءَ فِيمَنْ لَمْ يُوصِ عِنْدَ مَوْتِهِ لِذِي قَرَابَتِهِ مِمَّنْ لَا يَرِثُ بِشَيْءٍ مِنْ مَالِهِ قَلَّ أَوْ كَثُرَ

HADITH 5415

5415 - رَوَى عَبْدُ اَللَّهِ بْنُ اَلْمُغِيرَةِ عَنِ اَلسَّكُونِيِّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «مَنْ لَمْ يُوصِ عِنْدَ مَوْتِهِ لِذَوِي قَرَابَتِهِ فَقَدْ خَتَمَ عَمَلَهُ بِمَعْصِيَةٍ».

H.5415 - Abdullah ibn Al-Mughirah narrated from Al-Sakuni from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"Whoever does not make a will for his relatives at the time of his death has concluded his deeds with disobedience."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.182 • Ithbat Al-Huda, Vol.1 p.126

CHAPTER 78 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING ONE WHO DOES NOT MAKE A PROPER BEQUEST AT THE TIME OF DEATH

بَابُ مَا جَاءَ فِيمَنْ لَمْ يُحْسِنْ وَصِيَّتَهُ عِنْدَ الْمَوْتِ

HADITH 5416

5416 - رَوَى اَلْعَبَّاسُ بْنُ عَامِرٍ عَنْ أَبَانٍ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «مَنْ لَمْ يُحْسِنْ عِنْدَ اَلْمَوْتِ وَصِيَّتَهُ كَانَ نَقْصاً فِي مُرُوءَتِهِ وَ عَقْلِهِ » وَ قَالَ «إِنَّ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَوْصَى إِلَى عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ وَ أَوْصَى عَلِيٌّ إِلَى اَلْحَسَنِ وَ أَوْصَى اَلْحَسَنُ عَلَيْهِ اَلسَّلاَمُ إِلَى اَلْحُسَيْنِ وَ أَوْصَى اَلْحُسَيْنُ عَلَيْهِ اَلسَّلاَمُ إِلَى عَلِيِّ بْنِ اَلْحُسَيْنِ وَ أَوْصَى عَلِيُّ بْنُ اَلْحُسَيْنِ عَلَيْهِمَا اَلسَّلاَمُ إِلَى مُحَمَّدِ بْنِ عَلِيٍّ اَلْبَاقِرِ عَلَيْهِ اَلسَّلاَمُ ».

H.5416 - Al-Abbas ibn Amir narrated from Aban from Abu Basir from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"Whoever does not make a proper will at the time of death, it is a deficiency in his dignity and intellect."
Imam {a.s} also said: "Indeed, the Messenger of Allah {SWT} (peace be upon him and his family) made a will to Ali {a.s}, and Ali {a.s} made a will to Al-Hasan {a.s}, and Al-Hasan {a.s} made a will to Al-Hussain {a.s}, and Al-Hussain {a.s} made a will to Ali ibn Al-Hussain {a.s}, and Ali ibn Al-Hussain {a.s} made a will to Muhammad ibn Ali Al-Baqir {a.s}."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.183 • Al-Wafi, Vol.24 p.26 • Wasa'il Al-Shi'ah, Vol.19 p.265 • Ithbat Al-Huda, Vol.2 p.39

CHAPTER 79 – CHAPTER ON THE REWARD OF ONE WHOSE LIFE ENDS WITH GOODNESS IN SPEECH OR ACTION

بَابُ ثَوَابِ مَنْ خُتِمَ لَهُ بِخَيْرٍ مِنْ قَوْلٍ أَوْ فِعْلٍ

HADITH 5417

5417 - رَوَى أَحْمَدُ بْنُ اَلنَّضْرِ اَلْخَزَّازُ عَنْ عَمْرِو بْنِ شِمْرٍ عَنْ جَابِرٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «مَنْ خُتِمَ لَهُ بِلاَ إِلَهَ إِلاَّ اَللَّهُ دَخَلَ اَلْجَنَّةَ وَ مَنْ خُتِمَ لَهُ بِصِيَامِ يَوْمٍ دَخَلَ اَلْجَنَّةَ وَ مَنْ خُتِمَ لَهُ بِصَدَقَةٍ يُرِيدُ بِهَا وَجْهَ اَللَّهِ عَزَّ وَ جَلَّ دَخَلَ اَلْجَنَّةَ ».

H.5417 - Ahmad ibn Al-Nadr Al-Khazzaz narrated from Amr ibn Shimr from Jabir from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said that the Messenger of Allah {SWT} (peace be upon him and his family) said:
"Whoever's final words are 'La ilaha illa Allah {SWT}' (There is no God but Allah {SWT}) will enter Paradise.
Whoever's life ends while fasting for a day will enter Paradise.
And whoever's final deed is giving charity sincerely for the sake of Allah {SWT}, the Mighty and Majestic, will enter Paradise."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.183 • Al-Wafi, Vol.24 p.272 • Wasa'il Al-Shi'ah, Vol.19 p.266 • Al-Fusul Al-Muhimmah, Vol.2 p.315 • Mustadrak Al-Wasa'il, Vol.14 p.93

CHAPTER 80 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING HARMING THE HEIRS

بَابُ مَا جَاءَ فِي الْإِضْرَارِ بِالْوَرَثَةِ

HADITH 5418

5418 - رَوَى عَبْدُ اَللَّهِ بْنُ اَلْمُغِيرَةِ عَنِ اَلسَّكُونِيِّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ قَالَ قَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ : «مَا أُبَالِي أَضْرَرْتُ بِوُلْدِي أَوْ سَرِفْتُهُمْ ذَلِكَ اَلْمَالَ».

H.5418 - Abdullah ibn Al-Mughirah narrated from Al-Sakuni from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, that Imam Ali ibn Abi Talib {a.s} said:
"I do not mind whether I cause hardship to my children or I spend that wealth on them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.183

CHAPTER 81 – CHAPTER ON JUSTICE AND INJUSTICE IN BEQUESTS

بَابُ الْعَدْلِ وَ الْجَوْرِ فِي الْوَصِيَّةِ

HADITH 5419

5419 - رَوَى هَارُونُ بْنُ مُسْلِمٍ عَنْ مَسْعَدَةَ بْنِ صَدَقَةَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «مَنْ عَدَلَ فِي وَصِيَّتِهِ كَانَ بِمَنْزِلَةِ مَنْ تَصَدَّقَ بِهَا فِي حَيَاتِهِ وَ مَنْ جَارَ فِي وَصِيَّتِهِ لَقِيَ اَللَّهَ عَزَّ وَ جَلَّ يَوْمَ اَلْقِيَامَةِ وَ هُوَ عَنْهُ مُعْرِضٌ».

H.5419 - Harun ibn Muslim narrated from Masadah ibn Ṣadaqah from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"Whoever is just in his will is like one who gave it in charity during his lifetime.
But whoever is unjust in his will shall meet Allah {SWT}, the Mighty and Majestic, on the Day of Judgment while He {SWT} turns away from him."

[REFERENCES] Qurb Al-Isnad, Vol.1 p.63 • Al-Kafi, Vol.7 p.58 • Man La Yahduruhu Al-Faqih, Vol.4 p.184 • Al-Wafi, Vol.24 p.59 • Bihar Al-Anwar, Vol.100 p.197

CHAPTER 82 – CHAPTER ON BIAS IN BEQUESTS BEING AMONG THE MAJOR SINS

بَابٌ فِي أَنَّ الْحَيْفَ فِي الْوَصِيَّةِ مِنَ الْكَبَائِرِ

HADITH 5420

5420 - رَوَى هَارُونُ بْنُ مُسْلِمٍ عَنْ مَسْعَدَةَ بْنِ صَدَقَةَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ آبَائِهِ عَلَيْهِمُ اَلسَّلاَمُ قَالَ قَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ : «اَلْحَيْفُ فِي اَلْوَصِيَّةِ مِنَ اَلْكَبَائِرِ».

H.5420 - Harun ibn Muslim narrated from Masadah ibn Ṣadaqah from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s} from his forefathers (peace be upon them), who said that Imam Ali ibn Abi Talib {a.s} said:
"Injustice in a will is among the major sins."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.3 p.565 • Man La Yahduruhu Al-Faqih, Vol.4 p.184 • Ilal Al-Shara'i', Vol.2 p.567 • Al-Wafi, Vol.5 p.1056 • Al-Wafi, Vol.24 p.60 • Wasa'il Al-Shi'ah, Vol.15 p.327 • Wasa'il Al-Shi'ah, Vol.19 p.268

CHAPTER 83 – CHAPTER ON THE RECOMMENDED AMOUNT FOR BEQUESTS

بَابُ مِقْدَارِ مَا يُسْتَحَبُّ الْوَصِيَّةُ بِهِ

HADITH 5421 – 5424

5421 - رَوَى اَلسَّكُونِيُّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ آبَائِهِ عَلَيْهِمُ اَلسَّلاَمُ قَالَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «اَلْوَصِيَّةُ بِالْخُمُسِ لِأَنَّ اَللَّهَ عَزَّ وَ جَلَّ رَضِيَ لِنَفْسِهِ بِالْخُمُسِ » وَ قَالَ «اَلْخُمُسُ اِقْتِصَادٌ وَ اَلرُّبُعُ جَهْدٌ وَ اَلثُّلُثُ حَيْفٌ».

H.5421 - Al-Sakuni narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, who said that the Commander of the Faithful {a.s} said:
"Bequeathing one-fifth (khums) is recommended because Allah {SWT}, the Mighty and Majestic, has chosen one-fifth for Himself."
Imam {a.s} also said: "One-fifth is moderation, one-fourth is exertion, and one-third is injustice."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.185 • Al-Wafi, Vol.24 p.40 • Wasa'il Al-Shi'ah, Vol.19 p.270

HADITH

5422 - رَوَى حَمَّادُ بْنُ عِيسَى عَنْ شُعَيْبِ بْنِ يَعْقُوبَ عَنْ أَبِي بَصِيرٍ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلرَّجُلِ يَمُوتُ مَا لَهُ مِنْ مَالِهِ فَقَالَ لَهُ «ثُلُثُ مَالِهِ وَ لِلْمَرْأَةِ أَيْضاً».

H.5422 - Hammad ibn ʿIsa narrated from Shuayb ibn Yaʿqub from Abu Baṣir, who said: I asked Abu Abdullah {a.s} about a man who dies - how much of his wealth he can bequeath.
Imam {a.s} said: "One-third of his wealth, and the same applies to a woman as well."

[REFERENCES] Al-Kafi, Vol.7 p.11 • Man La Yahduruhu Al-Faqih, Vol.4 p.185 • Tahdhib Al-Ahkam, Vol.9 p.191 • Al-Istibsar, Vol.4 p.119 • Al-Wafi, Vol.24 p.38 • Wasa'il Al-Shi'ah, Vol.18 p.412 • Wasa'il Al-Shi'ah, Vol.19 p.272

HADITH

5423 - وَ رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ كَانَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «لَأَنْ أُوصِيَ بِخُمُسِ مَالِي أَحَبُّ إِلَيَّ مِنْ أَنْ أُوصِيَ بِالرُّبُعِ وَ لَأَنْ أُوصِيَ بِالرُّبُعِ أَحَبُّ إِلَيَّ مِنْ أَنْ أُوصِيَ بِالثُّلُثِ وَ مَنْ أَوْصَى بِالثُّلُثِ فَلَمْ يَتْرُكْ فَقَدْ بَالَغَ» وَ قَالَ «مَنْ أَوْصَى بِثُلُثِ مَالِهِ فَلَمْ يَتْرُكْ فَقَدْ بَلَغَ اَلْمَدَى».

H.5423 - Aṣim ibn Humayd narrated from Muhammad ibn Qays from Abu Jafar mam Muhammad ibn Ali Al-Baqir {a.s}, who said:
“The Commander of the Faithful Imam Ali ibn Abi Talib {a.s} used to say:
‘To bequeath one-fifth of my wealth is more beloved to me than to bequeath one-fourth, and to bequeath one-fourth is more beloved to me than to bequeath one-third. Whoever bequeaths one-third without leaving anything behind has gone to excess.’"
Imam {a.s} also said: "Whoever bequeaths one-third of his wealth without leaving anything has reached the limit."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.185 • Wasa’il Al-Shi’ah, Vol.19 p.269

HADITH

5424 - وَ فِي رِوَايَةِ اَلْحَسَنِ بْنِ عَلِيٍّ اَلْوَشَّاءِ عَنْ حَمَّادِ بْنِ عُثْمَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «مَنْ أَوْصَى بِالثُّلُثِ فَقَدْ أَضَرَّ بِالْوَرَثَةِ وَ اَلْوَصِيَّةُ بِالْخُمُسِ وَ اَلرُّبُعِ أَفْضَلُ مِنَ اَلْوَصِيَّةِ بِالثُّلُثِ» وَ قَالَ «مَنْ أَوْصَى بِالثُّلُثِ فَلَمْ يَتْرُكْ».

H.5424 - In the narration of Al-Hasan ibn Ali Al-Washsha’ from Hammad ibn Uthman from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, that he said:
"Whoever bequeaths one-third has harmed the heirs. Bequeathing one-fifth or one-fourth is better than bequeathing one-third."
Imam {a.s} also said: "Whoever bequeaths one-third without leaving anything behind has gone to excess."

[REFERENCES] Al-Kafi, Vol.7 p.11 • Man La Yahduruhu Al-Faqih, Vol.4 p.185 • Tahdhib Al-Ahkam, Vol.9 p.191 • Al-Istibsar, Vol.4 p.119 • Al-Wafi, Vol.24 p.40 • Wasa’il Al-Shi’ah, Vol.19 p.269 • Mustadrak Al-Wasa’il, Vol.14 p.94

CHAPTER 84 – CHAPTER ON THE OBLIGATION OF RETURNING A BEQUEST TO WHAT IS PROPER AND WHAT THE DECEASED IS ENTITLED TO FROM HIS WEALTH

بَابُ مَا يَجِبُ مِنْ رَدِّ الْوَصِيَّةِ إِلَى الْمَعْرُوفِ وَ مَا لِلْمَيِّتِ مِنْ مَالِهِ

HADITH 5425 – 5430

5425 - رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ ع قَالَ : «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ فِي رَجُلٍ تُوُفِّيَ وَ أَوْصَى بِمَالِهِ كُلِّهِ أَوْ بِأَكْثَرِهِ فَقَالَ «إِنَّ اَلْوَصِيَّةَ تُرَدُّ إِلَى اَلْمَعْرُوفِ وَ يُتْرَكُ لِأَهْلِ اَلْمِيرَاثِ مِيرَاثُهُمْ» ».

H.5425 - Aṣim ibn Humayd narrated from Muhammad ibn Qays from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"The Commander of the Faithful {a.s} ruled regarding a man who passed away and had bequeathed all of his wealth or most of it.
Imam Ali ibn Abi Talib {a.s} said: 'The will is to be adjusted to what is customary, and the rightful inheritance must be left for the heirs.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.186 • Al-Wafi, Vol.24 p.94

HADITH

5426 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ مُرَازِمٍ عَنْ عَمَّارٍ اَلسَّابَاطِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «اَلْمَيِّتُ أَحَقُّ بِمَالِهِ مَا دَامَ فِيهِ اَلرُّوحُ يُبِينُ بِهِ» قَالَ «فَإِنْ تَعَدَّى فَلَيْسَ لَهُ إِلاَّ اَلثُّلُثُ».

H.5426 - Ibn Abi Umayr narrated from Murazim from Ammar Al-Sabaṭi from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"The deceased has the most right over his wealth as long as his soul remains in him and he can express himself."
Imam {a.s} then said: "But if he exceeds (in his bequest), he is entitled only to one-third."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.186 • Al-Wafi, Vol.24 p.67

HADITH

5427 - وَ رَوَى هَارُونُ بْنُ مُسْلِمٍ عَنْ مَسْعَدَةَ بْنِ صَدَقَةَ اَلرَّبَعِيِّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ : «أَنَّ رَجُلاً مِنَ اَلْأَنْصَارِ تُوُفِّيَ وَ لَهُ صِبْيَةٌ صِغَارٌ وَ لَهُ سِتَّةُ مِنَ اَلرَّقِيقِ فَأَعْتَقَهُمْ عِنْدَ مَوْتِهِ وَ لَيْسَ لَهُ مَالٌ غَيْرُهُمْ فَأُتِيَ اَلنَّبِيُّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ فَأُخْبِرَ فَقَالَ «مَا صَنَعْتُمْ بِصَاحِبِكُمْ» قَالُوا دَفَنَّاهُ قَالَ «لَوْ عَلِمْتُ مَا دَفَنَّاهُ مَعَ أَهْلِ اَلْإِسْلاَمِ تَرَكَ وُلْدَهُ يَتَكَفَّفُونَ اَلنَّاسَ» ».

H.5427 - Harun ibn Muslim narrated from Masadah ibn Ṣadaqah Al-Rabii from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"A man from the Ansar passed away, leaving behind young children. He had six slaves and no wealth other than them. At the time of his death, he freed all of them.
When the Prophet (peace be upon him and his family) was informed of this, He {saws} said:
'What did you do with your companion?'
They replied: 'We buried him.'
Prophet {saws} said: 'Had I known before, I would not have allowed him to be buried among the Muslims. He (the deceased) left his children to beg from the people.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.186 • Ilal Al-Shara'i', Vol.2 p.566 • Al-Wafi, Vol.24 p.60 • Bihar Al-Anwar, Vol.100 p.198

HADITH

5428 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «كَانَ اَلْبَرَاءُ بْنُ مَعْرُورٍ اَلْأَنْصَارِيُّ بِالْمَدِينَةِ وَ كَانَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ بِمَكَّةَ وَ إِنَّهُ حَضَرَهُ اَلْمَوْتُ وَ كَانَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَ اَلْمُسْلِمُونَ يُصَلُّونَ إِلَى بَيْتِ اَلْمَقْدِسِ فَأَوْصَى اَلْبَرَاءُ بْنُ مَعْرُورٍ أَنْ يُجْعَلَ وَجْهُهُ إِلَى تِلْقَاءِ اَلنَّبِيِّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ إِلَى اَلْقِبْلَةِ وَ أَوْصَى بِثُلُثِ مَالِهِ فَجَرَتْ بِهِ اَلسُّنَّةُ».

H.5428 - Muhammad ibn Abi Umayr narrated from Muawiyah ibn Ammar from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"Al-Bara' ibn Marur Al-Ansari was in Medina while the Messenger of Allah {SWT} (peace be upon him and his family) was in Mecca.
When death approached him (Al-Bara'), and while the Messenger of Allah {SWT} (peace be upon him and his family) and the Muslims were still praying towards Bayt Al-Maqdis (Jerusalem), Al-Bara' ibn Marur instructed that his face be turned towards the direction of the Prophet (peace be upon him and his family), towards the Kabah. He also bequeathed one-third of his wealth.
Thus, this practice became a Sunnah (established tradition)."

[REFERENCES] Al-Kafi, Vol.7 p.10 • Man La Yahduruhu Al-Faqih, Vol.4 p.186 • Tahdhib Al-Ahkam, Vol.9 p.192 • Al-Wafi, Vol.24 p.37 • Wasa'il Al-Shi'ah, Vol.3 p.230 • Wasa'il Al-Shi'ah, Vol.19 p.271

HADITH

5429 - وَ رُوِيَ عَنْ أَحْمَدَ بْنِ مُحَمَّدِ بْنِ عِيسَى عَنْ أَحْمَدَ بْنِ إِسْحَاقَ : أَنَّهُ كَتَبَ إِلَى أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ أَنَّ دُرَّةَ بِنْتَ مُقَاتِلٍ تُوُفِّيَتْ وَ تَرَكَتْ ضَيْعَةً أَشْقَاصاً فِي مَوْضِعِ كَذَا وَ أَوْصَتْ لِسَيِّدِنَا فِي أَشْقَاصِهَا بِأَكْثَرَ مِنَ اَلثُّلُثِ وَ نَحْنُ أَوْصِيَاؤُهَا فَأَحْبَبْنَا إِنْهَاءَ ذَلِكَ إِلَى سَيِّدِنَا فَإِنْ أَمَرَنَا بِإِمْضَاءِ اَلْوَصِيَّةِ عَلَى وَجْهِهَا أَمْضَيْنَاهَا وَ إِنْ أَمَرَنَا بِغَيْرِ ذَلِكَ اِنْتَهَيْنَا إِلَى أَمْرِهِ فِي جَمِيعِ مَا يَأْمُرُنَا بِهِ إِنْ شَاءَ اَللَّهُ تَعَالَى فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ بِخَطِّهِ «لَيْسَ يَجِبُ لَهَا فِي تَرِكَتِهَا إِلاَّ اَلثُّلُثُ فَإِنْ تَفَضَّلْتُمْ وَ كُنْتُمُ اَلْوَرَثَةَ كَانَ جَائِزاً لَكُمْ إِنْ شَاءَ اَللَّهُ».

H.5429 - It is narrated from Ahmad ibn Muhammad ibn Isa from Ahmad ibn Ishaq that he wrote to Abu Al-Hasan {a.s}, informing him:
"Durrah bint Muqatil has passed away and left behind an estate consisting of portions in a certain place. She bequeathed more than one-third of her estate to our master, and we are her executors. We wished to inform our master about this matter. If you command us to carry out the will as it is, we will do so. But if you command otherwise, we will adhere to your instruction in all that you command us, God willing."
So Abu Al-Hasan {a.s} replied in his own handwriting:
"She is entitled to only one-third of her estate. However, if you, as the heirs, choose to be generous, it is permissible for you, God willing."

[REFERENCES] Al-Kafi, Vol.7 p.10 • Man La Yahduruhu Al-Faqih, Vol.4 p.187 • Tahdhib Al-Ahkam, Vol.9 p.192 • Al-Wafi, Vol.24 p.52 • Wasa'il Al-Shi'ah, Vol.19 p.275

HADITH

5430 - وَ رَوَى صَفْوَانُ عَنْ مُرَازِمٍ عَنْ بَعْضِ أَصْحَابِنَا : فِي اَلرَّجُلِ يُعْطِي اَلشَّيْءَ مِنْ مَالِهِ فِي مَرَضِهِ قَالَ «إِذَا أَبَانَ بِهِ فَهُوَ جَائِزٌ وَ إِنْ أَوْصَى بِهِ فَمِنَ اَلثُّلُثِ».

H.5430 - Ṣafwan narrated from Murazim from some of our companions regarding a man who gives something from his wealth during his illness.
Imam {a.s} said: "If he gives it explicitly (clearly handing it over), then it is valid. But if he bequeaths it (without handing it over), then it must be from one-third of his estate."

[REFERENCES] Al-Kafi, Vol.7 p.8 • Man La Yahduruhu Al-Faqih, Vol.4 p.187 • Man La Yahduruhu Al-Faqih, Vol.4 p.202 • Al-Wafi, Vol.24 p.66 • Wasa'il Al-Shi'ah, Vol.19 p.273 • Wasa'il Al-Shi'ah, Vol.19 p.298

CHAPTER 85 – CHAPTER ON THE FORMULATION OF THE BEQUEST

بَابُ رَسْمِ الْوَصِيَّةِ

HADITH 5431 – 5433

5431 - رَوَى عَلِيُّ بْنُ إِبْرَاهِيمَ بْنِ هَاشِمٍ عَنْ عَلِيِّ بْنِ إِسْحَاقَ عَنِ اَلْحَسَنِ بْنِ حَازِمٍ اَلْكَلْبِيِّ اِبْنِ أُخْتِ هِشَامِ بْنِ سَالِمٍ عَنْ سُلَيْمَانَ بْنِ جَعْفَرٍ وَ لَيْسَ بِالْجَعْفَرِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «مَنْ لَمْ يُحْسِنْ وَصِيَّتَهُ عِنْدَ اَلْمَوْتِ كَانَ نَقْصاً فِي مُرُوءَتِهِ وَ عَقْلِهِ» قِيلَ يَا رَسُولَ اَللَّهِ وَ كَيْفَ يُوصِي اَلْمَيِّتُ قَالَ «إِذَا حَضَرَتْهُ وَفَاتُهُ وَ اِجْتَمَعَ اَلنَّاسُ إِلَيْهِ قَالَ -:

«اَللَّهُمَّ فَاطِرَ اَلسَّمٰاوٰاتِ وَ اَلْأَرْضِ عٰالِمَ اَلْغَيْبِ وَ اَلشَّهٰادَةِ» اَلرَّحْمَنَ اَلرَّحِيمَ اَللَّهُمَّ إِنِّي أَعْهَدُ إِلَيْكَ فِي دَارِ اَلدُّنْيَا أَنِّي أَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ أَنْتَ وَحْدَكَ لاَ شَرِيكَ لَكَ وَ أَنَّ مُحَمَّداً عَبْدُكَ وَ رَسُولُكَ وَ أَنَّ اَلْجَنَّةَ حَقٌّ وَ اَلنَّارَ حَقٌّ وَ أَنَّ اَلْبَعْثَ حَقٌّ وَ اَلْحِسَابَ حَقٌّ وَ اَلصِّرَاطَ حَقٌّ وَ اَلْقَدَرَ وَ اَلْمِيزَانَ حَقٌّ وَ أَنَّ اَلدِّينَ كَمَا وَصَفْتَ وَ أَنَّ اَلْإِسْلاَمَ كَمَا شَرَعْتَ وَ أَنَّ اَلْقَوْلَ كَمَا حَدَّثْتَ وَ أَنَّ اَلْقُرْآنَ كَمَا أَنْزَلْتَ وَ أَنَّكَ أَنْتَ اَللَّهُ اَلْحَقُّ اَلْمُبِينُ جَزَى اَللَّهُ مُحَمَّداً عَنَّا خَيْرَ اَلْجَزَاءِ وَ حَيَّا اَللَّهُ مُحَمَّداً وَ آلَ مُحَمَّدٍ بِالسَّلاَمِ اَللَّهُمَّ يَا عُدَّتِي عِنْدَ كُرْبَتِي وَ يَا صَاحِبِي عِنْدَ شِدَّتِي وَ يَا وَلِيَّ نِعْمَتِي إِلَهِي وَ إِلَهَ آبَائِي لاَ تَكِلْنِي إِلَى نَفْسِي طَرْفَةَ عَيْنٍ فَإِنَّكَ إِنْ تَكِلْنِي إِلَى نَفْسِي أَقْرُبْ مِنَ اَلشَّرِّ وَ أَبْعُدْ مِنَ اَلْخَيْرِ فَآنِسْ فِي اَلْقَبْرِ وَحْشَتِي وَ اِجْعَلْ لِي عَهْداً يَوْمَ أَلْقَاكَ مَنْشُوراً ثُمَّ يُوصِي بِحَاجَتِهِ وَ تَصْدِيقُ هَذِهِ اَلْوَصِيَّةِ فِي اَلْقُرْآنِ فِي اَلسُّورَةِ اَلَّتِي تُذْكَرُ فِيهَا مَرْيَمُ فِي قَوْلِهِ عَزَّ وَ جَلَّ ۝ لاٰ يَمْلِكُونَ اَلشَّفٰاعَةَ إِلاّٰ مَنِ اِتَّخَذَ عِنْدَ اَلرَّحْمٰنِ عَهْداً ۝ فَهَذَا عَهْدُ اَلْمَيِّتِ وَ اَلْوَصِيَّةُ حَقٌّ عَلَى كُلِّ مُسْلِمٍ وَ حَقٌّ عَلَيْهِ أَنْ يَحْفَظَ هَذِهِ اَلْوَصِيَّةَ وَ يُعَلِّمَهَا» وَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلِيُّ بْنُ أَبِي طَالِبٍ صَلَوَاتُ اَللَّهِ عَلَيْهِ «عَلَّمَنِيهَا رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ » وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ «عَلَّمَنِيهَا جَبْرَئِيلُ عَلَيْهِ اَلسَّلاَمُ»».

H.5431 - Ali ibn Ibrahim ibn Hashim narrated from Ali ibn Ishaq, from Al-Hasan ibn Hazim Al-Kalbi, the nephew of Hisham ibn Salim, from Sulayman ibn Ja'far (who was not from the Ja'fari lineage), from Abu Abdullah {a.s}, who said:
The Messenger of Allah {SWT} (peace be upon him and his family) said: "Whoever does not make a proper will at the time of death, it is a deficiency in his dignity and intellect."
It was asked: "O' Messenger of Allah {SWT}, how does a dying person make a will?"
Prophet {saws} replied: "When his death approaches and people gather around him, he should say:
"O' Allah {SWT}, Creator of the heavens and the earth, Knower of the unseen and the seen, the Most Merciful, the Most Compassionate.
O' Allah {SWT}, I make a covenant with You {SWT} in this worldly life that I bear witness there is no God but You {SWT}, alone with no partner. And that Muhammad {saws} is Your {SWT} servant and Your Messenger {saws}.
Paradise is true, Hellfire is true, resurrection is true, reckoning is true, the path (Sirat) is true, divine decree and the scale (Mizan) are true.
Indeed, the religion is as You {SWT} have described, Islam is as You {SWT} have legislated, the word is as You {SWT} have conveyed, and the Qur'an is as You {SWT} have revealed.
And You {SWT} are Allah {SWT}, the True and Manifest.
May Allah {SWT} reward Muhammad {saws} on our behalf with the best reward, and may Allah {SWT} send peace upon Muhammad {saws} and the family of Muhammad {saws}.
O' Allah {SWT}, You {SWT} are my refuge in my hardship, my companion in my difficulty, and the guardian of my blessings.
My God {SWT} and the God {SWT} of my forefathers, do not leave me to myself for the blink of an eye, for if You {SWT} abandon me to myself, I will be closer to evil and farther from good. Bring comfort to my loneliness in the grave, and grant me a written covenant on the Day I meet You {SWT}.
Then he should state his wishes (in his will).
The confirmation of this will is found in the Quran, in the chapter where Maryam {s.a} is mentioned, in the words of Allah {SWT}, the Almighty and Majestic:
"*They do not possess [the right of] intercession except for those who have taken a covenant with the Most Merciful*." (Surah Maryam 19:87)
This is the covenant of the dying person, and making a will is an obligation upon every Muslim.
It is a duty to preserve this will and to teach it to others.
Commander of the Faithful Imam Ali ibn Abi Talib {a.s} said:
"The Messenger of Allah {SWT}, peace be upon him and his family, taught it to me."
And the Messenger of Allah {SWT}, said: "Jibril {a.s} taught it to me (from Allah {SWT})."

[REFERENCES] Al-Kafi, Vol.7 p.2 • Man La Yahduruhu Al-Faqih, Vol.4 p.187 • Tahdhib Al-Ahkam, Vol.9 p.174 • Al-Wafi, Vol.24 p.25 • Wasa'il Al-Shi'ah, Vol.19 p.260 • Tafsir Al-Burhan, Vol.3 p.735

HADITH

5432 - وَ رَوَى اَلْحُسَيْنُ بْنُ سَعِيدٍ قَالَ حَدَّثَنَا اَلْحُسَيْنُ بْنُ عُلْوَانَ عَنْ عَمْرِو بْنِ ثَابِتٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ لِعَلِيٍّ عَلَيْهِ اَلسَّلاَمُ : «يَا عَلِيُّ أُوصِيكَ فِي نَفْسِكَ بِخِصَالٍ فَاحْفَظْهَا» ثُمَّ قَالَ «اَللَّهُمَّ أَعِنْهُ أَمَّا اَلْأُولَى فَالصِّدْقُ وَ لاَ تَخْرُجَنَّ مِنْ فِيكَ كَذِبَةٌ أَبَداً وَ اَلثَّانِيَةُ اَلْوَرَعُ حَتَّى لاَ تَجْتَرِيَنَّ عَلَى خِيَانَةٍ أَبَداً وَ اَلثَّالِثَةُ اَلْخَوْفُ مِنَ اَللَّهِ عَزَّ وَ جَلَّ حَتَّى كَأَنَّكَ تَرَاهُ وَ اَلرَّابِعَةُ كَثْرَةُ اَلْبُكَاءِ مِنْ خَشْيَةِ اَللَّهِ عَزَّ وَ جَلَّ يُبْنَى لَكَ بِكُلِّ دَمْعَةٍ بَيْتٌ فِي اَلْجَنَّةِ وَ اَلْخَامِسَةُ بَذْلُ مَالِكَ وَ دَمِكَ دُونَ دِينِكَ وَ اَلسَّادِسَةُ اَلْأَخْذُ بِسُنَّتِي فِي صَلاَتِي وَ صِيَامِي وَ صَدَقَتِي أَمَّا اَلصَّلاَةُ فَالْخَمْسُونَ رَكْعَةً وَ أَمَّا اَلصِّيَامُ فَثَلاَثَةُ أَيَّامٍ فِي كُلِّ شَهْرٍ، خَمِيسٌ فِي أَوَّلِهِ وَ أَرْبِعَاءُ فِي وَسَطِهِ وَ خَمِيسٌ فِي آخِرِهِ وَ أَمَّا اَلصَّدَقَةُ فَجُهْدَكَ حَتَّى تَقُولَ قَدْ أَسْرَفْتُ وَ لَمْ تُسْرِفْ وَ عَلَيْكَ بِصَلاَةِ اَللَّيْلِ وَ عَلَيْكَ بِصَلاَةِ اَللَّيْلِ وَ عَلَيْكَ بِصَلاَةِ اَللَّيْلِ وَ عَلَيْكَ بِصَلاَةِ اَلزَّوَالِ وَ عَلَيْكَ بِتِلاَوَةِ اَلْقُرْآنِ عَلَى كُلِّ حَالٍ وَ عَلَيْكَ بِرَفْعِ يَدَيْكَ فِي اَلصَّلاَةِ وَ تَقْلِيبِهِمَا بِكِلْتَيْهِمَا وَ عَلَيْكَ بِالسِّوَاكِ عِنْدَ كُلِّ وُضُوءٍ كُلِّ صَلاَةٍ وَ عَلَيْكَ بِمَحَاسِنِ اَلْأَخْلاَقِ فَارْكَبْهَا وَ عَلَيْكَ بِمَسَاوِيهَا فَاجْتَنِبْهَا فَإِنْ لَمْ تَفْعَلْ فَلاَ تَلُمْ إِلاَّ نَفْسَكَ».

H.5432 - Al-Husayn ibn Saʿid narrated that Al-Husayn ibn Ulwan reported from Amr ibn Thabit from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
The Messenger of Allah {SWT} said to Imam Ali ibn Abi Talib {a.s}:
"O' Ali {a.s}, I advise you regarding certain traits concerning yourself, so preserve them."
Then Prophet {saws} said: "O' Allah {SWT}, assist him!
Seek truthfulness - never let a lie leave your mouth.
And seek Piety - never allow yourself to commit a betrayal.
And seek Fear of Allah {SWT}, the Almighty and Majestic - as if you see Him {SWT}.
And seek Abundant weeping from the fear of Allah {SWT}, the Almighty and Majestic - for every tear shed, a house will be built for you in Paradise.
And seek Sacrificing your wealth and blood in defense of your religion.
And seek Adhering to my tradition in prayer, fasting, and charity.
As for prayer, it is fifty rak'ahs.
As for fasting, it is three days in every month; a Thursday at the beginning (of the month), a Wednesday in the middle, and a Thursday at the end (of the month).
As for charity, it should be given to your utmost ability until you say, 'I have gone to excess,' though you will not have gone to excess.
You must uphold the night prayer, you must uphold the night prayer, you must uphold the night prayer.
You must uphold the midday prayer (Salat Al-Zawal).
You must recite the Quran in all conditions.
You must raise your hands in prayer and move them in supplication.
You must use the siwak (tooth-stick) before every ablution and before every prayer.
You must adopt good morals - embrace them.
You must avoid bad morals - stay away from them.
If you fail to do so, then blame none but yourself."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.188 • Wasa'il Al-Shi'ah, Vol.15 p.181

HADITH

5433 - وَ رُوِيَ عَنْ سُلَيْمِ بْنِ قَيْسٍ اَلْهِلاَلِيِّ قَالَ : شَهِدْتُ وَصِيَّةَ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ حِينَ أَوْصَى إِلَى اِبْنِهِ اَلْحَسَنِ وَ أَشْهَدَ عَلَى وَصِيَّتِهِ اَلْحُسَيْنَ وَ مُحَمَّداً وَ جَمِيعَ وُلْدِهِ وَ رُؤَسَاءَ أَهْلِ بَيْتِهِ وَ شِيعَتِهِ عَلَيْهِ اَلسَّلاَمُ ثُمَّ دَفَعَ إِلَيْهِ اَلْكِتَابَ وَ اَلسِّلاَحَ ثُمَّ قَالَ عَلَيْهِ اَلسَّلاَمُ «يَا بُنَيَّ أَمَرَنِي رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَنْ أُوصِيَ إِلَيْكَ وَ أَنْ أَدْفَعَ إِلَيْكَ كُتُبِي وَ سِلاَحِي كَمَا أَوْصَى إِلَيَّ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَ دَفَعَ إِلَيَّ كُتُبَهُ وَ سِلاَحَهُ وَ أَمَرَنِي أَنْ آمُرَكَ إِذَا حَضَرَكَ اَلْمَوْتُ أَنْ تَدْفَعَهُ إِلَى أَخِيكَ اَلْحُسَيْنِ » قَالَ ثُمَّ أَقْبَلَ عَلَى اِبْنِهِ اَلْحُسَيْنِ عَلَيْهِ اَلسَّلاَمُ فَقَالَ «وَ أَمَرَكَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَنْ تَدْفَعَهُ إِلَى اِبْنِكَ عَلِيِّ بْنِ اَلْحُسَيْنِ » ثُمَّ أَقْبَلَ عَلَى اِبْنِهِ عَلِيِّ بْنِ اَلْحُسَيْنِ عَلَيْهِمَا اَلسَّلاَمُ فَقَالَ «وَ أَمَرَكَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَنْ تَدْفَعَ وَصِيَّتَكَ إِلَى اِبْنِكَ مُحَمَّدِ بْنِ عَلِيٍّ فَأَقْرِئْهُ مِنْ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَ مِنِّي اَلسَّلاَمَ» ثُمَّ أَقْبَلَ عَلَى اِبْنِهِ اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ فَقَالَ «يَا بُنَيَّ أَنْتَ وَلِيُّ اَلْأَمْرِ وَ وَلِيُّ اَلدَّمِ فَإِنْ عَفَوْتَ فَلَكَ وَ إِنْ قَتَلْتَ فَضَرْبَةً مَكَانَ ضَرْبَةٍ وَ لاَ تَأْثَمْ » ثُمَّ قَالَ «اُكْتُبْ «بِسْمِ اَللَّهِ اَلرَّحْمٰنِ اَلرَّحِيمِ» هَذَا مَا أَوْصَى بِهِ عَلِيُّ بْنُ أَبِي طَالِبٍ أَوْصَى أَنَّهُ يَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اَللَّهُ وَحْدَهُ لاَ شَرِيكَ لَهُ وَ أَنَّ مُحَمَّداً عَبْدُهُ وَ رَسُولُهُ أَرْسَلَهُ «بِالْهُدىٰ وَ دِينِ اَلْحَقِّ لِيُظْهِرَهُ عَلَى اَلدِّينِ كُلِّهِ وَ لَوْ كَرِهَ اَلْمُشْرِكُونَ» ثُمَّ «إِنَّ صَلاَتِي وَ نُسُكِي وَ مَحْيَايَ وَ مَمَاتِي لِلَّهِ رَبِّ اَلْعَالَمِينَ لاَ شَرِيكَ لَهُ وَ بِذٰلِكَ أُمِرْتُ» وَ أَنَا مِنَ اَلْمُسْلِمِينَ ثُمَّ إِنِّي أُوصِيكَ يَا حَسَنُ وَ جَمِيعَ وُلْدِي وَ أَهْلَ بَيْتِي وَ مَنْ بَلَغَهُ كِتَابِي مِنَ اَلْمُؤْمِنِينَ بِتَقْوَى اَللَّهِ رَبِّكُمْ «وَ لاَ تَمُوتُنَّ إِلاَّ وَ أَنْتُمْ مُسْلِمُونَ وَ اِعْتَصِمُوا بِحَبْلِ اَللَّهِ جَمِيعاً وَ لاَ تَفَرَّقُوا وَ اُذْكُرُوا نِعْمَتَ اَللَّهِ عَلَيْكُمْ إِذْ كُنْتُمْ أَعْدَاءً فَأَلَّفَ بَيْنَ قُلُوبِكُمْ» فَإِنِّي سَمِعْتُ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ يَقُولُ «صَلاَحُ ذَاتِ اَلْبَيْنِ أَفْضَلُ مِنْ عَامَّةِ اَلصَّلاَةِ وَ اَلصِّيَامِ» وَ إِنَّ اَلْبِغْضَةَ حَالِقَةُ اَلدِّينِ وَ فَسَادُ ذَاتِ اَلْبَيْنِ وَ «لاَ قُوَّةَ إِلاَّ بِاللَّهِ» اُنْظُرُوا ذَوِي أَرْحَامِكُمْ فَصِلُوهُمْ يُهَوِّنِ اَللَّهُ عَلَيْكُمُ اَلْحِسَابَ وَ اَللَّهَ اَللَّهَ فِي اَلْأَيْتَامِ فَلاَ تَعِرَّ أَفْوَاهُهُمْ وَ لاَ يَضِيعُوا بِحَضْرَتِكُمْ فَإِنِّي سَمِعْتُ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ يَقُولُ «مَنْ عَالَ يَتِيماً حَتَّى يَسْتَغْنِيَ أَوْجَبَ اَللَّهُ لَهُ اَلْجَنَّةَ كَمَا أَوْجَبَ لآِكِلِ مَالِ اَلْيَتِيمِ اَلنَّارَ » وَ اَللَّهَ اَللَّهَ فِي اَلْقُرْآنِ فَلاَ يَسْبِقَنَّكُمْ إِلَى اَلْعَمَلِ بِهِ غَيْرُكُمْ وَ اَللَّهَ اَللَّهَ فِي جِيرَانِكُمْ فَإِنَّ اَللَّهَ وَ رَسُولَهُ أَوْصَيَا بِهِمْ وَ اَللَّهَ اَللَّهَ فِي بَيْتِ رَبِّكُمْ فَلاَ يَخْلُوَنَّ مِنْكُمْ مَا بَقِيتُمْ فَإِنَّهُ إِنْ تُرِكَ لَمْ تُنَاظَرُوا فَإِنَّ أَدْنَى مَا يَرْجِعُ بِهِ مَنْ أَمَّهُ أَنْ يُغْفَرَ لَهُ مَا سَلَفَ مِنْ ذَنْبِهِ وَ اَللَّهَ اَللَّهَ فِي اَلصَّلاَةِ فَإِنَّهَا خَيْرُ اَلْعَمَلِ وَ إِنَّهَا عَمُودُ دِينِكُمْ وَ اَللَّهَ اَللَّهَ فِي اَلزَّكَاةِ فَإِنَّهَا تُطْفِئُ غَضَبَ رَبِّكُمْ وَ اَللَّهَ اَللَّهَ فِي صِيَامِ شَهْرِ رَمَضَانَ فَإِنَّ صِيَامَهُ جُنَّةٌ مِنَ اَلنَّارِ وَ اَللَّهَ اَللَّهَ فِي اَلْفُقَرَاءِ وَ اَلْمَسَاكِينِ فَشَارِكُوهُمْ فِي مَعِيشَتِكُمْ وَ اَللَّهَ اَللَّهَ فِي اَلْجِهَادِ «فِي سَبِيلِ اَللَّهِ بِأَمْوَالِكُمْ وَ أَنْفُسِكُمْ» فَإِنَّمَا يُجَاهِدُ فِي سَبِيلِ اَللَّهِ رَجُلاَنِ إِمَامٌ هُدًى وَ مُطِيعٌ لَهُ مُقْتَدٍ بِهُدَاهُ وَ اَللَّهَ اَللَّهَ فِي ذُرِّيَّةِ نَبِيِّكُمْ فَلاَ تُظْلَمُنَّ بَيْنَ أَظْهُرِكُمْ وَ أَنْتُمْ تَقْدِرُونَ عَلَى اَلدَّفْعِ عَنْهُمْ وَ اَللَّهَ اَللَّهَ فِي أَصْحَابِ نَبِيِّكُمُ اَلَّذِينَ لَمْ يُحْدِثُوا حَدَثاً وَ لَمْ يُؤْوُوا مُحْدِثاً فَإِنَّ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَوْصَى بِهِمْ وَ لَعَنَ اَلْمُحْدِثَ مِنْهُمْ وَ مِنْ غَيْرِهِمْ وَ اَلْمُؤْوِيَ لِلْمُحْدِثِ وَ اَللَّهَ اَللَّهَ فِي اَلنِّسَاءِ وَ مَا مَلَكَتْ أَيْمَانُكُمْ لاَ تَخَافُنَّ فِي اَللَّهِ لَوْمَةَ لاَئِمٍ يَكْفِيكُمُ اَللَّهُ مَنْ أَرَادَكُمْ وَ بَغَى عَلَيْكُمْ «قُولُوا لِلنَّاسِ حُسْناً» كَمَا أَمَرَكُمُ اَللَّهُ عَزَّ وَ جَلَّ لاَ تَتْرُكُنَّ اَلْأَمْرَ بِالْمَعْرُوفِ وَ اَلنَّهْيَ عَنِ اَلْمُنْكَرِ فَيُوَلِّيَ اَللَّهُ اَلْأَمْرَ شِرَارَكُمْ، ثُمَّ تَدْعُونَ فَلاَ يُسْتَجَابُ لَكُمْ، عَلَيْكُمْ يَا بَنِيَّ بِالتَّوَاصُلِ وَ اَلتَّبَاذُلِ وَ اَلتَّبَارِّ وَ إِيَّاكُمْ وَ اَلتَّقَاطُعَ وَ اَلتَّدَابُرَ وَ اَلتَّفَرُّقَ وَ «تَعَاوَنُوا عَلَى اَلْبِرِّ وَ اَلتَّقْوىٰ وَ لاَ تَعَاوَنُوا عَلَى اَلْإِثْمِ وَ اَلْعُدْوَانِ وَ اِتَّقُوا اَللَّهَ إِنَّ اَللَّهَ شَدِيدُ اَلْعِقَابِ» حَفِظَكُمُ اَللَّهُ مِنْ أَهْلِ بَيْتٍ وَ حَفِظَ فِيكُمْ نَبِيَّكُمْ وَ أَسْتَوْدِعُكُمُ اَللَّهَ وَ أَقْرَأُ عَلَيْكُمُ

اَلسَّلاَمَ» ثُمَّ لَمْ يَزَلْ يَقُولُ: « لاَ إِلَهَ إِلاَّ اَللَّهُ » حَتَّى قُبِضَ صَلَوَاتُ اَللَّهِ عَلَيْهِ وَ سَلاَمُهُ فِي أَوَّلِ لَيْلَةٍ مِنَ اَلْعَشْرِ اَلْأَوَاخِرِ، لَيْلَةَ إِحْدَى وَ عِشْرِينَ مِنْ شَهْرِ رَمَضَانَ لَيْلَةَ اَلْجُمُعَةِ لِأَرْبَعِينَ سَنَةً مَضَتْ مِنَ اَلْهِجْرَةِ.

H.5433 - It is narrated from Sulaym ibn Qays Al-Hilali who said:
"I witnessed the will of Imam Ali ibn Abi Talib {a.s} when he appointed his son Imam Hasan ibn Ali {a.s} as his successor and made Imam Hussain ibn Ali {a.s}, Muhammad (Hanafiya), all of his children, the prominent members of his household, and his followers (Shi'a) witnesses to his will.
Then Imam Ali ibn Abi Talib {a.s} handed over to him (Imam Hasan ibn Ali {a.s}) the book and the weapon, and Imam Ali ibn Abi Talib {a.s} said:
'O' my son, the Messenger of Allah {SWT} (peace be upon him and his family) commanded me to appoint you as my successor and to hand over to you my books and my weapon, just as he appointed me and handed over his books and his weapon to me. He {saws} also commanded me to instruct you that when death approaches you, you should hand them over to your brother Al- Hussain {a.s}.'
Then he turned to his son Imam Hussain ibn Ali {a.s} and said:
'And the Messenger of Allah {SWT} (peace be upon him and his family) commanded you to hand it over to your son Ali ibn Al- Hussain {a.s}.'
Then he turned to his son Imam Ali ibn Al-Hussain {a.s} and said:
'And the Messenger of Allah {SWT} (peace be upon him and his family) commanded you to hand your will over to your son Muhammad ibn Ali {a.s}. Convey to him the greetings of peace from the Messenger of Allah {SWT} (peace be upon him and his family) and from me.'
Then Imam Ali ibn Abi Talib {a.s} turned to his son Imam Hasan ibn Ali {a.s} and said:
'O' my son, you are the guardian of the matter and the avenger of the blood. If you forgive, it is your right, and if you choose to retaliate, then strike only as you were struck, and do not transgress.'
Then Imam Ali ibn Abi Talib {a.s} said:
'Write: In the name of Allah {SWT}, the Most Merciful, the Most Compassionate. This is what Ali ibn Abi Talib {a.s} bequeathed.
He {a.s} bears witness that there is no God but Allah {SWT}, alone without partner, and that Muhammad {saws} is His {SWT} servant and Messenger, whom He {SWT} sent with guidance and the religion of truth so that He {SWT} may make it prevail over all religions, even if the polytheists dislike it."
Then Imam Ali ibn Abi Talib {a.s} continued:
"Indeed, my prayer, my sacrifice, my life, and my death are for Allah {SWT}, the Lord {AZJ} of the worlds. He {SWT} has no partner, and with this I have been commanded, and I am among the Muslims."
Then Imam Ali ibn Abi Talib {a.s} said:
"I advise you, O' Hasan {a.s}, and all of my children, my household, and everyone who receives this letter from among the believers to fear Allah {SWT}, your Lord {AZJ}, and do not die except while you are Muslims.'

And hold firmly to the rope of Allah {SWT} all together and do not become divided. Remember Allah's {SWT} favor upon you when you were enemies, and He {SWT} brought your hearts together.'

Indeed, I heard the Messenger of Allah {SWT} (peace be upon him and his family) say: Reconciliation between people is better than most prayers and fasting.'

Hatred destroys religion, and corruption between people is destructive. There is no power except with Allah {SWT}.'

Take care of your relatives and maintain ties with them, for Allah {SWT} will make your reckoning easier.

By Allah {SWT}, by Allah {SWT}, be mindful of orphans - do not let their mouths hunger, and do not let them be neglected in your presence. For I heard the Messenger of Allah {SWT} (peace be upon him and his family) say: 'Whoever takes care of an orphan until they become self-sufficient, Allah {SWT} will make Paradise obligatory for them, just as He {SWT} has made the Fire obligatory for one who consumes the property of an orphan.'"

Imam Ali ibn Abi Talib {a.s} continued:

"By Allah {SWT}, by Allah {SWT}, be mindful of the Qur'an. Let no one surpass you in acting upon it.

By Allah {SWT}, by Allah {SWT}, be mindful of your neighbours, for Allah {SWT} and His Messenger have both advised concerning them.

By Allah {SWT}, by Allah {SWT}, be mindful of the House of your Lord {AZJ}. Do not let it be abandoned as long as you live, for if it is neglected, you will be forsaken. The least reward one receives upon visiting it is that past sins are forgiven.

By Allah {SWT}, by Allah {SWT}, be mindful of prayer, for it is the best of deeds and the pillar of your religion.

By Allah {SWT}, by Allah {SWT}, be mindful of zakat, for it extinguishes the anger of your Lord {AZJ}.

By Allah {SWT}, by Allah {SWT}, be mindful of fasting during the month of Ramadan, for fasting is a shield against the Fire.

By Allah {SWT}, by Allah {SWT}, be mindful of the poor and the needy. Include them in your livelihood.

By Allah {SWT}, by Allah {SWT}, be mindful of jihad in the way of Allah {SWT} with your wealth and your lives. Indeed, the one who truly strives in the way of Allah {SWT} is either a guiding leader or one who obeys him and follows his guidance.

By Allah {SWT}, by Allah {SWT}, be mindful of the progeny of your Prophet {saws}. Do not let them be wronged while they are among you and you have the power to defend them.

By Allah {SWT}, by Allah {SWT}, be mindful of the companions of your Prophet {saws} - those who did not commit innovations and did not support innovators. For the Messenger of Allah {SWT} (peace be upon him and his family) advised regarding them and cursed the one who innovates among them or others and those who support innovators.

By Allah {SWT}, by Allah {SWT}, be mindful of women and those whom your right hands possess. Do not fear the blame of the blamers when it comes to Allah {SWT}. Allah {SWT} will suffice you against those who wish you harm and plot against you.

Speak kindly to people' as Allah {SWT}, the Exalted, has commanded you.

Do not neglect enjoining what is right and forbidding what is wrong, lest Allah {SWT} gives authority to the worst among you. Then you will pray, and your prayers will not be answered.

O' my children! Maintain ties with one another, be generous to one another, and be kind to each other. Beware of severing ties, turning your backs on one another, and division.

Cooperate in righteousness and piety, and do not cooperate in sin and aggression. And fear Allah {SWT}; indeed, Allah {SWT} is severe in punishment.'

May Allah {SWT} protect you, O' people of my household, and preserve through you your Prophet {saws}. I entrust you to Allah {SWT} and convey my peace upon you."

Then Imam Ali ibn Abi Talib {a.s} continued to say: "There is no God but Allah {SWT}," until he passed away - peace and blessings be upon him - in the early night of the last ten nights, on the twenty-first night of the month of Ramadan, on a Friday night, in the fortieth year after the Hijrah.

[REFERENCES] Kitab Sulaym, Vol.2 p.924 • Man La Yahduruhu Al-Faqih, Vol.4 p.189 • Tahdhib Al-Ahkam, Vol.9 p.176

CHAPTER 86 – CHAPTER ON BEARING WITNESS TO THE BEQUEST

بَابُ الْإِشْهَادِ عَلَى الْوَصِيَّةِ

HADITH 5434 – 5436

5434 - رَوَى مُحَمَّدُ بْنُ اَلْفُضَيْلِ عَنْ أَبِي اَلصَّبَّاحِ اَلْكِنَانِيِّ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ: ﴿ يٰا أَيُّهَا اَلَّذِينَ آمَنُوا شَهٰادَةُ بَيْنِكُمْ إِذٰا حَضَرَ أَحَدَكُمُ اَلْمَوْتُ حِينَ اَلْوَصِيَّةِ اِثْنٰانِ ذَوٰا عَدْلٍ مِنْكُمْ أَوْ آخَرٰانِ مِنْ غَيْرِكُمْ ﴾

قَالَ «هُمَا كَافِرَانِ » قُلْتُ ذَوَا عَدْلٍ مِنْكُمْ قَالَ « مُسْلِمَانِ ».

H.5434 - Muhammad ibn Al-Fuḍayl narrated from Abu Al-Ṣabah Al-Kinani, who said:
I asked Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} about the saying of Allah {SWT}, the Mighty and Majestic:
"*O' you who believe! Witnesses between you when death approaches one of you, at the time of bequest, are two just men from among you, or two others from outside of you*."
(Surah Al-Ma'idah 5:106)
Imam {a.s} said: "They are two disbelievers."
I asked: "Two just men from among you?"
Imam {a.s} said: "They are two Muslims."

[REFERENCES] Al-Kafi, Vol.7 p.3 • Man La Yahduruhu Al-Faqih, Vol.4 p.192 • Tahdhib Al-Ahkam, Vol.9 p.179 • Al-Wafi, Vol.24 p.32 • Wasa'il Al-Shi'ah, Vol.19 p.309 • Tafsir Al-Burhan, Vol.2 p.375 • Tafsir Nur Al-Thaqalayn, Vol.1 p.686

HADITH

5435 - وَ رَوَى حَمَّادُ بْنُ عِيسَى عَنْ رِبْعِيِّ بْنِ عَبْدِ اَللَّهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي شَهَادَةِ اِمْرَأَةٍ حَضَرَتْ رَجُلاً يُوصِي لَيْسَ مَعَهَا رَجُلٌ فَقَالَ «تُجَازُ فِي رُبُعِ اَلْوَصِيَّةِ».

H.5435 - Hammad ibn ʿIsa narrated from Ribʿi ibn Abdullah from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} regarding the testimony of a woman who was present when a man was making a will, and there was no man with her.
Imam {a.s} said: "Her testimony is accepted for one-fourth of the will."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.192

HADITH

5436 - وَ رَوَى يُونُسُ بْنُ عَبْدِ اَلرَّحْمَنِ عَنْ يَحْيَى بْنِ مُحَمَّدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ «يٰا أَيُّهَا اَلَّذِينَ آمَنُوا شَهٰادَةُ بَيْنِكُمْ إِذٰا حَضَرَ أَحَدَكُمُ اَلْمَوْتُ حِينَ اَلْوَصِيَّةِ اِثْنٰانِ ذَوٰا عَدْلٍ مِنْكُمْ أَوْ آخَرٰانِ مِنْ غَيْرِكُمْ» قَالَ «اَللَّذَانِ مِنْكُمْ مُسْلِمَانِ وَ اَللَّذَانِ مِنْ غَيْرِكُمْ مِنْ أَهْلِ اَلْكِتَابِ فَإِنْ لَمْ تَجِدُوا مِنْ أَهْلِ اَلْكِتَابِ فَمِنَ اَلْمَجُوسِ لِأَنَّ فِي اَلْمَجُوسِ سُنَّةَ أَهْلِ اَلْكِتَابِ فِي اَلْجِزْيَةِ وَ ذَلِكَ إِذَا مَاتَ اَلرَّجُلُ فِي أَرْضٍ غُرْبَةٍ فَلَمْ يُوجَدْ

مُسْلِمَانِ أُشْهِدَ رَجُلاَنِ مِنْ أَهْلِ اَلْكِتَابِ يُحْبَسَانِ بَعْدَ اَلْعَصْرِ ۝ فَيُقْسِمَانِ بِاللَّهِ إِنِ اِرْتَبْتُمْ لاَ نَشْتَرِي بِهِ ثَمَناً وَ لَوْ كَانَ ذَا قُرْبىٰ وَ لاَ نَكْتُمُ شَهَادَةَ اَللَّهِ إِنَّا إِذاً لَمِنَ اَلْآثِمِينَ ۝ قَالَ «وَ ذَلِكَ إِنِ اِرْتَابَ وَلِيُّ اَلْمَيِّتِ فِي شَهَادَتِهِمَا فَإِنْ عَثَرَ عَلَى أَنَّهُمَا شَهِدَا بِالْبَاطِلِ فَلَيْسَ لَهُ أَنْ يَنْقُضَ شَهَادَتَهُمَا حَتَّى يَجِيءَ بِشَاهِدَيْنِ فَيَقُومَانِ مَقَامَ اَلشَّاهِدَيْنِ اَلْأَوَّلَيْنِ «فَيُقْسِمَانِ بِاللَّهِ لَشَهَادَتُنَا أَحَقُّ مِنْ شَهَادَتِهِمَا وَ مَا اِعْتَدَيْنَا إِنَّا إِذاً لَمِنَ اَلظَّالِمِينَ» فَإِذَا فَعَلَ ذَلِكَ نَقَضَ شَهَادَةَ اَلْأَوَّلَيْنِ وَ جَازَتْ شَهَادَةُ اَلْآخَرَيْنِ يَقُولُ اَللَّهُ تَبَارَكَ وَ تَعَالَى: ۝ ذٰلِكَ أَدْنىٰ أَنْ يَأْتُوا بِالشَّهَادَةِ عَلىٰ وَجْهِهَا أَوْ يَخَافُوا أَنْ تُرَدَّ أَيْمَانٌ بَعْدَ أَيْمَانِهِمْ ۝ ».

H.5436 - Yunus ibn Abd Al-Rahman narrated from Yahya ibn Muhammad from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said: I asked Imam {a.s} about the saying of Allah {SWT}, the Mighty and Majestic:

"O' you who believe! Witnesses between you when death approaches one of you, at the time of bequest, are two just men from among you, or two others from outside of you." (Surah Al-Ma'idah 5:106)

Imam {a.s} said: "The two from among you are Muslims, and the two from outside of you are from the People of the Book (Ahl Al-Kitab).

If you do not find two from the People of the Book, then from the Magians (Zoroastrians), because within the Magians is a tradition similar to the People of the Book regarding the jizyah (tax).

This applies when a man dies in a foreign land and no two Muslims are present. In such a case, two men from the People of the Book are made witnesses. They are detained after the *A*sr prayer and must swear by Allah {SWT} if you doubt them:

'We will not sell our testimony for any price, even if it is for a near relative, and we will not conceal the testimony of Allah {SWT}, for then we would indeed be among the sinful.'" (Surah Al-Ma'idah 5:106)

Imam {a.s} said: "This applies if the guardian of the deceased doubts their testimony. If it is discovered that they gave false testimony, he cannot nullify their testimony unless he brings two other witnesses. These two will then take the place of the first two witnesses and swear by Allah {SWT}:

'Our testimony is truer than their testimony, and we have not transgressed; indeed, we would then be among the wrongdoers.' (Surah Al-Ma'idah 5:107)

If they do this, the testimony of the first two witnesses is annulled, and the testimony of the second pair is accepted.

Allah {SWT}, the Blessed and Exalted, says: *'This is more likely to ensure that they give their testimony properly or fear that oaths will be taken after their oaths*.' (Surah Al-Ma'idah 5:108)"

[REFERENCES] Al-Kafi, Vol.7 p.4 • Man La Yahduruhu Al-Faqih, Vol.4 p.192 • Tahdhib Al-Ahkam, Vol.9 p.178 • Wasa'il Al-Shi'ah, Vol.19 p.311 • Tafsir Al-Burhan, Vol.2 p.375

CHAPTER 87 – CHAPTER ON THE FIRST MATTERS TO BE ADDRESSED FROM ESTATE OF THE DECEASED

بَابُ أَوَّلِ مَا يُبْدَأُ بِهِ مِنْ تَرِكَةِ الْمَيِّتِ

HADITH 5437 – 5440

5437 - رَوَى اَلسَّكُونِيُّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «أَوَّلُ شَيْءٍ يُبْدَأُ بِهِ مِنَ اَلْمَالِ اَلْكَفَنُ ثُمَّ اَلدَّيْنُ ثُمَّ اَلْوَصِيَّةُ ثُمَّ اَلْمِيرَاثُ».

H.5437 - Al-Sakuni narrated from Abu Abdullah {a.s}, who said:
"The first thing to be taken care of from the wealth (of the deceased) is the shroud (for burial), then the debts, then the will, and then the inheritance."

[REFERENCES] Al-Kafi, Vol.7 p.23 • Da'a'im Al-Islam, Vol.1 p.232 • Man La Yahduruhu Al-Faqih, Vol.4 p.193 • Al-Ash'athiyat, Vol.1 p.203 • Tahdhib Al-Ahkam, Vol.6 p.188 • Tahdhib Al-Ahkam, Vol.9 p.171 • Al-Wafi, Vol.24 p.155 • Wasa'il Al-Shi'ah, Vol.18 p.345 • Wasa'il Al-Shi'ah, Vol.19 p.329 • Al-Fusul Al-Muhimmah, Vol.2 p.318

HADITH

5438 - وَ رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَ قَالَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «إِنَّ اَلدَّيْنَ قَبْلَ اَلْوَصِيَّةِ ثُمَّ اَلْوَصِيَّةَ عَلَى أَثَرِ اَلدَّيْنِ ثُمَّ اَلْمِيرَاثَ بَعْدَ اَلْوَصِيَّةِ فَإِنَّ أَوْلَى اَلْقَضَاءِ كِتَابُ اَللَّهِ عَزَّ وَ جَلَّ».

H.5438 - Aṣim ibn Humayd narrated from Muhammad ibn Qays from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said that the Commander of the Faithful {a.s} said:
"Indeed, the debt takes precedence over the will, then the will follows after the debt, and then the inheritance comes after the will. Verily, fulfilling what is prescribed in the Book of Allah {SWT}, the Mighty and Majestic, has the highest priority."

[REFERENCES] Al-Kafi, Vol.7 p.23 • Man La Yahduruhu Al-Faqih, Vol.4 p.193 • Tahdhib Al-Ahkam, Vol.9 p.165 • Al-Istibsar, V.4 p.116 • Al-Wafi, Vol.24 p.155 • Wasa'il Al-Shi'ah, Vol.19 p.330 • Tafsir Al-Burhan, Vol.2 p.37

HADITH

5439 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «اَلْكَفَنُ مِنْ جَمِيعِ اَلْمَالِ».

H.5439 - Al-Hasan ibn Mahbub narrated from Abdullah ibn Sinan from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"The shroud (for burial) is to be provided from the entirety of the wealth (of the deceased)."

[REFERENCES] Al-Kafi, Vol.7 p.23 • Man La Yahduruhu Al-Faqih, Vol.4 p.193 • Tahdhib Al-Ahkam, Vol.9 p.171 • Wasa'il Al-Shi'ah, Vol.19 p.328

HADITH

5440 - وَ قَالَ عَلَيْهِ اَلسَّلاَمُ : «كَفَنُ اَلْمَرْأَةِ عَلَى زَوْجِهَا إِذَا مَاتَتْ».

H.5440 - And Imam {a.s} said:
"The shroud of a woman is the responsibility of her husband if she passes away."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.193 • Al-Wafi, Vol.24 p.354 • Wasa'il Al-Shi'ah, Vol.3 p.54

CHAPTER 88 – CHAPTER ON A MAN WHO DIES WHILE OWING A DEBT EQUAL TO PRICE OF HIS SHROUD

بَابُ الرَّجُلِ يَمُوتُ وَ عَلَيْهِ دَيْنٌ بِقَدْرِ ثَمَنِ كَفَنِهِ

HADITH 5441

5441 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ زُرَارَةَ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ مَاتَ وَ عَلَيْهِ دَيْنٌ بِقَدْرِ ثَمَنِ كَفَنِهِ قَالَ «يُجْعَلُ مَا تَرَكَ فِي ثَمَنِ كَفَنِهِ إِلاَّ أَنْ يَتَّجِرَ عَلَيْهِ بَعْضُ اَلنَّاسِ فَيُكَفِّنُونَهُ وَ يُقْضَى مَا عَلَيْهِ مِمَّا تَرَكَ».

H.5441 - Al-Hasan ibn Mahbub narrated from Ali ibn Riʾab from Zurarah, who said:
I asked Imam {a.s} about a man who died while owing a debt equal to the price of his shroud.
Imam {a.s} said: "What he left behind should be used for the price of his shroud unless some people choose to contribute and provide his shroud. In that case, his debt should be paid off from what he left behind."

[REFERENCES] Al-Kafi, Vol.7 p.23 • Man La Yahduruhu Al-Faqih, Vol.4 p.194 • Tahdhib Al-Ahkam, Vol.9 p.171 • Wasa'il Al-Shi'ah, Vol.19 p.328

CHAPTER 89 – CHAPTER ON BEQUESTS FOR AN HEIR

بَابُ الْوَصِيَّةِ لِلْوَارِثِ

HADITH 5442 – 5444

5442 - رَوَى اِبْنُ بُكَيْرٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنِ اَلْوَصِيَّةِ لِلْوَارِثِ فَقَالَ «تَجُوزُ » ثُمَّ تَلاَ هَذِهِ اَلْآيَةَ ﴿ إِنْ تَرَكَ خَيْراً اَلْوَصِيَّةُ لِلْوالِدَيْنِ وَ اَلْأَقْرَبِينَ ﴾.

H.5442 - Ibn Bukayr narrated from Muhammad ibn Muslim from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} , who said: I asked Imam {a.s} about making a will in favor of an heir.
Imam {a.s} replied: "It is permissible."
Then Imam {a.s} recited the verse: "*If he leaves wealth, the will is for the parents and the close relatives.*" (Surah Al-Baqarah 2:180)

[REFERENCES] Tafsir Al-'Ayyashi, Vol.1 p.76 • Al-Kafi, Vol.7 p.10 • Man La Yahduruhu Al-Faqih, Vol.4 p.194 • Al-Wafi, Vol.24 p.106 • Tafsir Al-Safi, Vol.1 p.217 • Wasa'il Al-Shi'ah, Vol.19 p.287 • Tafsir Al-Burhan, Vol.1 p.379 • Tafsir Al-Burhan, Vol.1 p.380 • Bihar Al-Anwar, Vol.100 p.199 • Tafsir Nur Al-Thaqalayn, Vol.1 p.158

HADITH

5443 - قَالَ مُصَنِّفُ هَذَا اَلْكِتَابِ رَحِمَهُ اَللَّهُ اَلْخَبَرُ اَلَّذِي رُوِيَ : «أَنَّهُ لاَ وَصِيَّةَ لِوَارِثٍ».

لَيْسَ بِخِلَافِ هَذَا الْحَدِيثِ وَ مَعْنَاهُ أَنَّهُ لَا وَصِيَّةَ لِوَارِثٍ بِأَكْثَرَ مِنَ الثُّلُثِ كَمَا لَا تَكُونُ لِغَيْرِ الْوَارِثِ بِأَكْثَرَ مِنَ الثُّلُثِ.

H.5443 - The author of this book (may Allah {SWT} have mercy on him) said that another narration states "There is no will for an heir".

[AL SADUQ]
This does not contradict the previous H. Its meaning is that an heir cannot receive a bequest exceeding one-third of the estate, just as a non-heir cannot be bequeathed more than one-third.

[REFERENCES] Da'a'im Al-Islam, Vol.2 p.358 • Man La Yahduruhu Al-Faqih, Vol.4 p.194 • Al-Muqni'ah, Vol.1 p.670 • Fiqh Al-Quran, Vol.2 p.300 • Mutashabih Al-Quran wa Mukhtalifah, Vol.2 p.214 • Sa'd Al-Sa'ud, Vol.1 p.150 • Mustadrak Al-Wasa'il, Vol.14 p.101

HADITH

5444 - وَ رُوِيَ عَنْ عَبْدِ اَللَّهِ بْنِ مُحَمَّدٍ اَلْحَجَّالِ عَنْ ثَعْلَبَةَ بْنِ مَيْمُونٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ قَالَ : سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلرَّجُلِ يُفَضِّلُ بَعْضَ وُلْدِهِ عَلَى بَعْضٍ قَالَ «نَعَمْ وَ نِسَاءَهُ».

H.5444 - It is narrated from Abdullah ibn Muhammad Al-Hajjal from Thaʿlabah ibn Maymun from Muhammad ibn Qays, who said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a man who gives preference to some of his children over others.
Imam {a.s} replied: "Yes, and he may also favor some of his wives (over other wives)."

[REFERENCES] Al-Kafi, Vol.7 p.10 • Man La Yahduruhu Al-Faqih, Vol.4 p.195 • Al-Wafi, Vol.23 p.1395 • Wasa'il Al-Shi'ah, Vol.19 p.244 • Wasa'il Al-Shi'ah, Vol.19 p.288

CHAPTER 90 – CHAPTER ON REFUSING TO ACCEPT A BEQUEST

بَابُ الِامْتِنَاعِ مِنْ قَبُولِ الْوَصِيَّةِ

HADITH 5445 – 5449

5445 - رَوَى حَمَّادُ بْنُ عِيسَى عَنْ رِبْعِيٍّ بْنِ عَبْدِ اَللَّهِ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِنْ أَوْصَى رَجُلٌ إِلَى رَجُلٍ وَ هُوَ غَائِبٌ فَلَيْسَ لَهُ أَنْ يَرُدَّ وَصِيَّتَهُ وَ إِنْ أَوْصَى إِلَيْهِ وَ هُوَ بِالْبَلَدِ فَهُوَ بِالْخِيَارِ إِنْ شَاءَ قَبِلَ وَ إِنْ شَاءَ لَمْ يَقْبَلْ».

H.5445 - Hammad ibn ʿIsa narrated from Ribʿi ibn Abdullah from Muhammad ibn Muslim from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"If a man appoints someone as his executor while that person is absent, the appointed person does not have the right to reject the will. However, if he appoints him while he is present in the same town, then he has the choice to either accept or decline it."

[REFERENCES] Al-Kafi, Vol.7 p.6 • Man La Yahduruhu Al-Faqih, Vol.4 p.195 • Tahdhib Al-Ahkam, Vol.9 p.205 • Al-Wafi, Vol.24 p.81 • Wasa'il Al-Shi'ah, Vol.19 p.319 • Al-Fusul Al-Muhimmah, Vol.2 p.316

HADITH

5446 - وَ رَوَى رِبْعِيٌّ عَنِ اَلْفُضَيْلِ بْنِ يَسَارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ يُوصَى إِلَيْهِ قَالَ «إِذَا بُعِثَ بِهَا إِلَيْهِ مِنْ بَلَدٍ فَلَيْسَ لَهُ رَدُّهَا وَ إِنْ كَانَ فِي مِصْرٍ يُوجَدُ فِيهِ غَيْرُهُ فَذَاكَ إِلَيْهِ».

H.5446 - Ribʿi narrated from Al-Fuḍayl ibn Yasar from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} regarding a man who is appointed as an executor.
Imam {a.s} said: "If the will is sent to him from another town, he does not have the right to reject it. However, if he is in a city where others are available, then it is up to him to accept or decline it."

[REFERENCES] Al-Kafi, Vol.7 p.6 • Man La Yahduruhu Al-Faqih, Vol.4 p.195 • Tahdhib Al-Ahkam, Vol.9 p.205 • Al-Wafi, Vol.24 p.81 • Wasa'il Al-Shi'ah, Vol.19 p.320

HADITH

5447 - وَ رَوَى سَهْلُ بْنُ زِيَادٍ عَنْ عَلِيِّ بْنِ اَلرَّيَّانِ قَالَ : كَتَبْتُ إِلَى أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ رَجُلٌ دَعَاهُ وَالِدُهُ إِلَى قَبُولِ وَصِيَّتِهِ هَلْ لَهُ أَنْ يَمْتَنِعَ مِنْ قَبُولِ وَصِيَّةِ وَالِدِهِ فَوَقَّعَ عَلَيْهِ اَلسَّلاَمُ «لَيْسَ لَهُ أَنْ يَمْتَنِعَ ».

H.5447 - Sahl ibn Ziyad narrated from Ali ibn Al-Rayyan, who said:
I wrote to Abu Al-Hasan {a.s} asking about a man whose father invited him to accept his will. Is it permissible for him to refuse accepting his father's will?
Imam {a.s} replied: "He does not have the right to refuse."

[REFERENCES] Al-Kafi, Vol.7 p.7 • Man La Yahduruhu Al-Faqih, Vol.4 p.195 • Tahdhib Al-Ahkam, Vol.9 p.206 • Al-Wafi, Vol.24 p.83 • Wasa'il Al-Shi'ah, Vol.19 p.322

HADITH

5448 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اَلرَّجُلِ يُوصِي إِلَى اَلرَّجُلِ بِوَصِيَّةٍ فَيَكْرَهُ أَنْ يَقْبَلَهَا فَقَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «لاَ يَخْذُلْهُ عَلَى هَذِهِ اَلْحَالِ».

H.5448 - Muhammad ibn Abi Umayr narrated from Hisham ibn Salim from Abu Abdullah {a.s} regarding a man who is entrusted with a will by another man but dislikes accepting it.
Abu Abdullah {a.s} said: "He should not abandon him in this situation."

[REFERENCES] Al-Kafi, Vol.7 p.6 • Man La Yahduruhu Al-Faqih, Vol.4 p.196 • Wasa'il Al-Shi'ah, Vol.19 p.321

HADITH

5449 - وَ رَوَى عَلِيُّ بْنُ اَلْحَكَمِ عَنْ سَيْفِ بْنِ عَمِيرَةَ عَنْ مَنْصُورِ بْنِ حَازِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِذَا أَوْصَى اَلرَّجُلُ إِلَى أَخِيهِ وَ هُوَ غَائِبٌ فَلَيْسَ لَهُ أَنْ يَرُدَّ وَصِيَّتَهُ لِأَنَّهُ لَوْ كَانَ شَاهِداً فَأَبَى أَنْ يَقْبَلَهَا طَلَبَ غَيْرَهُ».

H.5449 - Ali ibn Al-Hakam narrated from Sayf ibn Umayrah from Manṣur ibn Hazim from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"If a man appoints his brother as his executor while he is absent, he does not have the right to reject the will. This is because if he had been present and refused to accept it, the testator would have sought someone else."

[REFERENCES] Al-Kafi, Vol.7 p.6 • Man La Yahduruhu Al-Faqih, Vol.4 p.196 • Tahdhib Al-Ahkam, Vol.9 p.206 • Al-Wafi, Vol.24 p.82 • Wasa'il Al-Shi'ah, Vol.19 p.320

CHAPTER 91 – CHAPTER ON THE AGE AT WHICH A CHILD'S BEQUEST BECOMES VALID

بَابُ الْحَدِّ الَّذِي إِذَا بَلَغَهُ الصَّبِيُّ جَازَتْ وَصِيَّتُهُ

HADITH 5450 – 5453

5450 - رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ أَبَانِ بْنِ عُثْمَانَ عَنْ عَبْدِ اَلرَّحْمَنِ بْنِ أَبِي عَبْدِ اَللَّهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ : «إِذَا بَلَغَ اَلْغُلاَمُ عَشْرَ سِنِينَ جَازَتْ وَصِيَّتُهُ».

H.5450 - Muhammad ibn Abi Umayr narrated from Aban ibn Uthman from Abd Al-Rahman ibn Abi Abdullah from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"When a boy reaches the age of ten, his will becomes valid."

[REFERENCES] Al-Kafi, Vol.7 p.28 • Man La Yahduruhu Al-Faqih, Vol.4 p.196 • Awali Al-La'ali, Vol.3 p.269 • Al-Wafi, Vol.24 p.165 • Wasa'il Al-Shi'ah, Vol.19 p.362

HADITH

5451 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ مُوسَى بْنِ بَكْرٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ ع قَالَ : «إِذَا أَتَى عَلَى اَلْغُلاَمِ عَشْرُ سِنِينَ فَإِنَّهُ يَجُوزُ لَهُ فِي مَالِهِ مَا أَعْتَقَ أَوْ تَصَدَّقَ وَ أَوْصَى عَلَى حَدٍّ مَعْرُوفٍ وَ حَقٍّ فَهُوَ جَائِزٌ».

H.5451 - Ṣafwan ibn Yahya narrated from Musa ibn Bakr from Zurarah from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"When a boy reaches the age of ten, whatever he does with his wealth - whether he frees a slave, gives charity, or makes a will within reasonable limits and rightful matters - is valid."

[REFERENCES] Al-Kafi, Vol.7 p.28 • Man La Yahduruhu Al-Faqih, Vol.4 p.197 • Tahdhib Al-Ahkam, Vol.9 p.181 • Awali Al-La'ali, Vol.3 p.239 • Awali Al-La'ali, Vol.3 p.270 • Al-Wafi, Vol.24 p.166 • Wasa'il Al-Shi'ah, Vol.19 p.211 • Wasa'il Al-Shi'ah, Vol.19 p.362

HADITH

5452 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ أَبِي اَلْمَغْرَاءِ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ : «إِذَا بَلَغَ اَلْغُلاَمُ عَشْرَ سِنِينَ فَأَوْصَى بِثُلُثِ مَالِهِ فِي حَقٍّ جَازَتْ وَصِيَّتُهُ وَ إِذَا كَانَ اِبْنَ سَبْعِ سِنِينَ فَأَوْصَى مِنْ مَالِهِ بِالْيَسِيرِ فِي حَقٍّ جَازَتْ وَصِيَّتُهُ».

H.5452 - Muhammad ibn Abi Umayr narrated from Abi Al-Maghra from Abu Baṣir from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said: "If a boy reaches the age of ten and makes a will for one-third of his wealth in a rightful cause, his will is valid. And if he is seven years old and makes a will for a small amount of his wealth in a rightful cause, his will is also valid."

[REFERENCES] Al-Kafi, Vol.7 p.29 • Man La Yahduruhu Al-Faqih, Vol.4 p.197 • Tahdhib Al-Ahkam, Vol.9 p.182 • Awali Al-La'ali, Vol.3 p.270 • Al-Wafi, Vol.24 p.167 • Wasa'il Al-Shi'ah, Vol.19 p.361

HADITH

5453 - وَ رَوَى عَلِيُّ بْنُ اَلْحَكَمِ عَنْ دَاوُدَ بْنِ اَلنُّعْمَانِ عَنْ أَبِي أَيُّوبَ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «إِنَّ اَلْغُلاَمَ إِذَا حَضَرَهُ اَلْمَوْتُ فَأَوْصَى وَ لَمْ يُدْرِكْ جَازَتْ وَصِيَّتُهُ لِذَوِي اَلْأَرْحَامِ وَ لَمْ تَجُزْ لِلْغُرَبَاءِ».

H.5453 - Ali ibn Al-Hakam narrated from Dawud ibn Al-Nuʿman from Abu Ayyub from Muhammad ibn Muslim, who said: I heard Abu Abdullah {a.s} say:
"If a boy is on his deathbed and makes a will before reaching maturity, his will is valid if it is for his close relatives, but it is not valid for strangers."

[REFERENCES] Al-Kafi, Vol.7 p.28 • Man La Yahduruhu Al-Faqih, Vol.4 p.197 • Tahdhib Al-Ahkam, Vol.9 p.181 • Wasa'il Al-Shi'ah, Vol.19 p.360

CHAPTER 92 – CHAPTER ON BEQUESTS MADE THROUGH WRITING AND GESTURES

بَابُ الْوَصِيَّةِ بِالْكَتْبِ وَ الْإِيمَاءِ

HADITH 5454 – 5456

5454 - رَوَى عَبْدُ اَلصَّمَدِ بْنُ مُحَمَّدٍ عَنْ حَنَانِ بْنِ سَدِيرٍ عَنْ أَبِيهِ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «دَخَلْتُ عَلَى مُحَمَّدِ بْنِ عَلِيِّ اِبْنِ اَلْحَنَفِيَّةِ وَ قَدِ اُعْتُقِلَ لِسَانُهُ فَأَمَرْتُهُ بِالْوَصِيَّةِ فَلَمْ يُجِبْ» قَالَ «فَأَمَرْتُ بِطَسْتٍ فَجَعَلْتُ فِيهِ اَلرَّمْلَ فَوُضِعَ فَقُلْتُ لَهُ خُطَّ بِيَدِكَ فَخَطَّ وَصِيَّتَهُ بِيَدِهِ فِي اَلرَّمْلِ وَ نَسَخْتُ أَنَا فِي صَحِيفَةٍ».

H.5454 - Abd Al-Ṣamad ibn Muhammad narrated from Hanan ibn Sadir from his father, from Abu Ja‘far Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"I entered upon Muhammad ibn Ali ibn Al-Hanafiyya, and his tongue had become paralyzed.
I instructed him to make his will, but he did not respond. So, I ordered a basin to be brought and filled it with sand.
I said to him, 'Write with your hand,' and he wrote his will in the sand with his hand, and I copied it onto a scroll."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.197 • Kamal Al-Din, Vol.1 p.36 • Tahdhib Al-Ahkam, Vol.9 p.241 • Al-Wafi, Vol.24 p.29 • Wasa’il Al-Shi’ah, Vol.19 p.372

HADITH

5455 - وَ رَوَى مُحَمَّدُ بْنُ أَحْمَدَ اَلْأَشْعَرِيُّ عَنِ اَلسِّنْدِيِّ بْنِ مُحَمَّدٍ عَنْ يُونُسَ بْنِ يَعْقُوبَ عَنْ أَبِي مَرْيَمَ ذَكَرَهُ عَنْ أَبِيهِ : أَنَّ أُمَامَةَ بِنْتَ أَبِي اَلْعَاصِ وَ أُمُّهَا زَيْنَبُ بِنْتُ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ كَانَتْ تَحْتَ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ بَعْدَ فَاطِمَةَ عَلَيْهَا اَلسَّلاَمُ فَخَلَفَ عَلَيْهَا بَعْدَ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ اَلْمُغِيرَةُ بْنُ اَلنَّوْفَلِ فَذَكَرَ أَنَّهَا وَجِعَتْ وَجَعاً شَدِيداً حَتَّى اُعْتُقِلَ لِسَانُهَا فَجَاءَهَا اَلْحَسَنُ وَ اَلْحُسَيْنُ اِبْنَا عَلِيٍّ عَلَيْهِمُ اَلسَّلاَمُ وَ هِيَ لاَ تَسْتَطِيعُ اَلْكَلاَمَ فَجَعَلاَ يَقُولاَنِ لَهَا وَ اَلْمُغِيرَةُ كَارِهٌ لِذَلِكَ «أَعْتَقْتِ فُلاَناً وَ أَهْلَهُ» فَجَعَلَتْ تُشِيرُ بِرَأْسِهَا نَعَمْ «وَ كَذَا وَ كَذَا» فَجَعَلَتْ تُشِيرُ بِرَأْسِهَا أَنْ نَعَمْ لاَ تُفْصِحُ بِالْكَلاَمِ فَأَجَازَ ذَلِكَ لَهَا.

H.5455 - Muhammad ibn Ahmad Al-Ashari narrated from Al-Sindi ibn Muhammad from Yunus ibn Yaʿqub from Abu Maryam, who narrated from his father:
Umamah bint Abi Al-Aṣ - whose mother was Zaynab, the daughter of the Messenger of Allah {SWT} (peace be upon him and his family) - was married to Imam Ali ibn Abi Ṭalib {a.s} after Sayyida Fatimah {s.a} (passed away).
After the martyrdom of Imam Ali ibn Abi Talib {a.s}, Al-Mughirah ibn Al-Nawfal married her.
It was narrated that she became severely ill until her tongue became paralyzed. Imam Hasan ibn Ali {a.s} and Imam Hussain ibn Ali {a.s}, the sons of Imam Ali ibn Abi Talib {a.s}, came to her while she was unable to speak.
They {a.s} began asking her, while Al-Mughirah disapproved.
They {a.s} asked: "Did you emancipate so-and-so and his family?" She nodded her head in agreement.
They {a.s} continued: "And this and that?"
She again nodded her head in affirmation but could not speak clearly.
Her gestures were accepted as valid in confirming her wishes.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.198 • Tahdhib Al-Ahkam, Vol.9 p.241 • Al-Wafi, Vol.24 p.29 • Wasa'il Al-Shi'ah, Vol.19 p.373 • Bihar Al-Anwar, Vol.22 p.157

HADITH

5456 - وَ رُوِيَ عَنْ إِبْرَاهِيمَ بْنِ مُحَمَّدٍ اَلْهَمَذَانِيِّ قَالَ : كَتَبْتُ إِلَى أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ رَجُلٌ كَتَبَ كِتَاباً بِخَطِّهِ وَ لَمْ يَقُلْ لِوَرَثَتِهِ هَذِهِ وَصِيَّتِي وَ لَمْ يَقُلْ إِنِّي قَدْ أَوْصَيْتُ إِلاَّ أَنَّهُ كَتَبَ كِتَاباً فِيهِ مَا أَرَادَ أَنْ يُوصِيَ بِهِ هَلْ يَجِبُ عَلَى وَرَثَتِهِ اَلْقِيَامُ بِمَا فِي اَلْكِتَابِ بِخَطِّهِ وَ لَمْ يَأْمُرْهُمْ بِذَلِكَ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «إِنْ كَانَ لَهُ وُلْدٌ يُنْفِذُونَ كُلَّ شَيْءٍ يَجِدُونَ فِي كِتَابِ أَبِيهِمْ فِي وَجْهِ اَلْبِرِّ أَوْ غَيْرِهِ».

H.5456 - It was narrated from Ibrahim ibn Muhammad Al-Hamadhani, who said:
I wrote to Abu Al-Hasan Imam Ali ibn Abi Talib {a.s} regarding a man who wrote something in his own handwriting but did not tell his heirs, "This is my will," nor did he say, "I have made a will." However, he wrote a document that contained what he intended to bequeath.
I asked whether it was obligatory for his heirs to fulfill what was written in his handwriting, even though he did not command them to do so.
Abu Al-Hasan {a.s} replied: "If he had children, they must carry out everything they find written in their father's document, whether it pertains to acts of righteousness or anything else."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.198 • Awali Al-La'ali, Vol.3 p.269 • Al-Wafi, Vol.24 p.30 • Wasa'il Al-Shi'ah, Vol.19 p.372

CHAPTER 93 – CHAPTER ON REVOKING A BEQUEST

بَابُ الرُّجُوعِ عَنِ الْوَصِيَّةِ

HADITH 5457 – 5460

5457 - رَوَى اَلْحَسَنُ بْنُ عَلِيِّ بْنِ فَضَّالٍ عَنْ عَلِيِّ بْنِ عُقْبَةَ عَنْ بُرَيْدٍ اَلْعِجْلِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «لِصَاحِبِ اَلْوَصِيَّةِ أَنْ يَرْجِعَ فِيهَا وَ يُحْدِثَ فِي وَصِيَّتِهِ مَا دَامَ حَيّاً».

H.5457 - Al-Hasan ibn Ali ibn Faḍḍal narrated from Ali ibn Uqbah from Burayd Al-ʿIjli from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"The one who makes a will has the right to revoke it or make changes to it as long as he is alive."

[REFERENCES] Al-Kafi, Vol.7 p.12 • Man La Yahduruhu Al-Faqih, Vol.4 p.199 • Tahdhib Al-Ahkam, Vol.9 p.190 • Al-Wafi, Vol.24 p.73 • Wasa'il Al-Shi'ah, Vol.19 p.303

HADITH

5458 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ بُكَيْرِ بْنِ أَعْيَنَ عَنْ عُبَيْدِ بْنِ زُرَارَةَ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «لِلْمُوصِي أَنْ يَرْجِعَ فِي وَصِيَّتِهِ إِنْ كَانَ فِي صِحَّةٍ أَوْ مَرَضٍ».

H.5458 - Muhammad ibn Abi Umayr narrated from Bukayr ibn Aʿyan from Ubayd ibn Zurarah, who said: I heard Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} say:
"The one making a will has the right to revoke it, whether he is in good health or ill."

[REFERENCES] Al-Kafi, Vol.7 p.12 • Man La Yahduruhu Al-Faqih, Vol.4 p.199 • Tahdhib Al-Ahkam, Vol.9 p.189 • Al-Wafi, Vol.24 p.73 • Wasa'il Al-Shi'ah, Vol.19 p.303

HADITH

5459 - وَ رَوَى يُونُسُ بْنُ عَبْدِ اَلرَّحْمَنِ عَنْ عَبْدِ اَللَّهِ بْنِ مُسْكَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ أَنَّ اَلْمُدَبَّرَ مِنَ اَلثُّلُثِ وَ أَنَّ لِلرَّجُلِ أَنْ يَنْقُضَ وَصِيَّتَهُ فَيَزِيدَ فِيهَا وَ يَنْقُصَ مِنْهَا مَا لَمْ يَمُتْ».

H.5459 - Yunus ibn Abd Al-Rahman narrated from Abdullah ibn Muskan from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"The Commander of the Faithful {a.s} ruled that the manumitted slave (Al-mudabbar) is to be freed from one-third of the estate. A man has the right to revoke his will, to add to it or reduce from it, as long as he has not passed away."

[REFERENCES] Al-Kafi, Vol.7 p.12 • Man La Yahduruhu Al-Faqih, Vol.4 p.199 • Tahdhib Al-Ahkam, Vol.9 p.190 • Al-Wafi, Vol.24 p.74 • Wasa'il Al-Shi'ah, Vol.19 p.302

HADITH

5460 - وَ فِي رِوَايَةِ يُونُسَ بْنِ عَبْدِ اَلرَّحْمَنِ بِإِسْنَادِهِ قَالَ قَالَ عَلِيُّ بْنُ اَلْحُسَيْنِ عَلَيْهِمَا اَلسَّلاَمُ : «لِلرَّجُلِ أَنْ يُغَيِّرَ مِنْ وَصِيَّتِهِ فَيُعْتِقَ مَنْ كَانَ أَمَرَ بِتَمْلِيكِهِ وَ يُمَلِّكَ مَنْ كَانَ أَمَرَ بِعِتْقِهِ وَ يُعْطِيَ مَنْ كَانَ حَرَمَهُ وَ يَحْرِمَ مَنْ كَانَ أَعْطَاهُ مَا لَمْ يَكُنْ رَجَعَ عَنْهُ».

H.5460 - In the narration of Yunus ibn Abd Al-Rahman with his chain of transmission, Imam Ali ibn Al-Hussain {a.s} said:
"A man has the right to alter his will. He may free the one he had initially ordered to be owned, and he may grant ownership to the one he had initially ordered to be freed. He may give to the one he had previously deprived and deprive the one he had previously granted, as long as he has not retracted from his decision."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.199

CHAPTER 94 – CHAPTER ON ONE WHO MAKES A BEQUEST EXCEEDING ONE-THIRD WHILE HIS HEIRS ARE PRESENT AND APPROVE IT, IF THEY CAN REVOKE IT AFTER HIS DEATH

بَابٌ فِيمَنْ أَوْصَى بِأَكْثَرَ مِنَ الثُّلُثِ وَ وَرَثَتُهُ شُهُودٌ فَأَجَازُوا ذَلِكَ هَلْ لَهُمْ أَنْ يَنْقُضُوا ذَلِكَ بَعْدَ مَوْتِهِ

HADITH 5461

5461 - رَوَى حَمَّادُ بْنُ عِيسَى عَنْ حَرِيزٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ أَوْصَى بِوَصِيَّةٍ وَ وَرَثَتُهُ شُهُودٌ فَأَجَازُوا ذَلِكَ فَلَمَّا مَاتَ اَلرَّجُلُ نَقَضُوا اَلْوَصِيَّةَ هَلْ لَهُمْ أَنْ يَرُدُّوا مَا أَقَرُّوا بِهِ فَقَالَ «لَيْسَ لَهُمْ ذَلِكَ وَ اَلْوَصِيَّةُ جَائِزَةٌ عَلَيْهِمْ إِذَا أَقَرُّوا بِهَا فِي حَيَاتِهِ».

وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ مَنْصُورِ بْنِ حَازِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : مِثْلَهُ.

H.5461 - Hammad ibn ʿIsa narrated from Hariz from Muhammad ibn Muslim from Abu Abdullah {a.s} regarding a man who made a will in the presence of his heirs, and they approved it. However, after the man's death, they attempted to revoke the will.
Imam {a.s} said: "They do not have the right to revoke it. The will remains binding upon them once they had approved it during his lifetime."

[AL SADUQ]
Similarly, Ṣafwan ibn Yahya narrated from Manṣur ibn Hazim from Abu Abdullah {a.s} with the same ruling.

[REFERENCES] Al-Kafi, Vol.7 p.12 • Man La Yahduruhu Al-Faqih, Vol.4 p.200 • Tahdhib Al-Ahkam, Vol.9 p.193 • Tahdhib Al-Ahkam, Vol.9 p.193 • Al-Istibsar, Vol.4 p.122 • Al-Istibsar, Vol.4 p.122 • Nuzhat Al-Nazir, Vol.1 p.92 • Awali Al-La'ali, Vol.3 p.275 • Al-Wafi, Vol.24 p.51 • Wasa'il Al-Shi'ah, Vol.19 p.283

CHAPTER 95 – CHAPTER ON THE OBLIGATION OF EXECUTING THE BEQUEST AND THE PROHIBITION OF ALTERING IT

بَابُ وُجُوبِ إِنْفَاذِ الْوَصِيَّةِ وَ النَّهْيِ عَنْ تَبْدِيلِهَا

HADITH 5462 – 5464

5462 - رَوَى حَمَّادُ بْنُ عِيسَى عَنْ حَرِيزٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلرَّجُلِ أَوْصَى بِمَالِهِ فِي سَبِيلِ اَللَّهِ فَقَالَ «أَعْطِهِ لِمَنْ أَوْصَى لَهُ بِهِ وَ إِنْ كَانَ يَهُودِيّاً أَوْ نَصْرَانِيّاً إِنَّ اَللَّهَ عَزَّ وَ جَلَّ يَقُولُ ﴿ فَمَنْ بَدَّلَهُ بَعْدَ مٰا سَمِعَهُ فَإِنَّمٰا إِثْمُهُ عَلَى اَلَّذِينَ يُبَدِّلُونَهُ ﴾.

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ مَا لَهُ هُوَ الثُّلُثُ.

H.5462 - Hammad ibn ʿIsa narrated from Hariz from Muhammad ibn Muslim, who said: I asked Abu Abdullah {a.s} about a man who made a will to give his wealth in the way of Allah {SWT}.
Imam {a.s} replied: "Give it to the one he specified in his will, even if that person is a Jew or a Christian. Indeed, Allah {SWT}, the Almighty and Majestic, says:
'But whoever changes it after hearing it, the sin is only upon those who change it.'"
(Surah Al-Baqarah 2:181)

[AL SADUQ]
The author of this book (may Allah {SWT} have mercy on him) commented:
"What he has the right to bequeath is one-third (of his wealth)."

[REFERENCES] Al-Kafi, Vol.7 p.14 • Man La Yahduruhu Al-Faqih, Vol.4 p.200 • Nuzhat Al-Nazir, Vol.1 p.11 • Tahdhib Al-Ahkam, Vol.9 p.203 • Al-Istibsar, Vol.4 p.129 • Al-Wafi, Vol.24 p.85 • Wasa'il Al-Shi'ah, Vol.19 p.345 • Tafsir Al-Burhan, Vol.1 p.381 • Bihar Al-Anwar, Vol.85 p.316 • Tafsir Nur Al-Thaqalayn, Vol.1 p.159

HADITH

5463 - وَ رَوَى سَهْلُ بْنُ زِيَادٍ عَنْ مُحَمَّدِ بْنِ اَلْوَلِيدِ عَنْ يُونُسَ بْنِ يَعْقُوبَ : أَنَّ رَجُلاً كَانَ بِهَمَذَانَ ذَكَرَ أَنَّ أَبَاهُ مَاتَ وَ كَانَ لاَ يَعْرِفُ هَذَا اَلْأَمْرَ فَأَوْصَى بِوَصِيَّةٍ عِنْدَ اَلْمَوْتِ وَ أَوْصَى أَنْ يُعْطَى شَيْءٌ فِي سَبِيلِ اَللَّهِ فَسُئِلَ عَنْهُ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ كَيْفَ يُفْعَلُ بِهِ وَ أَخْبَرْنَاهُ أَنَّهُ كَانَ لاَ يَعْرِفُ هَذَا اَلْأَمْرَ وَ أَوْصَى بِوَصِيَّةٍ عِنْدَ اَلْمَوْتِ فَقَالَ «لَوْ أَنَّ رَجُلاً أَوْصَى إِلَيَّ أَنْ أَضَعَ مَالَهُ فِي يَهُودِيٍّ أَوْ نَصْرَانِيٍّ لَوَضَعْتُهُ فِيهِمْ إِنَّ اَللَّهَ عَزَّ وَ جَلَّ يَقُولُ ﴿ فَمَنْ بَدَّلَهُ بَعْدَ مٰا سَمِعَهُ فَإِنَّمٰا إِثْمُهُ عَلَى اَلَّذِينَ يُبَدِّلُونَهُ إِنَّ اَللّٰهَ سَمِيعٌ عَلِيمٌ ﴾ فَانْظُرْ إِلَى مَنْ يَخْرُجُ فِي هَذِهِ اَلْوُجُوهِ يَعْنِي اَلثُّغُورَ فَابْعَثُوا بِهِ إِلَيْهِ».

H.5463 - Sahl ibn Ziyad narrated from Muhammad ibn Al-Walid from Yunus ibn Yaʿqub: A man in Hamadhan mentioned that his father had passed away. His father was unaware of this matter (the teachings of the Ahl Al-Bayt), and before his death, he made a will instructing that something be given in the way of Allah {SWT}.

Abu Abdullah {a.s} was asked about how to fulfill this will, and it was explained to Imam {a.s} that the deceased was unaware of the truth but had made a will at the time of his death.

Abu Abdullah {a.s} said: "If a man had made a will to me to distribute his wealth to a Jew or a Christian, I would fulfill it for them. Indeed, Allah {SWT}, the Almighty and Majestic, says:

'But whoever changes it after hearing it, the sin is only upon those who change it. Verily, Allah {SWT} is All-Hearing, All-Knowing.'" (Surah Al-Baqarah 2:181)

Then Imam {a.s} added: "Look for someone who is engaged in these paths (meaning the frontier defense posts), and send it to him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.200

HADITH

5464 - وَ رُوِيَ عَنْ أَبِي طَالِبِ عَبْدِ اَللَّهِ بْنِ اَلصَّلْتِ اَلْقُمِّيِّ أَنَّهُ قَالَ : كَتَبَ اَلْخَلِيلُ بْنُ هَاشِمٍ إِلَى ذِي اَلرِّئَاسَتَيْنِ وَ هُوَ وَالِي نَيْسَابُورَ أَنَّ رَجُلاً مِنَ اَلْمَجُوسِ مَاتَ وَ أَوْصَى لِلْفُقَرَاءِ بِشَيْءٍ مِنْ مَالِهِ فَأَخَذَهُ اَلْوَصِيُّ بِنَيْسَابُورَ فَجَعَلَهُ فِي فُقَرَاءِ اَلْمُسْلِمِينَ فَكَتَبَ اَلْخَلِيلُ إِلَى ذِي اَلرِّئَاسَتَيْنِ بِذَلِكَ فَسَأَلَ اَلْمَأْمُونَ عَنْ ذَلِكَ فَقَالَ لَيْسَ عِنْدِي فِي ذَلِكَ شَيْءٌ فَسَأَلَ أَبَا اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ فَقَالَ أَبُو اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ «إِنَّ اَلْمَجُوسِيَّ لَمْ يُوصِ لِفُقَرَاءِ اَلْمُسْلِمِينَ وَ لَكِنْ يَنْبَغِي أَنْ يُؤْخَذَ مِقْدَارُ ذَلِكَ اَلْمَالِ مِنْ مَالِ اَلصَّدَقَةِ فَيُرَدَّ عَلَى فُقَرَاءِ اَلْمَجُوسِ ».

H.5464 - It was narrated from Abu Ṭalib Abdullah ibn Al-Ṣalt Al-Qummi that he said: Al-Khalil ibn Hashim wrote to Dhu Al-Ri'asatayn, who was the governor of Nishapur, informing him that a man from the Magians had passed away and had bequeathed a portion of his wealth to the poor.

The executor in Nishapur took that wealth and distributed it among the poor Muslims. Al-Khalil wrote to Dhu Al-Riʾasatayn about this matter, and Dhu Al-Riʾasatayn consulted Al-Maʾmun, who said: “I have no ruling on this issue."

Then he asked Abu Al-Hasan {a.s}, and Abu Al-Hasan {a.s} replied:

"The Magian did not bequeath his wealth to the poor Muslims. Therefore, it is appropriate that an equivalent amount from the charity funds be taken and returned to the poor among the Magians."

[REFERENCES] Al-Kafi, Vol.7 p.16 • Man La Yahduruhu Al-Faqih, Vol.4 p.201 • Tahdhib Al-Ahkam, Vol.9 p.202 • Al-Istibsar, Vol.4 p.129 • Fiqh Al-Quran, Vol.2 p.315 • Al-Wafi, Vol.24 p.88 • Wasa’il Al-Shi’ah, Vol.19 p.342

CHAPTER 96 – CHAPTER ON A PERSON'S RIGHT OVER HIS WEALTH AS LONG AS THERE REMAINS SOME LIFE IN HIM

بَابٌ فِي أَنَّ الْإِنْسَانَ أَحَقُّ بِمَالِهِ مَا دَامَ فِيهِ شَيْءٌ مِنَ الرُّوحِ

HADITH 5465 – 5469

5465 - رَوَى ثَعْلَبَةُ بْنُ مَيْمُونٍ عَنْ أَبِي اَلْحَسَنِ اَلسَّابَاطِيِّ عَنْ عَمَّارِ بْنِ مُوسَى أَنَّهُ سَمِعَ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «صَاحِبُ اَلْمَالِ أَحَقُّ بِمَالِهِ، مَا دَامَ فِيهِ شَيْءٌ مِنَ اَلرُّوحِ يَضَعُهُ حَيْثُ يَشَاءُ».

H.5465 - Thaʿlabah ibn Maymun narrated from Abu Al-Hasan Al-Sabaṭi from Ammar ibn Musa that he heard Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} say:
"The owner of the wealth has the most right over his wealth as long as there remains in him any part of the soul. He may dispose of it wherever he wishes."

[REFERENCES] Al-Kafi, Vol.7 p.7 • Man La Yahduruhu Al-Faqih, Vol.4 p.201 • Tahdhib Al-Ahkam, Vol.9 p.186 • Al-Wafi, Vol.24 p.63 • Wasa'il Al-Shi'ah, Vol.19 p.297

HADITH

5466 - وَ رَوَى عَبْدُ اَللَّهِ بْنُ جَبَلَةَ عَنْ سَمَاعَةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : قُلْتُ لَهُ اَلرَّجُلُ يَكُونُ لَهُ اَلْوَلَدُ يَسَعُهُ أَنْ يَجْعَلَ مَالَهُ لِقَرَابَتِهِ قَالَ «هُوَ مَالُهُ يَضَعُ بِهِ مَا شَاءَ إِلَى أَنْ يَأْتِيَهُ اَلْمَوْتُ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ يَعْنِي بِذَلِكَ أَنْ يُبِينَ بِهِ مِنْ مَالِهِ فِي حَيَاتِهِ أَوْ يَهَبَهُ كُلَّهُ فِي حَيَاتِهِ وَ يُسَلِّمَهُ مِنَ الْمَوْهُوبِ لَهُ فَأَمَّا إِذَا أَوْصَى بِهِ فَلَيْسَ لَهُ أَكْثَرُ مِنَ الثُّلُثِ.

H.5466 - Abdullah ibn Jabalah narrated from Samaah, from Abu Baṣir, from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
I asked Imam {a.s}, "A man who has children, is it permissible for him to give his wealth to his relatives?"
Imam {a.s} replied: "It is his wealth; he may do with it as he wishes until death comes to him."

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, explained this to mean that a person may distribute his wealth during his lifetime or gift all of it while alive and hand it over to the recipient. However, if he bequeaths it (after death), he cannot allocate more than one-third of it.

[REFERENCES] Al-Kafi, Vol.7 p.8 • Man La Yahduruhu Al-Faqih, Vol.4 p.202 • Tahdhib Al-Ahkam, Vol.9 p.187

HADITH

5467 - وَ تَصْدِيقُ ذَلِكَ- مَا رَوَاهُ صَفْوَانُ عَنْ مُرَازِمٍ فِي الرَّجُلِ يُعْطِي الشَّيْءَ مِنْ مَالِهِ فِي مَرَضِهِ قَالَ إِذَا أَبَانَ بِهِ فَهُوَ جَائِزٌ وَ إِنْ أَوْصَى بِهِ فَمِنَ الثُّلُثِ.

H.5467 - And the confirmation of this is what Ṣafwan narrated from Murazim regarding a man who gives something from his wealth during his illness.
Imm {a.s} said: "If he clearly transfers it (during his lifetime), then it is valid. However, if he bequeaths it (for after his death), then it is only from one-third of his wealth."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.202

HADITH

5468 - وَ أَمَّا حَدِيثُ عَلِيِّ بْنِ أَسْبَاطٍ عَنْ ثَعْلَبَةَ عَنْ أَبِي اَلْحَسَنِ عَمْرِو بْنِ شَدَّادٍ اَلْأَزْدِيِّ عَنْ عَمَّارِ بْنِ مُوسَى عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «اَلرَّجُلُ أَحَقُّ بِمَالِهِ مَا دَامَ فِيهِ اَلرُّوحُ إِنْ أَوْصَى بِهِ كُلِّهِ فَهُوَ جَائِزٌ لَهُ».

فَإِنَّهُ يَعْنِي بِهِ إِذَا لَمْ يَكُنْ لَهُ وَارِثٌ قَرِيبٌ وَ لَا بَعِيدٌ فَيُوصِي بِمَالِهِ كُلِّهِ حَيْثُ يَشَاءُ وَ مَتَى كَانَ لَهُ وَارِثٌ قَرِيبٌ أَوْ بَعِيدٌ لَمْ يَجُزْ لَهُ أَنْ يُوصِيَ بِأَكْثَرَ مِنَ الثُّلُثِ وَ إِذَا أَوْصَى بِأَكْثَرَ مِنَ الثُّلُثِ رُدَّ إِلَى الثُّلُثِ.

H.5468 - As for the narration of Ali ibn Asbaṭ from Thaʿlabah from Abu Al-Hasan Amr ibn Shaddad Al-Azdi from Ammar ibn Musa from Abu Abdullah {a.s}, who said:
"A man has the most right over his wealth as long as his soul remains in him. If he bequeaths all of it, it is permissible for him."

[AL SADUQ]
It means this is permissible if he has no close or distant heir. In such a case, he may bequeath all of his wealth as he wishes.
However, if he has a close or distant heir, it is not permissible for him to bequeath more than one-third of his wealth. If he does bequeath more than one-third, it must then be reduced down to one-third.

[REFERENCES] Al-Kafi, Vol.7 p.7 • Man La Yahduruhu Al-Faqih, Vol.4 p.202 • Tahdhib Al-Ahkam, Vol.9 p.187 • Al-Istibsar, Vol.4 p.121 • Al-Wafi, Vol.24 p.70 • Wasa'il Al-Shi'ah, Vol.19 p.281 • Wasa'il Al-Shi'ah, Vol.19 p.298

HADITH

5469 - وَ تَصْدِيقُ ذَلِكَ مَا رَوَاهُ إِسْمَاعِيلُ بْنُ أَبِي زِيَادٍ اَلسَّكُونِيُّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَ : أَنَّهُ سُئِلَ عَنِ اَلرَّجُلِ يَمُوتُ وَ لاَ وَارِثَ لَهُ وَ لاَ عَصَبَةَ قَالَ «يُوصِي بِمَالِهِ حَيْثُ يَشَاءُ فِي اَلْمُسْلِمِينَ وَ اَلْمَسَاكِينِ وَ اِبْنِ اَلسَّبِيلِ».

وَ هَذَا حَدِيثٌ مُفَسَّرٌ وَ الْمُفَسَّرُ يَحْكُمُ عَلَى الْمُجْمَلِ.

H.5469 - And a confirmation of this is what was narrated by Ismaʿil ibn Abi Ziyad Al-Sakuni from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Abu Abdullah Imam Muhammad ibn Ali Al-Baqir {a.s}, that he was asked about a man who dies without leaving behind an heir or any male relative (Aṣabah).
Imam {a.s} said: "He may bequeath his wealth as he wishes among the Muslims, the poor, and the wayfarer."

[AL SADUQ]
This narration provides a clear explanation, and an explicit (mufassar) narration takes precedence over a general (mujmal) one in determining rulings.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.202

CHAPTER 97 – CHAPTER ON THE BEQUEST OF ONE WHO INTENTIONALLY TAKES HIS OWN LIFE

بَابُ وَصِيَّةِ مَنْ قَتَلَ نَفْسَهُ مُتَعَمِّداً

HADITH 5470

5470 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي وَلاَّدٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «مَنْ قَتَلَ نَفْسَهُ مُتَعَمِّداً فَهُوَ فِي نَارِ جَهَنَّمَ «خٰالِداً فِيهٰا» » قِيلَ لَهُ أَ رَأَيْتَ إِنْ كَانَ أَوْصَى بِوَصِيَّةٍ ثُمَّ قَتَلَ نَفْسَهُ مُتَعَمِّداً مِنْ سَاعَتِهِ تُنْفَذُ وَصِيَّتُهُ قَالَ «إِنْ كَانَ أَوْصَى قَبْلَ أَنْ يُحْدِثَ حَدَثاً فِي نَفْسِهِ مِنْ جِرَاحَةٍ أَوْ فِعْلٍ أُجِيزَتْ وَصِيَّتُهُ فِي ثُلُثِهِ وَ إِنْ كَانَ أَوْصَى بِوَصِيَّةٍ وَ قَدْ أَحْدَثَ فِي نَفْسِهِ جِرَاحَةً أَوْ فِعْلاً لَعَلَّهُ يَمُوتُ لَمْ تُجَزْ وَصِيَّتُهُ».

H.5470 - Al-Hasan ibn Mahbub narrated from Abu Walad, who said: I heard Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} say:
"Whoever intentionally kills himself will be in the Fire of Hell, abiding therein forever."
Imam {a.s} was asked: "What if he had made a will (waṣiyyah) and then deliberately killed himself immediately after? Will his will be carried out?"
Imam {a.s} replied: "If he made the will before committing any harmful act against himself, whether by injury or any other action, then his will is valid regarding one-third of his wealth. However, if he made the will after having already harmed himself - by injuring himself or committing an act intending death - then his will is not valid."

[REFERENCES] Al-Kafi, Vol.7 p.45 • Man La Yahduruhu Al-Faqih, Vol.4 p.202 • Tahdhib Al-Ahkam, Vol.9 p.207 • Al-Wafi, Vol.24 p.168 • Wasa'il Al-Shi'ah, Vol.19 p.378

CHAPTER 98 – CHAPTER ON TWO MEN BEING APPOINTED AS EXECUTORS OF A BEQUEST, AND EACH TAKING CHARGE OF HALF OF THE ESTATE

بَابُ الرَّجُلَيْنِ يُوصَى إِلَيْهِمَا فَيَنْفَرِدُ كُلُّ وَاحِدٍ مِنْهُمَا بِنِصْفِ التَّرِكَةِ

HADITH 5471 – 5472

5471 - كَتَبَ مُحَمَّدُ بْنُ اَلْحَسَنِ اَلصَّفَّارُ رَضِيَ اَللَّهُ عَنْهُ إِلَى أَبِي مُحَمَّدٍ اَلْحَسَنِ بْنِ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ : رَجُلٌ أَوْصَى إِلَى رَجُلَيْنِ أَ يَجُوزُ لِأَحَدِهِمَا أَنْ يَنْفَرِدَ بِنِصْفِ اَلتَّرِكَةِ وَ اَلْآخَرِ بِالنِّصْفِ فَوَقَّعَ عَلَيْهِ اَلسَّلاَمُ «لاَ يَنْبَغِي لَهُمَا أَنْ يُخَالِفَا اَلْمَيِّتَ وَ يَعْمَلاَنِ عَلَى حَسَبِ مَا أَمَرَهُمَا إِنْ شَاءَ اَللَّهُ».

وَ هَذَا اَلتَّوْقِيعُ عِنْدِي بِخَطِّهِ عَلَيْهِ اَلسَّلاَمُ.

H.5471 - Muhammad ibn Al-Hasan Al-Ṣaffar (may Allah {SWT} be pleased with him) wrote to Abu Muhammad Imam Hasan ibn Ali Al-Askari {a.s} asking:
"A man appointed two individuals as executors of his will. Is it permissible for one of them to independently handle half of the inheritance and the other to manage the other half?"
Imam {a.s} responded in writing: "It is not appropriate for them to act contrary to the deceased's instructions. They should act according to what he commanded them, God willing."

[AL SADUQ]
This written response is confirmed to be in his own handwriting.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.203 • Tahdhib Al-Ahkam, Vol.9 p.185 • Al-Istibsar, Vol.4 p.118 • Wasa'il Al-Shi'ah, Vol.19 p.376

HADITH

5472 - وَ فِي كِتَابِ مُحَمَّدِ بْنِ يَعْقُوبَ اَلْكُلَيْنِيِّ رَحِمَهُ اَللَّهُ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ اَلْحَسَنِ اَلْمِيثَمِيِّ عَنْ أَخَوَيْهِ مُحَمَّدٍ وَ أَحْمَدَ عَنْ أَبِيهِمَا عَنْ دَاوُدَ بْنِ أَبِي يَزِيدَ عَنْ بُرَيْدِ بْنِ مُعَاوِيَةَ قَالَ : إِنَّ رَجُلاً مَاتَ وَ أَوْصَى إِلَى رَجُلَيْنِ فَقَالَ أَحَدُهُمَا لِصَاحِبِهِ خُذْ نِصْفَ مَا تَرَكَ وَ أَعْطِنِي اَلنِّصْفَ مِمَّا تَرَكَ فَأَبَى عَلَيْهِ اَلْآخَرُ فَسَأَلُوا أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ ذَلِكَ فَقَالَ «ذَاكَ لَهُ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ لَسْتُ أُفْتِي بِهَذَا الْحَدِيثِ بَلْ أُفْتِي بِمَا عِنْدِي بِخَطِّ الْحَسَنِ بْنِ عَلِيٍّ ع وَ لَوْ صَحَّ الْخَبَرَانِ جَمِيعاً لَكَانَ الْوَاجِبُ الْأَخْذَ بِقَوْلِ الْأَخِيرِ كَمَا أَمَرَ بِهِ الصَّادِقُ ع وَ ذَلِكَ أَنَّ الْأَخْبَارَ لَهَا وُجُوهٌ وَ مَعَانٍ وَ كُلُّ إِمَامٍ أَعْلَمُ بِزَمَانِهِ وَ أَحْكَامِهِ مِنْ غَيْرِهِ مِنَ النَّاسِ وَ بِاللَّهِ التَّوْفِيقُ.

H.5472 - In the book of Muhammad ibn Yaʿqub Al-Kulayni (may Allah {SWT} have mercy on him), narrated from Ahmad ibn Muhammad, from Ali ibn Al-Hasan Al-Mithami, from his two brothers Muhammad and Ahmad, from their father, from Dawud ibn Abi Yazid, from Burayd ibn Muawiyah, it is reported:

A man passed away and appointed two individuals as executors of his will. One of them said to his companion, "Take half of what he left behind, and give me the other half."

However, the other refused.

They sought guidance from Abu Abdullah {a.s} regarding this matter, and Imam {a.s} said: "That rightfully belongs to him."

[AL SADUQ]

The author of this book (may Allah {SWT} have mercy on him) stated: "I do not issue a legal verdict (fatwa) based on this narration. Rather, I issue a fatwa according to what I possess in the handwriting of Imam Hasan ibn Ali {a.s}.

And if both reports were authentic, it would be obligatory to follow the statement of the latter, as ordered by Imam Jafar ibn Muhammad Al-Sadiq {a.s}. This is because narrations have various aspects and meanings, and every Imam {a.s} is more knowledgeable about his time and its rulings than anyone else. And with Allah {SWT} is success."

[REFERENCES] Al-Kafi, Vol.7 p.47 • Man La Yahduruhu Al-Faqih, Vol.4 p.203 • Tahdhib Al-Ahkam, Vol.9 p.185 • Al-Istibsar, Vol.4 p.118 • Al-Wafi, Vol.24 p.171 • Wasa'il Al-Shi'ah, Vol.19 p.377

CHAPTER 99 – CHAPTER ON BEQUESTS OF A PORTION OF WEALTH, A SHARE, A PART, OR A LARGE AMOUNT

بَابُ الْوَصِيَّةِ بِالشَّيْءِ مِنَ الْمَالِ وَ السَّهْمِ وَ الْجُزْءِ وَ الْكَثِيرِ

HADITH 5473 – 5477

5473 - رَوَى أَبَانُ بْنُ تَغْلِبَ عَنْ عَلِيِّ بْنِ اَلْحُسَيْنِ عَلَيْهِمَا اَلسَّلاَمُ : أَنَّهُ سُئِلَ عَنْ رَجُلٍ أَوْصَى بِشَيْءٍ مِنْ مَالِهِ فَقَالَ «اَلشَّيْءُ فِي كِتَابِ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ وَاحِدٌ مِنْ سِتَّةٍ».

H.5473 - Aban ibn Taghlib narrated from Imam Ali ibn Al-Hussain {a.s} that Imam {a.s} was asked about a man who made a bequest (waṣiyyah) of something from his wealth.
Imam {a.s} replied: "The portion specified in the Book of (Imam) Ali {a.s} is one out of six parts."

[REFERENCES] Al-Kafi, Vol.7 p.40 • Al-Kafi, Vol.7 p.40 • Man La Yahduruhu Al-Faqih, Vol.4 p.204 • Tahdhib Al-Ahkam, Vol.9 p.211 • Tahdhib Al-Ahkam, Vol.9 p.211 • Al-Wafi, Vol.24 p.143 • Wasa'il Al-Shi'ah, Vol.19 p.388

HADITH

5474 - وَ رَوَى اَلسَّكُونِيُّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ سُئِلَ عَنْ رَجُلٍ يُوصِي بِسَهْمٍ مِنْ مَالِهِ فَقَالَ «اَلسَّهْمُ وَاحِدٌ مِنْ ثَمَانِيَةٍ لِقَوْلِ اَللَّهِ عَزَّ وَ جَلَّ ﴿ إِنَّمَا اَلصَّدَقَاتُ لِلْفُقَرَاءِ وَ اَلْمَسَاكِينِ وَ اَلْعَامِلِينَ عَلَيْهَا وَ اَلْمُؤَلَّفَةِ قُلُوبُهُمْ وَ فِي اَلرِّقَابِ وَ اَلْغَارِمِينَ وَ فِي سَبِيلِ اَللَّهِ وَ اِبْنِ اَلسَّبِيلِ ﴾.

H.5474 - Al-Sakuni narrated from Abu Abdullah {a.s} that he was asked about a man who bequeaths a share (sahm) of his wealth.
Imam {a.s} replied: "The share is one out of eight parts, based on the saying of Allah {SWT}, the Mighty and Majestic:
"*Indeed, the charities are only for the poor, the needy, those employed to collect them, those whose hearts are to be reconciled, for freeing slaves, for those in debt, in the way of Allah {SWT}, and for the stranded traveler*." (Surah Al-Tawbah, 9:60)

[REFERENCES] Al-Kafi, Vol.7 p.41 • Man La Yahduruhu Al-Faqih, Vol.4 p.204 • Ma'ani Al-Akhbar, Vol.1 p.216 • Tahdhib Al-Ahkam, Vol.9 p.210 • Al-Istibsar, Vol.4 p.133 • Fiqh Al-Quran, Vol.2 p.322 • Al-Wafi, Vol.24 p.142 • Wasa'il Al-Shi'ah, Vol.19 p.386 • Bihar Al-Anwar, Vol.100 p.209 • Tafsir Nur Al-Thaqalayn, Vol.2 p.235

HADITH

5475 - وَ قَدْ رُوِيَ : «أَنَّ اَلسَّهْمَ وَاحِدٌ مِنْ سِتَّةٍ ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ مَتَى أَوْصَى بِسَهْمٍ مِنْ سِهَامِ الزَّكَاةِ كَانَ السَّهْمُ وَاحِداً مِنْ ثَمَانِيَةٍ وَ مَتَى أَوْصَى بِسَهْمٍ مِنْ سِهَامِ الْمَوَارِيثِ فَالسَّهْمُ وَاحِدٌ مِنْ سِتَّةٍ وَ هَذَانِ الْحَدِيثَانِ مُتَّفِقَانِ غَيْرُ مُخْتَلِفَيْنِ فَتُمْضَى الْوَصِيَّةُ عَلَى مَا يَظْهَرُ مِنْ مُرَادِ الْمُوصِي.

H.5475 - It has been narrated that "the share is one out of six."

[AL SADUQ]

The compiler of this book, may Allah {SWT} have mercy on him, explained: Whenever a bequest is made for a share from the categories of zakat, the share is one out of eight, corresponding to the eight categories mentioned in the Qur'an.

However, if the bequest is for a share from inheritance shares, then the share is one out of six, aligning with the divisions in inheritance.

These two narrations are consistent and not contradictory. Therefore, the will should be executed according to what appears to be the intention of the testator.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.204 • Fiqh Al-Quran, Vol.2 p.322 • Wasa'il Al-Shi'ah, Vol.19 p.387

HADITH

5476 - وَ رَوَى اَلْحَسَنُ بْنُ عَلِيِّ بْنِ فَضَّالٍ عَنْ ثَعْلَبَةَ بْنِ مَيْمُونٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ أَوْصَى بِجُزْءٍ مِنْ مَالِهِ فَقَالَ «جُزْءٌ مِنْ عَشَرَةٍ قَالَ اَللَّهُ عَزَّ وَ جَلَّ ۝ ثُمَّ اِجْعَلْ عَلىٰ كُلِّ جَبَلٍ مِنْهُنَّ جُزْءاً ۝ وَ كَانَتِ اَلْجِبَالُ عَشَرَةً.

H.5476 - It is narrated from Al-Hasan ibn Ali ibn Faddal, from Thalabah ibn Maymun, from Muawiyah ibn Ammar, who said:

I asked Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} about a man who bequeathed a portion of his wealth.

Imam {a.s} replied: "A portion is one-tenth." Allah {SWT}, the Almighty, said:

"*Then place on every mountain a portion (juz') of them*" (Surah Al-Baqarah 2:260), and the mountains were ten.

[REFERENCES] Al-Kafi, Vol.7 p.40 • Man La Yahduruhu Al-Faqih, Vol.4 p.205 • Tahdhib Al-Ahkam, Vol.9 p.208 • Al-Istibsar, Vol.4 p.132 • Fiqh Al-Quran, Vol.2 p.312 • Al-Wafi, Vol.24 p.139 • Wasa'il Al-Shi'ah, Vol.19 p.381 • Tafsir Nur Al-Thaqalayn, Vol.1 p.281

HADITH

5477 - وَ رَوَى اَلْبَزَنْطِيُّ عَنِ اَلْحُسَيْنِ بْنِ خَالِدٍ عَنْ أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ أَوْصَى بِجُزْءٍ مِنْ مَالِهِ قَالَ «سُبُعُ ثُلُثِهِ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ كَانَ أَصْحَابُ الْأَمْوَالِ فِيمَا مَضَى يُجَزِّءُونَ أَمْوَالَهُمْ فَمِنْهُمْ مَنْ يَجْعَلُ أَجْزَاءَ مَالِهِ عَشَرَةً وَ مِنْهُمْ مَنْ يَجْعَلُهَا سَبْعَةً فَعَلَى حَسَبِ رَسْمِ الرَّجُلِ فِي مَالِهِ تُمْضَى وَصِيَّتُهُ وَ مِثْلُ هَذَا لَا يُوصِي بِهِ إِلَّا مَنْ يَعْلَمُ اللُّغَةَ وَ يَفْهَمُ عَنْهُ فَأَمَّا جُمْهُورُ النَّاسِ فَلَا تَقَعُ لَهُمُ الْوَصَايَا إِلَّا بِالْمَعْلُومِ الَّذِي لَا يَحْتَاجُ إِلَى تَفْسِيرِ مَبْلَغِهِ فَإِذَا أَوْصَى رَجُلٌ بِمَالٍ كَثِيرٍ أَوْ نَذَرَ أَنْ يَتَصَدَّقَ بِمَالٍ كَثِيرٍ فَالْكَثِيرُ ثَمَانُونَ وَ مَا زَادَ لِقَوْلِ اللَّهِ تَبَارَكَ وَ تَعَالَى ﴿ لَقَدْ نَصَرَكُمُ اللَّهُ فِي مَواطِنَ كَثِيرَةٍ ﴾ وَ كَانَتْ ثَمَانِينَ مَوْطِناً.

H.5477 - It is narrated by Al-Bazanti from Al-Husayn ibn Khalid, who said:
I asked Abu Al-Hasan {a.s} about a man who bequeathed a portion of his wealth.
Imam {a.s} replied: “It is one-seventh of his one-third share."

[AL SADUQ]

The author of this book, may Allah {SWT} have mercy on him, explains that in the past, wealthy individuals would divide their wealth into portions. Some would divide their wealth into ten parts, while others would divide it into seven.

Therefore, a person's will should be executed according to how they customarily divided their wealth. Such specific forms of bequests are usually made by those well-versed in language and understanding. However, for the majority of people, wills are generally made in clear and specific terms that require no further interpretation.

If a person makes a will or vows to give away "a large amount" of wealth, then the interpretation of "a large amount" is considered to be eighty or more, based on the verse of Allah {SWT}, the Exalted: "*Indeed, Allah {SWT} has given you victory in many (kathirah) battlefields*" (Surah At-Tawbah 9:25), where "many" referred to eighty instances of victory.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.205 • Uyun Al-Akhbar, Vol.1 p.308 • Ma’ani Al-Akhbar, Vol.1 p.218 • Tahdhib Al-Ahkam, Vol.9 p.209 • Al-Istibsar, Vol.4 p.133 • Awali Al-La’ali, Vol.3 p.276 • Al-Wafi, Vol.24 p.141 • Wasa’il Al-Shi’ah, Vol.19 p.384 • Bihar Al-Anwar, Vol.100 p.208

CHAPTER 100 – CHAPTER ON A MAN WHO MAKES A BEQUEST OF WEALTH IN THE WAY OF ALLAH

بَابُ الرَّجُلِ يُوصِي بِمَالٍ فِي سَبِيلِ اللَّهِ

HADITH 5478 – 5479

5478 - رَوَى مُحَمَّدُ بْنُ عِيسَى بْنِ عُبَيْدٍ عَنِ اَلْحَسَنِ بْنِ رَاشِدٍ قَالَ : سَأَلْتُ أَبَا اَلْحَسَنِ اَلْعَسْكَرِيَّ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ أَوْصَى بِمَالٍ فِي سَبِيلِ اَللَّهِ فَقَالَ «سَبِيلُ اَللَّهِ شِيعَتُنَا ».

H.5478 - Muhammad bin Isa bin Ubaid narrated from Al-Hasan bin Rashid, who said: I asked Abu Al-Hasan Al-Askari, (Imam Ali ibn Muhammad Al-Hadi {a.s}) about a man who made a will to dedicate wealth "in the way of Allah {SWT}" (fi sabeelillah).
Imam {a.s} replied: "The way of Allah {SWT} is our Shia (followers)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.206 • Ma'ani Al-Akhbar, Vol.1 p.167 • Wasa'il Al-Shi'ah, Vol.19 p.338 • Bihar Al-Anwar, Vol.93 p.66 • Bihar Al-Anwar, Vol.100 p.211 • Tafsir Kanz Al-Daqaiq, Vol.5 p.485

HADITH

5479 - وَ رَوَى مُحَمَّدُ بْنُ عِيسَى عَنْ مُحَمَّدِ بْنِ سُلَيْمَانَ عَنِ اَلْحُسَيْنِ بْنِ عُمَرَ قَالَ : قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ إِنَّ رَجُلاً أَوْصَى إِلَيَّ بِشَيْءٍ فِي سَبِيلِ اَللَّهِ فَقَالَ لِي «اِصْرِفْهُ فِي اَلْحَجِّ» قَالَ قُلْتُ أَوْصَى إِلَيَّ فِي اَلسَّبِيلِ قَالَ «اِصْرِفْهُ فِي اَلْحَجِّ فَإِنِّي لاَ أَعْلَمُ سَبِيلاً مِنْ سُبُلِهِ أَفْضَلَ مِنَ اَلْحَجِّ».

قَالَ مُصَنِّفُ الْكِتَابِ رَحِمَهُ اللَّهُ هَذَانِ الْحَدِيثَانِ مُتَّفِقَانِ وَ ذَلِكَ أَنَّهُ يُصْرَفُ مَا أَوْصَى بِهِ فِي السَّبِيلِ إِلَى رَجُلٍ مِنَ الشِّيعَةِ يَحُجُّ بِهِ عَنْهُ فَهُوَ مُوَافِقٌ لِلْخَبَرِ الَّذِي قَالَ: «سَبِيلُ اَللَّهِ شِيعَتُنَا ».

H.5479 - Muhammad bin Isa narrated from Muhammad bin Sulayman from Al-Husayn bin Umar, who said: I said to Abu Abdullah {a.s}, "A man made a will to me regarding something in the way of Allah {SWT}."
Imam {a.s} said to me: "Use it for Hajj."
I said: "He made a will to me in the way."
Imam {a.s} said: "Use it for Hajj, for I do not know of any path among His {SWT} paths better than Hajj."

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, said: These two narrations are in agreement, and that is because what has been bequeathed in the way (of Allah {SWT}) should be directed to a man from the Shi'a who will perform Hajj on his behalf. This aligns with the narration that states: "The way of Allah {SWT} is our Shi'a."

[REFERENCES] Al-Kafi, Vol.7 p.15 • Man La Yahduruhu Al-Faqih, Vol.4 p.206 • Al-Wafi, Vol.24 p.135 • Wasa'il Al-Shi'ah, Vol.19 p.339 • Mustadrak Al-Wasa'il, Vol.14 p.116

CHAPTER 101 – CHAPTER ON THE LIABILITY OF THE EXECUTOR FOR ALTERING WHAT THE DECEASED HAD BEQUEATHED

بَابُ ضَمَانِ الْوَصِيِّ لِمَا يُغَيِّرُهُ عَمَّا أَوْصَى بِهِ الْمَيِّتُ

HADITH 5480 – 5482

5480 - رَوَى مُحَمَّدُ بْنُ سِنَانٍ عَنِ ابْنِ مُسْكَانَ عَنْ أَبِي سَعِيدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سُئِلَ عَنْ رَجُلٍ أَوْصَى بِحَجَّةٍ فَجَعَلَهَا وَصِيَّةً فِي نَسَمَةٍ فَقَالَ «يَغْرَمُهَا وَصِيُّهُ وَ يَجْعَلُهَا فِي حَجَّةٍ كَمَا أَوْصَى بِهِ فَإِنَّ اَللَّهَ عَزَّ وَ جَلَّ يَقُولُ ﴿ فَمَنْ بَدَّلَهُ بَعْدَ مٰا سَمِعَهُ فَإِنَّمٰا إِثْمُهُ عَلَى اَلَّذِينَ يُبَدِّلُونَهُ ﴾.

H.5480 - Muhammad bin Sinan narrated from Ibn Maskan from Abu Sa'id from Abu Abdullah {a.s} who was asked about a man who made a will for a Hajj and designated it as a will in favor of a person.
Imam {a.s} said: "His executor must fulfill it and ensure it is carried out as a Hajj, just as he had bequeathed. For Allah {SWT}, the Exalted, says:
'But whoever changes it after he has heard it, the sin is only upon those who change it.'"
(Surah Al-Baqarah 2:181)

[REFERENCES] Tafsir Al-'Ayyashi, Vol.1 p.77 • Al-Kafi, Vol.7 p.22 • Man La Yahduruhu Al-Faqih, Vol.2 p.443 • Man La Yahduruhu Al-Faqih, Vol.4 p.207 • Tahdhib Al-Ahkam, Vol.9 p.230 • Fiqh Al-Quran, Vol.2 p.323 • Al-Wafi, Vol.24 p.96 • Wasa'il Al-Shi'ah, Vol.11 p.207 • Wasa'il Al-Shi'ah, Vol.19 p.350 • Tafsir Al-Burhan, Vol.1 p.382

HADITH

5481 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ مُحَمَّدِ بْنِ مَارِدٍ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ أَوْصَى إِلَى رَجُلٍ وَ أَمَرَهُ أَنْ يُعْتِقَ عَنْهُ نَسَمَةً بِسِتَّمِائَةِ دِرْهَمٍ مِنْ ثُلُثِهِ فَانْطَلَقَ اَلْوَصِيُّ فَأَعْطَى اَلسِّتَّمِائَةِ رَجُلاً يَحُجُّ بِهَا عَنْهُ فَقَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «أَرَى أَنْ يَغْرَمَ اَلْوَصِيُّ سِتَّمِائَةِ دِرْهَمٍ مِنْ مَالِهِ وَ يَجْعَلَهَا فِيمَا أَوْصَى بِهِ اَلْمَيِّتُ فِي نَسَمَةٍ ».

H.5481 - Al-Hasan bin Mahbub narrated from Muhammad bin Marid who said:
I asked Abu Abdullah {a.s} about a man who made a will to another man, instructing him to free a soul (a slave) for six hundred dirhams from his one-third share of the inheritance. However, the executor instead gave the six hundred dirhams to a man to perform Hajj on behalf of the deceased.
Abu Abdullah {a.s} said: "I believe the executor must personally pay six hundred dirhams from his own wealth and fulfill what the deceased had willed by freeing a soul."

[REFERENCES] Al-Kafi, Vol.7 p.22 • Man La Yahduruhu Al-Faqih, Vol.4 p.207 • Tahdhib Al-Ahkam, Vol.9 p.226 • Al-Wafi, Vol.24 p.97 • Wasa'il Al-Shi'ah, Vol.19 p.348

HADITH

5482 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ زَيْدٍ اَلنَّرْسِيِّ عَنْ عَلِيِّ بْنِ مَزْيَدٍ صَاحِبِ اَلسَّابِرِيِّ قَالَ : أَوْصَى إِلَيَّ رَجُلٌ بِتَرِكَتِهِ وَ أَمَرَنِي أَنْ أَحُجَّ بِهَا عَنْهُ فَنَظَرْتُ فِي ذَلِكَ فَإِذَا شَيْءٌ يَسِيرٌ لاَ يَكْفِي لِلْحَجِّ فَسَأَلْتُ أَبَا حَنِيفَةَ وَ فُقَهَاءَ أَهْلِ اَلْكُوفَةِ فَقَالُوا تَصَدَّقْ بِهَا عَنْهُ فَلَمَّا لَقِيتُ عَبْدَ اَللَّهِ بْنَ اَلْحَسَنِ فِي اَلطَّوَافِ سَأَلْتُهُ فَقُلْتُ إِنَّ رَجُلاً مِنْ مَوَالِيكُمْ مِنْ أَهْلِ اَلْكُوفَةِ مَاتَ وَ أَوْصَى بِتَرِكَتِهِ إِلَيَّ وَ أَمَرَنِي أَنْ أَحُجَّ بِهَا عَنْهُ فَنَظَرْتُ فِي ذَلِكَ فَلَمْ يَكْفِ لِلْحَجِّ فَسَأَلْتُ مَنْ عِنْدَنَا مِنَ اَلْفُقَهَاءِ فَقَالُوا تَصَدَّقْ بِهَا عَنْهُ فَتَصَدَّقْتُ بِهَا فَمَا تَقُولُ فَقَالَ لِي هَذَا جَعْفَرُ بْنُ مُحَمَّدٍ فِي اَلْحِجْرِ فَأْتِهِ فَاسْأَلْهُ فَدَخَلْتُ اَلْحِجْرَ فَإِذَا أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ تَحْتَ اَلْمِيزَابِ مُقْبِلٌ بِوَجْهِهِ إِلَى اَلْبَيْتِ يَدْعُو ثُمَّ اِلْتَفَتَ فَرَآنِي فَقَالَ «مَا حَاجَتُكَ» قُلْتُ رَجُلٌ مَاتَ وَ أَوْصَى بِتَرِكَتِهِ أَنْ أَحُجَّ بِهَا عَنْهُ فَنَظَرْتُ فِي ذَلِكَ فَلَمْ يَكْفِ لِلْحَجِّ فَسَأَلْتُ مَنْ عِنْدَنَا مِنَ اَلْفُقَهَاءِ فَقَالُوا تَصَدَّقْ بِهَا فَقَالَ «مَا صَنَعْتَ» قُلْتُ تَصَدَّقْتُ بِهَا فَقَالَ «ضَمِنْتَ إِلاَّ أَنْ لاَ يَكُونَ يَبْلُغُ مَا يُحَجُّ بِهِ مِنْ مَكَّةَ فَإِنْ كَانَ لاَ يَبْلُغُ مَا يُحَجُّ بِهِ مِنْ مَكَّةَ فَلَيْسَ عَلَيْكَ ضَمَانٌ وَ إِنْ كَانَ يَبْلُغُ مَا يُحَجُّ بِهِ مِنْ مَكَّةَ فَأَنْتَ ضَامِنٌ».

H.5482 - Muhammad bin Abi Umayr narrated from Zayd Al-Narsi, from Ali bin Mazid, the companion of Al-Sabari, who said:
A man entrusted me with his estate and instructed me to perform Hajj on his behalf. When I examined the amount, I found it to be very little and insufficient for Hajj. I asked Abu Hanifa and the jurists of Kufa, and they said: 'Give it in charity on his behalf'.
Later, when I met Abdullah ibn Al-Hasan during Tawaf, I asked him and said:
'A man from your followers in Kufa passed away and entrusted his estate to me, instructing me to perform Hajj on his behalf. However, when I examined the amount, it was not enough for Hajj. I consulted the jurists in my area, and they advised me to give it in charity on his behalf, so I did. What do you say?'
He replied: Here is Imam Jafar ibn Muhammad Al-Sadiq {a.s} in the Hijr, go to him and ask him.
So I entered the Hijr, and I saw Abu Abdullah {a.s} under the Mizab, facing the Kaaba, praying. Then Imam {a.s} turned, saw me, and asked: What is your need?
I said: A man passed away and entrusted his estate to me to perform Hajj on his behalf, but I found it insufficient for Hajj. I asked the jurists in my area, and they advised me to give it in charity, so I did.
Imam {a.s} said: What have you done (with the money)?
I replied: I gave it in charity.
Imam {a.s} said: You are liable - unless the amount was not enough for Hajj even from Mecca. If it was insufficient for Hajj from Mecca, then there is no liability on you. But if it was enough for Hajj from Mecca, then you are responsible.

[REFERENCES] Al-Kafi, Vol.7 p.21 • Man La Yahduruhu Al-Faqih, Vol.4 p.207 • Al-Wafi, Vol.24 p.95

CHAPTER 102 – CHAPTER ON BEQUESTS FOR RELATIVES AND FREED SLAVES

بَابُ الْوَصِيَّةِ لِلْأَقْرِبَاءِ وَ الْمَوَالِي

HADITH 5483 – 5485

5483 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ أَوْصَى بِثُلُثِ مَالِهِ فِي أَعْمَامِهِ وَ أَخْوَالِهِ فَقَالَ «لِأَعْمَامِهِ اَلثُّلُثَانِ وَ لِأَخْوَالِهِ اَلثُّلُثُ».

H.5483 - Al-Hasan bin Mahbub narrated from Ali bin Ri'ab, from Zurara, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a man who bequeathed one-third of his wealth to his paternal uncles and maternal uncles.
Imam {a.s} said: "Two-thirds are for his paternal uncles, and one-third is for his maternal uncles."

[REFERENCES] Al-Kafi, Vol.7 p.45 • Man La Yahduruhu Al-Faqih, Vol.4 p.208 • Tahdhib Al-Ahkam, Vol.9 p.214 • Tahdhib Al-Ahkam, Vol.9 p.325 • Awali Al-La'ali, Vol.3 p.273 • Al-Wafi, Vol.24 p.151 • Wasa'il Al-Shi'ah, Vol.19 p.393

HADITH

5484 - وَ كَتَبَ سَهْلُ بْنُ زِيَادٍ اَلْأَدَمِيُّ إِلَى أَبِي مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ : رَجُلٌ لَهُ وُلْدٌ ذُكُورٌ وَ إِنَاثٌ فَأَقَرَّ بِضَيْعَةٍ أَنَّهَا لِوُلْدِهِ وَ لَمْ يَذْكُرْ أَنَّهَا بَيْنَهُمْ عَلَى سِهَامِ اَللَّهِ وَ فَرَائِضِهِ اَلذَّكَرُ وَ اَلْأُنْثَى فِيهِ سَوَاءٌ فَوَقَّعَ عَلَيْهِ اَلسَّلاَمُ «يُنْفِذُونَ وَصِيَّةَ أَبِيهِمْ عَلَى مَا سَمَّى فَإِنْ لَمْ يَكُنْ سَمَّى شَيْئاً رَدُّوهَا عَلَى كِتَابِ اَللَّهِ عَزَّ وَ جَلَّ إِنْ شَاءَ اَللَّهُ».

H.5484 - Sahl bin Ziyad Al-Adami wrote to Abu Muhammad {a.s} about a man who had sons and daughters and acknowledged that a piece of land belonged to his children without specifying, whether it should be divided according to Allah's {SWT} shares and obligations, where the male receives double the share of the female.
Abu Muhammad {a.s} responded: "They should execute their father's will as he specified. If he did not specify anything, then it should be divided according to the Book of Allah {SWT}, the Exalted, if Allah {SWT} wills."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.208

HADITH

5485 - وَ كَتَبَ مُحَمَّدُ بْنُ اَلْحَسَنِ اَلصَّفَّارُ رَضِيَ اَللَّهُ عَنْهُ إِلَى أَبِي مُحَمَّدٍ اَلْحَسَنِ بْنِ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ : رَجُلٌ أَوْصَى بِثُلُثِ مَالِهِ فِي مَوَالِيهِ وَ مَوْلَيَاتِهِ اَلذَّكَرُ وَ اَلْأُنْثَى فِيهِ سَوَاءٌ أَوْ «لِلذَّكَرِ مِثْلُ حَظِّ اَلْأُنْثَيَيْنِ» مِنَ اَلْوَصِيَّةِ فَوَقَّعَ عَلَيْهِ اَلسَّلاَمُ «جَائِزٌ لِلْمَيِّتِ مَا أَوْصَى بِهِ عَلَى مَا أَوْصَى بِهِ إِنْ شَاءَ اَللَّهُ تَعَالَى ».

H.5485 - Muhammad bin Al-Hasan Al-Saffar, may Allah {SWT} be pleased with him, wrote to Abu Muhammad Imam Hasan ibn Ali Al-Askari {a.s} regarding a man who bequeathed one-third of his wealth to his male and female servants, either equally or with the instruction that "the male should receive the share of two females" from the bequest. Abu Muhammad {a.s} replied: "It is permissible for the deceased to bequeath according to what he specified, if Allah {SWT} the Exalted wills."

[REFERENCES] Al-Kafi, Vol.7 p.45 • Man La Yahduruhu Al-Faqih, Vol.4 p.209 • Tahdhib Al-Ahkam, Vol.9 p.215

CHAPTER 103 – CHAPTER ON APPOINTING A COMPETENT OR AN INCOMPETENT PERSON AS AN EXECUTOR OF A BEQUEST

بَابُ الْوَصِيَّةِ إِلَى مُدْرِكٍ وَ غَيْرِ مُدْرِكٍ

HADITH 5486 – 5487

5486 - رَوَى مُحَمَّدُ بْنُ عِيسَى بْنِ عُبَيْدٍ عَنْ أَخِيهِ جَعْفَرِ بْنِ عِيسَى بْنِ عُبَيْدٍ عَنْ عَلِيِّ بْنِ يَقْطِينٍ قَالَ : سَأَلْتُ أَبَا اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ أَوْصَى إِلَى اِمْرَأَةٍ وَ أَشْرَكَ فِي اَلْوَصِيَّةِ مَعَهَا صَبِيّاً فَقَالَ «يَجُوزُ ذَلِكَ وَ تُمْضِي اَلْمَرْأَةُ اَلْوَصِيَّةَ وَ لاَ تَنْتَظِرُ بُلُوغَ اَلصَّبِيِّ فَإِذَا بَلَغَ اَلصَّبِيُّ فَلَيْسَ لَهُ أَنْ لاَ يَرْضَى إِلاَّ مَا كَانَ مِنْ تَبْدِيلٍ أَوْ تَغْيِيرٍ فَإِنَّ لَهُ أَنْ يَرُدَّهُ إِلَى مَا أَوْصَى بِهِ اَلْمَيِّتُ».

H.5486 - Muhammad bin Isa bin Ubaid narrated from his brother Ja'far bin Isa bin Ubaid, from Ali bin Yaqtin, who said: I asked Abu Al-Hasan {a.s} about a man who appointed a woman as his executor and included a child with her in the will.
Imam {a.s} said: "This is permissible. The woman should carry out the will and does not need to wait for the child to reach maturity. However, when the child grows up, he has no right to object unless there has been an alteration or change in the will, in which case he has the right to restore it to what the deceased had originally intended."

[REFERENCES] Al-Kafi, Vol.7 p.46 • Man La Yahduruhu Al-Faqih, Vol.4 p.209 • Tahdhib Al-Ahkam, Vol.9 p.184 • Al-Istibsar, Vol.4 p.140 • Al-Wafi, Vol.24 p.169 • Wasa'il Al-Shi'ah, Vol.19 p.375

HADITH

5487 - وَ كَتَبَ مُحَمَّدُ بْنُ اَلْحَسَنِ اَلصَّفَّارُ رَضِيَ اَللَّهُ عَنْهُ إِلَى أَبِي مُحَمَّدٍ اَلْحَسَنِ بْنِ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ : رَجُلٌ أَوْصَى إِلَى وَلَدِهِ وَ فِيهِمْ كِبَارٌ قَدْ أَدْرَكُوا وَ فِيهِمْ صِغَارٌ أَ يَجُوزُ لِلْكِبَارِ أَنْ يُنْفِذُوا اَلْوَصِيَّةَ وَ يَقْضُوا دَيْنَهُ لِمَنْ صَحَّحَ عَلَى اَلْمَيِّتِ بِشُهُودٍ عُدُولٍ قَبْلَ أَنْ يُدْرِكَ اَلصِّغَارُ فَوَقَّعَ عَلَيْهِ اَلسَّلاَمُ «عَلَى اَلْأَكَابِرِ مِنَ اَلْوُلْدِ أَنْ يَقْضُوا دَيْنَ أَبِيهِمْ وَ لاَ يَحْبِسُوهُ بِذَلِكَ».

H.5487 - Muhammad bin Al-Hasan Al-Saffar, may Allah {SWT} be pleased with him, wrote to Abu Muhammad Imam Hasan ibn Ali Al-Askari {a.s} about a man who made his children the executors of his will, among them adults who are mature and minors who are not mature yet.
He asked if it was permissible for the adults to execute the will and settle their father's debts, proven against the deceased by trustworthy witnesses, before the minors reached maturity.
Abu Muhammad {a.s} replied: "It is obligatory upon the adult children to settle their father's debts and not delay this obligation."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.209

CHAPTER 104 – CHAPTER ON THE BENEFICIARY OF A BEQUEST DYING BEFORE THE TESTATOR OR BEFORE RECEIVING WHAT WAS BEQUEATHED TO HIM

بَابُ الْمُوصَى لَهُ يَمُوتُ قَبْلَ الْمُوصِي أَوْ قَبْلَ أَنْ يَقْبِضَ مَا أُوصِيَ لَهُ بِهِ

HADITH 5488 – 5490

5488 - رَوَى عَمْرُو بْنُ سَعِيدٍ اَلْمَدَائِنِيُّ عَنْ مُحَمَّدِ بْنِ عُمَرَ اَلسَّابَاطِيِّ قَالَ : سَأَلْتُ أَبَا جَعْفَرٍ يَعْنِي اَلثَّانِيَ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ أَوْصَى إِلَيَّ وَ أَمَرَنِي أَنْ أُعْطِيَ عَمّاً لَهُ فِي كُلِّ سَنَةٍ شَيْئاً فَمَاتَ اَلْعَمُّ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «أَعْطِ وَرَثَتَهُ».

H.5488 - Amr ibn Sa'id Al-Mada'ini narrated from Muhammad ibn Umar Al-Sabati who said: I asked Abu Ja'far Al-Thani {a.s}, (the second {a.s}), about a man who had appointed me as his executor and instructed to give something to his uncle every year. The uncle then passed away.
Abu Jafar {a.s} wrote in response: “Give it to his heirs.”

[REFERENCES] Al-Kafi, Vol.7 p.13 • Man La Yahduruhu Al-Faqih, Vol.4 p.210 • Tahdhib Al-Ahkam, Vol.9 p.231 • Al-Istibsar, Vol.4 p.138 • Al-Wafi, Vol.24 p.99 • Wasa’il Al-Shi’ah, Vol.19 p.334 • Awalim Al-Uloom, Vol.23 p.335 • Awalim Al-Uloom, Vol.23 p.471

HADITH

5489 - وَ رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ اَلْبَاقِرِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي رَجُلٍ أَوْصَى لِآخَرَ وَ اَلْمُوصَى لَهُ غَائِبٌ فَتُوُفِّيَ اَلَّذِي أُوصِيَ لَهُ قَبْلَ اَلْمُوصِي قَالَ «اَلْوَصِيَّةُ لِوَارِثِ اَلَّذِي أُوصِيَ لَهُ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ أَوْصَى لِأَحَدٍ شَاهِدٍ أَوْ غَائِبٍ فَتُوُفِّيَ اَلْمُوصَى لَهُ قَبْلَ اَلْمُوصِي فَالْوَصِيَّةُ لِوَارِثِ اَلَّذِي أُوصِيَ لَهُ إِلاَّ أَنْ يَرْجِعَ فِي وَصِيَّتِهِ قَبْلَ أَنْ يَمُوتَ» ».

H.5489 - Asim ibn Humaid narrated from Muhammad ibn Qays from Abu Ja'far Imam Muhammad ibn Ali Al-Baqir {a.s} who said: "Commander of the Faithful {a.s} ruled concerning a man who made a bequest to another, but the person to whom the bequest was made was absent and died before the one who made the bequest.
Imam {a.s} said: 'The bequest is for the heir of the one to whom it was made.'
Imam {a.s} also said: 'Whoever makes a bequest to someone, whether present or absent, and the beneficiary dies before the one who made the bequest, then the bequest goes to the heir of the beneficiary, unless the testator revokes the bequest before his own death.'"

[REFERENCES] Al-Kafi, Vol.7 p.13 • Man La Yahduruhu Al-Faqih, Vol.4 p.210 • Tahdhib Al-Ahkam, Vol.9 p.230 • Al-Istibsar, Vol.4 p.137 • Awali Al-La’ali, Vol.3 p.274 • Al-Wafi, Vol.24 p.99 • Wasa’il Al-Shi’ah, Vol.19 p.333

HADITH

5490 - وَ رَوَى اَلْعَبَّاسُ بْنُ عَامِرٍ عَنْ مُثَنًّى قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ أُوصِيَ لَهُ بِوَصِيَّةٍ فَمَاتَ قَبْلَ أَنْ يَقْبِضَهَا وَ لَمْ يَتْرُكْ عَقِباً قَالَ «أَطْلُبْ لَهُ وَارِثاً أَوْ مَوْلًى فَادْفَعْهَا إِلَيْهِ» قُلْتُ فَإِنْ لَمْ يُعْلَمْ لَهُ وَلِيٌّ قَالَ «اِجْهَدْ أَنْ تَقْدِرَ لَهُ عَلَى وَلِيٍّ فَإِنْ لَمْ تَجِدْهُ وَ عَلِمَ اَللَّهُ عَزَّ وَ جَلَّ مِنْكَ اَلْجَهْدَ فَتَصَدَّقْ بِهَا».

H.5490 - Al-Abbas ibn Amir narrated from Muthanna who said:
I asked Imam {a.s} about a man for whom a bequest was made, but he died before receiving it and left no offspring.
Imam {a.s} said: "Seek an heir or his mawla (guardian) and give it to him."
I asked: “What if no heir is known?"
Imam {a.s} replied: "Exert yourself in searching for an heir for him, and if you cannot find one and Allah {SWT}, the Exalted, knows of your sincere effort, then give it in charity."

[REFERENCES] Al-Kafi, Vol.7 p.13 • Man La Yahduruhu Al-Faqih, Vol.4 p.211 • Tahdhib Al-Ahkam, Vol.9 p.231 • Al-Istibsar, Vol.4 p.138 • Al-Wafi, Vol.24 p.100 • Wasa’il Al-Shi’ah, Vol.19 p.334

CHAPTER 105 – CHAPTER ON BEQUESTS FOR MANUMISSION, CHARITY, AND HAJJ

بَابُ الْوَصِيَّةِ بِالْعِتْقِ وَ الصَّدَقَةِ وَ الْحَجِ

HADITH 5491 – 5505

5491 - رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ قَالَ : أَوْصَتْ إِلَيَّ اِمْرَأَةٌ مِنْ أَهْلِ بَيْتِي بِمَالِهَا وَ أَمَرَتْ أَنْ يُعْتَقَ عَنْهَا وَ يُحَجَّ وَ يُتَصَدَّقَ فَلَمْ يَبْلُغْ ذَلِكَ فَسَأَلْتُ أَبَا حَنِيفَةَ فَقَالَ يُجْعَلُ ذَلِكَ أَثْلَاثاً ثُلُثاً فِي اَلْحَجِّ وَ ثُلُثاً فِي اَلْعِتْقِ وَ ثُلُثاً فِي اَلصَّدَقَةِ فَدَخَلْتُ عَلَى أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ فَقُلْتُ لَهُ إِنَّ اِمْرَأَةً مِنْ أَهْلِي مَاتَتْ وَ أَوْصَتْ إِلَيَّ بِثُلُثِ مَالِهَا وَ أَمَرَتْ أَنْ يُعْتَقَ عَنْهَا وَ يُحَجَّ عَنْهَا وَ يُتَصَدَّقَ عَنْهَا فَنَظَرْتُ فِيهِ فَلَمْ يَبْلُغْ فَقَالَ عَلَيْهِ اَلسَّلاَمُ «اِبْدَأْ بِالْحَجِّ فَإِنَّهُ فَرِيضَةٌ مِنْ فَرَائِضِ اَللَّهِ عَزَّ وَ جَلَّ وَ اِجْعَلْ مَا بَقِيَ طَائِفَةً فِي اَلْعِتْقِ وَ طَائِفَةً فِي اَلصَّدَقَةِ» فَأَخْبَرْتُ أَبَا حَنِيفَةَ بِقَوْلِ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ فَرَجَعَ عَنْ قَوْلِهِ وَ قَالَ بِقَوْلِ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ.

H.5491 - Muhammad ibn Abi Umayr narrated from Muawiyah ibn Ammar who said:
A woman from my family entrusted me with her wealth and instructed that emancipation (of slaves) be made on her behalf, that Hajj be performed, and that charity be given. However, the amount left was insufficient to cover all that.
I consulted Abu Hanifah, and he said: "It should be divided into three parts - one-third for Hajj, one-third for emancipation, and one-third for charity."
Then I went to Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} and said to him: "A woman from my family passed away and entrusted me with one-third of her wealth, instructing that Hajj be performed on her behalf, emancipation be made, and charity be given. But the amount was not enough to fulfill all these."
Imam {a.s} said: "Start with Hajj, for it is an obligation from the obligations of Allah {SWT}, the Exalted. Then divide what remains - part of it for emancipation and part for charity."
I informed Abu Hanifah of the statement of Abu Abdullah {a.s}, and he withdrew his previous opinion and accepted the guidance of Abu Abdullah {a.s}.

[REFERENCES] Al-Kafi, Vol.7 p.19 • Man La Yahduruhu Al-Faqih, Vol.4 p.211 • Tahdhib Al-Ahkam, Vol.9 p.221 • Al-Istibsar, Vol.4 p.135 • Al-Wafi, Vol.24 p.129 • Wasa'il Al-Shi'ah, Vol.19 p.396

HADITH

5492 - وَ رَوَى اَلْحَسَنُ بْنُ عَلِيِّ بْنِ فَضَّالٍ عَنْ دَاوُدَ بْنِ فَرْقَدٍ قَالَ : سُئِلَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ كَانَ فِي سَفَرٍ وَ مَعَهُ جَارِيَةٌ لَهُ وَ غُلاَمَانِ مَمْلُوكَانِ فَقَالَ لَهُمَا أَنْتُمَا أَحْرَارٌ لِوَجْهِ اَللَّهِ فَاشْهَدَا أَنَّ مَا فِي بَطْنِ جَارِيَتِي هَذِهِ مِنِّي فَوَلَدَتْ غُلاَماً فَلَمَّا قَدِمُوا عَلَى اَلْوَرَثَةِ أَنْكَرُوا ذَلِكَ وَ اِسْتَرَقُّوهُمْ ثُمَّ إِنَّ اَلْغُلاَمَيْنِ أُعْتِقَا بَعْدُ فَشَهِدَا بَعْدَ مَا أُعْتِقَا أَنَّ مَوْلَيَهُمَا اَلْأَوَّلَ أَشْهَدَهُمَا أَنَّ مَا فِي بَطْنِ جَارِيَتِهِ مِنْهُ قَالَ «تَجُوزُ شَهَادَتُهُمَا لِلْغُلاَمِ وَ لاَ يَسْتَرِقُّهُمَا اَلْغُلاَمُ اَلَّذِي شَهِدَا لَهُ لِأَنَّهُمَا أَثْبَتَا نَسَبَهُ».

H.5492 - Al-Hasan ibn Ali ibn Faddal narrated from Dawud ibn Farqad who said:
Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked about a man who was on a journey with a female slave and two male servant slaves. The man said to the two male slaves, "You both are free for the sake of Allah {SWT}. Bear witness that what is in the womb of this bondwoman is from me."
Later, the bondwoman gave birth to a boy. When they returned to the man's heirs, the heirs denied the claim and enslaved the boy and the two male servants. Afterward, the two male slaves were emancipated, and after their emancipation, they testified that their former master had made them witness that the child in the womb of the bondwoman was indeed his child.
Imam Jafar Al-Sadiq {a.s} said: "Their testimony is valid in favor of the boy, and the boy cannot enslave them because they have established his lineage."

[REFERENCES] Al-Kafi, Vol.7 p.20 • Man La Yahduruhu Al-Faqih, Vol.4 p.211 • Tahdhib Al-Ahkam, Vol.9 p.222 • Al-Istibsar, Vol.4 p.136 • Al-Wafi, Vol.16 p.972 • Wasa'il Al-Shi'ah, Vol.19 p.403

HADITH

5493 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي جَمِيلَةَ عَنْ حُمْرَانَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ أَوْصَى عِنْدَ مَوْتِهِ وَ قَالَ أَعْتِقُوا فُلاَناً وَ فُلاَناً وَ فُلاَناً حَتَّى ذَكَرَ خَمْسَةً فَنُظِرَ فِي ثُلُثِهِ فَلَمْ يَبْلُغْ ثُلُثُهُ أَثْمَانَ قِيمَةِ اَلْمَمَالِيكِ اَلْخَمْسَةِ اَلَّذِينَ أَمَرَ بِعِتْقِهِمْ قَالَ «يُنْظَرُ إِلَى اَلَّذِينَ سَمَّاهُمْ وَ بَدَأَ بِعِتْقِهِمْ فَيُقَوَّمُونَ وَ يُنْظَرُ إِلَى ثُلُثِهِ فَيُعْتَقُ مِنْهُ أَوَّلُ شَيْءٍ ذَكَرَ ثُمَّ اَلثَّانِي وَ اَلثَّالِثُ ثُمَّ اَلرَّابِعُ ثُمَّ اَلْخَامِسُ فَإِنْ عَجَزَ اَلثُّلُثُ كَانَ فِي اَلَّذِي سَمَّى آخِراً لِأَنَّهُ أَعْتَقَ بَعْدَ مَبْلَغِ اَلثُّلُثِ بِمَا لاَ يَمْلِكُ فَلاَ يَجُوزُ لَهُ ذَلِكَ».

H.5493 - Al-Hasan ibn Mahbub narrated from Abu Jamilah from Humran from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a man who, on his deathbed, made a will saying, "Free so-and-so, and so-and-so, and so-and-so," until he mentioned five individuals. When his estate was assessed, it was found that one-third of his wealth was not enough to cover the value of the five slaves he had ordered to be freed.
Imam {a.s} said: "The individuals he named should be evaluated according to their order of mention, starting with the first. They should be valued, and their emancipation should proceed from the first he mentioned, then the second, the third, the fourth, and finally the fifth. If the one-third of the estate runs out before reaching the last, then the last named does not get freed because the man ordered their emancipation beyond the limit of what he lawfully owned, and thus it is not permissible."

[REFERENCES] Al-Kafi, Vol.7 p.19 • Man La Yahduruhu Al-Faqih, Vol.4 p.212 • Tahdhib Al-Ahkam, Vol.9 p.197 • Tahdhib Al-Ahkam, Vol.9 p.221 • Al-Wafi, Vol.24 p.46 • Wasa'il Al-Shi'ah, Vol.19 p.398

HADITH

5494 - وَ رَوَى اَلْعَلاَءُ بْنُ رَزِينٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ حَضَرَهُ اَلْمَوْتُ فَأَعْتَقَ غُلاَمَهُ وَ أَوْصَى بِوَصِيَّةٍ فَكَانَ أَكْثَرَ مِنَ اَلثُّلُثِ قَالَ «يُمْضَى عِتْقُ اَلْغُلاَمِ وَ يَكُونُ اَلنُّقْصَانُ فِيمَا بَقِيَ».

H.5494 - Al-Alaa ibn Razin narrated from Muhammad ibn Muslim from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
I asked Imam {a.s} about a man who, when death approached him, freed his slave and made a will, but the total of his bequests exceeded one-third of his estate.
Imam {a.s} replied: "The emancipation of the slave is to be carried out, and any reduction should be applied to what remains (of the bequests beyond the one-third limit)."

[REFERENCES] Al-Kafi, Vol.7 p.17 • Man La Yahduruhu Al-Faqih, Vol.4 p.212 • Tahdhib Al-Ahkam, Vol.9 p.194 • Al-Istibsar, Vol.4 p.120 • Al-Wafi, Vol.24 p.43 • Wasa'il Al-Shi'ah, Vol.19 p.276 • Wasa'il Al-Shi'ah, Vol.19 p.399

HADITH

5495 - وَ رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ عِيسَى عَنْ أَبِي هَمَّامٍ إِسْمَاعِيلَ بْنِ هَمَّامٍ عَنْ أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ أَوْصَى عِنْدَ مَوْتِهِ بِمَالٍ لِذَوِي قَرَابَتِهِ وَ أَعْتَقَ مَمْلُوكاً فَكَانَ جَمِيعُ مَا أَوْصَى بِهِ يَزِيدُ عَلَى اَلثُّلُثِ كَيْفَ يُصْنَعُ فِي وَصِيَّتِهِ فَقَالَ «يُبْدَأُ بِالْعِتْقِ فَيُنْفَذُ».

H.5495 - Ahmad ibn Muhammad ibn Isa narrated from Abu Hammam Ismail ibn Hammam from Abu Al-Hasan {a.s} regarding a man who, at the time of his death, made a will bequeathing wealth to his relatives and also freed a slave. However, the total of what he bequeathed exceeded one-third of his estate. He was asked how this should be handled concerning his will.
Imam {a.s} replied: "The emancipation (of the slave) should be carried out first."

[REFERENCES] Al-Kafi, Vol.7 p.17 • Man La Yahduruhu Al-Faqih, Vol.4 p.212 • Tahdhib Al-Ahkam, Vol.9 p.219 • Al-Istibsar, Vol.4 p.135 • Al-Wafi, Vol.24 p.46 • Wasa'il Al-Shi'ah, Vol.19 p.400

HADITH

5496 - وَ رَوَى اَلنَّضْرُ بْنُ شُعَيْبٍ عَنْ خَالِدِ بْنِ مَادٍّ عَنِ اَلْجَازِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ تُوُفِّيَ فَتَرَكَ جَارِيَةً أَعْتَقَ ثُلُثَهَا فَتَزَوَّجَهَا اَلْوَصِيُّ قَبْلَ أَنْ يُقْسَمَ شَيْءٌ مِنَ اَلْمِيرَاثِ «أَنَّهَا تُقَوَّمُ وَ تُسْتَسْعَى هِيَ وَ زَوْجُهَا فِي بَقِيَّةِ ثَمَنِهَا بَعْدَ مَا تُقَوَّمُ فَمَا أَصَابَ اَلْمَرْأَةَ مِنْ عِتْقٍ أَوْ رِقٍّ جَرَى عَلَى وَلَدِهَا».

H.5496 - Al-Nadr ibn Shuayb narrated from Khalid ibn Maad from Al-Jazi from Abu Abdullah {a.s} regarding a man who passed away and left behind a slave woman of whom he had freed one-third. The executor of his will married her before any division of the inheritance had taken place.
Imam {a.s} said: "She should be appraised (for her full value), and both she and her husband must work to pay off the remaining value of her price after her appraisal. Whatever state - whether freedom or servitude - applies to the woman will also apply to her children."

[REFERENCES] Al-Kafi, Vol.7 p.20 • Man La Yahduruhu Al-Faqih, Vol.4 p.213 • Tahdhib Al-Ahkam, Vol.8 p.229 • Tahdhib Al-Ahkam, Vol.9 p.223 • Al-Istibsar, Vol.4 p.7 • Al-Wafi, Vol.10 p.606 • Wasa'il Al-Shi'ah, Vol.19 p.406 • Wasa'il Al-Shi'ah, Vol.23 p.101 • Mustadrak Al-Wasa'il, Vol.14 p.135

HADITH

5497 - وَ رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ أَبِي نَصْرٍ اَلْبَزَنْطِيُّ عَنْ أَحْمَدَ بْنِ زِيَادٍ قَالَ : سَأَلْتُ أَبَا اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلرَّجُلِ تَحْضُرُهُ اَلْوَفَاةُ وَ لَهُ مَمَالِيكُ لِخَاصَّةِ نَفْسِهِ وَ مَمَالِيكُ فِي اَلشَّرْكَةِ مَعَ رَجُلٍ آخَرَ فَيُوصِي فِي وَصِيَّتِهِ مَمَالِيكِي أَحْرَارٌ مَا خَلاَ مَمَالِيكِيَ اَلَّذِينَ فِي اَلشَّرْكَةِ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «يُقَوَّمُونَ عَلَيْهِ إِنْ كَانَ مَالُهُ يَحْتَمِلُ ثُمَّ هُمْ أَحْرَارٌ».

H.5497 - Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti narrated from Ahmad ibn Ziyad who said: I asked Abu Al-Hasan {a.s} about a man who was on his deathbed and had slaves solely for himself and others jointly owned with another person. In his will, he stated, "My slaves are free, except for those who are in partnership."
Imam {a.s} wrote in response: "They should be appraised against his estate, and if his wealth can cover it, then they are free."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.213

HADITH

5498 - وَ رَوَى مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ بَزِيعٍ عَنْ عَلِيِّ بْنِ اَلنُّعْمَانِ عَنْ سُوَيْدٍ اَلْقَلاَّءِ عَنْ أَيُّوبَ بْنِ اَلْحُرِّ عَنْ أَبِي بَكْرٍ اَلْحَضْرَمِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : قُلْتُ لَهُ إِنَّ عَلْقَمَةَ بْنَ مُحَمَّدٍ أَوْصَى أَنْ أُعْتِقَ عَنْهُ رَقَبَةً فَأَعْتَقْتُ عَنْهُ اِمْرَأَةً أَ فَتُجْزِيهِ أَوْ أُعْتِقُ عَنْهُ مِنْ مَالِي قَالَ «يُجْزِيهِ» ثُمَّ قَالَ «إِنَّ فَاطِمَةَ أُمَّ اِبْنِي أَوْصَتْ أَنْ أُعْتِقَ عَنْهَا رَقَبَةً فَأَعْتَقْتُ عَنْهَا اِمْرَأَةً».

H.5498 - Muhammad ibn Isma'il ibn Bazi' narrated from Ali ibn Al-Nu'man, from Suwayd Al-Qalla', from Ayyub ibn Al-Hurr, from Abu Bakr Al-Haḍrami, who said:
I asked Abu Abdullah {a.s}, "Alqamah ibn Muhammad instructed me in his will to free a slave on his behalf, so I freed a female slave for him. Is that sufficient, or should I free another from my own wealth?"
Imam {a.s} replied: "It suffices him." Then Imam {a.s} added, "Indeed, Faṭimah, the mother of my son, had instructed me to free a slave on her behalf, so I freed a female slave for her."

[REFERENCES] Al-Kafi, Vol.7 p.17 • Man La Yahduruhu Al-Faqih, Vol.4 p.214 • Tahdhib Al-Ahkam, Vol.9 p.220 • Al-Wafi, Vol.24 p.117 • Wasa'il Al-Shi'ah, Vol.19 p.404

HADITH

5499 - وَ رَوَى مُعَاوِيَةُ بْنُ عَمَّارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ مَاتَ وَ أَوْصَى أَنْ يُحَجَّ عَنْهُ قَالَ «إِنْ كَانَ صَرُورَةً حُجَّ عَنْهُ مِنْ وَسَطِ اَلْمَالِ وَ إِنْ كَانَ غَيْرَ صَرُورَةٍ فَمِنَ اَلثُّلُثِ».

H.5499 - Muawiyah ibn Ammar narrated from Abu Abdullah {a.s} who said:
I asked Imam {a.s} about a man who died and had instructed that Hajj be performed on his behalf. Imam {a.s} replied: "If he had never performed Hajj (was a ṣarurah), then Hajj should be performed on his behalf from the middle of his wealth. But if he was not a ṣarurah, then it should be performed from one-third of his wealth."

[REFERENCES] Al-Kafi, Vol.7 p.18 • Man La Yahduruhu Al-Faqih, Vol.4 p.214 • Al-Wafi, Vol.24 p.121 • Wasa'il Al-Shi'ah, Vol.11 p.67 • Wasa'il Al-Shi'ah, Vol.19 p.357

HADITH

5500 - وَ قَالَ : فِي اِمْرَأَةٍ أَوْصَتْ بِمَالٍ فِي عِتْقٍ وَ حَجٍّ وَ صَدَقَةٍ فَلَمْ يَبْلُغْ قَالَ «اِبْدَأْ بِالْحَجِّ فَإِنَّهُ مَفْرُوضٌ فَإِنْ بَقِيَ شَيْءٌ فَاجْعَلْ فِي اَلصَّدَقَةِ طَائِفَةً وَ فِي اَلْعِتْقِ طَائِفَةً».

H.5500 - And Imam {a.s} said regarding a woman who bequeathed her wealth for emancipation (freeing slaves), performing Hajj, and giving charity, but her wealth was insufficient: "Begin with Hajj because it is an obligation. If anything remains, allocate a portion for charity and a portion for emancipation."

[REFERENCES] Al-Kafi, Vol.7 p.18 • Man La Yahduruhu Al-Faqih, Vol.4 p.214 • Tahdhib Al-Ahkam, Vol.9 p.219 • Al-Istibsar, Vol.4 p.135 • Al-Wafi, Vol.24 p.129 • Wasa'il Al-Shi'ah, Vol.19 p.396

HADITH

5501 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ قَالَ : سَأَلْتُ أَبَا اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ أَوْصَى بِثَلاَثِينَ دِينَاراً يُعْتَقُ بِهَا رَجُلٌ مِنْ أَصْحَابِنَا فَلَمْ يُوجَدْ بِذَلِكَ قَالَ «يُشْتَرَى مِنَ اَلنَّاسِ فَيُعْتَقُ».

H.5501 - Ibn Abi Umayr narrated from Ali ibn Abi Hamzah who said:
I asked Abu Al-Hasan {a.s} about a man who bequeathed thirty dinar for the emancipation of a man from among our companions, but no such person was found. Imam {a.s} said: "A person should be purchased from among the people and then emancipated."

[REFERENCES] Al-Kafi, Vol.7 p.18 • Man La Yahduruhu Al-Faqih, Vol.4 p.214 • Tahdhib Al-Ahkam, Vol.9 p.220 • Al-Wafi, Vol.24 p.118 • Wasa'il Al-Shi'ah, Vol.19 p.405

HADITH

5502 - وَ رَوَى عَلِيُّ بْنُ أَبِي حَمْزَةَ عَنْهُ أَنَّهُ قَالَ : «فَلْيَشْتَرُوا مِنْ عُرْضِ اَلنَّاسِ مَا لَمْ يَكُنْ نَاصِبِيّاً ».

H.5502 - Ali ibn Abi Hamzah narrated from Imam {a.s} that he said: "Then let them purchase from among the general people as long as he is not a Naṣibi (one who harbors enmity towards the Ahl Al-Bayt {a.s})."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.215 • Al-Wafi, Vol.24 p.118

HADITH

5503 - وَ رَوَى أَبَانُ بْنُ عُثْمَانَ عَنْ مُحَمَّدِ بْنِ مَرْوَانَ عَنِ اَلشَّيْخِ يَعْنِي مُوسَى بْنَ جَعْفَرٍ عَنْ أَبِيهِ عَ أَنَّهُ قَالَ : «إِنَّ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ مَاتَ وَ تَرَكَ سِتِّينَ مَمْلُوكاً فَأَعْتَقَ ثُلُثَهُمْ فَأَقْرَعْتُ بَيْنَهُمْ وَ أَعْتَقْتُ اَلثُّلُثَ».

H.5503 - Aban ibn Uthman narrated from Muhammad ibn Marwan from the Shaykh, meaning Imam Musa ibn Jafar Al-Kadhim {a.s}, from his father, Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, peace be upon them both, that Imam {a.s} said:
"Indeed, Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, passed away and left sixty servants. He freed one-third of them, then I drew lots among the remaining ones and freed another one-third."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.215 • Tahdhib Al-Ahkam, Vol.9 p.220 • Wasa'il Al-Shi'ah, Vol.19 p.408

HADITH

5504 - وَ رَوَى اَلْقَاسِمُ مُحَمَّدٌ اَلْجَوْهَرِيُّ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ قَالَ : سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ مُحَرَّرَةٍ كَانَ أَعْتَقَهَا أَخِي وَ قَدْ كَانَتْ تَخْدُمُ اَلْجَوَارِيَ وَ كَانَتْ فِي عِيَالِهِ فَأَوْصَانِي أَنْ أُنْفِقَ عَلَيْهَا مِنَ اَلْوَسَطِ فَقَالَ «إِنْ كَانَتْ مَعَ اَلْجَوَارِي وَ أَقَامَتْ عَلَيْهِمْ فَأَنْفِقْ عَلَيْهَا وَ اِتَّبِعْ وَصِيَّتَهُ».

H.5504 - Al-Qasim Muhammad Al-Jawhari narrated from Ali ibn Abi Hamzah from Abu Basir, who said: I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, about a freed woman whom my brother had emancipated. She used to serve the maidservants and was living among his family. He had instructed me to spend on her moderately.
Abu Jafar {a.s}, said: "If she remained with the maidservants and continued serving them, then spend on her and follow his will."

[REFERENCES] Al-Kafi, Vol.7 p.18 • Man La Yahduruhu Al-Faqih, Vol.4 p.215 • Tahdhib Al-Ahkam, Vol.9 p.220 • Al-Wafi, Vol.24 p.92

HADITH

5505 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ عَنْ سَمَاعَةَ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ أَوْصَى أَنْ يُعْتَقَ عَنْهُ نَسَمَةٌ مِنْ ثُلُثِهِ بِخَمْسِمِائَةِ دِرْهَمٍ فَاشْتَرَى اَلْوَصِيُّ نَسَمَةً بِأَقَلَّ مِنْ خَمْسِمِائَةِ دِرْهَمٍ وَ فَضَلَتْ فَضْلَةٌ فَمَا تَرَى فِي اَلْفَضْلَةِ قَالَ «تُدْفَعُ إِلَى اَلنَّسَمَةِ مِنْ قَبْلِ أَنْ تُعْتَقَ ثُمَّ تُعْتَقُ عَنِ اَلْمَيِّتِ».

H.5505 - Al-Hasan ibn Mahbub narrated from Abu Ayyub from Sama'ah, who said:
I asked Abu Abdullah {a.s}, about a man who had made a will that a soul be freed on his behalf from one-third of his wealth with five hundred dirhams. The executor of the will bought a soul for less than five hundred, and some amount remained. What do you say about the remaining amount?
Imam {a.s} said: "It should be given to the purchased soul before it is freed, and then it should be freed on behalf of the deceased."

[REFERENCES] Al-Kafi, Vol.7 p.19 • Man La Yahduruhu Al-Faqih, Vol.4 p.215 • Tahdhib Al-Ahkam, Vol.9 p.221 • Al-Wafi, Vol.24 p.119 • Wasa'il Al-Shi'ah, Vol.19 p.410

CHAPTER 106 – CHAPTER ON BEQUESTS FOR THE MUKATAB AND UMM AL-WALAD

بَابُ الْوَصِيَّةِ لِلْمُكَاتَبِ وَ أُمِّ الْوَلَدِ

HADITH 5506 – 5508

5506 - رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي مُكَاتَبٍ كَانَتْ تَحْتَهُ اِمْرَأَةٌ حُرَّةٌ فَأَوْصَتْ لَهُ عِنْدَ مَوْتِهَا بِوَصِيَّةٍ فَقَالَ «أَهْلُ اَلْمِيرَاثِ لاَ تَجُوزُ وَصِيَّتُهَا لَهُ إِنَّهُ مُكَاتَبٌ لَمْ يُعْتَقْ» فَقَضَى عَلَيْهِ اَلسَّلاَمُ «أَنَّهُ يَرِثُ بِحِسَابِ مَا أُعْتِقَ مِنْهُ وَ يَجُوزُ لَهُ مِنَ اَلْوَصِيَّةِ بِحِسَابِ مَا أُعْتِقَ مِنْهُ» وَ قَضَى عَلَيْهِ اَلسَّلاَمُ فِي مُكَاتَبٍ أُوصِيَ لَهُ بِوَصِيَّةٍ وَ قَدْ قَضَى نِصْفَ مَا عَلَيْهِ فَأَجَازَ لَهُ نِصْفَ اَلْوَصِيَّةِ وَ قَضَى فِي مُكَاتَبٍ قَضَى رُبُعَ مَا عَلَيْهِ فَأُوصِيَ لَهُ بِوَصِيَّةٍ فَأَجَازَ لَهُ رُبُعَ اَلْوَصِيَّةِ وَ قَالَ عَلَيْهِ اَلسَّلاَمُ فِي رَجُلٍ أَوْصَى لِمُكَاتَبَتِهِ وَ قَدْ قَضَتْ سُدُسَ مَا كَانَ عَلَيْهَا فَأَجَازَ لَهَا بِحِسَابِ مَا أُعْتِقَ مِنْهَا».

H.5506 - Asim ibn Humayd narrated from Muhammad ibn Qays from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"The Commander of the Faithful {a.s}, peace be upon him, ruled concerning a contracted slave (mukatab) who was married to a free woman. She made a bequest for him at the time of her death.
Imam {a.s} said: 'The people entitled to inheritance cannot have her will executed for him because he is a mukatab who has not been freed.'
Then Imam {a.s}, peace be upon him, ruled that he would inherit in proportion to what had been freed of him and that the will for him would be valid in proportion to what had been freed of him."
Imam {a.s} also ruled regarding a mukatab for whom a will had been made, and he had paid half of what was due upon him, that half of the will was valid for him.
Imam {a.s} also ruled regarding a mukatab who had paid a quarter of what was due upon him and for whom a will had been made, that a quarter of the will was valid for him.
Imam {a.s} said about a man who made a will for his female mukatabah and she had paid one-sixth of what was due upon her, that the will was valid for her in proportion to what had been freed of her.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.216 • Wasa'il Al-Shi'ah, Vol.19 p.413

HADITH

5507 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ جَمِيلِ بْنِ صَالِحٍ عَنْ أَبِي عُبَيْدَةَ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ كَانَتْ لَهُ أُمُّ وَلَدٍ وَ لَهُ مِنْهَا غُلاَمٌ فَلَمَّا حَضَرَتْهُ اَلْوَفَاةُ أَوْصَى لَهَا بِأَلْفَيْ دِرْهَمٍ أَوْ بِأَكْثَرَ لِلْوَرَثَةِ أَنْ يَسْتَرِقُّوهَا فَقَالَ «لاَ بَلْ تُعْتَقُ مِنْ ثُلُثِ اَلْمَيِّتِ وَ تُعْطَى مَا أَوْصَى لَهَا بِهِ».

H.5507 - Al-Hasan ibn Mahbub narrated from Jamil ibn Salih from Abu Ubaydah, who said: I asked Abu Abdullah {a.s}, about a man who had a slave woman with whom he had a son. When death approached him, he bequeathed for her two thousand dirhams or more and instructed his heirs to enslave her.
Imam {a.s} said: "No, rather she should be freed from one-third of the deceased's estate and given what he had bequeathed for her."

[REFERENCES] Al-Kafi, Vol.7 p.29 • Man La Yahduruhu Al-Faqih, Vol.4 p.216 • Al-Sarair, Vol.3 p.600 • Awali Al-La'ali, Vol.3 p.273 • Wasa'il Al-Shi'ah, Vol.19 p.416

HADITH

5508 - وَ رُوِيَ عَنْ أَحْمَدَ بْنِ مُحَمَّدِ بْنِ أَبِي نَصْرٍ اَلْبَزَنْطِيِّ قَالَ : نَسَخْتُ مِنْ كِتَابٍ بِخَطِّ أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ فُلاَنٌ مَوْلاَكَ تُوُفِّيَ اِبْنُ أَخٍ لَهُ فَتَرَكَ أُمَّ وَلَدٍ لَهُ لَيْسَ لَهَا وَلَدٌ وَ أَوْصَى لَهَا بِأَلْفِ دِرْهَمٍ هَلْ تَجُوزُ اَلْوَصِيَّةُ وَ هَلْ يَقَعُ عَلَيْهَا عِتْقٌ وَ مَا حَالُهَا رَأْيَكَ فَدَتْكَ نَفْسِي فِي ذَلِكَ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «تُعْتَقُ مِنَ اَلثُّلُثِ وَ لَهَا اَلْوَصِيَّةُ».

H.5508 - It was narrated from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti, who said:
I copied from a book in the handwriting of Abu Al-Hasan {a.s}:
"A certain person, your master, passed away, leaving behind a paternal nephew who also passed away. The nephew left behind an umm walad (a concubine who bore him no children) and bequeathed to her a thousand dirhams. Does the bequest hold validity, and does she receive emancipation? What is her status? May I be your ransom, I seek your opinion on this matter."
Imam {a.s} wrote back: "She is to be freed from one-third (of the estate), and she has the bequest."

[REFERENCES] Al-Kafi, Vol.7 p.29 • Man La Yahduruhu Al-Faqih, Vol.4 p.217 • Tahdhib Al-Ahkam, Vol.9 p.224 • Al-Wafi, Vol.24 p.112 • Wasa'il Al-Shi'ah, Vol.19 p.415

CHAPTER 107 – CHAPTER ON A MAN MAKING A BequeST OF A SWORD, A CHEST, OR A SHIP TO ANOTHER MAN

بَابُ الرَّجُلِ يُوصِي لِرَجُلٍ بِسَيْفٍ أَوْ صُنْدُوقٍ أَوْ سَفِينَةٍ

HADITH 5509 – 5510

5509 - رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ أَبِي نَصْرٍ عَنْ أَبِي جَمِيلَةَ عَنِ اَلرِّضَا عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ أَوْصَى لِرَجُلٍ بِسَيْفٍ وَ كَانَ فِي جَفْنٍ وَ عَلَيْهِ حِلْيَةٌ فَقَالَ لَهُ اَلْوَرَثَةُ إِنَّمَا لَكَ اَلنَّصْلُ وَ لَيْسَ لَكَ اَلسَّيْفُ فَقَالَ «لاَ بَلِ اَلسَّيْفُ بِمَا فِيهِ لَهُ» قَالَ قُلْتُ لَهُ رَجُلٌ أَوْصَى بِصُنْدُوقٍ لِرَجُلٍ وَ كَانَ فِيهِ مَالٌ فَقَالَ اَلْوَرَثَةُ إِنَّمَا لَكَ اَلصُّنْدُوقُ وَ لَيْسَ لَكَ اَلْمَالُ فَقَالَ «اَلصُّنْدُوقُ بِمَا فِيهِ لَهُ».

H.5509 - Ahmad ibn Muhammad ibn Abi Nasr narrated from Abu Jamilah from Imam Ali ibn Musa Ar-Ridha {a.s}, who said:
I asked him about a man who bequeathed a sword to another man, and the sword was in its sheath and adorned with decorations. The heirs said to him, "Only the blade belongs to you, not the sword (with its accessories)."
Imam {a.s} said: "No, rather the sword with everything it contains belongs to him."
I said to Imam {a.s}: "A man bequeathed a box to another man, and there was money inside it. The heirs said: 'Only the box belongs to you, not the money.'"
Imam {a.s} said: "The box with everything it contains belongs to him."

[REFERENCES] Al-Kafi, Vol.7 p.44 • Man La Yahduruhu Al-Faqih, Vol.4 p.217 • Tahdhib Al-Ahkam, Vol.9 p.211 • Awali Al-La'ali, Vol.3 p.277 • Al-Wafi, Vol.24 p.144

HADITH

5510 - وَ رَوَى مُحَمَّدُ بْنُ اَلْحُسَيْنِ عَنْ مُحَمَّدِ بْنِ عَبْدِ اَللَّهِ بْنِ هِلاَلٍ عَنْ عُقْبَةَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ قَالَ هَذِهِ اَلسَّفِينَةُ لِفُلاَنٍ وَ لَمْ يُسَمِّ مَا فِيهَا وَ فِيهَا طَعَامٌ أَ يُعْطَاهَا اَلرَّجُلُ وَ مَا فِيهَا قَالَ «هِيَ لِلَّذِي أَوْصَى لَهُ بِهَا إِلاَّ أَنْ يَكُونَ صَاحِبُهَا اِسْتَثْنَى مَا فِيهَا وَ لَيْسَ لِلْوَرَثَةِ شَيْءٌ ».

H.5510 - Muhammad ibn Al-Husayn narrated from Muhammad ibn Abdullah ibn Hilal from Uqbah ibn Khalid from Abu Abdullah {a.s}, who said: I asked Imam {a.s} about a man who said:
"This ship belongs to so-and-so," without specifying what was inside it, and there was food in it. Should the man be given the ship and what is inside it?
Imam {a.s} said: "It belongs to the one to whom it was bequeathed, unless its owner explicitly excluded what was inside it. The heirs have no claim over it."

[REFERENCES] Al-Kafi, Vol.7 p.44 • Man La Yahduruhu Al-Faqih, Vol.4 p.217 • Tahdhib Al-Ahkam, Vol.9 p.212 • Awali Al-La'ali, Vol.3 p.277 • Al-Wafi, Vol.24 p.145 • Wasa'il Al-Shi'ah, Vol.19 p.391 • Mustadrak Al-Wasa'il, Vol.14 p.132

CHAPTER 108 – CHAPTER ON ONE WHO DOES NOT MAKE A BEQUEST WHILE HAVING HEIRS, IF HIS ESTATE DIVIDED AMONG THEM OR SOLD FOR THEIR BENEFIT

بَابٌ فِيمَنْ لَمْ يُوصِ وَ لَهُ وَرَثَةٌ فَيُقْسَمُ بَيْنَهُمْ أَوْ يُبَاعُ عَلَيْهِمْ

HADITH 5511 – 5512

5511 - رَوَى زُرْعَةُ عَنْ سَمَاعَةَ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ مَاتَ وَ لَهُ بَنُونَ وَ بَنَاتٌ صِغَارٌ وَ كِبَارٌ مِنْ غَيْرِ وَصِيَّةٍ وَ لَهُ خَدَمٌ وَ مَمَالِيكُ وَ عُقَدٌ كَيْفَ يَصْنَعُ اَلْوَرَثَةُ بِقِسْمَةِ ذَلِكَ اَلْمِيرَاثِ قَالَ «إِنْ قَامَ رَجُلٌ ثِقَةٌ قَاسَمَهُمْ ذَلِكَ كُلَّهُ فَلاَ بَأْسَ».

H.5511 - Zur'ah narrated from Sama'ah, who said: I asked Imam {a.s} about a man who died and left behind sons and daughters, both young and old, without leaving a will. He also had servants, slaves, and jewelry. How should the heirs divide that inheritance?
Imam {a.s} said: "If a trustworthy man undertakes the division of all that among them, then there is no harm in it."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.218 • Tahdhib Al-Ahkam, Vol.9 p.240 • Tahdhib Al-Ahkam, Vol.9 p.392 • Wasa'il Al-Shi'ah, Vol.19 p.422 • Wasa'il Al-Shi'ah, Vol.26 p.70

HADITH

5512 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ قَالَ : سَأَلْتُ أَبَا اَلْحَسَنِ مُوسَى عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ بَيْنِي وَ بَيْنَهُ قَرَابَةٌ مَاتَ وَ تَرَكَ أَوْلاَداً صِغَاراً وَ تَرَكَ مَمَالِيكَ لَهُ غِلْمَاناً وَ جَوَارِيَ وَ لَمْ يُوصِ فَمَا تَرَى فِيمَنْ يَشْتَرِي مِنْهُمُ اَلْجَارِيَةَ فَيَتَّخِذُهَا أُمَّ وَلَدٍ وَ مَا تَرَى فِي بَيْعِهِمْ فَقَالَ «إِنْ كَانَ لَهُمْ وَلِيٌّ يَقُومُ بِأَمْرِهِمْ بَاعَ عَلَيْهِمْ وَ نَظَرَ لَهُمْ كَانَ مَأْجُوراً فِيهِمْ» قُلْتُ فَمَا تَرَى فِيمَنْ يَشْتَرِي مِنْهُمُ اَلْجَارِيَةَ فَيَتَّخِذُهَا أُمَّ وَلَدٍ قَالَ «لاَ بَأْسَ بِذَلِكَ إِذَا بَاعَ عَلَيْهِمُ اَلْقَيِّمُ لَهُمْ اَلنَّاظِرُ فِيمَا يُصْلِحُهُمْ وَ لَيْسَ لَهُمْ أَنْ يَرْجِعُوا عَمَّا صَنَعَ اَلْقَيِّمُ لَهُمْ اَلنَّاظِرُ فِيمَا يُصْلِحُهُمْ».

H.5512 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab, who said:
I asked Abu Al-Hasan Imam Musa ibn Jafar Al-Kadhim {a.s}, about a man related to me who died and left behind young children and male and female slaves. He did not leave a will.
What is your opinion regarding someone who buys a female slave from them and takes her as an umm walad (a concubine who bears a child)? And what is your opinion on selling them?
Imam {a.s} said: "If they have a guardian who manages their affairs, sells on their behalf, and looks after their interests, then he will be rewarded for it."
I said: “What do you say about someone who buys a female slave from them and takes her as an umm walad?"
Imam {a.s} said: "There is no harm in that if the guardian responsible for their welfare sells to him, considering what is in their best interest. They have no right to revoke what the guardian, acting in their best interest, has done."

[REFERENCES] Al-Kafi, Vol.5 p.208 • Al-Kafi, Vol.7 p.67 • Man La Yahduruhu Al-Faqih, Vol.4 p.218 • Tahdhib Al-Ahkam, Vol.7 p.68 • Tahdhib Al-Ahkam, Vol.9 p.239 • Al-Wafi, Vol.17 p.299 • Wasa’il Al-Shi’ah, Vol.17 p.361 • Wasa’il Al-Shi’ah, Vol.19 p.421

CHAPTER 109 – CHAPTER ON A MAN WHO MAKES A BEQUEST, BUT THE EXECUTOR FORGETS IT AND ONLY REMEMBERS ONE PART OF IT

بَابُ الرَّجُلِ يُوصِي بِوَصِيَّةٍ فَيَنْسَاهَا الْوَصِيُّ وَ لَا يَحْفَظُ مِنْهَا إِلَّا بَاباً وَاحِداً

HADITH 5513

5513 - رَوَى مُحَمَّدُ بْنُ اَلْحَسَنِ اَلصَّفَّارُ رَضِيَ اَللَّهُ عَنْهُ عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ مُحَمَّدِ بْنِ رَيَّانَ قَالَ : كَتَبْتُ إِلَيْهِ يَعْنِي عَلِيَّ بْنَ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ أَسْأَلُهُ عَنْ إِنْسَانٍ أَوْصَى بِوَصِيَّةٍ فَلَمْ يَحْفَظِ اَلْوَصِيُّ إِلاَّ بَاباً وَاحِداً مِنْهَا كَيْفَ يَصْنَعُ فِي اَلْبَاقِي فَوَقَّعَ عَلَيْهِ اَلسَّلاَمُ «اَلْأَبْوَابَ اَلْبَاقِيَةَ اِجْعَلْهَا فِي اَلْبِرِّ».

H.5513 - Muhammad ibn Al-Hasan Al-Saffar, may Allah {SWT} be pleased with him, narrated from Sahl ibn Ziyad from Muhammad ibn Rayyan, who said:
I wrote to Imam {a.s} - meaning Imam Ali ibn Muhammad Al-Hadi {a.s} - asking about a person who had made a will, but the executor only remembered one part of it. What should be done with the remaining parts?
Imam {a.s} replied: "Allocate the remaining parts to charitable acts."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.218 • Awali Al-La’ali, Vol.3 p.277

CHAPTER 110 – CHAPTER ON THE EXECUTOR PURCHASING FROM THE DECEASED'S ESTATE WHEN IT IS SOLD TO THE HIGHEST BIDDER

بَابُ الْوَصِيِّ يَشْتَرِي مِنْ مَالِ الْمَيِّتِ شَيْئاً إِذَا بِيعَ فِيمَنْ زَادَ

HADITH 5514

5514 - رَوَى مُحَمَّدُ بْنُ أَحْمَدَ بْنِ يَحْيَى عَنِ اَلْحُسَيْنِ بْنِ إِبْرَاهِيمَ اَلْهَمْدَانِيِّ قَالَ : كَتَبْتُ مَعَ مُحَمَّدِ بْنِ يَحْيَى هَلْ لِلْوَصِيِّ أَنْ يَشْتَرِيَ شَيْئاً مِنْ مَالِ اَلْمَيِّتِ إِذَا بِيعَ فِيمَنْ زَادَ يَزِيدُ وَ يَأْخُذُ لِنَفْسِهِ فَقَالَ «يَجُوزُ إِذَا اِشْتَرَى صَحِيحاً».

H.5514 - Muhammad ibn Ahmad ibn Yahya narrated from Al-Husayn ibn Ibrahim Al-Hamdani, who said: I wrote along with Muhammad ibn Yahya asking whether the executor of a will is permitted to purchase something from the deceased's estate when it is sold to the highest bidder and take it for himself.
Imam {a.s} replied: "It is permissible if he purchases it properly."

[REFERENCES] Al-Kafi, Vol.7 p.59 • Man La Yahduruhu Al-Faqih, Vol.4 p.219 • Tahdhib Al-Ahkam, Vol.9 p.233 • Tahdhib Al-Ahkam, Vol.9 p.245 • Al-Wafi, Vol.24 p.182 • Wasa'il Al-Shi'ah, Vol.19 p.423

CHAPTER 111 – CHAPTER ON A MAN DISINHERITING HIS SON FOR HAVING RELATIONS WITH HIS FATHER'S UMM AL-WALAD

بَابُ إِخْرَاجِ الرَّجُلِ ابْنَهُ مِنَ الْمِيرَاثِ لِإِتْيَانِهِ أُمَّ وَلَدِ لِأَبِيهِ

HADITH 5515 – 5516

5515 - رَوَى اَلْحَسَنُ بْنُ عَلِيٍّ اَلْوَشَّاءُ عَنْ مُحَمَّدِ بْنِ يَحْيَى عَنْ وَصِيِّ عَلِيِّ بْنِ اَلسَّرِيِّ قَالَ : قُلْتُ لِأَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ إِنَّ عَلِيَّ بْنَ اَلسَّرِيِّ تُوُفِّيَ وَ أَوْصَى إِلَيَّ فَقَالَ «رَحِمَهُ اَللَّهُ» قُلْتُ وَ إِنَّ اِبْنَهُ جَعْفَراً وَقَعَ عَلَى أُمِّ وَلَدِ لَهُ فَأَمَرَنِي أَنْ أُخْرِجَهُ مِنَ اَلْمِيرَاثِ فَقَالَ لِي «أَخْرِجْهُ إِنْ كُنْتَ صَادِقاً فَسَيُصِيبُهُ خَبَلٌ » قَالَ فَرَجَعْتُ فَقَدَّمَنِي إِلَى أَبِي يُوسُفَ اَلْقَاضِي فَقَالَ لَهُ أَصْلَحَكَ اَللَّهُ أَنَا جَعْفَرُ بْنُ عَلِيِّ بْنِ اَلسَّرِيِّ وَ هَذَا وَصِيُّ أَبِي فَمُرْهُ أَنْ يَدْفَعَ إِلَيَّ مِيرَاثِي مِنْ أَبِي فَقَالَ لِي مَا تَقُولُ فَقُلْتُ نَعَمْ هَذَا جَعْفَرُ بْنُ عَلِيِّ بْنِ اَلسَّرِيِّ وَ أَنَا وَصِيُّ عَلِيِّ بْنِ اَلسَّرِيِّ قَالَ فَادْفَعْ إِلَيْهِ مَالَهُ فَقُلْتُ لَهُ أُرِيدُ أَنْ أُكَلِّمَكَ قَالَ فَادْنُ مِنِّي فَدَنَوْتُ حَيْثُ لاَ يَسْمَعُ أَحَدٌ كَلاَمِي فَقُلْتُ لَهُ هَذَا وَقَعَ عَلَى أُمِّ وَلَدِ لِأَبِيهِ فَأَمَرَنِي أَبُوهُ وَ أَوْصَى إِلَيَّ أَنْ أُخْرِجَهُ مِنَ اَلْمِيرَاثِ وَ لاَ أُوَرِّثَهُ شَيْئاً فَأَتَيْتُ مُوسَى بْنَ جَعْفَرٍ عَلَيْهِمَا اَلسَّلاَمُ بِالْمَدِينَةِ فَأَخْبَرْتُهُ وَ سَأَلْتُهُ فَأَمَرَنِي أَنْ أُخْرِجَهُ مِنَ اَلْمِيرَاثِ وَ لاَ أُوَرِّثَهُ شَيْئاً فَقَالَ اَللَّهَ إِنَّ أَبَا اَلْحَسَنِ أَمَرَكَ فَقُلْتُ نَعَمْ فَاسْتَحْلَفَنِي ثَلاَثاً ثُمَّ قَالَ لِي أَنْفِذْ مَا أَمَرَكَ فَالْقَوْلُ قَوْلُهُ قَالَ اَلْوَصِيُّ فَأَصَابَهُ اَلْخَبَلُ بَعْدَ ذَلِكَ قَالَ أَبُو مُحَمَّدٍ اَلْحَسَنُ بْنُ عَلِيٍّ اَلْوَشَّاءُ رَأَيْتُهُ بَعْدَ ذَلِكَ.

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ وَ مَتَى أَوْصَى الرَّجُلُ بِإِخْرَاجِ ابْنِهِ مِنَ الْمِيرَاثِ وَ لَمْ يُحْدِثْ هَذَا الْحَدَثَ لَمْ يَجُزْ لِلْوَصِيِّ إِنْفَاذُ وَصِيَّتِهِ فِي ذَلِكَ.

H.5515 - Al-Hasan ibn Ali Al-Washa' narrated from Muhammad ibn Yahya from the executor of Ali ibn Al-Sari, who said:
I said to Abu Al-Hasan {a.s}: "Ali ibn Al-Sari has passed away and appointed me as his executor."
Imam {a.s} said: "May Allah {SWT} have mercy on him."
I said: "His son Ja'far committed an act with his father's umm walad (concubine), and he instructed me to exclude him from the inheritance."
Imam {a.s} said: "Exclude him if you are truthful, and he will suffer affliction."
He (the executor) said: I returned, and Ja'far brought me before Abu Yusuf the judge. Ja'far said to him, "May Allah {SWT} rectify your affairs. I am Ja'far, the son of Ali ibn Al-Sari, and this is my father's executor. Order him to give me my inheritance from my father."
The judge asked me: "What do you say?"
I replied: "Yes, this is Ja'far, the son of Ali ibn Al-Sari, and I am his executor."
The judge said: "Then hand over his wealth to him."
I said: "I wish to speak with you."
He (the judge) said: "Come closer."

I approached him so that no one could hear me, and I said: "This man committed an act with his father's umm walad, and his father commanded me in his will to exclude him from the inheritance and not give him anything. I went to Imam Musa ibn Jafar Al-Kadhim {a.s}, in Medina, informed him, and sought his guidance. Imam {a.s} ordered me to exclude him from the inheritance and not give him anything."
The judge said: "By Allah {SWT}, did Abu Al-Hasan command you to do this?"
I said: "Yes."
He (the judge) made me swear three times and then said: "Carry out what you were ordered. His {a.s} word is decisive."
The executor said: After that, Ja'far was afflicted with madness.
Abu Muhammad Al-Hasan ibn Ali Al-Washa' said: I saw him after that.

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, said: If a man makes a will to exclude his son from the inheritance without the son having committed such an act, it is not permissible for the executor to carry out this part of the will.

[REFERENCES] Al-Kafi, Vol.7 p.61 • Man La Yahduruhu Al-Faqih, Vol.4 p.219 • Tahdhib Al-Ahkam, Vol.9 p.235 • Al-Istibsar, Vol.4 p.139 • Kashf Al-Ghummah, Vol.2 p.240 • Awali Al-La'ali, Vol.3 p.278 • Al-Wafi, Vol.24 p.89 • Wasa'il Al-Shi'ah, Vol.19 p.424 • Bihar Al-Anwar, Vol.48 p.30 • Awalim Al-Uloom, Vol.21 p.96

HADITH

5516 - وَ تَصْدِيقُ ذَلِكَ مَا رَوَاهُ أَحْمَدُ بْنُ مُحَمَّدِ بْنِ عِيسَى عَنْ عَبْدِ اَلْعَزِيزِ بْنِ اَلْمُهْتَدِي عَنْ سَعِيدِ بْنِ سَعْدٍ قَالَ : سَأَلْتُهُ يَعْنِي أَبَا اَلْحَسَنِ اَلرِّضَا عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ كَانَ لَهُ اِبْنٌ يَدَّعِيهِ فَنَفَاهُ وَ أَخْرَجَهُ مِنَ اَلْمِيرَاثِ وَ أَنَا وَصِيُّهُ فَكَيْفَ أَصْنَعُ فَقَالَ عَلَيْهِ اَلسَّلاَمُ «لَزِمَهُ اَلْوَلَدُ لِإِقْرَارِهِ بِالْمَشْهَدِ لاَ يَدْفَعُهُ اَلْوَصِيُّ عَنْ شَيْءٍ قَدْ عَلِمَهُ».

H.5516 - And the confirmation of this is what was narrated by Ahmad ibn Muhammad ibn Isa from Abdul Aziz ibn Al-Muhtadi from Sa'id ibn Sa'd, who said:
'I asked Imam {a.s} - meaning Abu Al-Hasan Imam Ali ibn Musa Ar-Ridha {a.s} - about a man who had a son whom he acknowledged and then later disowned, excluding him from the inheritance. I am his executor, so what should I do?'
Imam {a.s} said: "The son remains legally his due to his prior public acknowledgment. The executor cannot deny him anything that is already known."

[REFERENCES] Al-Kafi, Vol.7 p.64 • Man La Yahduruhu Al-Faqih, Vol.4 p.220 • Tahdhib Al-Ahkam, Vol.9 p.235 • Al-Istibsar, Vol.4 p.139 • Al-Wafi, Vol.23 p.1428 • Al-Wafi, Vol.24 p.90 • Wasa'il Al-Shi'ah, Vol.19 p.424

CHAPTER 112 – CHAPTER ON THE CESSATION OF AN ORPHAN'S ORPHANHOOD

بَابُ انْقِطَاعِ يُتْمِ الْيَتِيمِ

HADITH 5517 – 5524

5517 - رَوَى مَنْصُورُ بْنُ حَازِمٍ عَنْ هِشَامٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «اِنْقِطَاعُ يُتْمِ اَلْيَتِيمِ اَلاِحْتِلاَمُ وَ هُوَ أَشُدُّهُ وَ إِنِ اِحْتَلَمَ وَ لَمْ يُؤْنَسْ مِنْهُ رُشْدُهُ وَ كَانَ سَفِيهاً أَوْ ضَعِيفاً فَلْيُمْسِكْ عَنْهُ وَلِيُّهُ مَالَهُ».

H.5517 - Mansur ibn Hazim narrated from Hisham from Abu Abdullah {a.s}, who said: "The end of an orphan's state of orphanhood is marked by reaching puberty, and that is when he reaches his full strength. However, if he reaches puberty but no sign of maturity is observed in him, and he is foolish or weak-minded, then his guardian should withhold his wealth from him."

[REFERENCES] Al-Kafi, Vol.7 p.68 • Man La Yahduruhu Al-Faqih, Vol.4 p.220 • Tahdhib Al-Ahkam, Vol.9 p.183 • Al-Wafi, Vol.23 p.1392 • Tafsir Al-Safi, Vol.2 p.170 • Wasa'il Al-Shi'ah, Vol.17 p.360 • Wasa'il Al-Shi'ah, Vol.18 p.409 • Wasa'il Al-Shi'ah, Vol.19 p.363 • Al-Fusul Al-Muhimmah, Vol.2 p.271 • Tafsir Al-Burhan, Vol.2 p.25

HADITH

5518 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ مُثَنًّى بْنِ رَاشِدٍ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ يَتِيمٍ قَدْ قَرَأَ اَلْقُرْآنَ وَ لَيْسَ بِعَقْلِهِ بَأْسٌ وَ لَهُ مَالٌ عَلَى يَدَيْ رَجُلٍ فَأَرَادَ اَلَّذِي عِنْدَهُ اَلْمَالُ أَنْ يَعْمَلَ بِهِ حَتَّى يَحْتَلِمَ وَ يَدْفَعَ إِلَيْهِ مَالَهُ قَالَ «وَ إِنِ اِحْتَلَمَ وَ لَمْ يَكُنْ لَهُ عَقْلٌ لَمْ يُدْفَعْ إِلَيْهِ شَيْءٌ أَبَداً».

H.5518 - Ibn Abi Umayr narrated from Mathanna ibn Rashid from Abu Basir from Abu Abdullah {a.s}, who said: I asked Imam {a.s} about an orphan who had memorized the Qur'an and had no deficiency in his intellect. The one holding his wealth wishes to invest it until the orphan reaches puberty and then hand over his wealth to him.
Imam {a.s} said: "Even if he reaches puberty but does not have sound intellect, nothing should ever be handed over to him."

[REFERENCES] Al-Kafi, Vol.7 p.68 • Man La Yahduruhu Al-Faqih, Vol.4 p.220 • Tahdhib Al-Ahkam, Vol.9 p.240 • Al-Wafi, Vol.17 p.302 • Wasa'il Al-Shi'ah, Vol.19 p.367

HADITH

5519 - وَ رَوَى اَلْحَسَنُ بْنُ عَلِيٍّ اَلْوَشَّاءُ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِذَا بَلَغَ اَلْغُلاَمُ أَشُدَّهُ ثَلاَثَ عَشْرَةَ سَنَةً وَ دَخَلَ فِي اَلْأَرْبَعَ عَشْرَةَ سَنَةً وَجَبَ عَلَيْهِ مَا وَجَبَ عَلَى اَلْمُحْتَلِمِينَ اِحْتَلَمَ أَوْ لَمْ يَحْتَلِمْ وَ كُتِبَتْ عَلَيْهِ اَلسَّيِّئَاتُ وَ كُتِبَتْ لَهُ اَلْحَسَنَاتُ وَ جَازَ لَهُ كُلُّ شَيْءٍ إِلاَّ أَنْ يَكُونَ ضَعِيفاً أَوْ سَفِيهاً».

H.5519 - Al-Hasan ibn Ali Al-Washa' narrated from Abdullah ibn Sinan from Abu Abdullah {a.s}, who said: "When a boy reaches the age of thirteen and enters into his fourteenth year, what is obligatory upon those who have reached puberty becomes obligatory upon him, whether he experiences a wet dream or not. His bad deeds are recorded against him, and his good deeds are recorded for him. Everything becomes permissible for him except if he is weak-minded or foolish."

[REFERENCES] Al-Kafi, Vol.7 p.69 • Man La Yahduruhu Al-Faqih, Vol.4 p.221 • Al-Khisal, Vol.2 p.495 • Tahdhib Al-Ahkam, Vol.9 p.183 • Awali Al-La'ali, Vol.3 p.238 • Al-Wafi, Vol.23 p.1389 • Tafsir Al-Safi, Vol.2 p.170 • Tafsir Al-Safi, Vol.3 p.191 • Wasa'il Al-Shi'ah, Vol.17 p.361 • Wasa'il Al-Shi'ah, Vol.19 p.364

HADITH

5520 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ عِيصِ بْنِ اَلْقَاسِمِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنِ اَلْيَتِيمَةِ مَتَى يُدْفَعُ إِلَيْهَا مَالُهَا قَالَ «إِذَا عَلِمْتَ أَنَّهَا لاَ تُفْسِدُ وَ لاَ تُضَيِّعُ» فَسَأَلْتُهُ إِنْ كَانَتْ قَدْ تَزَوَّجَتْ فَقَالَ «إِذَا تَزَوَّجَتْ فَقَدِ اِنْقَطَعَ مُلْكُ اَلْوَصِيِّ عَنْهَا».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ يَعْنِي بِذَلِكَ إِذَا بَلَغَتْ تِسْعَ سِنِينَ.

H.5520 - Safwan ibn Yahya narrated from 'Is ibn Al-Qasim from Abu Abdullah {a.s}, who said: I asked Imam {a.s} about an orphan girl - when should her wealth be handed over to her?
Imam {a.s} said: "When you know that she will neither corrupt it nor waste it."
I then asked Imam {a.s}: "What if she has gotten married?"
Imam {a.s} said: "Once she marries, the authority of the guardian over her ends."

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, commented: This means when she reaches the age of nine years.

[REFERENCES] Al-Kafi, Vol.7 p.68 • Man La Yahduruhu Al-Faqih, Vol.4 p.221 • Fiqh Al-Quran, Vol.2 p.321 • Wasa'il Al-Shi'ah, Vol.19 p.366

HADITH

5521 - وَ رَوَى مُوسَى بْنُ بَكْرٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «لاَ يُدْخَلُ بِالْجَارِيَةِ حَتَّى يَأْتِيَ لَهَا تِسْعُ سِنِينَ أَوْ عَشْرٌ».

H.5521 - Musa ibn Bakr narrated from Zurara from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said: "A girl should not be consummated in marriage until she reaches nine or ten years of age."

[REFERENCES] Al-Nawadir (Lil-Ash'ari), Vol.1 p.135 • Al-Kafi, Vol.5 p.398 • Al-Kafi, Vol.5 p.398 • Man La Yahduruhu Al-Faqih, Vol.3 p.412 • Man La Yahduruhu Al-Faqih, Vol.4 p.221 • Tahdhib Al-Ahkam, Vol.7 p.391 • Tahdhib Al-Ahkam, Vol.7 p.410 • Tahdhib Al-Ahkam, Vol.7 p.451 • Tahdhib Al-Ahkam, Vol.9 p.184 • Al-Wafi, Vol.22 p.757

HADITH

5522 - وَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «إِذَا بَلَغَتِ اَلْجَارِيَةُ تِسْعَ سِنِينَ دُفِعَ إِلَيْهَا مَالُهَا وَ جَازَ أَمْرُهَا فِي مَالِهَا وَ أُقِيمَتِ اَلْحُدُودُ اَلتَّامَّةُ لَهَا وَ عَلَيْهَا».

H.5522 - Abu Abdullah {a.s}, said: "When a girl reaches nine years of age, her wealth is handed over to her, her decisions regarding her wealth become valid, and the full legal punishments are applied for her and upon her."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.221 • Al-Wafi, Vol.23 p.1394 • Wasa'il Al-Shi'ah, Vol.18 p.411 • Wasa'il Al-Shi'ah, Vol.19 p.367

HADITH

5523 - وَ قَدْ رُوِيَ عَنِ اَلصَّادِقِ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ سُئِلَ عَنْ قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ ۝ فَإِنْ آنَسْتُمْ مِنْهُمْ رُشْداً فَادْفَعُوا إِلَيْهِمْ أَمْوٰالَهُمْ ۝ قَالَ «إِيناَسُ اَلرُّشْدِ حِفْظُ اَلْمَالِ».

H.5523 - It was narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s}, that he was asked about the saying of Allah {SWT}, the Exalted and Glorious:
"*But if you perceive in them sound judgment, then deliver their wealth to them*"
(Surah An-Nisa 4:6).
Imam {a.s} said: "Perceiving sound judgment means the ability to safeguard wealth."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.222 • Al-Wafi, Vol.23 p.1393 • Wasa'il Al-Shi'ah, Vol.18 p.411 • Wasa'il Al-Shi'ah, Vol.19 p.368 • Tafsir Al-Burhan, Vol.2 p.25 • Tafsir Nur Al-Thaqalayn, Vol.1 p.444

HADITH

5524 - وَ فِي رِوَايَةِ مُحَمَّدِ بْنِ أَحْمَدَ بْنِ يَحْيَى عَنْ مُحَمَّدِ بْنِ اَلْحُسَيْنِ عَنْ عَبْدِ اَللَّهِ بْنِ اَلْمُغِيرَةِ عَمَّنْ ذَكَرَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ قَالَ فِي تَفْسِيرِ هَذِهِ اَلْآيَةِ ﴿ إِذَا رَأَيْتُمُوهُمْ يُحِبُّونَ آلَ مُحَمَّدٍ عَلَيْهِمُ اَلسَّلاَمُ فَارْفَعُوهُمْ دَرَجَةً ﴾.

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ هَذَا الْحَدِيثُ غَيْرُ مُخَالِفٍ لِمَا تَقَدَّمَ وَ ذَلِكَ أَنَّهُ إِذَا أُونِسَ مِنْهُ الرُّشْدُ وَ هُوَ حِفْظُ الْمَالِ دُفِعَ إِلَيْهِ مَالُهُ وَ كَذَلِكَ إِذَا أُونِسَ مِنْهُ الرُّشْدُ فِي قَبُولِ الْحَقِّ اخْتُبِرَ بِهِ وَ قَدْ تَنْزِلُ الْآيَةُ فِي شَيْءٍ وَ تَجْرِي فِي غَيْرِهِ.

H.5524 - In the narration of Muhammad ibn Ahmad ibn Yahya from Muhammad ibn Al-Husayn from Abdullah ibn Al-Mughira from someone who mentioned from Abu Abdullah {a.s}, that Imam {a.s} said in the interpretation of this verse:
"*If you perceive in them sound judgment, then deliver their wealth to them*"
(Surah An-Nisa 4:6).
Imam {a.s} said: "If you see that they love the family of Muhammad {saws}, peace be upon them, then elevate them in status."

[AL SADUQ]

The author of this book, may Allah {SWT} have mercy on him, said: This narration does not contradict what has been previously mentioned. This is because if sound judgment is perceived in a person - meaning the ability to safeguard wealth - then their wealth should be handed over to them. Similarly, if sound judgment is perceived in accepting the truth, they should be tested with it. Moreover, a verse may be revealed regarding a specific matter but can also apply to other situations.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.222 • Al-Wafi, Vol.23 p.1393 • Wasa'il Al-Shi'ah, Vol.19 p.368 • Tafsir Nur Al-Thaqalayn, Vol.1 p.444 • Tafsir Kanz Al-Daqaiq, Vol.3 p.333

CHAPTER 113 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING ONE WHO REFUSES TO TAKE HIS WEALTH AFTER REACHING MATURITY

بَابُ مَا جَاءَ فِيمَنْ يَمْتَنِعُ مِنْ أَخْذِ مَالِهِ بَعْدَ الْبُلُوغِ

HADITH 5525

5525 - رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ عِيسَى عَنْ سَعْدِ بْنِ إِسْمَاعِيلَ عَنْ أَبِيهِ قَالَ : سَأَلْتُ اَلرِّضَا عَلَيْهِ اَلسَّلاَمُ عَنْ وَصِيِّ أَيْتَامٍ يُدْرِكُ أَيْتَامُهُ فَيَعْرِضُ عَلَيْهِمْ أَنْ يَأْخُذُوا اَلَّذِي لَهُمْ فَيَأْبَوْنَ عَلَيْهِ كَيْفَ يَصْنَعُ قَالَ «يَرُدُّ عَلَيْهِمْ وَ يُكْرِهُهُمْ عَلَيْهِ».

H.5525 - Ahmad ibn Muhammad ibn Isa narrated from Sa'd ibn Isma'il from his father, who said: I asked Imam Ali ibn Musa Ar-Ridha {a.s} about the guardian of orphans whose wards have reached maturity. He offers them their rightful wealth, but they refuse to take it. What should he do?
Imam {a.s} said: "He must return their wealth to them and compel them to take it."

[REFERENCES] Al-Kafi, Vol.7 p.68 • Man La Yahduruhu Al-Faqih, Vol.4 p.222 • Tahdhib Al-Ahkam, Vol.9 p.240 • Tahdhib Al-Ahkam, Vol.9 p.245 • Al-Wafi, Vol.24 p.183 • Wasa’il Al-Shi’ah, Vol.19 p.371

CHAPTER 114 – CHAPTER ON THE EXECUTOR WITHHOLDING THE HEIR'S WEALTH AFTER MATURITY, LEADING HIM TO COMMIT ADULTERY DUE TO HIS INABILITY TO MARRY

بَابُ الْوَصِيِّ يَمْنَعُ الْوَارِثَ مَالَهُ بَعْدَ الْبُلُوغِ فَيَزْنِي لِعَجْزِهِ عَنِ التَّزْوِيجِ

HADITH 5526

5526 - رَوَى مُحَمَّدُ بْنُ يَعْقُوبَ اَلْكُلَيْنِيُّ رَضِيَ اَللَّهُ عَنْهُ عَنْ مُحَمَّدِ بْنِ يَحْيَى عَنْ مُحَمَّدِ بْنِ اَلْحُسَيْنِ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَمَّنْ رَوَاهُ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : فِي رَجُلٍ مَاتَ وَ أَوْصَى إِلَى رَجُلٍ وَ لَهُ اِبْنٌ صَغِيرٌ فَأَدْرَكَ اَلْغُلاَمُ وَ ذَهَبَ إِلَى اَلْوَصِيِّ فَقَالَ لَهُ رُدَّ عَلَيَّ مَالِي لِأَتَزَوَّجَ فَأَبَى عَلَيْهِ فَذَهَبَ حَتَّى زَنَى قَالَ «يُلْزَمُ ثُلُثَيْ إِثْمِ زِنَى هَذَا اَلرَّجُلِ ذَلِكَ اَلْوَصِيُّ اَلَّذِي مَنَعَهُ اَلْمَالَ وَ لَمْ يُعْطِهِ فَكَانَ يَتَزَوَّجُ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ مَا وَجَدْتُ هَذَا الْحَدِيثَ إِلَّا فِي كِتَابِ مُحَمَّدِ بْنِ يَعْقُوبَ وَ مَا رَوَيْتُهُ إِلَّا مِنْ طَرِيقِهِ حَدَّثَنِي بِهِ غَيْرُ وَاحِدٍ مِنْهُمْ مُحَمَّدُ بْنُ مُحَمَّدِ بْنِ عِصَامٍ الْكُلَيْنِيُّ رَضِيَ اللَّهُ عَنْهُ عَنْ مُحَمَّدِ بْنِ يَعْقُوبَ.

H.5526 - Muhammad ibn Ya'qub Al-Kulayni, may Allah {SWT} be pleased with him, narrated from Muhammad ibn Yahya from Muhammad ibn Al-Husayn from Muhammad ibn Qays from someone who narrated from Abu Abdullah {a.s}, who said regarding a man who died and appointed someone as the guardian of his affairs while leaving behind a young son.

When the boy grew up, he went to the guardian and said: "Return my wealth to me so I can get married," but the guardian refused. The boy then went and committed adultery.

Abu Abdullah {a.s}, said: "Two-thirds of the sin of this man's adultery is upon the guardian who withheld his wealth and did not give it to him, which would have allowed him to marry."

[AL SADUQ]

The author of this book, may Allah {SWT} have mercy on him, said: I have not found this narration except in the book of Muhammad ibn Ya'qub, and I have not narrated it except through his transmission. More than one person has related it to me, including Muhammad ibn Muhammad ibn Isam Al-Kulayni, may Allah {SWT} be pleased with him, from Muhammad ibn Ya'qub.

[REFERENCES] Al-Kafi, Vol.7 p.69 • Man La Yahduruhu Al-Faqih, Vol.4 p.222 • Al-Wafi, Vol.24 p.183 • Wasa'il Al-Shi'ah, Vol.19 p.370

CHAPTER 115 – CHAPTER ON WHAT HAS BEEN REPORTED REGARDING ONE WHO MAKES A BEQUEST OR FREES A SLAVE WHILE IN DEBT

بَابُ مَا جَاءَ فِيمَنْ أَوْصَى أَوْ أَعْتَقَ وَ عَلَيْهِ دَيْنٌ

HADITH 5527 – 5529

5527 - رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ جَمِيلِ بْنِ دَرَّاجٍ عَنْ زَكَرِيَّا بْنِ أَبِي يَحْيَى اَلسَّعْدِيِّ عَنِ اَلْحَكَمِ بْنِ عُتَيْبَةَ قَالَ : كُنَّا عَلَى بَابِ أَبِي جَعْفَرٍ ع وَ نَحْنُ جَمَاعَةٌ نَنْتَظِرُ أَنْ يَخْرُجَ إِذْ جَاءَتِ اِمْرَأَةٌ فَقَالَتْ أَيُّكُمْ أَبُو جَعْفَرٍ فَقَالَ لَهَا اَلْقَوْمُ مَا تُرِيدِينَ مِنْهُ قَالَتْ أَسْأَلُهُ عَنْ مَسْأَلَةٍ فَقَالُوا لَهَا هَذَا فَقِيهُ أَهْلِ اَلْعِرَاقِ فَاسْأَلِيهِ فَقَالَتْ إِنَّ زَوْجِي مَاتَ وَ تَرَكَ أَلْفَ دِرْهَمٍ وَ كَانَ لِي عَلَيْهِ دَيْنٌ مِنْ صَدَاقِي خَمْسُمِائَةِ دِرْهَمٍ فَأَخَذْتُ صَدَاقِي وَ أَخَذْتُ مِيرَاثِي ثُمَّ جَاءَ رَجُلٌ فَادَّعَى عَلَيْهِ أَلْفَ دِرْهَمٍ فَشَهِدْتُ لَهُ قَالَ اَلْحَكَمُ فَبَيْنَا أَنَا أَحْسُبُ إِذْ خَرَجَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ فَقَالَ «مَا هَذَا اَلَّذِي أَرَاكَ تُحَرِّكُ بِهِ أَصَابِعَكَ يَا حَكَمُ » فَقُلْتُ إِنَّ هَذِهِ اَلْمَرْأَةَ ذَكَرَتْ أَنَّ زَوْجَهَا مَاتَ وَ تَرَكَ أَلْفَ دِرْهَمٍ وَ كَانَ لَهَا عَلَيْهِ مِنْ صَدَاقِهَا خَمْسُمِائَةِ دِرْهَمٍ فَأَخَذَتْ مِنْهُ صَدَاقَهَا وَ أَخَذَتْ مِنْهُ مِيرَاثَهَا ثُمَّ جَاءَ رَجُلٌ فَادَّعَى عَلَيْهِ أَلْفَ دِرْهَمٍ فَشَهِدَتْ لَهُ قَالَ اَلْحَكَمُ فَوَ اَللَّهِ مَا أَتْمَمْتُ اَلْكَلاَمَ حَتَّى قَالَ «أَقَرَّتْ بِثُلُثَيْ مَا فِي يَدَيْهَا وَ لاَ مِيرَاثَ لَهَا» قَالَ اَلْحَكَمُ فَمَا رَأَيْتُ وَ اَللَّهِ أَفْهَمَ مِنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَطُّ. قَالَ ابْنُ أَبِي عُمَيْرٍ وَ تَفْسِيرُ ذَلِكَ أَنَّهُ لَا مِيرَاثَ حَتَّى يُقْضَى اَلدَّيْنُ وَ إِنَّمَا تَرَكَ أَلْفَ دِرْهَمٍ وَ عَلَيْهِ مِنَ اَلدَّيْنِ أَلْفٌ وَ خَمْسُمِائَةِ دِرْهَمٍ لَهَا وَ لِلرَّجُلِ فَلَهَا ثُلُثُ اَلْأَلْفِ لِأَنَّ لَهَا خَمْسَمِائَةِ دِرْهَمٍ وَ لِلرَّجُلِ أَلْفَ دِرْهَمٍ فَلَهُ ثُلُثَاهَا.

H.5527 - Muhammad ibn Abi Umayr narrated from Jamil ibn Darraj from Zakariya ibn Abi Yahya Al-Sa'di from Al-Hakam ibn Utaibah, who said:
We were sitting at the door of Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, as a group waiting for him to come out. Suddenly, a woman approached and asked: “Which of you is Abu Ja'far?"
The people replied: “What do you need from him?" She said: “I want to ask him a question."
They told her: "This is the jurist of the people of Iraq, so ask him."
She said: “My husband passed away and left behind one thousand dirhams. I had a debt upon him from my dowry of five hundred dirhams. I took my dowry and also took my share of the inheritance. Then a man came and claimed that the deceased owed him one thousand dirhams, and I testified in his favor."
Al-Hakam said: While I was pondering this, Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, came out and said: “What is this that I see you counting with your fingers, O’ Hakam?"
I said: “This woman mentioned that her husband died, leaving one thousand dirhams. She had five hundred dirhams as her dowry, which she took, and she also took her

share of the inheritance. Then a man came claiming that the deceased owed him one thousand dirhams, and she testified in his favor."
Al-Hakam said: By Allah {SWT}, I had not even finished speaking when Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, said:
“She has admitted to two-thirds of what she possesses, and she has no right to any inheritance."
Al-Hakam said: By Allah {SWT}, I have never seen anyone more insightful than Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}.
Ibn Abi Umayr said: The explanation of this is that there is no inheritance until debts are settled.
The deceased only left one thousand dirhams, while he owed a total debt of one thousand five hundred dirhams - five hundred dirhams to her (as her dowry) and one thousand dirhams to the man. Therefore, she is entitled to one-third of the remaining amount because of her five hundred dirham debt, and the man is entitled to two-thirds due to his claim of one thousand dirhams.

[REFERENCES] Al-Kafi, Vol.7 p.24 • Man La Yahduruhu Al-Faqih, Vol.4 p.223 • Al-Wafi, Vol.16 p.1107

HADITH

5528 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ جَمِيلِ بْنِ دَرَّاجٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ أَعْتَقَ مَمْلُوكَهُ عِنْدَ مَوْتِهِ وَ عَلَيْهِ دَيْنٌ فَقَالَ «إِنْ كَانَ قِيمَتُهُ مِثْلَ اَلَّذِي عَلَيْهِ وَ مِثْلَهُ جَازَ عِتْقُهُ وَ إِلاَّ لَمْ يَجُزْ».

H.5528 - Ibn Abi Umayr narrated from Jamil ibn Darraj from Abu Abdullah {a.s}, regarding a man who freed his slave at the time of his death while he had a debt upon him.
Imam {a.s} said: "If the value of the slave is equal to the amount of debt he owes or more, then his emancipation is valid; otherwise, it is not valid."

[REFERENCES] Al-Kafi, Vol.7 p.27 • Man La Yahduruhu Al-Faqih, Vol.3 p.118 • Man La Yahduruhu Al-Faqih, Vol.4 p.224 • Tahdhib Al-Ahkam, Vol.8 p.232 • Tahdhib Al-Ahkam, Vol.9 p.218 • Al-Istibsar, Vol.4 p.7 • Al-Wafi, Vol.10 p.621 • Wasa’il Al-Shi’ah, Vol.19 p.356

HADITH

5529 - وَ فِي رِوَايَةِ أَبَانِ بْنِ عُثْمَانَ قَالَ : سَأَلَ رَجُلٌ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ أَوْصَى إِلَى رَجُلٍ أَنَّ عَلَيْهِ دَيْناً فَقَالَ «يَقْضِي اَلرَّجُلُ مَا عَلَيْهِ مِنْ دَيْنِهِ وَ يَقْسِمُ مَا بَقِيَ بَيْنَ اَلْوَرَثَةِ» قُلْتُ فَيُفَرِّقُ اَلْوَصِيُّ مَا كَانَ أُوصِيَ بِهِ فِي اَلدَّيْنِ مِمَّنْ يُؤْخَذُ اَلدَّيْنُ أَ مِنَ اَلْوَرَثَةِ أَمْ مِنَ اَلْوَصِيِّ فَقَالَ «لاَ يُؤْخَذُ مِنَ اَلْوَرَثَةِ وَ لَكِنَّ اَلْوَصِيَّ ضَامِنٌ لَهُ».

H.5529 - In the narration of Aban ibn Uthman, it is reported that a man asked Abu Abdullah {a.s}, about a man who had made a will appointing someone as his executor, stating that he had a debt upon him.
Abu Abdullah {a.s}, said: "The executor should settle the debt owed by the deceased and then distribute whatever remains among the heirs."
The man then asked: "Should the executor distribute what was bequeathed for the debt? Should the debt be collected from the heirs or from the executor?"
Imam {a.s} replied: "It is not to be taken from the heirs; rather, the executor is responsible for it."

[REFERENCES] Al-Kafi, Vol.7 p.24 • Man La Yahduruhu Al-Faqih, Vol.4 p.224 • Tahdhib Al-Ahkam, Vol.9 p.168 • Al-Istibsar, Vol.4 p.117 • Al-Wafi, Vol.24 p.156 • Wasa'il Al-Shi'ah, Vol.19 p.347

CHAPTER 116 – CHAPTER ON THE CLEARANCE OF THE DECEASED'S LIABILITY FROM DEBT WHEN SOMEONE GUARANTEES IT FOR THE CREDITORS WITH THEIR CONSENT

بَابُ بَرَاءَةِ ذِمَّةِ الْمَيِّتِ مِنَ الدَّيْنِ بِضَمَانِ مَنْ يَضْمَنُهُ لِلْغُرَمَاءِ بِرِضَاهُمْ

HADITH 5530

5530 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اَلرَّجُلِ يَمُوتُ وَ عَلَيْهِ دَيْنٌ فَيَضْمَنُهُ ضَامِنٌ لِلْغُرَمَاءِ قَالَ «إِذَا رَضِيَ اَلْغُرَمَاءُ فَقَدْ بَرِئَتْ ذِمَّةُ اَلْمَيِّتِ».

H.5530 - Al-Hasan ibn Mahbub narrated from Abdullah ibn Sinan from Abu Abdullah {a.s}, regarding a man who dies while owing a debt, and a guarantor assumes responsibility for it on behalf of the creditors.
Imam {a.s} said: "If the creditors agree, then the deceased is cleared of responsibility."

[REFERENCES] Al-Kafi, Vol.5 p.99 • Al-Kafi, Vol.7 p.25 • Man La Yahduruhu Al-Faqih, Vol.3 p.189 • Man La Yahduruhu Al-Faqih, Vol.4 p.225 • Tahdhib Al-Ahkam, Vol.6 p.187 • Tahdhib Al-Ahkam, Vol.9 p.167 • Al-Wafi, Vol.18 p.790 • Wasa'il Al-Shi'ah, Vol.18 p.346 • Wasa'il Al-Shi'ah, Vol.18 p.422 • Wasa'il Al-Shi'ah, Vol.19 p.426

CHAPTER 117 – CHAPTER ON A SOLD ITEM THAT REMAINS INTACT WHEN THE BUYER DIES WHILE IN DEBT AND OWING ITS PRICE

بَابُ الْمَبِيعِ إِذَا كَانَ قَائِماً بِعَيْنِهِ وَ مَاتَ الْمُشْتَرِي وَ عَلَيْهِ دَيْنٌ وَ ثَمَنُ الْمَبِيعِ

HADITH 5531

5531 - رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ جَمِيلِ بْنِ دَرَّاجٍ عَنْ بَعْضِ أَصْحَابِنَا عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ بَاعَ مَتَاعاً مِنْ رَجُلٍ فَقَبَضَ اَلْمُشْتَرِي اَلْمَتَاعَ وَ لَمْ يَدْفَعِ اَلثَّمَنَ ثُمَّ مَاتَ اَلْمُشْتَرِي وَ اَلْمَتَاعُ قَائِمٌ بِعَيْنِهِ فَقَالَ «إِذَا كَانَ اَلْمَتَاعُ قَائِماً بِعَيْنِهِ رُدَّ إِلَى صَاحِبِ اَلْمَتَاعِ وَ لَيْسَ لِلْغُرَمَاءِ أَنْ يُخَاصِمُوهُ».

H.5531 - Muhammad ibn Abi Umayr narrated from Jamil ibn Darraj from one of our companions from Abu Abdullah {a.s}, regarding a man who sold merchandise to another man.
The buyer took possession of the merchandise but did not pay the price, and then the buyer died while the merchandise was still in its original form.
Imam {a.s} said: "If the merchandise remains in its original state, it should be returned to the seller, and the creditors have no right to dispute over it."

[REFERENCES] Al-Kafi, Vol.7 p.24 • Man La Yahduruhu Al-Faqih, Vol.4 p.225 • Tahdhib Al-Ahkam, Vol.9 p.166 • Al-Istibsar, Vol.4 p.116 • Al-Wafi, Vol.18 p.821 • Wasa'il Al-Shi'ah, Vol.18 p.414

CHAPTER 118 – CHAPTER ON SETTLING DEBT FROM BLOOD MONEY (DIYYAH)

بَابُ قَضَاءِ الدَّيْنِ مِنَ الدِّيَةِ

HADITH 5532

5532 - رَوَى صَفْوَانُ بْنُ يَحْيَى اَلْأَزْرَقُ عَنْ أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ : فِي اَلرَّجُلِ يُقْتَلُ وَ عَلَيْهِ دَيْنٌ وَ لَمْ يَتْرُكْ مَالاً فَأَخَذَ أَهْلُهُ اَلدِّيَةَ مِنْ قَاتِلِهِ عَلَيْهِمْ أَنْ يَقْضُوا دَيْنَهُ قَالَ «نَعَمْ» قُلْتُ وَ هُوَ لَمْ يَتْرُكْ شَيْئاً قَالَ «إِنَّمَا أَخَذُوا دِيَتَهُ فَعَلَيْهِمْ أَنْ يَقْضُوا دَيْنَهُ».

H.5532 - Safwan ibn Yahya Al-Azraq narrated from Abu Al-Hasan {a.s}, regarding a man who was killed while owing a debt and left behind no wealth.
His family took the blood money (diyyah) from his killer.
Should they use it to settle his debt?
Imam {a.s} said: "Yes."
I asked: “Even though he left nothing behind?"
Imam {a.s} replied: "They took his blood money, so they must use it to settle his debt."

[REFERENCES] Al-Kafi, Vol.7 p.25 • Man La Yahduruhu Al-Faqih, Vol.4 p.225 • Tahdhib Al-Ahkam, Vol.9 p.167 • Tahdhib Al-Ahkam, Vol.9 p.245 • Al-Wafi, Vol.18 p.796 • Wasa’il Al-Shi’ah, Vol.18 p.364 • Wasa’il Al-Shi’ah, Vol.19 p.336

CHAPTER 119 – CHAPTER ON THE DISAPPROVAL OF APPOINTING A WOMAN AS AN EXECUTOR OF A BEQUEST

بَابُ كَرَاهِيَةِ الْوَصِيَّةِ إِلَى الْمَرْأَةِ

HADITH 5533 – 5534

5533 - رَوَى اَلسَّكُونِيُّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ آبَائِهِ عَلَيْهِمُ اَلسَّلاَمُ قَالَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «اَلْمَرْأَةُ لاَ يُوصَى إِلَيْهَا لِأَنَّ اَللَّهَ عَزَّ وَ جَلَّ يَقُولُ ﴿ وَ لاٰ تُؤْتُوا اَلسُّفَهٰاءَ أَمْوٰالَكُمُ ﴾.

H.5533 - Al-Sakuni narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, from his forefathers, peace be upon them, who said that the Commander of the Faithful {a.s} said:
"A woman should not be appointed as an executor of a will because Allah {SWT}, the Almighty and Glorious, says: *"And do not give the weak-minded your wealth"* (Surah An-Nisa 4:5)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.226 • Tahdhib Al-Ahkam, Vol.9 p.245 • Al-Istibsar, Vol.4 p.140 • Al-Wafi, Vol.24 p.170 • Wasa'il Al-Shi'ah, Vol.19 p.379 • Tafsir Al-Burhan, Vol.2 p.24 • Tafsir Nur Al-Thaqalayn, Vol.1 p.442

HADITH

5534 - وَ فِي خَبَرٍ آخَرَ : سُئِلَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ «وَ لاٰ تُؤْتُوا اَلسُّفَهٰاءَ أَمْوٰالَكُمُ» قَالَ «لاَ تُؤْتُوهَا شَارِبَ اَلْخَمْرِ وَ لاَ اَلنِّسَاءَ» ثُمَّ قَالَ «وَ أَيُّ سَفِيهٍ أَسْفَهُ مِنْ شَارِبِ اَلْخَمْرِ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ إِنَّمَا يَعْنِي كَرَاهَةَ اخْتِيَارِ الْمَرْأَةِ لِلْوَصِيَّةِ فَمَنْ أَوْصَى إِلَيْهَا لَزِمَهَا الْقِيَامُ بِالْوَصِيَّةِ عَلَى مَا تُؤْمَرُ بِهِ وَ يُوصَى إِلَيْهَا فِيهِ إِنْ شَاءَ اللَّهُ تَعَالَى.

H.5534 - In another narration, Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, was asked about the saying of Allah {SWT}, the Almighty and Glorious:
"*And do not give the weak-minded your wealth*." (Qur'an 4:5).
Imam {a.s} said: "Do not give it to one who drinks alcohol or to women."
Then Imam {a.s} added: "And who is more foolish than a person who drinks alcohol?"

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, commented:
This implies a dislike for appointing a woman as an executor of a will. However, if someone appoints her, she must fulfill the responsibility of the will as instructed. It is also permissible to appoint her for certain matters of the will, if Allah {SWT}, the Exalted, wills.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.226 • Wasa'il Al-Shi'ah, Vol.19 p.379 • Tafsir Nur Al-Thaqalayn, Vol.1 p.442 • Tafsir Kanz Al-Daqaiq, Vol.3 p.329

CHAPTER 120 – CHAPTER ON THE OBLIGATION OF THE EXECUTOR OF THE EXECUTOR IN FULFILLING THE BEQUEST

بَابُ مَا يَجِبُ عَلَى وَصِيِّ الْوَصِيِّ مِنَ الْقِيَامِ بِالْوَصِيَّةِ

HADITH 5535

5535 - كَتَبَ مُحَمَّدُ بْنُ اَلْحَسَنِ اَلصَّفَّارُ رَضِيَ اَللَّهُ عَنْهُ إِلَى أَبِي مُحَمَّدٍ اَلْحَسَنِ بْنِ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ : رَجُلٌ كَانَ وَصِيَّ رَجُلٍ فَمَاتَ وَ أَوْصَى إِلَى رَجُلٍ آخَرَ هَلْ يَلْزَمُ اَلْوَصِيَّ وَصِيَّةُ اَلرَّجُلِ اَلَّذِي كَانَ هَذَا وَصِيَّهُ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «يَلْزَمُهُ بِحَقِّهِ إِنْ كَانَ لَهُ قِبَلَهُ حَقٌّ إِنْ شَاءَ اَللَّهُ».

H.5535 - Muhammad ibn Al-Hasan Al-Saffar, may Allah {SWT} be pleased with him, wrote to Abu Muhammad Imam Hasan ibn Ali Al-Askari {a.s}, asking:
“A man was the executor of another man's will, and then he died and appointed another man as his executor. Is the second executor obligated to fulfill the will of the man for whom the first executor was appointed?"
Imam {a.s} wrote in response: "He is obligated by his right if there is a rightful claim upon him, if Allah {SWT} wills."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.226 • Tahdhib Al-Ahkam, Vol.9 p.215 • Al-Wafi, Vol.24 p.174 • Wasa’il Al-Shi’ah, Vol.19 p.402

CHAPTER 121 – CHAPTER ON A MAN WHO BEQUEATHS A PORTION OF HIS WEALTH TO ANOTHER AND IS THEN KILLED BY MISTAKE

بَابُ الرَّجُلِ يُوصِي مِنْ مَالِهِ بِشَيْءٍ لِرَجُلٍ ثُمَّ يُقْتَلُ خَطَأً

HADITH 5536 – 5537

5536 - رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ قَالَ : قُلْتُ لَهُ رَجُلٌ أَوْصَى لِرَجُلٍ بِوَصِيَّةٍ مِنْ مَالِهِ ثُلُثٍ أَوْ رُبُعٍ فَيُقْتَلُ اَلرَّجُلُ خَطَأً يَعْنِي اَلْمُوصِيَ فَقَالَ «تُجَازُ لِهَذَا اَلْوَصِيَّةُ مِنْ مَالِهِ وَ مِنْ دِيَتِهِ ».

H.5536 - Asim ibn Humayd narrated from Muhammad ibn Qays, who said:
I asked Imam {a.s} about a man who bequeathed a portion of his wealth - a third or a fourth - to another man. Then, the man (the testator) was mistakenly killed.
Imam {a.s} said: "The will is to be executed from his wealth and from his blood money (diyyah)."

[REFERENCES] Al-Kafi, Vol.7 p.63 • Man La Yahduruhu Al-Faqih, Vol.4 p.227 • Tahdhib Al-Ahkam, Vol.9 p.207 • Al-Wafi, Vol.24 p.57 • Wasa'il Al-Shi'ah, Vol.19 p.285

HADITH

5537 - وَ فِي خَبَرٍ آخَرَ : سُئِلَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ أَوْصَى بِثُلُثِ مَالِهِ ثُمَّ قُتِلَ خَطَأً قَالَ «ثُلُثُ دِيَتِهِ دَاخِلٌ فِي وَصِيَّتِهِ».

H.5537 - In another narration, Abu Abdullah {a.s}, was asked about a man who had bequeathed one-third of his wealth and was then killed by mistake.
Imam {a.s} said: "One-third of his blood money (diyyah) is included in his bequest."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.227 • Al-Wafi, Vol.24 p.58

CHAPTER 122 – CHAPTER ON A MAN WHO APPOINTS ANOTHER AS THE GUARDIAN OF HIS CHILDREN AND THEIR WEALTH, PERMITTING HIM AT THE TIME OF THE BEQUEST TO INVEST THE WEALTH, WITH THE PROFITS SHARED BETWEEN HIM AND THEM

بَابُ الرَّجُلِ يُوصِي إِلَى رَجُلٍ بِوُلْدِهِ وَ مَالٍ لَهُمْ وَ أَذِنَ لَهُ عِنْدَ الْوَصِيَّةِ أَنْ يَعْمَلَ بِالْمَالِ وَ الرِّبْحُ بَيْنَهُ وَ بَيْنَهُمْ

HADITH 5538 – 5539

5538 - رَوَى مُحَمَّدُ بْنُ يَعْقُوبَ اَلْكُلَيْنِيُّ رَضِيَ اَللَّهُ عَنْهُ قَالَ حَدَّثَنِي أَحْمَدُ بْنُ مُحَمَّدٍ اَلْعَاصِمِيُّ عَنْ عَلِيِّ بْنِ اَلْحَسَنِ اَلْمِيثَمِيِّ عَنِ اَلْحَسَنِ بْنِ عَلِيِّ بْنِ يُوسُفَ عَنْ مُثَنَّى بْنِ اَلْوَلِيدِ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ سُئِلَ عَنْ رَجُلٍ أَوْصَى إِلَى رَجُلٍ بِوُلْدِهِ وَ مَالٍ لَهُمْ وَ أَذِنَ لَهُ عِنْدَ اَلْوَصِيَّةِ أَنْ يَعْمَلَ بِالْمَالِ وَ يَكُونُ اَلرِّبْحُ بَيْنَهُ وَ بَيْنَهُمْ فَقَالَ «لاَ بَأْسَ بِهِ مِنْ أَجْلِ أَنَّ أَبَاهُ قَدْ أَذِنَ لَهُ فِي ذَلِكَ وَ هُوَ حَيٌّ».

H.5538 - Muhammad ibn Ya'qub Al-Kulayni, may Allah {SWT} be pleased with him, narrated from Ahmad ibn Muhammad Al-'Asimi from Ali ibn Al-Hasan Al-Mithami from Al-Hasan ibn Ali ibn Yusuf from Mathanna ibn Al-Walid from Muhammad ibn Muslim from Abu Abdullah {a.s}, who was asked about a man who appointed another man as the guardian over his children and their wealth. He also permitted him, in his will, to invest the wealth with the profit being shared between him and the children.
Imam {a.s} said: "There is no harm in that because their father had granted him permission to do so while he was alive."

[REFERENCES] Al-Kafi, Vol.7 p.62 • Man La Yahduruhu Al-Faqih, Vol.4 p.227 • Tahdhib Al-Ahkam, Vol.9 p.236 • Awali Al-La'ali, Vol.3 p.275 • Al-Wafi, Vol.24 p.91 • Wasa'il Al-Shi'ah, Vol.19 p.427

HADITH

5539 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ عَبْدِ اَلرَّحْمَنِ بْنِ اَلْحَجَّاجِ عَنْ خَالِدٍ اَلطَّوِيلِ قَالَ : دَعَانِي أَبِي حِينَ حَضَرَتْهُ اَلْوَفَاةُ فَقَالَ يَا بُنَيَّ اِقْبِضْ مَالَ إِخْوَتِكَ اَلصِّغَارِ وَ اِعْمَلْ بِهِ وَ خُذْ نِصْفَ اَلرِّبْحِ وَ أَعْطِهِمُ اَلنِّصْفَ وَ لَيْسَ عَلَيْكَ ضَمَانٌ فَقَدَّمَتْنِي أُمُّ وَلَدِ أَبِي بَعْدَ وَفَاةِ أَبِي إِلَى اِبْنِ أَبِي لَيْلَى فَقَالَتْ إِنَّ هَذَا يَأْكُلُ أَمْوَالَ وُلْدِي قَالَ فَقَصَصْتُ عَلَيْهِ مَا أَمَرَنِي بِهِ أَبِي فَقَالَ اِبْنُ أَبِي لَيْلَى إِنْ كَانَ أَبُوكَ أَمَرَكَ بِالْبَاطِلِ لَمْ أُجِزْهُ ثُمَّ أَشْهَدَ عَلَيَّ اِبْنُ أَبِي لَيْلَى إِنْ أَنَا حَرَّكْتُهُ فَأَنَا لَهُ ضَامِنٌ فَدَخَلْتُ عَلَى أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ بَعْدُ فَاقْتَصَصْتُ عَلَيْهِ قِصَّتِي ثُمَّ قُلْتُ لَهُ مَا تَرَى فَقَالَ «أَمَّا قَوْلُ اِبْنِ أَبِي لَيْلَى فَلاَ أَسْتَطِيعُ رَدَّهُ وَ أَمَّا فِيمَا بَيْنَكَ وَ بَيْنَ اَللَّهِ عَزَّ وَ جَلَّ فَلَيْسَ عَلَيْكَ ضَمَانٌ».

H.5539 - Ibn Abi Umayr narrated from Abdur Rahman ibn Al-Hajjaj from Khalid Al-Taweel, who said: My father called me when death approached him and said:
“O’ my son, take charge of your younger brothers' wealth, invest it, take half of the profit for yourself, and give them the other half. You are not liable for any loss."
After my father's death, my father's concubine brought me before Ibn Abi Layla and said:
“This man is consuming the wealth of my children."
I explained to him what my father had instructed me to do.
Ibn Abi Layla said: “If your father commanded you with something invalid, I will not permit it." Then he had me testify that if I used the wealth, I would be liable for it.
Later, I went to Abu Abdullah {a.s}, and narrated my story to him.
I then asked: “What do you say about this matter?"
Imam {a.s} said: "As for the ruling of Ibn Abi Layla, I cannot overturn it. But as for what is between you and Allah {SWT}, the Almighty and Glorious, you are not liable."

[REFERENCES] Al-Kafi, Vol.7 p.61 • Man La Yahduruhu Al-Faqih, Vol.4 p.228 • Tahdhib Al-Ahkam, Vol.9 p.236 • Al-Wafi, Vol.24 p.91 • Wasa’il Al-Shi’ah, Vol.19 p.427

CHAPTER 123 – CHAPTER ON THE ACKNOWLEDGMENT OF DEBT BY A SICK PERSON IN FAVOR OF AN HEIR

بَابُ إِقْرَارِ الْمَرِيضِ لِلْوَارِثِ بِدَيْنٍ

HADITH 5540 – 5543

5540 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ إِسْمَاعِيلَ بْنِ جَابِرٍ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ أَقَرَّ لِوَارِثٍ لَهُ وَ هُوَ مَرِيضٌ بِدَيْنٍ عَلَيْهِ فَقَالَ «يَجُوزُ إِذَا كَانَ اَلَّذِي أَقَرَّ بِهِ دُونَ اَلثُّلُثِ».

H.5540 - Al-Hasan ibn Mahbub narrated from Hisham ibn Salim from Isma'il ibn Jabir, who said: I asked Abu Abdullah {a.s}, about a man who, while ill and in debt, acknowledged a right for one of his heirs.
Imam {a.s} said: "It is permissible if what he acknowledged is less than one-third (of his wealth)."

[REFERENCES] Al-Kafi, Vol.7 p.42 • Man La Yahduruhu Al-Faqih, Vol.4 p.228 • Tahdhib Al-Ahkam, Vol.9 p.160 • Al-Istibsar, Vol.4 p.112 • Al-Wafi, Vol.24 p.161 • Wasa’il Al-Shi’ah, Vol.19 p.292

HADITH

5541 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : قُلْتُ لَهُ اَلرَّجُلُ يُقِرُّ لِوَارِثٍ بِدَيْنٍ عَلَيْهِ فَقَالَ «يَجُوزُ إِذَا كَانَ مَلِيّاً».

H.5541 - Hammad narrated from Al-Halabi from Abu Abdullah {a.s}, who said:
‘I asked Imam {a.s} about a man who acknowledges a debt to one of his heirs.’
Imam {a.s} said: "It is permissible if he is solvent (financially capable)."

[REFERENCES] Al-Kafi, Vol.7 p.41 • Man La Yahduruhu Al-Faqih, Vol.4 p.229 • Tahdhib Al-Ahkam, Vol.9 p.159 • Al-Istibsar, Vol.4 p.111 • Al-Wafi, Vol.24 p.159 • Wasa’il Al-Shi’ah, Vol.19 p.292

HADITH

5542 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ مَنْصُورِ بْنِ حَازِمٍ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ أَوْصَى لِبَعْضِ وَرَثَتِهِ بِأَنَّ لَهُ عَلَيْهِ دَيْناً فَقَالَ «إِنْ كَانَ اَلْمَيِّتُ مَرْضِيّاً فَأَعْطِهِ اَلَّذِي أَوْصَى لَهُ».

H.5542 - Safwan ibn Yahya narrated from Mansur ibn Hazim, who said:
‘I asked Abu Abdullah {a.s}, about a man who, in his will, acknowledged a debt to one of his heirs.’
Imam {a.s} said: "If the deceased was in a sound state of health, then give him what was bequeathed to him."

[REFERENCES] Al-Kafi, Vol.7 p.41 • Man La Yahduruhu Al-Faqih, Vol.4 p.229 • Tahdhib Al-Ahkam, Vol.9 p.159 • Al-Istibsar, Vol.4 p.111 • Al-Wafi, Vol.24 p.160 • Wasa’il Al-Shi’ah, Vol.19 p.291 • Wasa’il Al-Shi’ah, Vol.23 p.183

HADITH

5543 - وَ رَوَى عَلِيُّ بْنُ اَلنُّعْمَانِ عَنِ اِبْنِ مُسْكَانَ عَنِ اَلْعَلاَءِ بَيَّاعِ اَلسَّابِرِيِّ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنِ اِمْرَأَةٍ اِسْتَوْدَعَتْ رَجُلاً مَالاً فَلَمَّا حَضَرَهَا اَلْمَوْتُ قَالَتْ لَهُ إِنَّ اَلْمَالَ اَلَّذِي دَفَعْتُهُ إِلَيْكَ لِفُلاَنَةَ وَ مَاتَتِ اَلْمَرْأَةُ فَأَتَى أَوْلِيَاؤُهَا اَلرَّجُلَ وَ قَالُوا إِنَّهُ كَانَ لِصَاحِبَتِنَا مَالٌ لاَ نَرَاهُ إِلاَّ عِنْدَكَ فَاحْلِفْ لَنَا مَا قِبَلَكَ شَيْءٌ أَ فَيَحْلِفُ لَهُمْ فَقَالَ «إِنْ كَانَتْ مَأْمُونَةً عِنْدَهُ فَلْيَحْلِفْ وَ إِنْ كَانَتْ مُتَّهَمَةً فَلاَ يَحْلِفُ وَ يَضَعُ اَلْأَمْرَ عَلَى مَا كَانَ فَإِنَّمَا لَهَا مِنْ مَالِهَا ثُلُثُهُ».

H.5543 - Ali ibn Al-Nu'man narrated from Ibn Muskan from Al-'Alaa, the seller of sabiri (a type of cloth), who said: I asked Abu Abdullah {a.s}, about a woman who entrusted a man with some wealth. When death approached her, she said to him, "The wealth I gave you belongs to so-and-so," and then the woman passed away.
Her heirs came to the man and said: “Our relative had wealth, and we believe it is with you. Swear to us that you have nothing of hers." Should he swear to them?
Imam {a.s} said: "If she was trustworthy in his view, then he should swear. But if she was suspect, then he should not swear and should leave the matter as it is. Indeed, she only has a right to one-third of her wealth."

[REFERENCES] Al-Kafi, Vol.7 p.42 • Al-Kafi, Vol.7 p.462 • Man La Yahduruhu Al-Faqih, Vol.4 p.229 • Tahdhib Al-Ahkam, Vol.8 p.294 • Tahdhib Al-Ahkam, Vol.9 p.160 • Al-Istibsar, Vol.4 p.112 • Al-Wafi, Vol.24 p.160 • Wasa’il Al-Shi’ah, Vol.19 p.291 • Wasa’il Al-Shi’ah, Vol.23 p.278

CHAPTER 124 – CHAPTER ON THE ACKNOWLEDGMENT OF EMANCIPATION OR DEBT BY SOME OF THE HEIRS

بَابُ إِقْرَارِ بَعْضِ الْوَرَثَةِ بِعِتْقٍ أَوْ دَيْنٍ

HADITH 5544 – 5546

5544 - رَوَى يُونُسُ بْنُ عَبْدِ اَلرَّحْمَنِ عَنْ مَنْصُورِ بْنِ حَازِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَ : فِي رَجُلٍ مَاتَ وَ تَرَكَ عَبْداً فَشَهِدَ بَعْضُ وُلْدِهِ أَنَّ أَبَاهُ أَعْتَقَهُ فَقَالَ «تَجُوزُ عَلَيْهِ شَهَادَتُهُ وَ لاَ يُغْرَمُ وَ يُسْتَسْعَى اَلْغُلاَمُ فِيمَا كَانَ لِغَيْرِهِ مِنَ اَلْوَرَثَةِ».

H.5544 - Yunus ibn Abd Al-Rahman narrated from Mansur ibn Hazim from Abu Abdullah {a.s}, regarding a man who died and left behind a slave. One of his children testified that their father had freed the slave.
Imam {a.s} said: "His testimony is accepted, and he is not held financially responsible. However, the slave must work to compensate the share that belonged to the other heirs."

[REFERENCES] Al-Kafi, Vol.7 p.42 • Man La Yahduruhu Al-Faqih, Vol.4 p.230 • Tahdhib Al-Ahkam, Vol.9 p.163 • Al-Wafi, Vol.25 p.944 • Wasa'il Al-Shi'ah, Vol.19 p.323

HADITH

5545 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ مُحَمَّدِ بْنِ أَبِي حَمْزَةَ وَ حُسَيْنِ بْنِ عُثْمَانَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ مَاتَ فَأَقَرَّ بَعْضُ وَرَثَتِهِ لِرَجُلٍ بِدَيْنٍ فَقَالَ «يَلْزَمُهُ ذَلِكَ فِي حِصَّتِهِ».

H.5545 - Ibn Abi Umayr narrated from Muhammad ibn Abi Hamzah and Husayn ibn Uthman from Ishaq ibn Ammar from Abu Abdullah {a.s}, regarding a man who died, and some of his heirs acknowledged a debt owed by the deceased to another man.
Imam {a.s} said: "That acknowledgment is binding upon the share of the one who made the acknowledgment."

[REFERENCES] Al-Kafi, Vol.7 p.43 • Al-Kafi, Vol.7 p.168 • Man La Yahduruhu Al-Faqih, Vol.4 p.230 • Tahdhib Al-Ahkam, Vol.6 p.190 • Tahdhib Al-Ahkam, Vol.6 p.310 • Tahdhib Al-Ahkam, Vol.9 p.163 • Al-Istibsar, Vol.3 p.7 • Al-Istibsar, Vol.4 p.115 • Al-Wafi, Vol.25 p.945 • Wasa'il Al-Shi'ah, Vol.19 p.324

HADITH

5546 - وَ فِي حَدِيثٍ آخَرَ : «أَنَّهُ إِذَا شَهِدَ اِثْنَانِ مِنَ اَلْوَرَثَةِ وَ كَانَا عَدْلَيْنِ أُجِيزَ ذَلِكَ عَلَى اَلْوَرَثَةِ وَ إِنْ لَمْ يَكُونَا عَدْلَيْنِ أُلْزِمَا ذَلِكَ فِي حِصَّتِهِمَا».

H.5546 - In another narration: "If two of the heirs testify and they are both just, their testimony is accepted and binding upon all the heirs. However, if they are not just, the obligation is only enforced upon their respective shares."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.230 • Wasa'il Al-Shi'ah, Vol.19 p.326 • Al-Fusul Al-Muhimmah, Vol.2 p.317

CHAPTER 125 – CHAPTER ON A MAN WHO DIES WHILE IN DEBT AND HAS DEPENDENTS

بَابُ الرَّجُلِ يَمُوتُ وَ عَلَيْهِ دَيْنٌ وَ لَهُ عِيَالٌ

HADITH 5547

5547 - رَوَى اِبْنُ أَبِي نَصْرٍ اَلْبَزَنْطِيُّ بِإِسْنَادِهِ : أَنَّهُ سُئِلَ عَنْ رَجُلٍ يَمُوتُ وَ يَتْرُكُ عِيَالاً وَ عَلَيْهِ دَيْنٌ فَيُنْفَقُ عَلَيْهِمْ مِنْ مَالِهِ قَالَ «إِنِ اُسْتُوقِنَ أَنَّ اَلَّذِي عَلَيْهِ يُحِيطُ بِجَمِيعِ اَلْمَالِ فَلاَ يُنْفَقُ عَلَيْهِمْ وَ إِنْ لَمْ يُسْتَيْقَنْ فَلْيُنْفَقْ عَلَيْهِمْ مِنْ وَسَطِ اَلْمَالِ».

H.5547 - Ibn Abi Nasr Al-Bazanti narrated through his chain of transmission that he was asked about a man who dies, leaving behind a family while owing a debt. Should his family be provided for from his wealth?
Imam {a.s} said: "If it is certain that the debt encompasses all of his wealth, then nothing should be spent on them. However, if it is not certain, then they should be provided for moderately from his wealth."

[REFERENCES] Al-Kafi, Vol.7 p.43 • Man La Yahduruhu Al-Faqih, Vol.4 p.230 • Tahdhib Al-Ahkam, Vol.9 p.164 • Al-Istibsar, Vol.4 p.115 • Al-Wafi, Vol.24 p.157 • Wasa'il Al-Shi'ah, Vol.19 p.332

CHAPTER 126 – CHAPTER ON RARE CASES OF BEQUESTS

بَابُ نَوَادِرِ الْوَصَايَا

HADITH 5548 – 5566

5548 - رَوَى مُحَمَّدُ بْنُ يَعْقُوبَ اَلْكُلَيْنِيُّ رَضِيَ اَللَّهُ عَنْهُ عَنْ حُمَيْدِ بْنِ زِيَادٍ عَنِ اَلْحَسَنِ بْنِ مُحَمَّدِ بْنِ سَمَاعَةَ عَنْ عَبْدِ اَللَّهِ بْنِ جَبَلَةَ وَ غَيْرِهِ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «أَعْتَقَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ مِنْ غِلْمَانِهِ عِنْدَ مَوْتِهِ شِرَارَهُمْ وَ أَمْسَكَ خِيَارَهُمْ فَقُلْتُ لَهُ يَا أَبَتِ تُعْتِقُ هَؤُلاَءِ وَ تُمْسِكُ هَؤُلاَءِ فَقَالَ «إِنَّهُمْ قَدْ أَصَابُوا مِنِّي ضَرْباً فَيَكُونُ هَذَا بِهَذَا» ».

H.5548 - Muhammad ibn Ya'qub Al-Kulayni, may Allah {SWT} be pleased with him, narrated from Humayd ibn Ziyad from Al-Hasan ibn Muhammad ibn Sama'ah from Abdullah ibn Jabalah and others from Ishaq ibn Ammar from Abu Basir from Abu Abdullah {a.s}, who said:
"Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, freed the worst of his servants at the time of his death and kept the best of them.
I (Al-Sadiq {a.s}) said to him (Al-Baqir {a.s}): 'O' my father, you are freeing these and keeping those?'
He (Al Baqir {a.s}) replied: ''They have suffered beatings from me, so this is to balance that (their wrongdoings).'"

[REFERENCES] Al-Kafi, Vol.7 p.55 • Man La Yahduruhu Al-Faqih, Vol.4 p.231 • Tahdhib Al-Ahkam, Vol.9 p.232 • Tahdhib Al-Ahkam, Vol.9 p.246 • Al-Wafi, Vol.10 p.591 • Wasa'il Al-Shi'ah, Vol.19 p.419 • Bihar Al-Anwar, Vol.46 p.300 • Awalim Al-Uloom, Vol.19 p.252

HADITH

5549 - وَ رَوَى اَلْحَسَنُ بْنُ عَلِيٍّ اَلْوَشَّاءُ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ عُمَرَ بْنِ يَزِيدَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «مَرِضَ عَلِيُّ بْنُ اَلْحُسَيْنِ عَلَيْهِمَا اَلسَّلاَمُ ثَلاَثَ مَرَضَاتٍ فِي كُلِّ مَرْضَةٍ يُوصِي بِوَصِيَّةٍ فَإِذَا أَفَاقَ أَمْضَى وَصِيَّتَهُ».

H.5549 - Al-Hasan ibn Ali Al-Washa' narrated from Abdullah ibn Sinan from Umar ibn Yazid from Abu Abdullah {a.s}, who said:
"Imam Ali ibn Al-Hussain {a.s}, fell ill three times, and in each illness, he would make a will. When he recovered, he would carry out his will."

[REFERENCES] Al-Kafi, Vol.7 p.56 • Man La Yahduruhu Al-Faqih, Vol.4 p.231 • Bihar Al-Anwar, Vol.46 p.59 • Awalim Al-Uloom, Vol.18 p.142

HADITH

5550 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ وَ صَفْوَانُ بْنُ يَحْيَى عَنْ عَبْدِ اَلرَّحْمَنِ بْنِ اَلْحَجَّاجِ قَالَ : سَأَلْتُ أَبَا اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ عَمَّا يَقُولُ اَلنَّاسُ فِي اَلْوَصِيَّةِ بِالثُّلُثِ وَ اَلرُّبُعِ عِنْدَ مَوْتِهِ أَ شَيْءٌ صَحِيحٌ مَعْرُوفٌ أَمْ كَيْفَ صَنَعَ أَبُوكَ فَقَالَ «اَلثُّلُثُ ذَلِكَ اَلَّذِي صَنَعَ أَبِي عَلَيْهِ اَلسَّلاَمُ ».

H.5550 - Ibn Abi Umayr and Safwan ibn Yahya narrated from Abdur Rahman ibn Al-Hajjaj, who said: I asked Abu Al-Hasan {a.s} about what people say regarding making a will for one-third or one-fourth of one's wealth at the time of death. Is this something correct and well-known, or how did your father {a.s} handle this matter?
Imam {a.s} replied: "The one-third is what my father {a.s}, peace be upon him, practiced."

[REFERENCES] Al-Kafi, Vol.7 p.55 • Man La Yahduruhu Al-Faqih, Vol.4 p.231 • Al-Wafi, Vol.24 p.41 • Wasa'il Al-Shi'ah, Vol.19 p.272

HADITH

5551 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ إِبْرَاهِيمَ بْنِ عَبْدِ اَلْحَمِيدِ عَنْ سَلْمَى مَوْلاَةِ وَلَدِ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَتْ : كُنْتُ عِنْدَ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ حِينَ حَضَرَتْهُ اَلْوَفَاةُ فَأُغْمِيَ عَلَيْهِ فَلَمَّا أَفَاقَ قَالَ «أَعْطُوا اَلْحَسَنَ بْنَ عَلِيِّ بْنِ عَلِيِّ بْنِ اَلْحُسَيْنِ » وَ هُوَ اَلْأَفْطَسُ «سَبْعِينَ دِينَاراً» قُلْتُ أَ تُعْطِي رَجُلاً حَمَلَ عَلَيْكَ بِالشَّفْرَةِ فَقَالَ «وَيْحَكِ أَ مَا تَقْرَءِينَ اَلْقُرْآنَ » قُلْتُ بَلَى قَالَ «أَ مَا سَمِعْتِ قَوْلَ اَللَّهِ عَزَّ وَ جَلَّ ۝ وَ اَلَّذِينَ يَصِلُونَ مٰا أَمَرَ اَللّٰهُ بِهِ أَنْ يُوصَلَ وَ يَخْشَوْنَ رَبَّهُمْ وَ يَخٰافُونَ سُوءَ اَلْحِسٰابِ ۝.

H.5551 - Muhammad ibn Abi Umayr narrated from Ibrahim ibn Abdul Hamid from Salma, the servant of the children of Abu Abdullah {a.s}, who said:
"I was with Abu Abdullah {a.s}, when death approached Him {a.s}, and he fell unconscious.
When He {a.s} regained consciousness, He {a.s} said:
"Give Hasan ibn Ali ibn Ali ibn Al-Husayn (who was known as Al-Aftas) 'seventy dinars.'"
I said: "Will you give to a man who once raised a blade against you?"
Imam {a.s} replied: "Woe to you! Do you not read the Qur'an?"
I said: "Yes."
Imam {a.s} said: "Have you not heard the saying of Allah {SWT}, the Mighty and Glorious: *'And those who join that which Allah {SWT} has commanded to be joined and fear their Lord {AZJ} and dread the terrible reckoning*'"
(Surah Ar-Ra'd 13:21).

[REFERENCES] Tafsir Al-'Ayyashi, Vol.2 p.209 • Man La Yahduruhu Al-Faqih, Vol.4 p.231 • Tahdhib Al-Ahkam, Vol.9 p.246 • Mishkat Al-Anwar, Vol.1 p.166 • Fiqh Al-Quran, Vol.2 p.320 • Wasa'il Al-Shi'ah, Vol.19 p.417 • Tafsir Al-Burhan, Vol.3 p.248 • Tafsir Nur Al-Thaqalayn, Vol.2 p.494 • Mustadrak Al-Wasa'il, Vol.14 p.137

HADITH

5552 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ عَمَّارِ بْنِ مَرْوَانَ قَالَ : قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ إِنَّ أَبِي حَضَرَهُ اَلْمَوْتُ فَقُلْتُ لَهُ أَوْصِ فَقَالَ هَذَا اِبْنِي يَعْنِي عُمَرَ فَمَا صَنَعَ فَهُوَ جَائِزٌ فَقَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «فَقَدْ أَوْصَى أَبُوكَ وَ أَوْجَزَ» قَالَ قُلْتُ فَإِنَّهُ أَمَرَ وَ أَوْصَى لَكَ بِكَذَا وَ كَذَا فَقَالَ «أَجِزْ » قُلْتُ فَأَوْصَى بِنَسَمَةٍ مُؤْمِنَةٍ عَارِفَةٍ فَلَمَّا أَعْتَقْنَاهَا بَانَ أَنَّهَا لِغَيْرِ رِشْدَةٍ فَقَالَ «قَدْ أَجْزَأَتْ عَنْهُ إِنَّمَا مَثَلُ ذَلِكَ مَثَلُ رَجُلٍ اِشْتَرَى أُضْحِيَّةً عَلَى أَنَّهَا سَمِينَةٌ فَوَجَدَهَا مَهْزُولَةً فَقَدْ أَجْزَأَتْ عَنْهُ».

H.5552 - Ibn Abi Umayr narrated from Ammar ibn Marwan, who said:
“I said to Abu Abdullah {a.s}: 'My father was on his deathbed, and I said to him, "Make a will."
He (my father) said, "This is my son," referring to Umar, "whatever he does is valid."'
Abu Abdullah {a.s}, said: "Your father has indeed made a will and done so concisely."
I said: 'He also instructed and willed to give you such and such.'
Imam {a.s} said: "Approve it."
I said: 'He made a bequest to free a believing and knowledgeable soul, but when we emancipated her, it became evident that she was not of proper lineage.'
Imam {a.s} said: "It has fulfilled his obligation. The example of this is like a man who buys a sacrificial animal thinking it is fat, but then finds it to be thin. It still suffices for him."

[REFERENCES] Al-Kafi, Vol.7 p.62 • Man La Yahduruhu Al-Faqih, Vol.4 p.232 • Al-Wafi, Vol.24 p.118

HADITH

5553 - وَ رَوَى عَبْدُ اَللَّهِ بْنُ جَعْفَرٍ اَلْحِمْيَرِيُّ عَنِ اَلْحَسَنِ بْنِ مَالِكٍ قَالَ : كَتَبْتُ إِلَيْهِ يَعْنِي عَلِيَّ بْنَ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ رَجُلٌ مَاتَ وَ جَعَلَ كُلَّ شَيْءٍ فِي حَيَاتِهِ لَكَ وَ لَمْ يَكُنْ لَهُ وَلَدٌ ثُمَّ إِنَّهُ أَصَابَ بَعْدَ ذَلِكَ وَلَداً وَ مَبْلَغُ مَالِهِ ثَلاَثَةُ آلاَفِ دِرْهَمٍ وَ قَدْ بَعَثْتُ إِلَيْكَ بِأَلْفِ دِرْهَمٍ فَإِنْ رَأَيْتَ جَعَلَنِيَ اَللَّهُ فِدَاكَ أَنْ تُعْلِمَنِي رَأْيَكَ لِأَعْمَلَ بِهِ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «أَطْلِقْ لَهُمْ».

H.5553 - Abdullah ibn Ja'far Al-Himyari narrated from Al-Hasan ibn Malik, who said:
‘I wrote to Imam {a.s} - meaning Imam Ali ibn Muhammad Al-Hadi {a.s} - about a man who died and had, during his lifetime, given everything he owned to you.
He had no children at the time, but later he had a child. His total wealth amounted to three thousand dirhams, and I have sent you one thousand dirhams.
If you see fit, may Allah {SWT} make me your sacrifice, kindly inform me of your opinion so I may act accordingly.’
Imam {a.s} wrote in response: "Release it to them (the surviving children)."

[REFERENCES] Al-Kafi, Vol.7 p.59 • Man La Yahduruhu Al-Faqih, Vol.4 p.232 • Tahdhib Al-Ahkam, Vol.9 p.189 • Al-Istibsar, Vol.4 p.124 • Al-Wafi, Vol.24 p.180 • Wasa’il Al-Shi’ah, Vol.19 p.280

HADITH

5554 - وَ رَوَى مُحَمَّدُ بْنُ يَعْقُوبَ اَلْكُلَيْنِيُّ رَضِيَ اَللَّهُ عَنْهُ عَنْ مُحَمَّدِ بْنِ يَحْيَى عَنْ مُحَمَّدِ بْنِ عِيسَى بْنِ عُبَيْدٍ قَالَ : كَتَبْتُ إِلَى عَلِيِّ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ رَجُلٌ جَعَلَ لَكَ جَعَلَنِيَ اَللَّهُ فِدَاكَ شَيْئاً مِنْ مَالِهِ ثُمَّ اِحْتَاجَ إِلَيْهِ أَ يَأْخُذُهُ لِنَفْسِهِ أَوْ يَبْعَثُ بِهِ إِلَيْكَ فَقَالَ «هُوَ بِالْخِيَارِ فِي ذَلِكَ مَا لَمْ يُخْرِجْهُ عَنْ يَدِهِ وَ لَوْ وَصَلَ إِلَيْنَا لَرَأَيْنَا أَنْ نُوَاسِيَهُ بِهِ وَ قَدِ اِحْتَاجَ إِلَيْهِ» قَالَ وَ كَتَبْتُ إِلَيْهِ رَجُلٌ أَوْصَى لَكَ جَعَلَنِي اَللَّهُ فِدَاكَ بِشَيْءٍ مَعْلُومٍ مِنْ مَالِهِ وَ أَوْصَى لِأَقْرِبَائِهِ مِنْ قِبَلِ أَبِيهِ وَ أُمِّهِ ثُمَّ إِنَّهُ غَيَّرَ اَلْوَصِيَّةَ فَحَرَمَ مَنْ أَعْطَى وَ أَعْطَى مَنْ حَرَمَ أَ يَجُوزُ لَهُ ذَلِكَ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «هُوَ بِالْخِيَارِ فِي جَمِيعِ ذَلِكَ إِلَى أَنْ يَأْتِيَهُ اَلْمَوْتُ».

H.5554 - Muhammad ibn Ya'qub Al-Kulayni, may Allah {SWT} be pleased with him, narrated from Muhammad ibn Yahya from Muhammad ibn Isa ibn Ubayd, who said:
“I wrote to Imam Ali ibn Muhammad Al-Hadi {a.s} asking about a man who allocated something from his wealth for you - may Allah {SWT} make me your sacrifice - but later found himself in need of it. Should he take it back for himself or still send it to you?”
Imam {a.s} replied: "He has the choice in this matter as long as he has not handed it over. And if it were to reach us, we would consider supporting him with it since he is now in need."
He (Muhammad ibn Isa) further wrote to Imam {a.s}, asking about a man who made a will, designating something specific from his wealth for you - may Allah {SWT} make me your sacrifice - and also bequeathed portions to his relatives from his father's and mother's side. Then he altered the will, depriving those he had initially granted and granting to those he had initially deprived. Is this permissible for him?
Imam {a.s} wrote in response: "He has full discretion in all of this until death approaches him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.232

HADITH

5555 - وَ رَوَى مُحَمَّدُ بْنُ عِيسَى اَلْعُبَيْدِيُّ عَنِ اَلْحَسَنِ بْنِ رَاشِدٍ قَالَ : سَأَلْتُ اَلْعَسْكَرِيَّ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ أَوْصَى بِثُلُثِهِ بَعْدَ مَوْتِهِ فَقَالَ ثُلُثِي بَعْدَ مَوْتِي بَيْنَ مَوَالِيَّ وَ مَوْلَيَاتِي وَ لِأَبِيهِ مَوَالٍ يُدْخَلُونَ مَوَالِي أَبِيهِ فِي وَصِيَّتِهِ بِمَا يُسَمَّوْنَ مَوَالِيَهُ أَمْ لاَ يُدْخَلُونَ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «لاَ يُدْخَلُونَ».

H.5555 - Muhammad ibn Isa Al-Ubaydi narrated from Al-Hasan ibn Rashid, who said:
“I asked Imam Hasan ibn Ali Al-Askari {a.s}, about a man who bequeathed one-third of his wealth after his death, saying, "My one-third after my death is to be divided among my male and female servants."
This man also had servants inherited from his father. Should the servants of his father be included in this bequest, being considered part of his servants, or should they not be included?
Imam {a.s} wrote in response: "They are not to be included."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.233 • Tahdhib Al-Ahkam, Vol.9 p.215 • Al-Wafi, Vol.24 p.153 • Wasa'il Al-Shi'ah, Vol.19 p.401

HADITH

5556 - وَ رَوَى مُحَمَّدُ بْنُ أَحْمَدَ بْنِ يَحْيَى قَالَ حَدَّثَنَا مُحَمَّدُ بْنُ عِيسَى عَنْ مُحَمَّدِ بْنِ مُحَمَّدٍ قَالَ كَتَبَ عَلِيُّ بْنُ بِلاَلٍ إِلَى أَبِي اَلْحَسَنِ يَعْنِي عَلِيَّ بْنَ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ : يَهُودِيٌّ مَاتَ وَ أَوْصَى لِدَيَّانِهِ بِشَيْءٍ أَقْدِرُ عَلَى أَخْذِهِ هَلْ يَجُوزُ أَنْ آخُذَهُ فَأَدْفَعَهُ إِلَى مَوَالِيكَ أَوْ أُنْفِذُهُ فِيمَا أَوْصَى بِهِ اَلْيَهُودِيُّ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «أَوْصِلْهُ إِلَيَّ وَ عَرِّفْنِيهِ لِأُنْفِذَهُ فِيمَا يَنْبَغِي إِنْ شَاءَ اَللَّهُ تَعَالَى».

H.5556 - Muhammad ibn Ahmad ibn Yahya narrated, saying: Muhammad ibn Isa reported from Muhammad ibn Muhammad that Ali ibn Bilal wrote to Abu Al-Hasan, meaning Imam Ali ibn Muhammad Al-Hadi {a.s}, regarding a Jew who passed away. The Jew had made a will assigning something to his creditor.
Ali ibn Bilal asked: 'Am I permitted to take it and give it to your followers, or should I execute the bequest as the Jew had specified?'
Imam {a.s} wrote in response: 'Send it to me and inform me about it so that I may execute it in the proper manner, if Allah {SWT} wills.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.233

HADITH

5557 - وَ رَوَى اَلسَّكُونِيُّ بِإِسْنَادِهِ قَالَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ أَقَرَّ عِنْدَ مَوْتِهِ فَقَالَ لِفُلاَنٍ وَ فُلاَنٍ لِأَحَدِهِمَا عِنْدِي أَلْفُ دِرْهَمٍ ثُمَّ مَاتَ عَلَى تِلْكَ اَلْحَالِ فَقَالَ «أَيُّهُمَا أَقَامَ اَلْبَيِّنَةَ فَلَهُ اَلْمَالُ فَإِنْ لَمْ يُقِمْ أَحَدٌ مِنْهُمَا اَلْبَيِّنَةَ فَالْمَالُ بَيْنَهُمَا نِصْفَانِ».

H.5557 - Al-Sakuni narrated through his chain of transmission that the Commander of the Faithful {a.s}, peace be upon him, said regarding a man who, on his deathbed, confessed;
"So-and-so and so-and-so each have a claim of one thousand dirhams against me," and then he died in that state.
Imam {a.s} said: "Whoever among them provides evidence has the right to the money. But if neither of them provides evidence, the money is to be divided equally between them."

[REFERENCES] Al-Kafi, Vol.7 p.58 • Man La Yahduruhu Al-Faqih, Vol.4 p.233 • Tahdhib Al-Ahkam, Vol.9 p.162 • Al-Wafi, Vol.24 p.162 • Wasa'il Al-Shi'ah, Vol.19 p.323 • Wasa'il Al-Shi'ah, Vol.23 p.183

HADITH

5558 - وَ رَوَى عَلِيُّ بْنُ مَهْزِيَارَ عَنْ أَحْمَدَ بْنِ حَمْزَةَ قَالَ : قُلْتُ لَهُ إِنَّ فِي بَلَدِنَا رُبَّمَا أُوصِيَ بِالْمَالِ، لِآلِ مُحَمَّدٍ فَيَأْتُونِّي بِهِ فَأَكْرَهُ أَنْ أَحْمِلَهُ إِلَيْكَ حَتَّى أَسْتَأْمِرَكَ فَقَالَ «لاَ تَأْتِنِي بِهِ وَ لاَ تَعَرَّضْ لَهُ».

H.5558 - Ali ibn Mahziyar narrated from Ahmad ibn Hamzah, who said:
I said to Imam {a.s}: 'In our town, sometimes people bequeath wealth to the family of Muhammad {saws}, and they bring it to me. However, I hesitate to deliver it to you until I seek your permission.'
Imam {a.s} replied: "Do not bring it to me, and do not involve yourself with it."

[REFERENCES] Al-Kafi, Vol.7 p.58 • Man La Yahduruhu Al-Faqih, Vol.4 p.234 • Tahdhib Al-Ahkam, Vol.9 p.233 • Al-Wafi, Vol.24 p.180 • Wasa'il Al-Shi'ah, Vol.19 p.429

HADITH

5559 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ حَمَّادِ بْنِ عُثْمَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : أَوْصَى رَجُلٌ بِثَلاَثِينَ دِينَاراً لِوُلْدِ فَاطِمَةَ عَلَيْهَا اَلسَّلاَمُ قَالَ فَأَتَى بِهَا اَلرَّجُلُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ فَقَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «اِدْفَعْهَا إِلَى فُلاَنٍ شَيْخٍ مِنْ وُلْدِ فَاطِمَةَ عَلَيْهَا اَلسَّلاَمُ » وَ كَانَ مُعِيلاً مُقِلاً فَقَالَ لَهُ اَلرَّجُلُ إِنَّمَا أَوْصَى بِهَا اَلرَّجُلُ لِوُلْدِ فَاطِمَةَ فَقَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «إِنَّهَا لاَ تَقَعُ مِنْ وُلْدِ فَاطِمَةَ عَلَيْهَا اَلسَّلاَمُ وَ هِيَ تَقَعُ مِنْ هَذَا اَلرَّجُلِ وَ لَهُ عِيَالٌ».

H.5559 - Muhammad ibn Abi Umayr narrated from Hammad ibn Uthman from Abu Abdullah {a.s}, who said: 'A man bequeathed thirty dinars to the descendants of Sayyidah Fatimah {s.a}, peace be upon her. The man brought the money to Abu Abdullah {a.s}, who said:
"Give it to such-and-such an elder from the descendants of Sayyidah Fatimah {s.a}, peace be upon her," and that man was poor and struggling to provide for his family.
The man responded: "But the deceased specifically bequeathed it to the descendants of Sayyidah Fatimah {s.a}."
Abu Abdullah {a.s} replied: "It will not have the same impact on the descendants of Sayyidah Fatimah {s.a} in general, but it will have a meaningful impact on this man, for he has a family to support."

[REFERENCES] Al-Kafi, Vol.7 p.58 • Man La Yahduruhu Al-Faqih, Vol.4 p.234 • Tahdhib Al-Ahkam, Vol.9 p.233 • Al-Wafi, Vol.24 p.180 • Wasa'il Al-Shi'ah, Vol.19 p.430

HADITH

5560 - وَ رَوَى اِبْنُ فَضَّالٍ عَنْ عَلِيِّ بْنِ عُقْبَةَ عَنْ بُرَيْدِ بْنِ مُعَاوِيَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : قُلْتُ لَهُ إِنَّ رَجُلاً أَوْصَى إِلَيَّ فَسَأَلْتُهُ أَنْ يُشْرِكَ مَعِي ذَا قَرَابَةٍ لَهُ فَفَعَلَ وَ ذَكَرَ اَلَّذِي أَوْصَى إِلَيَّ أَنَّ لَهُ قِبَلَ اَلَّذِي أَشْرَكَهُ فِي اَلْوَصِيَّةِ خَمْسِينَ وَ مِائَةَ دِرْهَمٍ وَ عِنْدَهُ رَهْنٌ بِهَا جَامٌ مِنْ فِضَّةٍ فَلَمَّا هَلَكَ اَلرَّجُلُ أَنْشَأَ اَلْوَصِيُّ يَدَّعِي أَنَّ لَهُ قِبَلَهُ أَكْرَارَ حِنْطَةٍ قَالَ «إِنْ أَقَامَ اَلْبَيِّنَةَ وَ إِلاَّ فَلاَ شَيْءَ لَهُ» قَالَ قُلْتُ لَهُ أَ يَحِلُّ لَهُ أَنْ يَأْخُذَ مِمَّا فِي يَدِهِ شَيْئاً قَالَ «لاَ يَحِلُّ لَهُ» قُلْتُ أَ رَأَيْتَ لَوْ أَنَّ رَجُلاً اِعْتَدَى عَلَيْهِ فَأَخَذَ مَالَهُ فَقَدَرَ عَلَى أَنْ يَأْخُذَ مِنْ مَالِهِ مَا أَخَذَ أَ يَحِلُّ ذَلِكَ لَهُ فَقَالَ «إِنَّ هَذَا لَيْسَ مِثْلَ هَذَا».

H.5560 - Ibn Faddal narrated from Ali ibn Uqbah from Burayd ibn Mu'awiyah from Abu Abdullah {a.s}, who said: I said to Imam {a.s}: "A man appointed me as his executor, and I asked him to appoint a relative of his to share the responsibility with me, and he agreed. The one who appointed me mentioned that the co-executor owed him one hundred and fifty dirhams and that he had a silver cup as collateral for this debt. When the man passed away, the co-executor began to claim that he was owed sacks of wheat instead."
Abu Abdullah {a.s}, said: "If he brings proof, then his claim is valid; otherwise, he has no right to anything."
I asked: “Is it permissible for him to take anything from what is in his possession?"
Imam {a.s} replied: "It is not permissible for him."
I then asked: “What if someone wrongfully took his wealth, and he found the opportunity to take back from that person's wealth the equivalent of what was taken from him - would that be permissible?"
Imam {a.s} replied: "This is not the same as that."

[REFERENCES] Al-Kafi, Vol.7 p.57 • Man La Yahduruhu Al-Faqih, Vol.4 p.234 • Tahdhib Al-Ahkam, Vol.9 p.232 • Al-Wafi, Vol.24 p.173 • Wasa’il Al-Shi’ah, Vol.19 p.428

HADITH

5561 - وَ رَوَى مُحَمَّدُ بْنُ اَلْحُسَيْنِ بْنِ أَبِي اَلْخَطَّابِ عَنْ عَبْدِ اَللَّهِ بْنِ حَبِيبٍ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ كَانَتْ لَهُ عِنْدِي دَنَانِيرُ وَ كَانَ مَرِيضاً فَقَالَ لِي إِنْ حَدَثَ بِي حَدَثٌ فَأَعْطِ فُلاَناً عِشْرِينَ دِينَاراً وَ أَعْطِ أُخْتِي بَقِيَّةَ اَلدَّنَانِيرِ فَمَاتَ وَ لَمْ أَشْهَدْ مَوْتَهُ فَأَتَى رَجُلٌ مُسْلِمٌ صَادِقٌ فَقَالَ لِي إِنَّهُ أَمَرَنِي أَنْ أَقُولَ لَكَ اُنْظُرْ إِلَى اَلدَّنَانِيرِ اَلَّتِي أَمَرْتُكَ أَنْ تَدْفَعَهَا إِلَى أُخْتِي فَتَصَدَّقْ مِنْهَا بِعَشَرَةِ دَنَانِيرَ اِقْسِمْهَا فِي اَلْمُسْلِمِينَ وَ لَمْ تَعْلَمْ أُخْتُهُ أَنَّ عِنْدِي شَيْئاً فَقَالَ «أَرَى أَنْ تَصَدَّقَ مِنْهَا بِعَشَرَةِ دَنَانِيرَ كَمَا قَالَ».

H.5561 - Muhammad ibn Al-Husayn ibn Abi Al-Khattab narrated from Abdullah ibn Habib from Ishaq ibn Ammar from Abu Abdullah {a.s}, who said:
I asked Imam {a.s} about a man who had dinars with me and was ill. He said to me, "If something happens to me, give so-and-so twenty dinars and give the remainder of the dinars to my sister."
The man passed away, and I was not present at his death.
Then, a truthful Muslim man came to me and said: “He instructed me to tell you: Look at the dinars I told you to give to my sister and give ten of them in charity, distributing them among the Muslims." His sister was unaware that I had anything of his.
Imam {a.s} said: "I see that you should give ten dinars in charity as he instructed."

[REFERENCES] Al-Kafi, Vol.7 p.64 • Man La Yahduruhu Al-Faqih, Vol.4 p.235 • Tahdhib Al-Ahkam, Vol.9 p.237 • Al-Wafi, Vol.24 p.77 • Wasa’il Al-Shi’ah, Vol.19 p.433

HADITH

5562 - وَ رَوَى مُحَمَّدُ بْنُ أَحْمَدَ بْنِ يَحْيَى عَنْ مُحَمَّدِ بْنِ عِيسَى عَنْ مُحَمَّدِ بْنِ سِنَانٍ عَنْ عَمَّارِ بْنِ مَرْوَانَ عَنْ سَمَاعَةَ بْنِ مِهْرَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ ۝ اَلْوَصِيَّةُ لِلْوٰالِدَيْنِ وَ اَلْأَقْرَبِينَ بِالْمَعْرُوفِ حَقًّا عَلَى اَلْمُتَّقِينَ ۝ قَالَ «هُوَ شَيْءٌ جَعَلَهُ اَللَّهُ عَزَّ وَ جَلَّ لِصَاحِبِ هَذَا اَلْأَمْرِ » قُلْتُ فَهَلْ لِذَلِكَ حَدٌّ قَالَ «نَعَمْ» قَالَ قُلْتُ وَ مَا هُوَ قَالَ «أَدْنَى مَا يَكُونُ ثُلُثُ اَلثُّلُثِ».

H.5562 - Muhammad ibn Ahmad ibn Yahya narrated from Muhammad ibn Isa from Muhammad ibn Sinan from Ammar ibn Marwan from Sama'ah ibn Mehran from Abu Abdullah {a.s}, regarding the saying of Allah {SWT}, the Almighty and Glorious: "*The will is for the parents and close relatives in a fair manner; it is an obligation upon the righteous*" (Surah Al-Baqarah 2:180).
Imam {a.s} said: "This is something that Allah {SWT}, the Almighty and Glorious, has designated for the one who holds this matter (referring to the rightful authority)."
I asked: “Is there a set limit for this?"
Imam {a.s} replied: "Yes."
I asked: “What is it?"
Imam {a.s} said: "The minimum is one-third of one-third."

[REFERENCES] Tafsir Al-’Ayyashi, Vol.1 p.77 • Man La Yahduruhu Al-Faqih, Vol.4 p.235 • Al-Wafi, Vol.10 p.363 • Tafsir Al-Burhan, Vol.1 p.380 • Tafsir Al-Burhan, Vol.1 p.380 • Bihar Al-Anwar, Vol.100 p.200 • Tafsir Kanz Al-Daqaiq, Vol.2 p.231 • Mustadrak Al-Wasa’il, Vol.14 p.142

HADITH

5563 - وَ رَوَى يُونُسُ بْنُ عَبْدِ اَلرَّحْمَنِ عَنْ دَاوُدَ بْنِ اَلنُّعْمَانِ عَنِ اَلْفُضَيْلِ مَوْلَى أَبِي عَبْدِ اَللَّهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «أَشْهَدَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ عَلَى وَصِيَّتِهِ إِلَى عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ أَرْبَعَةً مِنْ عُظَمَاءِ اَلْمَلاَئِكَةِ، جَبْرَئِيلَ وَ مِيكَائِيلَ وَ إِسْرَافِيلَ وَ آخَرَ لَمْ أَحْفَظِ اِسْمَهُ».

H.5563 - Yunus ibn Abd Al-Rahman narrated from Dawud ibn Al-Nu'man from Al-Fudayl, the servant of Abu Abdullah {a.s}, from Abu Abdullah {a.s}, who said:
"The Messenger of Allah {SWT}, peace and blessings be upon him and his family, had four of the great angels witness his will to Imam Ali ibn Abi Talib {a.s}, peace be upon him: Jibril, Mika'il, Israfil, and another whose name I do not remember."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.236 • Al-Wafi, Vol.24 p.36 • Ithbat Al-Huda, Vol.3 p.26

HADITH

5564 - وَ رَوَى مُحَمَّدُ بْنُ يَعْقُوبَ اَلْكُلَيْنِيُّ رَضِيَ اَللَّهُ عَنْهُ عَنْ حُمَيْدِ بْنِ زِيَادٍ عَنِ اِبْنِ سَمَاعَةَ عَنْ سُلَيْمَانَ بْنِ دَاوُدَ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ قَالَ : قُلْتُ لَهُ إِنَّ رَجُلاً مِنْ مَوَالِيكَ مَاتَ وَ تَرَكَ وُلْداً صِغَاراً وَ تَرَكَ شَيْئاً وَ عَلَيْهِ دَيْنٌ وَ لَيْسَ يَعْلَمُ بِهِ اَلْغُرَمَاءُ فَإِنْ قُضِيَ لِغُرَمَائِهِ بَقِيَ وُلْدُهُ لَيْسَ لَهُمْ شَيْءٌ فَقَالَ «أَنْفِقْهُ عَلَى وُلْدِهِ».

H.5564 - Muhammad ibn Ya'qub Al-Kulayni, may Allah {SWT} be pleased with him, narrated from Humayd ibn Ziyad from Ibn Sama'ah from Sulayman ibn Dawud from Ali ibn Abi Hamzah from Abu Al-Hasan {a.s}, peace be upon him, who said:
I said to Imam {a.s}: "One of your followers passed away, leaving behind young children and some wealth, but he also had a debt that his creditors are unaware of. If the debt is paid, nothing will remain for his children."
Imam {a.s} said: "Spend it on his children."

[REFERENCES] Al-Kafi, Vol.7 p.43 • Man La Yahduruhu Al-Faqih, Vol.4 p.236 • Tahdhib Al-Ahkam, Vol.9 p.165 • Tahdhib Al-Ahkam, Vol.9 p.246 • Al-Istibsar, Vol.4 p.115 • Al-Wafi, Vol.24 p.157 • Wasa'il Al-Shi'ah, Vol.19 p.332

HADITH

5565 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ هِشَامِ بْنِ اَلْحَكَمِ قَالَ : سَأَلْتُهُ عَنِ اَلرَّجُلِ يُدَبِّرُ مَمْلُوكَهُ أَ لَهُ أَنْ يَرْجِعَ فِيهِ فَقَالَ «نَعَمْ هُوَ بِمَنْزِلَةِ اَلْوَصِيَّةِ».

H.5565 - Muhammad ibn Abi Umayr narrated from Hisham ibn Al-Hakam, who said:
I asked Imam {a.s} about a man who designates his slave for emancipation after his death (mudabbar). Can he revoke this decision?
Imam {a.s} said: "Yes, it is like a will."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.236 • Tahdhib Al-Ahkam, Vol.9 p.225 • Al-Wafi, Vol.24 p.75

HADITH

5566 - وَ رَوَى عَلِيُّ بْنُ اَلْحَكَمِ عَنْ زِيَادِ بْنِ أَبِي اَلْحَلاَّلِ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ هَلْ أَوْصَى إِلَى اَلْحَسَنِ وَ اَلْحُسَيْنِ عَلَيْهِمَا اَلسَّلاَمُ مَعَ أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ قَالَ «نَعَمْ» قُلْتُ وَ هُمَا فِي ذَلِكَ اَلسِّنِّ قَالَ «نَعَمْ وَ لاَ يَكُونُ لِسِوَاهُمَا فِي أَقَلِّ مِنْ خَمْسِ سِنِينَ».

H.5566 - Ali ibn Al-Hakam narrated from Ziyad ibn Abi Al-Hallal, who said:
I asked Abu Abdullah {a.s}, whether the Messenger of Allah {SWT}, peace and blessings be upon him and his family, had appointed Al-Hasan {a.s} and Al-Hussain {a.s}, peace be upon them both, along with the Commander of the Faithful {a.s}, peace be upon him, in his will.
Imam {a.s} replied: "Yes."
I asked: “Even though they were at that young age?"
Imam {a.s} said: "Yes, and this would not be for anyone else under the age of five."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.237 • Al-Wafi, Vol.2 p.328 • Al-Wafi, Vol.24 p.169 • Wasa’il Al-Shi’ah, Vol.19 p.376

CHAPTER 127 – CHAPTER ON ENDOWMENTS, CHARITY, AND GIFTS

بَابُ الْوَقْفِ وَ الصَّدَقَةِ وَ النُّحْلِ

HADITH 5567 – 5594

5567 - كَتَبَ مُحَمَّدُ بْنُ اَلْحَسَنِ اَلصَّفَّارُ رَضِيَ اَللَّهُ عَنْهُ إِلَى أَبِي مُحَمَّدٍ اَلْحَسَنِ بْنِ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ : فِي اَلْوُقُوفِ وَ مَا رُوِيَ فِيهَا عَنْ آبَائِهِ عَلَيْهِمُ اَلسَّلاَمُ فَوَقَّعَ عَلَيْهِ اَلسَّلاَمُ «اَلْوُقُوفُ تَكُونُ عَلَى حَسَبِ مَا يُوقِفُهَا أَهْلُهَا إِنْ شَاءَ اَللَّهُ تَعَالَى».

H.5567 - Muhammad ibn Al-Hasan Al-Saffar, may Allah {SWT} be pleased with him, wrote to Abu Muhammad Imam Hasan ibn Ali Al-Askari {a.s}, peace be upon him, regarding endowments (awqaf) and what has been narrated about them from his forefathers {a.s}, peace be upon them.
Imam {a.s} replied: "Endowments are to be managed according to how their owners have designated them, if Allah {SWT}, the Exalted, wills."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.237 • Tahdhib Al-Ahkam, Vol.9 p.129

HADITH

5568 - وَ رَوَى مُحَمَّدُ بْنُ أَحْمَدَ بْنِ يَحْيَى عَنْ مُحَمَّدِ بْنِ عِيسَى اَلْيَقْطِينِيِّ عَنْ عَلِيِّ بْنِ مَهْزِيَارَ عَنْ أَبِي اَلْحُسَيْنِ قَالَ كَتَبْتُ إِلَى أَبِي اَلْحَسَنِ اَلثَّالِثِ عَلَيْهِ اَلسَّلاَمُ : أَنِّي وَقَفْتُ أَرْضاً عَلَى وُلْدِي وَ فِي حِجِّ وَ وُجُوهِ بِرٍّ وَ لَكَ فِيهِ حَقٌّ بَعْدِي وَ لِمَنْ بَعْدَكَ وَ قَدْ أَرَلْتُهَا عَنْ ذَلِكَ اَلْمَجْرَى فَقَالَ «أَنْتَ فِي حِلٍّ وَ مُوَسَّعٌ لَكَ».

H.5568 - Muhammad ibn Ahmad ibn Yahya narrated from Muhammad ibn Isa Al-Yaqtini from Ali ibn Mahziyar from Abu Al-Husayn, who said:
“I wrote to Abu Al-Hasan Al-Thalith (the third), peace be upon him, saying: "I have endowed a piece of land for my children, for Hajj, and for acts of charity, and I also designated a right in it for you after me and for those who come after you. However, I have now revoked that arrangement."
Imam {a.s} replied: "You are absolved, and it has been made permissible and expanded for you."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.237 • Tahdhib Al-Ahkam, Vol.9 p.143 • Wasa’il Al-Shi’ah, Vol.19 p.180

HADITH

5569 - وَ رَوَى عَلِيُّ بْنُ مَهْزِيَارَ قَالَ : قُلْتُ لَهُ رَوَى بَعْضُ مَوَالِيكَ عَنْ آبَائِكَ عَلَيْهِمُ اَلسَّلاَمُ «أَنَّ كُلَّ وَقْفٍ إِلَى وَقْتٍ مَعْلُومٍ فَهُوَ وَاجِبٌ عَلَى اَلْوَرَثَةِ وَ كُلُّ وَقْفٍ إِلَى غَيْرِ وَقْتٍ جَهْلٌ مَجْهُولٌ بَاطِلٌ مَرْدُودٌ عَلَى اَلْوَرَثَةِ» وَ أَنْتَ أَعْلَمُ بِقَوْلِ آبَائِكَ عَلَيْكَ وَ عَلَيْهِمُ اَلسَّلاَمُ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «هُوَ هَكَذَا عِنْدِي».

H.5569 - Ali ibn Mahziyar narrated that he said: I asked Imam {a.s}: "Some of your followers have narrated from your forefathers, peace be upon them, that every endowment (waqf) specified for a known period is binding upon the heirs, but any endowment without a specified period is unclear, invalid, and rejected by the heirs.
You {a.s} are more knowledgeable about the sayings of your forefathers, peace be upon them."
Imam {a.s} wrote in response: "It is as you have mentioned according to my understanding."

[REFERENCES] Al-Kafi, Vol.7 p.36 • Man La Yahduruhu Al-Faqih, Vol.4 p.237 • Tahdhib Al-Ahkam, Vol.9 p.132 • Al-Istibsar, Vol.4 p.99 • Al-Wafi, Vol.10 p.548 • Wasa'il Al-Shi'ah, Vol.19 p.192 • Awalim Al-Uloom, Vol.23 p.331 • Awalim Al-Uloom, Vol.23 p.465

HADITH

5570 - وَ رَوَى مُحَمَّدُ بْنُ أَحْمَدَ بْنِ يَحْيَى عَنِ اَلْعُبَيْدِيِّ عَنْ عَلِيِّ بْنِ سُلَيْمَانَ بْنِ رُشَيْدٍ قَالَ : كَتَبْتُ إِلَيْهِ جُعِلْتُ فِدَاكَ لَيْسَ لِي وَلَدٌ وَ لِي ضِيَاعٌ وَرِثْتُهَا عَنْ أَبِي وَ بَعْضُهَا اِسْتَفَدْتُهَا وَ لاَ آمَنُ مِنَ اَلْحَدَثَانِ فَإِنْ لَمْ يَكُنْ لِي وَلَدٌ وَ حَدَثَ بِي حَدَثٌ فَمَا تَرَى جُعِلْتُ فِدَاكَ أَنْ أَقِفَ بَعْضَهَا عَلَى فُقَرَاءِ إِخْوَانِي وَ اَلْمُسْتَضْعَفِينَ أَوْ أَبِيعَهَا وَ أَتَصَدَّقَ بِثَمَنِهَا فِي حَيَاتِي عَلَيْهِمْ فَإِنِّي أَتَخَوَّفُ أَنْ لاَ يُنْفَذَ اَلْوَقْفُ بَعْدَ مَوْتِي فَإِنْ وَقَفْتُهَا فِي حَيَاتِي فَلِي أَنْ آكُلَ مِنْهَا أَيَّامَ حَيَاتِي أَمْ لاَ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «فَهِمْتُ كِتَابَكَ فِي أَمْرِ ضِيَاعِكَ وَ لَيْسَ لَكَ أَنْ تَأْكُلَ مِنْهَا وَ لاَ مِنَ اَلصَّدَقَةِ فَإِنْ أَنْتَ أَكَلْتَ مِنْهَا لَمْ يُنْفَذْ إِنْ كَانَ لَكَ وَرَثَةٌ فَبِعْ وَ تَصَدَّقْ بِبَعْضِ ثَمَنِهَا فِي حَيَاتِكَ فَإِنْ تَصَدَّقْتَ أَمْسَكْتَ لِنَفْسِكَ مَا يَقُوتُكَ مِثْلَ مَا صَنَعَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ ».

H.5570 - Muhammad ibn Ahmad ibn Yahya narrated from Al-Ubaydi from Ali ibn Sulayman ibn Rushayd, who said: I wrote to Imam {a.s} - may I be your sacrifice - saying, "I have no children, and I possess estates that I inherited from my father and some that I acquired myself. I do not feel secure from unforeseen events. If I remain childless and something happens to me, what do you advise - may I be your sacrifice - should I dedicate some of these properties as endowments for my poor brothers and the weak, or should I sell them and give the proceeds in charity to them during my lifetime? I fear that the endowment might not be carried out after my death. If I establish the endowment during my lifetime, am I allowed to benefit from it for my living expenses or not?"
Imam {a.s} replied: "I have understood your letter concerning your estates. You are not permitted to consume from them or from the charity. If you consume from them, the endowment will not be executed, especially if you have heirs. Therefore, sell and give some of its proceeds in charity during your lifetime. If you choose to give in charity, keep for yourself what suffices for your needs, just as the Commander of the Faithful {a.s}, peace be upon him, did."

[REFERENCES] Al-Kafi, Vol.7 p.37 • Man La Yahduruhu Al-Faqih, Vol.4 p.238 • Tahdhib Al-Ahkam, Vol.9 p.129 • Al-Wafi, Vol.10 p.554 • Wasa'il Al-Shi'ah, Vol.19 p.176

HADITH

5571 - وَ رَوَى مُحَمَّدُ بْنُ عِيسَى اَلْعُبَيْدِيُّ قَالَ كَتَبَ أَحْمَدُ بْنُ حَمْزَةَ إِلَى أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ : مُدَبَّرٌ وُقِفَ ثُمَّ مَاتَ صَاحِبُهُ وَ عَلَيْهِ دَيْنٌ لاَ يَفِي بِمَالِهِ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «يُبَاعُ وَقْفُهُ فِي اَلدَّيْنِ».

H.5571 - Muhammad ibn Isa Al-Ubaydi narrated that Ahmad ibn Hamzah wrote to Abu Al-Hasan, peace be upon him, regarding a mudabbar (a slave who was set to be freed upon his owner's death) who was placed in an endowment (waqf), and then his owner died while owing a debt that could not be covered by his remaining wealth.
Imam {a.s} wrote in response:
"The endowment is to be sold to settle the debt."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.239 • Tahdhib Al-Ahkam, Vol.9 p.144 • Al-Wafi, Vol.10 p.552

HADITH

5572 - وَ رَوَى مُحَمَّدُ بْنُ أَحْمَدَ عَنْ عُمَرَ بْنِ عَلِيِّ بْنِ عُمَرَ عَنْ إِبْرَاهِيمَ بْنِ مُحَمَّدٍ اَلْهَمَذَانِيِّ قَالَ : كَتَبْتُ إِلَيْهِ عَلَيْهِ اَلسَّلاَمُ مَيِّتٌ أَوْصَى بِأَنْ يُجْرَى عَلَى رَجُلٍ مَا بَقِيَ مِنْ ثُلُثِهِ وَ لَمْ يَأْمُرْ بِإِنْفَاذِ ثُلُثِهِ هَلْ لِلْوَصِيِّ أَنْ يُوقِفَ ثُلُثَ اَلْمَيِّتِ بِسَبَبِ اَلْإِجْرَاءِ ، فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «يُنْفِذُ ثُلُثَهُ وَ لاَ يُوقِفُ».

H.5572 - Muhammad ibn Ahmad narrated from Umar ibn Ali ibn Umar from Ibrahim ibn Muhammad Al-Hamadhani, who said:
I wrote to Imam {a.s} regarding a deceased person who had willed that a portion of his estate from his one-third share be allocated to support a man for as long as he lived, but he did not explicitly instruct for the execution of his entire one-third share.
Is it permissible for the executor to turn the deceased's one-third share into an endowment because of this ongoing support?
Imam {a.s} replied: "The one-third should be executed as instructed, but it should not be turned into an endowment."

[REFERENCES] Al-Kafi, Vol.7 p.36 • Man La Yahduruhu Al-Faqih, Vol.4 p.239 • Tahdhib Al-Ahkam, Vol.9 p.144 • Tahdhib Al-Ahkam, Vol.9 p.197 • Al-Wafi, Vol.24 p.181 • Wasa'il Al-Shi'ah, Vol.19 p.226 • Awalim Al-Uloom, Vol.23 p.316 • Awalim Al-Uloom, Vol.23 p.468

HADITH

5573 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنِ اَلرَّجُلِ يُوقِفُ اَلضَّيْعَةَ ثُمَّ يَبْدُو لَهُ أَنْ يُحْدِثَ فِي ذَلِكَ شَيْئاً فَقَالَ «إِنْ كَانَ أَوْقَفَهَا لِوُلْدٍ أَوْ لِغَيْرِهِمْ ثُمَّ جَعَلَ لَهَا قَيِّماً لَمْ يَكُنْ لَهُ أَنْ يَرْجِعَ وَ إِنْ كَانُوا صِغَاراً وَ قَدْ شَرَطَ وَلاَيَتَهَا لَهُمْ حَتَّى يَبْلُغُوا فَيَحُوزُهَا لَهُمْ لَمْ يَكُنْ لَهُ أَنْ يَرْجِعَ فِيهَا وَ إِنْ كَانُوا كِبَاراً وَ لَمْ يُسَلِّمْهَا إِلَيْهِمْ وَ لَمْ يُخَاصِمُوا حَتَّى يَحُوزَهَا عَنْهُ فَلَهُ أَنْ يَرْجِعَ فِيهَا لِأَنَّهُمْ لاَ يَحُوزُونَهَا عَنْهُ وَ قَدْ بَلَغُوا».

H.5573 - Safwan ibn Yahya narrated from Abu Al-Hasan {a.s} who said:
"I asked Imam {a.s} about a man who dedicates a property as an endowment (waqf) and then later decides to change something about it.
Imam {a.s} said: "If he endowed it for his children or others and appointed a caretaker (qayyim) for it, then he cannot revoke it. If the beneficiaries were minors and he stipulated his guardianship over it until they reached maturity, and he maintained possession of it for them, then he cannot revoke it. However, if they were adults and he did not hand it over to them, nor did they contest him for its possession to take it from him, then he may revoke it because they had not taken possession of it despite being of age."

[REFERENCES] Al-Kafi, Vol.7 p.37 • Man La Yahduruhu Al-Faqih, Vol.4 p.239 • Tahdhib Al-Ahkam, Vol.9 p.134 • Al-Istibsar, Vol.4 p.102 • Al-Wafi, Vol.10 p.549 • Wasa'il Al-Shi'ah, Vol.19 p.180

HADITH

5574 - وَ رَوَى مُحَمَّدُ بْنُ عَلِيِّ بْنِ مَحْبُوبٍ عَنْ مُوسَى بْنِ جَعْفَرٍ اَلْبَغْدَادِيِّ عَنْ عَلِيِّ بْنِ مُحَمَّدِ بْنِ سُلَيْمَانَ اَلنَّوْفَلِيِّ قَالَ : كَتَبْتُ إِلَى أَبِي جَعْفَرٍ اَلثَّانِي عَلَيْهِ اَلسَّلاَمُ أَسْأَلُهُ عَنْ أَرْضٍ أَوْقَفَهَا جَدِّي عَلَى اَلْمُحْتَاجِينَ مِنْ وُلْدِ فُلاَنِ بْنِ فُلاَنٍ اَلرَّجُلِ اَلَّذِي يَجْمَعُ اَلْقَبِيلَةَ وَ هُمْ كَثِيرٌ مُتَفَرِّقُونَ فِي اَلْبِلاَدِ وَ فِي وُلْدِ اَلْوَاقِفِ حَاجَةٌ شَدِيدَةٌ فَسَأَلُونِي أَنْ أَخُصَّهُمْ بِهَا دُونَ سَائِرِ وُلْدِ اَلرَّجُلِ اَلَّذِي يَجْمَعُ اَلْقَبِيلَةَ فَأَجَابَ عَلَيْهِ اَلسَّلاَمُ «ذَكَرْتَ اَلْأَرْضَ اَلَّتِي أَوْقَفَهَا جَدُّكَ عَلَى فُقَرَاءِ وُلْدِ فُلاَنٍ وَ هِيَ لِمَنْ حَضَرَ اَلْبَلَدَ اَلَّذِي فِيهِ اَلْوَقْفُ وَ لَيْسَ لَكَ أَنْ تَبْتَغِيَ مَنْ كَانَ غَائِباً».

H.5574 - Muhammad ibn Ali ibn Mahbub narrated from Musa ibn Ja'far Al-Baghdadi from Ali ibn Muhammad ibn Sulayman Al-Nawfali, who said:
I wrote to Abu Ja'far Al-Thani {a.s}, peace be upon him, asking about a piece of land that my grandfather had endowed for the needy among the descendants of so-and-so, the man who united the tribe.
However, they are numerous and scattered across different lands, while the descendants of the one who made the endowment are in severe need.
They asked me to allocate the endowment specifically to them, excluding the other descendants of the man who united the tribe.
Imam {a.s} replied: "You mentioned the land that your grandfather endowed for the poor among the descendants of so-and-so. It is designated for those who are present in the town where the endowment exists, and you are not permitted to seek out those who are absent."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.240

HADITH

5575 - وَ رَوَى اَلْعَبَّاسُ بْنُ مَعْرُوفٍ عَنْ عَلِيِّ بْنِ مَهْزِيَارَ قَالَ : كَتَبْتُ إِلَى أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ أَنَّ فُلاَناً اِبْتَاعَ ضَيْعَةً فَوَقَفَهَا وَ جَعَلَ لَكَ فِي اَلْوَقْفِ اَلْخُمُسَ وَ يَسْأَلُ عَنْ رَأْيِكَ فِي بَيْعِ حِصَّتِكَ مِنَ اَلْأَرْضِ أَوْ يُقَوِّمُهَا عَلَى نَفْسِهِ بِمَا اِشْتَرَاهَا بِهِ أَوْ يَدَعُهَا مَوْقُوفَةً فَكَتَبَ إِلَيَّ عَلَيْهِ اَلسَّلاَمُ «أَعْلِمْ فُلاَناً أَنِّي آمُرُهُ بِبَيْعِ حِصَّتِي مِنَ اَلضَّيْعَةِ وَ إِيصَالِ ثَمَنِ ذَلِكَ إِلَيَّ وَ أَنَّ ذَلِكَ رَأْيِي إِنْ شَاءَ اَللَّهُ أَوْ يُقَوِّمُهَا عَلَى نَفْسِهِ إِنْ كَانَ ذَلِكَ أَرْفَقَ بِهِ» قَالَ وَ كَتَبْتُ إِلَيْهِ أَنَّ اَلرَّجُلَ ذَكَرَ أَنَّ بَيْنَ مَنْ وَقَفَ هَذِهِ اَلضَّيْعَةَ عَلَيْهِمُ اِخْتِلاَفاً شَدِيداً وَ أَنَّهُ لَيْسَ يَأْمَنُ أَنْ يَتَفَاقَمَ ذَلِكَ بَيْنَهُمْ فَإِنْ كَانَ تَرَى أَنْ يَبِيعَ هَذَا اَلْوَقْفَ وَ يَدْفَعَ إِلَى كُلِّ إِنْسَانٍ مِنْهُمْ مَا كَانَ وَقَفَ لَهُ مِنْ ذَلِكَ أَمَرْتَهُ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ بِخَطِّهِ إِلَيَّ «أَعْلِمْهُ أَنَّ رَأْيِي إِنْ كَانَ قَدْ عَلِمَ اِخْتِلاَفَ مَا بَيْنَ أَصْحَابِ اَلْوَقْفِ وَ أَنَّ بَيْعَ اَلْوَقْفِ أَمْثَلُ فَلْيَبِعْ فَإِنَّهُ رُبَّمَا جَاءَ فِي اَلاِخْتِلاَفِ تَلَفُ اَلْأَمْوَالِ وَ اَلنُّفُوسِ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ هَذَا وَقْفٌ كَانَ عَلَيْهِمْ دُونَ مَنْ بَعْدَهُمْ وَ لَوْ كَانَ عَلَيْهِمْ وَ عَلَى أَوْلَادِهِمْ مَا تَنَاسَلُوا وَ مِنْ بَعْدُ عَلَى فُقَرَاءِ الْمُسْلِمِينَ إِلَى أَنْ يَرِثَ اللَّهُ الْأَرْضَ وَ مَنْ عَلَيْهَا لَمْ يَجُزْ بَيْعُهُ أَبَداً.

H.5575 - Al-Abbas ibn Ma'ruf narrated from Ali ibn Mahziyar, who said:
"I wrote to Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, informing him that a man had purchased a piece of land and endowed it, assigning one-fifth of the endowment to you {a.s}.
He seeks your opinion on whether he should sell your share of the land or appraise its value for himself at the price he bought it for, or leave it as an endowment."
Imam {a.s} wrote back to me: "Inform him that I command him to sell my share of the estate and deliver the proceeds to me. This is my opinion, Allah {SWT} willing, or he may appraise it for himself if that is easier for him."
Ali ibn Mahziyar continued: I also wrote to Imam {a.s} that the man mentioned there was severe disagreement among those for whom the estate was endowed, and he feared that this conflict might escalate. If you see it fit for him to sell the endowment and distribute to each their designated share, then please command him to do so.
Imam {a.s} wrote back in his own handwriting: "Inform him that my opinion is, if he knows of the conflict among the beneficiaries of the endowment and that selling the endowment is a better solution, then let him sell it. For sometimes conflicts can lead to the destruction of wealth and even lives."

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, said: This endowment (waqf) was specifically designated for them and not for those who would come after them. However, if it had been endowed for them and their descendants for as long as they continued to exist, and afterward for the poor among the Muslims until Allah {SWT} inherits the earth and whoever is on it, then its sale would never be permissible.

[REFERENCES] Al-Kafi, Vol.7 p.36 • Man La Yahduruhu Al-Faqih, Vol.4 p.240 • Tahdhib Al-Ahkam, Vol.9 p.130 • Al-Istibsar, Vol.4 p.98 • Al-Wafi, Vol.10 p.551 • Awalim Al-Uloom, Vol.23 p.331 • Awalim Al-Uloom, Vol.23 p.466

HADITH

5576 - وَ رَوَى مُحَمَّدُ بْنُ عِيسَى عَنْ أَبِي عَلِيٍّ بْنِ رَاشِدٍ قَالَ : سَأَلْتُ أَبَا اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ فَقُلْتُ جُعِلْتُ فِدَاكَ اِشْتَرَيْتُ أَرْضاً إِلَى جَنْبِي بِأَلْفِ دِرْهَمٍ فَلَمَّا وَفَّرْتُ اَلْمَالَ خُبِّرْتُ أَنَّ اَلْأَرْضَ وَقْفٌ فَقَالَ «لاَ يَجُوزُ شِرَاءُ اَلْوَقْفِ وَ لاَ تُدْخِلِ اَلْغَلَّةَ فِي مَالِكَ اِدْفَعْهَا إِلَى مَنْ وُقِفَتْ عَلَيْهِ» قُلْتُ لاَ أَعْرِفُ لَهَا رَبّاً قَالَ «تَصَدَّقْ بِغَلَّتِهَا».

H.5576 - Muhammad ibn Isa narrated from Abu Ali ibn Rashid, who said:
I asked Abu Al-Hasan {a.s}, peace be upon him, and said: “May I be your ransom, I purchased a piece of land next to mine for one thousand dirhams. When I gathered the money, I was informed that the land was an endowment (waqf)."
Imam {a.s} replied: "The purchase of endowment property is not permissible, and do not mix its yield with your wealth. Instead, give its yield to those for whom it was endowed."
I said: “I do not know who its rightful beneficiaries are."
Imam {a.s} said: "Then give its yield in charity."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.242

HADITH

5577 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ جَعْفَرِ بْنِ حَنَانٍ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ وَقَفَ غَلَّةً لَهُ عَلَى قَرَابَةٍ لَهُ مِنْ أَبِيهِ وَ قَرَابَةٍ مِنْ أُمِّهِ وَ أَوْصَى لِرَجُلٍ وَ لِعَقِبِهِ مِنْ تِلْكَ اَلْغَلَّةِ لَيْسَ بَيْنَهُ وَ بَيْنَهُ قَرَابَةٌ بِثَلاَثِمِائَةِ دِرْهَمٍ كُلَّ سَنَةٍ وَ يُقْسَمُ اَلْبَاقِي عَلَى قَرَابَتِهِ مِنْ أَبِيهِ وَ أُمِّهِ قَالَ «جَائِزٌ لِلَّذِي أَوْصَى لَهُ بِذَلِكَ» قُلْتُ أَ رَأَيْتَ إِنْ لَمْ يَخْرُجْ مِنْ غَلَّةِ اَلْأَرْضِ اَلَّتِي وَقَفَهَا إِلاَّ خَمْسُمِائَةِ دِرْهَمٍ فَقَالَ «أَ وَ لَيْسَ فِي وَصِيَّتِهِ أَنْ يُعْطَى اَلَّذِي أَوْصَى لَهُ مِنَ اَلْغَلَّةِ بِثَلاَثِمِائَةِ دِرْهَمٍ وَ يُقْسَمَ اَلْبَاقِي عَلَى قَرَابَتِهِ مِنْ أَبِيهِ وَ أُمِّهِ» قُلْتُ نَعَمْ قَالَ «لَيْسَ لِقَرَابَتِهِ أَنْ يَأْخُذُوا مِنَ اَلْغَلَّةِ شَيْئاً حَتَّى يُوفُوا اَلْمُوصَى لَهُ ثَلاَثَمِائَةِ دِرْهَمٍ ثُمَّ لَهُمْ مَا بَقِيَ بَعْدَ ذَلِكَ» قُلْتُ أَ رَأَيْتَ إِنْ مَاتَ اَلَّذِي أُوصِيَ لَهُ قَالَ «إِنْ مَاتَ كَانَتِ اَلثَّلاَثُمِائَةِ دِرْهَمٍ لِوَرَثَتِهِ يَتَوَارَثُونَهَا مَا بَقِيَ أَحَدٌ مِنْهُمْ فَإِذَا اِنْقَطَعَ وَرَثَتُهُ وَ لَمْ يَبْقَ مِنْهُمْ أَحَدٌ كَانَتِ اَلثَّلاَثُمِائَةِ دِرْهَمٍ لِقَرَابَةِ اَلْمَيِّتِ تُرَدُّ إِلَى مَا يَخْرُجُ مِنَ اَلْوَقْفِ ثُمَّ يُقْسَمُ بَيْنَهُمْ يَتَوَارَثُونَ ذَلِكَ مَا بَقِيَ مِنْهُمْ أَحَدٌ وَ بَقِيَتِ اَلْغَلَّةُ» قُلْتُ فَلِلْوَرَثَةِ مِنْ قَرَابَةِ اَلْمَيِّتِ أَنْ يَبِيعُوا اَلْأَرْضَ إِذَا اِحْتَاجُوا إِلَيْهَا وَ لَمْ يَكْفِهِمْ مَا يَخْرُجُ مِنَ اَلْغَلَّةِ قَالَ «نَعَمْ إِذَا رَضُوا كُلُّهُمْ وَ كَانَ اَلْبَيْعُ خَيْراً لَهُمْ بَاعُوا».

H.5577 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab from Ja'far ibn Hanan, who said: I asked Abu Abdullah {a.s}, about a man who endowed the yield of his property for his relatives from his father's side and his mother's side.
He also made a bequest for a man and his descendants - who had no relation to him - to receive three hundred dirhams annually from that yield, with the remainder to be distributed among his relatives from both his father's and mother's sides.
Imam {a.s} said: "It is permissible for the one to whom he made that bequest."
I then asked: “What if the yield from the endowed land is only five hundred dirhams?"
Imam {a.s} replied: "Is it not in his will that the one he designated should receive three hundred dirhams from the yield, and the remainder be divided among his relatives from his father's and mother's sides?"

I said: “Yes."
Imam {a.s} replied: "His relatives have no right to take anything from the yield until the bequested three hundred dirhams are fully given to the one it was intended for. After that, whatever remains belongs to them."
I asked: “What if the person for whom the bequest was made dies?"
Imam {a.s} said: "If he dies, the three hundred dirhams will go to his heirs, and they will inherit it as long as any of them remain. If his heirs perish and none remain, the three hundred dirhams will revert to the relatives of the deceased (the original owner) and will be distributed from the yield of the endowment among them, and they will continue to inherit it as long as any of them remain, while the yield itself will continue."
I asked: “Do the heirs from the deceased's relatives have the right to sell the land if they are in need and the yield does not suffice for them?"
Imam {a.s} replied: "Yes, if all of them agree and the sale is better for them, then they may sell it."

[REFERENCES] Al-Kafi, Vol.7 p.35 • Man La Yahduruhu Al-Faqih, Vol.4 p.242 • Tahdhib Al-Ahkam, Vol.9 p.133 • Al-Wafi, Vol.10 p.550 • Wasa’il Al-Shi’ah, Vol.19 p.190

HADITH

5578 - وَ رَوَى اَلْعَبَّاسُ بْنُ مَعْرُوفٍ عَنْ عُثْمَانَ بْنِ عِيسَى عَنْ مِهْرَانَ بْنِ مُحَمَّدٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : أَوْصَى أَنْ يُنَاحَ عَلَيْهِ سَبْعَةَ مَوَاسِمَ فَأَوْقَفَ لِكُلِّ مَوْسِمٍ مَالاً يُنْفَقُ فِيهِ.

H.5578 - Al-Abbas ibn Ma’ruf narrated from Uthman ibn Isa from Mehran ibn Muhammad, who said: I heard Abu Abdullah {a.s}, say that he instructed for mourning to be held for Him {a.s} for seven seasons (mawasim), and He {a.s} allocated money for each season to be spent for that purpose.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.244 • Tahdhib Al-Ahkam, Vol.9 p.144 • Wasa’il Al-Shi’ah, Vol.19 p.174

HADITH

5579 - وَ رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ أَبِي بَصِيرٍ قَالَ : قَالَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ «أَ لاَ أُحَدِّثُكَ بِوَصِيَّةِ فَاطِمَةَ عَلَيْهَا اَلسَّلاَمُ » قُلْتُ بَلَى فَأَخْرَجَ حُقّاً أَوْ سَفَطاً فَأَخْرَجَ مِنْهُ كِتَاباً فَقَرَأَهُ « «بِسْمِ اَللَّهِ اَلرَّحْمٰنِ اَلرَّحِيمِ» هَذَا مَا أَوْصَتْ بِهِ فَاطِمَةُ بِنْتُ مُحَمَّدٍ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَوْصَتْ بِحَوَائِطِهَا اَلسَّبْعَةِ، اَلْعَوَافِ وَ اَلدَّلاَلِ وَ اَلْبُرْقَةِ وَ اَلْمِيثَبِ وَ اَلْحَسْنَى وَ اَلصَّافِيَةِ وَ مَالِ أُمِّ إِبْرَاهِيمَ إِلَى عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ فَإِنْ مَضَى عَلِيٌّ فَإِلَى اَلْحَسَنِ فَإِنْ مَضَى اَلْحَسَنُ فَإِلَى اَلْحُسَيْنِ فَإِنْ مَضَى اَلْحُسَيْنُ فَإِلَى اَلْأَكْبَرِ مِنْ وُلْدِي شَهِدَ اَللَّهُ عَلَى ذَلِكَ وَ اَلْمِقْدَادُ بْنُ اَلْأَسْوَدِ اَلْكِنْدِيُّ وَ اَلزُّبَيْرُ بْنُ اَلْعَوَّامِ » وَ كَتَبَ « عَلِيُّ بْنُ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ ».

وَ رُوِيَ أَنَّ هَذِهِ اَلْحَوَائِطَ كَانَتْ وَقْفاً وَ كَانَ رَسُولُ اَللَّهِ ص يَأْخُذُ مِنْهَا مَا يُنْفِقُ عَلَى أَضْيَافِهِ وَ مَنْ يَمُرُّ بِهِ فَلَمَّا قُبِضَ جَاءَ اَلْعَبَّاسُ يُخَاصِمُ فَاطِمَةَ ع فِيهَا فَشَهِدَ عَلِيٌّ ع وَ غَيْرُهُ أَنَّهَا وَقْفٌ عَلَيْهَا اَلْمَسْمُوعُ مِنْ ذِكْرِ أَحَدِ اَلْحَوَائِطِ اَلْمِيثَبُ وَ لَكِنِّي سَمِعْتُ اَلسَّيِّدَ أَبَا عَبْدِ اَللَّهِ مُحَمَّدَ بْنَ اَلْحَسَنِ اَلْمُوسَوِيَّ أَدَامَ اَللَّهُ تَوْفِيقَهُ يَذْكُرُ أَنَّهَا تُعْرَفُ عِنْدَهُمْ بِالْمِيثَمِ.

H.5579 - Asim ibn Humaid narrated from Abu Basir, who said:
Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, said: “Shall I tell you about the will of Sayyidah Fatimah {s.a}, peace be upon her?"
I said: “Yes."
Imam {a.s} then brought out a box or a container, from which he took out a document and read it:
"In the name of Allah {SWT}, the Most Gracious, the Most Merciful. This is what Fatimah {s.a}, daughter of Muhammad {saws}, peace and blessings be upon him and his family, bequeathed. She willed that her seven gardens - Al-Awaf, Ad-Dalal, Al-Burqah, Al-Mithab, Al-Hasna, As-Safiyah, and the property of Umm Ibrahim - be given to Ali ibn Abi Talib {a.s}, peace be upon him. If Ali {a.s} passes away, then to Al-Hasan {a.s}; if Al-Hasan {a.s} passes away, then to Al-Hussain {a.s}; and if Al-Hussain {a.s} passes away, then to the eldest of my children.
Allah {SWT} bears witness to this, along with Miqdad ibn Al-Aswad Al-Kindi and Az-Zubayr ibn Al-Awwam." It was written by Ali ibn Abi Talib {a.s}, peace be upon him."

[AL SADUQ]
It has been narrated that these gardens (*ha*wa'i*ṭ*) were endowments (waqf), and the Messenger of Allah {SWT}, peace and blessings be upon him and his family, used to take from their yield to spend on His {saws} guests and those who passed by Him {saws}. After His {saws} passing, Al-Abbas came to dispute with Sayyidah Fatimah {s.a}, peace be upon her, over them (gardens).
Imam Ali ibn Abi Talib {a.s}, peace be upon him, and others testified that they were endowments specifically designated for her (Sayyidah Fatimah {s.a}).
Among the well-known names of these gardens is Al-Mithab, though I have also heard Sayyid Abu Abdullah Muhammad ibn Al-Hasan Al-Musawi - may Allah {SWT} grant him continued success - mention that it is known among them as Al-Mitham.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.244 • Tahdhib Al-Ahkam, Vol.9 p.144 • Wasa'il Al-Shi'ah, Vol.19 p.198

HADITH

5580 - وَ رَوَى مُحَمَّدُ بْنُ عَلِيِّ بْنِ مَحْبُوبٍ عَنْ مُحَمَّدِ بْنِ اَلْفَرَجِ عَنْ عَلِيِّ بْنِ مَعْبَدٍ قَالَ : كَتَبَ إِلَيْهِ مُحَمَّدُ بْنُ أَحْمَدَ بْنِ إِبْرَاهِيمَ فِي سَنَةِ ثَلاَثٍ وَ ثَلاَثِينَ وَ مِائَتَيْنِ يَسْأَلُهُ عَنْ رَجُلٍ مَاتَ وَ خَلَّفَ اِمْرَأَةً وَ بَنِينَ وَ بَنَاتٍ وَ خَلَّفَ لَهُمْ غُلاَماً أَوْقَفَهُ عَلَيْهِمْ عَشْرَ سِنِينَ ثُمَّ هُوَ حُرٌّ بَعْدَ اَلْعَشْرِ سِنِينَ هَلْ يَجُوزُ لِهَؤُلاَءِ اَلْوَرَثَةِ بَيْعُ هَذَا اَلْغُلاَمِ وَ هُمْ مُضْطَرُّونَ إِذَا كَانَ عَلَى مَا وَصَفْتُهُ لَكَ جَعَلَنِيَ اَللَّهُ فِدَاكَ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ «لاَ يَبِيعُونَهُ إِلَى مِيقَاتِ شَرْطِهِ إِلاَّ أَنْ يَكُونُوا مُضْطَرِّينَ إِلَى ذَلِكَ فَهُوَ جَائِزٌ لَهُمْ».

H.5580 - Muhammad ibn Ali ibn Mahbub narrated from Muhammad ibn Al-Faraj from Ali ibn Mabad, who said: Muhammad ibn Ahmad ibn Ibrahim wrote to Imam {a.s} in the year 233 AH, asking about a man who passed away and left behind a wife, sons, and daughters. He had also left them a servant (ghulam) whom he had endowed for them for ten years, after which the servant would become free.
He asked: “Is it permissible for these heirs to sell this servant if they are in need, given the situation I described to you? May Allah {SWT} make me your ransom."
Imam {a.s} wrote in reply: "They should not sell him until the appointed time of his condition (the ten years) unless they are in severe need. In that case, it is permissible for them to sell him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.245 • Tahdhib Al-Ahkam, Vol.9 p.138 • Al-Wafi, Vol.10 p.543 • Wasa’il Al-Shi’ah, Vol.19 p.221

HADITH

5581 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ عُمَرَ بْنِ أُذَيْنَةَ قَالَ : كُنْتُ شَاهِداً لِابْنِ أَبِي لَيْلَى وَ قَضَى فِي رَجُلٍ جَعَلَ لِبَعْضِ قَرَابَتِهِ غَلَّةَ دَارِهِ وَ لَمْ يُوَقِّتْ وَقْتاً فَمَاتَ اَلرَّجُلُ وَ حَضَرَتْ وَرَثَتُهُ اِبْنَ أَبِي لَيْلَى وَ حَضَرَ قَرَابَتُهُ اَلَّذِي جُعِلَ لَهُ غَلَّةُ اَلدَّارِ فَقَالَ اِبْنُ أَبِي لَيْلَى أَرَى أَنْ أَدَعَهَا عَلَى مَا تَرَكَهَا صَاحِبُهَا فَقَالَ مُحَمَّدُ بْنُ مُسْلِمٍ اَلثَّقَفِيُّ أَمَا إِنَّ عَلِيَّ بْنَ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ قَدْ قَضَى فِي هَذَا اَلْمَسْجِدِ بِخِلاَفِ مَا قَضَيْتَ فَقَالَ وَ مَا عِلْمُكَ قَالَ سَمِعْتُ أَبَا جَعْفَرٍ مُحَمَّدَ بْنَ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ يَقُولُ «قَضَى عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ بِرَدِّ اَلْحَبِيسِ وَ إِنْفَاذِ اَلْمَوَارِيثِ ، » فَقَالَ اِبْنُ أَبِي لَيْلَى هَذَا عِنْدَكَ فِي كِتَابٍ قَالَ نَعَمْ قَالَ فَأَرْسِلْ فَأْتِنِي بِهِ فَقَالَ لَهُ مُحَمَّدُ بْنُ مُسْلِمٍ عَلَى أَنْ لاَ تَنْظُرَ مِنَ اَلْكِتَابِ إِلاَّ فِي ذَلِكَ اَلْحَدِيثِ قَالَ لَكَ ذَلِكَ قَالَ فَأَحْضَرَ اَلْكِتَابَ وَ أَرَاهُ اَلْحَدِيثَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ فِي اَلْكِتَابِ فَرَدَّ قَضِيَّتَهُ.

وَ الْحَبِيسُ كُلُّ وَقْفٍ إِلَى غَيْرِ وَقْتٍ مَعْلُومٍ هُوَ مَرْدُودٌ عَلَى الْوَرَثَةِ.

H.5581 - Muhammad ibn Abi Umayr narrated from Umar ibn Udhaynah, who said:
I was present with Ibn Abi Layla when Imam {a.s} ruled on a case involving a man who had allocated the yield (ghallah) of his house to one of his relatives without specifying a time limit. When the man passed away, his heirs came before Ibn Abi Layla, along with the relative who had been granted the house's yield.
Ibn Abi Layla said: "I see that it should remain as the owner had left it."
Muhammad ibn Muslim Al-Thaqafi responded, "Indeed, Imam Ali ibn Abi Talib {a.s}, peace be upon him, ruled differently in this very mosque than what you have ruled."
Ibn Abi Layla asked: "And what knowledge do you have of this?"
Muhammad ibn Muslim replied: "I heard Abu Ja'far Imam Muhammad ibn Ali Al-Baqir {a.s}, peace be upon him, say:
'Imam Ali ibn Abi Talib {a.s}, peace be upon him, ruled to revoke the habis (temporary endowment) and enforce the distribution of inheritance.'"
Ibn Abi Layla then asked: "Do you have this in a book?"
He replied: "Yes."
Ibn Abi Layla said: "Then send for it and bring it to me."
Muhammad ibn Muslim stipulated: "On the condition that you look only at this specific narration in the book."
Ibn Abi Layla agreed: "That is acceptable."
Muhammad ibn Muslim brought the book and showed him the narration from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, and Ibn Abi Layla retracted his judgment.

[AL SADUQ]
The term habis refers to any endowment without a specified time limit, and it is to be returned to the heirs.

[REFERENCES] Al-Kafi, Vol.7 p.34 • Man La Yahduruhu Al-Faqih, Vol.4 p.245 • Ma'ani Al-Akhbar, Vol.1 p.219 • Tahdhib Al-Ahkam, Vol.6 p.291 • Tahdhib Al-Ahkam, Vol.9 p.140 • Al-Wafi, Vol.10 p.544 • Wasa'il Al-Shi'ah, Vol.19 p.223 • Bihar Al-Anwar, Vol.100 p.186

HADITH

5582 - وَ رَوَى عَبْدُ اَللَّهِ بْنُ اَلْمُغِيرَةِ عَنْ عَبْدِ اَلرَّحْمَنِ اَلْجُعْفِيِّ قَالَ : كُنْتُ أَخْتَلِفُ إِلَى اِبْنِ أَبِي لَيْلَى فِي مَوَارِيثَ لَنَا لِيَقْسِمَهَا وَ كَانَ فِيهِ حَبِيسٌ فَكَانَ يُدَافِعُنِي فَلَمَّا طَالَ ذَلِكَ شَكَوْتُهُ إِلَى أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ فَقَالَ «أَ وَ مَا عَلِمَ أَنَّ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَمَرَ بِرَدِّ اَلْحَبِيسِ وَ إِنْفَاذِ اَلْمَوَارِيثِ» قَالَ فَأَتَيْتُهُ فَفَعَلَ كَمَا كَانَ يَفْعَلُ فَقُلْتُ لَهُ إِنِّي شَكَوْتُكَ إِلَى جَعْفَرِ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ فَقَالَ لِي كَيْتَ وَ كَيْتَ قَالَ فَحَلَّفَنِي اِبْنُ أَبِي لَيْلَى أَنَّهُ قَدْ قَالَ ذَلِكَ فَحَلَفْتُ لَهُ فَقَضَى لِي بِذَلِكَ.

H.5582 - Abdullah ibn Al-Mughirah narrated from Abdur-Rahman Al-Ju'fi, who said:
I used to frequently go to Ibn Abi Layla regarding an inheritance matter of ours so that he could divide it. Part of the estate included a habis (a temporary endowment), but he kept postponing the matter. When this delay persisted, I complained about him to Abu Abdullah {a.s}.
Abu Abdullah {a.s} said: "Does he not know that the Messenger of Allah {SWT}, peace and blessings be upon him and his family, commanded the revocation of habis and the execution of inheritance distribution?"
So, I returned to Ibn Abi Layla, and he continued as before. I then said to him:
"I have complained about you to Imam Jafar ibn Muhammad Al-Sadiq {a.s}, peace be upon him, and He {a.s} told me such and such."
Ibn Abi Layla made me swear that Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} had indeed said that. I swore to him, and as a result, he ruled in my favor accordingly.

[REFERENCES] Al-Kafi, Vol.7 p.35 • Man La Yahduruhu Al-Faqih, Vol.4 p.246 • Tahdhib Al-Ahkam, Vol.9 p.141 • Al-Wafi, Vol.10 p.545 • Wasa'il Al-Shi'ah, Vol.19 p.224

HADITH

5583 - وَ رَوَى يَعْقُوبُ بْنُ زَيْدٍ عَنْ مُحَمَّدِ بْنِ شُعَيْبٍ عَنْ أَبِي كَهْمَسٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «سِتَّةٌ تَلْحَقُ اَلْمُؤْمِنَ بَعْدَ وَفَاتِهِ وَلَدٌ يَسْتَغْفِرُ لَهُ وَ مُصْحَفٌ يُخَلِّفُهُ وَ غَرْسٌ يَغْرِسُهُ وَ بِئْرٌ يَحْفِرُهَا وَ صَدَقَةٌ يُجْرِيهَا وَ سُنَّةٌ يُؤْخَذُ بِهَا مِنْ بَعْدِهِ».

H.5583 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Six things continue to benefit a believer after his death: a child who seeks forgiveness for him, a Quran that he leaves behind, a tree that he plants, a well that he digs, a charity that he establishes, and a good practice (sunnah) that is followed after him."

[REFERENCES] Al-Kafi, Vol.7 p.57 • Man La Yahduruhu Al-Faqih, Vol.1 p.185 • Man La Yahduruhu Al-Faqih, Vol.4 p.246 • Mishkat Al-Anwar, Vol.1 p.151 • Awali Al-La'ali, Vol.3 p.260 • Al-Wafi, Vol.25 p.587 • Wasa'il Al-Shi'ah, Vol.2 p.447 • Wasa'il Al-Shi'ah, Vol.19 p.173 • Bihar Al-Anwar, Vol.85 p.308 • Tafsir Kanz Al-Daqaiq, Vol.12 p.516

HADITH

5584 - وَ رَوَى عَلِيُّ بْنُ أَسْبَاطٍ عَنْ مُحَمَّدِ بْنِ حُمْرَانَ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي اَلرَّجُلِ يَتَصَدَّقُ بِالصَّدَقَةِ اَلْمُشْتَرَكَةِ قَالَ «جَائِزٌ».

H.5584 - Ali ibn Asbat narrated from Muhammad ibn Humran from Zurara, who reported from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, regarding a man who gives a shared charity (sadaqah mushtarakah).
Imam {a.s} said: "It is permissible."

[REFERENCES] Al-Kafi, Vol.7 p.34 • Man La Yahduruhu Al-Faqih, Vol.4 p.246 • Tahdhib Al-Ahkam, Vol.9 p.137 • Tahdhib Al-Ahkam, Vol.9 p.139 • Al-Wafi, Vol.10 p.526 • Wasa'il Al-Shi'ah, Vol.19 p.196

HADITH

5585 - وَ رَوَى اَلْحُسَيْنُ بْنُ سَعِيدٍ عَنِ اَلنَّضْرِ عَنِ اَلْقَاسِمِ بْنِ سُلَيْمَانَ عَنْ عُبَيْدِ بْنِ زُرَارَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ : فِي رَجُلٍ تَصَدَّقَ عَلَى وُلْدٍ لَهُ قَدْ أَدْرَكُوا فَقَالَ «إِذَا لَمْ يَقْبِضُوا حَتَّى يَمُوتَ فَهِيَ مِيرَاثٌ فَإِنْ تَصَدَّقَ عَلَى مَنْ لَمْ يُدْرِكْ مِنْ وُلْدِهِ فَهُوَ جَائِزٌ لِأَنَّ اَلْوَالِدَ هُوَ اَلَّذِي يَلِي أَمْرَهُمْ » وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «لاَ يَرْجِعْ فِي اَلصَّدَقَةِ إِذَا تَصَدَّقَ بِهَا اِبْتِغَاءَ وَجْهِ اَللَّهِ عَزَّ وَ جَلَّ».

H.5585 - Al-Husayn ibn Sa'id narrated from Al-Nadr, from Al-Qasim ibn Sulayman, from Ubayd ibn Zurara, who reported from Abu Abdullah {a.s}, that he said regarding a man who gave charity to his children who had reached maturity:
"If they do not take possession of it before his death, then it becomes inheritance. But if he gives charity to his minor children, it is permissible because the parent manages their affairs."
Imam {a.s} also said: "One should not take back a charity once it has been given sincerely for the sake of Allah {SWT}, the Mighty and Majestic."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.247 • Tahdhib Al-Ahkam, Vol.9 p.137 • Al-Istibsar, Vol.4 p.102 • Wasa'il Al-Shi'ah, Vol.19 p.180

HADITH

5586 - وَ فِي رِوَايَةِ اِبْنِ أَبِي عُمَيْرٍ عَنْ جَمِيلِ بْنِ دَرَّاجٍ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ تَصَدَّقَ عَلَى اِبْنِهِ بِالْمَالِ أَوِ اَلدَّارِ أَ لَهُ أَنْ يَرْجِعَ فِيهِ فَقَالَ «نَعَمْ إِلاَّ أَنْ يَكُونَ صَغِيراً».

H.5586 - In the narration of Ibn Abi Umayr from Jamil ibn Darraj, he said:
I asked Abu Abdullah {a.s}, about a man who gave charity to his son in the form of wealth or a house. I asked: "Does he have the right to take it back?"
Imam {a.s} replied: "Yes, unless the son is a minor."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.247 • Al-Wafi, Vol.10 p.516 • Wasa'il Al-Shi'ah, Vol.19 p.181

HADITH

5587 - وَ رَوَى مُوسَى بْنُ بَكْرٍ عَنِ اَلْحَكَمِ قَالَ : قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ إِنَّ وَالِدِي تَصَدَّقَ عَلَيَّ بِدَارٍ ثُمَّ بَدَا لَهُ أَنْ يَرْجِعَ فِيهَا وَ إِنَّ قُضَاتَنَا يَقْضُونَ لِي بِهَا فَقَالَ «نِعْمَ مَا قَضَتْ بِهِ قُضَاتُكُمْ وَ لَبِئْسَ مَا صَنَعَ وَالِدُكَ إِنَّمَا اَلصَّدَقَةُ لِلَّهِ عَزَّ وَ جَلَّ فَمَا جُعِلَ لِلَّهِ فَلاَ رَجْعَةَ فِيهِ لَهُ فَإِنْ أَنْتَ خَاصَمْتَهُ فَلاَ تَرْفَعْ عَلَيْهِ صَوْتَكَ وَ إِنْ رَفَعَ صَوْتَهُ فَاخْفِضْ أَنْتَ صَوْتَكَ» قَالَ قُلْتُ لَهُ إِنَّهُ قَدْ تُوُفِّيَ قَالَ «فَأَطِبْ بِهَا».

H.5587 - Musa ibn Bakr narrated from Al-Hakam who said:
I said to Abu Abdullah {a.s}: "My father gave me a house in charity, but later he wanted to take it back. However, our judges ruled in my favor."
Imam {a.s} replied: “What your judges ruled is correct, but what your father did was wrong. Charity is for Allah {SWT}, the Mighty and Majestic, and whatever is given for Allah {SWT} cannot be taken back. If you argue with him (your father), do not raise your voice against him, and if he raises his voice, lower yours."
I said: “But he has passed away."
Imam {a.s} said: “Then enjoy it with a clear conscience."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.247 • Al-Wafi, Vol.10 p.518 • Wasa’il Al-Shi’ah, Vol.19 p.204

HADITH

5588 - وَ رَوَى رِبْعِيُّ بْنُ عَبْدِ اَللَّهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «تَصَدَّقَ أَمِيرُ اَلْمُؤْمِنِينَ عَلِيُّ بْنُ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ بِدَارِهِ اَلَّتِي فِي اَلْمَدِينَةِ فِي بَنِي زُرَيْقٍ فَكَتَبَ « «بِسْمِ اَللَّهِ اَلرَّحْمٰنِ اَلرَّحِيمِ» هَذَا مَا تَصَدَّقَ بِهِ عَلِيُّ بْنُ أَبِي طَالِبٍ وَ هُوَ حَيٌّ سَوِيٌّ تَصَدَّقَ بِدَارِهِ اَلَّتِي فِي بَنِي زُرَيْقٍ صَدَقَةً لاَ تُبَاعُ وَ لاَ تُوهَبُ وَ لاَ تُورَثُ حَتَّى يَرِثَهَا اَللَّهُ اَلَّذِي يَرِثُ اَلسَّمَاوَاتِ وَ اَلْأَرْضَ وَ أَسْكَنَ هَذِهِ اَلصَّدَقَةَ خَالاَتِهِ مَا عِشْنَ وَ عَاشَ عَقِبُهُنَّ فَإِذَا اِنْقَرَضُوا فَهِيَ لِذَوِي اَلْحَاجَةِ مِنَ اَلْمُسْلِمِينَ شَهِدَ اَللَّهُ» ».

H.5588 - Rubay' ibn Abdullah narrated from Abu Abdullah {a.s}, who said:
"The Commander of the Faithful, Imam Ali ibn Abi Talib {a.s}, peace be upon him, donated his house in Medina located in the area of Banu Zurayq.
Imam Ali ibn Abi Talib {a.s} wrote:
'In the name of Allah {SWT}, the Most Merciful, the Most Compassionate. This is what Ali ibn Abi Talib {a.s} donates while He {a.s} is alive and sound. He {a.s} donates his house in Banu Zurayq as a charity that shall neither be sold, gifted, nor inherited until Allah {SWT}, who inherits the heavens and the earth, takes possession of it.
He {a.s} has granted residence in this charitable house to his maternal aunts for as long as they live and as long as their descendants live. Once they have all passed away, it will be for the needy among the Muslims. Allah {SWT} is a witness to this.'"

[REFERENCES] Da’a’im Al-Islam, Vol.2 p.343 • Man La Yahduruhu Al-Faqih, Vol.4 p.248 • Tahdhib Al-Ahkam, Vol.9 p.131 • Al-Istibsar, Vol.4 p.98 • Al-Wafi, Vol.10 p.567 • Wasa’il Al-Shi’ah, Vol.19 p.187 • Mustadrak Al-Wasa’il, Vol.14 p.53

HADITH

5589 - وَ رَوَى حَمَّادُ بْنُ عُثْمَانَ عَنْ أَبِي اَلصَّبَّاحِ اَلْكِنَانِيِّ قَالَ : قُلْتُ لِأَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ إِنَّ أُمِّي تَصَدَّقَتْ عَلَيَّ بِنَصِيبٍ لَهَا فِي دَارٍ فَقُلْتُ لَهَا إِنَّ اَلْقُضَاةَ لاَ يُجِيزُونَ هَذَا وَ لَكِنِ اُكْتُبِيهِ شِرًى فَقَالَتْ اِصْنَعْ مِنْ ذَلِكَ مَا بَدَا لَكَ وَ كُلَّمَا تَرَى أَنَّهُ يَسُوغُ لَكَ فَتَوَثَّقْتُ فَأَرَادَ بَعْضُ اَلْوَرَثَةِ أَنْ يَسْتَحْلِفَنِي أَنِّي قَدْ نَقَدْتُ هَذَا اَلثَّمَنَ وَ لَمْ أَنْقُدْهَا شَيْئاً فَمَا تَرَى قَالَ «اِحْلِفْ لَهُ».

H.5589 - Hammad ibn Uthman narrated from Abu Al-Sabbah Al-Kinani who said:
I said to Abu Al-Hasan {a.s}: "My mother gave me her share in a house as charity. I told her that the judges do not approve of this, but if you write it as a sale, it would be accepted."
She replied: “Do whatever you think is appropriate and whatever seems permissible to you."
So, I secured it accordingly. Later, one of the heirs wanted me to swear that I had paid the price, even though I had not paid her anything. What do you suggest?"
Imam {a.s} said: “Swear (Oath to Allah {SWT}) to him."

[REFERENCES] Al-Nawadir (Lil-Ash’ari), Vol.1 p.28 • Man La Yahduruhu Al-Faqih, Vol.4 p.248 • Mustadrak Al-Wasa’il, Vol.16 p.76

HADITH

5590 - وَ رَوَى مُحَمَّدُ بْنُ سُلَيْمَانَ اَلدَّيْلَمِيُّ عَنْ أَبِيهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنِ اَلرَّجُلِ يَتَصَدَّقُ عَلَى اَلرَّجُلِ اَلْغَرِيبِ بِبَعْضِ دَارِهِ ثُمَّ يَمُوتُ قَالَ «يُقَوَّمُ ذَلِكَ قِيمَةً فَيُدْفَعُ إِلَيْهِ ثَمَنُهُ».

H.5590 - Muhammad ibn Sulayman Al-Daylami narrated from his father, who narrated from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}.
He said: I asked Imam {a.s} about a man who donates part of his house to a stranger and then dies.
Imam {a.s} replied: “It should be appraised for its value, and its price should be given to him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.248 • Tahdhib Al-Ahkam, Vol.9 p.146 • Al-Wafi, Vol.10 p.521 • Wasa’il Al-Shi’ah, Vol.19 p.197

HADITH

5591 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ أَبَانٍ عَنْ إِسْمَاعِيلَ اَلْجُعْفِيِّ قَالَ قَالَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : «مَنْ تَصَدَّقَ بِصَدَقَةٍ فَرَدَّهَا عَلَيْهِ اَلْمِيرَاثُ فَهِيَ لَهُ».

H.5591 - Muhammad ibn Abi Umayr narrated from Aban, who narrated from Isma'il Al-Ju'fi, who said: Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, said: “Whoever gives a charity and it is returned to him through inheritance, then it belongs to him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.249 • Tahdhib Al-Ahkam, Vol.9 p.150 • Al-Wafi, Vol.10 p.523 • Wasa’il Al-Shi’ah, Vol.19 p.208

HADITH

5592 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ كَانَ يَرُدُّ اَلنِّحْلَةَ فِي اَلْوَصِيَّةِ وَ مَا أَقَرَّ عِنْدَ مَوْتِهِ بِلاَ ثَبَتٍ وَ لاَ بَيِّنَةٍ رَدَّهُ».

H.5592 - In the narration of Al-Sakuni: "Indeed, Imam Ali ibn Abi Talib {a.s}, peace be upon him, used to reject gifts (grants) in a will, and whatever a person acknowledged at the time of his death without proof or evidence; Imam Ali ibn Abi Talib {a.s} would reject it."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.249 • Tahdhib Al-Ahkam, Vol.9 p.161 • Al-Istibsar, Vol.4 p.112 • Al-Wafi, Vol.10 p.535 • Wasa'il Al-Shi'ah, Vol.19 p.295

HADITH

5593 - وَ رَوَى مُحَمَّدُ بْنُ عَلِيِّ بْنِ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ اَلسِّنْدِيِّ عَنْ صَفْوَانَ بْنِ يَحْيَى عَنْ عَبْدِ اَلرَّحْمَنِ بْنِ اَلْحَجَّاجِ قَالَ : أَوْصَى أَبُو اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ بِهَذِهِ اَلصَّدَقَةِ «هَذَا مَا تَصَدَّقَ بِهِ مُوسَى بْنُ جَعْفَرٍ عَلَيْهِمَا اَلسَّلاَمُ تَصَدَّقَ بِأَرْضِهِ فِي مَكَانِ كَذَا وَ كَذَا كُلِّهَا وَ حَدُّ اَلْأَرْضِ كَذَا وَ كَذَا تَصَدَّقَ بِهَا كُلِّهَا وَ بِنَخْلِهَا وَ أَرْضِهَا وَ قَنَاتِهَا وَ مَائِهَا وَ أَرْحَائِهَا وَ حُقُوقِهَا وَ شِرْبِهَا مِنَ اَلْمَاءِ وَ كُلِّ حَقٍّ هُوَ لَهَا فِي مُرْتَفِعٍ أَوْ مَظْهَرٍ أَوْ عَرْضٍ أَوْ طُولٍ أَوْ مِرْفَقٍ أَوْ سَاحَةٍ أَوْ أَسْقِيَةٍ أَوْ مُتَشَعَّبٍ أَوْ مَسِيلٍ أَوْ عَامِرٍ أَوْ غَامِرٍ تَصَدَّقَ بِجَمِيعِ حُقُوقِهِ مِنْ ذَلِكَ عَلَى وُلْدِ صُلْبِهِ مِنَ اَلرِّجَالِ وَ اَلنِّسَاءِ يَقْسِمُ وَالِيهَا مَا أَخْرَجَ اَللَّهُ عَزَّ وَ جَلَّ مِنْ غَلَّتِهَا اَلَّذِي يَكْفِيهَا فِي عِمَارَتِهَا وَ مَرَافِقِهَا بَعْدَ ثَلاَثِينَ عَذْقاً يَقْسِمُ فِي مَسَاكِينِ اَلْقَرْيَةِ بَيْنَ وُلْدِ فُلاَنٍ «لِلذَّكَرِ مِثْلُ حَظِّ اَلْأُنْثَيَيْنِ» فَإِنْ تَزَوَّجَتِ اِمْرَأَةٌ مِنْ بَنَاتِ فُلاَنٍ فَلاَ حَقَّ لَهَا مِنْ هَذِهِ اَلصَّدَقَةِ حَتَّى تَرْجِعَ إِلَيْهَا بِغَيْرِ زَوْجٍ فَإِنْ رَجَعَتْ فَإِنَّ لَهَا مِثْلَ حَظِّ اَلَّتِي لَمْ تَتَزَوَّجْ مِنْ بَنَاتِ فُلاَنٍ وَ أَنَّ مَنْ تُوُفِّيَ مِنْ وُلْدِ فُلاَنٍ وَ لَهُ وَلَدٌ فَلِوَلَدِهِ عَلَى سَهْمِ أَبِيهِ «لِلذَّكَرِ مِثْلُ حَظِّ اَلْأُنْثَيَيْنِ» مِثْلُ مَا شَرَطَ فُلاَنٌ بَيْنَ وُلْدِهِ مِنْ صُلْبِهِ وَ أَنَّ مَنْ تُوُفِّيَ مِنْ وُلْدِ فُلاَنٍ وَ لَمْ يَتْرُكْ وَلَداً رُدَّ حَقُّهُ إِلَى أَهْلِ اَلصَّدَقَةِ وَ أَنَّهُ لَيْسَ لِوُلْدِ بَنَاتِي فِي صَدَقَتِي هَذِهِ حَقٌّ إِلاَّ أَنْ يَكُونَ آبَاؤُهُمْ مِنْ وُلْدِي وَ أَنَّهُ لَيْسَ لِأَحَدٍ فِي صَدَقَتِي حَقٌّ مَعَ وُلْدِي وَ وُلْدِ وُلْدِي وَ أَعْقَابِهِمْ مَا بَقِيَ مِنْهُمْ أَحَدٌ فَإِنِ اِنْقَرَضُوا فَلَمْ يَبْقَ مِنْهُمْ أَحَدٌ قُسِمَ ذَلِكَ عَلَى وُلْدِ أَبِي مِنْ أُمِّي مَا بَقِيَ مِنْهُمْ أَحَدٌ عَلَى مِثْلِ مَا شَرَطْتُ بَيْنَ وُلْدِي وَ عَقِبِي فَإِذَا اِنْقَرَضَ وُلْدُ أَبِي مِنْ أُمِّي وَ لَمْ يَبْقَ مِنْهُمْ أَحَدٌ فَصَدَقَتِي عَلَى وُلْدِ أَبِي وَ أَعْقَابِهِمْ مَا بَقِيَ مِنْهُمْ أَحَدٌ عَلَى مِثْلِ مَا شَرَطْتُ بَيْنَ وُلْدِي وَ عَقِبِي فَإِذَا اِنْقَرَضَ وُلْدُ أَبِي فَلَمْ يَبْقَ مِنْهُمْ أَحَدٌ فَصَدَقَتِي عَلَى اَلْأَوْلَى فَالْأَوْلَى حَتَّى يَرِثَهَا اَللَّهُ اَلَّذِي وَرِثَهَا وَ هُوَ خَيْرُ اَلْوَارِثِينَ تَصَدَّقَ فُلاَنٌ بِصَدَقَتِهِ هَذِهِ وَ هُوَ صَحِيحٌ صَدَقَةً بَتّاً بَتْلاً لاَ مَثْنَوِيَّةَ فِيهَا وَ لاَ رَدَّ أَبَداً «اِبْتِغَاءَ وَجْهِ اَللَّهِ» وَ اَلدَّارِ اَلْآخِرَةِ وَ لاَ يَحِلُّ لِمُؤْمِنٍ يُؤْمِنُ بِاللَّهِ وَ اَلْيَوْمِ اَلْآخِرِ أَنْ يَبِيعَهَا وَ لاَ يَبْتَاعَهَا وَ لاَ يَهَبَهَا وَ لاَ يَنْحَلَهَا وَ لاَ يُغَيِّرَ شَيْئاً مِنْهَا حَتَّى يَرِثَ اَللَّهُ «اَلْأَرْضَ وَ مَنْ عَلَيْهَا» وَ جَعَلَ صَدَقَتَهُ هَذِهِ إِلَى عَلِيٍّ وَ إِبْرَاهِيمَ فَإِذَا اِنْقَرَضَ أَحَدُهُمَا دَخَلَ اَلْقَاسِمُ مَعَ اَلْبَاقِي فَإِنِ اِنْقَرَضَ أَحَدُهُمَا دَخَلَ إِسْمَاعِيلُ مَعَ اَلْبَاقِي مِنْهُمَا فَإِنِ اِنْقَرَضَ أَحَدُهُمَا دَخَلَ اَلْعَبَّاسُ مَعَ اَلْبَاقِي مِنْهُمَا فَإِنِ اِنْقَرَضَ أَحَدُهُمَا دَخَلَ اَلْأَكْبَرُ مِنْ وُلْدِي مَعَ اَلْبَاقِي مِنْهُمَا وَ إِنْ لَمْ يَبْقَ مِنْ وُلْدِي مَعَهُ إِلاَّ وَاحِدٌ فَهُوَ اَلَّذِي يَلِيهِ».

H.5593 - Muhammad ibn Ali ibn Mahbub narrated from Ali ibn Al-Sindi, from Safwan ibn Yahya, from Abdurrahman ibn Al-Hajjaj, who said:

Abu Al-Hasan Imam Musa ibn Jafar Al-Kadhim {a.s} made this endowment:

"This is what Musa ibn Jafar {a.s} has endowed. He {a.s} has endowed all His {a.s} land in such and such a place. The boundary of the land is such and such. He {a.s} has endowed all of it, including its palm trees, land, water channels, water, mills, rights, irrigation rights from the water, and every right associated with it, whether it be in an elevated or low area, across its width or length, its easements, open spaces, conduits, offshoots, streams, developed or undeveloped parts.

He {a.s} has endowed all these rights upon his direct descendants, both male and female. The administrator shall distribute the produce that Allah {SWT}, the Mighty and Majestic, brings forth from it, in a way that is sufficient for its maintenance and facilities. After setting aside thirty date palms, the remainder shall be distributed among the needy of the village and the descendants of such and such, with the male receiving the share of two females.

If any woman from the daughters of so-and-so gets married, she shall have no share in this endowment until she returns unmarried. If she returns, she shall receive a share equal to that of those daughters who have not married.

If any of the descendants of so-and-so passes away leaving behind children, then his children shall inherit his share in accordance with the rule of 'the male receiving the share of two females.'"

Similar to the conditions set by so-and-so among his direct descendants, if any of the descendants of so-and-so dies without leaving behind children, his share shall revert to the beneficiaries of the endowment.

None of my daughters' children shall have any right in this endowment unless their fathers are from my direct descendants.

No one shall have any right in my endowment as long as my descendants and their offspring remain.

If all my descendants and their offspring cease to exist, the endowment shall be transferred to the descendants of my father from my mother, as long as any of them remain, following the same conditions I have set for my descendants and offspring.

If the descendants of my father from my mother perish, leaving no one, the endowment shall pass to the descendants of my father and their offspring, according to the same conditions I have set for my descendants and offspring.

If the descendants of my father also perish, leaving no one, then my endowment shall be passed on successively to the nearest relatives, one after another, until it ultimately returns to Allah {SWT}, the true inheritor, and He {SWT} is the best of inheritors.

So-and-so has endowed this endowment while in good health, as an absolute and irrevocable charity, free from any condition or revocation, solely seeking the pleasure of Allah {SWT}.

This endowment has been made for the sake of the Hereafter, and it is not permissible for any believer who believes in Allah {SWT} and the Last Day to sell it, purchase it, gift it,

or transfer it in any form. No one should alter anything from it until Allah {SWT} inherits the earth and all that is on it.

He {a.s} entrusted the administration of this endowment to Ali and Ibrahim. If one of them passes away, then Al-Qasim shall join the remaining one. If one of them passes away, then Ismail shall join the remaining one. If one of them passes away, then Al-Abbas shall join the remaining one. If one of them passes away, then the eldest of my offspring shall join the remaining one.

If there remains only one among my descendants, he shall be the one responsible for managing it.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.249 • Tahdhib Al-Ahkam, Vol.9 p.149 • Wasa'il Al-Shi'ah, Vol.19 p.202

HADITH

5594 - وَ رَوَى اَلْعَبَّاسُ بْنُ عَامِرٍ عَنْ أَبِي اَلصَّحَارِي عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : قُلْتُ لَهُ رَجُلٌ اِشْتَرَى دَاراً فَبَقِيَتْ عَرْصَةٌ فَبَنَاهَا بَيْتَ غَلَّةٍ أَ يُوقِفُهُ عَلَى اَلْمَسْجِدِ قَالَ «إِنَّ اَلْمَجُوسَ أَوْقَفُوا عَلَى بَيْتِ اَلنَّارِ».

H.5594 - Al-Abbas ibn Amir narrated from Abu Al-Sahari, from Abu Abdullah {a.s}, who said: I asked Imam {a.s} about a man who bought a house, and there remained an empty plot of land. He built upon it a house to generate income. Should he endow it for the mosque?

Imam {a.s} replied: "Indeed, the Magians endowed property for their fire temples."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.251 • Ilal Al-Shara'i', Vol.2 p.319 • Tahdhib Al-Ahkam, Vol.9 p.150 • Al-Wafi, Vol.7 p.507 • Al-Wafi, Vol.10 p.553 • Wasa'il Al-Shi'ah, Vol.5 p.292 • Bihar Al-Anwar, Vol.81 p.6 • Bihar Al-Anwar, Vol.100 p.183

CHAPTER 128 – CHAPTER ON SUKUNA, UMRA, AND RUQBA (TYPES OF CONDITIONAL PROPERTY GRANTS)

بَابُ السُّكْنَى وَ الْعُمْرَى وَ الرُّقْبَى

HADITH 5595 – 5599

5595 - رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنِ اَلْحُسَيْنِ بْنِ نُعَيْمٍ عَنْ أَبِي اَلْحَسَنِ مُوسَى بْنِ جَعْفَرٍ عَلَيْهِمَا اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ جَعَلَ سُكْنَى دَارِهِ لِرَجُلٍ أَيَّامَ حَيَاتِهِ أَوْ جَعَلَهَا لَهُ وَ لِعَقِبِهِ مِنْ بَعْدِهِ قَالَ «هِيَ لَهُ وَ لِعَقِبِهِ كَمَا شَرَطَ» قُلْتُ فَإِنِ اِحْتَاجَ إِلَى بَيْعِهَا يَبِيعُهَا قَالَ «نَعَمْ» قُلْتُ فَيَنْقُضُ بَيْعُهُ اَلدَّارَ اَلسُّكْنَى قَالَ «لاَ يَنْقُضُ اَلْبَيْعُ اَلسُّكْنَى كَذَلِكَ سَمِعْتُ أَبِي عَلَيْهِ اَلسَّلاَمُ يَقُولُ «قَالَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ » «لاَ يَنْقُضُ اَلْبَيْعُ اَلْإِجَارَةَ وَ لاَ اَلسُّكْنَى وَ لَكِنَّهُ يَبِيعُهُ عَلَى أَنَّ اَلَّذِي يَشْتَرِيهِ لاَ يَمْلِكُ مَا اِشْتَرَى حَتَّى يَنْقَضِيَ اَلسُّكْنَى عَلَى مَا شَرَطَ وَ اَلْإِجَارَةُ » » قُلْتُ فَإِنْ رَدَّ عَلَى اَلْمُسْتَأْجِرِ مَالَهُ وَ جَمِيعَ مَا لَزِمَهُ فِي اَلنَّفَقَةِ وَ اَلْعِمَارَةِ فِيمَا اِسْتَأْجَرَ قَالَ «عَلَى طِيبَةِ اَلنَّفْسِ وَ رِضَا اَلْمُسْتَأْجِرِ بِذَلِكَ لاَ بَأْسَ».

H.5595 - Muhammad ibn Abi Umayr narrated from Al-Husayn ibn Nu'aym from Abu Al-Hasan Imam Musa ibn Jafar Al-Kadhim {a.s} who said:
I asked Imam {a.s} about a man who granted residence in his house to another man for the duration of his life or made it for him and his descendants after him.
Imam {a.s} said: “It belongs to him and his descendants as stipulated."
I asked: “If he needs to sell it, can he sell it?"
Imam {a.s} replied: “Yes."
I asked: “Does selling the house invalidate the right of residence?"
Imam {a.s} said: “No, the sale does not invalidate the right of residence. I heard my father {a.s} say that Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} said:
‘The sale does not invalidate the lease nor the residence, but he sells it on the condition that the buyer does not own what he has purchased until the term of residence or lease ends according to the stipulated condition.'"
I asked: “If the seller returns the money to the tenant and covers all expenses he incurred for maintenance and living during the lease, does that end the agreement?"
Imam {a.s} said: “If it is done willingly and with the tenant's consent, then there is no harm in it."

[REFERENCES] Al-Kafi, Vol.7 p.38 • Man La Yahduruhu Al-Faqih, Vol.4 p.251 • Tahdhib Al-Ahkam, Vol.9 p.141 • Al-Istibsar, Vol.4 p.104 • Al-Wafi, Vol.10 p.541 • Wasa’il Al-Shi’ah, Vol.19 p.135

HADITH

5596 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ خَالِدِ بْنِ نَافِعٍ اَلْبَجَلِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ جَعَلَ لِرَجُلٍ سُكْنَى دَارٍ لَهُ مُدَّةَ حَيَاتِهِ يَعْنِي صَاحِبَ اَلدَّارِ فَمَاتَ اَلَّذِي جَعَلَ اَلسُّكْنَى وَ بَقِيَ اَلَّذِي جُعِلَ لَهُ اَلسُّكْنَى أَ رَأَيْتَ إِنْ أَرَادَ اَلْوَرَثَةُ أَنْ يُخْرِجُوهُ مِنَ اَلدَّارِ أَ لَهُمْ ذَلِكَ فَقَالَ «أَرَى أَنْ تُقَوَّمَ اَلدَّارُ بِقِيمَةٍ عَادِلَةٍ وَ يُنْظَرَ إِلَى ثُلُثِ اَلْمَيِّتِ فَإِنْ كَانَ فِي ثُلُثِهِ مَا يُحِيطُ بِثَمَنِ اَلدَّارِ فَلَيْسَ لِلْوَرَثَةِ أَنْ يُخْرِجُوهُ وَ إِنْ كَانَ اَلثُّلُثُ لاَ يُحِيطُ بِثَمَنِ اَلدَّارِ فَلَهُمْ أَنْ يُخْرِجُوهُ » قِيلَ لَهُ أَ رَأَيْتَ إِنْ مَاتَ اَلرَّجُلُ اَلَّذِي جُعِلَ لَهُ اَلسُّكْنَى بَعْدَ مَوْتِ صَاحِبِ اَلدَّارِ يَكُونُ اَلسُّكْنَى لِعَقِبِ اَلَّذِي جُعِلَ لَهُ اَلسُّكْنَى قَالَ «لاَ».

H.5596 - Al-Hasan ibn Mahbub narrated from Khalid ibn Nafi' Al-Bajali from Abu Abdullah {a.s} who said: I asked Imam {a.s} about a man who granted another man the right to reside in his house for the duration of his own life (meaning the life of the house owner). Then, the one who granted the residence passed away while the one granted the residence remained alive.
I asked: “If the heirs wish to remove him from the house, do they have right to do so?"
Imam {a.s} replied: “I see that the house should be appraised at a fair value, and it should be considered whether the deceased’s one-third share of the estate covers the value of the house. If his one-third share is sufficient to cover the price of the house, then the heirs have no right to evict him. However, if the one-third share does not cover the house's value, then the heirs have the right to evict him."
It was asked: “If the man who was granted the right of residence dies after the owner of the house has passed away, does the right of residence transfer to the descendants of the one who was granted the residence?"
Imam {a.s} replied: “No."

[REFERENCES] Al-Kafi, Vol.7 p.38 • Man La Yahduruhu Al-Faqih, Vol.4 p.252 • Tahdhib Al-Ahkam, Vol.9 p.142 • Al-Istibsar, Vol.4 p.105 • Al-Wafi, Vol.10 p.542 • Wasa’il Al-Shi’ah, Vol.19 p.227

HADITH

5597 - وَ رَوَى اَلْحَسَنُ بْنُ عَلِيِّ بْنِ فَضَّالٍ عَنْ أَحْمَدَ بْنِ عُمَرَ اَلْحَلَبِيِّ عَنْ أَبِيهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ أَسْكَنَ دَارَهُ رَجُلاً مُدَّةَ حَيَاتِهِ فَقَالَ «يَجُوزُ لَهُ وَ لَيْسَ لَهُ أَنْ يُخْرِجَهُ» قُلْتُ فَلَهُ وَ لِعَقِبِهِ قَالَ «يَجُوزُ لَهُ» وَ سَأَلْتُهُ عَنْ رَجُلٍ أَسْكَنَ رَجُلاً وَ لَمْ يُوَقِّتْ لَهُ شَيْئاً قَالَ «يُخْرِجُهُ صَاحِبُ اَلدَّارِ إِذَا شَاءَ».

H.5597 - Al-Hasan ibn Ali ibn Faddal narrated from Ahmad ibn Umar Al-Halabi from his father from Abu Abdullah {a.s} who said: I asked Imam {a.s} about a man who allowed another man to reside in his house for the duration of his life.
Imam {a.s} replied: “It is permissible for him, and he does not have the right to evict him."
I asked: “Does this also apply to his descendants?"
Imam {a.s} replied: “It is permissible for him."
I then asked Imam {a.s} about a man who allowed another man to reside in his house without specifying any time period.
Imam {a.s} replied: “The owner of the house may evict him whenever he wishes."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.253 • Al-Wafi, Vol.10 p.540

HADITH

5598 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ أَبَانِ بْنِ عُثْمَانَ عَنْ عَبْدِ اَلرَّحْمَنِ بْنِ أَبِي عَبْدِ اَللَّهِ عَنْ حُمْرَانَ قَالَ : سَأَلْتُهُ عَنِ اَلسُّكْنَى وَ اَلْعُمْرَى فَقَالَ «اَلنَّاسُ فِيهِ عِنْدَ شُرُوطِهِمْ إِنْ كَانَ شَرَطَ حَيَاتَهُ فَهُوَ حَيَاتَهُ وَ إِنْ كَانَ لِعَقِبِهِ فَهُوَ لِعَقِبِهِ كَمَا شَرَطَ حَتَّى يَفْنَوْا ثُمَّ تُرَدُّ إِلَى صَاحِبِ اَلدَّارِ».

H.5598 - Muhammad ibn Abi Umayr narrated from Aban ibn Uthman from Abdur Rahman ibn Abi Abdullah from Humran who said: I asked Imam {a.s} about Al-sukna (residential right) and Al-umra (life estate).
Imam {a.s} replied: “People are bound by their conditions. If he stipulated it for his lifetime, then it is for his lifetime. If he stipulated it for his descendants, then it is for his descendants as stipulated until they perish, after which it returns to the owner of the house."

[REFERENCES] Al-Kafi, Vol.7 p.33 • Man La Yahduruhu Al-Faqih, Vol.4 p.253 • Tahdhib Al-Ahkam, Vol.9 p.139 • Al-Istibsar, Vol.4 p.103 • Al-Wafi, Vol.10 p.539 • Wasa’il Al-Shi’ah, Vol.19 p.218 • Al-Fusul Al-Muhimmah, Vol.2 p.307

HADITH

5599 - وَ رَوَى مُحَمَّدُ بْنُ اَلْفُضَيْلِ عَنْ أَبِي اَلصَّبَّاحِ اَلْكِنَانِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سُئِلَ عَنِ اَلسُّكْنَى وَ اَلْعُمْرَى فَقَالَ «إِنْ كَانَ جَعَلَ اَلسُّكْنَى فِي حَيَاتِهِ فَهُوَ كَمَا شَرَطَ وَ إِنْ كَانَ جَعَلَهَا لَهُ وَ لِعَقِبِهِ مِنْ بَعْدِهِ حَتَّى يَفْنَى عَقِبُهُ فَلَيْسَ لَهُمْ أَنْ يَبِيعُوا وَ لاَ يُورِثُوا اَلدَّارَ ثُمَّ تَرْجِعُ اَلدَّارُ إِلَى صَاحِبِهَا اَلْأَوَّلِ».

H.5599 - Muhammad ibn Al-Fudayl narrated from Abu Al-Sabbah Al-Kinani from Abu Abdullah {a.s} who was asked about Al-sukna (residential right) and Al-umra (life estate). Imam {a.s} said: “If the residential right was granted for his lifetime, then it is as stipulated. But if it was granted to him and his descendants after him until his descendants perish, then they have no right to sell or inherit the house. After that, the house returns to its original owner."

[REFERENCES] Al-Kafi, Vol.7 p.33 • Man La Yahduruhu Al-Faqih, Vol.4 p.253 • Tahdhib Al-Ahkam, Vol.9 p.140 • Al-Istibsar, Vol.4 p.104 • Al-Wafi, Vol.10 p.540 • Wasa’il Al-Shi’ah, Vol.19 p.220

BOOK ON OBLIGATORY SHARES AND INHERITANCE

كِتَابُ الْفَرَائِضِ وَ الْمَوَارِيثِ

CHAPTER 129 – CHAPTER ON NULLIFICATION OF ‘AWL (PROPORTIONAL REDUCTION) IN INHERITANCE

بَابُ إِبْطَالِ الْعَوْلِ فِي الْمَوَارِيثِ

HADITH 5600 – 5604

5600 - رَوَى سَمَاعَةُ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ إِنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ كَانَ يَقُولُ : «إِنَّ اَلَّذِي أَحْصَى رَمْلَ عَالِجٍ يَعْلَمُ أَنَّ اَلسِّهَامَ لاَ تَعُولُ عَلَى سِتَّةٍ لَوْ يُبْصِرُونَ وُجُوهَهَا لَمْ تَجُزْ سِتَّةً».

H.5600 - Sama'ah narrated from Abu Basir from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said: Indeed, the Commander of the Faithful {a.s} used to say, "Surely, the One who counted the grains of sand in Alij knows that the shares (of inheritance) do not exceed six if people were to truly understand their proper allocations; they would never surpass six."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.254 • Ilal Al-Shara’i’, Vol.2 p.568 • Wasa’il Al-Shi’ah, Vol.26 p.75 • Bihar Al-Anwar, Vol.101 p.333

HADITH

5601 - وَ رَوَى سَيْفُ بْنُ عَمِيرَةَ عَنْ أَبِي بَكْرٍ اَلْحَضْرَمِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ «كَانَ اِبْنُ عَبَّاسٍ يَقُولُ : إِنَّ اَلَّذِي أَحْصَى رَمْلَ عَالِجٍ لَيَعْلَمُ أَنَّ اَلسِّهَامَ لاَ تَعُولُ مِنْ سِتَّةٍ».

H.5601 - Saif ibn Umayrah narrated from Abu Bakr Al-Hadrami from Abu Abdullah {a.s} who said: "Ibn Abbas used to say: Indeed, the One who counted the grains of sand in Alij surely knows that the shares (of inheritance) do not exceed six."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.255

HADITH

5602 - وَ رَوَى اَلْفَضْلُ بْنُ شَاذَانَ عَنْ مُحَمَّدِ بْنِ يَحْيَى عَنْ عَلِيِّ بْنِ عَبْدِ اَللَّهِ عَنْ يَعْقُوبَ بْنِ إِبْرَاهِيمَ بْنِ سَعْدٍ عَنْ أَبِيهِ قَالَ حَدَّثَنِي أَبِي عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ قَالَ حَدَّثَنِي اَلزُّهْرِيُّ عَنْ عُبَيْدِ اَللَّهِ بْنِ عَبْدِ اَللَّهِ بْنِ عُتْبَةَ قَالَ : جَلَسْتُ إِلَى اِبْنِ عَبَّاسٍ فَعَرَضَ عَلَيَّ ذِكْرُ فَرَائِضِ اَلْمَوَارِيثِ فَقَالَ اِبْنُ عَبَّاسٍ «سُبْحَانَ اَللَّهِ اَلْعَظِيمِ أَ تَرَوْنَ أَنَّ اَلَّذِي أَحْصَى رَمْلَ عَالِجٍ عَدَداً جَعَلَ فِي مَالٍ نِصْفاً وَ نِصْفاً وَ ثُلُثاً فَهَذَانِ اَلنِّصْفَانِ قَدْ ذَهَبَا بِالْمَالِ فَأَيْنَ مَوْضِعُ اَلثُّلُثِ» فَقَالَ لَهُ زُفَرُ بْنُ أَوْسٍ اَلْبَصْرِيُّ يَا اِبْنَ عَبَّاسٍ فَمَنْ أَوَّلُ مَنْ أَعَالَ اَلْفَرَائِضَ قَالَ «رُمَعٌ لَمَّا اِلْتَفَّتْ عِنْدَهُ اَلْفَرَائِضُ وَ دَافَعَ بَعْضُهَا

بَعْضاً» قَالَ «وَ اَللَّهِ مَا أَدْرِي أَيُّكُمْ قَدَّمَ اَللَّهُ وَ أَيُّكُمْ أَخَّرَ اَللَّهُ وَ مَا أَجِدُ شَيْئاً هُوَ أَوْسَعُ مِنْ أَنْ أَقْسِمَ عَلَيْكُمْ هَذَا اَلْمَالَ بِالْحِصَصِ فَأُدْخِلَ عَلَى كُلِّ ذِي حَقٍّ مَا دَخَلَ عَلَيْهِ مِنْ عَوْلِ اَلْفَرِيضَةِ وَ اَيْمُ اَللَّهِ أَنْ لَوْ قَدَّمَ مَنْ قَدَّمَ اَللَّهُ وَ أَخَّرَ مَنْ أَخَّرَ اَللَّهُ مَا عَالَتْ فَرِيضَةٌ» فَقَالَ لَهُ زُفَرُ بْنُ أَوْسٍ وَ أَيُّهُمَا قَدَّمَ وَ أَيُّهُمَا أَخَّرَ فَقَالَ «كُلُّ فَرِيضَةٍ لَمْ يُهْبِطْهَا اَللَّهُ عَزَّ وَ جَلَّ عَنْ فَرِيضَةٍ إِلاَّ إِلَى فَرِيضَةٍ فَهَذَا مَا قَدَّمَ اَللَّهُ وَ أَمَّا مَا أَخَّرَ اَللَّهُ فَكُلُّ فَرِيضَةٍ إِذَا زَالَتْ عَنْ فَرْضِهَا لَمْ يَكُنْ لَهَا إِلاَّ مَا بَقِيَ فَتِلْكَ اَلَّتِي أَخَّرَ اَللَّهُ فَأَمَّا اَلَّتِي قَدَّمَ اَللَّهُ فَالزَّوْجُ لَهُ اَلنِّصْفُ فَإِذَا دَخَلَ عَلَيْهِ مَا يُزِيلُهُ عَنْهُ رَجَعَ إِلَى اَلرُّبُعِ لاَ يُزِيلُهُ عَنْهُ شَيْءٌ وَ اَلزَّوْجَةُ لَهَا اَلرُّبُعُ فَإِنْ زَالَتْ عَنْهُ صَارَتْ إِلَى اَلثُّمُنِ لاَ يُزِيلُهَا عَنْهُ شَيْءٌ وَ اَلْأُمُّ لَهَا اَلثُّلُثُ فَإِنْ زَالَتْ عَنْهُ صَارَتْ إِلَى اَلسُّدُسِ لاَ يُزِيلُهَا عَنْهُ شَيْءٌ فَهَذِهِ اَلْفَرَائِضُ اَلَّتِي قَدَّمَ اَللَّهُ عَزَّ وَ جَلَّ وَ أَمَّا اَلَّتِي أَخَّرَ اَللَّهُ فَفَرِيضَةُ اَلْبَنَاتِ وَ اَلْأَخَوَاتِ لَهَا اَلنِّصْفُ إِنْ كَانَتْ وَاحِدَةً وَ إِنْ كَانَتِ اِثْنَتَيْنِ أَوْ أَكْثَرَ فَالثُّلُثَانِ فَإِذَا أَزَالَتْهُنَّ اَلْفَرَائِضُ لَمْ يَكُنْ لَهُنَّ إِلاَّ مَا يَبْقَى فَتِلْكَ اَلَّتِي أَخَّرَ اَللَّهُ فَإِذَا اِجْتَمَعَ مَا قَدَّمَ اَللَّهُ وَ مَا أَخَّرَ بُدِئَ بِمَا قَدَّمَ اَللَّهُ فَأُعْطِيَ حَقَّهُ كَمَلاً فَإِنْ بَقِيَ شَيْءٌ كَانَ لِمَنْ أَخَّرَ وَ إِنْ لَمْ يَبْقَ شَيْءٌ فَلاَ شَيْءَ لَهُ» فَقَالَ لَهُ زُفَرُ بْنُ أَوْسٍ فَمَا مَنَعَكَ أَنْ تُشِيرَ بِهَذَا اَلرَّأْيِ عَلَى رُمَعَ قَالَ «هِبْتُهُ» فَقَالَ اَلزُّهْرِيُّ وَ اَللَّهِ لَوْ لاَ أَنَّهُ تَقَدَّمَهُ إِمَامٌ عَدْلٌ كَانَ أَمْرُهُ عَلَى اَلْوَرَعِ فَأَمْضَى أَمْراً فَمَضَى مَا اِخْتَلَفَ عَلَى اِبْنِ عَبَّاسٍ مِنْ أَهْلِ اَلْعِلْمِ اِثْنَانِ.

H.5602 - Al-Fadl ibn Shadhan narrated from Muhammad ibn Yahya, from Ali ibn Abdullah, from Yaqub ibn Ibrahim ibn Sad, from his father, who said: My father narrated to me from Muhammad ibn Ishaq, who said: Al-Zuhri narrated from Ubaydullah ibn Abdullah ibn Utbah, who said:

I sat with Ibn Abbas, and the topic of inheritance shares was brought up.

Ibn Abbas said: "Glory be to Allah {SWT} the Almighty! Do you think that the One who has counted the grains of the sand of Alij (a vast desert) made the shares of inheritance such that they consist of a half, a half, and a third? These two halves already consume the entire estate, so where is the share for the third?"

Zufar ibn Aws Al-Basri said to him: "O’ Ibn Abbas, who was the first to adjust the shares of inheritance (awl, proportional reduction)?"

Ibn Abbas replied: "It was Ruma when the inheritance shares became entangled with each other and some shares began to clash with others."

Ibn Abbas said: "By Allah {SWT}, I do not know whom Allah {SWT} has given precedence to and whom He {SWT} has delayed. I find nothing more appropriate than dividing this wealth according to the prescribed shares, so that each person entitled receives their due, and the effect of the adjustment (awl) of the inheritance falls upon them accordingly. By Allah {SWT}, if those whom Allah {SWT} has given precedence were given precedence, and those whom Allah {SWT} has delayed were delayed, no inheritance share would ever be reduced."

Zufar ibn Aws asked him: "Who are those whom Allah {SWT} has given precedence and those whom He has delayed?"

Ibn Abbas replied: "Every share that Allah {SWT}, the Mighty and Majestic, has not reduced except to another obligatory share is what Allah {SWT} has given precedence. As for what Allah {SWT} has delayed, it is any share that, when displaced from its original allocation, receives only what remains. These are those whom Allah {SWT} has delayed.

For example, the husband is entitled to half, but if there are additional heirs that reduce his share, it decreases to one-fourth, and nothing can further reduce it. The wife is entitled to one-fourth, and if her share is reduced, it becomes one-eighth, with nothing further reducing it. The mother is entitled to one-third, but if her share is reduced, it becomes one-sixth, which cannot be further reduced. These are the shares that Allah {SWT} has given precedence.

As for those whom Allah {SWT} has delayed, they include the shares of daughters and sisters. A single daughter or sister receives half, and if they are two or more, they receive two-thirds. However, if other heirs with higher precedence exist, they only receive what remains, and that is what Allah {SWT} has delayed.

Thus, when the shares given precedence and those delayed are combined, the shares that Allah {SWT} has given precedence are distributed first in full. If anything remains, it is given to those whom Allah {SWT} has delayed, but if nothing remains, they receive nothing."

Zufar ibn Aws asked him: "What prevented you from suggesting this opinion to Ruma?"

Ibn Abbas replied: "I was in awe of him."

Al-Zuhri then said: "By Allah {SWT}, if it were not for the fact that a just and pious leader had preceded him and established his ruling with prudence, Ibn Abbas would not have had any disagreement from the scholars on this matter."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.255 • Ilal Al-Shara’i’, Vol.2 p.568 • Bihar Al-Anwar, Vol.101 p.331

HADITH

5603 - قَالَ اَلْفَضْلُ وَ رَوَى عَبْدُ اَللَّهِ بْنُ اَلْوَلِيدِ اَلْعَدَنِيُّ صَاحِبُ سُفْيَانَ قَالَ حَدَّثَنِي أَبُو اَلْقَاسِمِ اَلْكُوفِيُّ صَاحِبُ أَبِي يُوسُفَ عَنْ أَبِي يُوسُفَ قَالَ حَدَّثَنَا لَيْثُ بْنُ أَبِي سُلَيْمٍ عَنْ أَبِي عَمْرٍو اَلْعَبْدِيِّ عَنِ اِبْنِ سُلَيْمَانَ عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ كَانَ يَقُولُ : «اَلْفَرَائِضُ مِنْ سِتَّةِ أَسْهُمٍ اَلثُّلُثَانِ أَرْبَعَةُ أَسْهُمٍ وَ اَلنِّصْفُ ثَلاَثَةُ أَسْهُمٍ وَ اَلثُّلُثُ سَهْمَانِ وَ اَلرُّبُعُ سَهْمٌ وَ نِصْفٌ وَ اَلثُّمُنُ ثَلاَثَةُ أَرْبَاعِ سَهْمٍ وَ لاَ يَرِثُ مَعَ اَلْوَلَدِ إِلاَّ اَلْأَبَوَانِ وَ اَلزَّوْجُ وَ اَلْمَرْأَةُ وَ لاَ يَحْجُبُ اَلْأُمَّ عَنِ اَلثُّلُثِ إِلاَّ اَلْوَلَدُ وَ اَلْإِخْوَةُ وَ لاَ يُزَادُ اَلزَّوْجُ عَلَى اَلنِّصْفِ وَ لاَ يُنْقَصُ مِنَ اَلرُّبُعِ وَ لاَ تُزَادُ اَلْمَرْأَةُ عَلَى اَلرُّبُعِ وَ لاَ تُنْقَصُ مِنَ اَلثُّمُنِ وَ إِنْ كُنَّ أَرْبَعاً أَوْ دُونَ ذَلِكَ فَهُنَّ فِيهِ سَوَاءٌ وَ لاَ يُزَادُ اَلْإِخْوَةُ مِنَ اَلْأُمِّ عَلَى اَلثُّلُثِ وَ لاَ يُنْقَصُونَ مِنَ اَلسُّدُسِ وَ هُمْ فِيهِ سَوَاءُ اَلذَّكَرُ وَ اَلْأُنْثَى وَ لاَ يَحْجُبُهُمْ عَنِ اَلثُّلُثِ إِلاَّ اَلْوَلَدُ وَ اَلْوَالِدُ وَ اَلدِّيَةُ تُقْسَمُ عَلَى مَنْ أَحْرَزَ اَلْمِيرَاثَ ».

قَالَ الْفَضْلُ بْنُ شَاذَانَ هَذَا حَدِيثٌ صَحِيحٌ عَلَى مُوَافَقَةِ الْكِتَابِ وَ فِيهِ دَلِيلٌ عَلَى أَنَّهُ لَا يَرِثُ الْإِخْوَةُ وَ الْأَخَوَاتُ مَعَ الْوَلَدِ شَيْئاً وَ لَا يَرِثُ الْجَدُّ مَعَ الْوَلَدِ شَيْئاً وَ فِيهِ دَلِيلٌ عَلَى أَنَّ الْأُمَّ تَحْجُبُ الْإِخْوَةَ مِنَ الْأُمِّ عَنِ الْمِيرَاثِ فَإِنْ قَالَ قَائِلٌ إِنَّمَا قَالَ وَالِدٌ وَ لَمْ يَقُلْ وَالِدَيْنِ وَ لَا قَالَ وَالِدَةٌ قِيلَ لَهُ هَذَا جَائِزٌ كَمَا يُقَالُ وَلَدٌ يَدْخُلُ فِيهِ الذَّكَرُ وَ الْأُنْثَى وَ قَدْ تُسَمَّى الْأُمُّ وَالِداً إِذَا جَمَعَتْهَا مَعَ الْأَبِ كَمَا تُسَمَّى أَباً إِذَا اجْتَمَعَتْ مَعَ الْأَبِ لِقَوْلِ اللَّهِ عَزَّ وَ جَلَّ ◯ وَ لِأَبَوَيْهِ لِكُلِّ واحِدٍ مِنْهُمَا السُّدُسُ ◯ فَأَحَدُ الْأَبَوَيْنِ هِيَ الْأُمُّ وَ قَدْ سَمَّاهَا اللَّهُ عَزَّ وَ جَلَّ أَباً حِينَ جَمَعَهَا مَعَ الْأَبِ وَ كَذَلِكَ قَالَ ◯ الْوَصِيَّةُ لِلْوالِدَيْنِ وَ الْأَقْرَبِينَ ◯ فَأَحَدُ الْوَالِدَيْنِ هِيَ الْأُمُّ وَ قَدْ سَمَّاهَا اللَّهُ عَزَّ وَ جَلَّ وَالِداً كَمَا سَمَّاهَا أَباً وَ هَذَا وَاضِحٌ بَيِّنٌ وَ الْحَمْدُ لِلَّهِ.

H.5603 - Al-Faḍl narrated that Abdullah ibn Al-Walid Al-Adani, the companion of Sufyan, reported from Abu Al-Qasim Al-Kufi, the companion of Abu Yusuf, who narrated from Abu Yusuf, who said: Layth ibn Abi Sulaym narrated from Abu Amr Al-Abdi, from Ibn Sulayman, from Imam Ali ibn Abi Ṭalib {a.s}, who used to say:

"The shares of inheritance are from six portions: two-thirds is four portions, half is three portions, one-third is two portions, one-fourth is one and a half portions, and one-eighth is three-fourths of a portion.

No one inherits alongside the children except the parents, the husband, and the wife.

The mother is not prevented from receiving one-third except by the presence of children or siblings.

The husband's share does not exceed half, nor is it reduced from one-fourth.

The wife's share does not exceed one-fourth, nor is it reduced from one-eighth.

If there are four wives or fewer, they share equally.

Siblings from the mother do not inherit more than one-third and are not given less than one-sixth, and in this, males and females are equal. They are not prevented from receiving one-third except by the presence of children or the father.

Blood money (diyyah for accidental death) is distributed among those who inherit the estate."

[AL SADUQ]

Al-Fadl ibn Shadhan said: "This is an authentic HADITH in accordance with the Book (of Allah {SWT}), and it provides evidence that siblings, whether brothers or sisters, do not inherit anything alongside children, nor does a grandfather inherit anything alongside children. It also serves as proof that the mother prevents maternal siblings from inheriting.

If someone were to say: 'The HADITH mentions walid (parent) and not walidayn (both parents), nor does it specify walidah (mother),' the response would be that this usage is permissible, just as the term walad (child) is used to include both male and female. The mother can also be referred to as walid when mentioned alongside the father, just as she can be called ab (father) in a collective sense.

This is evident in the saying of Allah {SWT}, the Mighty and Majestic:

'*And for his parents, each one of them shall have one-sixth*.' (Surah An-Nisa 4:11).

Here, one of the parents is the mother, and Allah {SWT}, the Mighty and Majestic, has referred to her as ab when mentioning her alongside the father.

Similarly, Allah {SWT} says:

'*Bequest is prescribed for the parents and near relatives*.' (Surah Al-Baqarah 2:180).

In this verse, one of the walidayn (parents) is the mother, and Allah {SWT} has referred to her as walid just as He {SWT} has called her ab.

This is clear and evident, and all praise is due to Allah {SWT}."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.257 • Ilal Al-Shara'i', Vol.2 p.569 • Tahdhib Al-Ahkam, Vol.9 p.249 • Al-Wafi, Vol.25 p.711 • Wasa'il Al-Shi'ah, Vol.26 p.81 • Bihar Al-Anwar, Vol.101 p.332 • Tafsir Nur Al-Thaqalayn, Vol.1 p.452

HADITH

5604 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «إِنَّمَا صَارَتْ سِهَامُ اَلْمَوَارِيثِ مِنْ سِتَّةِ أَسْهُمٍ لاَ يَزِيدُ عَلَيْهَا لِأَنَّ اَلْإِنْسَانَ خُلِقَ مِنْ سِتَّةِ أَشْيَاءَ وَ هُوَ قَوْلُ اَللَّهِ عَزَّ وَ جَلَّ ﴿ وَ لَقَدْ خَلَقْنَا اَلْإِنْسَانَ مِنْ سُلاَلَةٍ مِنْ طِينٍ ﴾ اَلْآيَةَ.

وَ عِلَّةٌ أُخْرَى وَ هِيَ أَنَّ أَهْلَ الْمَوَارِيثِ الَّذِينَ يَرِثُونَ أَبَداً وَ لَا يُسْقَطُونَ سِتَّةٌ الْأَبَوَانِ وَ الِابْنُ وَ الْبِنْتُ وَ الزَّوْجُ وَ الزَّوْجَةُ.

H.5604 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"The shares of inheritance were set at six portions and do not exceed that because the human being was created from six elements, as stated in the words of Allah {SWT}, the Majestic:
‘*And indeed, We created man from an extract of clay*.’ (Surah Al-Mu’minun 23:12).
Another reason is that the inheritors who always inherit and are never excluded are six: the two parents, the son, the daughter, the husband, and the wife."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.259

CHAPTER 130 – CHAPTER ON THE INHERITANCE OF DIRECT OFFSPRING

بَابُ مِيرَاثِ وَلَدِ الصُّلْبِ

HADITH 5605 – 5610

إِذَا تَرَكَ الرَّجُلُ ابْناً وَ لَمْ يَتْرُكْ زَوْجَةً وَ لَا أَبَوَيْنِ فَالْمَالُ كُلُّهُ لِلِابْنِ وَ كَذَلِكَ إِنْ كَانَا اثْنَيْنِ أَوْ أَكْثَرَ مِنْ ذَلِكَ فَالْمَالُ بَيْنَهُمْ بِالسَّوِيَّةِ وَ كَذَلِكَ إِنْ تَرَكَ ابْنَةً وَ لَمْ يَتْرُكْ زَوْجاً وَ لَا أَبَوَيْنِ فَالْمَالُ كُلُّهُ لِلِابْنَةِ لِأَنَّ اللَّهَ عَزَّ وَ جَلَّ جَعَلَ الْمَالَ لِلْوَلَدِ وَ لَمْ يُسَمِّ لِلِابْنَةِ النِّصْفَ إِلَّا مَعَ الْأَبَوَيْنِ وَ كَذَلِكَ إِنْ كَانَتَا اثْنَتَيْنِ أَوْ أَكْثَرَ فَالْمَالُ كُلُّهُ لَهُنَّ بِالسَّوِيَّةِ وَ إِنْ تَرَكَ ابْنَةً وَ ابْنَةَ ابْنٍ وَ ابْنَ ابْنِ وَ لَمْ يَكُنْ زَوْجٌ وَ لَا أَبَوَانِ فَالْمَالُ كُلُّهُ لِلِابْنَةِ وَ لَيْسَ لِوَلَدِ الْوَلَدِ مَعَ وَلَدِ الصُّلْبِ شَيْءٌ لِأَنَّ مَنْ تَقَرَّبَ بِنَفْسِهِ كَانَ أَوْلَى وَ أَحَقَّ بِالْمَالِ مِمَّنْ تَقَرَّبَ بِغَيْرِهِ وَ مَنْ كَانَ أَقْرَبَ إِلَى الْمَيِّتِ بِبَطْنٍ كَانَ أَحَقَّ بِالْمَالِ مِمَّنْ كَانَ أَبْعَدَ بِبَطْنٍ فَإِنْ تَرَكَ ابْناً وَ ابْنَةً أَوْ بَنِينَ وَ بَنَاتٍ فَالْمَالُ كُلُّهُ لَهُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ إِذَا لَمْ يَكُنْ مَعَهُمْ زَوْجٌ وَ لَا وَالِدَانِ فَإِنْ تَرَكَ ابْنَةً وَ أَخاً وَ أُخْتاً وَ جَدّاً فَالْمَالُ كُلُّهُ لِلِابْنَةِ وَ لَا يَرِثُ مَعَ الِابْنَةِ أَحَدٌ إِلَّا الِابْنُ وَ الزَّوْجُ وَ الْوَالِدَانِ وَ كَذَلِكَ لَا يَرِثُ مَعَ الْوَلَدِ الذَّكَرِ أَحَدٌ إِلَّا الزَّوْجُ وَ الْأَبَوَانِ عَلَى مَا ذَكَرَهُ اللَّهُ عَزَّ وَ جَلَّ فِي كِتَابِهِ.

[AL SADUQ]

If a man leaves behind a son and does not leave a wife or parents, then the entire estate belongs to the son. Similarly, if there are two or more sons, the estate is divided equally among them.

If he leaves a daughter and no husband or parents, then the entire estate belongs to the daughter because Allah {SWT}, the Almighty and Majestic, has allocated the estate to the offspring and specified half of the share for a daughter only in the presence of parents. Likewise, if there are two or more daughters, the estate is divided equally among them.

If he leaves a daughter, a granddaughter (daughter's daughter), and a grandson (daughter's son), and there is no husband or parents, the entire estate belongs to the daughter. The grandchildren do not inherit alongside the direct offspring because those who are closer in lineage take precedence over those further away. The closer relation to the deceased is more entitled to the estate than those who are further removed.

If he leaves both a son and a daughter, or multiple sons and daughters, the entire estate is divided among them with the male receiving twice the share of the female, provided there is no spouse or parents.

If he leaves a daughter, a brother, a sister, and a grandfather, the entire estate belongs to the daughter. No one inherits alongside a daughter except a son, a husband, or the parents.

Similarly, no one inherits alongside a male offspring except the spouse and the parents, according to what Allah {SWT}, the Almighty, has mentioned in His {SWT} Book.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.261

HADITH

5605 - وَ رَوَى جَمِيلُ بْنُ دَرَّاجٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ سَمِعْتُهُ يَقُولُ : «وَرِثَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ مِنْ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ عِلْمَهُ وَ وَرِثَتْ فَاطِمَةُ عَلَيْهَا اَلسَّلاَمُ تَرِكَتَهُ».

H.5605 - Jamil bin Darraj narrated from Zurara, who reported from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, that he said:
"Imam Ali ibn Abi Talib {a.s} inherited the knowledge of the Messenger of Allah {SWT} (peace be upon him and his family), and Sayyida Fatimah {s.a} (peace be upon her) inherited his possessions."

[REFERENCES] Basa'ir Al-Darajat, Vol.1 p.294 • Al-Kafi, Vol.7 p.86 • Man La Yahduruhu Al-Faqih, Vol.4 p.261 • Tahdhib Al-Ahkam, Vol.9 p.277 • Al-Manaqib, Vol.3 p.66 • Al-Wafi, Vol.25 p.731 • Wasa'il Al-Shi'ah, Vol.26 p.100 • Ithbat Al-Huda, Vol.3 p.26 • Bihar Al-Anwar, Vol.38 p.154 • Bihar Al-Anwar, Vol.40 p.210

HADITH

5606 - وَ رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ أَبِي نَصْرٍ عَنِ اَلْحَسَنِ بْنِ مُوسَى اَلْخَنَّاطِ عَنِ اَلْفُضَيْلِ بْنِ يَسَارٍ قَالَ سَمِعْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «لاَ وَ اَللَّهِ مَا وَرِثَ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ اَلْعَبَّاسُ وَ لاَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ وَ لاَ وَرِثَتْهُ إِلاَّ فَاطِمَةُ عَلَيْهَا اَلسَّلاَمُ وَ مَا كَانَ أَخَذَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ اَلسِّلاَحَ وَ غَيْرَهُ إِلاَّ لِأَنَّهُ قَضَى عَنْهُ دَيْنَهُ» ثُمَّ قَالَ عَلَيْهِ اَلسَّلاَمُ ﴿ وَ أُولُوا اَلْأَرْحٰامِ بَعْضُهُمْ أَوْلىٰ بِبَعْضٍ فِي كِتٰابِ اَللّٰهِ ﴾

H.5606 - Ahmad bin Muhammad bin Abi Nasr narrated from Al-Hasan bin Musa Al-Hannat, from Al-Fudhayl bin Yasar, who said: I heard Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} say: "By Allah {SWT}, neither Al-Abbas nor Ali {a.s} inherited from the Messenger of Allah {SWT} (peace be upon him and his family). None inherited from him except Sayyida Fatimah {s.a} (peace be upon her).
And Imam Ali ibn Abi Talib {a.s} only took the weapons and other items because He {a.s} had settled his (the Prophet's {saws}) debts."
Then Imam Muhammad ibn Ali Al-Baqir {a.s} recited the verse of Allah {SWT};
"*And the blood relatives are nearer to each other in the Book of Allah {SWT}*."
(Surah Al-Ahzab 33:6)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.261 • Al-Wafi, Vol.25 p.732 • Wasa'il Al-Shi'ah, Vol.26 p.101 • Tafsir Nur Al-Thaqalayn, Vol.2 p.174 • Tafsir Kanz Al-Daqaiq, Vol.5 p.383

HADITH

5607 - وَ رُوِيَ عَنِ اَلْبَزَنْطِيِّ قَالَ : قُلْتُ لِأَبِي جَعْفَرٍ اَلثَّانِي عَلَيْهِ اَلسَّلاَمُ جُعِلْتُ فِدَاكَ رَجُلٌ هَلَكَ وَ تَرَكَ اِبْنَتَهُ وَ عَمَّهُ فَقَالَ «اَلْمَالُ لِلاِبْنَةِ» قَالَ وَ قُلْتُ لَهُ رَجُلٌ مَاتَ وَ تَرَكَ اِبْنَةً لَهُ وَ أَخاً أَوْ قَالَ اِبْنَ أَخِيهِ قَالَ فَسَكَتَ طَوِيلاً ثُمَّ قَالَ «اَلْمَالُ لِلاِبْنَةِ».

H.5607 - It is narrated from Al-Bazanti who said: I said to Abu Ja'far Al-Thani {a.s}:
"May I be sacrificed for you! A man has died and left behind his daughter and his paternal uncle."
Imam {a.s} replied: “The entire wealth belongs to the daughter."
Al-Bazanti further said: I asked Imam {a.s}, "A man has died and left behind his daughter and a (his) brother”, or he said, “the son of his brother."
Imam {a.s} remained silent for a long time and said: “The entire wealth belongs to the daughter."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.261 • Al-Wafi, Vol.25 p.733 • Wasa’il Al-Shi’ah, Vol.26 p.107 • Awalim Al-Uloom, Vol.23 p.501

HADITH

5608 - وَ رَوَى عَلِيُّ بْنُ اَلْحَكَمِ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ جَارٍ لِي هَلَكَ وَ تَرَكَ بَنَاتٍ فَقَالَ «اَلْمَالُ لَهُنَّ».

H.5608 - It is narrated by Ali ibn Al-Hakam from Ali ibn Abi Hamzah from Abu Al-Hasan {a.s} who said: I asked Imam {a.s} about my neighbor who passed away and left behind daughters.
Imam {a.s} replied: “The wealth belongs to them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.261 • Al-Wafi, Vol.25 p.734 • Wasa’il Al-Shi’ah, Vol.26 p.102

HADITH

5609 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ مَاتَ وَ تَرَكَ اِبْنَتَهُ وَ أُخْتَهُ لِأَبِيهِ وَ أُمِّهِ فَقَالَ «اَلْمَالُ لِلاِبْنَةِ وَ لَيْسَ لِلْأُخْتِ مِنَ اَلْأَبِ وَ اَلْأُمِّ شَيْءٌ».

H.5609 - It is narrated by Al-Hasan ibn Mahbub from Ali ibn Ri'ab from Zurara from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a man who passed away and left behind his daughter and his full sister (sister from his father and mother).
Imam {a.s} said: “The wealth belongs to the daughter, and the full sister has no share in it."

[REFERENCES] Al-Kafi, Vol.7 p.87 • Man La Yahduruhu Al-Faqih, Vol.4 p.261 • Wasa’il Al-Shi’ah, Vol.26 p.103 • Wasa’il Al-Shi’ah, Vol.26 p.107

HADITH

5610 - وَ كَتَبَ اَلْبَزَنْطِيُّ إِلَى أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ مَاتَ وَ تَرَكَ اِبْنَتَهُ وَ أَخَاهُ قَالَ «اِدْفَعِ اَلْمَالَ إِلَى اَلاِبْنَةِ إِنْ لَمْ تَخَفْ مِنْ عَمِّهَا شَيْئاً».

H.5610 - Al-Bazanti wrote to Abu Al-Hasan {a.s} regarding a man who passed away and left behind his daughter and his brother.
Imam {a.s} replied: “Give the wealth to the daughter if you do not fear anything from her uncle."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.261

CHAPTER 131 – CHAPTER ON THE INHERITANCE OF THE PARENTS

بَابُ مِيرَاثِ الْأَبَوَيْنِ

HADITH 5611

5611 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ مَاتَ وَ تَرَكَ أَبَوَيْهِ قَالَ «لِلْأُمِّ اَلثُّلُثُ وَ لِلْأَبِ اَلثُّلُثَانِ».

H.5611 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab from Zurara from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a man who passed away and left behind his parents.
Imam {a.s} said: “The mother receives one-third, and the father receives two-thirds."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.262 • Wasa’il Al-Shi’ah, Vol.26 p.116

CHAPTER 132 – CHAPTER ON THE INHERITANCE OF THE HUSBAND AND THE WIFE

بَابُ مِيرَاثِ الزَّوْجِ وَ الزَّوْجَةِ

HADITH 5612 – 5613

5612 - رَوَى مُعَاوِيَةُ بْنُ حُكَيْمٍ عَنْ عَلِيِّ بْنِ اَلْحَسَنِ بْنِ زَيْدٍ عَنْ مُشْمَعِلٍّ عَنْ أَبِي بَصِيرٍ قَالَ : سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنِ اِمْرَأَةٍ مَاتَتْ وَ تَرَكَتْ زَوْجَهَا وَ لاَ وَارِثَ لَهَا غَيْرُهُ قَالَ «إِذَا لَمْ يَكُنْ غَيْرُهُ فَالْمَالُ لَهُ وَ اَلْمَرْأَةُ لَهَا اَلرُّبُعُ وَ مَا بَقِيَ فَلِلْإِمَامِ ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ هَذَا فِي حَالِ ظُهُورِ الْإِمَامِ ع فَأَمَّا فِي حَالِ غَيْبَتِهِ فَمَتَى مَاتَ الرَّجُلُ وَ تَرَكَ امْرَأَةً وَ لَا وَارِثَ لَهُ غَيْرُهَا فَالْمَالُ لَهَا وَ تَصْدِيقُ ذَلِكَ.

H.5612 - Mu'awiyah ibn Hakeem narrated from Ali ibn Al-Hasan ibn Zayd from Mushma'il from Abu Basir who said: I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a woman who passed away and left behind her husband with no other heirs.
Imam {a.s} said: “If there are no other heirs, the wealth belongs to him. For a woman, she receives one-fourth, and whatever remains belongs to the Imam {a.s}."

[AL SADUQ]
The compiler of this book, may Allah {SWT} have mercy on him, commented:
This ruling applies during the presence of the Imam {a.s}. However, during his occultation, if a man dies and leaves behind only a wife with no other heirs, the entire wealth belongs to her. This is confirmed by the relevant evidences.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.262 • Tahdhib Al-Ahkam, Vol.9 p.294 • Al-Istibsar, Vol.4 p.149 • Al-Wafi, Vol.25 p.769 • Wasa’il Al-Shi’ah, Vol.26 p.203

HADITH

5613 - مَا رَوَاهُ مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ أَبَانِ بْنِ عُثْمَانَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اِمْرَأَةٍ مَاتَتْ وَ تَرَكَتْ زَوْجَهَا قَالَ «فَالْمَالُ كُلُّهُ لَهُ» قُلْتُ اَلرَّجُلُ يَمُوتُ وَ يَتْرُكُ اِمْرَأَتَهُ قَالَ «اَلْمَالُ لَهَا».

H.5613 - Muhammad ibn Abi Umayr narrated from Aban ibn Uthman from Abu Basir who reported from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} regarding a woman who passed away and left behind her husband.
Imam {a.s} said: “All the wealth belongs to him."
I asked: “What if a man dies and leaves behind his wife?"
Imam {a.s} replied: “The wealth belongs to her."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.263 • Wasa’il Al-Shi’ah, Vol.26 p.203

CHAPTER 133 – CHAPTER ON THE INHERITANCE OF DIRECT OFFSPRING AND PARENTS

بَابُ مِيرَاثِ وَلَدِ الصُّلْبِ وَ الْأَبَوَيْنِ

HADITH 5614

5614 - رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ عُمَرَ بْنِ أُذَيْنَةَ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ : أَنَّ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ أَقْرَأَهُ صَحِيفَةَ اَلْفَرَائِضِ اَلَّتِي هِيَ إِمْلاَءَ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَ خَطُّ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ بِيَدِهِ فَوَجَدْتُ فِيهَا «رَجُلٌ تَرَكَ اِبْنَتَهُ وَ أُمَّهُ لِلاِبْنَةِ اَلنِّصْفُ وَ لِلْأُمِّ اَلسُّدُسُ وَ يُقْسَمُ اَلْمَالُ عَلَى أَرْبَعَةِ أَسْهُمٍ فَمَا أَصَابَ ثَلاَثَةَ أَسْهُمٍ فَهُوَ لِلاِبْنَةِ وَ مَا أَصَابَ سَهْماً فَهُوَ لِلْأُمِّ وَ وَجَدْتُ فِيهَا رَجُلٌ تَرَكَ اِبْنَتَهُ وَ أَبَوَيْهِ لِلاِبْنَةِ اَلنِّصْفُ ثَلاَثَةُ أَسْهُمٍ وَ لِلْأَبَوَيْنِ «لِكُلِّ وٰاحِدٍ مِنْهُمَا اَلسُّدُسُ» يُقْسَمُ اَلْمَالُ عَلَى خَمْسَةِ أَسْهُمٍ فَمَا أَصَابَ ثَلاَثَةً فَهُوَ لِلاِبْنَةِ وَ مَا أَصَابَ سَهْمَيْنِ فَهُوَ لِلْأَبَوَيْنِ» قَالَ وَ قَرَأْتُ فِيهَا «رَجُلٌ تَرَكَ اِبْنَتَهُ وَ أَبَاهُ لِلْبِنْتِ اَلنِّصْفُ وَ لِلْأَبِ سَهْمٌ يُقْسَمُ اَلْمَالُ عَلَى أَرْبَعَةِ أَسْهُمٍ فَمَا أَصَابَ ثَلاَثَةً فَهُوَ لِلاِبْنَةِ وَ مَا أَصَابَ سَهْماً فَلِلْأَبِ وَ إِنْ تَرَكَ أَبَوَيْنِ وَ اِبْناً وَ اِبْنَةً أَوْ بَنِينَ وَ بَنَاتٍ فَلِلْأَبَوَيْنِ اَلسُّدُسَانِ وَ مَا بَقِيَ فَلِلْبَنِينَ وَ اَلْبَنَاتِ «لِلذَّكَرِ مِثْلُ حَظِّ اَلْأُنْثَيَيْنِ» فَإِنْ تَرَكَ اِبْناً وَ أَبَوَيْنِ فَلِلْأَبَوَيْنِ اَلسُّدُسَانِ وَ مَا بَقِيَ فَلِلاِبْنِ فَإِنْ تَرَكَ أُماً وَ اِبْناً فَلِلْأُمِّ اَلسُّدُسُ وَ مَا بَقِيَ فَلِلاِبْنِ فَإِنْ تَرَكَ أَباً وَ اِبْناً فَلِلْأَبِ اَلسُّدُسُ وَ مَا بَقِيَ فَلِلاِبْنِ فَإِنْ تَرَكَ أُماً وَ بَنِينَ وَ بَنَاتٍ فَلِلْأُمِّ اَلسُّدُسُ وَ مَا بَقِيَ فَلِلْبَنِينَ وَ اَلْبَنَاتِ «لِلذَّكَرِ مِثْلُ حَظِّ اَلْأُنْثَيَيْنِ» فَإِنْ تَرَكَ أَبَاهُ وَ بَنِينَ وَ بَنَاتٍ فَلِلْأَبِ اَلسُّدُسُ وَ مَا بَقِيَ فَلِلْبَنِينَ وَ اَلْبَنَاتِ «لِلذَّكَرِ مِثْلُ حَظِّ اَلْأُنْثَيَيْنِ» ».

H.5614 - Muhammad ibn Abi Umayr narrated from Umar ibn Udhayna from Muhammad ibn Muslim that Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} had him read the "Scroll of Inheritance Shares," which was dictated by the Messenger of Allah {SWT} (peace be upon him and his family) and written by Imam Ali ibn Abi Talib {a.s} in his own handwriting.

In it, I found the following rulings:

“A man who leaves behind a daughter and his mother: the daughter receives half of the inheritance, and the mother receives one-sixth. The wealth is divided into four shares - three shares go to the daughter and one share to the mother.

If a man leaves behind a daughter and both of his parents: the daughter receives half (three shares), and each of the parents receives one-sixth. The wealth is divided into five shares - three shares for the daughter and two shares for the parents.

If a man leaves behind a daughter and his father: the daughter receives half, and the father receives one share. The wealth is divided into four shares - three shares for the daughter and one share for the father.

If a man leaves behind both parents, a son, and a daughter or sons and daughters, then the parents each receive one-sixth, and the remainder goes to the sons and daughters with the male receiving the share of two females.

If a man leaves behind a son and both parents, then each parent receives one-sixth of the inheritance, and the remainder belongs to the son.

If a man leaves behind a mother and a son, the mother receives one-sixth, and the remainder goes to the son.

If a man leaves behind a father and a son, the father receives one-sixth, and the remainder belongs to the son.

If a man leaves behind a mother along with sons and daughters, the mother receives one-sixth, and the remainder is divided among the sons and daughters, with the male receiving the share of two females.

If he leaves behind a father along with sons and daughters, the father receives one-sixth, and the remainder is divided among the sons and daughters, with the male receiving the share of two females."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.263

CHAPTER 134 – CHAPTER ON THE INHERITANCE OF THE HUSBAND ALONGSIDE OFFSPRING

بَابُ مِيرَاثِ الزَّوْجِ مَعَ الْوَلَدِ

HADITH -

إِذَا مَاتَتِ امْرَأَةٌ وَ تَرَكَتِ ابْناً وَ زَوْجاً فَلِلزَّوْجِ الرُّبُعُ وَ مَا بَقِيَ فَلِلِابْنِ وَ كَذَلِكَ إِنْ كَانَا ابْنَيْنِ أَوْ أَكْثَرَ مِنْ ذَلِكَ فَلِلزَّوْجِ الرُّبُعُ وَ مَا بَقِيَ بَعْدَ الرُّبُعِ فَلِلْبَنِينَ بَيْنَهُمْ بِالسَّوِيَّةِ وَ لَا يُنْقَصُ الزَّوْجُ مِنَ الرُّبُعِ عَلَى كُلِّ حَالٍ وَ لَا يُزَادُ عَلَى النِّصْفِ وَ لَا تُنْقَصُ الْمَرْأَةُ مِنَ الثُّمُنِ وَ لَا تُزَادُ عَلَى الرُّبُعِ وَ لَا تُسْقَطُ الْمَرْأَةُ وَ الزَّوْجُ مِنَ الْمِيرَاثِ عَلَى حَالٍ فَإِنْ تَرَكَتِ ابْنَةً وَ زَوْجاً فَلِلزَّوْجِ الرُّبُعُ وَ مَا بَقِيَ فَلِلِابْنَةِ لِأَنَّ اللَّهَ عَزَّ وَ جَلَّ إِنَّمَا جَعَلَ لِلِابْنَةِ النِّصْفَ مَعَ الْأَبَوَيْنِ فَإِنْ تَرَكَتْ زَوْجاً وَ ابْنَتَيْنِ أَوْ بَنَاتٍ فَلِلزَّوْجِ الرُّبُعُ وَ مَا بَقِيَ فَلِلْبَنَاتِ بَيْنَهُنَّ بِالسَّوِيَّةِ فَإِنْ تَرَكَتْ زَوْجاً وَ ابْناً وَ ابْنَةً أَوْ بَنِينَ وَ بَنَاتٍ فَلِلزَّوْجِ الرُّبُعُ وَ مَا بَقِيَ فَلِلْبَنِينَ وَ الْبَنَاتِ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ.

[AL SADUQ]

If a woman dies and leaves behind a son and a husband, the husband receives one-fourth of the inheritance, and the remainder goes to the son. Similarly, if she leaves behind two or more sons, the husband still receives one-fourth, and the remaining portion is equally divided among the sons.

The husband's share cannot be less than one-fourth in any situation and cannot exceed one-half. Likewise, a woman's share cannot be less than one-eighth and cannot exceed one-fourth, and neither the wife nor the husband can ever be excluded from inheritance.

If she leaves behind a daughter and a husband, the husband receives one-fourth, and the remainder goes to the daughter, because Allah {SWT} has only assigned half the inheritance to a daughter when both parents are alive.

If she leaves behind a husband and two daughters or more, the husband receives one-fourth, and the remainder is equally divided among the daughters.

If she leaves behind a husband, a son, and a daughter, or sons and daughters, the husband receives one-fourth, and the remaining portion is divided among the sons and daughters, with the male receiving the share of two females.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.265

CHAPTER 135 – CHAPTER ON THE INHERITANCE OF THE WIFE ALONGSIDE THE OFFSPRING

بَابُ مِيرَاثِ الزَّوْجَةِ مَعَ الْوَلَدِ

HADITH –

إِذَا مَاتَ الرَّجُلُ وَ تَرَكَ امْرَأَةً وَ ابْناً فَلِلْمَرْأَةِ الثُّمُنُ وَ مَا بَقِيَ فَلِلِابْنِ وَ كَذَلِكَ إِنْ تَرَكَ امْرَأَةً وَ ابْنَةً فَلِلْمَرْأَةِ الثُّمُنُ وَ مَا بَقِيَ فَلِلِابْنَةِ فَإِنْ تَرَكَ امْرَأَةً وَ ابْناً وَ ابْنَةً أَوْ بَنِينَ وَ بَنَاتٍ فَلِلْمَرْأَةِ الثُّمُنُ وَ مَا بَقِيَ فَلِلْبَنِينَ وَ الْبَنَاتِ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ.

[AL SADUQ]

If a man dies and leaves behind a wife and a son, the wife receives one-eighth of the inheritance, and the remainder goes to the son. Similarly, if he leaves behind a wife and a daughter, the wife receives one-eighth, and the remainder goes to the daughter. If he leaves behind a wife, a son, and a daughter, or multiple sons and daughters, the wife receives one-eighth, and the remainder is divided among the sons and daughters, with the male receiving the share of two females.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.265

CHAPTER 136 – CHAPTER ON THE INHERITANCE OF THE OFFSPRING AND PARENTS ALONGSIDE THE HUSBAND

بَابُ مِيرَاثِ الْوَلَدِ وَ الْأَبَوَيْنِ مَعَ الزَّوْجِ

HADITH 5615

5615 - رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ قَالَ قَالَ اِبْنُ أُذَيْنَةَ قُلْتُ لِزُرَارَةَ إِنِّي سَمِعْتُ مُحَمَّدَ بْنَ مُسْلِمٍ وَ بُكَيْراً يَرْوِيَانِ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : «فِي زَوْجٍ وَ أَبَوَيْنِ وَ اِبْنَةٍ فَلِلزَّوْجِ اَلرُّبُعُ ثَلاَثَةٌ مِن اِثْنَيْ عَشَرَ وَ لِلْأَبَوَيْنِ اَلسُّدُسَانِ أَرْبَعَةٌ مِن اِثْنَيْ عَشَرَ وَ بَقِيَ خَمْسَةُ أَسْهُمٍ فَهِيَ لِلاِبْنَةِ لِأَنَّهَا لَوْ كَانَتْ ذَكَراً لَمْ يَكُنْ لَهَا غَيْرُ ذَلِكَ وَ إِنْ كَانَتَا اِبْنَتَيْنِ فَلَيْسَ لَهُمَا غَيْرُ مَا بَقِيَ خَمْسَةٌ».

قَالَ زُرَارَةُ وَ هَذَا هُوَ الْحَقُّ إِنْ أَرَدْتَ أَنْ تُلْقِيَ الْعَوْلَ فَتَجْعَلَ الْفَرِيضَةَ لَا تَعُولُ وَ إِنَّمَا يَدْخُلُ النُّقْصَانُ عَلَى الَّذِينَ لَهُمُ الزِّيَادَةُ مِنَ الْوَلَدِ وَ الْإِخْوَةِ لِلْأَبِ وَ الْأُمِّ فَأَمَّا الْإِخْوَةُ مِنَ الْأُمِّ فَلَا يُنْقَصُونَ مِمَّا سُمِّيَ لَهُمْ فَإِنْ تَرَكَتِ الْمَرْأَةُ زَوْجَهَا وَ أَبَوَيْهَا وَ ابْناً وَ ابْنَيْنِ أَوْ أَكْثَرَ فَلِلزَّوْجِ الرُّبُعُ وَ لِلْأَبَوَيْنِ السُّدُسَانِ وَ مَا بَقِيَ فَلِلْبَنِينَ بَيْنَهُمْ بِالسَّوِيَّةِ وَ إِنْ تَرَكَتْ زَوْجَهَا وَ أَبَوَيْهَا وَ ابْناً وَ ابْنَةً أَوْ بَنِينَ وَ بَنَاتٍ فَلِلزَّوْجِ الرُّبُعُ وَ لِلْأَبَوَيْنِ السُّدُسَانِ وَ مَا بَقِيَ فَلِلْبَنِينَ وَ الْبَنَاتِ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ.

H.5615 - Muhammad ibn Abi Umayr narrated that Ibn Udhayna said: I said to Zurara, "I heard Muhammad ibn Muslim and Bukayr narrate from Abu Jafar Imam Al-Baqir {a.s}: 'In the case of a husband, two parents, and a daughter, the husband receives one-fourth, which is three shares out of twelve, and the two parents each receive one-sixth, totaling four shares out of twelve. The remaining five shares go to the daughter because if she were a son, she would not have received more than that. And if there were two daughters, they would have nothing more than the remaining five shares.'"

[AL SADUQ]

Zurara said: "This is the correct ruling if you wish to eliminate the concept of awl (increase in the shares that causes a reduction in the total shares). The division of inheritance should be made without introducing awl, and any reduction should only affect those who have been allotted increased shares, such as children and full siblings (brothers and sisters from the same father and mother). However, maternal siblings do not experience any reduction in their shares.

So, if a woman dies and leaves behind her husband, both parents, and one son or multiple sons, the husband receives one-fourth, the two parents each receive one-sixth, and whatever remains is distributed equally among the sons.

Similarly, if she leaves behind her husband, both parents, a son, and a daughter - or multiple sons and daughters - the husband receives one-fourth, the two parents each receive one-sixth, and the remainder is distributed among the sons and daughters, with the male receiving the share of two females (for the male is like the share of two females)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.265

CHAPTER 137 – CHAPTER ON THE INHERITANCE OF THE OFFSPRING AND PARENTS ALONGSIDE THE WIFE

بَابُ مِيرَاثِ الْوَلَدِ وَ الْأَبَوَيْنِ مَعَ الزَّوْجَةِ

HADITH –

إِذَا مَاتَ رَجُلٌ وَ تَرَكَ أَبَوَيْنِ وَ امْرَأَةً وَ ابْناً فَلِلْمَرْأَةِ الثُّمُنُ وَ لِلْأَبَوَيْنِ السُّدُسَانِ وَ مَا بَقِيَ فَلِلِابْنِ وَ كَذَلِكَ إِذَا كَانَا ابْنَيْنِ أَوْ ثَلَاثَ بَنِينَ أَوْ أَكْثَرَ مِنْ ذَلِكَ إِنَّمَا يَكُونُ لَهُمْ مَا بَقِيَ فَإِنْ تَرَكَ امْرَأَةً وَ أَبَوَيْنِ وَ ابْنَةً فَلِلْمَرْأَةِ الثُّمُنُ وَ لِلْأَبَوَيْنِ السُّدُسَانِ وَ لِلِابْنَةِ النِّصْفُ وَ مَا بَقِيَ رُدَّ عَلَى الِابْنَةِ وَ الْأَبَوَيْنِ عَلَى قَدْرِ أَنْصِبَائِهِمْ وَ لَا يُرَدُّ عَلَى الْمَرْأَةِ وَ لَا عَلَى الزَّوْجِ شَيْءٌ وَ هَذِهِ مِنْ أَرْبَعَةٍ وَ عِشْرِينَ لِمَكَانِ الثُّمُنِ فَإِذَا ذَهَبَ مِنْهُ الثُّمُنُ وَ السُّدُسَانِ وَ النِّصْفُ بَقِيَ سَهْمٌ فَلَا يَسْتَقِيمُ بَيْنَ خَمْسَةٍ فَيُضْرَبُ خَمْسَةٌ فِي أَرْبَعَةٍ وَ عِشْرِينَ يَكُونُ ذَلِكَ مِائَةً وَ عِشْرِينَ لِلْمَرْأَةِ الثُّمُنُ مِنْ ذَلِكَ خَمْسَةَ عَشَرَ وَ لِلْأَبَوَيْنِ السُّدُسَانِ مِنْ ذَلِكَ أَرْبَعُونَ وَ بَقِيَ خَمْسَةٌ وَ سِتُّونَ فَلِلِابْنَةِ مِنْ ذَلِكَ النِّصْفُ سِتُّونَ وَ بَقِيَ خَمْسَةٌ لِلِابْنَةِ مِنْ ذَلِكَ ثَلَاثَةٌ فَيَصِيرُ فِي يَدِهَا ثَلَاثَةٌ وَ سِتُّونَ وَ لِلْأَبَوَيْنِ مِنْ ذَلِكَ اثْنَانِ فَيَصِيرُ فِي أَيْدِيهِمَا اثْنَانِ وَ أَرْبَعُونَ وَ كَذَلِكَ إِنْ مَاتَ رَجُلٌ وَ تَرَكَ امْرَأَةً وَ ابْنَتَيْنِ أَوْ أَكْثَرَ مِنْ ذَلِكَ وَ أَبَوَيْنِ فَلِلْمَرْأَةِ الثُّمُنُ وَ لِلْأَبَوَيْنِ السُّدُسَانِ وَ مَا بَقِيَ فَلِلْبَنَاتِ وَ الْعَوْلُ فِيهِ بَاطِلٌ لِأَنَّ الْبَنَاتِ لَوْ كُنَّ بَنِينَ لَمْ يَكُنْ لَهُمْ إِلَّا مَا فَضَلَ.

[AL SADUQ]

If a man dies and leaves behind his two parents, a wife, and a son, the inheritance is distributed as follows: the wife receives one-eighth, each parent receives one-sixth, and the remainder goes to the son. The same applies if there are two or more sons - the remaining portion after distributing the shares to the wife and parents is divided equally among the sons.

If the deceased leaves behind a wife, both parents, and a daughter, the wife receives one-eighth, each parent receives one-sixth, and the daughter receives half of the estate. Any remaining amount is proportionally returned (radd) to the daughter and the parents according to their original shares. However, no additional amount is returned to the wife or the husband.

This distribution is calculated out of twenty-four parts due to the one-eighth share. After subtracting the wife's one-eighth, the two parents' one-sixth each, and the daughter's half, one remaining share is left. Since this cannot be evenly divided among five recipients, the entire estate is multiplied by five, making it 120 shares. The wife receives one-eighth, totaling 15 shares, the parents receive a combined 40 shares, and the daughter receives 60 shares. The remaining five shares are distributed - three additional shares go to the daughter, making her total 63 shares, and two shares go to the parents, totaling 42 shares for both.

Similarly, if a man dies and leaves behind a wife, two or more daughters, and both parents, the wife receives one-eighth, the parents each receive one-sixth, and the remainder goes to the daughters. The concept of awl (adjusting the shares to fit the total inheritance) does not apply here because if the daughters had been sons, they would have only received what was left over.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.268

CHAPTER 138 – CHAPTER ON THE INHERITANCE OF THE PARENTS ALONGSIDE THE HUSBAND AND WIFE

بَابُ مِيرَاثِ الْأَبَوَيْنِ مَعَ الزَّوْجِ وَ الزَّوْجَةِ

HADITH 5616 – 5617

إِذَا تَرَكَتِ امْرَأَةٌ زَوْجَهَا وَ أَبَوَيْهَا فَلِلزَّوْجِ النِّصْفُ وَ لِلْأُمِّ الثُّلُثُ كَامِلًا وَ مَا بَقِيَ فَلِلْأَبِ وَ هُوَ السُّدُسُ قَالَ اللَّهُ عَزَّ وَ جَلَّ ◯ فَإِنْ لَمْ يَكُنْ لَهُ وَلَدٌ وَ وَرِثَهُ أَبَواهُ فَلِأُمِّهِ الثُّلُثُ فَجَعَلَ ◯ اللَّهُ عَزَّ وَ جَلَّ لِلْأُمِّ الثُّلُثَ كَامِلًا إِذَا لَمْ يَكُنْ لَهُ وَلَدٌ وَ لَا إِخْوَةٌ قَالَ الْفَضْلُ وَ مِنَ الدَّلِيلِ عَلَى أَنَّ لَهَا الثُّلُثَ مِنْ جَمِيعِ الْمَالِ أَنَّ جَمِيعَ مَنْ خَالَفَنَا لَمْ يَقُولُوا لَهَا السُّدُسُ فِي هَذِهِ الْفَرِيضَةِ إِنَّمَا قَالُوا لِلْأُمِّ ثُلُثُ مَا بَقِيَ وَ ثُلُثُ مَا بَقِيَ هُوَ السُّدُسُ فَأَحَبُّوا أَنْ لَا يُخَالِفُوا لَفْظَ الْكِتَابِ فَأَثْبَتُوا لَفْظَ الْكِتَابِ وَ خَالَفُوا حُكْمَهُ وَ ذَلِكَ تَمْوِيهٌ وَ خِلَافٌ عَلَى اللَّهِ عَزَّ وَ جَلَّ وَ عَلَى كِتَابِهِ وَ كَذَلِكَ مِيرَاثُ الْمَرْأَةِ مَعَ الْأَبَوَيْنِ لِلْمَرْأَةِ الرُّبُعُ وَ لِلْأُمِّ الثُّلُثُ وَ مَا بَقِيَ فَلِلْأَبِ لِأَنَّ اللَّهَ تَبَارَكَ وَ تَعَالَى قَدْ سَمَّى فِي هَذِهِ الْفَرِيضَةِ وَ فِي الَّتِي قَبْلَهَا لِلزَّوْجِ النِّصْفَ وَ لِلْمَرْأَةِ الرُّبُعَ وَ لِلْأُمِّ الثُّلُثَ وَ لَمْ يُسَمِّ لِلْأَبِ شَيْئاً إِنَّمَا قَالَ اللَّهُ عَزَّ وَ جَلَّ- وَ وَرِثَهُ أَبَواهُ فَلِأُمِّهِ الثُّلُثُ وَ جَعَلَ لِلْأَبِ مَا بَقِيَ بَعْدَ ذَهَابِ السِّهَامِ وَ إِنَّمَا يَرِثُ الْأَبُ مَا يَبْقَى بَعْدَ ذَهَابِ السِّهَامِ.

[AL SADUQ]

If a woman passes away and leaves behind her husband and both parents, the inheritance is distributed as follows: the husband receives half of the estate, the mother receives one-third in full, and the remaining portion goes to the father, which amounts to one-sixth.

This distribution aligns with the verse of Allah {SWT} Almighty: *"But if he has no child and his parents inherit from him, then for his mother is one-third*" (Surah An-Nisa 4:11).

Allah {SWT} granted the mother a complete one-third share when there are no children or siblings.

Al-Fadl explains that this is evident because even those who disagree with this ruling do not assign the mother one-sixth in this scenario. Instead, they claim the mother receives one-third of what remains after the husband's share, which effectively equals one-sixth. They sought to adhere to the wording of the Quran but deviated from its intended ruling, which is misleading and contrary to Allah's {SWT} Book.

Similarly, in the inheritance scenario where a woman dies leaving behind her husband and both parents, the husband receives one-fourth, the mother receives one-third, and the remainder goes to the father. Allah {SWT} explicitly mentioned in the Quran the shares for the husband and wife but did not specify a portion for the father, indicating that the father inherits what remains after the specified shares are distributed. This ensures that the father's inheritance comes from what is left after the fixed shares have been allocated.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.268

HADITH

5616 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنِ اِبْنِ أُذَيْنَةَ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ قَالَ : أَقْرَأَنِي أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ صَحِيفَةَ اَلْفَرَائِضِ اَلَّتِي هِيَ إِمْلاَءُ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَ خَطُّ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ بِيَدِهِ فَقَرَأْتُ فِيهَا «اِمْرَأَةٌ مَاتَتْ وَ تَرَكَتْ زَوْجَهَا وَ أَبَوَيْهَا فَلِلزَّوْجِ اَلنِّصْفُ ثَلاَثَةُ أَسْهُمٍ وَ لِلْأُمِّ اَلثُّلُثُ سَهْمَانِ وَ لِلْأَبِ اَلسُّدُسُ سَهْمٌ ».

H.5616 - Muhammad ibn Abi Umayr narrated from Ibn Udhaynah, from Muhammad ibn Muslim, who said: “Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} read to me the ‘Book of Inheritance’, which was dictated by the Messenger of Allah {SWT} (peace be upon him and his family) and written in the handwriting of Imam Ali ibn Abi Talib {a.s}.
I read in it:
A woman passes away, leaving behind her husband and both parents. The inheritance is divided as follows: the husband receives half of the estate, which is three shares; the mother receives one-third, which is two shares; and the father receives one-sixth, which is one share.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.268 • Wasa’il Al-Shi’ah, Vol.26 p.125 • Tafsir Nur Al-Thaqalayn, Vol.1 p.453 • Tafsir Kanz Al-Daqaiq, Vol.3 p.347

HADITH

5617 - وَ رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ أَبِي نَصْرٍ عَنْ جَمِيلٍ عَنْ إِسْمَاعِيلَ اَلْجُعْفِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : قُلْتُ لَهُ رَجُلٌ مَاتَ وَ تَرَكَ اِمْرَأَتَهُ وَ أَبَوَيْهِ قَالَ «لِاِمْرَأَتِهِ اَلرُّبُعُ وَ لِلْأُمِّ اَلثُّلُثُ وَ مَا بَقِيَ فَلِلْأَبِ فَإِنْ تَرَكَتِ اِمْرَأَةٌ زَوْجَهَا وَ أُمَّهَا فَلِلزَّوْجِ اَلنِّصْفُ وَ مَا بَقِيَ فَلِلْأُمِّ فَإِنْ تَرَكَتْ زَوْجَهَا وَ أَبَاهَا فَلِلزَّوْجِ اَلنِّصْفُ وَ مَا بَقِيَ فَلِلْأَبِ».

H.5617 - Ahmad ibn Muhammad ibn Abi Nasr narrated from Jamil, from Isma'il Al-Ju'fi, from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
I asked Imam {a.s} about a man who passed away and left behind his wife and both his parents. Imam {a.s} replied: “The wife receives one-fourth of the inheritance, the mother receives one-third, and whatever remains goes to the father.
If a woman passes away leaving behind her husband and her mother, the husband receives half of the estate, and the remaining portion goes to the mother.
If she leaves behind her husband and her father, the husband receives half of the estate, and the remaining portion goes to the father.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.268 • Al-Wafi, Vol.25 p.759

CHAPTER 139 – CHAPTER ON THE INHERITANCE OF THE OFFSPRING OF OFFSPRING

بَابُ مِيرَاثِ وَلَدِ الْوَلَدِ

HADITH 5618 – 5619

5618 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ سَعْدِ بْنِ أَبِي خَلَفٍ عَنْ أَبِي اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «بَنَاتُ اَلاِبْنَةِ يَقُمْنَ مَقَامَ اَلْبَنَاتِ إِذَا لَمْ يَكُنْ لِلْمَيِّتِ بَنَاتٌ وَ لاَ وَارِثٌ غَيْرُهُنَّ » قَالَ «وَ بَنَاتُ اَلاِبْنِ يَقُمْنَ مَقَامَ اَلاِبْنِ إِذَا لَمْ يَكُنْ لِلْمَيِّتِ وَلَدٌ وَ لاَ وَارِثٌ غَيْرَهُنَّ ».

فَإِذَا تَرَكَ الرَّجُلُ ابْنَ ابْنَةٍ وَ ابْنَةَ ابْنٍ فَلِابْنِ الِابْنَةِ الثُّلُثُ وَ لِابْنَةِ الِابْنِ الثُّلُثَانِ لِأَنَّ كُلَّ ذِي رَحِمٍ يَأْخُذُ نَصِيبَ الَّذِي يَجُرُّهُ.

H.5618 - Al-Hasan ibn Mahbub narrated from Sa'd ibn Abi Khalaf, from Abu Al-Hasan {a.s}, who said: The daughters of a daughter take the place of the deceased's daughters if the deceased has no daughters and no other heirs.
Imam {a.s} further said: The daughters of a son take the place of the deceased's son if the deceased has no children and no other heirs.

[AL SADUQ]
Therefore, if a man leaves behind a son's daughter and a daughter's son, the daughter's son receives one-third of the inheritance, and the son's daughter receives two-thirds.
This is because each relative inherits according to the share of the one through whom they are connected to the deceased.

[REFERENCES] Al-Kafi, Vol.7 p.88 • Al-Kafi, Vol.7 p.88 • Man La Yahduruhu Al-Faqih, Vol.4 p.268 • Tahdhib Al-Ahkam, Vol.9 p.316 • Tahdhib Al-Ahkam, Vol.9 p.316 • Al-Istibsar, Vol.4 p.166 • Al-Istibsar, Vol.4 p.166 • Awali Al-La'ali, Vol.2 p.335 • Al-Wafi, Vol.25 p.790 • Wasa'il Al-Shi'ah, Vol.26 p.110

HADITH

5619 - وَ كَتَبَ مُحَمَّدُ بْنُ اَلْحَسَنِ اَلصَّفَّارُ رَضِيَ اَللَّهُ عَنْهُ إِلَى أَبِي مُحَمَّدٍ اَلْحَسَنِ بْنِ عَ : رَجُلٌ مَاتَ وَ تَرَكَ اِبْنَةَ اِبْنَتِهِ وَ أَخَاهُ لِأَبِيهِ وَ أُمِّهِ لِمَنْ يَكُونُ اَلْمِيرَاثُ فَوَقَّعَ عَلَيْهِ اَلسَّلاَمُ فِي ذَلِكَ «اَلْمِيرَاثُ لِلْأَقْرَبِ إِنْ شَاءَ اَللَّهُ».

وَ لَا يَرِثُ ابْنُ الِابْنِ وَ لَا ابْنَةُ الِابْنَةِ مَعَ وَلَدِ الصُّلْبِ وَ لَا يَرِثُ ابْنُ ابْنِ ابْنِ مَعَ ابْنِ ابْنٍ وَ كُلُّ مَنْ قَرُبَ نَسَبُهُ فَهُوَ أَوْلَى بِالْمِيرَاثِ مِمَّنْ بَعُدَ وَ لَا يَرِثُ مَعَ وَلَدِ الْوَلَدِ وَ إِنْ سَفَلَ أُخٌ وَ لَا أُخْتٌ وَ لَا عَمٌّ وَ لَا عَمَّةٌ وَ لَا خَالٌ وَ لَا خَالَةٌ وَ لَا ابْنُ أَخٍ وَ لَا ابْنُ أُخْتٍ وَ لَا ابْنُ عَمٍّ وَ لَا ابْنُ خَالٍ وَ لَا ابْنُ عَمَّةٍ وَ لَا ابْنُ خَالَةٍ.

H.5619 - Muhammad ibn Al-Hasan Al-Saffar (may Allah {SWT} be pleased with him) wrote to Abu Muhammad Imam Hasan ibn Ali Al-Askari {a.s} asking about a man who passed away, leaving behind his daughter's daughter and his full brother.
Imam {a.s} replied: “The inheritance belongs to the closest relative, Allah {SWT} willing.”

[AL SADUQ]

Additionally, the grandson (son of the son) and the granddaughter (daughter of the daughter) do not inherit alongside direct children. Likewise, a great-grandson does not inherit when a grandson is present.
Whoever is closer in kinship has a greater right to inheritance than one who is more distant. No brother, sister, uncle, aunt, cousin, or any more distant relative can inherit when descendants, no matter how far down the lineage, are present.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.269 • Tahdhib Al-Ahkam, Vol.9 p.317 • Al-Istibsar, Vol.4 p.167

CHAPTER 140 – CHAPTER ON THE INHERITANCE OF THE PARENTS ALONGSIDE THE OFFSPRING OF OFFSPRING

بَابُ مِيرَاثِ الْأَبَوَيْنِ مَعَ وَلَدِ الْوَلَدِ

HADITH -

أَرْبَعَةٌ لَا يَرِثُ مَعَهُمْ أَحَدٌ إِلَّا زَوْجٌ أَوْ زَوْجَةٌ الْأَبَوَانِ وَ الِابْنُ وَ الِابْنَةُ هَذَا هُوَ الْأَصْلُ لَنَا فِي الْمَوَارِيثِ فَإِذَا تَرَكَ الرَّجُلُ أَبَوَيْنِ وَ ابْنَ ابْنٍ وَ ابْنَ ابْنَةٍ فَالْمَالُ لِلْأَبَوَيْنِ لِلْأُمِّ الثُّلُثُ وَ لِلْأَبِ الثُّلُثَانِ لِأَنَّ وُلْدَ الْوَلَدِ إِنَّمَا يَقُومُونَ مَقَامَ الْوَلَدِ إِذَا لَمْ يَكُنْ هُنَاكَ وَلَدٌ وَ لَا وَارِثٌ غَيْرُهُ وَ الْوَارِثُ هُوَ الْأَبُ وَ الْأُمُّ وَ قَالَ الْفَضْلُ بْنُ شَاذَانَ رَحِمَهُ اللَّهُ خِلَافَ قَوْلِنَا فِي هَذِهِ الْمَسْأَلَةِ وَ أَخْطَأَ قَالَ إِنْ تَرَكَ ابْنَ ابْنَةٍ وَ ابْنَةَ ابْنٍ وَ أَبَوَيْنِ فَلِلْأَبَوَيْنِ السُّدُسَانِ وَ مَا بَقِيَ فَلِابْنَةِ الِابْنِ مِنْ ذَلِكَ الثُّلُثَانِ وَ لِابْنِ الِابْنَةِ مِنْ ذَلِكَ الثُّلُثُ تَقُومُ ابْنَةُ الِابْنِ مَقَامَ أَبِيهَا وَ ابْنُ الِابْنَةِ مَقَامَ أُمِّهِ وَ هَذَا مِمَّا زَلَّ بِهِ قَدَمُهُ عَنِ الطَّرِيقِ الْمُسْتَقِيمَةِ وَ هَذَا سَبِيلُ مَنْ يَقِيسُ.

[AL SADUQ]

“There are four individuals with whom no one else shares inheritance except a husband or wife: the father, the mother, the son, and the daughter.

This is the foundational principle for us in matters of inheritance.

If a man dies leaving behind his parents, a grandson (son of his son), and a granddaughter (daughter of his daughter), the inheritance is divided between the parents: one-third for the mother and two-thirds for the father. This is because the descendants of children (grandchildren) only inherit in place of the child when there are no direct children or other heirs. In this case, the father and mother are the direct heirs.

Al-Fadl ibn Shadhan (may Allah {SWT} have mercy on him) held a differing opinion in this matter and erred. He stated that if a man leaves behind a granddaughter through his daughter, a granddaughter through his son, and both parents, then the parents receive one-sixth each, and the remainder is divided: two-thirds to the granddaughter from the son and one-third to the grandson from the daughter.

He reasoned that the granddaughter through the son stands in place of her father, and the grandson through the daughter stands in place of his mother.

However, this opinion deviates from the correct path and reflects the reasoning of those who rely on analogical deduction (qiyas).”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.272

CHAPTER 141 – CHAPTER ON THE INHERITANCE OF THE OFFSPRING OF OFFSPRING ALONGSIDE THE HUSBAND AND THE WIFE

بَابُ مِيرَاثِ وَلَدِ الْوَلَدِ مَعَ الزَّوْجِ وَ الزَّوْجَةِ

HADITH -

إِذَا تَرَكَ الرَّجُلُ امْرَأَةً وَ وَلَدَ الْوَلَدِ فَلِلْمَرْأَةِ الثُّمُنُ وَ مَا بَقِيَ فَلِوَلَدِ الْوَلَدِ فَإِنْ تَرَكَتِ امْرَأَةٌ زَوْجَهَا وَ وَلَدَ الْوَلَدِ فَلِلزَّوْجِ الرُّبُعُ وَ مَا بَقِيَ فَلِوَلَدِ الْوَلَدِ لِأَنَّ الزَّوْجَ وَ الْمَرْأَةَ لَيْسَا بِوَارِثَيْنِ أَصْلِيَّيْنِ إِنَّمَا يَرِثَانِ مِنْ جِهَةِ السَّبَبِ لَا مِنْ جِهَةِ النَّسَبِ فَوَلَدُ الْوَلَدِ مَعَهُمَا بِمَنْزِلَةِ الْوَلَدِ لِأَنَّهُ لَيْسَ لِلْمَيِّتِ وَلَدٌ وَ لَا أَبَوَانِ.

[AL SADUQ]

“If a man dies and leaves behind a wife and grandchildren (descendants of his children), the wife receives one-eighth of the inheritance, and the remainder goes to the grandchildren.

If a woman dies and leaves behind her husband and grandchildren, the husband receives one-fourth of the inheritance, and the remainder goes to the grandchildren.

This division is because the husband and wife are not considered primary heirs by blood; rather, they inherit through marital relation, not through lineage. Therefore, the grandchildren take the position of the direct children when there are no surviving children or parents of the deceased.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.272

CHAPTER 142 – CHAPTER ON THE INHERITANCE OF PARENTS, BROTHERS, AND SISTERS

بَابُ مِيرَاثِ الْأَبَوَيْنِ وَ الْإِخْوَةِ وَ الْأَخَوَاتِ

HADITH -

إِذَا مَاتَ الرَّجُلُ وَ تَرَكَ أَبَوَيْهِ فَلِأُمِّهِ الثُّلُثُ وَ لِلْأَبِ الثُّلُثَانِ فَإِنْ تَرَكَ أَبَوَيْهِ وَ أَخاً أَوْ أُخْتاً فَلِلْأُمِّ الثُّلُثُ وَ لِلْأَبِ الثُّلُثَانِ فَإِنْ تَرَكَ أَبَوَيْهِ وَ أَخاً وَ أُخْتَيْنِ أَوْ أَخَوَيْنِ أَوْ أَرْبَعَ أَخَوَاتٍ لِأَبٍ أَوْ لِأَبٍ وَ أُمٍّ فَلِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِلْأَبِ لِقَوْلِ اللَّهِ عَزَّ وَ جَلَّ ◯ فَإِنْ كانَ لَهُ إِخْوَةٌ يَعْنِي إِخْوَةٌ لِأَبٍ أَوْ لِأَبٍ وَ أُمٍّ ◯ فَلِأُمِّهِ السُّدُسُ وَ إِنَّمَا حَجَبُوا الْأُمَّ عَنِ الثُّلُثِ لِأَنَّهُمْ فِي عِيَالِ الْأَبِ وَ عَلَيْهِ نَفَقَتُهُمْ فَيَحْجُبُونَ وَ لَا يَرِثُونَ وَ مَتَى تَرَكَ أَبَوَيْهِ وَ إِخْوَةً وَ أَخَوَاتٍ لِأُمٍّ مَا بَلَغُوا لَمْ يَحْجُبُوا الْأُمَّ عَنِ الثُّلُثِ وَ لَمْ يَرِثُوا.

[AL SADUQ]

“If a man dies and leaves behind both his parents, the mother receives one-third of the inheritance, and the father receives two-thirds.

If he leaves behind his parents and a brother or a sister, the mother still receives one-third, and the father receives two-thirds.

However, if he leaves behind his parents and either a brother and two sisters, two brothers, or even four sisters from either the father's side or both the father's and mother's side, then the mother receives only one-sixth, and the remainder goes to the father.

This is based on the words of Allah {SWT}, the Almighty:

‘*But if he had brothers and sisters, then for his mother is one-sixth*.’

(Surah An-Nisa 4:11)

They (the siblings) reduce the mother’s share from one-third to one-sixth because they are dependent on the father for their living expenses; thus, they block (reduce) her share without inheriting themselves.

However, if he leaves behind his parents and siblings from the mother’s side (maternal siblings), regardless of their number, they neither reduce the mother’s share from one-third nor do they inherit.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.272

CHAPTER 143 – CHAPTER ON THE INHERITANCE OF THE PARENTS, THE HUSBAND, THE BROTHERS, AND THE SISTERS

بَابُ مِيرَاثِ الْأَبَوَيْنِ وَ الزَّوْجِ وَ الْإِخْوَةِ وَ الْأَخَوَاتِ

HADITH -

إِنْ تَرَكَتِ امْرَأَةٌ زَوْجَهَا وَ أَبَاهَا وَ إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ وَ أُمٍّ أَوْ لِأَبٍ أَوْ لِأُمٍّ فَلِلزَّوْجِ النِّصْفُ وَ مَا بَقِيَ فَلِلْأَبِ وَ لَيْسَ لِلْإِخْوَةِ وَ الْأَخَوَاتِ مَعَ الْأَبِ وَ لَا مَعَ الْأُمِّ شَيْءٌ وَ كَذَلِكَ إِنْ تَرَكَتْ زَوْجَهَا وَ أُمَّهَا وَ إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ وَ أُمٍّ أَوْ لِأَبٍ أَوْ لِأُمٍّ فَلِلزَّوْجِ النِّصْفُ وَ لِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ رُدَّ عَلَيْهَا وَ سَقَطَ الْإِخْوَةُ وَ الْأَخَوَاتُ كُلُّهُمْ لِأَنَّ الْأُمَّ ذَاتُ سَهْمٍ وَ هِيَ أَقْرَبُ الْأَرْحَامِ وَ هِيَ تَتَقَرَّبُ بِنَفْسِهَا وَ الْإِخْوَةُ يَتَقَرَّبُونَ بِغَيْرِهِمْ فَإِنْ تَرَكَتْ زَوْجاً وَ أُماً وَ إِخْوَةً لِأُمٍّ وَ أُخْتاً لِأَبٍ وَ أُمٍّ فَلِلزَّوْجِ النِّصْفُ وَ مَا بَقِيَ فَلِلْأُمِّ فَإِنْ تَرَكَتْ زَوْجَهَا وَ أَبَوَيْهَا وَ إِخْوَةً لِأَبٍ وَ أُمٍّ أَوْ لِأَبٍ فَلِلزَّوْجِ النِّصْفُ وَ لِلْأُمِّ السُّدُسُ وَ لِلْأَبِ الْبَاقِي وَ إِنْ كَانَ الْإِخْوَةُ مِنَ الْأُمِّ فَلِلزَّوْجِ النِّصْفُ وَ لِلْأُمِّ الثُّلُثُ وَ لِلْأَبِ السُّدُسُ.

[AL SADUQ]

If a woman dies and leaves behind her husband, her father, and siblings (whether they are from both parents, the father's side, or the mother's side), the husband receives half of the inheritance, and the remainder goes to the father. The siblings, whether brothers or sisters, inherit nothing alongside the father or the mother.

Similarly, if she leaves behind her husband, her mother, and siblings (whether they are from both parents, the father's side, or the mother's side), the husband receives half of the inheritance, the mother receives one-sixth, and the remainder is returned to the mother. The siblings are entirely excluded because the mother holds a fixed share and is the closest relative by direct lineage, whereas the siblings are related indirectly.

If she leaves behind her husband, her mother, maternal siblings, and a sister from both parents, the husband receives half of the inheritance, and the remainder goes to the mother.

If she leaves behind her husband, both parents, and siblings from both parents or from the father's side, the husband receives half, the mother receives one-sixth, and the remainder goes to the father. However, if the siblings are solely from the mother's side, the husband receives half, the mother receives one-third, and the father receives one-sixth.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.272

CHAPTER 144 – CHAPTER ON THOSE WHO ARE NOT PREVENTED FROM INHERITING

بَابُ مَنْ لَا يَحْجُبُ عَنِ الْمِيرَاثِ

HADITH 5620

5620 - رَوَى مُحَمَّدُ بْنُ سِنَانٍ عَنِ اَلْعَلاَءِ بْنِ فُضَيْلٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِنَّ اَلْوَلِيدَ وَ اَلطِّفْلَ لاَ يَحْجُبُكَ وَ لاَ يَرِثُكَ إِلاَّ مَنْ آذَنَ بِالصُّرَاخِ وَ لاَ شَيْءٌ أَكَنَّهُ اَلْبَطْنُ وَ إِنْ تَحَرَّكَ إِلاَّ مَا اِخْتَلَفَ عَلَيْهِ اَللَّيْلُ وَ اَلنَّهَارُ».

وَ لَا يَحْجُبُ الْأُمَّ عَنِ الثُّلُثِ الْإِخْوَةُ وَ الْأَخَوَاتُ مِنَ الْأُمِّ مَا بَلَغُوا وَ لَا يَحْجُبُهَا إِلَّا أَخَوَانِ أَوْ أَخٌ وَ أُخْتَانِ أَوْ أَرْبَعُ أَخَوَاتٍ لِأَبٍ أَوْ لِأَبٍ وَ أُمٍّ أَوْ أَكْثَرُ مِنْ ذَلِكَ وَ الْمَمْلُوكُ لَا يَحْجُبُ وَ لَا يَرِثُ.

H.5620 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Indeed, a newborn or an infant does not prevent you (from inheritance) nor inherits from you unless they have cried aloud. Anything concealed in the womb, even if it moves, has no share in inheritance except what the passage of night and day might change."

[AL SADUQ]
Additionally, maternal siblings, regardless of their number, do not prevent the mother from receiving her one-third share. Only two full brothers, a brother with two sisters, or four full sisters (from the father or from both the father and mother) or more can reduce the mother's share.
A servant neither prevents inheritance nor inherits.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.272 • Tahdhib Al-Ahkam, Vol.9 p.282 • Al-Wafi, Vol.25 p.746

CHAPTER 145 – CHAPTER ON THE INHERITANCE OF THE BROTHERS AND SISTERS

بَابُ مِيرَاثِ الْإِخْوَةِ وَ الْأَخَوَاتِ

HADITH 5621 – 5623

إِذَا تَرَكَ الرَّجُلُ أَخاً لِأَبٍ وَ أُمٍّ فَالْمَالُ كُلُّهُ لَهُ وَ كَذَلِكَ إِذَا كَانَا أَخَوَيْنِ أَوْ أَكْثَرَ مِنْ ذَلِكَ فَالْمَالُ بَيْنَهُمْ بِالسَّوِيَّةِ فَإِنْ تَرَكَ أُخْتاً لِأَبٍ وَ أُمٍّ فَلَهَا النِّصْفُ بِالتَّسْمِيَةِ وَ الْبَاقِي رَدٌّ عَلَيْهَا لِأَنَّهَا أَقْرَبُ الْأَرْحَامِ وَ هِيَ ذَاتُ سَهْمٍ وَ كَذَلِكَ إِنْ تَرَكَ أُخْتَيْنِ أَوْ أَكْثَرَ فَلَهُنَّ الثُّلُثَانِ بِالتَّسْمِيَةِ وَ الْبَاقِي رَدٌّ عَلَيْهِنَّ بِسَهْمِ ذَوِي الْأَرْحَامِ وَ إِنْ كَانُوا إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ وَ أُمٍّ فَالْمَالُ بَيْنَهُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ وَ كَذَلِكَ الْإِخْوَةُ وَ الْأَخَوَاتُ لِلْأَبِ فِي كُلِّ مَوْضِعٍ يَقُومُونَ مَقَامَ الْإِخْوَةِ وَ الْأَخَوَاتِ لِلْأَبِ وَ الْأُمِّ إِذَا لَمْ يَكُنْ إِخْوَةٌ وَ أَخَوَاتٌ لِأَبٍ وَ أُمٍّ فَإِنْ تَرَكَ أَخاً لِأَبٍ وَ أُمٍّ وَ أَخاً لِأَبٍ فَالْمَالُ كُلُّهُ لِلْأَخِ مِنَ الْأَبِ وَ الْأُمِّ وَ سَقَطَ الْأَخُ مِنَ الْأَبِ وَ لَا يَرِثُ الْإِخْوَةُ مِنَ الْأَبِ ذُكُوراً كَانُوا أَوْ إِنَاثاً مَعَ الْإِخْوَةِ مِنَ الْأَبِ وَ الْأُمِّ ذُكُوراً كَانُوا أَوْ إِنَاثاً شَيْئاً فَإِنْ تَرَكَ أَخاً لِأَبٍ وَ أُمٍّ وَ أُخْتاً لِأَبٍ فَالْمَالُ كُلُّهُ لِلْأَخِ مِنَ الْأَبِ وَ الْأُمِّ وَ كَذَلِكَ إِنْ تَرَكَ أُخْتاً لِأَبٍ وَ أُمٍّ وَ أَخاً لِأَبٍ فَالْمَالُ كُلُّهُ لِلْأُخْتِ مِنَ الْأَبِ وَ الْأُمِّ يَكُونُ لَهَا النِّصْفُ بِالتَّسْمِيَةِ وَ مَا بَقِيَ فَلِأَقْرَبِ أُولِي الْأَرْحَامِ وَ هِيَ أَقْرَبُ أُولِي الْأَرْحَامِ.

[AL SADUQ]

If a man passes away and leaves behind a full brother (from the same father and mother), the entire inheritance goes to that brother. Similarly, if he leaves two or more full brothers, the estate is divided equally among them.

If he leaves behind a full sister (from the same father and mother), she receives half of the inheritance as explicitly assigned, and the remaining portion is also returned to her since she is the closest relative with a designated share.

If he leaves two or more full sisters, they collectively receive two-thirds of the inheritance, and the remainder is also distributed among them as relatives entitled to shares.

If the deceased leaves both full brothers and full sisters, the estate is divided among them with the male receiving twice the share of the female, as specified by the principle: "For the male is the share of two females."

Likewise, paternal brothers and sisters (sharing the same father but different mothers) take the place of full siblings if there are no full brothers or sisters.

If the deceased leaves a full brother and a paternal brother, the entire inheritance goes to the full brother, and the paternal brother receives nothing. Paternal siblings, whether male or female, do not inherit alongside full siblings. If he leaves a full brother and a paternal sister, the entire estate goes to the full brother. Similarly, if he leaves a full sister and a paternal brother, the full sister receives half by designation, and the remaining portion goes to the closest kin among the relatives, with the full sister being the closest.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.272

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5621 - لِقَوْلِ اَلنَّبِيِّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «أَعْيَانُ بَنِي اَلْأُمِّ أَحَقُّ بِالْمِيرَاثِ مِنْ وُلْدِ اَلْعَلَّاتِ».

فَإِنْ تَرَكَ أَخَوَاتٍ لِأَبٍ وَ أُمٍّ وَ أَخَوَاتٍ لِأَبٍ وَ ابْنِ أَخٍ لِأَبٍ فَلِلْأَخَوَاتِ لِلْأَبِ وَ الْأُمِّ الثُّلُثَانِ وَ مَا بَقِيَ رَدٌّ عَلَيْهِنَّ لِأَنَّهُنَّ أَقْرَبُ الْأَرْحَامِ فَإِنْ تَرَكَ أُخاً لِأَبٍ وَ ابْنَ أَخٍ لِأَبٍ وَ أُمٍّ فَالْمَالُ كُلُّهُ لِلْأَخِ مِنَ الْأَبِ لِأَنَّهُ أَقْرَبُ بِبَطْنٍ وَ لِأَنَّ الْأَخَ لِلْأَبِ يَقُومُ مَقَامَ الْأَخِ لِلْأَبِ وَ الْأُمِّ إِذَا لَمْ يَكُنْ أَخٌ لِأَبٍ وَ أُمٍّ فَلَمَّا قَامَ مَقَامَ الْأَخِ لِلْأَبِ وَ الْأُمِّ وَ كَانَ أَقْرَبَ بِبَطْنٍ كَانَ أَحَقَّ بِالْمِيرَاثِ مِنِ ابْنِ الْأَخِ فَإِنْ تَرَكَ أُخاً لِأَبٍ وَ أُمٍّ وَ أُخاً لِأُمٍّ فَلِلْأَخِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِلْأَخِ مِنَ الْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ وَ أُمٍّ وَ أُخْتاً لِأُمٍّ فَلِلْأُخْتِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَبَيْنَ الْإِخْوَةِ وَ الْأَخَوَاتِ لِلْأَبِ وَ الْأُمِّ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ تَرَكَ أُخْتاً لِأَبٍ وَ أُمٍّ وَ أُخْتاً أَوْ أَخاً لِأُمٍّ فَلِلْأَخِ أَوِ الْأُخْتِ لِلْأُمِّ السُّدُسُ وَ لِلْأُخْتِ لِلْأَبِ وَ الْأُمِّ الْبَاقِي فَإِنْ تَرَكَ أَخَوَيْنِ أَوْ أُخْتَيْنِ لِأُمٍّ أَوْ أَكْثَرَ مِنْ ذَلِكَ وَ إِخْوَةً لِأَبٍ وَ أُمٍّ فَلِلْإِخْوَةِ أَوِ الْأَخَوَاتِ مِنْ قِبَلِ الْأُمِّ الثُّلُثُ بَيْنَهُمْ بِالسَّوِيَّةِ وَ مَا بَقِيَ فَلِلْإِخْوَةِ مِنَ الْأَبِ وَ الْأُمِّ وَ الْأَخُ مِنَ الْأُمِّ ذَكَراً كَانَ أَوْ أُنْثَى إِذَا كَانَ وَاحِداً فَلَهُ السُّدُسُ فَإِنْ كَانُوا أَكْثَرَ مِنْ ذَلِكَ ذُكُوراً كَانُوا أَوْ إِنَاثاً فَلَهُمُ الثُّلُثُ لَا يُزَادُونَ عَلَى الثُّلُثِ وَ لَا يُنْقَصُونَ مِنَ السُّدُسِ إِذَا كَانَ وَاحِداً قَالَ اللَّهُ تَبَارَكَ وَ تَعَالَى- وَ إِنْ كانَ رَجُلٌ يُورَثُ كَلالَةً أَوِ امْرَأَةٌ وَ لَهُ أَخٌ أَوْ أُخْتٌ فَلِكُلِّ واحِدٍ مِنْهُمَا السُّدُسُ فَإِنْ كانُوا أَكْثَرَ مِنْ ذلِكَ فَهُمْ شُرَكاءُ فِي الثُّلُثِ -فَإِنْ تَرَكَ أَخَاهُ لِأَبِيهِ وَ أَخَاهُ لِأُمِّهِ وَ أَخَاهُ لِأَبِيهِ وَ أُمِّهِ فَلِلْأَخِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِلْأَخِ مِنَ الْأَبِ وَ الْأُمِّ وَ سَقَطَ الْأَخُ مِنَ الْأَبِ فَإِنْ تَرَكَ إِخْوَةً وَ أَخَوَاتٍ لِأُمٍّ وَ إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ وَ أُمٍّ وَ إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ فَلِلْإِخْوَةِ وَ الْأَخَوَاتِ مِنَ الْأُمِّ الثُّلُثُ الذَّكَرُ وَ الْأُنْثَى فِيهِ سَوَاءٌ وَ مَا بَقِيَ فَلِلْإِخْوَةِ وَ الْأَخَوَاتِ مِنَ الْأَبِ وَ الْأُمِّ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ وَ سَقَطَ الْإِخْوَةُ وَ الْأَخَوَاتُ مِنَ الْأَبِ فَإِنْ تَرَكَ أُخْتاً لِأُمٍّ وَ أُخْتاً لِأَبٍ وَ أُمٍّ وَ أُخْتاً لِأَبٍ فَلِلْأُخْتِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِلْأُخْتِ مِنَ الْأَبِ وَ الْأُمِّ وَ سَقَطَتِ الْأُخْتُ مِنَ الْأَبِ فَإِنْ تَرَكَ أُخْتَيْنِ لِأُمٍّ وَ أُخْتَيْنِ لِأَبٍ وَ أُمٍّ وَ أُخْتَيْنِ لِأَبٍ فَلِلْأُخْتَيْنِ لِلْأُمِّ الثُّلُثُ بَيْنَهُمَا بِالسَّوِيَّةِ وَ مَا بَقِيَ فَلِلْأُخْتَيْنِ مِنَ الْأَبِ وَ الْأُمِّ وَ سَقَطَ الْأُخْتَانِ مِنَ الْأَبِ فَإِنْ تَرَكَ أُخْتاً لِأَبٍ وَ أُمٍّ وَ إِخْوَةً وَ أَخَوَاتٍ لِأُمٍّ وَ ابْنَ أَخٍ لِأَبٍ وَ أُمٍّ فَإِنَّ لِلْإِخْوَةِ وَ الْأَخَوَاتِ مِنَ الْأُمِّ الثُّلُثَ الذَّكَرُ وَ الْأُنْثَى فِيهِ سَوَاءٌ وَ مَا بَقِيَ فَلِلْأُخْتِ مِنَ الْأَبِ وَ الْأُمِّ وَ سَقَطَ ابْنُ الْأَخِ لِلْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ أُخاً لِأَبٍ وَ ابْنَ أَخٍ لِأُمٍّ فَالْمَالُ كُلُّهُ لِلْأَخِ مِنَ الْأَبِ وَ ابْنَ أَخٍ لِأَبٍ وَ أُمٍّ فَالْمَالُ كُلُّهُ لِلْأَخِ مِنَ الْأُمِّ وَ سَقَطَ ابْنُ الْأَخِ لِلْأَبِ وَ غَلِطَ الْفَضْلُ بْنُ شَاذَانَ فِي هَذِهِ الْمَسْأَلَةِ فَقَالَ لِلْأَخِ مِنَ الْأُمِّ السُّدُسُ سَهْمُهُ الْمُسَمَّى لَهُ وَ مَا بَقِيَ فَلِابْنِ الْأَخِ لِلْأَبِ وَ الْأُمِّ وَ احْتَجَّ فِي ذَلِكَ بِحُجَّةٍ ضَعِيفَةٍ فَقَالَ لِأَنَّ ابْنَ الْأَخِ لِلْأَبِ وَ الْأُمِّ يَقُومُ مَقَامَ الْأَخِ الَّذِي يَسْتَحِقُّ الْمَالَ كُلَّهُ بِالْكِتَابِ فَهُوَ بِمَنْزِلَةِ الْأَخِ لِلْأَبِ وَ الْأُمِّ وَ لَهُ فَضْلُ قَرَابَةٍ بِسَبَبِ الْأُمِّ قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ وَ إِنَّمَا يَكُونُ ابْنُ الْأَخِ بِمَنْزِلَةِ الْأَخِ إِذَا لَمْ يَكُنْ لَهُ أَخٌ فَإِذَا كَانَ لَهُ أَخٌ لَمْ يَكُنْ بِمَنْزِلَةِ الْأَخِ كَوَلَدِ الْوَلَدِ إِنَّمَا هُوَ وَلَدُ إِذَا لَمْ يَكُنْ لِلْمَيِّتِ وَلَدٌ وَ لَا أَبَوَانِ وَ لَوْ جَازَ الْقِيَاسُ فِي دِينِ اللَّهِ عَزَّ وَ جَلَّ لَكَانَ الرَّجُلُ إِذَا تَرَكَ أُخاً لِأَبٍ وَ ابْنَ أَخٍ لِأَبٍ وَ أُمٍّ كَانَ الْمَالُ كُلُّهُ لِابْنِ الْأَخِ لِلْأَبِ وَ الْأُمِّ قِيَاساً عَلَى عَمٍّ لِأَبٍ وَ ابْنِ عَمٍّ لِأَبٍ وَ أُمٍّ لِأَنَّ الْمَالَ كُلَّهُ لِابْنِ الْعَمِّ لِلْأَبِ وَ الْأُمِّ لِأَنَّهُ قَدْ جَمَعَ الْكَلَالَتَيْنِ كَلَالَةَ الْأَبِ وَ كَلَالَةَ الْأُمِّ وَ ذَلِكَ بِالْخَبَرِ الْمَأْثُورِ عَنِ الْأَئِمَّةِ الَّذِينَ يَجِبُ التَّسْلِيمُ لَهُمْ ع وَ الْفَضْلُ يَقُولُ فِي هَذِهِ الْمَسْأَلَةِ إِنَّ الْمَالَ لِلْأَخِ لِلْأَبِ وَ سَقَطَ ابْنُ الْأَخِ لِلْأَبِ وَ الْأُمِّ وَ يَلْزَمُهُ عَلَى قِيَاسِهِ أَنَّ الْمَالَ بَيْنَ ابْنِ الْأَخِ لِلْأَبِ وَ الْأُمِّ وَ بَيْنَ الْأَخِ لِلْأَبِ لِأَنَّ ابْنَ الْأَخِ لَهُ فَضْلُ قَرَابَةٍ بِسَبَبِ الْأُمِّ وَ هُوَ يَتَقَرَّبُ بِمَنْ يَسْتَحِقُّ الْمَالَ كُلَّهُ بِالتَّسْمِيَةِ وَ بِمَنْ لَا يَرِثُ الْأَخَ لِلْأَبِ مَعَهُ فَإِنْ تَرَكَ ابْنَ أَخٍ لِأُمٍّ وَ ابْنَ أَخٍ لِأَبٍ وَ أُمٍّ وَ ابْنَ أَخٍ لِأَبٍ فَلِابْنِ الْأَخِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنِ الْأَخِ مِنَ الْأَبِ وَ الْأُمِّ وَ سَقَطَ ابْنُ الْأَخِ مِنَ الْأَبِ فَإِنْ تَرَكَ ابْنَ أَخٍ لِأَبٍ وَ ابْنَ أَخٍ لِأَبٍ وَ أُمٍّ فَالْمَالُ كُلُّهُ لِابْنِ الْأَخِ لِلْأَبِ وَ الْأُمِّ وَ سَقَطَ ابْنُ الْأَخِ لِلْأَبِ فَإِنْ تَرَكَ ابْنَةَ أُخْتٍ لِأُمٍّ وَ ابْنَةَ أُخْتٍ لِأَبٍ وَ أُمٍّ وَ ابْنَةَ أُخْتٍ لِأَبٍ فَلِابْنَةِ الْأُخْتِ لِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنَةِ الْأُخْتِ لِلْأَبِ وَ الْأُمِّ وَ سَقَطَتِ ابْنَةُ الْأُخْتِ لِلْأَبِ فَإِنْ تَرَكَ ابْنَةَ أَخٍ لِأَبٍ وَ أُمٍّ وَ بَنِي أَخٍ لِأَبٍ وَ أُمٍّ فَإِنْ كَانُوا لِأَخٍ وَاحِدٍ فَالْمَالُ بَيْنَهُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ وَ إِنْ كَانَ الْأَخُ أَبُو الِابْنَةِ غَيْرَ الْأَخِ أَبِي الْبَنِينَ فَلِابْنَةِ الْأَخِ النِّصْفُ مِنَ الْمِيرَاثِ نَصِيبُ أَبِيهَا وَ لِبَنِي الْأَخِ النِّصْفُ مِيرَاثُ أَبِيهِمْ فَإِنْ تَرَكَ ابْنَ أَخٍ لِأُمٍّ وَ ابْنَ ابْنِ ابْنِ أَخٍ لِأَبٍ وَ أُمٍّ فَالْمَالُ كُلُّهُ لِابْنِ الْأَخِ لِلْأُمِّ لِأَنَّهُ أَقْرَبُ وَ لَيْسَ كَمَا قَالَ الْفَضْلُ بْنُ شَاذَانَ إِنَّ لِابْنِ الْأَخِ مِنَ الْأُمِّ السُّدُسَ وَ مَا بَقِيَ فَلِابْنِ ابْنِ ابْنِ الْأَخِ لِلْأَبِ وَ الْأُمِّ لِأَنَّهُ خِلَافُ الْأَصْلِ الَّذِي بَنَى اللَّهُ عَزَّ

وَ جَلَّ عَلَيْهِ فَرَائِضَ الْمَوَارِيثِ فَإِنْ تَرَكَ ابْنَ ابْنِ أَخٍ لِأَبٍ وَ أُمٍّ أَوْ لِأَبٍ أَوْ لِأُمٍّ وَ عَمّاً أَوْ عَمَّةً أَوْ خَالًا أَوْ خَالَةً فَالْمَالُ لِابْنِ ابْنِ الْأَخِ لِلْأَبِ وَ الْأُمِّ فَإِنَّ وُلْدَ الْأَخِ وَ إِنْ سَفَلُوا فَهُمْ مِنْ وُلْدِ الْأَبِ وَ الْعَمِّ وَ الْعَمَّةِ مِنْ وُلْدِ الْجَدِّ وَ الْخَالِ وَ الْخَالَةِ مِنْ وُلْدِ الْجَدِّ وَ وُلْدُ الْأَبِ وَ إِنْ سَفَلُوا فَهُمْ أَحَقُّ بِالْمِيرَاثِ مِنْ وُلْدِ الْجَدِّ وَ كَذَلِكَ يَجْرِي أَوْلَادُ الْأُخْتِ لِأَبٍ كَانَتْ أَوْ لِأُمٍّ أَوْ لِأَبٍ وَ أُمٍّ هَذَا الْمَجْرَى لَا يَرِثُ مَعَهُمْ عَمٌّ وَ لَا عَمَّةٌ وَ لَا خَالٌ وَ لَا خَالَةٌ كَمَا لَا يَرِثُ مَعَ وَلَدِ الْوَلَدِ وَ إِنْ سَفَلُوا أَخٌ وَ لَا أُخْتٌ لِأَبٍ كَانُوا أَوْ لِأُمٍّ أَوْ لِأَبٍ وَ أُمٍّ.

H.5621 - The Prophet (peace and blessings be upon him and his family) said:
"The full siblings from the same mother are more entitled to inheritance than the paternal half-siblings."

[AL SADUQ]

If a person leaves behind full sisters (from the same father and mother), paternal sisters (from the same father only), and a paternal nephew, then the full sisters are entitled to two-thirds of the inheritance, and the remainder is also returned to them, as they are the closest in kinship.

If the deceased leaves a paternal brother and a paternal nephew from both parents, then the entire estate belongs to the paternal brother, as he is closer by one degree. The paternal brother takes the place of a full brother (from both parents) if no such full brother exists. Since he stands in the position of the full brother and is closer by one degree, he has a stronger claim to the inheritance than the nephew.

If the deceased leaves a full brother and a maternal brother, the maternal brother receives one-sixth, and the remainder belongs to the full brother.

If a person leaves full siblings (brothers and sisters) and a maternal sister, the maternal sister receives one-sixth, and the remainder is distributed among the full siblings, with the male receiving twice the share of the female.

If the deceased leaves a full sister and a maternal brother or sister, the maternal sibling receives one-sixth, and the full sister takes the remainder.

If the deceased leaves two or more maternal siblings and full siblings, the maternal siblings collectively receive one-third of the estate, divided equally among them, regardless of gender. The remainder belongs to the full siblings.

If there is only one maternal sibling, whether male or female, they receive one-sixth of the inheritance. If there are two or more maternal siblings, whether male or female, they collectively share one-third of the inheritance, and they are not entitled to more than one-third of the estate.

And they shall not be given less than a sixth if there is only one.

Allah {SWT}, the Blessed and Exalted, said: "*And if a man or a woman leaves neither ascendants nor descendants but has a brother or a sister, each one of them shall have a sixth; but if they are more than that, they shall share in a third*."

If he leaves behind his paternal brother, his maternal brother, and his paternal and maternal brother, the maternal brother shall receive one-sixth, and whatever remains shall belong to the paternal and maternal brother, and the paternal brother shall be excluded.

If he leaves behind maternal brothers and sisters, paternal and maternal brothers and sisters, and paternal brothers and sisters, the maternal brothers and sisters shall have a third, with males and females being equal, and whatever remains shall belong to the paternal and maternal brothers and sisters, with the male receiving twice the share of the female, and the paternal siblings shall be excluded.

If he leaves behind a maternal sister, a paternal and maternal sister, and a paternal sister, the maternal sister shall receive one-sixth, and whatever remains shall belong to the paternal and maternal sister, and the paternal sister shall be excluded. If he leaves behind two maternal sisters, two paternal and maternal sisters, and two paternal sisters, the maternal sisters shall receive a third equally between them, and whatever remains shall belong to the paternal and maternal sisters, and the paternal sisters shall be excluded.

If he leaves behind a paternal and maternal sister, maternal brothers and sisters, and the son of a paternal and maternal brother, the maternal brothers and sisters shall have a third, with males and females being equal.

And whatever remains shall belong to the sister from the father and mother, and the son of the brother from the father and mother shall be excluded. If he leaves behind a brother from the father and a nephew from the mother, then the entire inheritance belongs to the brother from the father. If he leaves behind a brother from the mother and a nephew from the father and mother, then the entire inheritance belongs to the brother from the mother, and the nephew from the father and mother shall be excluded.

Al-Fadl ibn Shadhan erred in this issue and said that the brother from the mother shall receive the sixth, which is his designated share, and whatever remains shall go to the nephew from the father and mother. He supported this with a weak argument, saying that the nephew from the father and mother takes the place of the brother who would have been entitled to the entire inheritance according to the Book, and thus he is like the brother from the father and mother and has the additional tie of kinship through the mother.

The compiler of this book, may Allah {SWT} have mercy on him, said that the nephew only takes the place of the brother if there is no brother. If there is a brother, then he does not take the place of the brother, just as the son of a son is considered a son only if the deceased has no son or parents.

If analogy (qiyas) were permissible in the religion of Allah {SWT}, the Exalted, then if a man left behind a brother from the father and a nephew from the father and mother, the entire inheritance would belong to the nephew from the father and mother by analogy to the paternal uncle.

And the cousin from the father and mother, for the entire estate belongs to the cousin from the father and mother because he combines both paternal and maternal ties. This is based on the transmitted report from the Imams, peace be upon them, to whom submission is obligatory.

Al-Fadl states in this matter that the estate belongs to the brother from the father, and the nephew from the father and mother is excluded. According to his analogy, the

estate should be divided between the nephew from the father and mother and the brother from the father because the nephew from the father and mother has the advantage of a closer maternal connection, and he is related to the one who is entitled to the entire inheritance by designation, as well as to the one who does not inherit alongside the brother from the father.

If the deceased leaves behind a nephew from the mother, a nephew from the father and mother, and a nephew from the father, the nephew from the mother shall receive one-sixth, and the remainder shall go to the nephew from the father and mother, while the nephew from the father shall be excluded.

If the deceased leaves behind a nephew from the father and a nephew from the father and mother, the entire estate belongs to the nephew from the father and mother, and the nephew from the father shall be excluded.

If the deceased leaves behind a niece from the mother, a niece from the father and mother, and a niece from the father, the niece from the mother shall receive one-sixth, and the remainder shall belong to the niece from the father and mother.

And the remaining share belongs to the niece from the father and mother, while the niece from the father is excluded. If the deceased leaves behind a niece from the father and mother and the sons of a brother from the father and mother, if they are from the same brother, the inheritance is divided among them with the share of a male being equal to that of two females. However, if the niece's father is different from the father of the sons of the brother, then the niece inherits half of the estate as the share of her father, and the sons of the brother inherit the other half as their father's share.

If the deceased leaves behind a nephew from the mother and the great-grandson of a nephew from the father and mother, the entire estate belongs to the nephew from the mother, as he is closer. Contrary to what Al-Fadl ibn Shadhan stated, the nephew from the mother does not inherit only one-sixth while the remainder goes to the great-grandson of the nephew from the father and mother. Such a claim contradicts the foundational principle upon which Allah {SWT}, the Almighty, has established the rules of inheritance.

If the deceased leaves behind the great-grandson of a nephew from the father and mother, or from the father, or from the mother, along with an uncle, an aunt, a maternal uncle, or a maternal aunt, the estate belongs to the great-grandson of the nephew from the father and mother. This is because the descendants of a brother, even if distant, are considered from the line of the father, while an uncle and aunt are from the line of the grandfather, and a maternal uncle and maternal aunt are also from the line of the grandfather. The descendants of the father, even if distant, have a stronger claim to inheritance than the descendants of the grandfather.

Similarly, the same rule applies to the children of a sister, whether she is from the father, the mother, or both. They are given precedence, and no uncle, aunt, maternal uncle, or maternal aunt inherits alongside them. Just as the presence of a grandchild, even if distant, excludes siblings from inheriting, whether they are from the father, the mother, or both.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.273 • Wasa'il Al-Shi'ah, Vol.26 p.183

HADITH

5622 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنِ اِبْنِ أُذَيْنَةَ عَنْ بُكَيْرِ بْنِ أَعْيَنَ قَالَ : قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ اِمْرَأَةٌ مَاتَتْ وَ تَرَكَتْ زَوْجَهَا وَ إِخْوَتَهَا لِأُمِّهَا وَ إِخْوَتَهَا لِأَبِيهَا فَقَالَ «لِلزَّوْجِ اَلنِّصْفُ ثَلاَثَةُ أَسْهُمٍ وَ لِلْإِخْوَةِ لِلْأُمِّ اَلثُّلُثُ اَلذَّكَرُ وَ اَلْأُنْثَى فِيهِ سَوَاءٌ وَ بَقِيَ سَهْمٌ فَهُوَ لِلْإِخْوَةِ وَ اَلْأَخَوَاتِ مِنَ اَلْأَبِ «لِلذَّكَرِ مِثْلُ حَظِّ اَلْأُنْثَيَيْنِ» ».

H.5622 - Ibn Abi Umayr narrated from Ibn Udhaynah from Bukayr ibn A'yan, who said: I asked Abu Abdullah {a.s} about a woman who died and left behind her husband, maternal brothers, and paternal brothers.
Imam {a.s} said: "The husband receives half of the inheritance, which is three shares. The maternal brothers receive one-third, with males and females sharing equally. The remaining share goes to the paternal brothers and sisters, where the share of a male is equal to that of two females."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.277 • Wasa'il Al-Shi'ah, Vol.26 p.178

HADITH

5623 - قَالَ : وَ جَاءَ رَجُلٌ إِلَى أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ فَسَأَلَهُ عَنِ اِمْرَأَةٍ تَرَكَتْ زَوْجَهَا وَ إِخْوَتَهَا لِأُمِّهَا وَ أُخْتَهَا لِأَبِيهَا فَقَالَ «لِلزَّوْجِ اَلنِّصْفُ ثَلاَثَةُ أَسْهُمٍ وَ لِلْإِخْوَةِ مِنَ اَلْأُمِّ سَهْمَانِ وَ لِلْأُخْتِ مِنَ اَلْأَبِ سَهْمٌ » فَقَالَ لَهُ اَلرَّجُلُ فَإِنَّ فَرَائِضَ زَيْدٍ وَ فَرَائِضَ اَلْعَامَّةِ عَلَى غَيْرِ هَذَا يَا أَبَا جَعْفَرٍ يَقُولُونَ لِلْأُخْتِ مِنَ اَلْأَبِ ثَلاَثَةُ أَسْهُمٍ هِيَ مِنْ سِتَّةٍ تَعُولُ إِلَى ثَمَانِيَةٍ فَقَالَ لَهُ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ «وَ لِمَ قَالُوا هَذَا» فَقَالَ لِأَنَّ اَللَّهَ عَزَّ وَ جَلَّ قَالَ ◯ وَ لَهُ أُخْتٌ فَلَهَا نِصْفُ مٰا تَرَكَ ◯ فَقَالَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ «فَإِنْ كَانَتِ اَلْأُخْتُ أُخاً» قَالَ لَيْسَ لَهُ إِلاَّ اَلسُّدُسُ فَقَالَ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ «فَمَا لَكُمْ نَقَصْتُمُ اَلْأَخَ إِنْ كُنْتُمْ تَحْتَجُّونَ أَنَّ لِلْأُخْتِ اَلنِّصْفَ بِأَنَّ اَللَّهَ عَزَّ وَ جَلَّ سَمَّى لَهَا اَلنِّصْفَ فَإِنَّ اَللَّهَ سَمَّى لِلْأَخِ اَلْكُلَّ وَ اَلْكُلُّ أَكْثَرُ مِنَ اَلنِّصْفِ لِأَنَّهُ عَزَّ وَ جَلَّ قَالَ فِي اَلْأُخْتِ ◯ فَلَهٰا نِصْفُ مٰا تَرَكَ ◯ وَ قَالَ فِي اَلْأَخِ ◯ وَ هُوَ يَرِثُهٰا ◯ يَعْنِي جَمِيعَ مَالِهَا إِنْ لَمْ يَكُنْ لَهَا وَلَدٌ فَلاَ تُعْطُونَ اَلَّذِي جَعَلَ اَللَّهُ عَزَّ وَ جَلَّ لَهُ اَلْجَمِيعَ فِي بَعْضِ فَرَائِضِكُمْ شَيْئاً وَ تُعْطُونَ اَلَّذِي جَعَلَ اَللَّهُ لَهُ اَلنِّصْفَ تَامّاً وَ تَقُولُونَ فِي زَوْجٍ وَ أُمٍّ وَ إِخْوَةٍ لِأُمٍّ وَ أُخْتٍ لِأَبٍ فَتُعْطُونَ اَلزَّوْجَ اَلنِّصْفَ وَ اَلْأُمَّ اَلسُّدُسَ وَ اَلْإِخْوَةَ مِنَ اَلْأُمِّ اَلثُّلُثَ وَ اَلْأُخْتَ مِنَ اَلْأَبِ اَلنِّصْفَ تَجْعَلُونَهَا مِنْ تِسْعَةٍ وَ هِيَ سِتَّةٌ تَعُولُ إِلَى تِسْعَةٍ» فَقَالَ كَذَلِكَ يَقُولُونَ فَقَالَ لَهُ أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ «فَإِنْ كَانَتِ اَلْأُخْتُ أَخاً لِأَبٍ» قَالَ لَهُ اَلرَّجُلُ لَيْسَ لَهُ شَيْءٌ فَمَا تَقُولُ أَنْتَ فَقَالَ «لَيْسَ لِلْإِخْوَةِ مِنَ اَلْأَبِ وَ اَلْأُمِّ وَ لاَ لِلْإِخْوَةِ مِنَ اَلْأَبِ مَعَ اَلْأُمِّ شَيْءٌ».

H.5623 - A man came to Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} and asked him about a woman who passed away, leaving behind her husband, maternal brothers, and a paternal sister.

Imam {a.s} said: "The husband receives half of the inheritance, which is three shares. The maternal brothers receive two shares, and the paternal sister receives one share."

The man then said to Imam {a.s}: "But the inheritance rulings of Zayd and the general scholars differ from this, O' Abu Ja'far {a.s}. They say that the paternal sister receives three shares out of six, which are then adjusted to eight."

Imam {a.s} asked him: "And why do they say this?"

The man replied: "Because Allah {SWT}, the Mighty and Majestic, said: *'And if he has a sister, then she shall have half of what he leaves behind*.'" (Surah An-Nisa 4:176)

Imam {a.s} said: "What if the sister were a brother?"

The man replied: "Then he would receive only one-sixth."

Imam {a.s} responded: "Why have you then reduced the brother's share? If you argue that the sister receives half because Allah {SWT}, the Mighty and Majestic, has explicitly designated half for her, then know that Allah {SWT} has designated the entire inheritance for the brother, and the whole is greater than half. For Allah {SWT}, the Mighty and Majestic, said regarding the sister: *'Then she shall have half of what he leaves behind*.'" (Surah An-Nisa 4:176)

And Allah {SWT} said regarding the brother: "*And he shall inherit her*" (Surah An-Nisa 4:176) - meaning he inherits all of her wealth if she has no child. Yet, in some of your rulings, you do not give anything to the one whom Allah {SWT}, the Mighty and Majestic, has assigned the entire inheritance, while you give the one whom Allah {SWT} has assigned only half the full share.

You say in the case of a husband, a mother, maternal siblings, and a paternal sister that the husband receives half, the mother receives one-sixth, the maternal siblings receive one-third, and the paternal sister receives half. You calculate this from nine shares when it should be six, increasing it to nine.

The man replied: "Yes, that is what they say."

Imam {a.s} asked: "What if the paternal sister were a paternal brother?"

The man answered: "He would receive nothing."

Imam {a.s} then said: "Neither the full brothers and sisters nor the paternal brothers and sisters inherit alongside the mother."

[REFERENCES] Al-Kafi, Vol.7 p.102 • Man La Yahduruhu Al-Faqih, Vol.4 p.277 • Tahdhib Al-Ahkam, Vol.9 p.291

CHAPTER 146 – CHAPTER ON THE INHERITANCE OF THE HUSBAND AND THE WIFE ALONGSIDE THE BROTHERS AND SISTERS

بَابُ مِيرَاثِ الزَّوْجِ وَ الزَّوْجَةِ مَعَ الْإِخْوَةِ وَ الْأَخَوَاتِ

HADITH –

إِذَا مَاتَ الرَّجُلُ وَ تَرَكَ امْرَأَةً وَ أَخاً لِأَبٍ أَوْ لِأَبٍ وَ أُمٍّ أَوْ لِأُمٍّ فَلِلْمَرْأَةِ الرُّبُعُ وَ مَا بَقِيَ فَلِلْأَخِ وَ كَذَلِكَ إِنْ تَرَكَ امْرَأَةً وَ أُخْتاً لِأَبٍ أَوْ لِأَبٍ وَ أُمٍّ أَوْ لِأُمٍّ فَلِلْمَرْأَةِ الرُّبُعُ وَ مَا بَقِيَ فَلِلْأُخْتِ فَإِنْ تَرَكَ امْرَأَةً وَ أَخاً لِأُمٍّ وَ أَخاً لِأَبٍ وَ أُمٍّ وَ أَخاً لِأَبٍ فَلِلْمَرْأَةِ الرُّبُعُ وَ لِلْأَخِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِلْأَخِ مِنَ الْأَبِ وَ الْأُمِّ وَ سَقَطَ الْأَخُ مِنَ الْأَبِ فَإِنْ تَرَكَ امْرَأَةً وَ أَخاً وَ أُخْتاً لِأُمٍّ أَوْ إِخْوَةً وَ أَخَوَاتٍ لِأُمٍّ وَ إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ وَ أُمٍّ وَ إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ فَلِلْمَرْأَةِ الرُّبُعُ وَ لِلْإِخْوَةِ وَ الْأَخَوَاتِ مِنَ الْأُمِّ الثُّلُثُ الذَّكَرُ وَ الْأُنْثَى فِيهِ سَوَاءٌ وَ مَا بَقِيَ فَلِلْإِخْوَةِ وَ الْأَخَوَاتِ مِنَ الْأَبِ وَ الْأُمِّ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ وَ سَقَطَ الْإِخْوَةُ وَ الْأَخَوَاتُ مِنَ الْأَبِ فَإِنْ تَرَكَتِ امْرَأَةً زَوْجَهَا وَ أَخاً لِأَبٍ أَوْ لِأُمٍّ أَوْ لِأَبٍ وَ أُمٍّ فَلِلزَّوْجِ النِّصْفُ وَ مَا بَقِيَ فَلِلْأَخِ وَ كَذَلِكَ إِنْ تَرَكَتْ زَوْجَهَا وَ أُخْتَهَا لِأَبٍ أَوْ لِأُمٍّ أَوْ لِأَبٍ وَ أُمٍّ فَلِلزَّوْجِ النِّصْفُ وَ مَا بَقِيَ فَلِلْأُخْتِ فَإِنْ تَرَكَتْ زَوْجَهَا وَ إِخْوَةً وَ أَخَوَاتٍ لِأُمٍّ وَ إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ وَ أُمٍّ وَ إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ فَلِلزَّوْجِ النِّصْفُ وَ لِلْإِخْوَةِ وَ الْأَخَوَاتِ مِنَ الْأُمِّ الثُّلُثُ بَيْنَهُمْ بِالسَّوِيَّةِ وَ مَا بَقِيَ فَلِلْإِخْوَةِ وَ الْأَخَوَاتِ مِنَ الْأَبِ وَ الْأُمِّ وَ هُوَ السُّدُسُ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ وَ سَقَطَ الْإِخْوَةُ وَ الْأَخَوَاتُ مِنَ الْأَبِ فَإِنْ تَرَكَتْ زَوْجَهَا وَ أَخاً لِأُمٍّ وَ أَخاً لِأَبٍ وَ أُمٍّ وَ أَخاً لِأَبٍ فَلِلزَّوْجِ النِّصْفُ وَ لِلْأَخِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِلْأَخِ مِنَ الْأَبِ وَ الْأُمِّ وَ سَقَطَ الْأَخُ مِنَ الْأَبِ وَ كَذَلِكَ تَجْرِي سِهَامُ وُلْدِ الْإِخْوَةِ وَ الْأَخَوَاتِ مَعَ الزَّوْجِ وَ الزَّوْجَةِ عَلَى هَذَا.

[AL SADUQ]

If a man dies and leaves behind a wife and a brother - whether the brother is from the father alone, from both the father and mother, or from the mother alone - the wife receives one-fourth of the inheritance, and the remainder goes to the brother.

Similarly, if he leaves behind a wife and a sister - whether the sister is from the father alone, from both the father and mother, or from the mother alone - the wife receives one-fourth, and the remainder goes to the sister.

If he leaves behind a wife, a maternal brother, a full brother (from both the father and mother), and a paternal brother, the wife receives one-fourth, the maternal brother receives one-sixth, and the remainder goes to the full brother, while the paternal brother receives nothing.

If he leaves behind a wife, a maternal brother and sister, full brothers and sisters, and paternal brothers and sisters, the wife receives one-fourth, the maternal siblings collectively receive one-third - distributed equally between males and females - and the remainder goes to the full siblings, with the male receiving twice the share of the female. The paternal siblings receive nothing.

If a woman dies and leaves behind her husband and a brother - whether from the father, the mother, or both - the husband receives half of the inheritance, and the remainder goes to the brother.

Similarly, if she leaves behind her husband and a sister - whether from the father, the mother, or both - the husband receives half, and the remainder goes to the sister.

If she leaves behind her husband, maternal brothers and sisters, full brothers and sisters, and paternal brothers and sisters, the husband receives half, the maternal siblings collectively receive one-third - shared equally - and the remainder goes to the full siblings, with the male receiving twice the share of the female. The paternal siblings receive nothing.

If she leaves behind her husband, a maternal brother, a full brother, and a paternal brother, the husband receives half, the maternal brother receives one-sixth, and the remainder goes to the full brother, while the paternal brother receives nothing.

This distribution also applies to the shares of the children of brothers and sisters when combined with the shares of the husband or wife in inheritance.

[REFERENCES] Al-Kafi, Vol.7 p.109 • Man La Yahduruhu Al-Faqih, Vol.4 p.280 • Tahdhib Al-Ahkam, Vol.9 p.303 • Al-Wafi, Vol.25 p.803

CHAPTER 147 – CHAPTER ON THE INHERITANCE OF GRANDFATHERS AND GRANDMOTHERS

بَابُ مِيرَاثِ الْأَجْدَادِ وَ الْجَدَّاتِ

HADITH 5624 – 5651

5624 - رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنِ اِبْنِ أُذَيْنَةَ عَنْ زُرَارَةَ قَالَ : سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ فَرِيضَةِ اَلْجَدِّ فَقَالَ «مَا أَعْلَمُ أَحَداً مِنَ اَلنَّاسِ قَالَ فِيهَا إِلاَّ بِالرَّأْيِ إِلاَّ عَلِيَّ بْنَ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ فَإِنَّهُ قَالَ فِيهَا بِقَوْلِ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ ».

H.5624 - Muhammad ibn Abi Umayr narrated from Ibn Udhaynah from Zurarah, who said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about the inheritance share (fariḍah) of the grandfather.
Imam {a.s} replied: "I do not know anyone among the people who has spoken about it except based on personal opinion, except for Imam Ali ibn Abi Talib {a.s}, for He {a.s} spoke about it according to the saying of the Messenger of Allah {SWT} (peace be upon him and his family)."

[REFERENCES] Al-Kafi, Vol.7 p.109 • Man La Yahduruhu Al-Faqih, Vol.4 p.280 • Tahdhib Al-Ahkam, Vol.9 p.303 • Al-Wafi, Vol.25 p.803

HADITH

5625 - رَوَى يَحْيَى بْنُ أَبِي عِمْرَانَ عَنْ يُونُسَ عَنْ رَجُلٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «اَلْجَدُّ وَ اَلْجَدَّةُ مِنْ قِبَلِ اَلْأَبِ وَ اَلْجَدُّ وَ اَلْجَدَّةُ مِنْ قِبَلِ اَلْأُمِّ كُلُّهُمْ يَرِثُونَ».

H.5625 - Yahya ibn Abi Imran narrated from Yunus from a man who narrated from Abu Abdullah {a.s} that he said: "The grandfather and grandmother from the father's side and the grandfather and grandmother from the mother's side - all of them inherit."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.280 • Tahdhib Al-Ahkam, Vol.9 p.315 • Al-Wafi, Vol.25 p.814 • Wasa'il Al-Shi'ah, Vol.26 p.177

HADITH

5626 - وَ رَوَى اَلْحُسَيْنُ بْنُ سَعِيدٍ عَنِ اِبْنِ أَبِي عُمَيْرٍ عَنْ جَمِيلٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِنَّ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَطْعَمَ اَلْجَدَّةَ أُمَّ اَلْأَبِ اَلسُّدُسَ وَ اِبْنُهَا حَيٌّ، وَ أَطْعَمَ اَلْجَدَّةَ أُمَّ اَلْأُمِّ اَلسُّدُسَ وَ اِبْنَتُهَا حَيَّةٌ».

H.5626 - Al-Husayn ibn Said narrated from Ibn Abi Umayr from Jamil from Abu Abdullah {a.s} who said: "The Messenger of Allah {SWT} (peace be upon him and his family) granted the paternal grandmother (the father's mother) one-sixth of the inheritance while her son was alive, and he granted the maternal grandmother (the mother's mother) one-sixth while her daughter was alive."

[REFERENCES] Al-Kafi, Vol.7 p.114 • Man La Yahduruhu Al-Faqih, Vol.4 p.280 • Tahdhib Al-Ahkam, Vol.9 p.311 • Al-Istibsar, Vol.4 p.162 • Al-Wafi, Vol.25 p.823 • Wasa'il Al-Shi'ah, Vol.26 p.139

HADITH

5627 - وَ رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ أَبِي نَصْرٍ اَلْبَزَنْطِيُّ قَالَ حَدَّثَنِي حَمَّادُ بْنُ عُثْمَانَ عَنْ عَبْدِ اَلرَّحْمَنِ بْنِ أَبِي عَبْدِ اَللَّهِ اَلْبَصْرِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : قُلْتُ لَهُ إِنَّ اِبْنَتِي مَاتَتْ وَ أُمِّي حَيَّةٌ فَقَالَ أَبَانُ بْنُ تَغْلِبَ لَيْسَ لَهَا شَيْءٌ فَقَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «سُبْحَانَ اَللَّهِ أَعْطِهَا سَهْماً يَعْنِي اَلسُّدُسَ».

H.5627 - Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti narrated, saying: Hammad ibn Uthman narrated from Abdur Rahman ibn Abi Abdullah Al-Basri from Abu Abdullah {a.s}.

He said: I said to him, "My daughter has passed away while my mother is still alive."
Aban ibn Taghlib said: "She (the grandmother) has no share."
Imam {a.s} responded: "Glory be to Allah {SWT}! Give her a share, meaning one-sixth."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.281

HADITH

5628 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ سَعْدِ بْنِ أَبِي خَلَفٍ عَنْ أَبِي اَلْحَسَنِ مُوسَى عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ بَنَاتِ اَلاِبْنَةِ وَ جَدٍّ فَقَالَ «لِلْجَدِّ اَلسُّدُسُ وَ اَلْبَاقِي لِبَنَاتِ اَلاِبْنَةِ».

H.5628 - Al-Hasan ibn Mahbub narrated from Sa'd ibn Abi Khalaf from Abu Al-Hasan Imam Musa ibn Jafar Al-Kadhim {a.s} who said:
I asked Imam {a.s} about the inheritance share of the daughters of a daughter and a grandfather.
Imam {a.s} replied: "The grandfather receives one-sixth, and the remainder goes to the daughters of the daughter."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.281 • Wasa'il Al-Shi'ah, Vol.26 p.113

HADITH

5629 - وَ رَوَى اَلْحَسَنُ بْنُ عَلِيِّ بْنِ فَضَّالٍ عَنْ عَبْدِ اَللَّهِ بْنِ بُكَيْرٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِنَّ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَطْعَمَ اَلْجَدَّةَ اَلسُّدُسَ وَ لَمْ يَفْرِضِ اَللَّهُ عَزَّ وَ جَلَّ لَهَا شَيْئاً».

H.5629 - Al-Hasan ibn Ali ibn Faddal narrated from Abdullah ibn Bukayr from Zurarah, who narrated from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} that he said:
"The Messenger of Allah {SWT} (peace be upon him and his family) granted the grandmother one-sixth, while Allah {SWT}, the Almighty and Majestic, did not prescribe any specific share for her (the grandmother)."

[REFERENCES] Al-Kafi, Vol.7 p.114 • Man La Yahduruhu Al-Faqih, Vol.4 p.282 • Tahdhib Al-Ahkam, Vol.9 p.311 • Al-Wafi, Vol.25 p.824 • Wasa'il Al-Shi'ah, Vol.26 p.137

HADITH

5630 - وَ رَوَى يَعْقُوبُ بْنُ يَزِيدَ عَنْ يَحْيَى بْنِ اَلْمُبَارَكِ عَنْ عَبْدِ اَللَّهِ بْنِ جَبَلَةَ عَنْ أَبِي جَمِيلَةَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي أَبَوَيْنِ وَ جَدَّةٍ لِأُمٍّ قَالَ «لِلْأُمِّ اَلسُّدُسُ وَ لِلْجَدَّةِ اَلسُّدُسُ وَ مَا بَقِيَ وَ هُوَ اَلثُّلُثَانِ لِلْأَبِ».

H.5630 - Yaqub ibn Yazid narrated from Yahya ibn Al-Mubarak from Abdullah ibn Jabalah from Abu Jamilah from Ishaq ibn Ammar from Abu Abdullah {a.s} regarding the case of a deceased person who left behind both parents and a maternal grandmother. Imam {a.s} said: "The mother receives one-sixth, the grandmother receives one-sixth, and the remainder, which is two-thirds, goes to the father."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.282 • Tahdhib Al-Ahkam, Vol.9 p.312 • Al-Istibsar, Vol.4 p.163 • Al-Wafi, Vol.25 p.825 • Wasa'il Al-Shi'ah, Vol.26 p.140

HADITH

5631 - وَ فِي رِوَايَةِ مُعَاوِيَةَ بْنِ حُكَيْمٍ عَنْ عَلِيِّ بْنِ اَلْحَسَنِ بْنِ رِبَاطٍ رَفَعَهُ إِلَى أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «اَلْجَدَّةُ لَهَا اَلسُّدُسُ مَعَ اِبْنِهَا وَ مَعَ اِبْنَتِهَا».

H.5631 - In the narration of Muawiyah ibn Hakim from Ali ibn Al-Hasan ibn Ribaṭ, who reported it from Abu Abdullah {a.s}, he said:
"The grandmother is entitled to one-sixth of the inheritance, whether along with her son or her daughter."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.282 • Tahdhib Al-Ahkam, Vol.9 p.312 • Al-Istibsar, Vol.4 p.163 • Al-Wafi, Vol.25 p.825 • Wasa'il Al-Shi'ah, Vol.26 p.140

HADITH

5632 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي عُبَيْدَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ مَاتَ وَ تَرَكَ اِمْرَأَتَهُ وَ أُخْتَهُ وَ جَدَّهُ فَقَالَ «هَذِهِ مِنْ أَرْبَعَةِ أَسْهُمٍ لِلْمَرْأَةِ اَلرُّبُعُ وَ لِلْأُخْتِ سَهْمٌ وَ لِلْجَدِّ سَهْمَانِ».

H.5632 - Al-Hasan ibn Mahbub narrated from Ali ibn Riʾab from Abu Ubaydah from Abu Jafar {a.s} regarding a man who passed away and left behind his wife, his sister, and his grandfather.
Imam {a.s} said: "This inheritance is divided into four shares: the wife receives one-fourth, the sister receives one share, and the grandfather receives two shares."

[REFERENCES] Al-Kafi, Vol.7 p.110 • Al-Kafi, Vol.7 p.110 • Man La Yahduruhu Al-Faqih, Vol.4 p.282 • Tahdhib Al-Ahkam, Vol.9 p.304 • Tahdhib Al-Ahkam, Vol.9 p.305 • Al-Istibsar, Vol.4 p.156 • Al-Istibsar, Vol.4 p.157 • Wasa'il Al-Shi'ah, Vol.26 p.166 • Wasa'il Al-Shi'ah, Vol.26 p.180

HADITH

5633 - وَ رَوَى أَبَانٌ عَنْ بُكَيْرٍ وَ اَلْحَلَبِيِّ عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ قَالَ : «لِلْإِخْوَةِ مِنَ اَلْأُمِّ اَلثُّلُثُ مَعَ اَلْجَدِّ وَ هُوَ شَرِيكُ اَلْإِخْوَةِ مِنَ اَلْأَبِ».

H.5633 - Aban narrated from Bukayr and Al-Halabi from one of the two Imams (peace be upon them) who said: "The maternal siblings are entitled to one-third of the inheritance along with the grandfather, and the grandfather shares the inheritance with the paternal siblings."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.282 • Al-Wafi, Vol.25 p.812 • Wasa'il Al-Shi'ah, Vol.26 p.175

HADITH

5634 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ تَرَكَ أَخَاهُ لِأُمِّهِ وَ لَمْ يَتْرُكْ وَارِثاً غَيْرَهُ فَقَالَ «اَلْمَالُ لَهُ» قُلْتُ فَإِنْ كَانَ مَعَ اَلْأَخِ لِلْأُمِّ جَدٌّ فَقَالَ «يُعْطَى اَلْأَخُ لِلْأُمِّ اَلسُّدُسَ وَ يُعْطَى اَلْجَدُّ اَلْبَاقِيَ».

H.5634 - Al-Hasan ibn Mahbub narrated from Abdullah ibn Sinan who said:
I asked Abu Abdullah {a.s} about a man who passed away leaving only his maternal brother as an heir and no other inheritor.
Imam {a.s} said: "The entire estate belongs to him."
I then asked: "What if there is also a grandfather along with the maternal brother?"
Imam {a.s} replied: "The maternal brother is given one-sixth, and the grandfather receives the remainder."

[REFERENCES] Al-Kafi, Vol.7 p.111 • Man La Yahduruhu Al-Faqih, Vol.4 p.283 • Tahdhib Al-Ahkam, Vol.9 p.307 • Al-Istibsar, Vol.4 p.159 • Al-Wafi, Vol.25 p.809 • Wasa'il Al-Shi'ah, Vol.26 p.172

HADITH

5635 - وَ رَوَى مُحَمَّدُ بْنُ اَلْفُضَيْلِ عَنْ أَبِي اَلصَّبَّاحِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنِ اَلْإِخْوَةِ مِنَ اَلْأُمِّ مَعَ اَلْجَدِّ فَقَالَ

«لِلْإِخْوَةِ مِنَ اَلْأُمِّ فَرِيضَتُهُمُ اَلثُّلُثُ مَعَ اَلْجَدِّ ».

H.5635 - Muhammad ibn Al-Fuḍayl narrated from Abu Al-Ṣabbah from Abu Abdullah {a.s} who said: I asked Imam {a.s} about the maternal siblings inheriting alongside the grandfather.
Imam {a.s} said: "The prescribed share for the maternal siblings is one-third, even when the grandfather is present."

[REFERENCES] Al-Kafi, Vol.7 p.112 • Al-Kafi, Vol.7 p.112 • Man La Yahduruhu Al-Faqih, Vol.4 p.283 • Tahdhib Al-Ahkam, Vol.9 p.308 • Tahdhib Al-Ahkam, Vol.9 p.308 • Al-Istibsar, Vol.4 p.160 • Al-Istibsar, Vol.4 p.160 • Al-Wafi, Vol.25 p.811 • Wasa'il Al-Shi'ah, Vol.26 p.173 • Wasa'il Al-Shi'ah, Vol.26 p.174

HADITH

5636 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ خَالِدِ بْنِ جَرِيرٍ عَنْ أَبِي اَلرَّبِيعِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اَلْجَدِّ مَعَ إِخْوَةٍ لِأُمٍّ قَالَ «إِنَّ فِي كِتَابِ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ «أَنَّ اَلْإِخْوَةَ مِنَ اَلْأُمِّ يَرِثُونَ مَعَ اَلْجَدِّ اَلثُّلُثَ» ».

H.5636 - Al-Hasan ibn Mahbub narrated from Khalid ibn Jarir from Abu Al-Rabi from Abu Abdullah {a.s} regarding the grandfather inheriting alongside maternal siblings.
Imam {a.s} said: "Indeed, in the Book of Ali {a.s}, it is written that 'the maternal siblings inherit one-third along with the grandfather.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.283 • Wasa'il Al-Shi'ah, Vol.26 p.175

HADITH

5637 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ أَخٍ لِأَبٍ وَ جَدٍّ قَالَ «اَلْمَالُ بَيْنَهُمَا سَوَاءٌ».

H.5637 - Ibn Mahbub narrated from Abdullah ibn Sinan from Abu Abdullah {a.s} who said:
I asked Imam {a.s} about a paternal brother and a grandfather (in matters of inheritance).
Imam {a.s} replied: "The inheritance is divided equally between them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.283 • Wasa'il Al-Shi'ah, Vol.26 p.164

HADITH

5638 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ خَالِدِ بْنِ جَرِيرٍ عَنْ أَبِي اَلرَّبِيعِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «كَانَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ يُوَرِّثُ اَلْأَخَ مِنَ اَلْأَبِ مَعَ اَلْجَدِّ يُنَزِّلُهُ بِمَنْزِلَتِهِ».

H.5638 - Ibn Mahbub narrated from Khalid ibn Jarir from Abu Al-Rabi from Abu Abdullah {a.s} who said: “Imam Ali ibn Abi Talib {a.s} used to make the paternal brother inherit alongside the grandfather, placing him in the same position as the grandfather."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.284 • Al-Wafi, Vol.25 p.812 • Wasa’il Al-Shi’ah, Vol.26 p.164

HADITH

5639 - وَ رَوَى اِبْنُ أُذَيْنَةَ عَنْ زُرَارَةَ وَ بُكَيْرٍ وَ مُحَمَّدِ بْنِ مُسْلِمٍ وَ اَلْفُضَيْلِ وَ بُرَيْدِ بْنِ مُعَاوِيَةَ عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ : «أَنَّ اَلْجَدَّ مَعَ اَلْإِخْوَةِ مِنَ اَلْأَبِ مِثْلُ وَاحِدٍ مِنَ اَلْإِخْوَةِ».

H.5639 - Ibn Udhaynah narrated from Zurarah, Bukayr, Muhammad ibn Muslim, Al-Fuḍayl, and Burayd ibn Muawiyah from one of the two Imams (peace be upon them) who said:
"The grandfather, when inheriting alongside the paternal siblings, is considered as one of the brothers."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.284 • Wasa’il Al-Shi’ah, Vol.26 p.164

HADITH

5640 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ زُرَارَةَ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ مَاتَ وَ تَرَكَ أَخَاهُ لِأَبِيهِ وَ أُمِّهِ وَ جَدَّهُ قَالَ «اَلْمَالُ بَيْنَهُمْ أَخَوَيْنِ كَانَا أَوْ مِائَةً فَالْجَدُّ مَعَهُمْ كَوَاحِدٍ مِنْهُمْ لِلْجَدِّ مِثْلُ نَصِيبِ وَاحِدٍ مِنَ اَلْإِخْوَةِ».

H.5640 - Al-Hasan ibn Mahbub narrated from Ali ibn Riʾab from Zurarah, who said:
I asked Abu Abdullah {a.s} about a man who died and left behind his full brother (from the same father and mother) and his grandfather.
Imam {a.s} said: "The inheritance is divided among them as if they were two brothers or even a hundred. The grandfather is considered as one of them; he receives a share equal to that of one of the brothers."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.284

HADITH

5641 - وَ رَوَى حَمَّادٌ عَنْ حَرِيزٍ عَنِ اَلْفُضَيْلِ أَوْ غَيْرِهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِنَّ اَلْجَدَّ شَرِيكُ اَلْإِخْوَةِ وَ حَظُّهُ مِثْلُ حَظِّ أَحَدِهِمْ مَا بَلَغُوا كَثُرُوا أَوْ قَلُّوا».

H.5641 - Hammad narrated from Hariz from Al-Fuḍayl or someone else from Abu Abdullah {a.s} who said: "The grandfather shares the inheritance with the siblings, and his share is equal to the share of one of them, regardless of whether they are many or few."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.284 • Al-Wafi, Vol.25 p.807 • Wasa'il Al-Shi'ah, Vol.26 p.164 • Al-Fusul Al-Muhimmah, Vol.2 p.479

HADITH

5642 - وَ رَوَى مُحَمَّدُ بْنُ اَلْوَلِيدِ عَنْ حَمَّادِ بْنِ عُثْمَانَ عَنْ إِسْمَاعِيلَ اَلْجُعْفِيِّ قَالَ سَمِعْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «اَلْجَدُّ يُقَاسِمُ اَلْإِخْوَةَ وَ لَوْ كَانُوا مِائَةَ أَلْفٍ».

H.5642 - Muhammad ibn Al-Walid narrated from Hammad ibn Uthman from Ismaʿil Al-Juʿfi who said: I heard Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} say:
"The grandfather shares the inheritance with the siblings, even if they were one hundred thousand."

[REFERENCES] Al-Kafi, Vol.7 p.109 • Al-Kafi, Vol.7 p.110 • Man La Yahduruhu Al-Faqih, Vol.4 p.284 • Tahdhib Al-Ahkam, Vol.9 p.304 • Tahdhib Al-Ahkam, Vol.9 p.305 • Al-Istibsar, Vol.4 p.157 • Al-Wafi, Vol.25 p.805 • Wasa'il Al-Shi'ah, Vol.26 p.165

HADITH

5643 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنِ اِبْنِ مُسْكَانَ عَنْ أَبِي بَصِيرٍ قَالَ : قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ رَجُلٌ مَاتَ وَ تَرَكَ سِتَّةَ إِخْوَةٍ وَ جَدّاً قَالَ «هُوَ كَأَحَدِهِمْ».

H.5643 - Ibn Abi Umayr narrated from Ibn Muskan from Abu Baṣir, who said: I asked Abu Abdullah {a.s} about a man who died and left behind six brothers and a grandfather. Imam {a.s} said: "The grandfather is considered as one of them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.284 • Al-Wafi, Vol.25 p.806 • Wasa'il Al-Shi'ah, Vol.26 p.165

HADITH

5644 - وَ فِي رِوَايَةِ يُونُسَ عَنْ سَيْفِ بْنِ عَمِيرَةَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي بَصِيرٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : فِي سِتَّةِ إِخْوَةٍ وَ جَدٍّ قَالَ «لِلْجَدِّ اَلسُّبُعُ».

H.5644 - In the narration of Yunus from Sayf ibn Umayrah from Ishaq ibn Ammar from Abu Baṣir, he said: I heard Abu Abdullah {a.s} say regarding six brothers and a grandfather:
"The grandfather receives one-seventh of the inheritance."

[REFERENCES] Al-Kafi, Vol.7 p.110 • Man La Yahduruhu Al-Faqih, Vol.4 p.285 • Tahdhib Al-Ahkam, Vol.9 p.304 • Al-Istibsar, Vol.4 p.156 • Al-Wafi, Vol.25 p.805 • Wasa'il Al-Shi'ah, Vol.26 p.168

HADITH

5645 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ تَرَكَ إِخْوَةً وَ أَخَوَاتٍ مِنْ أَبٍ وَ أُمٍّ وَ جَدّاً قَالَ «اَلْجَدُّ كَوَاحِدٍ مِنَ اَلْإِخْوَةِ اَلْمَالُ بَيْنَهُمْ «لِلذَّكَرِ مِثْلُ حَظِّ اَلْأُنْثَيَيْنِ»».

H.5645 - Ibn Mahbub narrated from Abdullah ibn Sinan from Abu Abdullah {a.s} who said:
I asked Imam {a.s} about a man who passed away and left behind brothers and sisters from both his father and mother, along with a grandfather.
Imam {a.s} said: "The grandfather is considered as one of the brothers, and the inheritance is divided among them with the male receiving the share equal to that of two females."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.285 • Al-Wafi, Vol.25 p.807 • Wasa'il Al-Shi'ah, Vol.26 p.164

HADITH

5646 - وَ رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي عُبَيْدَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : سُئِلَ عَنِ اِبْنِ عَمٍّ وَ جَدٍّ قَالَ «اَلْمَالُ لِلْجَدِّ».

H.5646 - Ibn Mahbub narrated from Ali ibn Riʾab from Abu Ubaydah from Abu Jafar {a.s} who was asked about a paternal cousin and a grandfather (regarding inheritance).
Imam {a.s} said: "The entire inheritance belongs to the grandfather."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.285 • Tahdhib Al-Ahkam, Vol.9 p.315 • Al-Wafi, Vol.25 p.815 • Wasa'il Al-Shi'ah, Vol.26 p.181

HADITH

5647 - وَ رَوَى اَلْبَزَنْطِيُّ عَنِ اَلْمُثَنَّى عَنِ اَلْحَسَنِ اَلصَّيْقَلِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : قُلْتُ لَهُ اِبْنُ أَخٍ وَ جَدٌّ قَالَ «اَلْمَالُ بَيْنَهُمَا نِصْفَانِ».

H.5647 - Al-Bazanti narrated from Al-Muthanna from Al-Hasan Al-Ṣayqal from Abu Abdullah {a.s} who said: I asked Imam {a.s} about a paternal nephew and a grandfather (regarding inheritance).
Imam {a.s} said: "The inheritance is divided equally between them, half and half."

[REFERENCES] Al-Kafi, Vol.7 p.113 • Man La Yahduruhu Al-Faqih, Vol.4 p.285 • Tahdhib Al-Ahkam, Vol.9 p.309 • Al-Wafi, Vol.25 p.819 • Al-Wafi, Vol.25 p.820 • Wasa'il Al-Shi'ah, Vol.26 p.160 • Wasa'il Al-Shi'ah, Vol.26 p.161 • Wasa'il Al-Shi'ah, Vol.26 p.163

HADITH

5648 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ سَعْدِ بْنِ أَبِي خَلَفٍ عَنْ بَعْضِ أَصْحَابِ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي بَنَاتِ أُخْتٍ وَ جَدٍّ قَالَ «لِبَنَاتِ اَلْأُخْتِ اَلثُّلُثُ وَ مَا بَقِيَ فَلِلْجَدِّ».

H.5648 - Al-Hasan ibn Mahbub narrated from Sa'd ibn Abi Khalaf from one of the companions of Abu Abdullah {a.s} regarding the case of daughters of a sister and a grandfather.
Imam {a.s} said: "The daughters of the sister receive one-third of the inheritance, and the remainder goes to the grandfather."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.285

HADITH

5649 - وَ رَوَى اَلْحَسَنُ بْنُ عَلِيِّ بْنِ اَلنُّعْمَانِ عَنْ عَبْدِ اَللَّهِ بْنِ نُمَيْرٍ عَنِ اَلْأَعْمَشِ عَنْ سَالِمِ بْنِ أَبِي اَلْجَعْدِ : أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ أَعْطَى اَلْجَدَّةَ اَلْمَالَ كُلَّهُ.

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ إِنَّمَا أَعْطَاهَا الْمَالَ كُلَّهُ لِأَنَّهُ لَمْ يَكُنْ لِلْمَيِّتِ وَارِثٌ غَيْرُهَا.

H.5649 - Al-Hasan ibn Ali ibn Al-Nuʿman narrated from Abdullah ibn Numayr from Al-Aʿmash from Salim ibn Abi Al-Jaʿd that Imam Ali ibn Abi Talib {a.s} granted the entire inheritance to the grandmother.

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, explained that Imam Ali ibn Abi Talib {a.s} gave her the entire inheritance because the deceased had no other heir besides her.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.285 • Tahdhib Al-Ahkam, Vol.9 p.315 • Al-Istibsar, Vol.4 p.158 • Al-Wafi, Vol.25 p.814 • Wasa'il Al-Shi'ah, Vol.26 p.176

HADITH

5650 - وَ رُوِيَ عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ: «مَنْ أَرَادَ أَنْ يَتَقَحَّمَ جَرَاثِيمَ جَهَنَّمَ فَلْيَقُلْ فِي اَلْجَدِّ».

وَ رَوَى ابْنُ سِيرِينَ عَنْ أَبِي عُبَيْدَةَ قَالَ حَفِظْتُ عَنْ بَعْضِ الصَّحَابَةِ فِي الْجَدِّ مِائَةَ قَضِيَّةٍ يُخَالِفُ بَعْضُهَا بَعْضاً وَ قَالَ الْفَضْلُ بْنُ شَاذَانَ اعْلَمْ أَنَّ الْجَدَّ بِمَنْزِلَةِ الْأَخِ أَبَداً يَرِثُ حَيْثُ يَرِثُ وَ يَسْقُطُ حَيْثُ يَسْقُطُ وَ غَلِطَ الْفَضْلُ فِي ذَلِكَ لِأَنَّ الْجَدَّ يَرِثُ مَعَ وَلَدِ الْوَلَدِ وَ لَا يَرِثُ مَعَهُ الْأَخُ وَ يَرِثُ الْجَدُّ مِنْ قِبَلِ الْأَبِ مَعَ الْأَبِ وَ الْجَدُّ مِنْ قِبَلِ الْأُمِّ مَعَ الْأُمِّ وَ لَا يَرِثُ الْأَخُ مَعَ الْأَبِ وَ الْأُمِّ وَ ابْنُ الْأَخِ يَرِثُ مَعَ الْجَدِّ وَ لَا يَرِثُ مَعَ الْأَخِ فَكَيْفَ يَكُونُ الْجَدُّ بِمَنْزِلَةِ الْأَخِ أَبَداً وَ كَيْفَ يَرِثُ حَيْثُ يَرِثُ وَ يَسْقُطُ حَيْثُ يَسْقُطُ بَلِ الْجَدُّ مَعَ الْإِخْوَةِ بِمَنْزِلَةِ وَاحِدٍ مِنْهُمْ فَأَمَّا أَنْ يَكُونَ أَبَداً بِمَنْزِلَتِهِمْ يَرِثُ حَيْثُ يَرِثُ الْأَخُ وَ يَسْقُطُ حَيْثُ يَسْقُطُ الْأَخُ فَلَاوَ ذَكَرَ الْفَضْلُ بْنُ شَاذَانَ مِنَ الدَّلِيلِ عَلَى ذَلِكَ.

H.5650 - It is narrated from Imam Ali ibn Abi Talib {a.s} that he said:
"Whoever wishes to plunge into the depths of Hell should speak about (the inheritance of) the grandfather."

[AL SADUQ]

Ibn Sirin narrated from Abu Ubaydah, who said: "I memorized one hundred rulings from some of the companions regarding the grandfather, and they contradicted one another."

Al-Faḍl ibn Shadhan said: "Know that the grandfather always holds the position of a brother; he inherits where the brother inherits and is excluded where the brother is excluded."

However, Al-Faḍl was mistaken in this matter because the grandfather inherits alongside the descendants (children's children), whereas a brother does not inherit in their presence. The paternal grandfather inherits alongside the father, and the maternal grandfather inherits alongside the mother, while a brother does not inherit alongside either parent. Additionally, a nephew inherits alongside the grandfather but not alongside the brother.

So how can the grandfather always be in the same position as the brother, inheriting where the brother inherits and being excluded where the brother is excluded? Rather, the grandfather, when inheriting alongside siblings, is considered as one of them. However, to claim that he always holds their position - sharing the same rules of inheritance and exclusion - is incorrect, and Al-Faḍl ibn Shadhan did not provide any valid evidence to support this claim.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.286 • Al-Wafi, Vol.25 p.816

HADITH

5651 - مَا رَوَاهُ فِرَاسٌ عَنِ اَلشَّعْبِيِّ عَنِ اِبْنِ عَبَّاسٍ أَنَّهُ قَالَ: كَتَبَ إِلَيَّ عَلِيُّ بْنُ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ فِي سِتَّةِ إِخْوَةٍ وَ جَدٍّ «أَنِ اِجْعَلْهُ كَأَحَدِهِمْ وَ اُمْحُ كِتَابِي».

فَجَعَلَهُ عَلِيٌّ ع سَابِعاً مَعَهُمْ وَ قَوْلُهُ ع وَ امْحُ كِتَابِي كَرِهَ أَنْ يُشَنِّعَ عَلَيْهِ بِالْخِلَافِ عَلَى مَنْ تَقَدَّمَهُ وَ لَيْسَ هَذَا بِحُجَّةٍ لِلْفَضْلِ بْنِ شَاذَانَ لِأَنَّ هَذَا الْخَبَرَ إِنَّمَا يُثْبِتُ أَنَّ الْجَدَّ مَعَ الْإِخْوَةِ بِمَنْزِلَةِ وَاحِدٍ مِنْهُمْ وَ لَيْسَ يُثْبِتُ كَوْنَهُ أَبَداً بِمَنْزِلَةِ الْأَخِ وَ لَا يُثْبِتُ أَنَّهُ يَرِثُ حَيْثُ يَرِثُ الْأَخُ وَ يَسْقُطُ حَيْثُ يَسْقُطُ الْأَخُ وَ رَوَى مُخَالِفُونَا أَنَّ عُمَرَ تُوُفِّيَ ابْنُ ابْنِهِ وَ تَرَكَهُ وَ تَرَكَ أُخَوَيْنِ فَسَأَلَ عُمَرُ زَيْداً عَنْ ذَلِكَ فَقَالَ لَهُ زَيْدٌ أَرَى الْمَالَ بَيْنَكُمْ أَثْلَاثاً فَأَخَذَ عُمَرُ بِقَوْلِ زَيْدٍ فَجَعَلَ نَفْسَهُ وَ هُوَ الْجَدُّ أَخاً وَ أَمَّا ابْنُ مَسْعُودٍ رَضِيَ اللَّهُ عَنْهُ فَإِنَّهُ قَالَ فِي أَخٍ لِأَبٍ وَ أُمٍّ وَ أَخٍ لِأَبٍ وَ جَدٍّ إِنَّ الْمَالَ بَيْنَ الْأَخِ لِلْأَبِ وَ الْأُمِّ وَ الْجَدِّ نِصْفَانِ وَ لَا شَيْءَ لِلْأَخِ لِلْأَبِ فَجَعَلَ الْجَدَّ هَاهُنَا أَخاً كَأَنَّ الْمَيِّتَ تَرَكَ أَخَوَيْنِ لِأَبٍ وَ أُمٍّ وَ أَخاً لِأَبٍ فَجَعَلَ الْجَدَّ أَخاً وَ هَذَا مُوَافِقٌ لِمَا نَقُولُهُ فَإِنْ تَرَكَ الرَّجُلُ أَخاً وَ أُخْتاً لِأُمٍّ وَ جَدّاً وَ جَدَّةً مِنْ قِبَلِ الْأُمِّ وَ أُخْتاً لِأَبٍ وَ أُمٍّ وَ أَخاً لِأَبٍ فَلِلْأَخِ وَ الْأُخْتِ مِنْ قِبَلِ الْأُمِّ وَ الْجَدِّ وَ الْجَدَّةِ مِنْ قِبَلِ الْأُمِّ الثُّلُثُ الذَّكَرُ وَ الْأُنْثَى فِيهِ سَوَاءٌ وَ مَا بَقِيَ فَلِلْأُخْتِ لِلْأَبِ وَ الْأُمِّ وَ سَقَطَ الْأَخُ مِنَ الْأَبِ فَإِنْ تَرَكَ إِخْوَةً وَ أَخَوَاتٍ لِأُمٍّ وَ جَدّاً وَ جَدَّةً لِأُمٍّ وَ إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ وَ أُمٍّ وَ جَدّاً وَ جَدَّةً لِأَبٍ وَ إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ فَلِلْإِخْوَةِ وَ الْأَخَوَاتِ مِنْ قِبَلِ الْأُمِّ وَ الْجَدِّ وَ الْجَدَّةِ مِنْ قِبَلِ الْأُمِّ الثُّلُثُ الذَّكَرُ وَ الْأُنْثَى فِيهِ سَوَاءٌ وَ مَا بَقِيَ فَلِلْإِخْوَةِ وَ الْأَخَوَاتِ لِلْأَبِ وَ الْأُمِّ وَ الْجَدِّ وَ الْجَدَّةِ مِنْ قِبَلِ الْأَبِ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ وَ سَقَطَ الْإِخْوَةُ وَ الْأَخَوَاتُ مِنَ الْأَبِ فَإِنْ تَرَكَ أَخاً لِأُمٍّ وَ جَدّاً لِأُمٍّ وَ أَخاً لِأَبٍ وَ أُمٍّ وَ جَدّاً لِأَبٍ وَ أَخاً لِأَبٍ فَلِلْأَخِ لِلْأُمِّ وَ الْجَدِّ لِلْأُمِّ الثُّلُثُ بَيْنَهُمَا بِالسَّوِيَّةِ وَ مَا بَقِيَ فَلِلْأَخِ لِلْأَبِ وَ الْأُمِّ وَ الْجَدِّ لِلْأَبِ بَيْنَهُمَا نِصْفَانِ وَ سَقَطَ الْأَخُ لِلْأَبِ فَإِنْ تَرَكَ امْرَأَةً وَ أَخاً لِأُمٍّ وَ جَدّاً لِأُمٍّ وَ أَخاً لِأَبٍ فَلِلْمَرْأَةِ الرُّبُعُ وَ لِلْأَخِ مِنَ الْأُمِّ وَ الْجَدِّ لِلْأُمِّ الثُّلُثُ بَيْنَهُمَا بِالسَّوِيَّةِ وَ مَا بَقِيَ فَلِلْأَخِ لِلْأَبِ فَإِنْ تَرَكَتِ امْرَأَةٌ زَوْجَهَا وَ ابْنَ ابْنِهَا وَ جَدّاً وَ إِخْوَةً وَ أَخَوَاتٍ لِأَبٍ وَ أُمٍّ فَلِلزَّوْجِ الرُّبُعُ وَ لِلْجَدِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنِ الِابْنِ وَ سَقَطَ الْإِخْوَةُ وَ الْأَخَوَاتُ فَإِنْ تَرَكَتْ زَوْجَهَا وَ أَبَوَيْهَا وَ جَدَّهَا أَبَا أُمِّهَا فَلِلزَّوْجِ النِّصْفُ وَ لِلْأُمِّ الثُّلُثُ وَ يُؤْخَذُ مِنْ هَذَا الثُّلُثِ نِصْفُهُ فَيُدْفَعُ إِلَى الْجَدِّ وَ هُوَ السُّدُسُ مِنْ جَمِيعِ الْمَالِ وَ لِلْأَبِ السُّدُسُ فَإِنْ تَرَكَ الرَّجُلُ أَبَوَيْهِ وَ جَدّاً لِأَبٍ وَ جَدّاً لِأُمٍّ فَلِلْأُمِّ السُّدُسُ وَ لِلْجَدِّ مِنْ قِبَلِ الْأُمِّ السُّدُسُ وَ لِلْأَبِ النِّصْفُ وَ لِلْجَدِّ مِنْ قِبَلِ الْأَبِ السُّدُسُ فَإِنْ تَرَكَ الرَّجُلُ أَبَاهُ وَ جَدَّهُ أَبَا أُمِّهِ فَالْمَالُ لِلْأَبِ فَإِنْ تَرَكَ أُمَّهُ وَ جَدَّهُ أَبَا أَبِيهِ فَالْمَالُ لِأُمِّهِ لِأَنَّ الْجَدَّ أَبَا الْأَبِ إِنَّمَا لَهُ السُّدُسُ مِنْ مَالِ ابْنِهِ طُعْمَةً وَ كَذَلِكَ الْجَدُّ أَبُو الْأُمِّ إِنَّمَا لَهُ السُّدُسُ مِنْ مَالِ ابْنَتِهِ طُعْمَةً فَإِنْ تَرَكَ الرَّجُلُ امْرَأَتَهُ وَ أَبَوَيْهِ وَ جَدَّهُ أَبَا أَبِيهِ وَ جَدَّهُ أَبَا أُمِّهِ فَلِلْمَرْأَةِ الرُّبُعُ وَ لِلْأُمِّ السُّدُسُ وَ لِلْجَدِّ أَبِي الْأُمِّ السُّدُسُ وَ لِلْجَدِّ أَبِي الْأَبِ السُّدُسُ وَ لِلْأَبِ الْبَاقِي فَإِنْ تَرَكَتِ امْرَأَةٌ زَوْجَهَا وَ أَبَوَيْهَا وَ جَدَّهَا أَبَا أَبِيهَا وَ جَدَّهَا أَبَا أُمِّهَا فَلِلزَّوْجِ النِّصْفُ وَ لِلْأُمِّ السُّدُسُ وَ لِلْجَدِّ أَبِي الْأُمِّ السُّدُسُ وَ لِلْأَبِ السُّدُسُ وَ سَقَطَ الْجَدُّ أَبُو الْأَبِ وَ هَذَا هُوَ الْمَوْضِعُ الَّذِي لَا يَرِثُ فِيهِ الْجَدُّ أَبُو الْأَبِ مَعَ الْأَبِ وَ الْعِلَّةُ فِي ذَلِكَ أَنَّ الْجَدَّ إِنَّمَا مِيرَاثُهُ السُّدُسُ مِنْ مَالِ ابْنِهِ طُعْمَةً فَلَمَّا لَمْ يَرِثِ ابْنُهُ إِلَّا السُّدُسَ سَقَطَ مِنَ الطُّعْمَةِ فَإِنْ تَرَكَتِ امْرَأَةٌ زَوْجَهَا وَ أَبَوَيْهَا وَ جَدَّهَا أَبَا أَبِيهَا وَ جَدَّهَا أَبَا أُمِّهَا وَ إِخْوَةً وَ أَخَوَاتِ لِأَبٍ أَوْ لِأَبٍ وَ أُمٍّ فَلِلزَّوْجِ النِّصْفُ وَ لِلْأُمِّ السُّدُسُ وَ لِلْجَدِّ أَبِي الْأَبِ السُّدُسُ وَ مَا بَقِيَ فَلِلْأَبِ وَ سَقَطَ الْجَدُّ أَبُو الْأُمِّ وَ هَذَا هُوَ الْمَوْضِعُ الَّذِي لَا يَرِثُ فِيهِ الْجَدُّ أَبُو الْأُمِّ مَعَ الْأُمِّ وَ الْعِلَّةُ فِي ذَلِكَ أَنَّ الْإِخْوَةَ وَ الْأَخَوَاتِ مِنْ قِبَلِ الْأَبِ وَ الْأُمِّ أَوِ الْأَبِ حَجَبُوا الْأُمَّ عَنِ الثُّلُثِ فَرَدُّوهَا إِلَى السُّدُسِ فَلَمَّا لَمْ تَأْخُذِ الْأُمُّ إِلَّا السُّدُسَ سَقَطَ أَبُوهَا مِنَ الطُّعْمَةِ مِنْ مَالِهَا فَإِنْ تَرَكَتْ جَدّاً أَوْ جَدَّةً لِأَبٍ أَوْ لِأُمٍّ وَ عَمّاً أَوْ عَمَّةً أَوْ خَالًا أَوْ خَالَةً فَالْمَالُ لِلْجَدِّ أَوِ الْجَدَّةِ وَ سَقَطَ الْعَمُّ وَ الْعَمَّةُ وَ الْخَالُ وَ الْخَالَةُ وَ لَا يَرِثُ مَعَ الْجَدِّ وَ الْأَخِ وَ لَا مَعَ الْأُخْتِ وَ لَا مَعَ ابْنِ الْأَخِ وَ لَا مَعَ ابْنِ الْأُخْتِ وَ لَا مَعَ ابْنَةِ الْأَخِ وَ لَا مَعَ ابْنَةِ الْأُخْتِ عَمٌّ وَ لَا عَمَّةٌ وَ لَا خَالٌ وَ لَا خَالَةٌ وَ لَا ابْنُ عَمٍّ وَ لَا ابْنُ عَمَّةٍ وَ لَا ابْنُ خَالٍ وَ لَا ابْنُ خَالَةٍ وَ وَلَدُ الْأَخِ وَ وَلَدُ الْأُخْتِ وَ إِنْ سَفَلُوا فَهُمْ أَحَقُّ بِالْمِيرَاثِ مِنَ الْأَعْمَامِ وَ الْعَمَّاتِ وَ الْأَخْوَالِ وَ الْخَالَاتِ وَ لا قُوَّةَ إِلَّا بِاللَّهِ.

H.5651 - What Firas narrated from Al-Shabi, from Ibn Abbas, that he said: Imam Ali ibn Abi Talib {a.s}, peace be upon him, wrote to me regarding six brothers and a grandfather, saying: “Consider him as one of them (brothers) and erase my letter.”

[AL SADUQ]

So Imam Ali ibn Abi Talib {a.s}, peace be upon him, considered him (the grandfather) as a seventh among them. His {a.s} statement, "erase my letter," indicates that he disliked being criticized for differing from those who preceded him.

This, however, is not proof for Al-Fadl ibn Shadhan, because this narration only establishes that the grandfather is regarded as one of the brothers and does not establish that he is always considered like a brother, nor does it establish that he inherits where a brother inherits and is excluded where a brother is excluded.

Our opponents have narrated that when Umar's grandson passed away, leaving him along with two brothers, Umar asked Zayd about the matter.

Zayd replied: “I see the wealth should be divided into thirds among you." Umar accepted Zayd's opinion and considered himself, being the grandfather, as a brother.

As for Ibn Mas'ud, may Allah {SWT} be pleased with him, he said regarding a brother from the father and mother, a brother from the father, and a grandfather, that the wealth should be divided equally between the brother from the father and mother and the grandfather, with nothing for the brother from the father. Thus, he considered the grandfather as a brother, as if the deceased had left behind two full brothers and a paternal half-brother, treating the grandfather as a brother. This aligns with what we say.

If a man leaves behind a brother and sister from the mother, a grandfather and grandmother from the mother’s side, a sister from the father and mother, and a brother from the father, then the brother and sister from the mother's side, along with the grandfather and grandmother from the mother's side, are entitled to one-third of the inheritance, with the male and female in this matter are equal. Whatever remains shall belong to the sister from the father and mother, and the brother from the father is excluded. If the deceased left behind brothers and sisters from the mother, a maternal grandfather and grandmother, brothers and sisters from the father and mother, a paternal grandfather and grandmother, and brothers and sisters from the father, then one-third of the inheritance shall go to the maternal siblings and grandparents, with equal shares between male and female. Whatever remains shall belong to the paternal siblings and grandparents, with the male receiving twice the share of the female, and the brothers and sisters from the father shall be excluded.

If the deceased left behind a brother from the mother, a maternal grandfather, a brother from the father and mother, a paternal grandfather, and a brother from the father, then one-third of the inheritance shall be divided equally between the brother from the mother and the maternal grandfather. Whatever remains shall belong to the brother from the father and mother and the paternal grandfather, to be shared equally, and the brother from the father shall be excluded.

If the deceased left behind a wife, a brother from the mother, a maternal grandfather, and a brother from the father, then one-fourth of the inheritance shall go to the wife,

one-third divided equally between the brother from the mother and the maternal grandfather, and whatever remains shall belong to the brother from the father.
If a woman left behind her husband, her grandson, a grandfather, and brothers and sisters from the father and mother, then one-fourth shall go to the husband, one-sixth to the grandfather, and whatever remains shall belong to the grandson, excluding the brothers and sisters.
If a woman left behind her husband, her parents, and her maternal grandfather, then one-half of the inheritance shall go to the husband, one-third to the mother, and from this third, half shall be taken and given to the grandfather.
And that is the sixth of the entire estate, and the father is entitled to the sixth.
If a man leaves behind his two parents and a paternal grandfather and a maternal grandfather, then the mother shall receive one-sixth, the maternal grandfather shall receive one-sixth, the father shall receive half, and the paternal grandfather shall receive one-sixth.
If a man leaves behind his father and his maternal grandfather, then the estate belongs to the father. If he leaves behind his mother and his paternal grandfather, then the estate belongs to his mother, because the paternal grandfather is entitled only to one-sixth of his son's estate as a provision, and likewise, the maternal grandfather is entitled only to one-sixth of his daughter's estate as a provision.
If a man leaves behind his wife, his two parents, his paternal grandfather, and his maternal grandfather, then the wife shall receive one-fourth, the mother shall receive one-sixth, the maternal grandfather shall receive one-sixth, the paternal grandfather shall receive one-sixth, and the father shall receive the remainder.
If a woman leaves behind her husband, her two parents, her paternal grandfather, and her maternal grandfather, then the husband shall receive half, the mother shall receive one-sixth, the maternal grandfather shall receive one-sixth, and the father shall receive one-sixth, with the paternal grandfather being excluded. This is the case where the paternal grandfather does not inherit alongside the father.
The reason for this is that the grandfather's inheritance is a sixth from his son as a provision, and when his son inherits only a sixth, the grandfather's share as provision is nullified.
If a woman leaves behind her husband, her two parents, and her paternal grandfather, then the estate is distributed accordingly.
And if she leaves behind her husband, her two parents, her paternal grandfather, her maternal grandfather, and brothers and sisters from the father's side or from both parents, then the husband shall receive half, the mother shall receive one-sixth, the paternal grandfather shall receive one-sixth, and the remainder shall be for the father, while the maternal grandfather is excluded.
This is the case in which the maternal grandfather does not inherit alongside the mother. The reason for this is that the brothers and sisters from the father's side or from both parents have reduced the mother's share from one-third to one-sixth.
Since the mother only receives one-sixth, her father is excluded from receiving any share of her inheritance.

If a person leaves behind a paternal or maternal grandfather or grandmother, and an uncle or an aunt or a maternal uncle or a maternal aunt, then the estate belongs to the grandfather or grandmother, and the uncle, aunt, maternal uncle, and maternal aunt are excluded. No paternal uncle, paternal aunt, maternal uncle, maternal aunt, cousin, cousin's son, maternal cousin, or maternal cousin's son inherits alongside the grandfather, brother, sister, nephew, or niece. The offspring of the brother and sister, even if they are distant, are more entitled to inherit than paternal uncles, paternal aunts, maternal uncles, and maternal aunts. And there is no power except with Allah {SWT}.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.287 • Wasa'il Al-Shi'ah, Vol.26 p.165

CHAPTER 148 – CHAPTER ON THE INHERITANCE OF DISTANT KINDRED (DHAWI AL-ARHAM)

بَابُ مِيرَاثِ ذَوِي الْأَرْحَامِ

HADITH -

إِذَا تَرَكَ الْمَيِّتُ عَمّاً فَالْمَالُ كُلُّهُ لِلعَمِّ وَ كَذَلِكَ إِنْ تَرَكَ عَمَّيْنِ أَوْ ثَلَاثَةَ أَعْمَامٍ أَوْ أَكْثَرَ فَالْمَالُ بَيْنَهُمْ بِالسَّوِيَّةِ فَإِنْ تَرَكَ أَعْمَاماً وَ عَمّاتٍ فَالْمَالُ كُلُّهُ بَيْنَهُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ تَرَكَ عَمَّيْنِ أَحَدَهُمَا لِأَبٍ وَ أُمٍّ وَ الْآخَرَ لِلْأَبِ فَالْمَالُ لِلْعَمِّ مِنَ الْأَبِ وَ الْأُمِّ وَ سَقَطَ الْعَمُّ لِلْأَبِ فَإِنْ تَرَكَ عَمّاً لِأَبٍ وَ أُمٍّ وَ عَمّاً لِأُمٍّ فَلِلْعَمِّ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِلْعَمِّ لِلْأَبِ وَ الْأُمِّ وَ كَذَلِكَ إِنْ تَرَكَ عَمَّةً لِأَبٍ وَ عَمَّةً لِأُمٍّ فَلِلْعَمَّةِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِلْعَمَّةِ مِنَ الْأَبِ فَإِنْ تَرَكَ خَالًا فَالْمَالُ كُلُّهُ لِلْخَالِ وَ كَذَلِكَ إِنْ تَرَكَ خَالَيْنِ أَوْ ثَلَاثَةً أَوْ أَكْثَرَ فَالْمَالُ بَيْنَهُمْ بِالسَّوِيَّةِ فَإِنْ تَرَكَ أَخْوَالًا وَ خَالاتٍ فَالْمَالُ بَيْنَهُمْ بِالسَّوِيَّةِ الذَّكَرُ وَ الْأُنْثَى فِيهِ سَوَاءٌ فَإِنْ تَرَكَ خَالَيْنِ أَحَدُهُمَا لِأَبٍ وَ أُمٍّ وَ الْآخَرُ لِلْأَبِ فَالْمَالُ لِلْخَالِ مِنَ الْأَبِ وَ الْأُمِّ وَ سَقَطَ الْخَالُ لِلْأَبِ فَإِنْ تَرَكَ خَالَيْنِ أَحَدُهُمَا لِأُمٍّ وَ الْآخَرُ لِأَبٍ وَ أُمٍّ فَلِلْخَالِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِلْخَالِ لِلْأَبِ وَ الْأُمِّ وَ كَذَلِكَ إِنْ تَرَكَ خَالًا لِأَبٍ وَ خَالًا لِأُمٍّ فَلِلْخَالِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِلْخَالِ مِنَ الْأَبِ وَ كَذَلِكَ إِنْ تَرَكَ خَالَةً لِأُمٍّ وَ خَالَةً لِأَبٍ فَلِلْخَالَةِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِلْخَالَةِ مِنَ الْأَبِ فَإِنْ تَرَكَ ثَلَاثَةَ أَخْوَالٍ مُتَفَرِّقِينَ وَ ثَلَاثَةَ أَعْمَامٍ مُتَفَرِّقِينَ فَلِلْخَالَيْنِ الثُّلُثُ مِنْ ذَلِكَ لِلْخَالِ مِنَ الْأُمِّ السُّدُسُ مِنَ الثُّلُثِ وَ لِلْخَالِ لِلْأَبِ وَ الْأُمِّ خَمْسَةُ أَسْدَاسِ الثُّلُثِ وَ سَقَطَ الْخَالُ مِنَ الْأَبِ وَ لِلْعَمِّيْنِ الثُّلُثَانِ لِلْعَمِّ مِنَ الْأُمِّ السُّدُسُ مِنَ الثُّلُثَيْنِ وَ لِلْعَمِّ مِنَ الْأَبِ وَ الْأُمِّ خَمْسَةُ أَسْدَاسِ الثُّلُثَيْنِ وَ سَقَطَ الْعَمُّ لِلْأَبِ وَ حِسَابُهُ مِنْ سِتَّةٍ وَ ثَلَاثِينَ لِلْخَالِ مِنَ الْأُمِّ مِنْ ذَلِكَ سَهْمَانِ وَ لِلْخَالِ لِلْأَبِ وَ الْأُمِّ عَشَرَةُ أَسْهُمٍ وَ لِلْعَمِّ مِنَ الْأُمِّ مِنْ ذَلِكَ أَرْبَعَةُ أَسْهُمٍ وَ لِلْعَمِّ مِنَ الْأَبِ وَ الْأُمِّ عِشْرُونَ سَهْماً فَإِنْ تَرَكَ خَالَيْنِ لِأَبٍ وَ أُمٍّ وَ خَالَيْنِ لِأُمٍّ وَ عَمَّيْنِ لِأَبٍ وَ أُمٍّ وَ عَمَّيْنِ مِنَ الْأُمِّ فَلِلْخَالَيْنِ مِنَ الْأُمِّ ثُلُثُ الثُّلُثِ أَرْبَعَةٌ مِنْ سِتَّةٍ وَ ثَلَاثِينَ وَ لِلْخَالَيْنِ مِنَ الْأَبِ وَ الْأُمِّ ثُلُثَا الثُّلُثِ ثَمَانِيَةٌ مِنْ سِتَّةٍ وَ ثَلَاثِينَ وَ لِلْعَمِّيْنِ مِنَ الْأُمِّ ثُلُثُ الثُّلُثَيْنِ ثَمَانِيَةٌ مِنْ سِتَّةٍ وَ ثَلَاثِينَ وَ لِلْعَمِّيْنِ مِنَ الْأَبِ وَ الْأُمِّ سِتَّةَ عَشَرَ مِنْ سِتَّةٍ وَ ثَلَاثِينَ فَإِنْ تَرَكَ أَخْوَالًا وَ خَالاتٍ وَ أَعْمَاماً وَ عَمّاتٍ فَلِلْأَخْوَالِ وَ الْخَالاتِ الثُّلُثُ بَيْنَهُمْ بِالسَّوِيَّةِ الذَّكَرُ وَ الْأُنْثَى فِيهِ سَوَاءٌ وَ لِلْأَعْمَامِ وَ الْعَمّاتِ الثُّلُثَانِ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ تَرَكَ خَالًا لِأَبٍ وَ عَمّاً لِأُمٍّ فَلِلْخَالِ مِنَ الْأَبِ الثُّلُثُ وَ لِلْعَمِّ لِلْأُمِّ الثُّلُثَانِ فَإِنْ تَرَكَ خَالًا لِأُمٍّ وَ عَمّاً لِأَبٍ فَلِلْخَالِ لِلْأُمِّ الثُّلُثُ لِأَنَّهُ لَيْسَ أَحَدٌ مِنْ قِبَلِ الْأُمِّ يُشَارِكُهُ فِي الْمِيرَاثِ وَ لِلْعَمِّ مِنَ الْأَبِ الثُّلُثَانِ فَإِنْ تَرَكَ عَمّاً لِأَبٍ وَ ابْنَ عَمٍّ لِأَبٍ وَ أُمٍّ فَالْمَالُ لِابْنِ الْعَمِّ لِلْأَبِ وَ الْأُمِّ لِأَنَّهُ قَدْ جَمَعَ الْكَلَالَتَيْنِ كَلَالَةَ الْأَبِ وَ كَلَالَةَ الْأُمِّ وَ هَذَا غَيْرُ مَحْمُولٍ عَلَى أَصْلٍ بَلْ مُسَلَّمٌ لِلْخَبَرِ الصَّحِيحِ الْوَارِدِ عَنِ الْأَئِمَّةِ ع فَإِنْ تَرَكَ ابْنَيْ عَمٍّ أَحَدُهُمَا أَخٌ لِأُمٍّ فَالْمَالُ لِلْأَخِ مِنَ الْأُمِّ فَإِنْ تَرَكَتِ امْرَأَةٌ ابْنَيْ عَمٍّ أَحَدُهُمَا زَوْجٌ فَلِلزَّوْجِ النِّصْفُ وَ النِّصْفُ الْآخَرُ بَيْنَهُمَا نِصْفَانِ فَإِنْ تَرَكَ الرَّجُلُ ابْنَةَ عَمٍّ لِأَبٍ وَ أُمٍّ وَ ابْنَةَ عَمٍّ لِأُمٍّ فَلِابْنَةِ الْعَمِّ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنَةِ الْعَمِّ لِلْأَبِ وَ الْأُمِّ وَ كَذَلِكَ إِذَا تَرَكَ ابْنَةَ خَالٍ لِأَبٍ وَ أُمٍّ وَ ابْنَةَ خَالٍ لِأُمٍّ فَلِابْنَةِ الْخَالِ لِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنَةِ الْخَالِ لِلْأَبِ وَ الْأُمِّ وَ إِنْ تَرَكَ خَالًا وَ جَدَّةً لِأُمٍّ فَالْمَالُ لِجَدَّةِ الْأُمِّ وَ سَقَطَ الْخَالُ وَ غَلِطَ الْفَضْلُ بْنُ شَاذَانَ فِي قَوْلِهِ الْمَالُ بَيْنَهُمَا نِصْفَانِ بِمَنْزِلَةِ ابْنِ الْأَخِ وَ الْجَدِّ وَ إِنْ تَرَكَ عَمّاً وَ ابْنَ أُخْتٍ فَالْمَالُ لِابْنِ الْأُخْتِ فَإِنْ تَرَكَ عَمّاً وَ ابْنَ أَخٍ فَالْمَالُ لِابْنِ الْأَخِ وَ غَلِطَ يُونُسُ بْنُ عَبْدِ الرَّحْمَنِ فِي قَوْلِهِ الْمَالُ بَيْنَهُمَا نِصْفَانِ وَ إِنَّمَا دَخَلَتْ عَلَيْهِ الشُّبْهَةُ فِي ذَلِكَ لِأَنَّهُ لَمَّا رَأَى أَنَّ بَيْنَ الْعَمِّ وَ بَيْنَ الْمَيِّتِ ثَلَاثَةَ بُطُونٍ وَ كَذَلِكَ بَيْنَ ابْنِ الْأَخِ وَ بَيْنَ الْمَيِّتِ ثَلَاثَةَ بُطُونٍ وَ هُمَا جَمِيعاً مِنْ طَرِيقِ الْأَبِ قَالَ الْمَالُ بَيْنَهُمَا نِصْفَانِ وَ هَذَا غَلَطٌ لِأَنَّهُ وَ إِنْ كَانَا جَمِيعاً كَمَا وَصَفَ فَإِنَّ ابْنَ الْأَخِ مِنْ وُلْدِ الْأَبِ وَ الْعَمَّ مِنْ وُلْدِ الْجَدِّ وَ وُلْدُ الْأَبِ أَحَقُّ وَ أَوْلَى بِالْمِيرَاثِ مِنْ وُلْدِ الْجَدِّ وَ إِنْ سَفَلُوا كَمَا أَنَّ ابْنَ الِابْنِ أَحَقُّ مِنَ الْأَخِ لِأَنَّ ابْنَ الِابْنِ مِنْ وُلْدِ الْمَيِّتِ وَ الْأَخَ مِنْ وُلْدِ الْأَبِ وَ وُلْدُ الْمَيِّتِ أَحَقُّ بِالْمِيرَاثِ مِنْ وُلْدِ الْأَبِ وَ إِنْ كَانُوا فِي الْبُطُونِ سَوَاءً فَإِنْ تَرَكَ ابْنَةَ خَالَتِهِ وَ عَمَّةَ أُمِّهِ فَالْمَالُ لِابْنَةِ خَالَتِهِ لِأَنَّ ابْنَةَ الْخَالَةِ مِنْ وُلْدِ الْجَدَّةِ وَ عَمَّةَ الْأُمِّ مِنْ وُلْدِ جَدَّةِ الْأُمِّ وَ وُلْدُ جَدَّةِ الْمَيِّتِ أَوْلَى بِالْمِيرَاثِ مِنْ وُلْدِ جَدَّةِ

أُمِّ الْمَيِّتِ وَ كَذَلِكَ إِنْ تَرَكَ عَمَّ أُمِّهِ وَ ابْنَ خَالِهِ فَالْمَالُ لِابْنِ خَالِهِ فَإِنْ تَرَكَ عَمَّةَ أُمِّهِ وَ ابْنَةَ خَالَتِهِ فَقَدِ اسْتَوَيَا فِي الْبُطُونِ إِلَّا أَنَّ عَمَّةَ الْأُمِّ مِنْ وُلْدِ جَدَّةِ الْأُمِّ وَ ابْنَةَ الْخَالَةِ مِنْ وُلْدِ جَدَّةِ الْمَيِّتِ فَابْنَةُ الْخَالَةِ أَحَقُّ بِالْمَالِ كُلِّهِ وَ كَذَلِكَ ابْنُ الْخَالَةِ فَإِنْ تَرَكَتِ امْرَأَةٌ زَوْجَهَا وَ عَمَّتَهَا وَ خَالَتَهَا فَلِلزَّوْجِ النِّصْفُ وَ لِلْخَالَةِ الثُّلُثُ وَ مَا بَقِيَ فَلِلْعَمَّةِ بِمَنْزِلَةِ زَوْجٍ وَ أَبَوَيْنِ فَلِلزَّوْجِ النِّصْفُ وَ لِلْأُمِّ الثُّلُثُ وَ لِلْأَبِ السُّدُسُ فَإِنْ تَرَكَ خَالًا وَ خَالَةً فَالْمَالُ بَيْنَهُمَا نِصْفَانِ وَ كَذَلِكَ إِنْ تَرَكَ ابْنَ خَالٍ وَ ابْنَ خَالَةٍ فَالْمَالُ بَيْنَهُمَا نِصْفَانِ فَإِنْ تَرَكَ خَالَةَ الْأُمِّ وَ عَمَّةَ الْأَبِ فَلِخَالَةِ الْأُمِّ الثُّلُثُ وَ لِعَمَّةِ الْأَبِ الثُّلُثَانِ فَإِنْ تَرَكَ عَمّاً وَ خَالًا فَلِلْخَالِ الثُّلُثُ وَ لِلْعَمِّ الثُّلُثَانِ فَإِنْ تَرَكَ ابْنَ أُخْتٍ لِأُمٍّ وَ ابْنَةَ أَخٍ لِأُمٍّ فَالْمَالُ بَيْنَهُمَا نِصْفَانِ وَ كَذَلِكَ ابْنَةُ أُخْتٍ لِأُمٍّ وَ ابْنُ أَخٍ لِأُمٍّ لِأَنَّ الذَّكَرَ وَ الْأُنْثَى مِنَ الْإِخْوَةِ لِلْأُمِّ فِي الْمِيرَاثِ سَوَاءٌ فَإِنْ تَرَكَ ثَلَاثَةَ بَنِي أَخَوَاتٍ مُتَفَرِّقَاتٍ فَلِابْنِ الْأُخْتِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنِ الْأُخْتِ لِلْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ ثَلَاثَ بَنَاتِ أَخَوَاتٍ مُتَفَرِّقَاتٍ مَعَ كُلِّ وَاحِدَةٍ مِنْهُنَّ أَخُوهَا فَلِابْنَةِ الْأُخْتِ لِلْأُمِّ وَ لِأَخِيهَا السُّدُسُ بَيْنَهُمَا بِالسَّوِيَّةِ وَ مَا بَقِيَ فَلِابْنَةِ الْأُخْتِ لِلْأَبِ وَ الْأُمِّ وَ لِأَخِيهَا لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ تَرَكَ ابْنَةَ أُخْتٍ وَ ابْنَ أُخْتٍ أُمُّهُمَا وَاحِدَةٌ فَالْمَالُ بَيْنَهُمَا لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ وَ إِنْ كَانَا مِنْ أُخْتَيْنِ فَالْمَالُ بَيْنَهُمَا نِصْفَانِ وَ كَذَلِكَ إِنْ كَانُوا خَمْسَةَ بَنِي أُخْتٍ وَ ابْنَةَ أُخْتٍ أُخْرَى فَلِبَنِي الْأُخْتِ النِّصْفُ بَيْنَ الْخَمْسَةِ وَ لِابْنَةِ الْأُخْتِ الْأُخْرَى النِّصْفُ وَ عَلَى هَذَا الْحِسَابِ كُلُّ مَا كَانَ مِنْ هَذَا الضَّرْبِ لِأَنَّ كُلَّ ذِي رَحِمٍ إِنَّمَا يَأْخُذُ نَصِيبَ الَّذِي يَجُرُّهُ فَإِنْ تَرَكَ ابْنَةَ أُخْتٍ لِأَبٍ وَ ابْنَ ابْنِ أُخْتٍ لِأَبٍ وَ أُمٍّ فَالْمَالُ لِابْنَةِ الْأُخْتِ لِلْأَبِ وَ سَقَطَ الْآخَرُ فَإِنْ تَرَكَ ثَلَاثَةَ بَنِي ابْنَةِ أُخْتٍ لِأَبٍ وَ أُمٍّ وَ ثَلَاثَةَ بَنِي ابْنَةِ أُخْتٍ لِأَبٍ وَ ثَلَاثَةَ بَنِي ابْنَةِ أُخْتٍ لِأُمٍّ فَلِبَنِي ابْنَةِ الْأُخْتِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِبَنِي ابْنَةِ الْأُخْتِ لِلْأَبِ وَ الْأُمِّ وَ سَقَطَ بَنُو ابْنَةِ الْأُخْتِ مِنَ الْأُمِّ وَ غَلِطَ الْفَضْلُ بْنُ شَاذَانَ فِي هَذِهِ الْمَسْأَلَةِ وَ أَشْبَاهِهَا فَقَالَ لِبَنِي ابْنَةِ الْأُخْتِ لِلْأَبِ وَ الْأُمِّ النِّصْفُ وَ لِبَنِي ابْنَةِ الْأُخْتِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ يُرَدُّ عَلَيْهِمْ عَلَى قَدْرِ أَنْصِبَائِهِمْ فَإِنْ تَرَكَ ابْنَةَ أَخِيهِ لِأَبِيهِ وَ أُمِّهِ وَ ابْنَةَ أَخِيهِ لِأَبِيهِ فَالْمَالُ لِابْنَةِ الْأَخِ لِلْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ عَشَرَ بَنَاتِ أَخٍ لِأُمٍّ وَ ابْنَةَ أَخٍ لِأَبٍ وَ أُمٍّ فَلِبَنَاتِ الْأَخِ لِلْأُمِّ السُّدُسُ بَيْنَهُنَّ بِالسَّوِيَّةِ وَ مَا بَقِيَ فَلِابْنَةِ الْأَخِ لِلْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ ابْنَتَيْ أُخْتَيْنِ لِأُمٍّ وَ ابْنَةَ أُخْتٍ لِأَبٍ وَ أُمٍّ فَلِابْنَتَيِ الْأُخْتَيْنِ لِلْأُمِّ الثُّلُثُ وَ مَا بَقِيَ فَلِابْنَةِ الْأُخْتِ لِلْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ ثَلَاثَ بَنَاتِ إِخْوَةٍ مُتَفَرِّقِينَ وَ ثَلَاثَ بَنَاتِ أَخَوَاتٍ مُتَفَرِّقَاتٍ فَأَصْلُ حِسَابِهِ مِنْ سِتَّةٍ لِابْنَةِ الْأُخْتِ مِنَ الْأُمِّ وَ ابْنَةِ الْأَخِ مِنَ الْأُمِّ الثُّلُثُ سَهْمَانِ لِكُلِّ وَاحِدَةٍ مِنْهُمَا سَهْمٌ وَ بَقِيَ الثُّلُثَانِ لِابْنَةِ الْأُخْتِ مِنَ الْأَبِ وَ الْأُمِّ الثُّلُثُ مِنْ هَذَا الثُّلُثَيْنِ وَ لِابْنَةِ الْأَخِ مِنَ الْأَبِ وَ الْأُمِّ ثُلُثَاهُ فَلَمْ تَسْتَقِمِ الْأَرْبَعَةُ بَيْنَهُمَا فَضَرَبْنَا سِتَّةً فِي ثَلَاثَةٍ فَبَلَغَ ثَمَانِيَةَ عَشَرَ لِابْنَةِ الْأُخْتِ مِنَ الْأُمِّ وَ ابْنَةِ الْأَخِ مِنَ الْأُمِّ الثُّلُثُ سِتَّةُ أَسْهُمٍ بَيْنَهُمَا نِصْفَانِ وَ بَقِيَ اثْنَا عَشَرَ لِابْنَةِ الْأَخِ لِلْأَبِ وَ الْأُمِّ مِنْ ذَلِكَ ثَمَانِيَةٌ وَ لِابْنَةِ الْأُخْتِ مِنَ الْأَبِ وَ الْأُمِّ أَرْبَعَةٌ فَإِنْ تَرَكَ ابْنَةَ ابْنَةِ أَخٍ لِأَبٍ وَ أُمٍّ وَ ابْنَةَ ابْنِ أَخٍ لِلْأَبِ فَالْمَالُ لِابْنَةِ ابْنَةِ الْأَخِ لِلْأَبِ وَ الْأُمِّ لِأَنَّ الْأَخَ لِلْأَبِ لَا يَرِثُ مَعَ الْأَخِ لِلْأَبِ وَ الْأُمِّ فَكَذَلِكَ مَنْ يَتَقَرَّبُ بِهِ وَ كَذَلِكَ ابْنُ الْأَخِ لِلْأَبِ لَا يَرِثُ مَعَ ابْنَةِ الْأَخِ لِلْأَبِ وَ الْأُمِّ وَ لَيْسَتِ الْعَصَبَةُ مِنْ دِينِ اللَّهِ عَزَّ وَ جَلَّ وَ لَا مِنْ سُنَّةِ رَسُولِ اللَّهِ ص فَإِنْ تَرَكَ ابْنَ أَخٍ لِأُمٍّ وَ هُوَ ابْنُ أُخْتٍ لِأَبٍ وَ تَرَكَ ابْنَ أُخْتٍ لِأَبٍ وَ أُمٍّ فَلِابْنِ الْأَخِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنِ الْأُخْتِ لِلْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ ابْنَةَ أُخْتٍ لِأُمٍّ وَ هِيَ ابْنَةُ أَخٍ لِأَبٍ وَ ابْنَةَ أُخْتٍ لِأَبٍ وَ أُمٍّ فَلِابْنَةِ الْأُخْتِ لِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنَةِ الْأُخْتِ لِلْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ ابْنَةَ أُخْتٍ لِأُمٍّ وَ هِيَ ابْنَةُ أَخٍ لِأَبٍ وَ ابْنَةَ أُخْتٍ لِأَبٍ وَ أُمٍّ وَ أُخْتاً لِأُمٍّ وَ أُخْتاً لِأَبٍ فَلِلْأُخْتِ لِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِلْأُخْتِ لِلْأَبِ وَ سَقَطَ ابْنَتَا الْأُخْتَيْنِ لِأَنَّهُمَا قَدْ نَزَلَتَا بِبَطْنٍ فَإِنْ تَرَكَ ابْنَةَ أُخْتٍ لِأَبٍ وَ هِيَ ابْنَةُ أَخٍ لِأُمٍّ وَ ابْنَةَ أُخْتٍ لِأَبٍ وَ أُمٍّ وَ خَالَةً لِأُمٍّ هِيَ عَمَّةٌ لِأَبٍ وَ خَالَةً لِأَبٍ وَ أُمٍّ فَلِابْنَةِ الْأُخْتِ لِلْأُمِّ السُّدُسُ وَ لَيْسَ لَهَا مِنْ جِهَةِ أَنَّهَا ابْنَةُ أَخٍ لِأَبٍ شَيْءٌ وَ مَا بَقِيَ فَلِابْنَةِ الْأُخْتِ لِلْأَبِ وَ الْأُمِّ وَ سَقَطَتْ خَالَةُ الْأُمِّ الَّتِي هِيَ عَمَّةُ الْأَبِ وَ خَالَةُ الْأَبِ وَ الْأُمِّ جَمِيعاً فَإِنْ تَرَكَ ابْنَ ابْنَةِ أُخْتٍ وَ ابْنَ ابْنِ أُخْتٍ فَالْمَالُ بَيْنَهُمَا عَلَى ثَلَاثَةِ أَسْهُمٍ إِنْ كَانَتْ أُمُّهُمَا وَاحِدَةً لِابْنِ ابْنِ الْأُخْتِ الثُّلُثَانِ وَ لِابْنِ ابْنَةِ الْأُخْتِ الثُّلُثُ وَ إِنْ كَانَا مِنْ أُخْتَيْنِ فَالْمَالُ بَيْنَهُمَا نِصْفَانِ فَإِنْ تَرَكَ ابْنَ ابْنَةِ أَخٍ لِأَبٍ وَ أُمٍّ وَ ابْنَةَ ابْنِ أَخٍ لِأَبٍ وَ أُمٍّ فَإِنْ كَانَ ابْنُ الْأَخِ وَ ابْنَةُ الْأَخِ أَبُوهُمَا وَاحِداً فَلِابْنِ ابْنَةِ الْأَخِ الثُّلُثُ وَ لِابْنَةِ ابْنِ الْأَخِ الثُّلُثَانِ فَإِنْ كَانَ أَبُو ابْنَةِ الْأَخِ غَيْرَ أَبِي ابْنِ الْأَخِ فَالْمَالُ بَيْنَهُمَا نِصْفَانِ يَرِثُ كُلُّ وَاحِدٍ مِنْهُمَا مِيرَاثَ جَدِّهِ فَإِنْ تَرَكَ ابْنَ ابْنَةِ أَخٍ لِأَبٍ وَ أُمٍّ وَ ابْنَةَ ابْنَةِ أَخٍ لِأَبٍ وَ أُمٍّ فَإِنْ كَانَتْ أُمُّهُمَا وَاحِدَةً فَالْمَالُ بَيْنَهُمَا لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ وَ إِنْ

لَمْ يَكُنْ أُمُّهُمَا وَاحِدَةً فَالْمَالُ بَيْنَهُمَا نِصْفَانِ فَإِنْ تَرَكَ ابْنَ ابْنَةِ أَخٍ لِأُمٍّ وَ ابْنَ ابْنَةِ أَخٍ لِأَبٍ فَلِابْنِ ابْنَةِ الْأَخِ لِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنِ ابْنَةِ الْأَخِ لِلْأَبِ فَإِنْ تَرَكَ ابْنَةَ ابْنَةِ أَخٍ لِأَبٍ وَ أُمٍّ وَ ابْنَةَ أَخٍ لِأُمٍّ فَالْمَالُ لِابْنَةِ الْأَخِ لِلْأُمِّ لِأَنَّهَا أَقْرَبُ فَإِنْ تَرَكَ ثَلَاثَ بَنَاتِ أَخَوَاتٍ مُتَفَرِّقَاتٍ فَلِابْنَةِ الْأُخْتِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنَةِ الْأُخْتِ مِنَ الْأَبِ وَ الْأُمِّ وَ سَقَطَتِ ابْنَةُ الْأُخْتِ مِنَ الْأَبِ لِأَنَّ أُمَّهَا لَا تَرِثُ مَعَ الْأُخْتِ لِلْأَبِ وَ الْأُمِّ وَ إِنْ تَرَكَ خَمْسَةَ بَنِي أُخْتٍ وَ ابْنَةَ أُخْتٍ أُخْرَى فَلِخَمْسَةِ بَنِي الْأُخْتِ النِّصْفُ وَ لِابْنَةِ الْأُخْتِ الْأُخْرَى النِّصْفُ فَإِنْ تَرَكَتِ امْرَأَةٌ زَوْجَهَا وَ أَخَاهَا لِأُمِّهَا وَ ابْنَ عَمِّهَا وَ ابْنَ ابْنَتِهَا فَلِلزَّوْجِ الرُّبُعُ وَ مَا بَقِيَ فَلِابْنِ الِابْنَةِ وَ سَقَطَ الْبَاقُونَ فَإِنْ تَرَكَ الرَّجُلُ ابْنَ ابْنَةِ وَ ابْنَةَ ابْنَةِ فَالْمَالُ بَيْنَهُمَا لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ إِنْ كَانَتْ أُمُّهُمَا وَاحِدَةً وَ كَانَتِ الِابْنَةُ مَاتَتْ وَ تَرَكَتْهُمَا فَإِنْ تَرَكَ ابْنَةَ ابْنَةٍ وَ ابْنَةَ ابْنَةِ ابْنِ فَالْمَالُ لِابْنَةِ الْبِنْتِ لِأَنَّهَا أَقْرَبُ بِبَطْنٍ فَإِنْ تَرَكَ ابْنَ ابْنَةِ ابْنٍ وَ ابْنَ ابْنَةِ ابْنَةِ فَلِابْنِ ابْنَةِ الِابْنِ الثُّلُثَانِ وَ لِابْنِ ابْنَةِ الِابْنَةِ الثُّلُثُ وَ كَذَلِكَ إِنْ تَرَكَ ابْنَ ابْنِ ابْنَةٍ وَ ابْنَةَ ابْنَةِ ابْنِ فَلِابْنَةِ ابْنَةِ الِابْنِ الثُّلُثَانِ وَ لِابْنِ ابْنِ الِابْنَةِ الثُّلُثُ فَإِنْ تَرَكَ بَنِي ابْنَةٍ وَ ابْنَةَ بِنْتِ أُخْرَى فَلِبَنِي الْبِنْتِ النِّصْفُ وَ لِابْنَةِ الْبِنْتِ الْأُخْرَى النِّصْفُ وَ كَذَلِكَ إِنْ تَرَكَ عَشَرَ بَنَاتِ ابْنَةٍ وَ ابْنَةَ بِنْتِ أُخْرَى فَلِعَشْرِ بَنَاتِ الْبِنْتِ النِّصْفُ عَشَرَةُ أَسْهُمٍ مِنْ عِشْرِينَ سَهْماً وَ لِابْنَةِ الْبِنْتِ الْأُخْرَى النِّصْفُ الْبَاقِي وَ كَذَلِكَ إِنْ تَرَكَ عَشَرَةَ بَنِي ابْنَةٍ وَ ابْنَةَ ابْنَةٍ أُخْرَى فَلِعَشَرَةِ بَنِي الِابْنَةِ النِّصْفُ وَ لِابْنَةِ الِابْنَةِ الْأُخْرَى النِّصْفُ فَإِنْ تَرَكَ ابْنَةَ ابْنَةِ ابْنَةٍ وَ ابْنَتَيِ ابْنَةِ ابْنَةٍ أُخْرَى وَ ثَلَاثَ بَنَاتِ ابْنَةِ ابْنَةٍ أُخْرَى فَهَذِهِ مِنْ ثَمَانِيَةَ عَشَرَ لِابْنَةِ ابْنَةِ الِابْنَةِ سِتَّةُ أَسْهُمٍ وَ لِابْنَتَيِ ابْنَةِ الِابْنَةِ سِتَّةُ أَسْهُمٍ بَيْنَهُمَا لِكُلِّ وَاحِدَةٍ مِنْهُمَا ثَلَاثَةُ أَسْهُمٍ وَ لِثَلَاثِ بَنَاتِ ابْنَةِ الِابْنَةِ سِتَّةُ أَسْهُمٍ لِكُلِّ وَاحِدَةٍ سَهْمَانِ فَإِنْ تَرَكَ ابْنَةَ ابْنِ ابْنَةٍ وَ ابْنَةَ ابْنَةِ ابْنَةٍ جَدَّتُهُمَا وَاحِدَةٌ وَ ابْنَةَ ابْنَةِ ابْنَةٍ أُخْرَى فَالْمَالُ بَيْنَهُنَّ عَلَى سِتَّةٍ لِابْنَةِ ابْنِ الِابْنَةِ سَهْمَانِ وَ لِابْنَةِ ابْنَةِ الِابْنَةِ سَهْمٌ وَاحِدٌ وَ لِابْنَةِ ابْنَةِ الِابْنَةِ الْأُخْرَى ثَلَاثَةُ أَسْهُمٍ فَإِنْ تَرَكَ ابْنَةَ ابْنَةِ ابْنَةٍ وَ ابْنَةَ أَخٍ فَالْمَالُ لِابْنَةِ ابْنَةِ الِابْنَةِ فَإِنْ تَرَكَ ابْنَةَ ابْنَةِ ابْنَةٍ وَ ثَلَاثَ بَنَاتِ أَخَوَاتٍ مُتَفَرِّقَاتٍ فَالْمَالُ كُلُّهُ لِابْنَةِ ابْنَةِ الِابْنَةِ وَ لَيْسَ تَرِثُ بَنَاتُ الْإِخْوَةِ وَ الْأَخَوَاتِ مَعَ بَنَاتِ الْبَنَاتِ وَ إِنْ سَفَلْنَ شَيْئاً فَإِنْ تَرَكَتِ امْرَأَةٌ ابْنَ ابْنَتِهَا أَوِ ابْنَةَ ابْنَتِهَا وَ زَوْجَهَا وَ أَخَاهَا لِأُمِّهَا أَوْ لِأَبِيهَا وَ أُمَّهَا وَ ابْنَ عَمِّهَا فَلِلزَّوْجِ الرُّبُعُ وَ مَا بَقِيَ فَلِوَلَدِ الِابْنَةِ فَإِنْ تَرَكَ الرَّجُلُ عَمّاً وَ ابْنَ ابْنَةٍ أَوِ ابْنَةَ ابْنَةٍ فَالْمَالُ كُلُّهُ لِوُلْدِ الِابْنَةِ وَ سَقَطَ الْعَمُّ مِنْ جِهَتَيْنِ إِحْدَاهُمَا لِأَنَّ وُلْدَ الِابْنَةِ هُمْ وُلْدُ الْمَيِّتِ وَ الْعَمُّ وَلَدُ الْجَدِّ وَ وَلَدُ الْمَيِّتِ نَفْسِهِ أَحَقُّ وَ أَقْرَبُ مِنْ وَلَدِ الْجَدِّ وَ أَمَّا الْأُخْرَى فَإِنَّ بَيْنَ الْعَمِّ وَ بَيْنَ الْمَيِّتِ ثَلَاثَةَ بُطُونٍ لِأَنَّ الْعَمَّ يَتَقَرَّبُ بِالْجَدِّ وَ الْجَدِّ يَتَقَرَّبُ بِالْأَبِ وَ الْأَبَ يَتَقَرَّبُ بِنَفْسِهِ وَ بَيْنَ ابْنَةِ الِابْنَةِ وَ بَيْنَ الْمَيِّتِ بَطْنَانِ لِأَنَّ وُلْدَ الِابْنَةِ يَتَقَرَّبُونَ بِالِابْنَةِ وَ الِابْنَةَ تَتَقَرَّبُ بِنَفْسِهَا فَوُلْدُ الِابْنَةِ أَقْرَبُ فِي الْبُطُونِ وَ أَقْرَبُ فِي النَّسَبِ وَ الْجَدُّ لَا يَرِثُ مَعَ الْوَلَدِ شَيْئاً وَ الْعَمُّ إِنَّمَا يَتَقَرَّبُ بِمَنْ لَا يَرِثُ وَ وُلْدُ الْوَلَدِ يَتَقَرَّبُونَ بِمَنْ يَرِثُ فَهُمْ أَحَقُّ بِالْمَالِ وَ لا قُوَّةَ إِلَّا بِاللَّهِ وَ بِاللَّهِ التَّوْفِيقُ وَ الْأَخُ وَ وُلْدُ الْأَخِ فِي هَذَا بِمَنْزِلَةِ الْعَمِّ لَا مِيرَاثَ لَهُمْ مَعَ وُلْدِ الِابْنَةِ فَإِنْ تَرَكَ أُخاً لِأُمٍّ وَ ابْنَةَ أَخٍ لِأَبٍ وَ أُمٍّ وَ ابْنَةَ ابْنَةٍ وَ ابْنَ ابْنَةٍ فَالْمَالُ لِابْنَةِ الِابْنَةِ وَ ابْنِ الِابْنَةِ بَيْنَهُمَا لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ تَرَكَ ابْنَةَ أُخْتِهِ لِأَبِيهِ وَ ابْنَةَ أُخْتِهِ لِأُمِّهِ وَ عَصَبَتَهُ فَلِابْنَةِ الْأُخْتِ لِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنَةِ الْأُخْتِ لِلْأَبِ وَ سَقَطَ الْعَصَبَةُ فَإِنْ تَرَكَ عَمَّةً لِأَبٍ وَ أُمٍّ وَ عَمَّةً لِأَبٍ فَالْمَالُ لِلْعَمَّةِ مِنَ الْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ عَمّاً وَ ابْنَ أُخْتٍ فَالْمَالُ لِابْنِ الْأُخْتِ لِأَنَّ وُلْدَ الْإِخْوَةِ يَقُومُونَ مَقَامَ الْإِخْوَةِ وَ الْعَمُّ لَا يَقُومُ مَقَامَ الْجَدِّ وَ لِأَنَّ وُلْدَ الْإِخْوَةِ مِنْ وُلْدِ الْأَبِ وَ الْعَمُّ مِنْ وُلْدِ الْجَدِّ وَ لِأَنَّ ابْنَ الْأَخِ يَرِثُ مَعَ الْجَدِّ وَ ابْنَ الْجَدِّ لَا يَرِثُ مَعَ الْأَخِ عِنْدَ الْجَمِيعِ وَ كَذَلِكَ إِنْ تَرَكَ عَمّاً وَ ابْنَ أَخٍ فَالْمَالُ لِابْنِ الْأَخِ فَإِنْ تَرَكَ ابْنَةَ عَمٍّ لِأَبٍ وَ أُمٍّ وَ ابْنَةَ عَمٍّ لِأُمٍّ فَلِابْنَةِ الْعَمِّ لِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنَةِ الْعَمِّ لِلْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ ابْنَةَ خَالٍ لِأُمٍّ وَ ابْنَةَ خَالٍ لِأَبٍ وَ أُمٍّ فَلِابْنَةِ الْخَالِ مِنَ الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنَةِ الْخَالِ مِنَ الْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ بَنَاتِ عَمٍّ وَ بَنِي عَمٍّ فَالْمَالُ بَيْنَهُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ تَرَكَ بَنَاتِ خَالٍ وَ بَنِي خَالٍ فَالْمَالُ بَيْنَهُمْ بِالسَّوِيَّةِ الذَّكَرُ وَ الْأُنْثَى فِيهِ سَوَاءٌ فَإِنْ تَرَكَ ابْنَ عَمٍّ وَ ابْنَةَ عَمَّةٍ فَلِابْنِ الْعَمِّ الثُّلُثَانِ وَ لِابْنَةِ الْعَمَّةِ الثُّلُثُ فَإِنْ تَرَكَ ابْنَ عَمَّتِهِ وَ ابْنَةَ عَمَّتِهِ فَالْمَالُ بَيْنَهُمَا لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ تَرَكَ عَمّاً لِأُمٍّ وَ خَالًا لِأَبٍ وَ أُمٍّ فَلِلْخَالِ الثُّلُثُ نَصِيبُ الْأُمِّ وَ لِلْعَمِّ لِلْأُمِّ الْبَاقِي نَصِيبُ الْأَبِ فَإِنْ تَرَكَ ابْنَةَ عَمَّتِهِ وَ عَمَّةَ أَبِيهِ فَالْمَالُ كُلُّهُ لِابْنَةِ الْعَمَّةِ فَإِنْ تَرَكَ عَشَرَةَ بَنِي عَمَّةٍ وَ ابْنَةَ عَمَّةٍ أُخْرَى فَلِعَشَرَةِ بَنِي الْعَمَّةِ النِّصْفُ وَ لِابْنَةِ الْعَمَّةِ الْأُخْرَى النِّصْفُ الْبَاقِي فَإِنْ تَرَكَ عَمَّةً لِأَبٍ وَ عَمَّةً لِأَبٍ وَ أُمٍّ فَالْمَالُ لِلْعَمَّةِ مِنَ الْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ خَمْسَ بَنَاتِ

عَمَّةٍ مِنْ أَبٍ وَ أُمٍّ وَ ابْنَةَ عَمَّةٍ لِأُمٍّ وَ ابْنَةَ عَمَّةٍ لِأَبٍ فَلِخَمْسِ بَنَاتِ الْعَمَّةِ لِلْأَبِ وَ الْأُمِّ خَمْسَةُ أَسْدَاسِ الْمَالِ وَ لِابْنَةِ الْعَمَّةِ لِلْأُمِّ السُّدُسُ وَ سَقَطَتِ ابْنَةُ الْعَمَّةِ لِلْأَبِ فَإِنْ تَرَكَ ابْنَتَيْ عَمٍّ وَ ابْنَةَ عَمٍّ آخَرَ فَلِابْنَتَيِ الْعَمِّ النِّصْفُ بَيْنَهُمَا وَ لِابْنَةِ الْعَمِّ الْآخَرِ النِّصْفُ الْبَاقِي وَ كَذَلِكَ إِنْ كَانُوا بَنِي عَمٍّ فَإِنْ تَرَكَ ثَلَاثَ بَنَاتِ أَعْمَامٍ مُتَفَرِّقِينَ أَوْ ثَلَاثَ بَنَاتِ بَنَاتِ أَعْمَامٍ مُتَفَرِّقِينَ أَوْ بَنَاتِ عَمَّاتٍ مُتَفَرِّقَاتٍ فَهُوَ عَلَى مَا بَيَّنْتُ مِنْ أَمْرِ بَنَاتِ الْأَخْوَالِ وَ بَنَاتِ الْعَمَّاتِ وَ بَنَاتِ بَنَاتِ الْعَمَّاتِ فَإِنْ تَرَكَ خَمْسَةَ بَنِي بَنَاتِ أَعْمَامٍ لِأَبٍ وَ أُمٍّ وَ ابْنَةَ ابْنَةِ عَمٍّ لِأُمٍّ فَلِابْنَةِ ابْنَةِ الْعَمِّ لِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِخَمْسَةِ بَنِي بَنَاتِ الْأَعْمَامِ لِلْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ ثَلَاثَةَ بَنِي بَنَاتِ عَمٍّ لِأَبٍ وَ أُمٍّ وَ ابْنَةَ ابْنَةِ عَمٍّ لِأَبٍ وَ أُمٍّ وَ هِيَ ابْنَةُ ابْنَةِ عَمٍّ غَيْرِهِ وَ ابْنَةَ ابْنَةِ عَمٍّ لِأُمٍّ فَهِيَ مِنْ سِتَّةٍ وَ ثَلَاثِينَ سَهْماً لِابْنَةِ ابْنَةِ الْعَمِّ لِلْأُمِّ السُّدُسُ سِتَّةٌ وَ لِابْنَةِ ابْنَةِ الْعَمِّ لِلْأَبِ وَ الْأُمِّ خَمْسَةَ عَشَرَ وَ لِثَلَاثَةِ بَنِي بَنَاتِ عَمٍّ لِأَبٍ وَ أُمٍّ خَمْسَةَ عَشَرَ لِكُلِّ وَاحِدٍ مِنْهُمْ خَمْسَةٌ فَإِنْ تَرَكَ ابْنَةَ عَمِّ أَبِيهِ وَ ابْنَةَ ابْنَةِ عَمِّهِ فَالْمَالُ لِابْنَةِ ابْنَةِ عَمِّهِ وَ سَقَطَتِ ابْنَةُ عَمِّ أَبِيهِ لِأَنَّ هَذَا كَأَنَّهُ تَرَكَ جَدَّ أَبِيهِ وَ عَمّاً فَالْعَمُّ أَحَقُّ مِنْ جَدِّ الْأَبِ فَإِنْ تَرَكَ عَمَّةً لِأَبٍ وَ هِيَ خَالَةٌ لِأُمٍّ وَ خَالَةً لِأَبٍ وَ أُمٍّ وَ عَمَّةً لِأَبٍ فَهِيَ مِنْ ثَمَانِيَةَ عَشَرَ سَهْماً لِلْخَالَةِ مِنَ الْأُمِّ الَّتِي هِيَ عَمَّةٌ لِلْأَبِ سُدُسُ الثُّلُثِ وَاحِدٌ مِنْ ثَمَانِيَةَ عَشَرَ سَهْماً لِلْخَالَةِ لِلْأَبِ وَ الْأُمِّ خَمْسَةُ أَسْدَاسِ الثُّلُثِ وَ هِيَ خَمْسَةٌ مِنْ ثَمَانِيَةَ عَشَرَ وَ لِلْعَمَّةِ لِلْأَبِ نِصْفُ الثُّلُثَيْنِ وَ هِيَ سِتَّةٌ مِنْ ثَمَانِيَةَ عَشَرَ وَ لِلْعَمَّةِ لِلْأَبِ الَّتِي هِيَ خَالَةُ الْأُمِّ أَيْضاً نِصْفُ الثُّلُثَيْنِ وَ هُوَ سِتَّةٌ وَ قَدْ أَخَذَتْ سُدُسَ الثُّلُثِ فَصَارَ فِي يَدِهَا سَبْعَةٌ فَإِنْ تَرَكَ خَالَتَهُ وَ عَمَّتَهُ وَ امْرَأَتَهُ فَلِلْمَرْأَةِ الرُّبُعُ وَ لِلْخَالَةِ الثُّلُثُ وَ مَا بَقِيَ فَلِلْعَمَّةِ فَإِنْ تَرَكَتِ امْرَأَةٌ زَوْجَهَا وَ خَالَتَهَا وَ عَمَّتَهَا فَلِلزَّوْجِ النِّصْفُ وَ لِلْخَالَةِ الثُّلُثُ وَ مَا بَقِيَ فَلِلْعَمَّةِ دَخَلَ النُّقْصَانُ عَلَى الْعَمَّةِ كَمَا دَخَلَ عَلَى الْأَبِ إِذَا تَرَكَتِ الْمَرْأَةُ زَوْجاً وَ أَبَوَيْنِ فَإِنْ تَرَكَ امْرَأَتَهُ وَ بَنِي عَمَّتِهِ وَ بَنَاتِ خَالِهِ وَ بَنِي خَالِهِ فَلِلْمَرْأَةِ الرُّبُعُ وَ لِبَنِي الْخَالِ وَ بَنَاتِ الْخَالِ الثُّلُثُ بَيْنَهُمُ الذَّكَرُ وَ الْأُنْثَى فِيهِ سَوَاءٌ وَ مَا بَقِيَ فَلِبَنِي الْعَمَّةِ فَإِنْ تَرَكَ أَخْوَالًا وَ خَالاتٍ وَ ابْنَ عَمٍّ فَالْمَالُ لِلْأَخْوَالِ وَ الْخَالاتِ بَيْنَهُمْ بِالسَّوِيَّةِ وَ سَقَطَ ابْنُ الْعَمِّ لِأَنَّهُ قَدْ سَقَلَ بِبَطْنٍ فَإِنْ تَرَكَ ابْنَةَ الْعَمِّ وَ ابْنَ الْعَمَّةِ فَلِابْنَةِ الْعَمِّ الثُّلُثَانِ وَ لِابْنِ الْعَمَّةِ الثُّلُثُ فَإِنْ تَرَكَ عَمَّةَ الْأُمِّ وَ خَالَةَ الْأَبِ فَلِعَمَّةِ الْأُمِّ الثُّلُثُ وَ لِخَالَةِ الْأَبِ الثُّلُثَانِ فَإِنْ تَرَكَ ابْنَ عَمٍّ لِأُمٍّ وَ ابْنَ ابْنَةِ عَمَّةٍ لِأَبٍ وَ أُمٍّ فَالْمَالُ لِابْنِ الْعَمِّ لِلْأُمِّ فَإِنْ تَرَكَ ابْنَ عَمٍّ وَ ابْنَةَ عَمٍّ وَ خَالًا فَالْمَالُ لِلْخَالِ وَ لَا تَرِثُ الْخَالاتُ وَ الْعَمّاتُ وَ لَا الْأَعْمَامُ وَ الْأَخْوَالُ وَ لَا أَوْلَادُهُمْ مَعَ أَوْلَادِ الْإِخْوَةِ وَ الْأَخَوَاتِ وَ أَوْلَادِ أَوْلَادِهِمْ شَيْئاً لِأَنَّ أَوْلَادَ الْإِخْوَةِ وَ الْأَخَوَاتِ مِنْ وُلْدِ الْأَبِ وَ الْأَعْمَامَ وَ الْأَخْوَالَ وَ الْعَمّاتِ وَ الْخَالاتِ مِنْ وُلْدِ الْجَدِّ وَ وُلْدُ الْأَبِ وَ إِنْ سَفَلُوا أَحَقُّ وَ أَوْلَى مِنْ وُلْدِ الْجَدِّ فَإِنْ تَرَكَ جَدّاً أَبَا الْأُمِّ وَ ابْنَ أَخٍ لِأُمٍّ فَكَأَنَّهُ تَرَكَ أَخَوَيْنِ لِأُمٍّ فَالْمَالُ بَيْنَهُمَا نِصْفَانِ فَإِنْ تَرَكَ جَدّاً أَبَا الْأُمِّ وَ عَمّاً لِأُمٍّ وَ ابْنَ ابْنِ عَمٍّ فَالْمَالُ بَيْنَ الْجَدِّ وَ بَيْنَ ابْنِ الْأَخِ نِصْفَانِ وَ سَقَطَ الْبَاقُونَ فَإِنْ تَرَكَ جَدَّتَهُ أُمَّ أُمِّهِ وَ خَالًا وَ خَالَةً وَ عَماً وَ عَمَّةً فَالْمَالُ لِلْجَدَّةِ أُمِّ الْأُمِّ لِأَنَّهَا أَقْرَبُ بِبَطْنٍ وَ كَذَلِكَ إِنْ كَانَ بَدَلُ الْجَدَّةِ جَدّاً مِنَ الْأُمِّ لِأَنَّ الْجَدَّةَ وَ الْجَدَّ إِنَّمَا يَتَقَرَّبَانِ بِالْأُمِّ وَ الْأَعْمَامَ وَ الْأَخْوَالَ يَتَقَرَّبُونَ بِالْجَدِّ وَ مَنْ يَتَقَرَّبُ بِالْأُمِّ كَانَ أَقْرَبَ وَ أَحَقَّ بِالْمَالِ مِمَّنْ يَتَقَرَّبُ بِالْجَدِّ وَ الْخَالُ إِنَّمَا هُوَ ابْنُ أَبِ الْأُمِّ فَكَيْفَ يَرِثُ مَعَ أَبِ الْأُمِّ فَإِنْ تَرَكَ جَدّاً أَبَا الْأُمِّ وَ ابْنَةَ أُخْتٍ لِأَبٍ وَ أُمٍّ فَلِلْجَدِّ أَبِي الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنَةِ الْأُخْتِ لِلْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ امْرَأَتَهُ وَ جَدّاً أَبَا أُمِّهِ وَ ابْنَتَيْ أُخْتٍ لِأُمٍّ وَ ابْنَتَيْ أُخْتٍ لِأَبٍ وَ أُمٍّ فَلِلْمَرْأَةِ الرُّبُعُ وَ لِلْجَدِّ أَبِي الْأُمِّ السُّدُسُ وَ لِابْنَتَيِ الْأُخْتِ لِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنَتَيِ الْأُخْتِ مِنَ الْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَتِ الْمَرْأَةُ زَوْجَهَا وَ جَدَّهَا أَبَا أُمِّهَا وَ ابْنَ أُخْتِهَا لِأَبِيهَا وَ ابْنَةَ أَخِيهَا لِأَبِيهَا وَ أُمِّهَا فَلِلزَّوْجِ النِّصْفُ وَ لِلْجَدِّ أَبِي الْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنَةِ الْأَخِ لِلْأَبِ وَ الْأُمِّ وَ سَقَطَ ابْنُ الْأُخْتِ لِلْأَبِ فَإِنْ تَرَكَ خَالًا لِأَبٍ وَ أُمٍّ وَ خَالًا لِأَبٍ فَالْمَالُ لِلْخَالِ لِلْأَبِ وَ الْأُمِّ وَ كَذَلِكَ الْخَالَةُ فِي هَذَا وَ كَذَلِكَ الْعَمُّ وَ الْعَمَّةُ فِي هَذَا إِنَّمَا يَكُونُ الْمَالُ لِلَّذِي هُوَ لِلْأَبِ وَ الْأُمِّ دُونَ الَّذِي هُوَ لِلْأَبِ فَإِنْ تَرَكَ ابْنَةَ خَالٍ لِأَبٍ وَ أُمٍّ وَ ابْنَةَ خَالٍ لِأُمٍّ فَلِابْنَةِ الْخَالِ لِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ فَلِابْنَةِ الْخَالِ لِلْأَبِ وَ الْأُمِّ فَإِنْ تَرَكَ خَالًا وَ ابْنَةَ أَخٍ لِأُمٍّ فَالْمَالُ لِابْنَةِ الْأَخِ لِلْأُمِّ فَإِنْ تَرَكَ خَالَةً وَ ابْنَ خَالَةٍ فَالْمَالُ لِلْخَالَةِ لِأَنَّهَا أَقْرَبُ بِبَطْنٍ فَإِنْ تَرَكَ خَالَةً لِأَبِيهِ وَ ابْنَ أُخْتِهِ لِأُمِّهِ فَالْمَالُ لِابْنِ أُخْتِهِ لِأُمِّهِ فَإِنْ تَرَكَ خَالَتَهُ وَ ابْنَةَ ابْنِ أُخْتِهِ لِأُمِّهِ فَالْمَالُ لِابْنِ أُخْتِهِ لِأُمِّهِ وَ ابْنَ أَخِيهِ لِأُمِّهِ فَالْمَالُ لِابْنِ أَخِيهِ لِأُمِّهِ فَإِنْ تَرَكَ خَالَتَهُ وَ ابْنَ أَخِيهِ وَ ابْنَةَ ابْنِ أَخِيهِ وَ ابْنَةَ ابْنَةِ أَخِيهِ فَالْمَالُ لِابْنِ أَخِيهِ وَ سَقَطَ الْبَاقُونَ فَإِنْ تَرَكَ ابْنَ خَالَتِهِ وَ خَالَ أُمِّهِ وَ عَمَّ أُمِّهِ فَالْمَالُ لِابْنِ خَالَتِهِ فَإِنْ تَرَكَ بَنَاتِ خَالَةٍ وَ بَنِي خَالَةٍ وَ امْرَأَةً فَلِلْمَرْأَةِ الرُّبُعُ وَ مَا بَقِيَ فَبَيْنَ

بَنِي الْخَالَةِ وَ بَيْنَ بَنَاتِ الْخَالَةِ بِالسَّوِيَّةِ فَإِنْ تَرَكَ ثَلَاثَ خَالاتٍ مُتَفَرِّقَاتٍ فَلِلْخَالَةِ لِلْأُمِّ السُّدُسُ وَ الْبَاقِي لِلْخَالَةِ لِلْأَبِ وَ الْأُمِّ وَ سَقَطَتِ الْخَالَةُ لِلْأَبِ فَإِنْ تَرَكَ ثَلَاثَةَ أَخْوَالٍ مُتَفَرِّقِينَ وَ ثَلَاثَ خَالاتٍ مُتَفَرِّقَاتٍ فَلِلْخَالِ وَ الْخَالَةِ مِنَ الْأُمِّ الثُّلُثُ بَيْنَهُمَا بِالسَّوِيَّةِ وَ مَا بَقِيَ فَلِلْخَالِ وَ الْخَالَةِ لِلْأَبِ وَ الْأُمِّ وَ سَقَطَ الْخَالُ وَ الْخَالَةُ لِلْأَبِ فَإِنْ تَرَكَ خَالَةَ أُمِّهِ وَ خَالَ أُمِّهِ فَالْمَالُ بَيْنَهُمَا نِصْفَانِ فَإِنْ تَرَكَ ابْنَةَ خَالٍ وَ ابْنَةَ خَالَةٍ وَ خَالَةً لِأُمٍّ فَالْمَالُ لِابْنَةِ الْخَالِ وَ ابْنَةِ الْخَالَةِ بَيْنَهُمَا نِصْفَانِ وَ سَقَطَتْ خَالَةُ الْأُمِّ.

[AL SADUQ]

If the deceased leaves behind a paternal uncle, then all the wealth belongs to the paternal uncle. Likewise, if he leaves two paternal uncles, or three or more paternal uncles, the wealth is divided equally among them. If he leaves behind paternal uncles and paternal aunts, the entire wealth is divided among them with the male receiving the share of two females. If he leaves two paternal uncles, one being from both father and mother, and the other from the father only, the wealth belongs to the paternal uncle from both father and mother, and the paternal uncle from the father alone is excluded.

If he leaves a paternal uncle from both father and mother and a maternal uncle, then the maternal uncle receives one-sixth, and the remainder belongs to the paternal uncle from both father and mother. Similarly, if he leaves a paternal aunt and a maternal aunt, then the maternal aunt receives one-sixth, and the remainder goes to the paternal aunt.

If he leaves behind a maternal uncle, all the wealth belongs to the maternal uncle. Similarly, if he leaves behind two or more maternal uncles, the wealth is divided equally among them. If he leaves maternal uncles and maternal aunts, the wealth is divided equally among them, with males and females receiving equal shares.

If he leaves two maternal uncles, one from both father and mother, and the other from the father only, the wealth goes to the maternal uncle from both father and mother, and the maternal uncle from the father alone is excluded. If he leaves two maternal uncles, one from the mother and the other from both father and mother, the maternal uncle from the mother receives one-sixth, and the remainder belongs to the maternal uncle from both father and mother.

Similarly, if he leaves a maternal uncle from the father and a maternal uncle from the mother, the maternal uncle from the mother receives one-sixth, and the remainder goes to the maternal uncle from the father. Likewise, if he leaves a maternal aunt from the mother and a maternal aunt from the father, the maternal aunt from the mother receives one-sixth, and the remainder belongs to the maternal aunt from the father.

If he leaves behind three separate maternal uncles and three separate paternal uncles, one-third of the wealth goes to the maternal uncles, with one-sixth of that third going to the maternal uncle from the mother and five-sixths going to the maternal uncle from both father and mother, and the maternal uncle from the father is excluded. Two-thirds of the wealth go to the paternal uncles, with one-sixth of those two-thirds going to the paternal uncle from the mother and five-sixths going to the paternal uncle from both father and mother, and the paternal uncle from the father is excluded. The calculation is based on thirty-six parts, with two parts for the maternal uncle from the mother, ten parts for the maternal uncle from both father and mother,

four parts for the paternal uncle from the mother, and twenty parts for the paternal uncle from both father and mother.

If he leaves two maternal uncles from both father and mother and two maternal uncles from the mother, and two paternal uncles from both father and mother and two paternal uncles from the mother, then the two maternal uncles from the mother receive one-third of the third, amounting to four out of thirty-six, and the two maternal uncles from both father and mother receive two-thirds of the third, amounting to eight out of thirty-six. The two paternal uncles from the mother receive one-third of the two-thirds, amounting to eight out of thirty-six, and the two paternal uncles from both father and mother receive sixteen out of thirty-six.

If he leaves maternal uncles, maternal aunts, paternal uncles, and paternal aunts, then one-third of the wealth goes equally to the maternal uncles and maternal aunts, with males and females sharing equally, and two-thirds go to the paternal uncles and paternal aunts, with males receiving twice the share of females.

If he leaves a maternal uncle from the father and a paternal uncle from the mother, then one-third of the wealth goes to the maternal uncle from the father, and two-thirds go to the paternal uncle from the mother. If he leaves a maternal uncle from the mother and a paternal uncle from the father, then one-third goes to the maternal uncle from the mother because no one from the maternal side competes with him in inheritance, and two-thirds go to the paternal uncle from the father.

If he leaves a paternal uncle from the father and a cousin from both father and mother, then the wealth belongs to the cousin from both father and mother because he combines both paternal and maternal ties. This is not based on analogy but is confirmed by authentic narrations from the Imams (peace be upon them).

If he leaves two paternal cousins, one being a maternal brother, the wealth belongs to the maternal brother. If a woman leaves behind two paternal cousins, one being her husband, the husband receives half, and the remaining half is divided equally between the cousins.

If a man leaves behind a paternal cousin from both father and mother and a paternal cousin from the mother, then the paternal cousin from the mother receives one-sixth, and the remainder goes to the paternal cousin from both father and mother.

If he leaves a maternal uncle and a maternal grandmother, the wealth belongs to the maternal grandmother because she is closer in lineage.

If he leaves behind a maternal uncle from his father and a maternal uncle from his mother, then all the wealth belongs to the maternal uncle from both his father and mother. Similarly, this ruling applies to the maternal aunt in this case and also applies to the paternal uncle and paternal aunt in this situation. The wealth goes to the one related from both the father and the mother and not to the one related only through the father.

If he leaves behind the daughter of a maternal uncle from both father and mother and the daughter of a maternal uncle from the mother, then the daughter of the maternal uncle from the mother receives one-sixth, and the remainder belongs to the daughter of the maternal uncle from both the father and the mother.

If he leaves behind a maternal uncle and the daughter of a maternal brother, the wealth belongs to the daughter of the maternal brother.

If he leaves behind a maternal aunt and the son of a maternal aunt, the wealth belongs to the maternal aunt because she is closer in lineage.

If he leaves behind a maternal aunt from his father and the son of his sister from his mother, the wealth belongs to the son of his sister from his mother.

If he leaves behind his maternal aunt, the daughter of his sister's daughter, and the son of his brother from his mother, the wealth belongs to the son of his brother from his mother.

If he leaves behind his maternal aunt, his brother’s son, his brother’s son’s daughter, and his brother’s son’s granddaughter, the wealth belongs to his brother’s son, and the rest are excluded.

If he leaves behind the son of his maternal aunt and the maternal uncle of his mother and the paternal uncle of his mother, the wealth belongs to the son of his maternal aunt.

If he leaves behind daughters of his maternal aunt and sons of his maternal aunt and his wife, then one-fourth of the wealth goes to the wife, and the remainder is divided equally between the sons and daughters of his maternal aunt.

If he leaves behind three separate maternal aunts, then the maternal aunt from his mother receives one-sixth, and the remainder belongs to the maternal aunt from both the father and the mother, while the maternal aunt from the father alone is excluded.

If he leaves behind three separate maternal uncles and three separate maternal aunts, then one-third of the wealth is divided equally between the maternal uncle and the maternal aunt from his mother, and the remainder goes to the maternal uncle and the maternal aunt from both the father and the mother, while the maternal uncle and the maternal aunt from the father alone are excluded.

If he leaves behind his maternal aunt and his maternal uncle from his mother, the wealth is divided equally between them.

If he leaves behind the daughter of his maternal uncle, the daughter of his maternal aunt, and his maternal aunt from his mother, the wealth is divided equally between the daughter of the maternal uncle and the daughter of the maternal aunt, and the maternal aunt from the mother is excluded.

If he leaves behind a paternal uncle, then all the wealth belongs to the paternal uncle. Similarly, if he leaves behind two or more paternal uncles, the wealth is divided equally among them.

If he leaves behind paternal uncles and paternal aunts, the wealth is divided among them with the male receiving the share of two females.

If he leaves behind two paternal uncles, one being from both his father and mother and the other from his father only, the wealth belongs to the paternal uncle from both his father and mother, and the paternal uncle from the father alone is excluded.

If he leaves behind a paternal uncle from both his father and mother and a paternal uncle from his mother, the paternal uncle from the mother receives one-sixth, and the remainder goes to the paternal uncle from both his father and mother.

Similarly, if he leaves a paternal aunt from his mother and a paternal aunt from his father, the paternal aunt from the mother receives one-sixth, and the remainder goes to the paternal aunt from the father.

If he leaves behind a maternal uncle, all the wealth belongs to the maternal uncle.

Similarly, if he leaves behind two or more maternal uncles, the wealth is divided equally among them.

If he leaves behind maternal uncles and maternal aunts, the wealth is divided equally among them, with males and females sharing equally.

If he leaves behind two maternal uncles, one from both his father and mother and the other from his father only, then the wealth belongs to the maternal uncle from both the father and the mother, and the maternal uncle from the father alone is excluded.

If he leaves behind two maternal uncles, one from his mother and the other from both his father and mother, then the maternal uncle from the mother receives one-sixth, and the remainder goes to the maternal uncle from both his father and mother.

Similarly, if he leaves behind a maternal uncle from his father and a maternal uncle from his mother, the maternal uncle from the mother receives one-sixth, and the remainder goes to the maternal uncle from the father.

Likewise, if he leaves behind a maternal aunt from his mother and a maternal aunt from his father, the maternal aunt from the mother receives one-sixth, and the remainder goes to the maternal aunt from the father.

If he leaves behind three distinct maternal uncles and three distinct paternal uncles, then one-third of the wealth is divided between the two maternal uncles: one-sixth of the one-third for the maternal uncle from the mother, and five-sixths of the one-third for the maternal uncle from both the father and mother. The maternal uncle from the father alone is excluded.

As for the two paternal uncles, two-thirds of the wealth are divided: one-sixth of the two-thirds goes to the paternal uncle from the mother, and five-sixths of the two-thirds go to the paternal uncle from both the father and the mother. The paternal uncle from the father alone is excluded.

The division is based on thirty-six shares: the maternal uncle from the mother receives two shares, the maternal uncle from both the father and the mother receives ten shares, the paternal uncle from the mother receives four shares, and the paternal uncle from both the father and the mother receives twenty shares.

If he leaves behind two maternal uncles from both the father and the mother, two maternal uncles from the mother, two paternal uncles from both the father and the mother, and two paternal uncles from the mother, then the two maternal uncles from the mother receive one-third of the one-third, which is four shares from thirty-six. The two maternal uncles from both the father and mother receive two-thirds of the one-third, which is eight shares from thirty-six. The two paternal uncles from the mother receive one-third of the two-thirds, which is eight shares from thirty-six. The two paternal uncles from both the father and the mother receive sixteen shares from thirty-six.

If he leaves behind maternal uncles and maternal aunts, paternal uncles and paternal aunts, then one-third of the wealth goes to the maternal uncles and aunts equally, with males and females sharing alike, and two-thirds go to the paternal uncles and aunts, where the male gets the share of two females.

If he leaves behind a maternal uncle from the father and a paternal uncle from the mother, the maternal uncle from the father gets one-third, and the paternal uncle from the mother gets two-thirds.

If he leaves behind a maternal uncle from the mother and a paternal uncle from the father, then the maternal uncle from the mother gets one-third because no one from the mother's side shares the inheritance with him, and the paternal uncle from the father gets two-thirds.

If he leaves behind a paternal uncle from the father and a cousin from both the father and mother, the wealth belongs to the cousin from both the father and mother because he inherits through both paternal and maternal relations.

If he leaves behind two cousins, one being a maternal brother, the wealth belongs to the maternal brother.

If a woman leaves behind two cousins, one of whom is her husband, then the husband gets half, and the remaining half is divided equally between the two cousins.

If a man leaves behind a daughter of his paternal uncle from both the father and the mother and a daughter of his paternal uncle from the mother only, the daughter of the paternal uncle from the mother gets one-sixth, and the remainder goes to the daughter of the paternal uncle from both the father and the mother.

Similarly, if he leaves behind a daughter of his maternal uncle from both the father and the mother and a daughter of his maternal uncle from the mother, the daughter of the maternal uncle from the mother receives one-sixth, and the remainder goes to the daughter of the maternal uncle from both the father and the mother.

If he leaves behind a maternal uncle and a maternal grandmother, the wealth belongs to the maternal grandmother, and the maternal uncle is excluded. Al-Fadl ibn Shadhan was mistaken in saying the wealth is divided equally between them, similar to the division between the paternal uncle and the grandfather.

If he leaves behind a paternal uncle and a nephew (son of his sister), the wealth belongs to the nephew.

If he leaves behind a paternal uncle and a nephew (son of his brother), the wealth belongs to the nephew.

Yunus ibn Abd Al-Rahman was mistaken in saying the wealth is divided equally between them. His confusion arose because he saw that both the paternal uncle and the nephew are equally related by three generations through the father. However, this is incorrect because although they are equal in generations, the nephew is from the descendants of the deceased's father, whereas the paternal uncle is from the descendants of the grandfather. Descendants of the father have a stronger claim than descendants of the grandfather.

Similarly, a grandson has a stronger claim than a brother because the grandson is from the deceased's own descendants, while the brother is from the father's descendants.

Therefore, the deceased's descendants are more entitled to inheritance than the father's descendants, even if they are equal in generational distance.

If he leaves behind the daughter of his maternal aunt and the paternal aunt of his mother, the wealth belongs to the daughter of the maternal aunt because she is from the descendants of the maternal grandmother, whereas the paternal aunt of the mother is from the descendants of the grandmother of the mother. Descendants of the deceased's grandmother are more entitled to inheritance than those of the mother's grandmother.

Similarly, if he leaves behind the maternal uncle of his mother and his maternal cousin, the wealth belongs to the maternal cousin.

If he leaves behind the paternal aunt of his mother and the daughter of his maternal aunt, they are equal in generational distance, but the daughter of the maternal aunt is from the descendants of the deceased's grandmother, while the paternal aunt of the mother is from the descendants of the grandmother of the mother. Therefore, the daughter of the maternal aunt is more entitled to all the wealth, and the same applies to the maternal cousin.

If a woman leaves behind her husband, her paternal aunt, and her maternal aunt, the husband receives half, the maternal aunt receives one-third, and whatever remains goes to the paternal aunt. This is similar to the distribution when a woman leaves behind a husband and her parents: the husband receives half, the mother one-third, and the father one-sixth.

If a deceased person leaves behind a maternal uncle and a maternal aunt, the wealth is divided equally between them. Similarly, if he leaves behind a male cousin and a female cousin, the wealth is equally divided between them.

If he leaves behind the maternal aunt of his mother and the paternal aunt of his father, the maternal aunt of the mother receives one-third, and the paternal aunt of the father receives two-thirds.

If he leaves behind a maternal uncle from his mother and a paternal uncle from his father, the maternal uncle from the mother receives one-third because there is no one else on the mother's side to share the inheritance with him, and the paternal uncle from the father receives two-thirds.

If he leaves behind a paternal uncle and a male cousin from both the father and the mother, the wealth goes to the cousin because he combines both paternal and maternal kinship. This ruling is based on a sound narration from the Imams, peace be upon them.

If he leaves behind two cousins, one of whom is also a maternal brother, the wealth belongs to the maternal brother.

If a woman leaves behind two cousins, one of whom is her husband, then the husband receives half, and the remaining half is divided equally between the two cousins.

If a man leaves behind a daughter of his paternal uncle from both the father and the mother and a daughter of his paternal uncle from the mother, the daughter of the paternal uncle from the mother receives one-sixth, and the rest goes to the daughter of the paternal uncle from both the father and the mother.

Similarly, if he leaves behind a daughter of his maternal uncle from both the father and the mother and a daughter of his maternal uncle from the mother, the daughter of the maternal uncle from the mother receives one-sixth, and the rest goes to the daughter of the maternal uncle from both the father and the mother.

If he leaves behind a maternal uncle and a maternal grandmother, the wealth belongs to the maternal grandmother, and the maternal uncle is excluded. Al-Fadl ibn Shadhan erred in his statement that the wealth should be divided equally between them, similar to the case of a paternal uncle and a grandfather.

If he leaves behind a paternal uncle and a nephew (son of his sister), the wealth belongs to the nephew.

If he leaves behind a paternal uncle and a nephew (son of his brother), the wealth belongs to the nephew.

Yunus ibn Abd Al-Rahman was mistaken in saying the wealth should be divided equally between them. His confusion stemmed from the fact that both the paternal uncle and the nephew are equally distant by three generations through the father. However, this is incorrect because, although they are equal in generational distance, the nephew descends from the deceased's father, whereas the paternal uncle descends from the grandfather. Descendants of the father have a stronger claim than descendants of the grandfather.

Similarly, a grandson has a stronger claim than a brother because the grandson descends from the deceased, while the brother descends from the father. Therefore, the descendants of the deceased have a stronger right to inheritance than the father's descendants, even if they are equally distant in generations.

If he leaves behind the daughter of his maternal aunt and the paternal aunt of his mother, the wealth belongs to the daughter of the maternal aunt because she is from the descendants of the maternal grandmother, while the paternal aunt of the mother is from the descendants of the grandmother of the mother. Therefore, the descendants of the deceased's grandmother have a stronger claim than those of the mother's grandmother.

Similarly, if he leaves behind the maternal uncle of his mother and his maternal cousin, the wealth belongs to the maternal cousin.

If he leaves behind the paternal aunt of his mother and the daughter of his maternal aunt, they are equal in generational distance. However, the paternal aunt of the mother is from the descendants of the mother's grandmother, whereas the daughter of the maternal aunt is from the descendants of the deceased's grandmother. Therefore, the daughter of the maternal aunt has a stronger claim to the entire inheritance.

Likewise, the same ruling applies to a maternal cousin.

If a woman leaves behind her husband, her paternal aunt, and her maternal aunt, the husband receives half, the maternal aunt receives one-third, and whatever remains goes to the paternal aunt. This is the same distribution as when a woman leaves behind a husband and her parents: the husband receives half, the mother receives one-third, and the father receives one-sixth.

If he leaves behind a maternal uncle and a maternal aunt, the wealth is divided equally between them. Similarly, if he leaves behind a male cousin and a female cousin, the wealth is equally divided between them.

If he leaves behind the maternal aunt of his mother and the paternal aunt of his father, the maternal aunt of the mother receives one-third, and the paternal aunt of the father receives two-thirds.

If he leaves behind a maternal uncle from his mother and a paternal uncle from his father, the maternal uncle from the mother receives one-third because no one else from the mother's side shares the inheritance with him, and the paternal uncle from the father receives two-thirds.

If he leaves behind a paternal uncle and a male cousin from both the father and the mother, the wealth goes to the cousin because he combines both paternal and maternal kinship.

If the deceased leaves behind a paternal uncle from both the father and the mother and a paternal uncle from the father only, the entire wealth belongs to the paternal uncle from both the father and the mother, and the paternal uncle from the father alone is excluded.

If the deceased leaves behind a paternal uncle from both the father and the mother and a paternal uncle from the mother, then the paternal uncle from the mother receives one-sixth, and the remainder goes to the paternal uncle from both the father and the mother.

Similarly, if the deceased leaves behind a paternal aunt from the father and a paternal aunt from the mother, the paternal aunt from the mother receives one-sixth, and the remainder goes to the paternal aunt from the father.

If the deceased leaves behind a maternal uncle, the entire wealth belongs to the maternal uncle. The same applies if he leaves behind two or more maternal uncles; the wealth is divided equally among them.

If the deceased leaves behind maternal uncles and maternal aunts, the wealth is divided equally among them, with no difference between males and females.

If the deceased leaves behind two maternal uncles, one from both the father and the mother and one from the father only, the wealth belongs to the maternal uncle from both the father and the mother, and the maternal uncle from the father alone is excluded.

If the deceased leaves behind two maternal uncles, one from the mother and one from both the father and the mother, the maternal uncle from the mother receives one-sixth, and the remainder goes to the maternal uncle from both the father and the mother.

Similarly, if the deceased leaves behind a maternal uncle from the father and a maternal uncle from the mother, the maternal uncle from the mother receives one-sixth, and the remainder goes to the maternal uncle from the father.

Likewise, if the deceased leaves behind a maternal aunt from the mother and a maternal aunt from the father, the maternal aunt from the mother receives one-sixth, and the remainder goes to the maternal aunt from the father.

If the deceased leaves behind three maternal uncles from different lineages and three paternal uncles from different lineages, the two maternal uncles receive one-third, divided among them as follows: the maternal uncle from the mother receives one-sixth of the one-third, and the maternal uncle from both the father and the mother receives five-sixths of the one-third. The maternal uncle from the father is excluded.

The two paternal uncles receive two-thirds, divided as follows: the paternal uncle from the mother receives one-sixth of the two-thirds, and the paternal uncle from both the father and the mother receives five-sixths of the two-thirds. The paternal uncle from the father is excluded.

The calculation is based on thirty-six parts: the maternal uncle from the mother receives two parts, the maternal uncle from both the father and the mother receives ten parts, the paternal uncle from the mother receives four parts, and the paternal uncle from both the father and the mother receives twenty parts.

If the deceased leaves behind two maternal uncles from both the father and the mother, two maternal uncles from the mother, two paternal uncles from both the father and the mother, and two paternal uncles from the mother, then the two maternal uncles from the mother receive one-third of the one-third, totaling four out of thirty-six parts. The two maternal uncles from both the father and the mother receive two-thirds of the one-third, totaling eight out of thirty-six parts. The two paternal uncles from the mother receive one-third of the two-thirds, totaling eight out of thirty-six parts. The two paternal uncles from both the father and the mother receive sixteen out of thirty-six parts.

If the deceased leaves behind maternal uncles and aunts, paternal uncles and aunts, the maternal uncles and aunts receive one-third equally, regardless of gender. The paternal uncles and aunts receive two-thirds, where a male receives twice the share of a female.

If the deceased leaves behind a maternal uncle from the father and a paternal uncle from the mother, the maternal uncle from the father receives one-third, and the paternal uncle from the mother receives two-thirds.

If the deceased leaves behind a maternal uncle from the mother and a paternal uncle from the father, the maternal uncle from the mother receives one-third because no one else from the mother's side shares the inheritance with him, and the paternal uncle from the father receives two-thirds.

If the deceased leaves behind a paternal uncle and a cousin from both the father and the mother, the wealth belongs to the cousin because he combines both paternal and maternal kinship.

If the deceased leaves behind two cousins, one of whom is also a maternal brother, the wealth belongs to the maternal brother.

If a woman leaves behind two cousins, one of whom is her husband, the husband receives half, and the remaining half is divided equally between the two cousins.

If the deceased leaves behind a daughter of his paternal uncle from both the father and the mother and a daughter of his paternal uncle from the mother, the daughter of

the paternal uncle from the mother receives one-sixth, and the remainder goes to the daughter of the paternal uncle from both the father and the mother.

Similarly, if he leaves behind a daughter of his maternal uncle from both the father and the mother and a daughter of his maternal uncle from the mother, the daughter of the maternal uncle from the mother receives one-sixth, and the remainder goes to the daughter of the maternal uncle from both the father and the mother.

If he leaves behind a maternal uncle and a maternal grandmother, the wealth belongs to the maternal grandmother, and the maternal uncle is excluded.

If he leaves behind a paternal uncle and a nephew (son of his sister), the wealth belongs to the nephew.

If he leaves behind a paternal uncle and a nephew (son of his brother), the wealth belongs to the nephew.

If the deceased leaves behind the daughter of his father's brother and the daughter of his father's sister, the daughter of the father's sister receives one-sixth, and the remainder goes to the daughter of the father's brother.

If the deceased leaves behind a maternal uncle and a paternal uncle, the wealth goes to the paternal uncle because he is closer in relation.

If the deceased leaves behind a maternal aunt and a paternal aunt, the wealth goes to the paternal aunt.

If the deceased leaves behind a maternal aunt from his father’s side and a nephew from his mother's side, the wealth goes to the nephew from the mother's side.

If the deceased leaves behind a maternal aunt and the daughter of his maternal uncle's daughter, and the son of his maternal brother, the wealth goes to the son of his maternal brother.

If the deceased leaves behind his maternal aunt, his paternal cousin, the daughter of his paternal cousin, and the daughter of his paternal cousin's daughter, the wealth goes to his paternal cousin, and the others are excluded.

If the deceased leaves behind the son of his maternal aunt and the maternal uncle of his mother and the paternal uncle of his mother, the wealth goes to the son of his maternal aunt.

If the deceased leaves behind daughters of a maternal aunt and sons of a maternal aunt and a wife, the wife receives one-fourth, and the remainder is divided equally among the sons and daughters of the maternal aunt, with no difference between male and female.

If the deceased leaves behind three maternal aunts from different lineages, the maternal aunt from the mother receives one-sixth, and the remainder goes to the maternal aunt from both the father and the mother, while the maternal aunt from the father is excluded.

If the deceased leaves behind three maternal uncles from different lineages and three maternal aunts from different lineages, the maternal uncles and maternal aunts from the mother's side receive one-third divided equally, and the remainder goes to the maternal uncles and maternal aunts from both the father and the mother, while the maternal uncles and maternal aunts from the father's side are excluded.

If the deceased leaves behind the maternal aunt of his mother and the maternal uncle of his mother, the wealth is divided equally between them.

If the deceased leaves behind the daughter of his maternal uncle and the daughter of his maternal aunt and a maternal aunt from the mother's side, the wealth is divided equally between the daughter of the maternal uncle and the daughter of the maternal aunt, and the maternal aunt from the mother's side is excluded.

If the deceased leaves behind a maternal uncle and a maternal aunt, the wealth is divided equally between them.

If the deceased leaves behind a maternal cousin and a paternal cousin, the paternal cousin receives two-thirds, and the maternal cousin receives one-third.

If the deceased leaves behind the son of his maternal aunt and the daughter of his paternal aunt, the wealth is divided between them, with the male receiving twice the share of the female.

If the deceased leaves behind the maternal aunt of his mother and the paternal aunt of his father, the maternal aunt of his mother receives one-third, and the paternal aunt of his father receives two-thirds.

If the deceased leaves behind a maternal uncle and a paternal uncle, the maternal uncle receives one-third, and the paternal uncle receives two-thirds.

If the deceased leaves behind a son of his sister from the mother's side and the daughter of his brother from the mother's side, the wealth is divided equally between them.

Likewise, if the deceased leaves behind a daughter of his sister from the mother's side and a son of his brother from the mother's side, the wealth is divided equally between them, as males and females from the mother's side inherit equally.

If the deceased leaves behind three daughters of his sisters from different lineages, the daughter of his sister from the mother's side receives one-sixth, and the remainder goes to the daughter of his sister from both the father and the mother, and the daughter of his sister from the father's side is excluded because her mother does not inherit alongside the sister from both the father and the mother.

If the deceased leaves behind five sons of his sister and a daughter of another sister, the five sons of the sister receive half, and the daughter of the other sister receives the other half.

If a woman dies leaving her husband, her maternal brother, her cousin, and the son of her daughter, the husband receives one-fourth, and the remainder goes to the son of her daughter, while the others are excluded.

If the deceased leaves behind a grandson and a granddaughter, the wealth is divided between them, with the male receiving twice the share of the female, if their mother is the same. If they have different mothers, the wealth is divided equally between them.

If the deceased leaves behind the daughter of his son's daughter and the daughter of his daughter's son, the wealth goes to the daughter of his son's daughter because she is closer in lineage.

If the deceased leaves behind the son of his daughter's son and the son of his daughter's daughter, the son of the daughter's son receives two-thirds, and the son of the daughter's daughter receives one-third.

Likewise, if the deceased leaves behind the son of his daughter's son and the daughter of his daughter's son, the daughter of the daughter's son receives two-thirds, and the son of the daughter's daughter receives one-third.

If the deceased leaves behind sons of his daughter and the daughter of another daughter, the sons of the daughter receive half, and the daughter of the other daughter receives the other half.

If the deceased leaves behind ten daughters of his daughter and a daughter of another daughter, the ten daughters receive half - ten shares out of twenty - and the daughter of the other daughter receives the remaining half.

If the deceased leaves behind ten sons of his daughter and the daughter of another daughter, the ten sons receive half, and the daughter of the other daughter receives the other half.

If the deceased leaves behind the daughter of the daughter of his son and two daughters of the daughter of another son and three daughters of the daughter of another son, the daughter of the daughter of his son receives six shares, the two daughters receive six shares (three each), and the three daughters receive six shares (two each).

If the deceased leaves behind the daughter of the son of his son's daughter and the daughter of the daughter of his son's daughter, with the same grandmother, and the daughter of the daughter of his son's daughter from another line, the wealth is divided into six shares: two for the daughter of the son of the son's daughter, one for the daughter of the daughter's son, and three for the other daughter of the daughter's son.

If the deceased leaves behind the daughter of the daughter of his son's daughter and the daughter of his brother, the wealth goes to the daughter of the daughter of his son's daughter.

If the deceased leaves behind the daughter of the daughter of his son and three daughters of his sisters from different lineages, all the wealth goes to the daughter of the daughter of his son. The daughters of his brothers and sisters do not inherit alongside the daughters of his own children, even if they are further in lineage.

If a woman dies leaving behind the son of her daughter or the daughter of her daughter, her husband, her maternal or paternal brother, and her cousin, the husband receives one-fourth, and the remainder goes to the child of the daughter. The rest are excluded.

If a man dies leaving behind the son of his daughter and the daughter of his daughter, the wealth is divided between them, with the male receiving twice the share of the female if they share the same mother. If their mothers are different, the wealth is divided equally between them.

If the deceased leaves behind the daughter of his daughter's daughter and the daughter of his son's daughter, the wealth goes to the daughter of his daughter's daughter because she is closer in lineage.

If the deceased leaves behind the son of his daughter's son and the son of his daughter's daughter, the son of the daughter's son receives two-thirds, and the son of the daughter's daughter receives one-third.

Similarly, if the deceased leaves behind the son of his daughter's son and the daughter of his daughter's son, the daughter of the daughter's son receives two-thirds, and the son of the daughter's daughter receives one-third.

If the deceased leaves behind sons of his daughter and the daughter of another daughter, the sons of the daughter receive half, and the daughter of the other daughter receives the other half.

If the deceased leaves behind ten daughters of his daughter and the daughter of another daughter, the ten daughters receive half - ten out of twenty shares - and the daughter of the other daughter receives the remaining half.

If the deceased leaves behind ten sons of his daughter and the daughter of another daughter, the ten sons receive half, and the daughter of the other daughter receives the other half.

If the deceased leaves behind the daughter of the daughter of his son and two daughters of another son's daughter and three daughters of another son's daughter, the daughter of the daughter of his son receives six shares, the two daughters receive six shares divided equally (three each), and the three daughters receive six shares divided equally (two each).

If the deceased leaves behind the daughter of the son of his son's daughter and the daughter of the daughter of his son's daughter with the same grandmother, and the daughter of another daughter's son's daughter, the wealth is divided into six shares: two shares for the daughter of the son of the son's daughter, one share for the daughter of the daughter's son, and three shares for the other daughter of the daughter's son.

If the deceased leaves behind the daughter of the daughter of his son's daughter and the daughter of his brother, the wealth goes to the daughter of the daughter of his son's daughter.

If the deceased leaves behind the son of his maternal aunt and the maternal uncle of his mother and the paternal uncle of his mother, the wealth goes to the son of his maternal aunt.

If the deceased leaves behind daughters of a maternal aunt and sons of a maternal aunt and a wife, the wife receives one-fourth, and the remainder is divided equally among the sons and daughters of the maternal aunt without any distinction between male and female.

If the deceased leaves behind three maternal aunts from different lineages, the maternal aunt from the mother's side receives one-sixth, and the remainder goes to the maternal aunt from both the father and the mother, while the maternal aunt from the father's side is excluded.

If the deceased leaves behind three maternal uncles from different lineages and three maternal aunts from different lineages, the maternal uncles and maternal aunts from the mother's side receive one-third divided equally, and the remainder goes to the

maternal uncles and maternal aunts from both the father and the mother, while the maternal uncles and maternal aunts from the father's side are excluded.

If the deceased leaves behind the maternal aunt of his mother and the maternal uncle of his mother, the wealth is divided equally between them.

If the deceased leaves behind the daughter of his maternal uncle and the daughter of his maternal aunt and a maternal aunt from the mother's side, the wealth is divided equally between the daughter of the maternal uncle and the daughter of the maternal aunt, and the maternal aunt from the mother's side is excluded.

If the deceased leaves behind a maternal uncle and a maternal aunt, the wealth is divided equally between them.

If the deceased leaves behind a maternal cousin and a paternal cousin, the paternal cousin receives two-thirds, and the maternal cousin receives one-third.

If the deceased leaves behind the son of his maternal aunt and the daughter of his paternal aunt, the wealth is divided between them, with the male receiving twice the share of the female.

If the deceased leaves behind the maternal aunt of his mother and the paternal aunt of his father, the maternal aunt of his mother receives one-third, and the paternal aunt of his father receives two-thirds.

If the deceased leaves behind a maternal uncle and a paternal uncle, the maternal uncle receives one-third, and the paternal uncle receives two-thirds.

If the deceased leaves behind a son of his sister from the mother's side and the daughter of his brother from the mother's side, the wealth is divided equally between them.

Likewise, if the deceased leaves behind a daughter of his sister from the mother's side and a son of his brother from the mother's side, the wealth is divided equally between them, as males and females from the mother's side inherit equally.

If the deceased leaves behind three daughters of different sisters, then the daughter of the sister from the mother’s side receives one-sixth, and the remainder goes to the daughter of the sister from both the father and the mother, while the daughter of the sister from the father’s side is excluded because her mother does not inherit alongside the sister from both the father and the mother.

If the deceased leaves behind five sons of his sister and the daughter of another sister, then the five sons of the sister receive half, and the daughter of the other sister receives the remaining half.

If a woman dies leaving her husband, her maternal brother, her paternal cousin, and the son of her daughter, then the husband receives one-fourth, and the remainder goes to the son of the daughter, and the others are excluded.

If a man dies leaving behind the son of his daughter and the daughter of his daughter, the wealth is divided between them, with the male receiving twice the share of the female if they share the same mother. If their mothers are different, the wealth is divided equally.

If the deceased leaves behind the daughter of his daughter and the daughter of his son's daughter, the wealth goes to the daughter of the daughter because she is closer in lineage.

If the deceased leaves behind the son of his daughter's son and the son of his daughter's daughter, the son of the daughter's son receives two-thirds, and the son of the daughter's daughter receives one-third.

Likewise, if the deceased leaves behind the son of his daughter's son and the daughter of his daughter's son, the daughter of the daughter's son receives two-thirds, and the son of the daughter's daughter receives one-third.

If the deceased leaves behind the sons of his daughter and the daughter of another daughter, the sons of the daughter receive half, and the daughter of the other daughter receives the other half.

Similarly, if the deceased leaves behind ten daughters of his daughter and the daughter of another daughter, the ten daughters receive half, and the daughter of the other daughter receives the remaining half.

If the deceased leaves behind ten sons of his daughter and the daughter of another daughter, the ten sons receive half, and the daughter of the other daughter receives the other half.

If the deceased leaves behind the daughter of the daughter of his son and two daughters of the daughter of his son and three daughters of another daughter of his son, then the daughter of the daughter of his son receives six shares, the two daughters receive six shares divided equally between them, and the three daughters receive six shares divided equally between them.

If the deceased leaves behind the daughter of the son of his daughter and the daughter of the daughter of his son from the same grandmother and the daughter of another daughter of his son, then the wealth is divided into six shares: two shares for the daughter of the son of the daughter, one share for the daughter of the daughter's son, and three shares for the other daughter of the daughter's son.

If the deceased leaves behind the daughter of the daughter of his son's daughter and the daughter of his brother, the wealth goes to the daughter of the daughter of his son's daughter.

If the deceased leaves behind the son of his maternal aunt and the maternal uncle of his mother and the paternal uncle of his mother, the wealth goes to the son of his maternal aunt.

If the deceased leaves behind daughters of his maternal aunt and sons of his maternal aunt and a wife, the wife receives one-fourth, and the remainder is divided equally among the sons and daughters of the maternal aunt without any distinction between male and female.

If the deceased leaves behind three maternal aunts from different lineages, the maternal aunt from the mother's side receives one-sixth, and the remainder goes to the maternal aunt from both the father and the mother, while the maternal aunt from the father's side is excluded.

If the deceased leaves behind three maternal uncles from different lineages and three maternal aunts from different lineages, the maternal uncles and maternal aunts from the mother's side receive one-third divided equally, and the remainder goes to the maternal uncles and maternal aunts from both the father and the mother, while the maternal uncles and maternal aunts from the father's side are excluded.

If the deceased leaves behind the maternal aunt of his mother and the maternal uncle of his mother, the wealth is divided equally between them.

If the deceased leaves behind the daughter of his maternal uncle and the daughter of his maternal aunt and a maternal aunt from the mother's side, the wealth is divided equally between the daughter of the maternal uncle and the daughter of the maternal aunt, and the maternal aunt from the mother's side is excluded.

If the deceased leaves behind a maternal uncle and a maternal aunt, the wealth is divided equally between them.

If the deceased leaves behind a paternal cousin and a maternal cousin, the paternal cousin receives two-thirds, and the maternal cousin receives one-third.

If the deceased leaves behind the son of his maternal aunt and the daughter of his paternal aunt, the wealth is divided between them, with the male receiving twice the share of the female.

If the deceased leaves behind the maternal aunt of his mother and the paternal aunt of his father, the maternal aunt of his mother receives one-third, and the paternal aunt of his father receives two-thirds.

If the deceased leaves behind a maternal uncle and a paternal uncle, the maternal uncle receives one-third, and the paternal uncle receives two-thirds.

If the deceased leaves behind a son of his sister from the mother's side and the daughter of his brother from the mother's side, the wealth is divided equally between them.

Likewise, if the deceased leaves behind a daughter of his sister from the mother's side and a son of his brother from the mother's side, the wealth is divided equally between them, as males and females from the mother's side inherit equally.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.304

CHAPTER 149 – CHAPTER ON THE INHERITANCE OF DISTANT KINDRED (DHAWI AL-ARHAM) ALONGSIDE FREED SLAVES (MAWALI)

بَابُ مِيرَاثِ ذَوِي الْأَرْحَامِ مَعَ الْمَوَالِي

HADITH 5652 – 5655

5652 - رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ عِيسَى عَنْ مُحَمَّدِ بْنِ سَهْلٍ عَنِ اَلْحَسَنِ بْنِ اَلْحَكَمِ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ : فِي رَجُلٍ تَرَكَ خَالَتَيْهِ وَ مَوَالِيَهُ قَالَ « «أُولُوا اَلْأَرْحامِ بَعْضُهُمْ أَوْلىٰ بِبَعْضٍ» اَلْمَالُ بَيْنَ اَلْخَالَتَيْنِ».

H.5652 - Ahmad ibn Muhammad ibn Isa narrated from Muhammad ibn Sahl, from Al-Hasan ibn Al-Hakam, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} that he said regarding a man who left behind two maternal aunts and his freed slaves:
"Those who are related by blood are more entitled to inherit from each other." The wealth is to be divided between the two maternal aunts.

[REFERENCES] Al-Kafi, V.7 p.120 • Man La Yahduruhu Al-Faqih, V.4 p.304 • Tahdhib Al-Ahkam, V.9 p.325 • Fiqh Al-Quran, V.2 p.345 • Al-Wafi, V.25 p.831 • Wasa'il Al-Shi'ah, V.26 p.189 • Tafsir Al-Burhan, Vol.4 p.414 • Tafsir Nur Al-Thaqalayn, Vol.2 p.174 • Tafsir Kanz Al-Daqaiq, Vol.5 p.382 • Awalim Al-Uloom, Vol.23 p.501

HADITH

5653 - وَ سَأَلَ عَلِيُّ بْنُ يَقْطِينٍ أَبَا اَلْحَسَنِ عَ : عَنِ اَلرَّجُلِ يَمُوتُ وَ يَدَعُ أُخْتَهُ وَ مَوَالِيَهُ قَالَ «اَلْمَالُ لِأُخْتِهِ».

وَ مَتَى تَرَكَ الرَّجُلُ ذَا رَحِمٍ مَنْ كَانَ ذَكَراً كَانَ أَوْ أُنْثَى ابْنَةَ أُخْتٍ أَوِ ابْنَةَ ابْنَةٍ أَوِ ابْنَةَ خَالٍ أَوِ ابْنَةَ خَالَةٍ أَوِ ابْنَةَ عَمٍّ أَوِ ابْنَةَ عَمَّةٍ أَوْ أَبْعَدَ مِنْهُمْ فَالْمَالُ كُلُّهُ لِذَوِي الْأَرْحَامِ وَ إِنْ سَفَلُوا وَ لَا يَرِثُ الْمَوَالِي مَعَ أَحَدٍ مِنْهُمْ شَيْئاً لِأَنَّ اللَّهَ عَزَّ وَ جَلَّ قَدْ ذَكَرَهُمْ وَ فَرَضَ لَهُمْ وَ أَخْبَرَ أَنَّهُمْ أَوْلَى فِي قَوْلِ اللَّهِ عَزَّ وَ جَلَّ ۝ وَ أُولُوا الْأَرْحامِ بَعْضُهُمْ أَوْلى بِبَعْضٍ فِي كِتابِ اللَّهِ ۝ وَ لَمْ يَذْكُرِ الْمَوَالِيَ.

H.5653 - Ali ibn Yaqteen asked Abu Al-Hasan {a.s} about a man who dies and leaves behind his sister and his freed slaves.
Imam {a.s} said: "The wealth belongs to his sister."

[AL SADUQ]
And whenever a man leaves behind a blood relative - whether male or female - such as the daughter of his sister, the daughter of his daughter, the daughter of his maternal uncle, the daughter of his maternal aunt, the daughter of his paternal uncle, the daughter of his paternal aunt, or anyone more distantly related than them, all of the wealth belongs entirely to the blood relatives, even if they are distant. The freed slaves do not inherit anything alongside any of them because Allah {SWT}, the Mighty and Majestic, has mentioned the blood relatives, prescribed their share, and informed that they are more entitled in His {SWT} saying: "*Those who are related by blood are more entitled to inherit from each other in the Book of Allah* {SWT}," (Surah Al-Ahzab 33:6) and He {SWT} did not mention the freed slaves.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.304

HADITH

5654 - وَ قَدْ رَوَى جَابِرٌ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ كَانَ يُعْطِي أُولِي اَلْأَرْحَامِ دُونَ اَلْمَوَالِي».

فَأَمَّا اَلْحَدِيثُ اَلَّذِي رَوَاهُ اَلْمُخَالِفُونَ : أَنَّ مَوْلًى لِحَمْزَةَ تُوُفِّيَ وَ أَنَّ اَلنَّبِيَّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَعْطَى اِبْنَةَ حَمْزَةَ اَلنِّصْفَ وَ أَعْطَى اَلْمَوَالِيَ اَلنِّصْفَ.

فَهُوَ حَدِيثٌ مُنْقَطِعٌ إِنَّمَا هُوَ عَنْ عَبْدِ اللَّهِ بْنِ شَدَّادٍ عَنِ النَّبِيِّ ص وَ هُوَ مُرْسَلٌ وَ لَعَلَّ ذَلِكَ كَانَ شَيْئاً قَبْلَ نُزُولِ الْفَرَائِضِ فَنُسِخَ فَقَدْ فَرَضَ اللَّهُ عَزَّ وَ جَلَّ لِلْحُلَفَاءِ فِي كِتَابِهِ فَقَالَ ﴿ وَ الَّذِينَ عَقَدَتْ أَيْمانُكُمْ فَآتُوهُمْ نَصِيبَهُمْ ﴾ وَ لَكِنَّهُ نَسَخَ ذَلِكَ بِقَوْلِهِ عَزَّ وَ جَلَّ ﴿ وَ أُولُوا الْأَرْحامِ بَعْضُهُمْ أَوْلى بِبَعْضٍ فِي كِتابِ اللَّهِ ﴾ وَ رُوِيَ أَنَّ إِبْرَاهِيمَ النَّخَعِيَ كَانَ يُنْكِرُ هَذَا الْحَدِيثَ فِي مِيرَاثِ مَوْلَى حَمْزَةَ وَ الصَّحِيحُ مِنْ هَذَا كِتَابُ اللَّهِ عَزَّ وَ جَلَّ دُونَ الْحَدِيثِ.

H.5654 - Jabir narrated from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} that: "Imam Ali ibn Abi Talib {a.s} used to give inheritance to the blood relatives over the freed slaves."

[AL SADUQ]

As for the narration reported by the opponents - that a freed slave of Hamza passed away and the Prophet (peace and blessings be upon him and his family) gave half of the inheritance to the daughter of Hamza and half to the freed slaves - this is a disconnected narration. It is only reported from Abdullah ibn Shaddad from the Prophet {a.s}, and it is a mursal (incomplete) narration. Perhaps this incident occurred before the revelation of the laws of inheritance and was later abrogated.

Allah {SWT}, the Mighty and Majestic, had prescribed shares for allies in His Book, saying: "*And those with whom you have made a pledge, give them their due share*," (Surah An-Nisa 4:33) but He {SWT} abrogated that with His {SWT} saying: "*Those who are related by blood are more entitled to inherit from each other in the Book of Allah {SWT}*." (Surah Al-Anfal 8:75)

It has also been reported that Ibrahim Al-Nakha'i used to reject this narration concerning the inheritance of Hamza's freed slave. What is correct in this matter is the Book of Allah {SWT}, the Mighty and Majestic, not the narration.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.304 • Al-Wafi, Vol.25 p.837 • Wasa'il Al-Shi'ah, Vol.26 p.233 • Al-Fusul Al-Muhimmah, Vol.2 p.480

HADITH

5655 - وَ رَوَوْا عَنْ حَنَانٍ قَالَ كُنْتُ جَالِساً عِنْدَ سُوَيْدِ بْنِ غَفَلَةَ : فَجَاءَهُ رَجُلٌ فَسَأَلَهُ عَنِ اِبْنَةٍ وَ اِمْرَأَةٍ وَ مَوَالٍ فَقَالَ أُخْبِرُكَ فِيهَا بِقَضَاءِ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ جَعَلَ «لِلاِبْنَةِ اَلنِّصْفَ وَ لِلْمَرْأَةِ اَلثُّمُنَ» وَ رَدَّ مَا بَقِيَ عَلَى اَلاِبْنَةِ وَ لَمْ يُعْطِ اَلْمَوَالِيَ شَيْئاً.

H.5655 - They narrated from Hanan who said: I was sitting with Suwayd ibn Ghafalah when a man came to him and asked about the inheritance of a daughter, a wife, and freed slaves.
Suwayd said: “I will inform you of the ruling of Imam Ali ibn Abi Talib {a.s} regarding this matter. Imam Ali ibn Abi Talib {a.s} allocated half of the inheritance to the daughter and one-eighth to the wife, and Imam {a.s} returned what remained to the daughter, giving nothing to the freed slaves."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.305

CHAPTER 150 – CHAPTER ON THE INHERITANCE OF FREED SLAVES (MAWALI)

بَابُ مِيرَاثِ الْمَوَالِي

HADITH –

إِذَا تَرَكَ الرَّجُلُ مَوْلًى مُنْعِماً أَوْ مُنْعَماً عَلَيْهِ وَ لَمْ يَتْرُكْ وَارِثاً غَيْرَهُ فَالْمَالُ لَهُ فَإِنْ تَرَكَ مَوَالِيَ مُنْعِمِينَ أَوْ مُنْعَماً عَلَيْهِمْ رِجَالًا وَ نِسَاءً فَالْمَالُ بَيْنَهُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ تَرَكَ بَنِي وَ بَنَاتِ مَوْلَاهُ الْمُنْعِمِ أَوِ الْمُنْعَمِ عَلَيْهِ وَ لَمْ يَتْرُكْ وَارِثاً غَيْرَهُمْ فَالْمَالُ لِبَنِي وَ بَنَاتِ مَوْلَاهُ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ لِأَنَّ الْوَلَاءَ لُحْمَةٌ كَلُحْمَةِ النَّسَبِ وَ مَتَى خَلَّفَ وَارِثاً مِنْ ذَوِي الْأَرْحَامِ مِمَّنْ قَرُبَ نَسَبُهُ أَوْ بَعُدَ وَ تَرَكَ مَوْلَاهُ الْمُنْعِمَ أَوِ الْمُنْعَمَ عَلَيْهِ فَالْمَالُ لِلْوَارِثِ مِنْ ذَوِي الْأَرْحَامِ وَ لَيْسَ لِلْمَوْلَى شَيْءٌ لِأَنَّ اللَّهَ عَزَّ وَ جَلَّ يَقُولُ ۝ وَ أُولُوا الْأَرْحامِ بَعْضُهُمْ أَوْلى بِبَعْضٍ فِي كِتابِ اللَّهِ مِنَ الْمُؤْمِنِينَ وَ الْمُهاجِرِينَ إِلَّا أَنْ تَفْعَلُوا إِلى أَوْلِيائِكُمْ ۝ مَعْرُوفاً يَعْنِي الْوَصِيَّةَ لَهُمْ بِشَيْءٍ أَوْ هِبَةَ الْوَرَثَةِ لَهُمْ مِنَ الْمِيرَاثِ شَيْئاً.

[AL SADUQ]

If a man leaves behind a benefactor or a person upon whom he has bestowed favors and has no other heir, the wealth belongs to that individual. However, if he leaves behind multiple benefactors or those upon whom favors were bestowed, both men and women, the wealth is to be divided among them, with the male receiving the share equal to that of two females.

If he leaves behind the sons and daughters of his benefactor or the one upon whom he bestowed favors, and there is no other heir, the wealth belongs to the sons and daughters of his benefactor, with the male receiving the share equal to that of two females. This is because the bond of loyalty (wala') is like the bond of kinship.

However, if he leaves behind an heir from his blood relatives, whether closely or distantly related, along with his benefactor or the one upon whom he bestowed favors, the wealth belongs to the blood relative, and the benefactor receives nothing.

This is because Allah {SWT}, the Mighty and Majestic, says:

"*Those who are related by blood are more entitled to inherit from each other in the Book of Allah {SWT} than the believers and the emigrants, except that you do kindness to your allies*,"

(Surah Al-Ahzab 33:6),

This meaning through a will for them or by the heirs gifting them something from the inheritance.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.306

CHAPTER 151 – CHAPTER ON THE INHERITANCE OF THOSE WHO DROWN OR ARE BURIED UNDER A COLLAPSED HOUSE WHEN IT IS UNCLEAR WHO DIED FIRST

بَابُ مِيرَاثِ الْغَرْقَى وَ الَّذِينَ يَقَعُ عَلَيْهِمُ الْبَيْتُ فَلَا يُدْرَى أَيُّهُمْ مَاتَ قَبْلَ صَاحِبِهِ

HADITH 5656 – 5660

5656 - رَوَى اِبْنُ مَحْبُوبٍ عَنْ عَبْدِ اَلرَّحْمَنِ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلْقَوْمِ يَغْرَقُونَ فِي اَلسَّفِينَةِ أَوْ يَقَعُ عَلَيْهِمُ اَلْبَيْتُ فَيَمُوتُونَ وَ لاَ يُعْلَمُ أَيُّهُمْ مَاتَ قَبْلَ صَاحِبِهِ قَالَ «يُوَرِّثُ بَعْضُهُمْ مِنْ بَعْضٍ»

وَ كَذَا هُوَ فِي كِتَابِ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ.

H.5656 - Ibn Mahbub narrated from Abdur Rahman who said: I asked Abu Abdullah {a.s} about a group of people who drown in a ship or a house collapses on them, causing their death, and it is not known who among them died first.
Imam {a.s} said: “They inherit from one another."

[AL SADUQ]
This ruling is also recorded in the Book of Imam Ali ibn Abi Talib {a.s}.

[REFERENCES] Al-Kafi, Vol.7 p.136 • Man La Yahduruhu Al-Faqih, Vol.4 p.306 • Al-Wafi, Vol.25 p.861 • Wasa’il Al-Shi’ah, Vol.26 p.307

HADITH

5657 - وَ رَوَى عَلِيُّ بْنُ مَهْزِيَارَ عَنْ فَضَالَةَ عَنْ أَبَانٍ عَنِ اَلْفَضْلِ بْنِ عَبْدِ اَلْمَلِكِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اِمْرَأَةٍ وَ زَوْجِهَا سَقَطَ عَلَيْهِمَا بَيْتٌ قَالَ «تُوَرِّثُ اَلْمَرْأَةُ مِنَ اَلرَّجُلِ ثُمَّ يُوَرِّثُ اَلرَّجُلُ مِنَ اَلْمَرْأَةِ».

H.5657 - Ali ibn Mahziyar narrated from Fadalah, from Aban, from Al-Fadl ibn Abdul Malik, from Abu Abdullah {a.s} regarding a woman and her husband upon whom a house collapsed.
Imam {a.s} said: “The woman inherits from the man, and then the man inherits from the woman."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.307 • Wasa’il Al-Shi’ah, Vol.26 p.315

HADITH

5658 - وَ رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي رَجُلٍ وَ اِمْرَأَةٍ اِنْهَدَمَ عَلَيْهِمَا بَيْتٌ فَقَتَلَهُمَا وَ لاَ يُدْرَى أَيُّهُمَا مَاتَ قَبْلَ صَاحِبِهِ فَقَالَ «يُوَرَّثُ كُلُّ وَاحِدٍ مِنْهُمَا مِنْ زَوْجِهِ كَمَا فَرَضَ اَللَّهُ عَزَّ وَ جَلَّ لِوَرَثَتِهِمَا» ».

H.5658 - Asim ibn Humeid narrated from Muhammad ibn Qays, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"The Commander of the Faithful {a.s} ruled regarding a man and a woman upon whom a house collapsed, causing their death, and it was not known which of them died first.
Imam {a.s} said: 'Each of them inherits from their spouse according to what Allah {SWT}, the Mighty and Majestic, has prescribed for their heirs.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.307 • Tahdhib Al-Ahkam, Vol.9 p.359 • Al-Wafi, Vol.25 p.863 • Wasa'il Al-Shi'ah, Vol.26 p.308

HADITH

5659 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ عَبْدِ اَلرَّحْمَنِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ بَيْتٍ وَقَعَ عَلَى قَوْمٍ مُجْتَمِعِينَ فَلاَ يُدْرَى أَيُّهُمْ مَاتَ قَبْلَ صَاحِبِهِ قَالَ «يُوَرَّثُ بَعْضُهُمْ مِنْ بَعْضٍ» قُلْتُ إِنَّ أَبَا حَنِيفَةَ أَدْخَلَ فِيهَا قَالَ «وَ مَا أَدْخَلَ فِيهَا» قُلْتُ قَالَ لَوْ أَنَّ رَجُلَيْنِ لِأَحَدِهِمَا مِائَةُ أَلْفٍ وَ اَلْآخَرُ لَيْسَ لَهُ شَيْءٌ وَ كَانَا فِي سَفِينَةٍ فَغَرِقَا وَ لَمْ يُدْرَ أَيُّهُمَا مَاتَ أَوَّلاً كَانَ اَلْمِيرَاثُ لِوَرَثَةِ اَلَّذِي لَيْسَ لَهُ شَيْءٌ وَ لَمْ يَكُنْ لِوَرَثَةِ اَلَّذِي لَهُ اَلْمَالُ شَيْءٌ فَقَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «لَقَدْ سَمِعَهَا وَ هُوَ هَكَذَا».

قَالَ مُصَنِّفُ هَذَا اَلْكِتَابِ رَحِمَهُ اللَّهُ وَ ذَلِكَ إِذَا لَمْ يَكُنْ لَهُمَا وَارِثٌ غَيْرُهُمَا وَ لَمْ يَكُنْ أَحَدٌ أَقْرَبَ إِلَى وَاحِدٍ مِنْهُمَا مِنْ صَاحِبِهِ.

H.5659 - Muhammad ibn Abi Umayr narrated from Abdur Rahman, from Abu Abdullah {a.s}, who said: I asked Imam {a.s} about a house that collapsed on a group of people gathered together, and it was not known who among them died first.
Imam {a.s} said: "They inherit from one another."
I said: "Abu Hanifah has given a different ruling regarding this."
Imam {a.s} asked: "And what did he say?"
I replied: "He said that if two men were on a ship, one of whom had one hundred thousand (in wealth) and the other had nothing, and the ship sank, and it was not known which of them died first, the inheritance would go to the heirs of the one who had nothing, and the heirs of the wealthy one would receive nothing."
Abu Abdullah {a.s} said: "Indeed, he has heard it, and it is exactly as it should be."

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, said: This ruling applies when neither of them has any heir other than each other and when no one else is closer to either of them than the other.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.307

HADITH

5660 - وَ رَوَى حَمَّادُ بْنُ عِيسَى عَنِ اَلْحُسَيْنِ بْنِ اَلْمُخْتَارِ قَالَ : دَخَلَ أَبُو حَنِيفَةَ عَلَى أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ فَقَالَ لَهُ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «مَا تَقُولُ فِي بَيْتٍ سَقَطَ عَلَى قَوْمٍ فَبَقِيَ مِنْهُمْ صَبِيَّانِ أَحَدُهُمَا حُرٌّ وَ اَلْآخَرُ مَمْلُوكٌ لِصَاحِبِهِ فَلَمْ يُعْرَفِ اَلْحُرُّ مِنَ اَلْمَمْلُوكِ» فَقَالَ أَبُو حَنِيفَةَ يُعْتَقُ نِصْفُ هَذَا وَ نِصْفُ هَذَا وَ يُقْسَمُ اَلْمَالُ بَيْنَهُمَا نِصْفَانِ فَقَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «لَيْسَ كَذَلِكَ لَكِنَّهُ يُقْرَعُ بَيْنَهُمَا فَمَنْ أَصَابَتْهُ اَلْقُرْعَةُ فَهُوَ اَلْحُرُّ وَ يُعْتَقُ هَذَا فَيُجْعَلُ مَوْلًى لَهُ».

H.5660 - Hammad ibn Isa narrated from Al-Husayn ibn Al-Mukhtar, who said:
Abu Hanifah entered upon Abu Abdullah {a.s}, and Abu Abdullah {a.s} asked him:
"What do you say about a house that collapsed on a group of people, leaving behind two boys - one of them is free and the other is a slave belonging to the free one - but it is not known which is the free one and which is the slave?"
Abu Hanifah replied: “Half of this one and half of that one should be freed, and the wealth should be divided equally between them."
Abu Abdullah {a.s} said: “It is not so. Rather, a draw (lot) should be cast between them, and the one upon whom the lot falls is the free one, and the other is freed and made his client (mawla)."

[REFERENCES] Al-Kafi, Vol.7 p.138 • Man La Yahduruhu Al-Faqih, Vol.4 p.308 • Tahdhib Al-Ahkam, Vol.6 p.239 • Tahdhib Al-Ahkam, Vol.9 p.361 • Al-Wafi, Vol.25 p.865 • Wasa’il Al-Shi’ah, Vol.26 p.312 • Wasa’il Al-Shi’ah, Vol.27 p.258 • Bihar Al-Anwar, Vol.10 p.203 • Awalim Al-Uloom, Vol.20 p.497

CHAPTER 152 – CHAPTER ON THE INHERITANCE OF THE FETUS, THE NEWBORN, AND THE STILLBORN

بَابُ مِيرَاثِ الْجَنِينِ وَ الْمَنْفُوسِ وَ السِّقْطِ

HADITH 5661 – 5662

5661 - رَوَى حَرِيزٌ عَنِ اَلْفُضَيْلِ قَالَ: سَأَلَ اَلْحَكَمُ بْنُ عُتَيْبَةَ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلصَّبِيِّ يَسْقُطُ مِنْ أُمِّهِ غَيْرَ مُسْتَهِلٍّ أَ يُوَرَّثُ فَأَعْرَضَ عَنْهُ فَأَعَادَ عَلَيْهِ فَقَالَ «إِذَا تَحَرَّكَ تَحَرُّكاً بَيِّناً وُرِّثَ فَإِنَّهُ رُبَّمَا كَانَ أَخْرَسَ».

H.5661 - Hariz narrated from Al-Fudayl who said: Al-Hakam ibn Utaibah asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a child who is born from his mother without letting out a cry - does he inherit?
Imam {a.s} turned away from him. When he repeated the question, Imam {a.s} said:
“If the child moves with clear movement, he inherits, for it is possible that he may be mute."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.308 • Tahdhib Al-Ahkam, Vol.9 p.392 • Al-Istibsar, Vol.4 p.198 • Al-Wafi, Vol.25 p.897 • Wasa’il Al-Shi’ah, Vol.26 p.304

HADITH

5662 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ حَمَّادِ بْنِ عِيسَى عَنْ سَوَّارٍ عَنِ اَلْحَسَنِ قَالَ : إِنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ لَمَّا هَزَمَ طَلْحَةَ وَ اَلزُّبَيْرَ أَقْبَلَ اَلنَّاسُ مُنْهَزِمِينَ فَمَرُّوا بِامْرَأَةٍ حَامِلٍ عَلَى ظَهْرِ اَلطَّرِيقِ فَفَزِعَتْ مِنْهُمْ فَطَرَحَتْ مَا فِي بَطْنِهَا حَيّاً فَاضْطَرَبَ حَتَّى مَاتَ ثُمَّ مَاتَتِ اَلْمَرْأَةُ مِنْ بَعْدِهِ قَالَ فَمَرَّ بِهَا عَلِيُّ بْنُ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ وَ أَصْحَابُهُ وَ هِيَ مَطْرُوحَةٌ وَ وَلَدُهَا عَلَى اَلطَّرِيقِ قَالَ فَسَأَلَهُمْ عَنْ أَمْرِهَا فَقَالُوا لَهُ إِنَّهَا كَانَتْ حَامِلاً فَفَزِعَتْ حِينَ رَأَتِ اَلْقِتَالَ وَ اَلْهَزِيمَةَ فَسَأَلَهُمْ «أَيُّهُمَا مَاتَ قَبْلَ صَاحِبِهِ» فَقَالُوا إِنَّ اِبْنَهَا مَاتَ قَبْلَهَا قَالَ فَدَعَا زَوْجَهَا أَبَا اَلْغُلاَمِ اَلْمَيِّتِ فَوَرَّثَهُ مِنِ اِبْنِهِ ثُلُثَيِ اَلدِّيَةِ وَ وَرَّثَ أُمَّهُ اَلْمَيِّتَةَ ثُلُثَ اَلدِّيَةِ قَالَ ثُمَّ وَرَّثَ اَلزَّوْجَ مِنِ اِمْرَأَتِهِ اَلْمَيِّتَةِ نِصْفَ اَلدِّيَةِ اَلَّتِي وَرِثَتْهَا مِنِ اِبْنِهَا اَلْمَيِّتِ وَ وَرَّثَ قَرَابَةَ اَلْمَيِّتَةِ اَلْبَاقِيَ قَالَ ثُمَّ وَرَّثَ اَلزَّوْجَ أَيْضاً مِنْ دِيَةِ اَلْمَرْأَةِ اَلْمَيِّتَةِ نِصْفَ اَلدِّيَةِ وَ هُوَ أَلْفَانِ وَ خَمْسُمِائَةِ دِرْهَمٍ وَ ذَلِكَ أَنَّهُ لَمْ يَكُنْ لَهَا وَلَدٌ غَيْرُ اَلَّذِي رَمَتْ بِهِ حِينَ فَزِعَتْ وَ وَرَّثَ قَرَابَةَ اَلْمَيِّتِ اَلْبَاقِيَ قَالَ فَوَدَى ذَلِكَ كُلَّهُ مِنْ بَيْتِ مَالِ اَلْبَصْرَةِ.

H.5662 - Al-Hasan ibn Mahbub narrated from Hammad ibn Isa, from Sawwar, from Al-Hasan, who said: ‘When Imam Ali ibn Abi Talib {a.s} defeated Talhah and Al-Zubayr, the people fled in retreat. As they were fleeing, they passed by a pregnant woman on the roadside. She was frightened by them and miscarried her child, who was born alive but convulsed until he died. The woman herself also passed away shortly after.

Imam Ali ibn Abi Talib {a.s} and his companions passed by her as she lay there with her child on the road. Imam {a.s} asked them about her situation, and they told him that she was pregnant and had been terrified when she saw the battle and the retreat.

Imam Ali ibn Abi Talib {a.s} asked them: "Which of the two died first?"

They replied: “Her child died before her."

Imam Ali ibn Abi Talib {a.s} then summoned her husband, the father of the deceased child, and allotted him two-thirds of the blood money (diyyah) for his son and gave the mother of the deceased child one-third of the diyyah. Then, he granted the husband half of the diyyah that his wife had inherited from their deceased son, and the remaining portion was given to the relatives of the deceased woman.

Imam Ali ibn Abi Talib {a.s} also allotted the husband half of the diyyah for his deceased wife, amounting to two thousand five hundred dirhams, because she had no child other than the one she miscarried due to her fright. The remaining portion of the diyyah was given to the relatives of the deceased woman. Imam Ali ibn Abi Talib {a.s} ordered that all of this compensation be paid from the treasury of Basra.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.308

CHAPTER 153 – CHAPTER ON THE INHERITANCE OF TWO CHILDREN WHO ARE MARRIED, AND THEN ONE OF THEM DIES

بَابُ مِيرَاثِ الصَّبِيَّيْنِ يُزَوَّجَانِ ثُمَّ يَمُوتُ أَحَدُهُمَا

HADITH 5663 – 5665

5663 - رَوَى اَلنَّضْرُ بْنُ سُوَيْدٍ عَنِ اَلْقَاسِمِ بْنِ سُلَيْمَانَ عَنْ عُبَيْدِ بْنِ زُرَارَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : أَنَّهُ سَأَلَهُ عَنِ اَلصَّبِيِّ يُزَوَّجُ اَلصَّبِيَّةَ هَلْ يَتَوَارَثَانِ فَقَالَ «إِذَا كَانَ أَبَوَاهُمَا اَللَّذَانِ زَوَّجَاهُمَا فَنَعَمْ».

قَالَ اَلْقَاسِمُ بْنُ سُلَيْمَانَ فَإِذَا كَانَ أَبَوَاهُمَا حَيَّيْنِ فَنَعَمْ.

H.5663 - Al-Nadr ibn Suwayd narrated from Al-Qasim ibn Sulayman, from Ubayd ibn Zurarah, who said: He asked Abu Abdullah {a.s} about a boy being married to a girl - do they inherit from one another?
Imam {a.s} said: "If it was their parents who arranged their marriage, then yes, they do inherit from each other."

[AL SADUQ]
Al-Qasim ibn Sulayman added, "If parents are both alive, then yes, they inherit from each other."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.309

HADITH

5664 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَلْعَزِيزِ اَلْعَبْدِيِّ عَنْ عُبَيْدِ بْنِ زُرَارَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : فِي اَلرَّجُلِ يُزَوِّجُ اِبْنَهُ يَتِيمَةً فِي حَجْرِهِ وَ اِبْنُهُ مُدْرِكٌ وَ اَلْيَتِيمَةُ غَيْرُ مُدْرِكَةٍ قَالَ «نِكَاحُهُ جَائِزٌ عَلَى اِبْنِهِ فَإِنْ مَاتَ عُزِلَ مِيرَاثُهَا مِنْهُ حَتَّى تُدْرِكَ فَإِذَا أَدْرَكَتْ حُلِّفَتْ بِاللَّهِ مَا دَعَاهَا إِلَى أَخْذِ اَلْمِيرَاثِ إِلاَّ رِضَاهَا بِالنِّكَاحِ ثُمَّ يُدْفَعُ إِلَيْهَا اَلْمِيرَاثُ وَ نِصْفُ اَلْمَهْرِ» قَالَ «فَإِنْ مَاتَتْ هِيَ قَبْلَ أَنْ تُدْرِكَ وَ قَبْلَ أَنْ يَمُوتَ اَلزَّوْجُ لَمْ يَرِثْهَا اَلزَّوْجُ لِأَنَّ لَهَا اَلْخِيَارَ عَلَيْهِ إِذَا أَدْرَكَتْ وَ لاَ خِيَارَ لَهُ عَلَيْهَا».

H.5664 - Al-Hasan ibn Mahbub narrated from Abdul Aziz Al-Abdi, from Ubayd ibn Zurarah, from Abu Abdullah {a.s}, who said regarding a man who marries his son to an orphan girl under his care while his son is of legal age and the orphan girl has not yet reached maturity:
"The marriage is valid for his son. However, if the son dies, her inheritance from him is withheld until she reaches maturity. Once she matures, she must swear by Allah {SWT} that nothing motivated her to claim the inheritance except her acceptance of the marriage. Then, the inheritance and half of the dowry are given to her."
Imam {a.s} further said: “But if she dies before reaching maturity and before the husband dies, the husband does not inherit from her because she has the right to choose (whether to accept the marriage) upon reaching maturity, while he has no such right over her."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.309 • Al-Wafi, Vol.25 p.776

HADITH

5665 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ اَلْحَسَنِ بْنِ رِبَاطٍ عَنِ اِبْنِ مُسْكَانَ عَنِ اَلْحَلَبِيِّ قَالَ : قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ اَلْغُلاَمُ لَهُ عَشْرُ سِنِينَ فَيُزَوِّجُهُ أَبُوهُ فِي صِغَرِهِ أَ يَجُوزُ طَلاَقُهُ وَ هُوَ اِبْنُ عَشْرِ سِنِينَ قَالَ فَقَالَ «أَمَّا اَلتَّزْوِيجُ فَصَحِيحٌ وَ أَمَّا طَلاَقُهُ فَيَنْبَغِي أَنْ تُحْبَسَ عَلَيْهِ اِمْرَأَتُهُ حَتَّى يُدْرِكَ فَيُعْلَمَ أَنَّهُ كَانَ قَدْ طَلَّقَ فَإِنْ أَقَرَّ بِذَلِكَ وَ أَمْضَاهُ فَهِيَ وَاحِدَةٌ بَائِنَةٌ وَ هُوَ خَاطِبٌ مِنَ اَلْخُطَّابِ وَ إِنْ أَنْكَرَ ذَلِكَ وَ أَبَى أَنْ يُمْضِيَهُ فَهِيَ اِمْرَأَتُهُ» قُلْتُ فَإِنْ مَاتَتْ أَوْ مَاتَ فَقَالَ «يُوقَفُ اَلْمِيرَاثُ حَتَّى يُدْرِكَ أَيُّهُمَا بَقِيَ ثُمَّ يُحَلَّفُ بِاللَّهِ مَا دَعَاهُ إِلَى أَخْذِ اَلْمِيرَاثِ إِلاَّ اَلرِّضَا بِالنِّكَاحِ وَ يُدْفَعُ إِلَيْهِ اَلْمِيرَاثُ».

H.5665 - Al-Hasan ibn Mahbub narrated from Ali ibn Al-Hasan ibn Ribaat, from Ibn Muskan, from Al-Halabi, who said: I asked Abu Abdullah {a.s} about a boy who is ten years old and his father marries him off while he is still young. Is his divorce valid if he divorces at the age of ten?

Imam {a.s} replied: “As for the marriage, it is valid. However, regarding the divorce, his wife should remain with him until he reaches maturity. Then it should be determined whether he had indeed divorced her. If he acknowledges it and affirms it, then it counts as one irrevocable divorce (ba'inah), and he becomes one of the suitors. But if he denies it and refuses to affirm it, then she remains his wife."

I asked: “What if she dies or he dies?"

Imam {a.s} said: “The inheritance is to be withheld until the surviving one reaches maturity. Then, he must swear by Allah {SWT} that nothing led him to claim the inheritance except his acceptance of the marriage, and the inheritance will then be given to him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.310 • Al-Wafi, Vol.23 p.1103 • Wasa’il Al-Shi’ah, Vol.26 p.220

CHAPTER 154 – CHAPTER ON THE MUTUAL INHERITANCE OF THE DIVORCER AND THE DIVORCED WOMAN

بَابُ تَوَارُثِ الْمُطَلِّقِ وَ الْمُطَلَّقَةِ

HADITH 5666

5666 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِذَا طَلَّقَ اَلرَّجُلُ اِمْرَأَتَهُ تَوَارَثَا مَا كَانَتْ فِي اَلْعِدَّةِ فَإِذَا طَلَّقَهَا اَلتَّطْلِيقَةَ اَلثَّالِثَةَ فَلَيْسَ لَهُ عَلَيْهَا اَلرَّجْعَةُ وَ لاَ مِيرَاثَ بَيْنَهُمَا».

H.5666 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab, from Zurarah, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said: "When a man divorces his wife, they inherit from one another as long as she is in her waiting period (iddah). However, if he divorces her for the third time, he has no right to take her back, and there is no inheritance between them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.310 • Al-Wafi, Vol.25 p.777 • Wasa'il Al-Shi'ah, Vol.26 p.225

CHAPTER 155 – CHAPTER ON THE MUTUAL INHERITANCE OF A MAN AND A WOMAN WHOM HE MARRIES AND THEN DIVORCES DURING HIS ILLNESS

بَابُ تَوَارُثِ الرَّجُلِ وَ الْمَرْأَةِ يَتَزَوَّجُهَا وَ يُطَلِّقُهَا فِي مَرَضِهِ

HADITH 5667 – 5670

5667 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي وَلاَّدٍ اَلْحَنَّاطِ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ تَزَوَّجَ فِي مَرَضِهِ فَقَالَ «إِذَا دَخَلَ بِهَا فَمَاتَ فِي مَرَضِهِ وَرِثَتْهُ وَ إِنْ لَمْ يَدْخُلْ بِهَا لَمْ تَرِثْهُ وَ نِكَاحُهُ بَاطِلٌ».

H.5667 - Al-Hasan ibn Mahbub narrated from Abu Walad Al-Hannat, who said:
I asked Abu Abdullah {a.s} about a man who married during his illness.
Imam {a.s} said: “If he consummated the marriage with her and then died during his illness, she inherits from him. However, if he did not consummate the marriage with her, she does not inherit from him, and the marriage is invalid."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.310 • Al-Wafi, Vol.21 p.444 • Wasa’il Al-Shi’ah, Vol.26 p.231 • Tafsir Nur Al-Thaqalayn, Vol.1 p.454

HADITH

5668 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ جَمِيلِ بْنِ دَرَّاجٍ عَنْ أَبِي اَلْعَبَّاسِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِذَا طَلَّقَ اَلرَّجُلُ اَلْمَرْأَةَ فِي مَرَضِهِ وَرِثَتْهُ مَا دَامَ فِي مَرَضِهِ ذَلِكَ وَ إِنِ اِنْقَضَتْ عِدَّتُهَا إِلاَّ أَنْ يَصِحَّ مِنْهُ » قُلْتُ فَإِنْ طَالَ بِهِ اَلْمَرَضُ قَالَ «تَرِثُهُ مَا بَيْنَهُ وَ بَيْنَ سَنَةٍ».

H.5668 - Ibn Abi Umayr narrated from Jamil ibn Darraj, from Abu Al-Abbas, from Abu Abdullah {a.s}, who said: "If a man divorces his wife while he is ill, she inherits from him as long as he remains in that illness, even if her waiting period (iddah) has ended - unless he recovers from his illness."
I asked: “What if his illness lasts for a long time?"
Imam {a.s} replied: “She inherits from him for up to one year."

[REFERENCES] Al-Kafi, Vol.6 p.122 • Al-Kafi, Vol.7 p.134 • Man La Yahduruhu Al-Faqih, Vol.4 p.311 • Tahdhib Al-Ahkam, Vol.9 p.385 • Al-Wafi, Vol.23 p.1118 • Wasa’il Al-Shi’ah, Vol.22 p.151 • Wasa’il Al-Shi’ah, Vol.26 p.226 • Al-Fusul Al-Muhimmah, Vol.2 p.373

HADITH

5669 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سُئِلَ عَنْ رَجُلٍ يَحْضُرُهُ اَلْمَوْتُ فَيُطَلِّقُ اِمْرَأَتَهُ هَلْ يَجُوزُ طَلاَقُهُ قَالَ «نَعَمْ وَ هِيَ تَرِثُهُ وَ إِنْ مَاتَتْ لَمْ يَرِثْهَا».

H.5669 - Hammad narrated from Al-Halabi, from Abu Abdullah {a.s}, who was asked about a man who is on his deathbed and divorces his wife - whether his divorce is valid. Imam {a.s} said: “Yes, it is valid, and she will inherit from him. However, if she dies, he does not inherit from her."

[REFERENCES] Al-Kafi, Vol.6 p.123 • Man La Yahduruhu Al-Faqih, Vol.3 p.546 • Man La Yahduruhu Al-Faqih, Vol.4 p.311 • Tahdhib Al-Ahkam, Vol.8 p.79 • Al-Istibsar, Vol.3 p.304 • Al-Wafi, Vol.23 p.1120 • Wasa’il Al-Shi’ah, Vol.22 p.151 • Wasa’il Al-Shi’ah, Vol.26 p.227 • Tafsir Nur Al-Thaqalayn, Vol.1 p.454

HADITH

5670 - وَ رَوَى صَالِحُ بْنُ سَعِيدٍ عَنْ يُونُسَ عَنْ بَعْضِ رِجَالِهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ مَا اَلْعِلَّةُ اَلَّتِي مِنْ أَجْلِهَا إِذَا طَلَّقَ اَلرَّجُلُ اِمْرَأَتَهُ وَ هُوَ مَرِيضٌ فِي حَالِ اَلْإِضْرَارِ وَرِثَتْهُ وَ لَمْ يَرِثْهَا فَقَالَ «هُوَ اَلْإِضْرَارُ وَ مَعْنَى اَلْإِضْرَارِ مَنْعُهُ إِيَّاهَا مِيرَاثَهَا مِنْهُ فَأُلْزِمَ اَلْمِيرَاثَ عُقُوبَةً».

H.5670 - Salih ibn Said narrated from Yunus, from some of his companions, from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
I asked Imam {a.s}: "What is the reason that when a man divorces his wife while he is ill in a state of harm (idrar), she inherits from him, but he does not inherit from her?" He {a.s} replied: “It is due to the harm. The meaning of harm here is his intention to prevent her from inheriting from him, so he was held accountable by being obligated to allow her inheritance as a form of punishment."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.311 • Al-Wafi, Vol.23 p.1122 • Wasa’il Al-Shi’ah, Vol.26 p.228

CHAPTER 156 – CHAPTER ON THE INHERITANCE OF A WOMAN WHOSE HUSBAND HAS PASSED AWAY

بَابُ مِيرَاثِ الْمُتَوَفَّى عَنْهَا زَوْجُهَا

HADITH 5671 – 5673

5671 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنِ اَلْعَلاَءِ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنِ اَلرَّجُلِ يَتَزَوَّجُ اَلْمَرْأَةَ ثُمَّ يَمُوتُ قَبْلَ أَنْ يَدْخُلَ بِهَا فَقَالَ «لَهَا اَلْمِيرَاثُ كَامِلاً وَ عَلَيْهَا اَلْعِدَّةُ أَرْبَعَةُ أَشْهُرٍ وَ عَشْراً وَ إِنْ كَانَ سَمَّى لَهَا مَهْراً يَعْنِي صَدَاقاً فَلَهَا نِصْفُهُ وَ إِنْ لَمْ يَكُنْ سَمَّى لَهَا مَهْراً فَلاَ مَهْرَ لَهَا».

H.5671 - Al-Hasan ibn Mahbub narrated from Al-Ala, from Muhammad ibn Muslim, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said: I asked Imam {a.s} about a man who marries a woman and then dies before consummating the marriage with her.
Imam {a.s} said: “She is entitled to the full inheritance, and she must observe the waiting period (iddah) of four months and ten days. If he had specified a dowry (mahr) for her, she is entitled to half of it. However, if he had not specified a dowry, then she is not entitled to any dowry."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.312 • Al-Wafi, Vol.22 p.502 • Wasa’il Al-Shi’ah, Vol.26 p.221

HADITH

5672 - وَ قَالَ عَلَيْهِ اَلسَّلاَمُ فِي حَدِيثٍ آخَرَ : «إِنْ كَانَ دَخَلَ بِهَا فَلَهَا اَلصَّدَاقُ كَامِلاً».

H.5672 - And Imam {a.s} said in another narration:
"If he had consummated the marriage with her, then she is entitled to the full dowry (ṣadaq)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.312 • Wasa’il Al-Shi’ah, Vol.26 p.221

HADITH

5673 - وَ رَوَى اِبْنُ أَبِي نَصْرٍ عَنْ عَبْدِ اَلْكَرِيمِ بْنِ عَمْرٍو عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : قُلْتُ لَهُ رَجُلٌ تَزَوَّجَ اِمْرَأَةً بِحُكْمِهَا فَمَاتَ قَبْلَ أَنْ تَحْكُمَ قَالَ «لَيْسَ لَهَا صَدَاقٌ وَ هِيَ تَرِثُهُ».

H.5673 - Ibn Abi Nasr narrated from Abdul Karim ibn Amr, from Muhammad ibn Muslim, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
I asked Imam {a.s} about a man who married a woman according to her own condition (by her terms), but he died before she could set the conditions.
Imam {a.s} said: “She is not entitled to a dowry (ṣadaq), but she inherits from him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.312 • Wasa’il Al-Shi’ah, Vol.26 p.222

CHAPTER 157 – CHAPTER ON THE INHERITANCE OF THE WOMAN WHO HAS BEEN GRANTED KHUL‘ (DIVORCE IN EXCHANGE FOR COMPENSATION)

بَابُ مِيرَاثِ الْمَخْلُوعِ

HADITH 5674

5674 - رَوَى صَفْوَانُ بْنُ يَحْيَى عَنِ اِبْنِ مُسْكَانَ عَنْ أَبِي بَصِيرٍ قَالَ : سَأَلْتُهُ عَنِ اَلْمَخْلُوعِ يَتَبَرَّأُ مِنْهُ أَبُوهُ عِنْدَ اَلسُّلْطَانِ وَ مِنْ مِيرَاثِهِ وَ جَرِيرَتِهِ لِمَنْ مِيرَاثُهُ فَقَالَ قَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «هُوَ لِأَقْرَبِ اَلنَّاسِ إِلَى أَبِيهِ».

H.5674 - Safwan ibn Yahya narrated from Ibn Muskan, from Abu Basir, who said:
I asked Imam {a.s} about a disowned son (makhlooh) whose father publicly renounces him before the authorities and disclaims both his inheritance and responsibility for his actions.
I asked: “Who inherits from him (the father)?"
Imam {a.s} replied: “Imam Ali ibn Abi Talib {a.s} ruled: ‘His inheritance goes to the closest relatives of his father.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.313 • Tahdhib Al-Ahkam, Vol.9 p.349 • Al-Istibsar, Vol.4 p.185 • Awali Al-La’ali, Vol.2 p.339 • Awali Al-La’ali, Vol.3 p.511 • Al-Wafi, Vol.25 p.895 • Wasa’il Al-Shi’ah, Vol.26 p.273

CHAPTER 158 – CHAPTER ON THE INHERITANCE OF THE CAPTIVE

بَابُ مِيرَاثِ الْحَمِيلِ

HADITH 5675 – 5676

5675 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنِ اِبْنِ مِهْزَمٍ عَنْ طَلْحَةَ بْنِ زَيْدٍ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «لاَ يُوَرَّثُ اَلْحَمِيلُ إِلاَّ بِبَيِّنَةٍ» قَالَ «وَ اَلْحَمِيلُ هُوَ اَلَّذِي تَأْتِي بِهِ اَلْمَرْأَةُ حُبْلَى قَدْ سُبِيَتْ وَ هِيَ حُبْلَى فَيَعْرِفُهُ بِذَلِكَ بَعْدُ أَبُوهُ أَوْ أَخُوهُ».

H.5675 - Al-Hasan ibn Mahbub narrated from Ibn Mihzam, from Talhah ibn Zayd, who said that Abu Abdullah {a.s} said: "Child in the womb (hamil) will not inherit except with clear evidence."
Imam {a.s} explained: "The hamil is the child carried by a pregnant woman who was captured while pregnant, and later the father or the brother recognizes the child as theirs."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.313 • Al-Wafi, Vol.25 p.894

HADITH

5676 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ عَبْدِ اَلرَّحْمَنِ بْنِ اَلْحَجَّاجِ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَنِ اَلْحَمِيلِ فَقَالَ «وَ أَيُّ شَيْءٍ اَلْحَمِيلُ» فَقُلْتُ اَلْمَرْأَةُ تُسْبَى مِنْ أَرْضِهَا مَعَهَا اَلْوَلَدُ اَلصَّغِيرُ فَتَقُولُ هُوَ اِبْنِي وَ اَلرَّجُلُ يُسْبَى فَيَلْقَى أَخَاهُ فَيَقُولُ هُوَ أَخِي لَيْسَ لَهُمَا بَيِّنَةٌ إِلاَّ قَوْلُهُمَا قَالَ «فَمَا يَقُولُ فِيهِ اَلنَّاسُ عِنْدَكُمْ» قُلْتُ لاَ يُوَرِّثُونَهُ إِذَا لَمْ يَكُنْ لَهُمَا عَلَى وِلاَدَتِهِ بَيِّنَةٌ إِنَّمَا كَانَ وِلاَدَتُهُ فِي اَلشِّرْكِ قَالَ «سُبْحَانَ اَللَّهِ إِذَا جَاءَتْ بِاِبْنِهَا لَمْ تَزَلْ مُقِرَّةً بِهِ وَ إِذَا عَرَفَ أَخَاهُ وَ كَانَ ذَلِكَ فِي صِحَّةٍ مِنْهُمَا لَمْ يَزَالاَ مُقِرَّيْنِ بِذَلِكَ وَرِثَ بَعْضُهُمْ بَعْضاً».

H.5676 - Safwan ibn Yahya narrated from Abdur Rahman ibn Al-Hajjaj, who said:
I asked Abu Abdullah {a.s} about the hamil (the child in the womb).
Imam {a.s} asked: “And what is the hamil?"
I said: “A woman is captured from her land along with her young child, and she claims, 'This is my son.' Similarly, a man is captured and meets his brother, claiming, 'This is my brother,' but they have no evidence except their word."
Imam {a.s} then asked: “And what do the people among you say about this?"
I replied: “They do not allow inheritance unless they have proof of the child's birth, especially if the birth occurred during the period of disbelief (before Islam)."
Imam {a.s} said: “Glory be to Allah {SWT}! If she continuously acknowledges the child as hers, and if he recognizes his brother, and both of them were sound in mind and body when making such claims, they will both remain firm in their acknowledgment, and they will inherit from one another."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.314

CHAPTER 159 – CHAPTER ON THE INHERITANCE OF A CHILD OF UNCERTAIN PARENTAGE

بَابُ مِيرَاثِ الْوَلَدِ الْمَشْكُوكِ فِيهِ

HADITH 5677 – 5679

5677 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِنَّ رَجُلاً مِنَ اَلْأَنْصَارِ أَتَى أَبِي عَلَيْهِ اَلسَّلاَمُ فَقَالَ إِنِّي اُبْتُلِيتُ بِأَمْرٍ عَظِيمٍ إِنَّ لِي جَارِيَةً كُنْتُ أَطَأُهَا فَوَطِئْتُهَا يَوْماً وَ خَرَجْتُ فِي حَاجَةٍ لِي بَعْدَ مَا اِغْتَسَلْتُ مِنْهَا وَ نَسِيتُ نَفَقَةً لِي فَرَجَعْتُ إِلَى اَلْمَنْزِلِ لِآخُذَهَا فَوَجَدْتُ غُلاَمِي عَلَى بَطْنِهَا فَعَدَدْتُ لَهَا مِنْ يَوْمِي ذَلِكَ تِسْعَةَ أَشْهُرٍ فَوَلَدَتْ جَارِيَةً فَقَالَ «لاَ يَنْبَغِي لَكَ أَنْ تَقْرَبَهَا وَ لاَ أَنْ تَبِيعَهَا وَ لَكِنْ أَنْفِقْ عَلَيْهَا مِنْ مَالِكَ مَا دُمْتَ حَيّاً ثُمَّ أَوْصِ عِنْدَ مَوْتِكَ أَنْ يُنْفَقَ عَلَيْهَا مِنْ مَالِكَ حَتَّى يَجْعَلَ اَللَّهُ لَكَ وَ لَهَا مَخْرَجاً» ».

H.5677 - Al-Hasan ibn Mahbub narrated from Abdullah ibn Sinan, from Imam Abu Abdullah {a.s}, who said:
"A man from the Ansar came to my father {a.s} and said: 'I have been afflicted with a great matter. I had a maid whom I used to have relations with. One day, after being intimate with her, I went out for some of my needs after performing ghusl. I later realized I had forgotten some of my provisions, so I returned home to retrieve them and found my servant lying with her.
I then counted nine months from that day, and she gave birth to a girl.'
My father {a.s} said: 'It is not appropriate for you to approach her nor to sell her. However, spend on her from your wealth as long as you are alive, and when you die, bequeath that she continues to be provided for from your wealth until Allah {SWT} grants you and her a way out.'"

[REFERENCES] Al-Kafi, Vol.5 p.488 • Al-Kafi, Vol.7 p.165 • Man La Yahduruhu Al-Faqih, Vol.4 p.314 • Tahdhib Al-Ahkam, Vol.8 p.179 • Tahdhib Al-Ahkam, V.9 p.346 • Al-Istibsar, V.3 p.364 • Wasa'il Al-Shi'ah, V.21 p.166

HADITH

5678 - وَ رُوِيَ عَنْ عَبْدِ اَلْحَمِيدِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ كَانَتْ لَهُ جَارِيَةٌ يَطَؤُهَا وَ كَانَتْ تَخْرُجُ فِي حَوَائِجِهِ فَحَمَلَتْ فَخَشِيَ أَنْ لاَ يَكُونَ اَلْحَمْلُ مِنْهُ كَيْفَ يَصْنَعُ أَ يَبِيعُ اَلْجَارِيَةَ وَ اَلْوَلَدَ فَقَالَ «يَبِيعُ اَلْجَارِيَةَ وَ لاَ يَبِيعُ اَلْوَلَدَ وَ لاَ يُوَرِّثُهُ شَيْئاً مِنْ مَالِهِ».

H.5678 - It was narrated from Abdul Hamid, from Abu Abdullah {a.s}, who said:
I asked Imam {a.s} about a man who had a maid with whom he had intimate relations, and she would go out to fulfill his needs. She became pregnant, and he feared that the pregnancy might not be from him. What should he do? Should he sell the maid and the child?
Imam {a.s} replied: "He may sell the maid, but he must not sell the child, nor should he give the child any share of his wealth through inheritance."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.315

HADITH

5679 - وَ رَوَى اَلْقَاسِمُ بْنُ مُحَمَّدٍ عَنْ سُلَيْمٍ مَوْلَى طِرْبَالٍ عَنْ حَرِيزٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ كَانَ يَطَأُ جَارِيَةً لَهُ وَ أَنَّهُ كَانَ يَبْعَثُهَا فِي حَوَائِجِهِ وَ أَنَّهَا حَبِلَتْ وَ أَنَّهُ بَلَغَهُ عَنْهَا فَسَادٌ فَقَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «قُلْ لَهُ إِذَا وَلَدَتْ فَأَمْسِكِ اَلْوَلَدَ وَ لاَ تَبِعْهُ وَ اِجْعَلْ لَهُ نَصِيباً مِنْ دَارِكَ» قَالَ فَقِيلَ لَهُ رَجُلٌ كَانَ يَطَأُ جَارِيَةً لَهُ وَ لَمْ يَكُنْ يَبْعَثُهَا فِي حَوَائِجِهِ وَ أَنَّهُ اِتَّهَمَهَا وَ حَبِلَتْ فَقَالَ «إِذَا هِيَ وَلَدَتْ أَمْسَكَ اَلْوَلَدَ وَ لاَ يَبِيعُهُ وَ يَجْعَلُ لَهُ نَصِيباً مِنْ دَارِهِ وَ مَالِهِ لَيْسَ هَذِهِ مِثْلَ تِلْكَ».

H.5679 - Al-Qasim ibn Muhammad narrated from Sulaym, the servant of Tirbal, from Hariz, from Abu Abdullah {a.s}, regarding a man who used to have intimate relations with his maid and would also send her out to fulfill his needs. She became pregnant, and he heard rumors of her misconduct.

Abu Abdullah {a.s} said: “Tell him that when she gives birth, he should keep the child and not sell it, and he should allocate a share for the child from his house."

It was then said to Imam {a.s}: "What about a man who had intimate relations with his maid but did not send her out for errands, yet he suspected her and she became pregnant?"

Imam {a.s} replied: “When she gives birth, he should keep the child and not sell it, and he should allocate a share for the child from his house and wealth. This case is not like the previous one."

[REFERENCES] Al-Kafi, Vol.5 p.489 • Al-Kafi, Vol.7 p.165 • Man La Yahduruhu Al-Faqih, Vol.4 p.315 • Tahdhib Al-Ahkam, Vol.8 p.182 • Tahdhib Al-Ahkam, Vol.9 p.347 • Al-Istibsar, Vol.3 p.365 • Al-Wafi, Vol.23 p.1414 • Wasa’il Al-Shi’ah, Vol.21 p.169

CHAPTER 160 – CHAPTER ON THE INHERITANCE OF A CHILD WHOSE FATHER DISOWNS HIM AFTER PREVIOUSLY ACKNOWLEDGING HIM

بَابُ مِيرَاثِ الْوَلَدِ يَنْتَفِي مِنْهُ أَبُوهُ بَعْدَ الْإِقْرَارِ بِهِ

HADITH 5680

5680 - رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «أَيُّمَا رَجُلٍ أَقَرَّ بِوَلَدِهِ ثُمَّ اِنْتَفَى مِنْهُ فَلَيْسَ لَهُ ذَلِكَ وَ لاَ كَرَامَةَ يُلْحَقُ بِهِ وَلَدُهُ إِذَا كَانَ مِنِ اِمْرَأَتِهِ أَوْ وَلِيدَتِهِ».

H.5680 - Hammad narrated from Al-Halabi, from Abu Abdullah {a.s}, who said:
"Any man who acknowledges his child and then later denies him has no right to do so, and he deserves no respect.
His child will be attributed to him if the child is from his wife or his maidservant."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.316 • Al-Wafi, Vol.23 p.1427 • Wasa'il Al-Shi'ah, Vol.26 p.270 • Al-Fusul Al-Muhimmah, Vol.2 p.490

CHAPTER 161 – CHAPTER ON THE INHERITANCE OF THE CHILD OF ADULTERY

بَابُ مِيرَاثِ وَلَدِ الزِّنَا

HADITH 5681 – 5682

5681 - رَوَى اَلْحُسَيْنُ بْنُ سَعِيدٍ عَنْ مُحَمَّدِ بْنِ اَلْحَسَنِ بْنِ أَبِي خَالِدٍ اَلْأَشْعَرِيِّ قَالَ : كَتَبَ بَعْضُ أَصْحَابِنَا إِلَى أَبِي جَعْفَرٍ اَلثَّانِي عَلَيْهِ اَلسَّلاَمُ مَعِي يَسْأَلُهُ عَنْ رَجُلٍ فَجَرَ بِامْرَأَةٍ فَحَمَلَتْ ثُمَّ إِنَّهُ تَزَوَّجَهَا بَعْدَ اَلْحَمْلِ فَجَاءَتْ بِوَلَدٍ وَ اَلْوَلَدُ أَشْبَهُ خَلْقِ اَللَّهِ بِهِ فَكَتَبَ عَلَيْهِ اَلسَّلاَمُ بِخَطِّهِ وَ خَاتَمِهِ «اَلْوَلَدُ لِغَيَّةٍ لاَ يُورَثُ».

H.5681 - Al-Husayn ibn Sa'id narrated from Muhammad ibn Al-Hasan ibn Abi Khalid Al-Ash'ari, who said: One of our companions wrote to Abu Ja'far Al-Thani {a.s} through me, asking Imam {a.s} about a man who committed adultery with a woman, and she became pregnant. Later, he married her after the pregnancy, and she gave birth to a child who resembled him more than anyone else in creation.
Imam {a.s} wrote back in his own handwriting and with his seal:
"The child is the result of fornication and does not inherit."

[REFERENCES] Al-Kafi, Vol.7 p.163 • Al-Kafi, Vol.7 p.164 • Man La Yahduruhu Al-Faqih, Vol.4 p.316 • Tahdhib Al-Ahkam, Vol.9 p.343 • Al-Istibsar, Vol.4 p.182 • Al-Wafi, Vol.25 p.888 • Wasa’il Al-Shi’ah, Vol.26 p.274 • Awalim Al-Uloom, Vol.23 p.341 • Awalim Al-Uloom, Vol.23 p.479

HADITH

5682 - وَ رَوَى يُونُسُ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ فَقُلْتُ لَهُ جُعِلْتُ فِدَاكَ كَمْ دِيَةُ وَلَدِ اَلزِّنَا قَالَ «يُعْطَى اَلَّذِي أَنْفَقَ عَلَيْهِ مَا أَنْفَقَ عَلَيْهِ» قُلْتُ فَإِنَّهُ مَاتَ وَ لَهُ مَالٌ فَمَنْ يَرِثُهُ قَالَ «اَلْإِمَامُ». وَ قَدْ رُوِيَ: «أَنَّ دِيَةَ وَلَدِ اَلزِّنَا ثَمَانْمِائَةِ دِرْهَمٍ وَ مِيرَاثُهُ كَمِيرَاثِ اِبْنِ اَلْمُلاَعَنَةِ».

H.5682 - Yunus narrated from Abdullah ibn Sinan, from Abu Abdullah {a.s}, who said:
I asked Imam {a.s}: "May I be your ransom, what is the blood money (diyyah) for a child born out of fornication?"
Imam {a.s} replied: “The one who spent on him is to be given what he spent on him."
I asked: “If the child dies and has wealth, who inherits it?"
He {a.s} said: “The Imam."
It has also been narrated: "The blood money (diyyah) for a child born out of fornication is eight hundred dirhams, and his inheritance is like the inheritance of the child of mula'anah (mutual cursing between spouses in the case of adultery accusations)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.316 • Tahdhib Al-Ahkam, Vol.9 p.343 • Al-Istibsar, Vol.4 p.183 • Al-Wafi, Vol.25 p.890 • Wasa’il Al-Shi’ah, Vol.26 p.275

CHAPTER 162 – CHAPTER ON THE INHERITANCE OF THE KILLER, WHO INHERITS FROM BLOOD MONEY AND WHO DOES NOT

بَابُ مِيرَاثِ الْقَاتِلِ وَ مَنْ يَرِثُ مِنَ الدِّيَةِ وَ مَنْ لَا يَرِثُ

HADITH 5683 – 5690

5683 - رَوَى صَفْوَانُ بْنُ يَحْيَى عَنِ اِبْنِ أَبِي عُمَيْرٍ عَنْ جَمِيلٍ عَنْ أَحَدِهِمَا عَلَيْهِمَا اَلسَّلاَمُ : فِي رَجُلٍ قَتَلَ أَبَاهُ قَالَ «لاَ يَرِثُهُ وَ إِنْ كَانَ لِلْقَاتِلِ اِبْنٌ وَرِثَ اَلْجَدَّ اَلْمَقْتُولَ».

H.5683 - Safwan ibn Yahya narrated from Ibn Abi Umayr, from Jamil, from one of the two Imams (peace be upon them), regarding a man who killed his father.
Imam {a.s} said: "He does not inherit from him. However, if the killer has a son, the son inherits from the murdered grandfather."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.317 • Tahdhib Al-Ahkam, Vol.9 p.380 • Al-Wafi, Vol.25 p.876

HADITH

5684 - وَ رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِذَا قَتَلَ اَلرَّجُلُ أُمَّهُ خَطَأً وَرِثَهَا وَ إِنْ قَتَلَهَا عَمْداً لَمْ يَرِثْهَا».

H.5684 - Asim ibn Humeid narrated from Muhammad ibn Qays, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said: "If a man kills his mother by mistake, he inherits from her. However, if he kills her intentionally, he does not inherit from her."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.318 • Al-Wafi, Vol.25 p.875

HADITH

5685 - وَ رَوَى اَلنَّضْرُ عَنِ اَلْقَاسِمِ بْنِ سُلَيْمَانَ عَنْ عُبَيْدِ بْنِ زُرَارَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «لِلْمَرْأَةِ مِنْ دِيَةِ زَوْجِهَا وَ لِلرَّجُلِ مِنْ دِيَةِ اِمْرَأَتِهِ مَا لَمْ يَقْتُلْ أَحَدُهُمَا صَاحِبَهُ».

H.5685 - Al-Nadr narrated from Al-Qasim ibn Sulayman, from Ubayd ibn Zurarah, from Abu Abdullah {a.s}, who said: "A woman is entitled to a share of the blood money (diyyah) of her husband, and a man is entitled to a share of the blood money of his wife, as long as neither of them has killed the other."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.318 • Al-Wafi, Vol.25 p.871 • Wasa'il Al-Shi'ah, Vol.26 p.38

HADITH

5686 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي دِيَةِ اَلْمَقْتُولِ «أَنَّهَا تَرِثُهَا اَلْوَرَثَةُ عَلَى كِتَابِ اَللَّهِ تَعَالَى وَ سِهَامِهِ إِذَا لَمْ يَكُنْ عَلَى اَلْمَقْتُولِ دَيْنٌ إِلاَّ اَلْإِخْوَةَ وَ اَلْأَخَوَاتِ مِنَ اَلْأُمِّ فَإِنَّهُمْ لاَ يَرِثُونَهُ مِنْ دِيَتِهِ شَيْئاً» ».

H.5686 - Al-Hasan ibn Mahbub narrated from Abu Ayyub, from Sulayman ibn Khalid, from Abu Abdullah {a.s}, who said:
"The Commander of the Faithful {a.s} ruled regarding the blood money (diyyah) of a murdered person that it is to be inherited by the heirs according to the Book of Allah {SWT}, the Exalted, and according to their prescribed shares, provided the murdered person has no outstanding debt. However, the maternal brothers and sisters do not inherit anything from the blood money."

[REFERENCES] Al-Kafi, Vol.7 p.139 • Man La Yahduruhu Al-Faqih, Vol.4 p.318 • Tahdhib Al-Ahkam, Vol.9 p.375 • Al-Wafi, Vol.25 p.869 • Wasa'il Al-Shi'ah, Vol.26 p.35

HADITH

5687 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ زُرَارَةَ قَالَ :
سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ قُتِلَ وَ لَهُ أَخٌ فِي دَارِ اَلْهِجْرَةِ وَ أَخٌ آخَرُ فِي دَارِ اَلْبَدْوِ وَ لَمْ يُهَاجِرْ أَ رَأَيْتَ إِنْ عَفَا اَلْمُهَاجِرِيُّ وَ أَرَادَ اَلْبَدَوِيُّ أَنْ يَقْتُلَ أَ لَهُ ذَلِكَ فَقَالَ «لَيْسَ لِلْبَدَوِيِّ أَنْ يَقْتُلَ مُهَاجِراً حَتَّى يُهَاجِرَ وَ إِنْ عَفَا اَلْمُهَاجِرُ فَإِنَّ عَفْوَهُ جَائِزٌ» قُلْتُ لَهُ فَلِلْبَدَوِيِّ مِنَ اَلْمِيرَاثِ شَيْءٌ قَالَ «وَ أَمَّا اَلْمِيرَاثُ فَلَهُ وَ لَهُ حَظُّهُ مِنْ دِيَةِ أَخِيهِ اَلْمَقْتُولِ إِنْ أُخِذَتِ اَلدِّيَةُ».

H.5687 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab, from Zurarah, who said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} and he had one brother residing in the land of migration (Dar Al-Hijrah) and another brother in the land of the Bedouins (Dar Al-Badw), who had not migrated.
I asked: "If the migrant (Muhajir) brother pardons the killer, but the Bedouin brother wants to execute retaliation (Qisas), does he have the right to do so?"
Imam {a.s} replied: "The Bedouin has no right to kill a migrant until he himself migrates. However, if the migrant pardons the killer, his pardon is valid."
I asked: "Does the Bedouin have any share in the inheritance?"
Imam {a.s} said: "As for inheritance, he has a share, and he is entitled to his portion of his slain brother's blood money (Diyyah) if it is taken."

[REFERENCES] Al-Kafi, Vol.7 p.357 • Man La Yahduruhu Al-Faqih, Vol.4 p.318 • Tahdhib Al-Ahkam, Vol.9 p.376 • Tahdhib Al-Ahkam, Vol.10 p.176 • Al-Wafi, Vol.16 p.868 • Wasa'il Al-Shi'ah, Vol.26 p.42 • Wasa'il Al-Shi'ah, Vol.29 p.117

HADITH

5688 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي عُبَيْدَةَ قَالَ : سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنِ اِمْرَأَةٍ شَرِبَتْ دَوَاءً عَمْداً وَ هِيَ حَامِلٌ وَ لَمْ تُعْلِمْ بِذَلِكَ زَوْجَهَا فَأَلْقَتْ وَلَدَهَا فَقَالَ «إِنْ كَانَ لَهُ عَظْمٌ قَدْ نَبَتَ عَلَيْهِ اَللَّحْمُ فَعَلَيْهَا دِيَةٌ تُسَلِّمُهَا إِلَى أَبِيهِ وَ إِنْ كَانَ عَلَقَةً أَوْ مُضْغَةً فَإِنَّ عَلَيْهَا أَرْبَعِينَ دِينَاراً أَوْ غُرَّةً تُؤَدِّيهَا إِلَى أَبِيهِ» فَقُلْتُ لَهُ فَهِيَ لاَ تَرِثُ وَلَدَهَا مِنْ دِيَتِهِ مَعَ أَبِيهِ قَالَ «لاَ لِأَنَّهَا قَتَلَتْهُ فَلاَ تَرِثُهُ».

H.5688 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab, from Abu Ubaydah, who said:
I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a woman who intentionally drank medicine while she was pregnant without informing her husband, causing her to miscarry his child.
Imam {a.s} said: “If the fetus had developed bones upon which flesh had grown, she must pay the full diyyah (blood money) to the father. However, if it was a clot of blood (alaqah) or a lump of flesh (mudghah), then she must pay forty dinars or provide a compensatory slave (ghurrah) to the father."
I then asked: “Does she inherit any share of the blood money for her child along with the father?"
Imam {a.s} replied: “No, because she killed the child, and therefore she does not inherit from it."

[REFERENCES] Al-Kafi, Vol.7 p.141 • Man La Yahduruhu Al-Faqih, Vol.4 p.319 • Tahdhib Al-Ahkam, Vol.9 p.379 • Tahdhib Al-Ahkam, Vol.10 p.238 • Wasa’il Al-Shi’ah, Vol.26 p.31

HADITH

5689 - وَ رَوَى زُرْعَةُ عَنْ سَمَاعَةَ قَالَ سَأَلْتُهُ عَنْ رَجُلٍ ضَرَبَ ابْنَتَهُ وَ هِيَ حُبْلَى فَأَسْقَطَتْ سِقْطاً مَيِّتاً فَاسْتَعْدَى زَوْجُ اَلْمَرْأَةِ عَلَيْهِ فَقَالَتِ اَلْمَرْأَةُ لِزَوْجِهَا إِنْ كَانَ لِهَذَا السِّقْطِ دِيَةٌ وَ لِي فِيهِ مِيرَاثٌ فَإِنَّ مِيرَاثِي فِيهِ لِأَبِي قَالَ يَجُوزُ لِأَبِيهَا مَا وَهَبَتْ لَهُ.

H.5689 - Zur'ah narrated from Sama'ah, who said: I asked Imam {a.s} about a man who struck his pregnant daughter, causing her to miscarry a stillborn child. The woman's husband sought justice against her father.
The woman then said to her husband: "If this miscarriage has a diyyah (blood money) and I have a share of inheritance in it, then I give my share to my father."
Imam {a.s} said: “What she gifted to her father is permissible for him to receive."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.319

HADITH

5690 - وَ رَوَى سُلَيْمَانُ بْنُ دَاوُدَ اَلْمِنْقَرِيُّ عَنْ حَفْصِ بْنِ غِيَاثٍ قَالَ: سَأَلْتُ جَعْفَرَ بْنَ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ عَنْ طَائِفَتَيْنِ مِنَ اَلْمُؤْمِنِينَ إِحْدَاهُمَا بَاغِيَةٌ وَ اَلْأُخْرَى عَادِلَةٌ اِقْتَتَلُوا فَقَتَلَ رَجُلٌ مِنْ أَهْلِ اَلْعِرَاقِ أَبَاهُ أَوْ اِبْنَهُ أَوْ أَخَاهُ أَوْ حَمِيمَهُ وَ هُوَ مِنْ أَهْلِ اَلْبَغْيِ وَ هُوَ وَارِثُهُ هَلْ يَرِثُهُ قَالَ «نَعَمْ لِأَنَّهُ قَتَلَهُ بِحَقٍّ».

قَالَ اَلْفَضْلُ بْنُ شَاذَانَ اَلنَّيْسَابُورِيُّ لَوْ أَنَّ رَجُلًا ضَرَبَ اِبْنَهُ ضَرْباً غَيْرَ مُسْرِفٍ فِي ذَلِكَ يُرِيدُ بِهِ تَأْدِيبَهُ فَمَاتَ اَلِابْنُ مِنْ ذَلِكَ اَلضَّرْبِ وَرِثَهُ اَلْأَبُ وَ لَمْ تَلْزَمْهُ اَلْكَفَّارَةُ لِأَنَّ لِلْأَبِ أَنْ يَفْعَلَ ذَلِكَ وَ هُوَ مَأْمُورٌ بِتَأْدِيبِ وَلَدِهِ لِأَنَّهُ فِي ذَلِكَ بِمَنْزِلَةِ اَلْإِمَامِ يُقِيمُ حَدّاً عَلَى رَجُلٍ فَيَمُوتُ اَلرَّجُلُ مِنْ ذَلِكَ اَلضَّرْبِ فَلَا دِيَةَ عَلَى اَلْإِمَامِ وَ لَا كَفَّارَةَ وَ لَا يُسَمَّى اَلْإِمَامُ قَاتِلًا إِذَا أَقَامَ حَدَّ اَللَّهِ عَزَّ وَ جَلَّ عَلَى رَجُلٍ فَمَاتَ مِنْ ذَلِكَ وَ إِنْ ضَرَبَ اَلِابْنَ ضَرْباً مُسْرِفاً فَمَاتَ لَمْ يَرِثْهُ اَلْأَبُ وَ كَانَتْ عَلَيْهِ اَلْكَفَّارَةُ وَ كُلُّ مَنْ كَانَ لَهُ اَلْمِيرَاثُ لَا كَفَّارَةَ عَلَيْهِ وَ كُلُّ مَنْ لَمْ يَكُنْ لَهُ اَلْمِيرَاثُ فَعَلَيْهِ اَلْكَفَّارَةُ فَإِنْ كَانَ بِالِابْنِ جُرْحٌ فَبَطَّهُ اَلْأَبُ فَمَاتَ اَلِابْنُ مِنْ ذَلِكَ فَإِنَّ هَذَا لَيْسَ بِقَاتِلٍ وَ هُوَ يَرِثُهُ وَ لَا كَفَّارَةَ عَلَيْهِ وَ لَا دِيَةَ لِأَنَّ هَذَا بِمَنْزِلَةِ اَلْأَدَبِ وَ اَلِاسْتِصْلَاحِ وَ اَلْحَاجَةِ مِنَ اَلْوَلَدِ إِلَى ذَلِكَ وَ إِلَى شِبْهِهِ مِنَ اَلْمُعَالَجَاتِ وَ لَوْ أَنَّ رَجُلًا كَانَ رَاكِباً عَلَى دَابَّةٍ فَوَطِئَتْ أَبَاهُ أَوْ أَخَاهُ فَمَاتَ مِنْ ذَلِكَ لَمْ يَرِثْهُ وَ كَانَتِ اَلدِّيَةُ عَلَى اَلْعَاقِلَةِ وَ اَلْكَفَّارَةُ عَلَيْهِ وَ لَوْ كَانَ يَسُوقُ اَلدَّابَّةَ أَوْ يَقُودُهَا فَوَطِئَتْ أَبَاهُ أَوْ أَخَاهُ فَمَاتَ وَرِثَهُ وَ كَانَتِ اَلدِّيَةُ عَلَى اَلْعَاقِلَةِ لِلْوَرَثَةِ وَ لَمْ تَلْزَمْهُ كَفَّارَةٌ وَ لَوْ أَنَّ رَجُلًا حَفَرَ بِئْراً فِي غَيْرِ حَقِّهِ أَوْ أَخْرَجَ كَنِيفاً أَوْ ظُلَّةً فَأَصَابَ شَيْءٌ مِنْهَا وَارِثاً فَقَتَلَهُ لَمْ تَلْزَمْهُ اَلْكَفَّارَةُ وَ كَانَتِ اَلدِّيَةُ عَلَى اَلْعَاقِلَةِ وَ وَرِثَهُ لِأَنَّ هَذَا لَيْسَ بِقَاتِلٍ أَ لَا تَرَى أَنَّهُ إِنْ فَعَلَ ذَلِكَ فِي حَقِّهِ لَمْ يَكُنْ بِقَاتِلٍ وَ لَا وَجَبَ فِي ذَلِكَ دِيَةٌ وَ لَا كَفَّارَةٌ فَإِخْرَاجُهُ ذَلِكَ اَلشَّيْءَ فِي غَيْرِ حَقِّهِ لَيْسَ هُوَ قَتْلًا لِأَنَّ ذَلِكَ بِعَيْنِهِ يَكُونُ فِي حَقِّهِ فَلَا يَكُونُ قَتْلًا وَ إِنَّمَا أُلْزِمَ اَلْعَاقِلَةُ اَلدِّيَةَ فِي ذَلِكَ اِحْتِيَاطاً فِي اَلدِّمَاءِ وَ لِئَلَّا يَبْطُلَ دَمُ اِمْرِئٍ مُسْلِمٍ وَ لِئَلَّا يَتَعَدَّى اَلنَّاسُ حُقُوقَهُمْ إِلَى مَا لَا حَقَّ لَهُمْ فِيهِ وَ كَذَلِكَ اَلصَّبِيُّ إِذَا لَمْ يُدْرِكْ وَ اَلْمَجْنُونُ لَوْ قَتَلَا لَوَرِثَا وَ كَانَتِ اَلدِّيَةُ عَلَى عَاقِلَتِهِمَا وَ اَلْقَاتِلُ يَحْجُبُ وَ إِنْ لَمْ يَرِثْ أَ لَا تَرَى أَنَّ اَلْإِخْوَةَ يَحْجُبُونَ اَلْأُمَّ وَ لَا يَرِثُونَ.

H.5690 - Sulayman ibn Dawud Al-Minqari narrated from Hafs ibn Ghiyath, who said:
I asked Imam Jafar ibn Muhammad Al-Sadiq {a.s} about two groups of believers - one of them being rebellious (baghiyah) and the other just (Adilah) - who fought each other.
A man from the people of Iraq, belonging to the rebellious group, killed his father, son, brother, or close relative during the battle and was also his heir.
I asked: “Does he inherit from him?"
Imam {a.s} replied: “Yes, because he killed him rightfully."

[AL SADUQ]

Al-Fadl ibn Shadhan Al-Naysaburi said: If a man strikes his son with a non-excessive blow intending to discipline him, and the son dies as a result of that strike, the father inherits from him and is not obligated to offer kaffarah (expiation). This is because the father has the right to discipline his child, and he is commanded to do so. In this case, the father is in the position of an Imam who enforces a legal punishment on a man, and if the man dies due to that punishment, there is no diyyah (blood money) or kaffarah upon the Imam, nor is the Imam considered a killer when he enforces the command of Allah {SWT}, the Mighty and Majestic.
However, if the father strikes his son excessively and the son dies, the father does not inherit from him, and kaffarah becomes obligatory upon him. Anyone who is entitled to inherit does not bear kaffarah, but anyone who is not entitled to inherit must offer kaffarah.

If the son had a wound and the father opened it (to treat it), and the son died from that, the father is not considered a killer. He inherits from his son, and there is neither kaffarah nor diyyah upon him because this action is regarded as a form of discipline, correction, and necessary treatment required for the child.

If a man was riding an animal and it trampled over his father or brother, causing their death, he would not inherit from them. In this case, the diyyah (blood money) would be upon the Aqilah (the male relatives responsible for blood money), and the kaffarah (expiation) would be obligatory upon him. However, if he was leading or guiding the animal and it trampled over his father or brother, causing their death, he would inherit from them, the diyyah would still be upon the Aqilah for the heirs, and no kaffarah would be required from him.

If a man dug a well in a place where he had no right to do so, or he opened a sewage channel or built a canopy, and one of his heirs was harmed by it and died, the man would not be liable for kaffarah, and the diyyah would be upon the Aqilah, and he would still inherit from the deceased. This is because he is not considered a killer.

Do you not see that if he had done such things within his rightful property, he would not be considered a killer, and no diyyah or kaffarah would be required?

Therefore, doing this in a place where he had no right is not considered intentional killing, as this action in his rightful place would not be deemed as such. The Aqilah is held responsible for the diyyah in this case as a precaution regarding the sanctity of life, to prevent the blood of a Muslim from being wasted, and to stop people from transgressing beyond their rights.

Similarly, if a child who has not reached maturity or a mentally ill person committed a killing, they would still inherit, and the diyyah would be upon their Aqilah. Moreover, the killer prevents others from inheriting even if he himself does not inherit. Do you not see that siblings prevent the mother from inheriting a larger share, even though they themselves do not inherit in certain situations?

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.319 • Tahdhib Al-Ahkam, Vol.9 p.381 • Al-Wafi, Vol.25 p.876 • Wasa'il Al-Shi'ah, Vol.26 p.41 • Tafsir Nur Al-Thaqalayn, Vol.5 p.85 • Tafsir Kanz Al-Daqaiq, Vol.12 p.333

CHAPTER 163 – CHAPTER ON THE INHERITANCE OF THE SON OF LI'AN (MUTUAL CURSING)

بَابُ مِيرَاثِ ابْنِ الْمُلَاعَنَةِ

HADITH 5691 – 5699

ابْنُ الْمُلَاعَنَةِ لَا وَارِثَ لَهُ مِنْ قِبَلِ أَبِيهِ وَ إِنَّمَا تَرِثُهُ أُمُّهُ وَ إِخْوَتُهُ لِأُمِّهِ وَ وُلْدُهُ وَ أُخْوَالُهُ وَ زَوْجَتُهُ فَإِنْ تَرَكَ أَوْلَاداً فَالْمَالُ بَيْنَهُمْ عَلَى سِهَامِ اللَّهِ عَزَّ وَ جَلَ فَإِنْ تَرَكَ أَبَاهُ وَ أُمَّهُ فَالْمَالُ لِأُمِّهِ فَإِنْ تَرَكَ أَبَاهُ وَ ابْنَهُ فَالْمَالُ لِابْنِهِ فَإِنْ تَرَكَ أَبَاهُ وَ أَخْوَالَهُ فَمَالُهُ لِأَخْوَالِهِ فَإِنْ تَرَكَ خَالًا وَ خَالَةً فَالْمَالُ بَيْنَهُمَا بِالسَّوِيَّةِ فَإِنْ تَرَكَ خَالًا وَ خَالَةً وَ عَمّاً وَ عَمَّةً فَالْمَالُ لِلْخَالِ وَ الْخَالَةِ بَيْنَهُمَا بِالسَّوِيَّةِ وَ سَقَطَ الْعَمُّ وَ الْعَمَّةُ فَإِنْ تَرَكَ إِخْوَةً لِأُمٍّ و جَدَّةً لِأُمٍّ فَالْمَالُ بَيْنَهُمْ بِالسَّوِيَّةِ فَإِنْ تَرَكَ ابْنَ أُخْتِهِ لِأُمِّهِ وَ جَدَّهُ أَبَا أُمِّهِ فَالْمَالُ بَيْنَهُمَا نِصْفَانِ فَإِنْ تَرَكَ أُمَّهُ وَ امْرَأَتَهُ فَلِلْمَرْأَةِ الرُّبُعُ وَ مَا بَقِيَ فَلِلْأُمِّ فَإِنْ تَرَكَ ابْنَ الْمُلَاعَنَةِ امْرَأَةً وَ جَدّاً أَبَا أُمَّةٍ وَ خَالَةً لِلْمَرْأَةِ الرُّبُعُ وَ لِلْجَدِّ الْبَاقِي فَإِنْ تَرَكَ ثَلَاثَ خَالَاتٍ مُتَفَرِّقَاتٍ وَ امْرَأَةً وَ ابْنَ أَخٍ لِأُمٍّ فَلِلْمَرْأَةِ الرُّبُعُ وَ مَا بَقِيَ فَلِابْنِ الْأَخِ فَإِنْ تَرَكَ ابْنَتَهُ وَ أُمَّهُ فَلِلِابْنَةِ النِّصْفُ وَ لِلْأُمِّ السُّدُسُ وَ مَا بَقِيَ رَدَّ عَلَيْهِمَا عَلَى قَدْرِ سِهَامِهِمَا فَإِنْ تَرَكَ أُمَّهُ وَ أَخَاهُ فَالْمَالُ لِلْأُمِّ فَإِنْ تَرَكَ امْرَأَةً وَ ابْنَةً وَ جَدّاً وَ جَدَّةً لِأُمٍّ وَ أَخاً وَ أُخْتاً لِأُمٍّ فَلِلْمَرْأَةِ الثُّمُنُ وَ مَا بَقِيَ فَلِلِابْنَةِ فَإِنْ تَرَكَ امْرَأَةً وَ جَدّاً وَ أُمّاً وَ جَدَّةً وَ ابْنَ أَخٍ وَ ابْنَ أُخْتٍ وَ خَالًا وَ خَالَةً فَلِلْمَرْأَةِ الرُّبُعُ وَ مَا بَقِيَ فَلِلْأُمِّ وَ سَقَطَ الْبَاقُونَ فَإِنْ تَرَكَ ابْنَةً وَ ابْنَةَ ابْنٍ فَالْمَالُ لِلِابْنَةِ وَ كَذَلِكَ إِنْ تَرَكَ ابْنَةً وَ ابْنَ ابْنٍ فَالْمَالُ لِلِابْنَةِ فَإِنْ تَرَكَ ابْنُ الْمُلَاعَنَةِ أَخاً لِأَبٍ وَ أُمٍّ وَ أَخاً لِأُمٍّ فَالْمَالُ بَيْنَهُمَا نِصْفَانِ وَ كَذَلِكَ إِنْ تَرَكَ أُخْتاً لِأُمٍّ وَ أُخْتاً لِأَبٍ وَ أُمٍّ فَالْمَالُ بَيْنَهُمَا نِصْفَانِ فَإِنْ تَرَكَ ابْنَ أَخٍ وَ ابْنَةَ أُخْتٍ لِأُمٍّ فَالْمَالُ بَيْنَهُمَا نِصْفَانِ فَإِنْ مَاتَتِ ابْنَةُ الْمُلَاعَنَةِ وَ تَرَكَتِ ابْنَ ابْنَتِهَا وَ ابْنَ ابْنَةِ ابْنِهَا وَ زَوْجَهَا وَ خَالَهَا وَ جَدَّهَا وَ ابْنَ أُخْتِهَا وَ ابْنَ أَخِيهَا فَلِلزَّوْجِ الرُّبُعُ وَ مَا بَقِيَ فَلِابْنِ الِابْنَةِ وَ سَقَطَ الْبَاقُونَ فَإِنْ تَرَكَ ابْنُ الْمُلَاعَنَةِ أُخْتَهُ وَ ابْنَةَ أَخِيهِ لِأُمِّهِ فَالْمَالُ كُلُّهُ لِلْأُخْتِ فَإِنْ تَرَكَ امْرَأَةً وَ جَدَّةً وَ جَدّاً مِنْ قِبَلِ الْأُمِّ فَلِلْمَرْأَةِ الرُّبُعُ وَ مَا بَقِيَ فَبَيْنَ الْجَدِّ وَ الْجَدَّةِ لِلْأُمِّ نِصْفَانِ فَأَمَّا وَلَدُ وَلَدِ ابْنِ الْمُلَاعَنَةِ إِذَا مَاتَ فَإِنَّ مِيرَاثَهُ مِثْلُ مِيرَاثِ غَيْرِ ابْنِ الْمُلَاعَنَةِ سَوَاءً فِي جَمِيعِ فَرَائِضِ الْمَوَارِيثِ وَ مِيرَاثُ وَلَدِ الزِّنَا مِثْلُ مِيرَاثِ وَلَدِ الْمُلَاعَنَةِ.

[AL SADUQ]

The child of mula'anah (the child resulting from mutual cursing between spouses due to accusations of adultery) has no inheritance rights from his father. His inheritance is only through his mother, maternal siblings, his own children, maternal uncles, and his wife.

If he leaves behind children, the wealth is divided among them according to the shares ordained by Allah {SWT}, the Mighty and Majestic.

If he leaves behind both his father and mother, the wealth goes to his mother.

If he leaves behind his father and his son, the wealth goes to his son.

If he leaves behind his father and maternal uncles, wealth goes to his maternal uncles.

If he leaves behind a maternal uncle and a maternal aunt, the wealth is divided equally between them.

If he leaves behind a maternal uncle, a maternal aunt, a paternal uncle, and a paternal aunt, the wealth is divided equally between the maternal uncle and aunt, and the paternal uncle and aunt receive nothing.

If he leaves behind maternal siblings and a maternal grandmother, the wealth is divided equally between them.

If he leaves behind his maternal aunt's son and his maternal grandfather, the wealth is divided equally between them.

If he leaves behind his mother and his wife, the wife receives one-fourth, and the remainder goes to his mother.

If the child of mula'anah leaves behind a wife, maternal grandfather, and maternal aunt, the wife receives one-fourth, and remainder goes to the maternal grandfather.

If he leaves behind three maternal aunts from different mothers, a wife, and a maternal nephew, the wife receives one-fourth, and remainder goes to the maternal nephew.

If he leaves behind a daughter and his mother, the daughter receives half, the mother receives one-sixth, and the remaining share is returned to them proportionally based on their shares.

If he leaves behind his mother and his brother, the wealth goes entirely to his mother.

If he leaves behind a wife, a daughter, a maternal grandfather, a maternal grandmother, and a maternal brother and sister, the wife receives one-eighth, and the remainder goes to the daughter.

If he leaves behind a wife, maternal grandfather, mother, maternal grandmother, maternal nephew, maternal niece, maternal uncle, and maternal aunt, the wife receives one-fourth, and the remainder goes to his mother.

If a man leaves behind a daughter and a son's daughter (granddaughter), the entire inheritance goes to the daughter. Similarly, if he leaves behind a daughter and a son's son (grandson), the entire inheritance goes to the daughter.

If the child of mula'anah leaves behind a full brother (from both parents) and a maternal brother, the inheritance is divided equally between them. Likewise, if he leaves behind a maternal sister and a full sister, the inheritance is divided equally between them. If he leaves behind a paternal nephew and a maternal niece, the inheritance is also divided equally between them.

If the daughter of the mula'anah child dies and leaves behind her daughter's son, her son's daughter's son, her husband, her maternal uncle, her grandfather, her maternal nephew, and her paternal nephew, the husband receives one-fourth of the inheritance, and the remainder goes to her daughter's son, while the rest of the relatives receive nothing.

If the child of mula'anah leaves behind his sister and his maternal brother's daughter, the entire inheritance goes to his sister.

If he leaves behind a wife, a maternal grandmother, and a maternal grandfather, the wife receives one-fourth, and the remainder is divided equally between the maternal grandfather and grandmother.

As for the descendants of the child of mula'anah, if they die, their inheritance is distributed just like that of any other person, following all the prescribed rules of inheritance without distinction.

Likewise, the inheritance of a child born from fornication (walad Al-zina) is the same as that of the child of mula'anah, following the same rules of inheritance.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.323

HADITH

5691 - وَ رَوَى حَمَّادٌ عَنِ اَلْحَلَبِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنِ اَلْمُلاَعَنَةِ اَلَّتِي يَرْمِيهَا زَوْجُهَا وَ يَنْتَفِي مِنْ وَلَدِهَا وَ يُلاَعِنُهَا ثُمَّ يَقُولُ زَوْجُهَا بَعْدَ ذَلِكَ اَلْوَلَدُ وَلَدِي وَ يُكَذِّبُ نَفْسَهُ فَقَالَ «أَمَّا اَلْمَرْأَةُ فَلاَ تَرْجِعُ إِلَيْهِ أَبَداً وَ أَمَّا اَلْوَلَدُ فَإِنِّي أَرُدُّهُ إِلَيْهِ إِذَا اِدَّعَاهُ وَ لاَ أَدَعُ وَلَدَهُ لَيْسَ لَهُ مِيرَاثٌ وَ يَرِثُ اَلاِبْنُ اَلْأَبَ وَ لاَ يَرِثُ اَلْأَبُ اَلاِبْنَ يَكُونُ مِيرَاثُهُ لِأَخْوَالِهِ وَ إِنْ دَعَاهُ أَحَدٌ وَلَدَ اَلزِّنَا جُلِدَ اَلْحَدَّ».

H.5691 - Hammad narrated from Al-Halabi, from Abu Abdullah {a.s}, who was asked about a case of mula'anah (mutual cursing) where a man accuses his wife of adultery, disowns her child, and they engage in the process of mula'anah. Later, the husband claims that the child is indeed his and denies his earlier accusation.
Abu Abdullah {a.s} said: "As for the woman, she can never return to him. As for the child, I return the child to him if he acknowledges it, and I will not leave his child without inheritance. The son inherits from the father, but the father does not inherit from the son. The child's inheritance goes to his maternal uncles. However, if anyone claims a child of adultery (walad Al-zina), he will be subjected to the prescribed punishment (hadd) for false accusation."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.323

HADITH

5692 - وَ رَوَى مُوسَى بْنُ بَكْرٍ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِنَّ مِيرَاثَ وَلَدِ اَلْمُلاَعَنَةِ لِأُمِّهِ فَإِنْ كَانَتْ أُمُّهُ لَيْسَتْ بِحَيَّةٍ فَلِأَقْرَبِ اَلنَّاسِ مِنْ أُمِّهِ أَخْوَالِهِ».

قَالَ مُصَنِّفُ هَذَا اَلْكِتَابِ رَحِمَهُ اَللَّهُ مَتَى كَانَ اَلْإِمَامُ غَائِباً كَانَ مِيرَاثُ اِبْنِ اَلْمُلاَعَنَةِ لِأُمِّهِ وَ مَتَى كَانَ اَلْإِمَامُ ظَاهِراً كَانَ لِأُمِّهِ اَلثُّلُثُ وَ اَلْبَاقِي لِإِمَامِ اَلْمُسْلِمِينَ وَ تَصْدِيقُ ذَلِكَ مَا رَوَاهُ.

H.5692 - Musa ibn Bakr narrated from Zurarah, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said: "The inheritance of the child of mula'anah belongs to his mother. If his mother is not alive, then it goes to the closest relatives on his mother's side - his maternal uncles."

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, stated: When the Imam is absent, the inheritance of the child of mula'anah belongs entirely to his mother. However, when the Imam is present and apparent, one-third of the inheritance goes to the mother, and the remaining portion belongs to the Imam of the Muslims. This is supported by related narrations.

[REFERENCES] Al-Kafi, Vol.7 p.160 • Man La Yahduruhu Al-Faqih, Vol.4 p.323 • Tahdhib Al-Ahkam, Vol.8 p.190 • Tahdhib Al-Ahkam, Vol.9 p.338 • Al-Wafi, Vol.25 p.879 • Wasa'il Al-Shi'ah, Vol.22 p.434 • Wasa'il Al-Shi'ah, Vol.26 p.259

HADITH

5693 - اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي أَيُّوبَ عَنْ أَبِي عُبَيْدَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ: «اِبْنُ اَلْمُلاَعَنَةِ تَرِثُهُ أُمُّهُ اَلثُّلُثَ وَ اَلْبَاقِي لِإِمَامِ اَلْمُسْلِمِينَ ».

H.5693 - Al-Hasan ibn Mahbub narrated from Abu Ayyub, from Abu Ubaydah, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said: "The child of mula'anah is inherited by his mother with one-third, and the remainder belongs to the Imam of the Muslims."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.324

HADITH

5694 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ أَبَانٍ وَ غَيْرِهِ عَنْ زُرَارَةَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي اِبْنِ اَلْمُلاَعَنَةِ «أَنَّهُ تَرِثُهُ أُمُّهُ اَلثُّلُثَ وَ اَلْبَاقِي لِلْإِمَامِ لِأَنَّ جِنَايَتَهُ عَلَى اَلْإِمَامِ» ».

H.5694 - Ibn Abi Umayr narrated from Aban and others, from Zurarah, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
"The Commander of the Faithful {a.s} ruled regarding the child of mula'anah that his mother inherits one-third, and the remainder belongs to the Imam because any liability for his actions falls upon the Imam."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.324 • Tahdhib Al-Ahkam, Vol.9 p.343 • Al-Istibsar, Vol.4 p.182 • Al-Istibsar, Vol.4 p.182 • Al-Wafi, Vol.25 p.884 • Wasa'il Al-Shi'ah, Vol.26 p.265

HADITH

5695 - وَ رَوَى أَبُو اَلْجَوْزَاءِ عَنِ اَلْحُسَيْنِ بْنِ عُلْوَانَ عَنْ عَمْرِو بْنِ خَالِدٍ عَنْ زَيْدِ بْنِ عَلِيٍّ عَنْ أَبِيهِ عَنْ جَدِّهِ عَنْ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ قَذَفَ اِمْرَأَتَهُ ثُمَّ خَرَجَ فَجَاءَ وَ قَدْ تُوُفِّيَتِ اَلْمَرْأَةُ قَالَ «يُخَيَّرُ وَاحِدَةً مِنِ اِثْنَتَيْنِ فَيُقَالُ لَهُ إِنْ شِئْتَ أَلْزَمْتَ نَفْسَكَ اَلذَّنْبَ فَيُقَامُ فِيكَ اَلْحَدُّ وَ تُعْطَى اَلْمِيرَاثَ وَ إِنْ شِئْتَ أَقْرَرْتَ فَلاَعَنْتَ أَدْنَى قَرَابَتِهَا إِلَيْهَا وَ لاَ مِيرَاثَ لَكَ».

H.5695 - Abu Al-Jawza' narrated from Al-Husayn ibn Alwan, from Amr ibn Khalid, from Zayd ibn Ali, from his father {a.s}, from his grandfather {a.s}, from Imam Ali ibn Abi Talib {a.s}, regarding a man who accused his wife of adultery and then left.
When he returned, he found that his wife had passed away.
Imam Ali ibn Abi Talib {a.s} said: "He is given a choice between two options. It is said to him: If you wish, you can admit to the sin, in which case the legal punishment (hadd) will be carried out upon you, and you will receive her inheritance.
Or, if you wish, you may affirm your accusation and perform mula'anah (mutual cursing) with her closest living relative, and in that case, you will have no share in her inheritance."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.3 p.539 • Man La Yahduruhu Al-Faqih, Vol.4 p.324 • Tahdhib Al-Ahkam, Vol.8 p.194 • Awali Al-La'ali, Vol.3 p.416 • Al-Wafi, Vol.22 p.977 • Wasa'il Al-Shi'ah, Vol.22 p.435

HADITH

5696 - وَ رَوَى مَنْصُورُ بْنُ حَازِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ «كَانَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «إِذَا مَاتَ اِبْنُ اَلْمُلاَعَنَةِ وَ لَهُ إِخْوَةٌ قُسِمَ مَالُهُ عَلَى سِهَامِ اَللَّهِ عَزَّ وَ جَلَّ» ».

يَعْنِي إِخْوَةٌ لِأُمٍّ أَوْ لِأَبٍ وَ أُمٍّ فَأَمَّا الْإِخْوَةُ لِلْأَبِ فَلَا يَرِثُونَهُ وَ الْإِخْوَةُ لِلْأَبِ وَ الْأُمِّ إِنَّمَا يَرِثُونَهُ مِنْ جِهَةِ الْأُمِّ لَا مِنْ جِهَةِ الْأَبِ فَهُمْ وَ الْإِخْوَةُ لِلْأُمِّ فِي الْمِيرَاثِ سَوَاءٌ.

H.5696 - Mansur ibn Hazim narrated from Abu Abdullah {a.s} who said:
"Imam Ali ibn Abi Talib {a.s} used to say: 'If the son of the cursed woman dies and he has brothers, his wealth is divided according to the shares ordained by Allah {SWT}, the Mighty and Majestic.'"

[AL SADUQ]
This means brothers from the mother's side or from both the father and mother.
As for brothers from the father's side only, they do not inherit from him. The brothers from both the father and the mother inherit only through the mother, not through the father.
Therefore, they and the brothers from the mother's side are equal in inheritance.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.325

HADITH

5697 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنِ اَلْحَلَبِيِّ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ لاَعَنَ اِمْرَأَتَهُ وَ هِيَ حُبْلَى قَدِ اِسْتَبَانَ حَمْلُهَا وَ أَنْكَرَ مَا فِي بَطْنِهَا فَلَمَّا وَضَعَتِ اِدَّعَاهُ وَ أَقَرَّ بِهِ وَ زَعَمَ أَنَّهُ مِنْهُ فَقَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ «يُرَدُّ إِلَيْهِ وَلَدُهُ وَ يَرِثُهُ وَ لاَ يُجْلَدُ لِأَنَّ اَللِّعَانَ قَدْ مَضَى».

H.5697 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab from Al-Halabi who said:
I asked Abu Abdullah {a.s} about a man who had invoked li'an against his wife while she was pregnant, and her pregnancy was visibly apparent. He denied what was in her womb.
However, after she gave birth, he claimed the child and acknowledged it, asserting that it was his.
Abu Abdullah {a.s} said: "The child is returned to him, and he inherits from him, and the man is not subjected to flogging because the li'an has already taken place."

[REFERENCES] Al-Kafi, Vol.6 p.165 • Man La Yahduruhu Al-Faqih, Vol.4 p.325 • Tahdhib Al-Ahkam, Vol.8 p.190 • Al-Istibsar, Vol.3 p.375 • Al-Wafi, Vol.22 p.966 • Wasa'il Al-Shi'ah, Vol.22 p.425

HADITH

5698 - وَ رَوَى مُحَمَّدُ بْنُ اَلْفُضَيْلِ عَنْ أَبِي اَلصَّبَّاحِ وَ عَمْرِو بْنِ عُثْمَانَ عَنِ اَلْمُفَضَّلِ عَنْ زَيْدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اِبْنِ اَلْمُلاَعَنَةِ مَنْ يَرِثُهُ قَالَ «تَرِثُهُ أُمُّهُ» قُلْتُ أَ رَأَيْتَ إِنْ مَاتَتْ أُمُّهُ وَ وَرِثَهَا هُوَ ثُمَّ مَاتَ هُوَ مَنْ يَرِثُهُ قَالَ «عَصَبَةُ أُمِّهِ وَ هُوَ يَرِثُ أَخْوَالَهُ».

H.5698 - Muhammad ibn Al-Fudayl narrated from Abu Al-Sabbah and Amr ibn Uthman from Al-Mufaddal from Zayd from Abu Abdullah {a.s} regarding the inheritance of the son of the cursed woman.
Imam {a.s} said: "His mother inherits from him."
I asked: "What if his mother dies, and he inherits from her, then he dies - who inherits from him?"
Imam {a.s} said: "The maternal relatives (Aṣaba) of his mother inherit from him, and he inherits from his maternal uncles."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.325 • Al-Wafi, Vol.25 p.881 • Wasa'il Al-Shi'ah, Vol.26 p.266

HADITH

5699 - وَ رَوَى حَمَّادُ بْنُ عِيسَى عَنْ شُعَيْبٍ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «اِبْنُ اَلْمُلاَعَنَةِ يُنْسَبُ إِلَى أُمِّهِ وَ يَكُونُ أَمْرُهُ وَ شَأْنُهُ كُلُّهُ إِلَيْهَا».

H.5699 - Hammad ibn Isa narrated from Shu'ayb from Abu Basir from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said: "The son of the cursed woman is attributed to his mother, and all his matters and affairs belong entirely to her."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.325 • Al-Wafi, Vol.23 p.1417 • Wasa'il Al-Shi'ah, Vol.26 p.262

CHAPTER 164 – CHAPTER ON THE INHERITANCE OF ONE WHO EMBRACES ISLAM OR IS FREED BEFORE RECEIVING INHERITANCE

بَابُ مِيرَاثِ مَنْ أَسْلَمَ أَوْ أُعْتِقَ عَلَى الْمِيرَاثِ

HADITH 5700

5700 - رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ أَبَانِ بْنِ عُثْمَانَ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي اَلرَّجُلِ يُسْلِمُ عَلَى اَلْمِيرَاثِ قَالَ «إِنْ كَانَ قُسِمَ فَلاَ حَقَّ لَهُ وَ إِنْ كَانَ لَمْ يُقْسَمْ فَلَهُ اَلْمِيرَاثُ» قَالَ قُلْتُ اَلْعَبْدُ يُعْتَقُ عَلَى مِيرَاثٍ فَقَالَ «هُوَ بِمَنْزِلَتِهِ».

H.5700 - Muhammad ibn Abi Umayr narrated from Aban ibn Uthman from Muhammad ibn Muslim from Abu Abdullah {a.s} regarding a man who accepts Islam for the sake of inheritance.
Imam {a.s} said: "If the inheritance has already been divided, then he has no right to it. But if it has not been divided, then he is entitled to the inheritance."
I asked: “What about a slave who is freed for the sake of inheritance?"
Imam {a.s} said: "He is in the same position."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.325 • Tahdhib Al-Ahkam, Vol.9 p.336 • Al-Wafi, Vol.25 p.849 • Wasa’il Al-Shi’ah, Vol.26 p.21

CHAPTER 165 – CHAPTER ON THE INHERITANCE OF THE HERMAPHRODITE

بَابُ مِيرَاثِ الْخُنْثَى

HADITH 5701 – 5705

5701 - رَوَى اَلْحَسَنُ بْنُ مُوسَى اَلْخَشَّابُ عَنْ غِيَاثِ بْنِ كَلُّوبٍ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ كَانَ يَقُولُ : «اَلْخُنْثَى يُوَرَّثُ مِنْ حَيْثُ يَبُولُ فَإِنْ بَالَ مِنْهُمَا جَمِيعاً فَمِنْ أَيِّهِمَا سَبَقَ اَلْبَوْلُ وُرِّثَ مِنْهُ فَإِنْ مَاتَ وَ لَمْ يَبُلْ فَنِصْفُ عَقْلِ اَلرَّجُلِ وَ نِصْفُ عَقْلِ اَلْمَرْأَةِ».

H.5701 - Al-Hasan ibn Musa Al-Khasshab narrated from Ghiyath ibn Kallub from Ishaq ibn Ammar from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s} that Imam Ali ibn Abi Talib {a.s} used to say:
"The hermaphrodite is given inheritance based on the place from which they urinate. If they urinate from both, then inheritance is determined by whichever one the urine exits from first. If they die without urinating, then they are assigned half the blood money of a man and half the blood money of a woman."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.326 • Tahdhib Al-Ahkam, Vol.9 p.354 • Al-Wafi, Vol.25 p.901 • Wasa'il Al-Shi'ah, Vol.26 p.286 • Wasa'il Al-Shi'ah, Vol.29 p.228

HADITH

5702 - وَ رَوَى اَلسَّكُونِيُّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ : «أَنَّ عَلِيَّ بْنَ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ كَانَ يُوَرِّثُ اَلْخُنْثَى فَيَعُدُّ أَضْلاَعَهُ فَإِنْ كَانَتْ أَضْلاَعُهُ نَاقِصَةً مِنْ أَضْلاَعِ اَلنِّسَاءِ بِضِلْعٍ وَرَّثَ مِيرَاثَ اَلرَّجُلِ لِأَنَّ اَلرَّجُلَ تَنْقُصُ أَضْلاَعُهُ، عَنْ ضِلْعِ اَلنِّسَاءِ بِضِلْعٍ لِأَنَّ حَوَّاءَ خُلِقَتْ مِنْ ضِلْعِ آدَمَ عَلَيْهِ اَلسَّلاَمُ اَلْقُصْوَى اَلْيُسْرَى فَنَقَصَ مِنْ أَضْلاَعِهِ ضِلْعٌ وَاحِدٌ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ إِنَّ حَوَّاءَ خُلِقَتْ مِنْ فَضْلَةِ الطِّينَةِ الَّتِي خُلِقَ مِنْهَا آدَمُ ع وَ كَانَتْ تِلْكَ الطِّينَةُ مُبْقَاةً مِنْ طِينَةِ أَضْلَاعِهِ لَا أَنَّهَا خُلِقَتْ مِنْ ضِلْعِهِ بَعْدَ مَا أُكْمِلَ خَلْقُهُ فَأُخِذَ ضِلْعٌ مِنْ أَضْلَاعِهِ الْيُسْرَى فَخُلِقَتْ مِنْهَا وَ لَوْ كَانَ كَمَا يَقُولُ الْجُهَّالُ لَكَانَ لِمُتَكَلِّمٍ مِنْ أَهْلِ التَّشْنِيعِ طَرِيقٌ إِلَى أَنْ يَقُولَ إِنَّ آدَمَ كَانَ يَنْكِحُ بَعْضُهُ بَعْضاً وَ هَكَذَا خَلَقَ اللَّهُ عَزَّ وَ جَلَّ النَّخْلَةَ مِنْ فَضْلَةِ طِينَةِ آدَمَ ع وَ كَذَلِكَ الْحَمَامُ فَلَوْ كَانَ ذَلِكَ كُلُّهُ مَأْخُوذاً مِنْ جَسَدِهِ بَعْدَ إِكْمَالِ خَلْقِهِ لَمَا جَازَ أَنْ يَنْكِحَ حَوَّاءُ فَيَكُونَ قَدْ نَكَحَ بَعْضُهُ بَعْضاً وَ لَا جَازَ لَهُ أَنْ يَأْكُلَ التَّمْرَ لِأَنَّهُ كَانَ يَكُونُ قَدْ أَكَلَ بَعْضَهُ وَ كَذَلِكَ الْحَمَامُ.

H.5702 - Al-Sakuni narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s} that Imam Ali ibn Abi Talib {a.s} used to determine the inheritance of a hermaphrodite by counting their ribs.
If their ribs were fewer than the ribs of women by one rib, he would allocate to them the inheritance of a man, because a man has one rib less than a woman. This is because Hawwa (Eve) was created from the leftmost rib of Adam {a.s}, and thus one rib was missing from his ribs.

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, said: Indeed, Hawwa (Eve) was created from the leftover clay from which Adam {a.s} was created. That clay was preserved from the clay of his ribs, not that she was created from his rib after his creation was completed and a rib from his left ribs was taken to create her.
Had it been as the ignorant claim, it would have given critics an opportunity to say that Adam married a part of himself. Similarly, Allah {SWT}, the Mighty and Majestic, created the date palm from the leftover clay of Adam {a.s}, and likewise the pigeons. If all of this had been taken from his body after his creation was complete, it would not have been permissible for him to marry Hawwa, for it would mean he married a part of himself. Nor would it have been permissible for him to eat dates, for that would imply he consumed a part of himself, and the same applies to the pigeons.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.326 • Al-Wafi, Vol.25 p.906 • Wasa'il Al-Shi'ah, Vol.26 p.287

HADITH

5703 - وَ لِذَلِكَ قَالَ اَلنَّبِيُّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : فِي اَلنَّخْلَةِ «اِسْتَوْصُوا بِعَمَّتِكُمْ خَيْراً».

H.5703 - For this reason (H.5702), the Prophet (peace be upon him and his family) said regarding the date palms: "Treat your paternal aunt (metaphorical) well."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.327

HADITH

5704 - وَ رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِنَّ شُرَيْحاً اَلْقَاضِيَ بَيْنَمَا هُوَ فِي مَجْلِسِ اَلْقَضَاءِ إِذْ أَتَتْهُ اِمْرَأَةٌ فَقَالَتْ أَيُّهَا اَلْقَاضِي اِقْضِ بَيْنِي وَ بَيْنَ خَصْمِي فَقَالَ لَهَا وَ مَنْ خَصْمُكِ قَالَتْ أَنْتَ قَالَ أَفْرِجُوا لَهَا فَأَفْرَجُوا لَهَا فَدَخَلَتْ فَقَالَ لَهَا مَا ظُلاَمَتُكِ فَقَالَتْ إِنَّ لِي مَا لِلرِّجَالِ وَ مَا لِلنِّسَاءِ قَالَ شُرَيْحٌ فَإِنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ يَقْضِي عَلَى اَلْمَبَالِ قَالَتْ فَإِنِّي أَبُولُ بِهِمَا جَمِيعاً وَ يَسْكُنَانِ مَعاً قَالَ شُرَيْحٌ وَ اَللَّهِ مَا سَمِعْتُ بِأَعْجَبَ مِنْ هَذَا قَالَتْ وَ أَعْجَبُ مِنْ هَذَا قَالَ وَ مَا هُوَ قَالَتْ جَامَعَنِي زَوْجِي فَوَلَدْتُ مِنْهُ وَ جَامَعْتُ جَارِيَتِي فَوَلَدَتْ مِنِّي فَضَرَبَ شُرَيْحٌ إِحْدَى يَدَيْهِ عَلَى اَلْأُخْرَى مُتَعَجِّباً ثُمَّ جَاءَ إِلَى أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَقَالَ يَا أَمِيرَ اَلْمُؤْمِنِينَ لَقَدْ وَرَدَ عَلَيَّ شَيْءٌ مَا سَمِعْتُ بِأَعْجَبَ مِنْهُ ثُمَّ قَصَّ عَلَيْهِ قِصَّةَ اَلْمَرْأَةِ فَسَأَلَهَا أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ عَنْ ذَلِكَ فَقَالَتْ هُوَ كَمَا ذَكَرَ فَقَالَ لَهَا «وَ مَنْ زَوْجُكِ» قَالَتْ فُلاَنٌ فَبَعَثَ إِلَيْهِ فَدَعَاهُ فَقَالَ «أَ تَعْرِفُ هَذِهِ» قَالَ نَعَمْ هِيَ زَوْجَتِي فَسَأَلَهُ عَمَّا قَالَتْ فَقَالَ هُوَ كَذَلِكَ فَقَالَ لَهُ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «لَأَنْتَ أَجْرَأُ مِنْ رَاكِبِ اَلْأَسَدِ حَيْثُ تُقْدِمُ عَلَيْهَا بِهَذِهِ اَلْحَالِ»

ثُمَّ قَالَ «يَا قَنْبَرُ أَدْخِلْهَا بَيْتاً مَعَ اِمْرَأَةٍ فَعُدَّ أَضْلاَعَهَا» فَقَالَ زَوْجُهَا يَا أَمِيرَ اَلْمُؤْمِنِينَ لاَ آمَنُ عَلَيْهَا رَجُلاً وَ لاَ أُنْتَمِنُ عَلَيْهَا اِمْرَأَةً فَقَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «عَلَيَّ بِدِينَارِ اَلْخَصِيِّ » وَ كَانَ مِنْ صَالِحِي أَهْلِ اَلْكُوفَةِ وَ كَانَ يَثِقُ بِهِ فَقَالَ لَهُ «يَا دِينَارُ أَدْخِلْهَا بَيْتاً وَ عَرِّهَا مِنْ ثِيَابِهَا وَ مُرْهَا أَنْ تَشُدَّ مِئْزَراً وَ عُدَّ أَضْلاَعَهَا» فَفَعَلَ دِينَارٌ ذَلِكَ وَ كَانَ أَضْلاَعُهَا سَبْعَةَ عَشَرَ تِسْعَةٌ فِي اَلْيَمِينِ وَ ثَمَانِيَةٌ فِي اَلْيَسَارِ فَأَلْبَسَهَا عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ ثِيَابَ اَلرِّجَالِ وَ اَلْقَلَنْسُوَةَ وَ اَلنَّعْلَيْنِ وَ أَلْقَى عَلَيْهِ اَلرِّدَاءَ وَ أَلْحَقَهُ بِالرِّجَالِ فَقَالَ زَوْجُهَا يَا أَمِيرَ اَلْمُؤْمِنِينَ اِبْنَةُ عَمِّي وَ قَدْ وَلَدَتْ مِنِّي تُلْحِقُهَا بِالرِّجَالِ فَقَالَ عَلَيْهِ اَلسَّلاَمُ «إِنِّي حَكَمْتُ عَلَيْهَا بِحُكْمِ اَللَّهِ عَزَّ وَ جَلَّ إِنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى خَلَقَ حَوَّاءَ مِنْ ضِلْعِ آدَمَ اَلْأَيْسَرِ اَلْأَقْصَى وَ أَضْلاَعُ اَلرِّجَالِ تَنْقُصُ وَ أَضْلاَعُ اَلنِّسَاءِ تَمَامٌ» ».

H.5704 - Asim ibn Humaid narrated from Muhammad ibn Qays from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said:

"Shurayh the judge was once sitting in his court when a woman approached him and said:

'O' judge, rule between me and my opponent.'

He (Shurayh) asked her: 'And who is your opponent?'

She replied: 'You.'

Shurayh said: 'Make way for her,' so they made space, and she entered.

He (Shurayh) asked her: 'What is your grievance?'

She said: 'I possess what belongs to men and what belongs to women.'

Shurayh said: 'The Commander of the Faithful {a.s} rules according to how one urinates.'

She replied: 'I urinate from both, and both function together.'

Shurayh said: 'By Allah {SWT}, I have never heard anything more astonishing than this.'

She said: 'And there is something even more astonishing.'

He asked: 'And what is that?'

She said: 'My husband had intercourse with me, and I bore him a child, and I had intercourse with my female servant, and she bore me a child.'

Shurayh struck one of his hands against the other in amazement and then went to the Commander of the Faithful {a.s} and said:
'O' Commander of the Faithful, something has come before me that I have never heard of anything more astonishing.'
He (Shurayh) then narrated the woman's story to Imam Ali ibn Abi Talib {a.s}.
The Commander of the Faithful {a.s} asked the woman about it, and she confirmed it.
Imam Ali ibn Abi Talib {a.s} asked her: 'And who is your husband?'
She replied: 'So-and-so.'
Imam Ali ibn Abi Talib {a.s} sent for the man and asked him: 'Do you know this woman?'
He replied: 'Yes, she is my wife.'
Imam Ali {a.s} then questioned him about what she had said, and the man confirmed it.
Imam Ali {a.s} said to him: 'You are bolder than a lion rider for approaching her in this condition.'"
Then Imam Ali {a.s} said: "O' Qanbar, take her into a room with a woman and count her ribs."
Her husband said: "O' Commander of the Faithful {a.s}, I do not feel secure leaving her with a man, nor do I trust leaving her with a woman."
Imam Ali {a.s} said: "Bring me Dinar, the eunuch," who was among the righteous people of Kufa and whom Imam Ali {a.s} trusted.
Imam Ali ibn Abi Talib {a.s} said to him: "O' Dinar, take her into a room, have her remove her clothing, instruct her to wrap herself with a waistcloth, and count her ribs."
Dinar did so and found that she had seventeen ribs - nine on the right side and eight on the left.
Then Imam Ali ibn Abi Talib {a.s} dressed her in men's clothing, placed a cap on her head, gave her sandals, draped a cloak over her, and asigned her among the men.
Her husband said: "O' Commander of the Faithful {a.s}, she is my cousin, and she has borne me a child, and now you are assigning her among the men?"
Imam Ali ibn Abi Talib {a.s} replied: "I have ruled over her with the judgment of Allah {SWT}, the Mighty and Majestic. Indeed, Allah {SWT}, Blessed and Exalted, created Hawwa (Eve) from the farthest left rib of Adam, and the ribs of men are fewer, whereas the ribs of women are complete."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.327 • Al-Wafi, Vol.25 p.904 • Wasa'il Al-Shi'ah, Vol.26 p.288 • Mustadrak Al-Wasa'il, Vol.17 p.221

HADITH

5705 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ جَمِيلِ بْنِ دَرَّاجٍ أَوْ جَمِيلِ بْنِ صَالِحٍ عَنِ اَلْفُضَيْلِ بْنِ يَسَارٍ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ مَوْلُودٍ لَيْسَ لَهُ مَا لِلرِّجَالِ وَ لَيْسَ لَهُ مَا لِلنِّسَاءِ قَالَ «هَذَا يُقْرِعُ عَلَيْهِ اَلْإِمَامُ يَكْتُبُ عَلَى سَهْمٍ عَبْدَ اَللَّهِ وَ يَكْتُبُ عَلَى سَهْمٍ آخَرَ أَمَةَ اَللَّهِ ثُمَّ يَقُولُ اَلْإِمَامُ أَوِ اَلْمُقْرِعُ: اَللَّهُمَّ أَنْتَ اَللَّهُ لاَ إِلَهَ إِلاَّ أَنْتَ «عٰالِمَ اَلْغَيْبِ وَ اَلشَّهٰادَةِ أَنْتَ تَحْكُمُ بَيْنَ عِبٰادِكَ فِي مٰا كٰانُوا فِيهِ يَخْتَلِفُونَ» بَيِّنْ لَنَا أَمْرَ هَذَا اَلْمَوْلُودِ حَتّٰى يُوَرَّثَ مَا فَرَضْتَ لَهُ فِي كِتٰابِكَ، ثُمَّ يَطْرَحُ اَلسَّهْمَيْنِ فِي سِهَامٍ مُبْهَمَةٍ ثُمَّ تُجَالُ فَأَيُّهُمَا خَرَجَ وُرِّثَ عَلَيْهِ».

H.5705 - Al-Hasan ibn Mahbub narrated from Jameel ibn Darraj or Jameel ibn Salih from Al-Fudayl ibn Yasar who said: I asked Abu Abdullah {a.s} about a newborn who has neither the characteristics of males nor females.
Imam {a.s} said: "In this case, the Imam will cast lots. He will write on one lot 'Servant of Allah {SWT}' (Abdullah) and on another lot 'Maidservant of Allah {SWT}' (Amatullah).
Then the Imam or the one drawing the lots will say: 'O' Allah {SWT}, You are Allah {SWT}, there is no God but You {SWT}. Knower of the unseen and the seen, You {SWT} judge between Your {SWT} servants in what they differ. Clarify for us the matter of this newborn so that we may allot the inheritance You {SWT} have prescribed for them in Your {SWT} Book'.
Then the two lots will be placed among other unidentified lots, and whichever one is drawn will determine how the child inherits."

[REFERENCES] Al-Muhasin, Vol.2 p.603 • Al-Kafi, Vol.7 p.158 • Man La Yahduruhu Al-Faqih, Vol.3 p.94 • Man La Yahduruhu Al-Faqih, Vol.4 p.329 • Tahdhib Al-Ahkam, Vol.6 p.239 • Tahdhib Al-Ahkam, Vol.9 p.356 • Al-Istibsar, Vol.4 p.187 • Mishkat Al-Anwar, Vol.1 p.330 • Al-Wafi, Vol.25 p.907 • Wasa'il Al-Shi'ah, Vol.26 p.292

CHAPTER 166 – CHAPTER ON THE INHERITANCE OF A NEWBORN BORN WITH TWO HEADS

بَابُ مِيرَاثِ الْمَوْلُودِ يُولَدُ وَ لَهُ رَأْسَانِ

HADITH 5706

5706 - رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ عِيسَى عَنْ عَلِيِّ بْنِ أَحْمَدَ بْنِ أَشْيَمَ عَنْ مُحَمَّدِ بْنِ اَلْقَاسِمِ اَلْجَوْهَرِيِّ عَنْ أَبِيهِ عَنْ حَرِيزِ بْنِ عَبْدِ اَللَّهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «وُلِدَ عَلَى عَهْدِ أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ مَوْلُودٌ لَهُ رَأْسَانِ فَسُئِلَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ يُوَرَّثُ مِيرَاثَ اِثْنَيْنِ أَوْ وَاحِدٍ فَقَالَ «يُتْرَكُ حَتَّى يَنَامَ ثُمَّ يُصَاحُ بِهِ فَإِنِ اِنْتَبَهَا جَمِيعاً مَعاً، كَانَ لَهُ مِيرَاثُ وَاحِدٌ وَ إِنِ اِنْتَبَهَ وَاحِدٌ وَ بَقِيَ اَلْآخَرُ نَائِماً وُرِّثَ مِيرَاثَ اِثْنَيْنِ».

وَ رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ أَبِي نَصْرٍ الْبَزَنْطِيُّ- عَنْ أَبِي جَمِيلَةَ قَالَ رَأَيْتُ بِفَارِسَ امْرَأَةً لَهَا رَأْسَانِ وَ صَدْرَانِ فِي حَقْوٍ وَاحِدٍ تَغَارُ هَذِهِ عَلَى هَذِهِ وَ هَذِهِ عَلَى هَذِهِ.

H.5706 - Ahmad ibn Muhammad ibn Isa narrated from Ali ibn Ahmad ibn Ashyam from Muhammad ibn Al-Qasim Al-Jawhari from his father from Hariz ibn Abdullah from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"During the time of the Commander of the Faithful {a.s}, a child was born with two heads. Imam Ali ibn Abi Talib {a.s} was asked whether this child should inherit as one person or as two. Imam Ali {a.s} replied: 'Let the child sleep, then call out to them. If both heads wake up together, the child inherits as one person. But if one wakes up while the other remains asleep, then the child inherits as two.'"

[AL SADUQ]
Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti narrated from Abu Jameela who said:
"I saw in Persia a woman who had two heads and two chests but shared a single waist. One would be jealous of the other, and the other would be jealous of her."

[REFERENCES] Al-Kafi, Vol.7 p.159 • Man La Yahduruhu Al-Faqih, Vol.4 p.329 • Tahdhib Al-Ahkam, Vol.9 p.358 • Al-Manaqib, Vol.2 p.375 • Al-Wafi, Vol.25 p.909 • Wasa'il Al-Shi'ah, Vol.26 p.295 • Bihar Al-Anwar, Vol.101 p.355

CHAPTER 167 – CHAPTER ON THE INHERITANCE OF THE MISSING PERSON

بَابُ مِيرَاثِ الْمَفْقُودِ

HADITH 5707 – 5711

5707 - رَوَى يُونُسُ بْنُ عَبْدِ اَلرَّحْمَنِ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ قَالَ أَبُو اَلْحَسَنِ عَلَيْهِ اَلسَّلاَمُ : «فِي اَلْمَفْقُودِ يُتَرَبَّصُ بِمَالِهِ أَرْبَعُ سِنِينَ ثُمَّ يُقْسَمُ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ يَعْنِي بَعْدَ أَنْ لَا تُعْرَفَ حَيَاتُهُ مِنْ مَوْتِهِ وَ لَا يُعْلَمَ فِي أَيِّ أَرْضٍ هُوَ وَ بَعْدَ أَنْ يُطْلَبَ مِنْ أَرْبَعَةِ جَوَانِبَ أَرْبَعَ سِنِينَ وَ لَا يُعْرَفَ لَهُ خَبَرُ حَيَاةٍ وَ لَا مَوْتٍ فَحِينَئِذٍ تَعْتَدُّ امْرَأَتُهُ عِدَّةَ الْمُتَوَفَّى عَنْهَا زَوْجُهَا وَ يُقْسَمُ مَالُهُ بَيْنَ الْوَرَثَةِ عَلَى سِهَامِ اللَّهِ عَزَّ وَ جَلَّ وَ فَرَائِضِهِ.

H.5707 - Yunus ibn Abd Al-Rahman narrated from Ishaq ibn Ammar who said that Abu Al-Hasan {a.s} said:
"In the case of a missing person (mafqud), his wealth is withheld for four years, and then it is divided."

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, explained that this applies after it is confirmed that neither his life nor death is known, and there is no knowledge of his whereabouts.
After a search has been conducted in all four directions for four years without any information about his life or death, at that point, his wife observes the waiting period (iddah) of a woman whose husband has passed away.
Then, his wealth is distributed among his heirs according to the shares and obligations prescribed by Allah {SWT}, the Mighty and Majestic.

[REFERENCES] Al-Kafi, Vol.7 p.154 • Man La Yahduruhu Al-Faqih, Vol.4 p.330 • Awali Al-La'ali, Vol.3 p.509 • Al-Wafi, Vol.17 p.361 • Wasa'il Al-Shi'ah, Vol.26 p.298

HADITH

5708 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ عَبْدِ اَللَّهِ بْنِ جُنْدَبٍ عَنْ هِشَامِ بْنِ سَالِمٍ قَالَ سَأَلَ حَفْصٌ اَلْأَعْوَرُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ وَ أَنَا حَاضِرٌ فَقَالَ : كَانَ لِأَبِي أَجِيرٌ وَ كَانَ لَهُ عِنْدَهُ شَيْءٌ فَهَلَكَ اَلْأَجِيرُ فَلَمْ يَدَعْ وَارِثاً وَ لاَ قَرَابَةً وَ قَدْ ضِقْتُ بِذَلِكَ كَيْفَ أَصْنَعُ فَقَالَ «رَابَكَ اَلْمَسَاكِينُ رَابَكَ اَلْمَسَاكِينُ» فَقُلْتُ جُعِلْتُ فِدَاكَ إِنِّي قَدْ ضِقْتُ بِذَلِكَ كَيْفَ أَصْنَعُ فَقَالَ «هُوَ كَسَبِيلِ مَالِكَ فَإِنْ جَاءَ طَالِبٌ أَعْطَيْتَهُ».

H.5708 - Safwan ibn Yahya narrated from Abdullah ibn Jundub from Hisham ibn Salim who said: Hafs Al-Awar asked Abu Abdullah {a.s} while I was present, saying:
"My father had a hired worker who had something with him. The worker died, leaving behind no heirs or relatives. I am distressed about this matter; what should I do?"
Abu Abdullah {a.s} replied: "The needy are more deserving of it, the needy are more deserving of it."
I said: “May I be your ransom! I am still troubled by this matter; what should I do?"
Imam {a.s} said: "Treat it as you would treat your own wealth. If someone comes claiming it, give it to them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.330

HADITH

5709 - وَ رَوَى اِبْنُ أَبِي نَصْرٍ عَنْ حَمَّادٍ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ مَاتَ وَ تَرَكَ وُلْداً وَ كَانَ بَعْضُهُمْ غَائِباً لاَ يُدْرَى أَيْنَ هُوَ قَالَ «يُقْسَمُ مِيرَاثُهُ وَ يُعْزَلُ لِلْغَائِبِ نَصِيبُهُ» قُلْتُ فَعَلَيْهِ اَلزَّكَاةُ قَالَ «لاَ حَتَّى يَقْدَمَ فَيَقْبِضَهُ وَ يَحُولَ عَلَيْهِ اَلْحَوْلُ» قُلْتُ فَإِنْ كَانَ لاَ يُدْرَى أَيْنَ هُوَ قَالَ «إِنْ كَانَ اَلْوَرَثَةُ مِلاَءً اِقْتَسَمُوا مِيرَاثَهُ فَإِنْ جَاءَ رَدُّوهُ عَلَيْهِ».

H.5709 - Ibn Abi Nasr narrated from Hammad from Ishaq ibn Ammar who said:
I asked Imam {a.s} about a man who died and left behind children, some of whom were absent and their whereabouts were unknown.
Imam {a.s} said: "Inheritance should be divided, and the share of the absent one will be set aside."
I asked: “Is zakat due on it?"
Imam {a.s} said: "No, not until he returns, takes possession of it, and a full year passes over it."
I asked: “What if his whereabouts are completely unknown?"
Imam {a.s} said: "If the remaining heirs are financially well-off, they may divide the inheritance. If he returns, they must restore his share to him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.331

HADITH

5710 - وَ رَوَى يُونُسُ بْنُ عَبْدِ اَلرَّحْمَنِ عَنِ اِبْنِ عَوْنٍ عَنْ مُعَاوِيَةَ بْنِ وَهْبٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ كَانَ لَهُ عَلَى رَجُلٍ حَقٌّ فَفَقَدَهُ وَ لاَ يَدْرِي أَيْنَ يَطْلُبُهُ وَ لاَ يَدْرِي أَ حَيٌّ هُوَ أَمْ مَيِّتٌ وَ لاَ يَعْرِفُ لَهُ وَارِثاً وَ لاَ نَسَباً وَ لاَ وَلَداً فَقَالَ «يَطْلُبُ» قَالَ إِنَّ ذَلِكَ قَدْ طَالَ عَلَيْهِ فَيَتَصَدَّقُ بِهِ قَالَ «يَطْلُبُ».

H.5710 - Yunus ibn Abd Al-Rahman narrated from Ibn Awn from Mu'awiyah ibn Wahb from Abu Abdullah {a.s} regarding a man who had a rightful claim over another person but lost contact with him. He did not know where to search for him, whether he was alive or dead, and was unaware of any heir, lineage, or child related to him.
Abu Abdullah {a.s} said: "He should continue searching for him."
The man said: “It has been a long time; can he give it in charity?"
Imam {a.s} replied: "He should continue searching."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.331

HADITH

5711 - وَ قَدْ رُوِيَ فِي هَذَا خَبَرٌ آخَرُ : «إِنْ لَمْ تَجِدْ لَهُ وَارِثاً وَ عَرَفَ اَللَّهُ عَزَّ وَ جَلَّ مِنْكَ اَلْجَهْدَ فَتَصَدَّقْ بِهَا».

H.5711 - It has also been narrated in another report:
"If you do not find an heir for him, and Allah {SWT}, the Mighty and Majestic, knows that you have made every effort, then give it in charity on his behalf."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.331 • Wasa’il Al-Shi’ah, Vol.26 p.301

CHAPTER 168 – CHAPTER ON THE INHERITANCE OF THE APOSTATE

بَابُ مِيرَاثِ الْمُرْتَدِّ

HADITH 5712 – 5713

5712 - رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي وَلاَّدٍ اَلْحَنَّاطِ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ اِرْتَدَّ عَنِ اَلْإِسْلاَمِ لِمَنْ يَكُونُ مِيرَاثُهُ قَالَ «يُقْسَمُ مِيرَاثُهُ عَلَى وَرَثَتِهِ عَلَى كِتَابِ اَللَّهِ عَزَّ وَ جَلَّ».

H.5712 - Al-Hasan ibn Mahbub narrated from Abu Walad Al-Hannat who said:
I asked Abu Abdullah {a.s} about a man who apostatized from Islam. To whom does his inheritance go?
Imam {a.s} said: "His inheritance is divided among his heirs according to the Book of Allah {SWT}, the Mighty and Majestic."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.332

HADITH

5713 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ سَيْفِ بْنِ عَمِيرَةَ عَنْ أَبِي بَكْرٍ اَلْحَضْرَمِيِّ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِذَا اِرْتَدَّ اَلرَّجُلُ اَلْمُسْلِمُ عَنِ اَلْإِسْلاَمِ بَانَتْ مِنْهُ اِمْرَأَتُهُ كَمَا تَبِينُ اَلْمُطَلَّقَةُ ثَلاَثاً وَ تَعْتَدُّ مِنْهُ كَمَا تَعْتَدُّ اَلْمُطَلَّقَةُ فَإِنْ رَجَعَ إِلَى اَلْإِسْلاَمِ وَ تَابَ قَبْلَ أَنْ تَتَزَوَّجَ فَهُوَ خَاطِبٌ وَ لاَ عِدَّةَ عَلَيْهَا لَهُ وَ إِنَّمَا عَلَيْهَا اَلْعِدَّةُ لِغَيْرِهِ فَإِنْ قُتِلَ أَوْ مَاتَ قَبْلَ اِنْقِضَاءِ اَلْعِدَّةِ اِعْتَدَّتْ مِنْهُ عِدَّةَ اَلْمُتَوَفَّى عَنْهَا زَوْجُهَا فَهِيَ تَرِثُهُ فِي اَلْعِدَّةِ وَ لاَ يَرِثُهَا إِنْ مَاتَتْ وَ هُوَ مُرْتَدٌّ عَنِ اَلْإِسْلاَمِ ».

H.5713 - Al-Hasan ibn Mahbub narrated from Sayf ibn Umayrah from Abu Bakr Al-Hadrami from Abu Abdullah {a.s} who said: "If a Muslim man apostatizes from Islam, his wife becomes separated from him just as a woman becomes separated after a third divorce, and she must observe the waiting period (iddah) as a divorced woman does.
If he returns to Islam and repents before she marries another man, he may propose to her again, and she is not required to observe any waiting period for him, though she must observe it for anyone else.
However, if he is killed or dies before the completion of her waiting period, she must observe the waiting period of a widow (iddah of a deceased husband), and during that period, she inherits from him. But if she dies while he is still an apostate, he does not inherit from her."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.332 • Tahdhib Al-Ahkam, Vol.9 p.373 • Tahdhib Al-Ahkam, Vol.10 p.142

CHAPTER 169 – CHAPTER ON THE INHERITANCE OF ONE WHO HAS NO HEIR

بَابُ مِيرَاثِ مَنْ لَا وَارِثَ لَهُ

HADITH 5714 – 5716

5714 - رَوَى اَلْعَلاَءُ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «مَنْ مَاتَ وَ لَيْسَ لَهُ وَارِثٌ مِنْ قَرَابَةٍ وَ لاَ مَوْلَى عَتَاقَةٍ قَدْ ضَمِنَ جَرِيرَتَهُ فَمَالُهُ مِنَ اَلْأَنْفَالِ».

H.5714 - Al-Alaa narrated from Muhammad ibn Muslim from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said:
"Whoever dies and has no heir from relatives nor a freed slave who has guaranteed his liability (jarirah), then his wealth belongs to the anfal (public treasury or property of the Islamic state)."

[REFERENCES] Al-Kafi, Vol.7 p.169 • Man La Yahduruhu Al-Faqih, Vol.4 p.333 • Tahdhib Al-Ahkam, Vol.9 p.387 • Al-Istibsar, Vol.4 p.196 • Al-Wafi, Vol.25 p.947 • Wasa'il Al-Shi'ah, Vol.26 p.246 • Tafsir Al-Burhan, Vol.2 p.640 • Tafsir Al-Burhan, Vol.2 p.643 • Tafsir Nur Al-Thaqalayn, Vol.2 p.119 • Tafsir Kanz Al-Daqaiq, Vol.5 p.280

HADITH

5715 - وَ قَدْ رُوِيَ فِي خَبَرٍ آخَرَ : «أَنَّ مَنْ مَاتَ وَ لَيْسَ لَهُ وَارِثٌ فَمَالُهُ لِهَمَشْهْرِيجِهِ » يَعْنِي أَهْلَ بَلَدِهِ.

قَالَ مُصَنِّفُ هَذَا اَلْكِتَابِ رَحِمَهُ اللَّهُ مَتَى كَانَ اَلْإِمَامُ ظَاهِراً فَمَالُهُ لِلْإِمَامِ وَ مَتَى كَانَ اَلْإِمَامُ غَائِباً فَمَالُهُ لِأَهْلِ بَلَدِهِ مَتَى لَمْ يَكُنْ لَهُ وَارِثٌ وَ لَا قَرَابَةٌ أَقْرَبُ إِلَيْهِ مِنْهُمْ بِالْبَلَدِيَّةِ.

H.5715 - It has also been narrated in another report: "Whoever dies and has no heir, his wealth belongs to his Hamshahrij," meaning the people of his town.

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, explained: When the Imam is present and apparent, the wealth belongs to the Imam. However, when the Imam is absent, the wealth belongs to the people of his town, provided that he has no heir or closer relative than them by local association.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.333 • Al-Wafi, Vol.25 p.948

HADITH

5716 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ مَالِكِ بْنِ عَطِيَّةَ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : فِي رَجُلٍ مُسْلِمٍ قُتِلَ وَ لَهُ أَبٌ نَصْرَانِيٌّ لِمَنْ تَكُونُ دِيَتُهُ قَالَ «تُؤْخَذُ فَتُجْعَلُ فِي بَيْتِ مَالِ اَلْمُسْلِمِينَ لِأَنَّ جِنَايَتَهُ عَلَى بَيْتِ مَالِ اَلْمُسْلِمِينَ ».

H.5716 - Al-Hasan ibn Mahbub narrated from Malik ibn Atiyyah from Sulayman ibn Khalid from Abu Abdullah {a.s} regarding a Muslim man who was killed and had a Christian father.
Imam {a.s} was asked: “To whom does his blood money (diyyah) go?"
Imam {a.s} said: "It is taken and placed in the treasury (Bayt Al-Mal) of the Muslims because his liability falls upon the treasury of the Muslims."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.333 • Ilal Al-Shara’i’, Vol.2 p.583 • Tahdhib Al-Ahkam, Vol.9 p.370 • Tahdhib Al-Ahkam, Vol.9 p.390 • Al-Wafi, Vol.25 p.921 • Wasa’il Al-Shi’ah, Vol.26 p.22 • Wasa’il Al-Shi’ah, Vol.26 p.253 • Wasa’il Al-Shi’ah, Vol.26 p.257 • Wasa’il Al-Shi’ah, Vol.29 p.125 • Bihar Al-Anwar, Vol.101 p.363

CHAPTER 170 – CHAPTER ON THE INHERITANCE OF FOLLOWERS OF DIFFERENT RELIGIONS

بَابُ مِيرَاثِ أَهْلِ الْمِلَلِ

HADITH 5717 – 5730

لَا يَتَوَارَثُ أَهْلُ مِلَّتَيْنِ وَ الْمُسْلِمُ يَرِثُ الْكَافِرَ وَ الْكَافِرُ لَا يَرِثُ الْمُسْلِمَ وَ ذَلِكَ أَنَّ أَصْلَ الْحُكْمِ فِي أَمْوَالِ الْمُشْرِكِينَ أَنَّهَا فَيْءٌ لِلْمُسْلِمِينَ وَ أَنَّ الْمُسْلِمِينَ أَحَقُّ بِهَا مِنَ الْمُشْرِكِينَ وَ أَنَّ اللَّهَ عَزَّ وَ جَلَّ إِنَّمَا حَرَّمَ عَلَى الْكُفَّارِ الْمِيرَاثَ عُقُوبَةً لَهُمْ بِكُفْرِهِمْ كَمَا حَرَّمَ عَلَى الْقَاتِلِ عُقُوبَةً لِقَتْلِهِ فَأَمَّا الْمُسْلِمُ فَلِأَيِّ جُرْمٍ وَ عُقُوبَةٍ يُحْرَمُ الْمِيرَاثَ وَ كَيْفَ صَارَ الْإِسْلَامُ يَزِيدُهُ شَرّاً مَعَ قَوْلِ النَّبِيِّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ.

[AL SADUQ]

"People of two different religions do not inherit from one another.

A Muslim inherits from a disbeliever, but a disbeliever does not inherit from a Muslim. This is because the fundamental ruling regarding the wealth of polytheists is that it becomes spoils (fay') for the Muslims, and Muslims have more right to it than the polytheists.

Allah {SWT}, Mighty and Majestic, has forbidden inheritance for disbelievers as a punishment for their disbelief, just as it is forbidden for a murderer to inherit as a punishment for their crime, then for what sin or punishment should a Muslim be deprived of inheritance? How could Islam bring them harm when the Prophet {saws} said: 'Islam elevates and does not degrade'?"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.334

HADITH

5717 - مَعَ قَوْلِ اَلنَّبِيِّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : « اَلْإِسْلاَمُ يَزِيدُ وَ لاَ يَنْقُصُ».

H.5717 - With the statement of the Prophet {saws}, peace and blessings be upon him and his family: "Islam increases and does not decrease."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.334 • Iman Abi Talib, Vol.1 p.164 • Awali Al-La'ali, Vol.1 p.226 • Wasa'il Al-Shi'ah, Vol.26 p.14

HADITH

5718 - وَ مَعَ قَوْلِهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ: «لاَ ضَرَرَ وَ لاَ إِضْرَارَ فِي اَلْإِسْلاَمِ ».

H.5718 - With the statement of the Prophet {saws}, peace and blessings be upon him and his family: "There is no harm and no reciprocation of harm in Islam."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.334 • Awali Al-La'ali, Vol.1 p.383 • Awali Al-La'ali, Vol.2 p.74 • Awali Al-La'ali, Vol.3 p.210 • Bihar Al-Anwar, Vol.73 p.345

HADITH

5719 - وَ مَعَ قَوْلِهِ عَلَيْهِ اَلسَّلاَمُ: « اَلْإِسْلاَمُ يَعْلُو وَ لاَ يُعْلَى عَلَيْهِ».

وَ الْكُفَّارُ بِمَنْزِلَةِ الْمَوْتَى لَا يَحْجُبُونَ وَ لَا يَرِثُونَ.

H.5719 - With the statement of the Him {a.s}, peace be upon him and his family: "Islam prevails and is not prevailed over."

[AL SADUQ]

And the disbelievers are in the position of the dead; they neither prevent inheritance nor inherit.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.334 • Mutashabih Al-Quran wa Mukhtalifah, Vol.2 p.212 • Al-Manaqib, Vol.3 p.241 • Iman Abi Talib, Vol.1 p.164 • Awali Al-La'ali, Vol.1 p.226 • Wasa'il Al-Shi'ah, Vol.26 p.14

HADITH

5720 - وَ رُوِيَ عَنْ أَبِي اَلْأَسْوَدِ اَلدُّؤَلِيِّ : أَنَّ مُعَاذَ بْنَ جَبَلٍ كَانَ بِالْيَمَنِ فَاجْتَمَعُوا إِلَيْهِ وَ قَالُوا يَهُودِيٌّ مَاتَ وَ تَرَكَ أَخاً مُسْلِماً فَقَالَ مُعَاذٌ سَمِعْتُ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ يَقُولُ: « اَلْإِسْلاَمُ يَزِيدُ وَ لاَ يَنْقُصُ فَوَرَّثَ اَلْمُسْلِمَ مِنْ أَخِيهِ اَلْيَهُودِيِّ ».

H.5720 - It was narrated from Abu Al-Aswad Al-Duʾali that Muadh ibn Jabal was in Yemen when people gathered around him and said:
"A Jewish man has died and left behind a Muslim brother."
Muadh said:
"I heard the Messenger of Allah {SWT} say: 'Islam increases and does not diminish.'"
Therefore, he allowed the Muslim to inherit from his Jewish brother.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.334 • Al-Wafi, Vol.25 p.912 • Wasa'il Al-Shi'ah, Vol.26 p.14

HADITH

5721 - وَ رَوَى مُحَمَّدُ بْنُ سِنَانٍ عَنْ عَبْدِ اَلرَّحْمَنِ بْنِ أَعْيَنَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : فِي اَلنَّصْرَانِيِّ يَمُوتُ وَ لَهُ اِبْنٌ مُسْلِمٌ قَالَ «إِنَّ اَللَّهَ عَزَّ وَ جَلَّ لَمْ يَزِدْنَا بِالْإِسْلاَمِ إِلاَّ عِزّاً فَنَحْنُ نَرِثُهُمْ وَ لاَ يَرِثُونَا».

H.5721 - Muhammad ibn Sinan narrated from Abdur Rahman ibn Aʿyan from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} regarding a Christian man who dies leaving behind a Muslim son.
Imam {a.s} said: "Indeed, Allah {SWT}, the Mighty and Majestic, has only increased us in honor through Islam. Therefore, we inherit from them, but they do not inherit from us."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.334 • Al-Wafi, Vol.25 p.913

HADITH

5722 - وَ رَوَى زُرْعَةُ عَنْ سَمَاعَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنِ اَلْمُسْلِمِ هَلْ يَرِثُ اَلْمُشْرِكَ فَقَالَ «نَعَمْ فَأَمَّا اَلْمُشْرِكُ فَلاَ يَرِثُ اَلْمُسْلِمَ ».

H.5722 - Zurah narrated from Samaah from Abu Abdullah {a.s} who said:
I asked Imam {a.s} whether a Muslim can inherit from a polytheist.
Imam {a.s} replied: "Yes, but a polytheist does not inherit from a Muslim."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.335 • Al-Wafi, Vol.25 p.913 • Wasa'il Al-Shi'ah, Vol.26 p.13

HADITH

5723 - وَ رَوَى مُوسَى بْنُ بَكْرٍ عَنْ عَبْدِ اَلرَّحْمَنِ بْنِ أَعْيَنَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «لاَ يَتَوَارَثُ أَهْلُ مِلَّتَيْنِ نَحْنُ نَرِثُهُمْ وَ لاَ يَرِثُونَّا فَإِنَّ اَللَّهَ عَزَّ وَ جَلَّ لَمْ يَزِدْنَا، بِالْإِسْلاَمِ إِلاَّ عِزّاً».

H.5723 - Musa ibn Bakr narrated from Abdur Rahman ibn Aʿyan from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"People of two different religions do not inherit from one another. We inherit from them, but they do not inherit from us.
Indeed, Allah {SWT}, the Mighty and Majestic, has only increased us in honor through Islam."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.335 • Al-Wafi, Vol.25 p.913 • Wasa'il Al-Shi'ah, Vol.26 p.13

HADITH

5724 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنِ اَلْحَسَنِ بْنِ صَالِحٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : « اَلْمُسْلِمُ يَحْجُبُ اَلْكَافِرَ وَ يَرِثُهُ وَ اَلْكَافِرُ لاَ يَحْجُبُ اَلْمُؤْمِنَ وَ لاَ يَرِثُهُ ».

H.5724 - Al-Hasan ibn Mahbub narrated from Al-Hasan ibn Salih from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"A Muslim prevents a disbeliever from inheriting and inherits from him, but a disbeliever neither prevents a believer from inheriting nor does he inherit from him."

[REFERENCES] Al-Kafi, Vol.7 p.143 • Man La Yahduruhu Al-Faqih, Vol.4 p.336 • Tahdhib Al-Ahkam, Vol.9 p.366 • Al-Istibsar, Vol.4 p.190 • Al-Wafi, Vol.25 • Wasa'il Al-Shi'ah, Vol.26 p.11 • Wasa'il Al-Shi'ah, Vol.26 p.124 • Al-Fusul Al-Muhimmah, Vol.2 p.469

HADITH

5725 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي وَلاَّدٍ اَلْحَنَّاطِ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : « اَلْمُسْلِمُ يَرِثُ اِمْرَأَتَهُ اَلذِّمِّيَّةَ وَ هِيَ لاَ تَرِثُهُ».

H.5725 - Al-Hasan ibn Mahbub narrated from Abu Walad Al-Hannat who said:
I heard Abu Abdullah {a.s} say: "A Muslim man inherits from his dhimmi (non-Muslim under Islamic protection) wife, but she does not inherit from him."

[REFERENCES] Al-Kafi, V.7 p.143 • Man La Yahduruhu Al-Faqih, V.4 p.336 • Tahdhib Al-Ahkam, V.9 p.366 • Al-Istibsar, V.4 p.190 • Al-Wafi, V.25 p.913 • Wasa'il Al-Shi'ah, Vol.26 p.11 • Wasa'il Al-Shi'ah, Vol.26 p.229

HADITH

5726 - وَ رَوَى اَلْحَسَنُ بْنُ عَلِيٍّ اَلْخَزَّازُ عَنْ أَحْمَدَ بْنِ عَائِذٍ عَنْ أَبِي خَدِيجَةَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «لاَ يَرِثُ اَلْكَافِرُ اَلْمُسْلِمَ وَ لِلْمُسْلِمِ أَنْ يَرِثَ اَلْكَافِرَ إِلاَّ أَنْ يَكُونَ اَلْمُسْلِمُ قَدْ أَوْصَى لِلْكَافِرِ بِشَيْءٍ ».

H.5726 - Al-Hasan ibn Ali Al-Khazzaz narrated from Ahmad ibn A'id from Abu Khadijah from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"A disbeliever does not inherit from a Muslim, but a Muslim may inherit from a disbeliever - unless the Muslim has made a will (wasiyyah) bequeathing something to the disbeliever."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.336 • Tahdhib Al-Ahkam, Vol.9 p.372 • Al-Wafi, Vol.25 p.915 • Wasa'il Al-Shi'ah, Vol.19 p.344 • Wasa'il Al-Shi'ah, Vol.26 p.12

HADITH

5727 - وَ رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ قَالَ سَمِعْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «لاَ يَرِثُ اَلْيَهُودِيُّ وَ اَلنَّصْرَانِيُّ اَلْمُسْلِمِينَ وَ يَرِثُ اَلْمُسْلِمُونَ اَلْيَهُودِيَّ وَ اَلنَّصْرَانِيَّ ».

H.5727 - Asim ibn Humaid narrated from Muhammad ibn Qays who said:
I heard Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} say: "A Jew and a Christian do not inherit from Muslims, but Muslims inherit from Jews and Christians."

[REFERENCES] Al-Kafi, Vol.7 p.143 • Man La Yahduruhu Al-Faqih, Vol.4 p.336 • Tahdhib Al-Ahkam, Vol.9 p.366 • Al-Istibsar, Vol.4 p.190 • Al-Wafi, Vol.25 p.912 • Wasa'il Al-Shi'ah, Vol.26 p.13

HADITH

5728 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ عَنْ أَبِي بَصِيرٍ قَالَ : سَأَلْتُ أَبَا جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ عَنْ رَجُلٍ مُسْلِمٍ مَاتَ وَ لَهُ أُمٌّ نَصْرَانِيَّةٌ وَ لَهُ زَوْجَةٌ وَ وُلْدٌ مُسْلِمُونَ فَقَالَ «إِنْ أَسْلَمَتْ أُمُّهُ قَبْلَ أَنْ يُقْسَمَ مِيرَاثُهُ أُعْطِيَتِ اَلسُّدُسَ» قُلْتُ فَإِنْ لَمْ تَكُنْ لَهُ اِمْرَأَةٌ وَ لاَ وَلَدٌ وَ لاَ وَارِثٌ لَهُ سَهْمٌ فِي اَلْكِتَابِ مِنَ اَلْمُسْلِمِينَ وَ أُمُّهُ نَصْرَانِيَّةٌ وَ قَرَابَتُهُ نَصَارَى مِمَّنْ لَهُمْ سَهْمٌ فِي اَلْكِتَابِ لَوْ كَانُوا مُسْلِمِينَ لِمَنْ يَكُونُ مِيرَاثُهُ قَالَ «إِنْ أَسْلَمَتْ أُمُّهُ فَإِنَّ جَمِيعَ مِيرَاثِهِ لَهَا وَ إِنْ لَمْ تُسْلِمْ أُمُّهُ وَ أَسْلَمَ بَعْضُ قَرَابَتِهِ مِمَّنْ لَهُ سَهْمٌ فِي اَلْكِتَابِ فَإِنَّ مِيرَاثَهُ لَهُ وَ إِنْ لَمْ يُسْلِمْ مِنْ قَرَابَتِهِ أَحَدٌ فَإِنَّ مِيرَاثَهُ لِلْإِمَامِ».

H.5728 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab from Abu Basir who said: I asked Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} about a Muslim man who died and had a Christian mother, along with a Muslim wife and Muslim children.
Imam {a.s} said: "If his mother accepts Islam before the inheritance is divided, she is given one-sixth."
I asked: “What if he has no wife, no children, and no heir entitled to a share in the Book from among the Muslims, and his mother is Christian, and his relatives are Christians who would have a share in the Book if they were Muslim - who inherits his wealth?"
Imam {a.s} said: "If his mother embraces Islam, then all of his inheritance belongs to her. But if his mother does not embrace Islam and some of his relatives who have a rightful share in the Book accept Islam, the inheritance goes to them. If none of his relatives become Muslim, then his inheritance belongs to the Imam."

[REFERENCES] Al-Kafi, Vol.7 p.144 • Man La Yahduruhu Al-Faqih, Vol.4 p.336 • Tahdhib Al-Ahkam, Vol.9 p.369 • Awali Al-La’ali, Vol.2 p.337 • Al-Wafi, Vol.25 p.918 • Wasa’il Al-Shi’ah, Vol.26 p.20

HADITH

5729 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ عَبْدِ اَلْمَلِكِ بْنِ أَعْيَنَ أَوْ مَالِكِ بْنِ أَعْيَنَ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ نَصْرَانِيٍّ مَاتَ وَ لَهُ اِبْنُ أَخٍ مُسْلِمٌ وَ اِبْنُ أُخْتٍ مُسْلِمٌ وَ لِلنَّصْرَانِيِّ أَوْلاَدٌ وَ زَوْجَةٌ نَصَارَى فَقَالَ «أَرَى أَنْ يُعْطَى اِبْنُ أَخِيهِ اَلْمُسْلِمُ ثُلُثَيْ مَا تَرَكَ وَ يُعْطَى اِبْنُ أُخْتِهِ اَلْمُسْلِمُ ثُلُثَ مَا تَرَكَ إِنْ لَمْ يَكُنْ لَهُ وُلْدٌ صِغَارٌ فَإِنْ كَانَ لَهُ وُلْدٌ صِغَارٌ فَإِنَّ عَلَى اَلْوَارِثَيْنِ أَنْ يُنْفِقَا عَلَى اَلصِّغَارِ مِمَّا وَرِثَا عَنْ أَبِيهِمْ حَتَّى يُدْرِكُوا» قِيلَ لَهُ كَيْفَ يُنْفِقَانِ عَلَى اَلصِّغَارِ فَقَالَ «يُخْرِجُ وَارِثُ اَلثُّلُثَيْنِ ثُلُثَيِ اَلنَّفَقَةِ وَ يُخْرِجُ وَارِثُ اَلثُّلُثِ ثُلُثَ اَلنَّفَقَةِ فَإِذَا أَدْرَكُوا قَطَعُوا اَلنَّفَقَةَ عَنْهُمْ» قِيلَ لَهُ فَإِنْ أَسْلَمَ أَوْلاَدُهُ وَ هُمْ صِغَارٌ فَقَالَ «يُدْفَعُ مَا تَرَكَ أَبُوهُمْ إِلَى اَلْإِمَامِ حَتَّى يُدْرِكُوا فَإِنْ أَتَمُّوا عَلَى اَلْإِسْلاَمِ إِذَا أَدْرَكُوا دَفَعَ اَلْإِمَامُ مِيرَاثَهُ إِلَيْهِمْ وَ إِنْ لَمْ يُتِمُّوا عَلَى اَلْإِسْلاَمِ إِذَا أَدْرَكُوا دَفَعَ اَلْإِمَامُ مِيرَاثَهُ إِلَى اِبْنِ أَخِيهِ وَ إِلَى اِبْنِ أُخْتِهِ اَلْمُسْلِمَيْنِ يَدْفَعُ إِلَى اِبْنِ أَخِيهِ ثُلُثَيْ مَا تَرَكَ وَ يَدْفَعُ إِلَى اِبْنِ أُخْتِهِ ثُلُثَ مَا تَرَكَ ».

H.5729 - Al-Hasan ibn Mahbub narrated from Hisham ibn Salim from Abd Al-Malik ibn Aʿyan or Malik ibn Aʿyan from Abu Jafar {a.s} who said: I asked Imam {a.s} about a Christian man who died, leaving behind a Muslim nephew (son of his brother) and a Muslim niece (daughter of his sister), while his own children and wife were Christians.
Imam {a.s} said: "I see that the Muslim nephew should be given two-thirds of what he left behind, and the Muslim niece should be given one-third of what he left behind, provided he does not have young children. However, if he has young children, then the two heirs must provide for the children from what they inherited from their father until the children reach maturity."
It was asked: “How should they provide for the children?"
Imam {a.s} replied: "The heir of the two-thirds share must cover two-thirds of the expenses, and the heir of the one-third share must cover one-third of the expenses. Once the children mature, the heirs are no longer responsible for their expenses."

It was then asked: “What if his children embrace Islam while they are still young?"
Imam {a.s} said: "In that case, what their father left behind should be handed over to the Imam until they reach maturity. If they remain steadfast in Islam upon reaching maturity, the Imam will give them their inheritance. But if they do not remain in Islam upon maturity, the Imam will return the inheritance to the Muslim nephew and niece, giving the nephew two-thirds of what was left and the niece one-third."

[REFERENCES] Al-Kafi, Vol.7 p.143 • Man La Yahduruhu Al-Faqih, Vol.4 p.337 • Tahdhib Al-Ahkam, Vol.9 p.368 • Awali Al-La’ali, Vol.3 p.494 • Al-Wafi, Vol.25 p.917 • Wasa’il Al-Shi’ah, Vol.26 p.18

HADITH

5730 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ إِبْرَاهِيمَ بْنِ عَبْدِ اَلْحَمِيدِ قَالَ : قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ نَصْرَانِيٌّ أَسْلَمَ ثُمَّ رَجَعَ إِلَى اَلنَّصْرَانِيَّةِ ثُمَّ مَاتَ قَالَ «مِيرَاثُهُ لِوُلْدِهِ اَلنَّصَارَى » وَ مُسْلِمٌ تَنَصَّرَ ثُمَّ مَاتَ قَالَ «مِيرَاثُهُ لِوُلْدِهِ اَلْمُسْلِمِينَ ».

H.5730 - Ibn Abi Umayr narrated from Ibrahim ibn Abd Al-Hamid who said:
I asked Abu Abdullah {a.s} about a Christian man who accepted Islam and then reverted to Christianity and died.
Imam {a.s} said: "His inheritance goes to his Christian children."
I then asked about a Muslim who converted to Christianity and then died.
Imam {a.s} said: "His inheritance goes to his Muslim children."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.338 • Tahdhib Al-Ahkam, Vol.9 p.372 • Tahdhib Al-Ahkam, Vol.9 p.377 • Al-Istibsar, Vol.4 p.193 • Awali Al-La’ali, Vol.3 p.496 • Al-Wafi, Vol.25 p.921 • Wasa’il Al-Shi’ah, Vol.26 p.25

CHAPTER 171 – CHAPTER ON THE INHERITANCE OF SLAVES

بَابُ مِيرَاثِ الْمَمَالِيكِ

HADITH 5731 – 5739

5731 - رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ كَانَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : فِي اَلرَّجُلِ اَلْحُرِّ يَمُوتُ وَ لَهُ أُمٌّ مَمْلُوكَةٌ قَالَ «تُشْتَرَى مِنْ مَالِ اِبْنِهَا ثُمَّ تُعْتَقُ ثُمَّ يُوَرِّثُ».

H.5731 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said that Commander of the Faithful {a.s} used to say regarding a free man who dies while his mother is a slave: "She should be purchased from the wealth of her son, then freed, and then she will inherit from him."

[REFERENCES] Al-Kafi, Vol.7 p.146 • Al-Kafi, Vol.7 p.147 • Man La Yahduruhu Al-Faqih, Vol.4 p.339 • Tahdhib Al-Ahkam, Vol.9 p.334 • Al-Istibsar, Vol.4 p.175 • Al-Wafi, Vol.25 p.843 • Wasa'il Al-Shi'ah, Vol.26 p.49 • Wasa'il Al-Shi'ah, Vol.26 p.51

HADITH

5732 - وَ رَوَى حَنَانُ بْنُ سَدِيرٍ عَنِ اِبْنِ أَبِي يَعْفُورٍ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «مَاتَ مَوْلًى لِعَلِيٍّ عَلَيْهِ اَلسَّلاَمُ فَقَالَ «اُنْظُرُوا هَلْ تَجِدُونَ لَهُ وَارِثاً» فَقِيلَ لَهُ إِنَّ لَهُ اِبْنَتَيْنِ بِالْيَمَامَةِ مَمْلُوكَتَيْنِ فَاشْتَرَاهُمَا مِنْ مَالِ اَلْمَيِّتِ ثُمَّ دَفَعَ إِلَيْهِمَا بَقِيَّةَ اَلْمِيرَاثِ».

H.5732 - Hanan ibn Sadir narrated from Ibn Abi Yafur from Ishaq ibn Ammar from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"A servant of Imam Ali ibn Abi Talib {a.s} passed away.
Imam Ali {a.s} said: 'Look and see if he has any heirs.'
It was said to Him {a.s}: 'He has two daughters in Yamamah who are enslaved.'
So, Imam Ali ibn Abi Talib {a.s} purchased them using the deceased's wealth and then gave them the remainder of the inheritance."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.339 • Tahdhib Al-Ahkam, Vol.9 p.333 • Wasa'il Al-Shi'ah, Vol.26 p.52

HADITH

5733 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ جَمِيلٍ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلرَّجُلِ يَمُوتُ وَ يَتْرُكُ اِبْناً مَمْلُوكاً قَالَ «يُشْتَرَى اِبْنُهُ مِنْ مَالِهِ فَيُعْتَقُ وَ يُوَرَّثُ مَا بَقِيَ».

H.5733 - Muhammad ibn Abi Umayr narrated from Jameel who said:
I asked Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} about a man who dies and leaves behind a son who is enslaved.
Imam {a.s} said: "His son should be purchased from his wealth, then freed, and he will inherit whatever remains."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.339

HADITH

5734 - وَ فِي رِوَايَةِ اِبْنِ مُسْكَانَ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «كَانَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ إِذَا مَاتَ اَلرَّجُلُ وَ لَهُ اِمْرَأَةٌ مَمْلُوكَةٌ اِشْتَرَاهَا مِنْ مَالِهِ فَأَعْتَقَهَا ثُمَّ وَرَّثَهَا».

H.5734 - In the narration of Ibn Muskan from Sulayman ibn Khalid, Abu Abdullah {a.s} said:
"When a man died and had a slave woman as his wife, Imam Ali ibn Abi Talib {a.s} would purchase her from his wealth, free her, and then grant her inheritance."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.3 p.139 • Man La Yahduruhu Al-Faqih, Vol.4 p.339 • Tahdhib Al-Ahkam, Vol.8 p.247 • Tahdhib Al-Ahkam, Vol.9 p.337 • Awali Al-La'ali, Vol.2 p.337 • Al-Wafi, Vol.25 p.846 • Wasa'il Al-Shi'ah, Vol.23 p.89

HADITH

5735 - وَ رَوَى عَبْدُ اَللَّهِ بْنُ اَلْمُغِيرَةِ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِيمَنِ اِدَّعَى عَبْدَ إِنْسَانٍ وَ زَعَمَ أَنَّهُ اِبْنُهُ أَنَّهُ يُعْتَقُ مِنْ مَالِ اَلَّذِي اِدَّعَاهُ فَإِنْ تُوُفِّيَ اَلْمُدَّعِي وَ قُسِمَ مَالُهُ قَبْلَ أَنْ يُعْتَقَ اَلْعَبْدُ فَقَدْ سَبَقَهُ اَلْمَالُ وَ إِنْ أُعْتِقَ قَبْلَ أَنْ يُقْسَمَ مَالُهُ فَلَهُ نَصِيبُهُ مِنْهُ».

H.5735 - Abdullah ibn Al-Mughirah narrated from Abdullah ibn Sinan from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"The Commander of the Faithful {a.s} ruled regarding a man who claimed that a slave belonged to him and asserted that he was his son. Imam Ali ibn Abi Talib {a.s} ruled that the slave should be freed from the wealth of the one who made the claim.
If the claimant died and his wealth was divided before the slave was freed, then the inheritance had already preceded him. However, if the slave was freed before the division of the wealth, then he is entitled to his share of the inheritance."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.340 • Tahdhib Al-Ahkam, Vol.9 p.337 • Al-Wafi, Vol.25 p.849 • Wasa'il Al-Shi'ah, Vol.26 p.46

HADITH

5736 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ وَهْبِ بْنِ عَبْدِ رَبِّهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنْ رَجُلٍ كَانَتْ لَهُ أُمُّ وَلَدٍ فَمَاتَ وَلَدُهَا مِنْهُ فَزَوَّجَهَا مِنْ رَجُلٍ فَأَوْلَدَهَا ثُمَّ إِنَّ اَلرَّجُلَ مَاتَ فَرَجَعَتْ إِلَى سَيِّدِهَا فَلَهُ أَنْ يَطَأَهَا قَبْلَ أَنْ يَتَزَوَّجَ بِهَا قَالَ «لاَ يَطَؤُهَا حَتَّى تَعْتَدَّ مِنَ اَلزَّوْجِ اَلْمَيِّتِ أَرْبَعَةَ أَشْهُرٍ وَ عَشَرَةَ أَيَّامٍ ثُمَّ يَطَؤُهَا بِالْمِلْكِ مِنْ غَيْرِ نِكَاحٍ» قُلْتُ فَوَلَدُهَا مِنَ اَلزَّوْجِ قَالَ «إِنْ كَانَ تَرَكَ مَالاً اُشْتُرِيَ مِنْهُ بِالْقِيمَةِ فَأُعْتِقَ وَ وُرِّثَ » قُلْتُ فَإِنْ لَمْ يَدَعْ مَالاً قَالَ «فَهُوَ مَعَ أُمِّهِ كَهَيْأَتِهَا».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ جَاءَ هَذَا الْخَبَرُ هَكَذَا فَسُقْتُهُ لِقُوَّةِ إِسْنَادِهِ وَ الْأَصْلُ عِنْدَنَا أَنَّهُ إِذَا كَانَ أَحَدُ الْأَبَوَيْنِ حُرّاً فَالْوَلَدُ حُرٌّ وَ قَدْ يَصْدُرُ عَنِ الْإِمَامِ ع بِلَفْظِ الْإِخْبَارِ مَا يَكُونُ مَعْنَاهُ الْإِنْكَارَ وَ الْحِكَايَةَ عَنْ قَائِلِيهِ.

H.5736 - Al-Hasan ibn Mahbub narrated from Wahb ibn Abd Rabbih from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
I asked him about a man who had a slave woman (umm walad) and her child from him died. He then married her to another man, and she bore him a child. Later, that man died, and she returned to her original master.
I asked: “Does he have the right to be intimate with her before marrying her?"
Imam {a.s} said: "He cannot be intimate with her until she completes the waiting period (iddah) for the deceased husband, which is four months and ten days. After that, he may be intimate with her through ownership without marriage."
I asked: “What about her child from the husband?"
Imam {a.s} said: "If the deceased husband left wealth, the child should be bought for its value and then freed, and the child would inherit. If he left no wealth, the child remains with its mother in the same condition."

[AL SADUQ]
The author of this book, may Allah {SWT} have mercy on him, said: This narration has been transmitted as it is due to the strength of its chain. However, our foundational belief is that if one of the parents is free, then the child is also free. Sometimes an Imam {a.s} may narrate something in the form of reporting while actually intending to reject it or to relate it as the opinion of others.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.340 • Wasa’il Al-Shi’ah, Vol.26 p.54

HADITH

5737 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ قَالَ قَالَ أَبُو عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «اَلْعَبْدُ لاَ يُوَرِّثُ وَ اَلطَّلِيقُ لاَ يُوَرِّثُ».

H.5737 - Al-Hasan ibn Mahbub narrated from Ali ibn Ri'ab who said that Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"A slave does not inherit, and a divorced person does not inherit."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.341

HADITH

5738 - وَ رَوَى مُحَمَّدُ بْنُ إِسْمَاعِيلَ بْنِ بَزِيعٍ عَنْ مَنْصُورِ بْنِ يُونُسَ بُزُرْجَ عَنْ جَمِيلِ بْنِ دَرَّاجٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «لاَ يَتَوَارَثُ اَلْحُرُّ وَ اَلْمَمْلُوكُ».

H.5738 - Muhammad ibn Isma'il ibn Bazi' narrated from Mansur ibn Yunus Buzurj from Jameel ibn Darraj who said: I heard Abu Abdullah {a.s} say:
"A free person and a slave do not inherit from one another."

[REFERENCES] Al-Kafi, Vol.7 p.149 • Al-Kafi, Vol.7 p.150 • Al-Kafi, Vol.7 p.150 • Da'a'im Al-Islam, Vol.2 p.386 • Man La Yahduruhu Al-Faqih, Vol.4 p.341 • Tahdhib Al-Ahkam, Vol.9 p.336 • Tahdhib Al-Ahkam, Vol.9 p.336 • Al-Istibsar, Vol.4 p.177 • Al-Istibsar, Vol.4 p.177 • Al-Istibsar, Vol.4 p.177

HADITH

5739 - وَ رَوَى عَلِيُّ بْنُ مَهْزِيَارَ عَنْ فَضَالَةَ عَنْ أَبَانٍ عَنِ اَلْفَضْلِ بْنِ عَبْدِ اَلْمَلِكِ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ عَنِ اَلْمَمْلُوكِ وَ اَلْمَمْلُوكَةِ هَلْ يَحْجُبَانِ إِذَا لَمْ يَرِثَا قَالَ «لاَ».

H.5739 - Ali ibn Mahziyar narrated from Fadalah from Aban from Al-Fadl ibn Abd Al-Malik who said: I asked Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} about a male and female slave - do they prevent others from inheriting if they themselves do not inherit?
Imam {a.s} replied: "No."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.341 • Wasa'il Al-Shi'ah, Vol.26 p.45 • Wasa'il Al-Shi'ah, Vol.26 p.124

CHAPTER 172 – CHAPTER ON THE INHERITANCE OF THE MUKATAB (CONTRACTED SLAVE)

بَابُ مِيرَاثِ الْمُكَاتَبِ

HADITH 5740 – 5744

5740 - رَوَى يُونُسُ بْنُ عَبْدِ اَلرَّحْمَنِ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : قُلْتُ لَهُ مُكَاتَبٌ اِشْتَرَى نَفْسَهُ وَ خَلَّفَ مَالاً قِيمَتُهُ مِائَةُ أَلْفِ دِرْهَمٍ وَ لاَ وَارِثَ لَهُ مَنْ يَرِثُهُ فَقَالَ «يَرِثُهُ مَنْ يَلِي جَرِيرَتَهُ» قُلْتُ وَ مَنِ اَلضَّامِنُ لِجَرِيرَتِهِ قَالَ «اَلضَّامِنُ لِجَرَائِرِ اَلْمُسْلِمِينَ ».

H.5740 - Yunus ibn Abd Al-Rahman narrated from Abdullah ibn Sinan who said:
I asked Abu Abdullah {a.s} about a mukatab (a slave who had entered into a contract for his freedom) who purchased his freedom and left behind wealth valued at one hundred thousand dirhams, with no heir to inherit from him.
Imam {a.s} said: "The one who is responsible for his liability (jarirah) inherits from him."
I asked: “And who is responsible for his liability?"
Imam {a.s} replied: "The one responsible for the liabilities of the Muslims."

[REFERENCES] Al-Kafi, Vol.7 p.152 • Man La Yahduruhu Al-Faqih, Vol.4 p.342 • Tahdhib Al-Ahkam, Vol.9 p.352 • Al-Wafi, Vol.25 p.860 • Wasa’il Al-Shi’ah, Vol.26 p.60 • Wasa’il Al-Shi’ah, Vol.26 p.242 • Wasa’il Al-Shi’ah, Vol.26 p.248

HADITH

5741 - وَ فِي رِوَايَةِ مُحَمَّدِ بْنِ أَبِي عُمَيْرٍ عَنْ بَعْضِ أَصْحَابِنَا عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ : «أَنَّ رَجُلاً كَاتَبَ مَمْلُوكَهُ وَ اِشْتَرَطَ عَلَيْهِ أَنَّ مِيرَاثَهُ لَهُ فَرَفَعَ ذَلِكَ إِلَى أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَأَبْطَلَ شَرْطَهُ وَ قَالَ «شَرْطُ اَللَّهِ قَبْلَ شَرْطِكَ» ».

H.5741 - In the narration of Muhammad ibn Abi Umayr from some of our companions from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}:
"A man entered into a kitabah (contract of manumission) with his slave and stipulated that the slave’s inheritance would belong to him. This matter was presented to the Commander of the Faithful {a.s}, who invalidated the condition and said:
'The condition of Allah {SWT} takes precedence over your condition.'"

[REFERENCES] Al-Kafi, Vol.7 p.151 • Man La Yahduruhu Al-Faqih, Vol.4 p.342 • Tahdhib Al-Ahkam, Vol.9 p.338

HADITH

5742 - وَ رَوَى عَاصِمُ بْنُ حُمَيْدٍ عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «قَضَى أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي مُكَاتَبٍ مَاتَ وَ لَهُ مَالٌ فَقَالَ «يُحْسَبُ مَالُهُ بِقَدْرِ مَا أُعْتِقَ مِنْهُ لِوَرَثَتِهِ وَ بِقَدْرِ مَا لَمْ يُعْتَقْ يُحْسَبُ لِأَرْبَابِهِ اَلَّذِينَ كَاتَبُوهُ مِنْ مَالِهِ» ».

H.5742 - Asim ibn Humaid narrated from Muhammad ibn Qays from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said: "The Commander of the Faithful {a.s} ruled regarding a mukatab (a slave under a contract for freedom) who died and had wealth. Imam Ali ibn Abi Talib {a.s} said: 'His wealth should be divided in proportion to what part of him had been freed for his heirs, and the portion that was not yet freed should be calculated for his masters who had entered into the contract with him from his wealth.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.342

HADITH

5743 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ مَنْصُورِ بْنِ حَازِمٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «اَلْمُكَاتَبُ يَرِثُ وَ يُورَثُ عَلَى قَدْرِ مَا أَدَّى».

H.5743 - Safwan ibn Yahya narrated from Mansur ibn Hazim from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said: "A mukatab (a slave under a contract for freedom) inherits and is inherited from according to the proportion of what he has paid off."

[REFERENCES] Al-Kafi, Vol.7 p.151 • Man La Yahduruhu Al-Faqih, Vol.4 p.342 • Tahdhib Al-Ahkam, Vol.9 p.349 • Al-Wafi, Vol.25 p.853 • Wasa'il Al-Shi'ah, Vol.26 p.48

HADITH

5744 - وَ رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ أَبِي نَصْرٍ اَلْبَزَنْطِيُّ قَالَ حَدَّثَنِي مُحَمَّدُ بْنُ سَمَاعَةَ عَنْ عَبْدِ اَلْحَمِيدِ بْنِ عَوَّاضٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : فِي اَلْمُكَاتَبِ يُكَاتَبُ فَيُؤَدِّي بَعْضَ مُكَاتَبَتِهِ ثُمَّ يَمُوتُ وَ يَتْرُكُ اِبْناً وَ يَتْرُكُ مَالاً أَكْثَرَ مِمَّا عَلَيْهِ مِنَ اَلْمُكَاتَبَةِ قَالَ «يُوفَى مَوَالِيهِ مَا بَقِيَ مِنْ مُكَاتَبَتِهِ وَ مَا بَقِيَ فَلِوَلَدِهِ».

H.5744 - Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti narrated that Muhammad ibn Samaah reported from Abd Al-Hamid ibn Awad from Muhammad ibn Muslim from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} who said regarding a mukatab (a slave under a contract for freedom) who had entered into a contract, paid part of it, and then died, leaving behind a son and wealth greater than what remained of his owed payment.
Imam {a.s} said: "His masters should be paid the remaining amount of his contract, and whatever remains after that belongs to his son."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.343 • Tahdhib Al-Ahkam, Vol.9 p.353 • Al-Istibsar, Vol.4 p.39 • Al-Wafi, Vol.25 p.857 • Wasa'il Al-Shi'ah, Vol.23 p.162 • Wasa'il Al-Shi'ah, Vol.26 p.60

CHAPTER 173 – CHAPTER ON THE INHERITANCE OF THE MAGIANS (ZOROASTRIANS)

بَابُ مِيرَاثِ الْمَجُوسِ

HADITH 5745

الْمَجُوسُ يَرِثُونَ بِالنَّسَبِ وَ لَا يَرِثُونَ بِالنِّكَاحِ الْفَاسِدِ فَإِنْ مَاتَ مَجُوسِيٌّ وَ تَرَكَ أُمَّهُ وَ هِيَ أُخْتُهُ وَ هِيَ امْرَأَتُهُ فَالْمَالُ لَهَا مِنْ قِبَلِ أَنَّهَا أُمٌّ وَ لَيْسَ لَهَا مِنْ قِبَلِ أَنَّهَا أُخْتٌ وَ أَنَّهَا زَوْجَةٌ شَيْءٌ.

[AL SADUQ]
The Magians (Zoroastrians) inherit through blood relations but not through invalid marriage. So, if a Magian man dies and leaves behind his mother, who is also his sister and his wife, the inheritance goes to her because she is his mother. However, she does not inherit anything by virtue of being his sister or his wife.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.344

HADITH

5745 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ : «أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ كَانَ يُوَرِّثُ اَلْمَجُوسِيَّ إِذَا تَزَوَّجَ بِأُمِّهِ وَ بِأُخْتِهِ وَ بِابْنَتِهِ مِنْ وَجْهَيْنِ مِنْ وَجْهِ أَنَّهَا أُمُّهُ وَ مِنْ وَجْهِ أَنَّهَا زَوْجَتُهُ».

وَ لَا أُفْتِي بِمَا يَنْفَرِدُ السَّكُونِيُّ بِرِوَايَتِهِ فَإِنْ تَرَكَ أُمَّهُ وَ هِيَ أُخْتُهُ وَ ابْنَتَهُ فَلِلْأُمِّ السُّدُسُ وَ لِلِابْنَةِ النِّصْفُ وَ مَا بَقِيَ يُرَدُّ عَلَيْهِمَا عَلَى قَدْرِ أَنْصِبَائِهِمَا وَ لَيْسَ لَهَا مِنْ قِبَلِ أَنَّهَا أُخْتٌ شَيْءٌ لِأَنَّ الْإِخْوَةَ لَا يَرِثُونَ مَعَ الْأُمِّ فَإِنْ تَرَكَ ابْنَتَهُ وَ هِيَ أُخْتُهُ وَ هِيَ امْرَأَتُهُ فَلَهَا النِّصْفُ مِنْ قِبَلِ أَنَّهَا ابْنَتُهُ وَ الْبَاقِي رَدٌّ عَلَيْهَا وَ لَا تَرِثُ مِنْ قِبَلِ أَنَّهَا أُخْتٌ وَ أَنَّهَا امْرَأَةٌ شَيْئاً فَإِنْ تَرَكَ أُخْتَهُ وَ هِيَ امْرَأَتُهُ وَ أَخاً فَالْمَالُ بَيْنَهُمَا لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ وَ لَا تَرِثُ مِنْ قِبَلِ أَنَّهَا امْرَأَتُهُ شَيْئاً وَ هَذَا الْبَابُ كُلُّهُ عَلَى هَذَا الْمِثَالِ فَإِنْ تَزَوَّجَ مَجُوسِيٌّ ابْنَتَهُ فَأَوْلَدَهَا ابْنَتَيْنِ ثُمَّ مَاتَ فَإِنَّهُ تَرَكَ ثَلَاثَ بَنَاتٍ فَالْمَالُ بَيْنَهُنَّ بِالسَّوِيَّةِ فَإِنْ مَاتَتْ إِحْدَى الِابْنَتَيْنِ فَإِنَّهَا تَرَكَتْ أُمَّهَا الَّتِي هِيَ أُخْتُهَا لِأَبِيهَا وَ تَرَكَتْ أُخْتَهَا لِأَبِيهَا وَ أُمَّهَا فَالْمَالُ لِأُمِّهَا الَّتِي هِيَ أُخْتُهَا لِأَبِيهَا لِأَنَّهُ لَيْسَ لِلْإِخْوَةِ مَعَ الْوَالِدَيْنِ مِيرَاثٌ فَإِنْ مَاتَتِ ابْنَةُ الِابْنَةِ بَعْدَ مَوْتِ الْأَبِ فَإِنَّهَا تَرَكَتْ أُمَّهَا وَ هِيَ أُخْتُهَا لِأَبِيهَا فَالْمَالُ لِلْأُمِّ مِنْ جِهَةِ أَنَّهَا أُمٌّ وَ لَيْسَ لَهَا مِنْ جِهَةِ أَنَّهَا أُخْتٌ شَيْءٌ فَإِنْ تَزَوَّجَ مَجُوسِيٌّ ابْنَتَهُ فَوَلَدَتْ لَهُ ابْنَةً ثُمَّ تَزَوَّجَ ابْنَةَ ابْنَتِهِ فَوَلَدَتْ لَهُ ابْنَةً ثُمَّ مَاتَ فَالْمَالُ بَيْنَهُنَّ أَثْلَاثاً فَإِنْ مَاتَتِ الْأُولَى الَّتِي كَانَ تَزَوَّجَهَا فَالْمَالُ لِابْنَتِهَا وَ هِيَ الْوُسْطَى فَإِنْ مَاتَتِ الْوُسْطَى بَعْدَ مَوْتِ الْأَبِ فَلِأُمِّهَا وَ هِيَ الْعُلْيَا السُّدُسُ وَ لِابْنَتِهَا وَ هِيَ السُّفْلَى النِّصْفُ وَ مَا بَقِيَ رَدٌّ عَلَيْهِمَا عَلَى قَدْرِ أَنْصِبَائِهِمَا فَإِنْ كَانَتِ الَّتِي مَاتَتْ هِيَ السُّفْلَى وَ بَقِيَتِ الْعُلْيَا فَالْمَالُ كُلُّهُ لِأُمِّهَا وَ هِيَ الْوُسْطَى وَ سَقَطَتِ الْعُلْيَا لِأَنَّهَا أُخْتٌ وَ هِيَ جَدَّةٌ وَ لَا مِيرَاثَ لِلْأُخْتِ مَعَ الْأُمِّ فَإِنْ تَزَوَّجَ مَجُوسِيٌّ ابْنَتَهُ فَأَوْلَدَهَا ابْنَتَيْنِ ثُمَّ تَزَوَّجَ إِحْدَاهُمَا فَوَلَدَتْ لَهُ ابْنَةً ثُمَّ مَاتَ فَإِنَّ الْمَالَ بَيْنَهُنَّ أَرْبَاعاً وَ لَيْسَ لَهُنَّ مِنْ طَرِيقِ التَّزْوِيجِ شَيْءٌ فَإِنْ مَاتَتِ الِابْنَةُ الَّتِي تَزَوَّجَهَا أَخِيراً فَإِنَّهَا إِنَّمَا تَرَكَتِ ابْنَتَهَا وَ أُمَّهَا وَ أُخْتَهَا الَّتِي هِيَ جَدَّتُهَا فَلِابْنَتِهَا النِّصْفُ وَ لِأُمِّهَا السُّدُسُ وَ مَا بَقِيَ رَدٌّ عَلَيْهِمَا عَلَى قَدْرِ أَنْصِبَائِهِمَا وَ لَيْسَ لِلْأُخْتِ الَّتِي هِيَ جَدَّةٌ شَيْءٌ فَإِنْ تَزَوَّجَ مَجُوسِيٌّ بِأُمِّهِ فَأَوْلَدَهَا بِنْتاً ثُمَّ تَزَوَّجَ بِالِابْنَةِ فَأَوْلَدَهَا ابْناً ثُمَّ مَاتَ فَلِأُمِّهِ السُّدُسُ وَ مَا بَقِيَ فَبَيْنَ الِابْنِ وَ الِابْنَةِ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ مَاتَتْ أُمُّهُ بَعْدَهُ فَالْمَالُ لِابْنَتِهَا الَّتِي تَزَوَّجَهَا الْمَجُوسِيُّ وَ لَيْسَ لِوَلَدِ ابْنَتِهَا شَيْءٌ مَعَ الِابْنَةِ فَإِنْ لَمْ تَمُتْ أُمُّهُ وَ لَكِنْ مَاتَتِ ابْنَتُهُ الْأُولَى بَعْدَ الْمَجُوسِيِّ فَلِأُمِّهَا الَّتِي هِيَ ابْنَةُ الْمَجُوسِيِّ الْأُولَى السُّدُسُ وَ مَا بَقِيَ فَلِلِابْنِ وَ إِنْ مَاتَ الِابْنُ بَعْدَ مَوْتِ الْأَبِ وَ أُمُّهُ حَيَّةٌ وَ أُمُّ الْمَجُوسِيِّ فِي الْحَيَاةِ فَالْمَالُ كُلُّهُ لِأُمِّهِ وَ لَيْسَ لِأُمِّ الْمَجُوسِيِّ شَيْءٌ فَإِنْ تَزَوَّجَ الْمَجُوسِيُّ بِأُمِّهِ فَأَوْلَدَهَا ابْناً وَ ابْنَةً ثُمَّ إِنَّ ابْنَهُ أَيْضاً تَزَوَّجَ

جَدَّتَهُ وَ هِيَ أُمُّ الْمَجُوسِيِّ فَأَوْلَدَهَا ابْنَةً ثُمَّ مَاتَ الْمَجُوسِيُّ فَلِأُمِّهِ السُّدُسُ وَ مَا بَقِيَ بَيْنَ ابْنِهِ وَ ابْنَتِهِ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ مَاتَتْ أُمُّهُ بَعْدَهُ فَالْمَالُ بَيْنَ ابْنِهَا وَ ابْنَتِهَا لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ لَمْ تَمُتْ أُمُّهُ وَ لَكِنِ الْغُلَامُ مَاتَ بَعْدَ مَوْتِ أَبِيهِ فَلِأُمِّهِ السُّدُسُ وَ لِابْنَتِهِ النِّصْفُ وَ مَا بَقِيَ رَدٌّ عَلَيْهِمَا عَلَى قَدْرِ أَنْصِبَائِهِمَا وَ لَيْسَ لِأُخْتِهِ شَيْءٌ فَإِنْ تَزَوَّجَ مَجُوسِيٌّ بِأُمِّهِ فَأَوْلَدَهَا ابْناً وَ ابْنَةً ثُمَّ إِنَّهُ تَزَوَّجَ بِأُخْتِهِ فَأَوْلَدَهَا ابْناً وَ ابْنَةً ثُمَّ إِنَّ هَذَا الِابْنَ أَيْضاً تَزَوَّجَ بِأُخْتِهِ فَأَوْلَدَهَا ابْناً وَ ابْنَةً ثُمَّ مَاتَ الْمَجُوسِيُّ فَلِأُمِّهِ السُّدُسُ وَ مَا بَقِيَ فَبَيْنَ ابْنِهِ وَ ابْنَتِهِ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ مَاتَ ابْنُهُ بَعْدَهُ فَلِأُمِّهِ السُّدُسُ وَ مَا بَقِيَ فَبَيْنَ ابْنِهِ وَ ابْنَتِهِ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ مَاتَ ابْنُ ابْنِهِ بَعْدَهُ فَلِأُمِّهِ السُّدُسُ وَ مَا بَقِيَ فَبَيْنَ ابْنِهِ وَ ابْنَتِهِ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنْثَيَيْنِ فَإِنْ مَاتَتْ أُمُّ الْمَجُوسِيِّ بَعْدَ مَا مَاتَ هَؤُلَاءِ فَالْمَالُ كُلُّهُ لِابْنَتِهَا وَ سَقَطَ الْبَاقُونَ.

H.5745 - In the narration of Al-Sakuni:
"Imam Ali ibn Abi Talib {a.s} used to grant inheritance to a Magian who married his mother, sister, or daughter from two aspects - one being that she was his mother, and the other that she was his wife."

[AL SADUQ]
I do not issue legal rulings based on what Al-Sakuni narrates alone.
If a Magian leaves his mother, who is also his sister and daughter, then the mother is entitled to one-sixth, the daughter receives one-half, and the remainder is distributed between them proportionally according to their shares. She does not inherit anything in the capacity of a sister because siblings do not inherit alongside the mother.
If he leaves his daughter, who is also his sister and wife, then she receives half of the inheritance as his daughter, and the remainder is returned to her. She does not inherit anything from the shares allocated to a sister or wife.
If he leaves his sister, who is also his wife, and a brother, the estate is divided between them, with the male receiving twice the share of the female. She does not inherit anything in the capacity of a wife. This principle applies across similar cases. If a Magian marries his daughter and fathers two daughters from her, and then he dies, he leaves behind three daughters, and the wealth is divided equally among them.
If one of the two daughters dies, she leaves behind her mother, who is also her paternal sister, and her other paternal sister. In this case, the wealth goes to the mother, who is also her paternal sister, because siblings do not inherit when parents are present.
If the daughter of the daughter dies after the father's death, she leaves behind her mother, who is also her paternal sister. The entire inheritance goes to the mother in her capacity as a mother, and she does not receive anything in the capacity of a sister.
If a Magian marries his daughter and she bears him a daughter, and then he marries the daughter of his daughter, and she bears him another daughter, and then he dies, the wealth is divided among them in thirds. If the first wife, whom he initially married, dies, the inheritance goes to her daughter. If the middle daughter dies after the father's death, then her mother, who is the eldest, is entitled to one-sixth of the inheritance, and her daughter, who is the youngest, receives half. The remainder is distributed between them in proportion to their respective shares.
If the deceased daughter is the youngest and the eldest remains, the entire inheritance goes to her mother, who is the middle daughter, while the eldest, being both a sister

and a grandmother, does not inherit anything because siblings do not inherit alongside the mother.

If a Magian marries his daughter and she bears him two daughters, and then he marries one of them and she bears him a daughter, and then he dies, the inheritance is divided into four equal parts among them, and none of them inherits due to marital relation.

If the daughter whom he married last dies, she leaves behind her daughter, her mother, and her sister, who is also her grandmother. The daughter receives half, the mother gets one-sixth, and the remainder is distributed between them in proportion to their shares, while the sister-grandmother receives nothing.

If a Magian marries his mother and she bears him a daughter, and then he marries the daughter and she bears him a son, and then he dies, the mother is entitled to one-sixth, and the remainder is divided between the son and daughter, with the male receiving twice the share of the female.

If his mother dies after him, the inheritance goes to her daughter, whom the Magian married, and the daughter's children do not inherit anything alongside their mother.

If the mother does not die, but the first daughter dies after the Magian, her mother, who is also the first daughter of the Magian, receives one-sixth of the inheritance.

If the son dies after the father while his mother and the Magian's mother are still alive, the entire inheritance goes to his mother, and the Magian's mother does not receive anything.

If a Magian marries his mother and she bears him a son and a daughter, and later his son also marries his grandmother (the Magian’s mother) and she bears him a daughter, and then the Magian dies, his mother is entitled to one-sixth, and the remainder is divided between his son and daughter, with the male receiving twice the share of the female.

If his mother dies after him, the inheritance is divided between her son and daughter in the ratio of two shares for the male and one for the female.

If the mother does not die but the son dies after his father, his mother is entitled to one-sixth, and his daughter receives half, while the remainder is distributed between them proportionally according to their shares, and his sister does not inherit anything.

If a Magian marries his mother and she bears him a son and a daughter, and then he marries his sister and she bears him a son and a daughter, and later this son also marries his sister and she bears him a son and a daughter, and then the Magian dies, his mother is entitled to one-sixth, and the remainder is divided between his son and daughter, with the male receiving twice the share of the female.

If his son dies after him, his mother receives one-sixth, and the remainder is divided between his son and daughter with the same proportion.

If his grandson dies after him, his mother receives one-sixth, and the remainder is divided between his son and daughter with the male receiving twice the share of the female.

If the Magian's mother dies after all of them, the entire inheritance goes to her daughter, and the remaining relatives are excluded from inheriting.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.344

CHAPTER 174 – CHAPTER ON RARE CASES OF INHERITANCE

بَابُ نَوَادِرِ الْمَوَارِيثِ

HADITH 5746 – 5761

5746 - رَوَى حَمَّادُ بْنُ عِيسَى عَنْ رِبْعِيٍّ بْنِ عَبْدِ اَللَّهِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِذَا مَاتَ اَلرَّجُلُ فَسَيْفُهُ وَ مُصْحَفُهُ وَ خَاتَمُهُ وَ كُتُبُهُ وَ رَحْلُهُ وَ كِسْوَتُهُ لِأَكْبَرِ وُلْدِهِ فَإِنْ كَانَ اَلْأَكْبَرُ اِبْنَةً فَلِلْأَكْبَرِ مِنَ اَلذُّكُورِ ».

H.5746 - Hammad ibn Isa narrated from Rabiʿ ibn Abdullah from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"When a man dies, his sword, his Qur'an, his ring, his books, his saddle, and his clothing belong to his eldest child. If the eldest is a daughter, then they belong to the eldest of the sons."

[REFERENCES] Al-Kafi, Vol.7 p.86 • Man La Yahduruhu Al-Faqih, Vol.4 p.346 • Tahdhib Al-Ahkam, Vol.9 p.275 • Al-Istibsar, Vol.4 p.144 • Awali Al-La'ali, Vol.3 p.503 • Al-Wafi, Vol.25 p.726 • Wasa'il Al-Shi'ah, Vol.26 p.97

HADITH

5747 - وَ رَوَى حَمَّادُ بْنُ عِيسَى عَنْ شُعَيْبِ بْنِ يَعْقُوبَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «اَلْمَيِّتُ إِذَا مَاتَ فَإِنَّ لِابْنِهِ اَلْأَكْبَرِ اَلسَّيْفَ وَ اَلرَّحْلَ وَ اَلثِّيَابَ ثِيَابَ جِلْدِهِ».

H.5747 - Hammad ibn Isa narrated from Shuayb ibn Yaʿqub from Abu Basir from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"When a man dies, his eldest son inherits the sword, the saddle, and his personal clothing."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.347 • Wasa'il Al-Shi'ah, Vol.26 p.98

HADITH

5748 - وَ رَوَى عَلِيُّ بْنُ اَلْحَكَمِ عَنْ أَبَانٍ اَلْأَحْمَرِ عَنْ مُيَسِّرٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنِ اَلنِّسَاءِ مَا لَهُنَّ مِنَ اَلْمِيرَاثِ فَقَالَ «لَهُنَّ قِيمَةُ اَلطُّوبِ وَ اَلْبِنَاءِ وَ اَلْخَشَبِ وَ اَلْقَصَبِ فَأَمَّا اَلْأَرْضُ وَ اَلْعَقَارَاتُ فَلاَ مِيرَاثَ لَهُنَّ فِيهِ» قَالَ قُلْتُ فَالثِّيَابُ قَالَ «اَلثِّيَابُ لَهُنَّ» قَالَ قُلْتُ كَيْفَ صَارَ ذَا وَ لَهُنَّ اَلثُّمُنُ وَ اَلرُّبُعُ مُسَمًّى قَالَ «لِأَنَّ اَلْمَرْأَةَ لَيْسَ لَهَا نَسَبٌ تَرِثُ بِهِ إِنَّمَا هِيَ دَخِيلٌ عَلَيْهِمْ وَ إِنَّمَا صَارَ هَذَا هَكَذَا، لِئَلاَّ تَتَزَوَّجَ اَلْمَرْأَةُ فَيَجِيءَ زَوْجُهَا أَوْ وُلْدُ قَوْمٍ آخَرِينَ فَيُزَاحِمَ قَوْماً فِي عَقَارِهِمْ».

H.5748 - Ali ibn Al-Hakam narrated from Aban Al-Ahmar from Muyassir from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"I asked Imam {a.s} about women and what share they have in inheritance.
Imam {a.s} said: 'They have the value of bricks, buildings, wood, and reeds, but as for land and properties, they have no inheritance in them.'
I said: 'What about clothing?'
Imam {a.s} said: 'Clothing is for them.'
I said: 'How is this, while they have a specified share of one-eighth or one-fourth?'
Imam {a.s} said: 'Because a woman has no lineage through which she inherits; she is merely an addition to them. This ruling exists so that a woman does not marry, and then her husband or the children of another people come and compete with others in their properties.'"

[REFERENCES] Al-Kafi, Vol.7 p.130 • Man La Yahduruhu Al-Faqih, Vol.4 p.347 • Tahdhib Al-Ahkam, Vol.9 p.299 • Al-Istibsar, Vol.4 p.152 • Al-Wafi, Vol.25 p.783 • Wasa'il Al-Shi'ah, Vol.26 p.206

HADITH

5749 - وَ كَتَبَ اَلرِّضَا عَلَيْهِ اَلسَّلاَمُ إِلَى مُحَمَّدِ بْنِ سِنَانٍ فِيمَا كَتَبَ مِنْ جَوَابِ مَسَائِلِهِ : «عِلَّةُ اَلْمَرْأَةِ أَنَّهَا لاَ تَرِثُ مِنَ اَلْعَقَارَاتِ شَيْئاً إِلاَّ قِيمَةَ اَلطُّوبِ وَ اَلنَّقْضِ لِأَنَّ اَلْعَقَارَ لاَ يُمْكِنُ تَغْيِيرُهُ وَ قَلْبُهُ وَ اَلْمَرْأَةُ قَدْ يَجُوزُ أَنْ يَنْقَطِعَ مَا بَيْنَهَا وَ بَيْنَهُ مِنَ اَلْعِصْمَةِ وَ يَجُوزُ تَغْيِيرُهَا وَ تَبْدِيلُهَا وَ لَيْسَ اَلْوَلَدُ وَ اَلْوَالِدُ كَذَلِكَ لِأَنَّهُ لاَ يُمْكِنُ اَلتَّفَصِّي مِنْهُمَا وَ اَلْمَرْأَةُ يُمْكِنُ اَلاِسْتِبْدَالُ بِهَا فَمَا يَجُوزُ أَنْ يَجِيءَ وَ يَذْهَبَ كَانَ مِيرَاثُهُ فِيمَا يَجُوزُ تَبْدِيلُهُ وَ تَغْيِيرُهُ إِذْ أَشْبَهَهُمَا وَ كَانَ اَلثَّابِتُ اَلْمُقِيمُ عَلَى حَالِهِ كَمَنْ كَانَ مِثْلَهُ فِي اَلثَّبَاتِ وَ اَلْقِيَامِ».

H.5749 - Imam Ali ibn Musa Ar-Ridha {a.s} wrote to Muhammad ibn Sinan in response to his questions: "The reason why a woman does not inherit anything from real estate except for the value of bricks and demolition materials is because real estate cannot be altered or transformed.
A woman may experience a severance of the marital bond, and she herself may change or be replaced. However, a child and a parent are not like that, for separation from them is not possible. A woman, on the other hand, can be replaced. Therefore, what is subject to coming and going, her inheritance is in what can be altered and changed, as it resembles her nature. What is permanent and remains as it is belongs to those who are similar in stability and permanence."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.348 • Ilal Al-Shara'i', Vol.2 p.572 • Tahdhib Al-Ahkam, Vol.9 p.300 • Al-Wafi, Vol.25 p.786 • Wasa'il Al-Shi'ah, Vol.26 p.210 • Bihar Al-Anwar, Vol.101 p.352 • Tafsir Nur Al-Thaqalayn, Vol.1 p.454

HADITH

5750 - وَ فِي رِوَايَةِ اَلْحَسَنِ بْنِ مَحْبُوبٍ عَنِ اَلْأَحْوَلِ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ سَمِعْتُهُ يَقُولُ : «لاَ يَرِثْنَ اَلنِّسَاءُ مِنَ اَلْعَقَارِ شَيْئاً وَ لَهُنَّ قِيمَةُ اَلْبِنَاءِ وَ اَلشَّجَرِ وَ اَلنَّخْلِ».

يَعْنِي بِالْبِنَاءِ الدُّورَ وَ إِنَّمَا عَنَى مِنَ النِّسَاءِ الزَّوْجَةَ.

H.5750 - In the narration of Al-Hasan ibn Mahbub from Al-Ahwal from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, he said: 'Women do not inherit anything from real estate, but they are entitled to the value of buildings, trees, and palm trees.'"

[AL SADUQ]
By "buildings," he meant houses, and by "women," Imam {a.s} specifically referred to the wife.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.348

HADITH

5751 - وَ رَوَى مُحَمَّدُ بْنُ اَلْوَلِيدِ عَنْ حَمَّادِ بْنِ عُثْمَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِنَّمَا جُعِلَ لِلْمَرْأَةِ قِيمَةُ اَلْخَشَبِ وَ اَلطُّوبِ لِئَلاَّ تَتَزَوَّجَ فَتُدْخِلَ عَلَيْهِمْ مَنْ يُفْسِدُ مَوَارِيثَهُمْ ».

وَ الطُّوبُ الطَّوَابِيقُ الْمَطْبُوخَةُ مِنَ الْآجُرِّ.

H.5751 - Muhammad ibn Al-Walid narrated from Hammad ibn Uthman from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said:
"The woman was only given the value of wood and bricks so that she does not marry and bring into the family someone who would corrupt their inheritance."

[AL SADUQ]
The term "ṭub" refers to baked bricks made from clay.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.348 • Tahdhib Al-Ahkam, Vol.9 p.298 • Al-Istibsar, Vol.4 p.152 • Awali Al-La'ali, Vol.3 p.504

HADITH

5752 - وَ فِي رِوَايَةِ اَلْحَسَنِ بْنِ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رِئَابٍ وَ خَطَّابٍ أَبِي مُحَمَّدٍ اَلْهَمْدَانِيِّ عَنْ طِرْبَالٍ عَنْ أَبِي جَعْفَرٍ عَ أَنَّهُ قَالَ : «إِنَّ اَلْمَرْأَةَ لاَ تَرِثُ مِمَّا تَرَكَ زَوْجُهَا مِنَ اَلْقُرَى وَ اَلدُّورِ وَ اَلسِّلاَحِ وَ اَلدَّوَابِّ وَ تَرِثُ مِنَ اَلْمَالِ وَ اَلرَّقِيقِ وَ اَلثِّيَابِ وَ مَتَاعِ اَلْبَيْتِ مِمَّا تَرَكَ» فَقَالَ «وَ يُقَوَّمُ نِقْضُ اَلْأَجْذَاعِ وَ اَلْقَصَبِ وَ اَلْأَبْوَابِ فَتُعْطَى حَقَّهَا مِنْهُ».

H.5752 - In the narration of Al-Hasan ibn Mahbub from Ali ibn Riʾab and Khaṭṭab Abu Muhammad Al-Hamdani from Ṭirbal from Abu Jafar Imam Al-Baqir {a.s}, he said: "A woman does not inherit from what her husband leaves behind of villages, houses, weapons, or animals. However, she inherits from money, slaves, clothing, and household items that he leaves behind."
Imam {a.s} then said: "The dismantled parts of palm trunks, reeds, and doors are evaluated, and she is given her rightful share from that."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.348

HADITH

5753 - وَ رَوَى أَبَانٌ عَنِ اَلْفَضْلِ بْنِ عَبْدِ اَلْمَلِكِ أَوِ اِبْنِ أَبِي يَعْفُورٍ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : سَأَلْتُهُ عَنِ اَلرَّجُلِ هَلْ يَرِثُ دَارَ اِمْرَأَتِهِ وَ أَرْضَهَا مِنَ اَلتُّرْبَةِ شَيْئاً أَوْ يَكُونُ فِي ذَلِكَ بِمَنْزِلَةِ اَلْمَرْأَةِ فَلاَ يَرِثُ مِنْ ذَلِكَ شَيْئاً فَقَالَ «يَرِثُهَا وَ تَرِثُهُ مِنْ كُلِّ شَيْءٍ تَرَكَ وَ تَرَكَتْ».

قَالَ مُصَنِّفُ هَذَا الْكِتَابِ رَحِمَهُ اللَّهُ هَذَا إِذَا كَانَ لَهَا مِنْهُ وَلَدٌ أَمَّا إِذَا لَمْ يَكُنْ لَهَا مِنْهُ وَلَدٌ فَلَا تَرِثُ مِنَ الْأُصُولِ إِلَّا قِيمَتَهَا وَ تَصْدِيقُ ذَلِكَ مَا رَوَاهُ.

H.5753 - Aban narrated from Al-Faḍl ibn Abd Al-Malik or Ibn Abi Yaʿfur from Abu Abdullah {a.s} who said:
"I asked Imam {a.s} about a man - does he inherit his wife's house and land from the soil, or is he like the woman who does not inherit anything from that?"
Imam {a.s} replied: "He inherits from her, and she inherits from him, from everything either of them leaves behind."

[AL SADUQ]
The compiler of this book (may Allah {SWT} have mercy on him) said:
This applies when she has a child from him. However, if she has no child from him, then she does not inherit from real estate except for its value. The confirmation of this is in what has been narrated.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.349 • Tahdhib Al-Ahkam, Vol.9 p.300 • Al-Istibsar, Vol.4 p.154 • Awali Al-La'ali, Vol.3 p.505 • Al-Wafi, Vol.25 p.787 • Wasa'il Al-Shi'ah, Vol.26 p.212

HADITH

5754 - مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنِ اِبْنِ أُذَيْنَةَ : «فِي اَلنِّسَاءِ إِذَا كَانَ لَهُنَّ وَلَدٌ أُعْطِينَ مِنَ اَلرِّبَاعِ ».

H.5754 - Muhammad ibn Abi Umayr narrated from Ibn Udhayna:
"In the case of women, if they have a child, they are given from the inheritance of property."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.349 • Tahdhib Al-Ahkam, Vol.9 p.301 • Al-Istibsar, Vol.4 p.155 • Awali Al-La'ali, Vol.3 p.505 • Al-Wafi, Vol.25 p.786 • Wasa'il Al-Shi'ah, Vol.26 p.213

HADITH

5755 - وَ كَتَبَ اَلرِّضَا عَلَيْهِ اَلسَّلاَمُ إِلَى مُحَمَّدِ بْنِ سِنَانٍ فِيمَا كَتَبَ مِنْ جَوَابِ مَسَائِلِهِ: «عِلَّةُ إِعْطَاءِ اَلنِّسَاءِ نِصْفَ مَا يُعْطَى اَلرِّجَالَ مِنَ اَلْمِيرَاثِ لِأَنَّ اَلْمَرْأَةَ إِذَا تَزَوَّجَتْ أَخَذَتْ وَ اَلرَّجُلُ يُعْطِي فَلِذَلِكَ وُفِّرَ عَلَى اَلرِّجَالِ». وَ عِلَّةٌ أُخْرَى فِي إِعْطَاءِ الذَّكَرِ مِثْلَيِ مَا تُعْطَى الْأُنْثَى لِأَنَّ الْأُنْثَى فِي عِيَالِ الذَّكَرِ إِنِ احْتَاجَتْ وَ عَلَيْهِ أَنْ يَعُولَهَا وَ عَلَيْهِ نَفَقَتُهَا وَ لَيْسَ عَلَى الْمَرْأَةِ أَنْ تَعُولَ الرَّجُلَ وَ لَا تُؤْخَذُ بِنَفَقَتِهِ إِنِ احْتَاجَ فَوُفِّرَ عَلَى الرَّجُلِ لِذَلِكَ وَ ذَلِكَ قَوْلُ اللَّهِ عَزَّ وَ جَلَّ ۝ الرِّجالُ قَوَّامُونَ عَلَى النِّساءِ بِما فَضَّلَ اللَّهُ بَعْضَهُمْ عَلى بَعْضٍ وَ بِما أَنْفَقُوا مِنْ أَمْوالِهِمْ ۝

H.5755 - Imam Ali ibn Musa Ar-Ridha {a.s} wrote to Muhammad ibn Sinan in response to his questions:
"The reason women are given half of what men receive from inheritance is because when a woman marries, she receives, whereas a man gives. Therefore, more has been allocated to men."
Imam {a.s} continued: "Another reason for giving the male twice as much as the female is that the female is under the care of the male if she is in need, and it is his responsibility to support her and provide for her. However, a woman is not required to support a man, nor is she responsible for his expenses if he is in need. Therefore, more has been allocated to the man for this reason. This is in accordance with the saying of Allah {SWT}, the Mighty and Majestic:
'Men are the protectors and maintainers of women because Allah {SWT} has given one more (strength) than the other and because they spend from their wealth.'" (Surah An-Nisa 4:34).

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.350 • Tahdhib Al-Ahkam, Vol.9 p.398 • Al-Fusul Al-Muhimmah, Vol.2 p.481

HADITH

5756 - وَ فِي رِوَايَةِ حَمْدَانَ بْنِ اَلْحُسَيْنِ عَنِ اَلْحُسَيْنِ بْنِ اَلْوَلِيدِ عَنِ اِبْنِ بُكَيْرٍ عَنْ عَبْدِ اَللَّهِ بْنِ سِنَانٍ قَالَ : قُلْتُ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ لِأَيِّ عِلَّةٍ صَارَ اَلْمِيرَاثُ «لِلذَّكَرِ مِثْلُ حَظِّ اَلْأُنْثَيَيْنِ» قَالَ «لِمَا جَعَلَ اَللَّهُ لَهَا مِنَ اَلصَّدَاقِ».

H.5756 - In the narration of Hamdan ibn Al-Husayn from Al-Husayn ibn Al-Walid from Ibn Bukayr from Abdullah ibn Sinan, he said: "I asked Abu Abdullah {a.s}, 'For what reason is the inheritance for the male equal to the share of two females?'
Imam {a.s} replied: 'Because Allah {SWT} has allocated the dowry (ṣadaq) for her.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.350 • Tahdhib Al-Ahkam, Vol.9 p.398 • Al-Wafi, Vol.25 p.723 • Wasa'il Al-Shi'ah, Vol.26 p.95 • Tafsir Nur Al-Thaqalayn, Vol.1 p.452 • Tafsir Kanz Al-Daqaiq, Vol.3 p.344

HADITH

5757 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ هِشَامٍ : أَنَّ اِبْنَ أَبِي اَلْعَوْجَاءِ قَالَ -: لِمُحَمَّدِ بْنِ اَلنُّعْمَانِ اَلْأَحْوَلِ مَا بَالُ اَلْمَرْأَةِ اَلضَّعِيفَةِ لَهَا سَهْمٌ وَاحِدٌ وَ لِلرَّجُلِ اَلْقَوِيِّ اَلْمُوسِرِ سَهْمَانِ قَالَ فَذَكَرْتُ ذَلِكَ لِأَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ فَقَالَ «إِنَّ اَلْمَرْأَةَ لَيْسَ لَهَا عَاقِلَةٌ وَ لاَ عَلَيْهَا نَفَقَةٌ وَ لاَ جِهَادٌ» وَ عَدَّدَ أَشْيَاءَ غَيْرَ هَذَا «وَ هَذَا عَلَى اَلرَّجُلِ فَلِذَلِكَ جُعِلَ لَهُ سَهْمَانِ وَ لَهَا سَهْمٌ».

H.5757 - Ibn Abi Umayr narrated from Hisham that Ibn Abi Al-Awjaʾ said to Muhammad ibn Al-Nuʿman Al-Ahwal: "Why does the weak woman have one share while the strong and wealthy man has two shares?"
He said: “I mentioned this to Abu Abdullah {a.s}, and Imam {a.s} said:
'A woman has no obligation to pay blood money (Aqilah), nor is she responsible for financial maintenance, nor is she required to participate in jihad.'"
Imam {a.s} then listed other responsibilities beyond these and continued; "These obligations are upon the man. Therefore, he was given two shares, and she was given one."

[REFERENCES] Al-Muhasin, Vol.2 p.329 • Man La Yahduruhu Al-Faqih, Vol.4 p.350 • Ilal Al-Shara'i', Vol.2 p.570 • Al-Wafi, Vol.25 p.722 • Bihar Al-Anwar, Vol.101 p.327 • Tafsir Nur Al-Thaqalayn, Vol.1 p.451 • Tafsir Kanz Al-Daqaiq, Vol.3 p.344

HADITH

5758 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عَبْدِ اَللَّهِ اَلْكُوفِيُّ عَنْ مُوسَى بْنِ عِمْرَانَ اَلنَّخَعِيِّ عَنْ عَمِّهِ اَلْحُسَيْنِ بْنِ يَزِيدَ عَنْ عَلِيِّ بْنِ سَالِمٍ عَنْ أَبِيهِ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ فَقُلْتُ لَهُ كَيْفَ صَارَ اَلْمِيرَاثُ «لِلذَّكَرِ مِثْلُ حَظِّ اَلْأُنْثَيَيْنِ» فَقَالَ «لِأَنَّ اَلْحَبَّاتِ اَلَّتِي أَكَلَهَا آدَمُ عَلَيْهِ اَلسَّلاَمُ وَ حَوَّاءُ فِي اَلْجَنَّةِ كَانَتْ ثَمَانِيَ عَشْرَةَ حَبَّةً أَكَلَ آدَمُ مِنْهَا اِثْنَتَيْ عَشْرَةَ حَبَّةً وَ أَكَلَتْ حَوَّاءُ سِتّاً فَلِذَلِكَ صَارَ اَلْمِيرَاثُ «لِلذَّكَرِ مِثْلُ حَظِّ اَلْأُنْثَيَيْنِ» ».

H.5758 - Muhammad ibn Abi Abdullah Al-Kufi narrated from Musa ibn ʿImran Al-Nakhaʿi from his uncle Al-Husayn ibn Yazid from Ali ibn Salim from his father, who said: "I asked Abu Abdullah {a.s}, 'Why is the inheritance for the male equal to the share of two females?'
Imam {a.s} replied: 'Because the grains that Adam {a.s} and Hawwaʾ ate in Paradise were eighteen grains. Adam ate twelve of them, and Hawwaʾ ate six. For this reason, the inheritance is for the male equal to the share of two females.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.351 • Ilal Al-Shara'i', Vol.2 p.571 • Al-Wafi, Vol.25 p.723 • Wasa'il Al-Shi'ah, Vol.26 p.96 • Bihar Al-Anwar, Vol.11 p.167 • Bihar Al-Anwar, Vol.101 p.327 • Qisas Al-Anbiya (Lil-Rawandi), Vol.1 p.40 • Tafsir Nur Al-Thaqalayn, Vol.1 p.451 • Tafsir Kanz Al-Daqaiq, Vol.3 p.344

HADITH

5759 - وَ رَوَى اَلنَّضْرُ بْنُ سُوَيْدٍ عَنْ يَحْيَى اَلْحَلَبِيِّ عَنْ أَيُّوبَ بْنِ عَطِيَّةَ اَلْحَذَّاءِ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ كَانَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ يَقُولُ : «أَنَا أَوْلَى بِكُلِّ مُؤْمِنٍ مِنْ نَفْسِهِ وَ مَنْ تَرَكَ مَالاً فَلِلْوَارِثِ وَ مَنْ تَرَكَ دَيْناً أَوْ ضَيَاعاً فَإِلَيَّ وَ عَلَيَّ ».

H.5759 - Al-Nadr ibn Suwayd narrated from Yahya Al-Halabi, from Ayyub ibn Atiyyah Al-Hadhdha', who said: I heard Abu Abdullah {a.s} narrated that the Prophet of Allah {SWT} (peace and blessings be upon him and his family) used to say:
"I have a greater claim over every believer than his own self. Whoever leaves behind wealth, it is for his heirs, and whoever leaves behind debt or dependents in need, then it is upon me and my responsibility."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.351 • Al-Wafi, Vol.3 p.654 • Al-Wafi, Vol.17 p.145 • Wasa'il Al-Shi'ah, Vol.26 p.251

HADITH

5760 - وَ رَوَى إِسْمَاعِيلُ بْنُ مُسْلِمٍ اَلسَّكُونِيُّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ عَنْ أَبِي ذَرٍّ رَحْمَةُ اَللَّهِ عَلَيْهِ قَالَ سَمِعْتُ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ يَقُولُ :

«إِذَا مَاتَ اَلْمَيِّتُ فِي سَفَرٍ فَلاَ تَكْتُمُوا مَوْتَهُ أَهْلَهُ فَإِنَّهَا أَمَانَةٌ لِعِدَّةِ اِمْرَأَتِهِ تَعْتَدُّ وَ مِيرَاثُهُ يُقْسَمُ بَيْنَ أَهْلِهِ قَبْلَ أَنْ يَمُوتَ اَلْمَيِّتُ مِنْهُمْ فَيَذْهَبَ نَصِيبُهُ».

H.5760 - Ismaʿil ibn Muslim Al-Sakuni narrated from Jaf Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s} from Abu Dharr (may Allah {SWT} have mercy on him) who said: "I heard the Messenger of Allah {SWT} (peace and blessings be upon him and his family) say:
'When a person dies during a journey, do not conceal his death from his family, for it is a trust concerning the waiting period (ʿiddah) of his wife so that she may observe it, and his inheritance can be distributed among his family before any of them dies, causing his share to be lost.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.351 • Tahdhib Al-Ahkam, Vol.9 p.398 • Al-Wafi, Vol.25 p.955 • Wasa'il Al-Shi'ah, Vol.26 p.314

HADITH

5761 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «إِنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى آخَى بَيْنَ اَلْأَرْوَاحِ فِي اَلْأَظِلَّةِ قَبْلَ أَنْ يَخْلُقَ اَلْأَجْسَادَ بِأَلْفَيْ عَامٍ فَلَوْ قَدْ قَامَ قَائِمُنَا أَهْلَ اَلْبَيْتِ وَرَّثَ اَلْأَخَ اَلَّذِي آخَى بَيْنَهُمَا فِي اَلْأَظِلَّةِ وَ لَمْ يُوَرِّثِ اَلْأَخَ فِي اَلْوِلاَدَةِ».

H.5761 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Indeed, Allah {SWT}, the Blessed and Exalted, established brotherhood between souls in the realm of shadows (Al-aẓillah) two thousand years before creating bodies.
So, when our Qaʾim (Imam Muhammad ibn Hassan Al-Mahdi {a.s}) from the Ahl Al-Bayt {a.s} rises, He {a.s} will give inheritance to the brother with whom brotherhood was established in the realm of shadows and will not give inheritance to the brother through birth."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.352 • Al-I'tiqadat, Vol.1 p.48 • Mukhtasar Al-Basa'ir, Vol.1 p.396 • Al-Wafi, Vol.25 p.956 • Bihar Al-Anwar, Vol.6 p.249 • Bihar Al-Anwar, Vol.58 p.79 • Bihar Al-Anwar, Vol.101 p.367 • Mustadrak Al-Wasa'il, Vol.17 p.186

CHAPTER 175 – CHAPTER ON RARE CASES

بَابُ النَّوَادِرِ وَ هُوَ آخِرُ أَبْوَابِ الْكِتَابِ

HADITH 5762

5762 - رَوَى حَمَّادُ بْنُ عَمْرٍو وَ أَنَسُ بْنُ مُحَمَّدٍ عَنْ أَبِيهِ جَمِيعاً عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَدِّهِ ، عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ ، عَنِ اَلنَّبِيِّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَنَّهُ قَالَ لَهُ: «يَا عَلِيُّ أُوصِيكَ بِوَصِيَّةٍ فَاحْفَظْهَا فَلاَ تَزَالُ بِخَيْرٍ مَا حَفِظْتَ وَصِيَّتِي يَا عَلِيُّ مَنْ كَظَمَ غَيْظاً وَ هُوَ يَقْدِرُ عَلَى إِمْضَائِهِ أَعْقَبَهُ اَللَّهُ يَوْمَ اَلْقِيَامَةِ أَمْناً وَ إِيمَاناً يَجِدُ طَعْمَهُ يَا عَلِيُّ مَنْ لَمْ يُحْسِنْ وَصِيَّتَهُ عِنْدَ مَوْتِهِ كَانَ نَقْصاً فِي مُرُوءَتِهِ وَ لَمْ يَمْلِكِ اَلشَّفَاعَةَ يَا عَلِيُّ أَفْضَلُ اَلْجِهَادِ مَنْ أَصْبَحَ لاَ يَهُمُّ بِظُلْمِ أَحَدٍ يَا عَلِيُّ مَنْ خَافَ اَلنَّاسُ لِسَانَهُ فَهُوَ مِنْ أَهْلِ اَلنَّارِ ، يَا عَلِيُّ شَرُّ اَلنَّاسِ مَنْ أَكْرَمَهُ اَلنَّاسُ اِتِّقَاءَ فُحْشِهِ» وَ رُوِيَ «شَرِّهِ يَا عَلِيُّ شَرُّ اَلنَّاسِ مَنْ بَاعَ آخِرَتَهُ بِدُنْيَاهُ وَ شَرٌّ مِنْ ذَلِكَ مَنْ بَاعَ آخِرَتَهُ بِدُنْيَا غَيْرِهِ، يَا عَلِيُّ مَنْ لَمْ يَقْبَلِ اَلْعُذْرَ مِنْ مُتَنَصِّلٍ صَادِقاً كَانَ أَوْ كَاذِباً لَمْ يَنَلْ شَفَاعَتِي يَا عَلِيُّ إِنَّ اَللَّهَ عَزَّ وَ جَلَّ أَحَبَّ اَلْكَذِبَ فِي اَلصَّلاَحِ وَ أَبْغَضَ اَلصِّدْقَ فِي اَلْفَسَادِ يَا عَلِيُّ مَنْ تَرَكَ اَلْخَمْرَ لِغَيْرِ اَللَّهِ سَقَاهُ اَللَّهُ مِنَ اَلرَّحِيقِ اَلْمَخْتُومِ» فَقَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «لِغَيْرِ اَللَّهِ» قَالَ «نَعَمْ وَ اَللَّهِ صِيَانَةً لِنَفْسِهِ يَشْكُرُهُ اَللَّهُ عَلَى ذَلِكَ يَا عَلِيُّ شَارِبُ اَلْخَمْرِ كَعَابِدِ وَثَنٍ يَا عَلِيُّ شَارِبُ اَلْخَمْرِ لاَ يَقْبَلُ اَللَّهُ عَزَّ وَ جَلَّ صَلاَتَهُ أَرْبَعِينَ يَوْماً فَإِنْ مَاتَ فِي اَلْأَرْبَعِينَ مَاتَ كَافِراً» قَالَ مُصَنِّفُ هَذَا اَلْكِتَابِ رَحِمَهُ اَللَّهُ يَعْنِي إِذَا كَانَ مُسْتَحِلاً لَهَا «يَا عَلِيُّ كُلُّ مُسْكِرٍ حَرَامٌ وَ مَا أَسْكَرَ كَثِيرُهُ فَالْجُرْعَةُ مِنْهُ حَرَامٌ يَا عَلِيُّ جُعِلَتِ اَلذُّنُوبُ كُلُّهَا فِي بَيْتٍ وَ جُعِلَ مِفْتَاحُهَا شُرْبَ اَلْخَمْرِ يَا عَلِيُّ يَأْتِي عَلَى شَارِبِ اَلْخَمْرِ سَاعَةٌ لاَ يَعْرِفُ فِيهَا رَبَّهُ عَزَّ وَ جَلَّ يَا عَلِيُّ إِنَّ إِزَالَةَ اَلْجِبَالِ اَلرَّوَاسِي أَهْوَنُ مِنْ إِزَالَةِ مُلْكٍ مُؤَجَّلٍ لَمْ تَنْقَضِ أَيَّامُهُ يَا عَلِيُّ مَنْ لَمْ تَنْتَفِعْ بِدِينِهِ وَ لاَ دُنْيَاهُ فَلاَ خَيْرَ لَكَ فِي مُجَالَسَتِهِ وَ مَنْ لَمْ يُوجِبْ لَكَ فَلاَ تُوجِبْ لَهُ، وَ لاَ كَرَامَةَ يَا عَلِيُّ يَنْبَغِي أَنْ يَكُونَ فِي اَلْمُؤْمِنِ ثَمَانُ خِصَالٍ وَقَارٌ عِنْدَ اَلْهَزَاهِزِ وَ صَبْرٌ عِنْدَ اَلْبَلاَءِ وَ شُكْرٌ عِنْدَ اَلرَّخَاءِ وَ قُنُوعٌ بِمَا رَزَقَهُ اَللَّهُ عَزَّ وَ جَلَّ لاَ يَظْلِمُ اَلْأَعْدَاءَ وَ لاَ يَتَحَامَلُ عَلَى اَلْأَصْدِقَاءِ بَدَنُهُ مِنْهُ فِي تَعَبٍ وَ اَلنَّاسُ مِنْهُ فِي رَاحَةٍ يَا عَلِيُّ أَرْبَعَةٌ لاَ تُرَدُّ لَهُمْ دَعْوَةٌ إِمَامٌ عَادِلٌ وَ وَالِدٌ لِوَلَدِهِ وَ اَلرَّجُلُ يَدْعُو لِأَخِيهِ بِظَهْرِ اَلْغَيْبِ وَ اَلْمَظْلُومُ يَقُولُ اَللَّهُ عَزَّ وَ جَلَّ «وَ عِزَّتِي وَ جَلاَلِي لَأَنْتَصِرَنَّ لَكَ وَ لَوْ بَعْدَ حِينٍ»

يَا عَلِيُّ ثَمَانِيَةٌ إِنْ أُهِينُوا فَلاَ يَلُومُوا إِلاَّ أَنْفُسَهُمْ اَلذَّاهِبُ إِلَى مَائِدَةٍ لَمْ يُدْعَ إِلَيْهَا وَ اَلْمُتَأَمِّرُ عَلَى رَبِّ اَلْبَيْتِ وَ طَالِبُ اَلْخَيْرِ مِنْ أَعْدَائِهِ وَ طَالِبُ اَلْفَضْلِ مِنَ اَللِّئَامِ وَ اَلدَّاخِلُ بَيْنَ اِثْنَيْنِ فِي سِرٍّ لَمْ يُدْخِلاَهُ فِيهِ وَ اَلْمُسْتَخِفُّ بِالسُّلْطَانِ وَ اَلْجَالِسُ فِي مَجْلِسٍ لَيْسَ لَهُ بِأَهْلٍ وَ اَلْمُقْبِلُ بِالْحَدِيثِ عَلَى مَنْ لاَ يَسْمَعُ مِنْهُ يَا عَلِيُّ حَرَّمَ اَللَّهُ اَلْجَنَّةَ عَلَى كُلِّ فَاحِشٍ بَذِيٍّ لاَ يُبَالِي مَا قَالَ وَ لاَ مَا قِيلَ لَهُ يَا عَلِيُّ طُوبَى لِمَنْ طَالَ عُمُرُهُ وَ حَسُنَ عَمَلُهُ يَا عَلِيُّ لاَ تَمْزَحْ فَيَذْهَبَ بَهَاؤُكَ وَ لاَ تَكْذِبْ فَيَذْهَبَ نُورُكَ وَ إِيَّاكَ وَ خَصْلَتَيْنِ اَلضَّجَرَ وَ اَلْكَسَلَ فَإِنَّكَ إِنْ ضَجِرْتَ لَمْ تَصْبِرْ عَلَى حَقٍّ وَ إِنْ كَسِلْتَ لَمْ تُؤَدِّ حَقّاً يَا عَلِيُّ لِكُلِّ ذَنْبٍ تَوْبَةٌ إِلاَّ سُوءَ اَلْخُلُقِ فَإِنَّ صَاحِبَهُ كُلَّمَا خَرَجَ مِنْ ذَنْبٍ دَخَلَ فِي ذَنْبٍ يَا عَلِيُّ أَرْبَعَةٌ أَسْرَعُ شَيْءٍ عُقُوبَةً رَجُلٌ أَحْسَنْتَ إِلَيْهِ فَكَافَأَكَ بِالْإِحْسَانِ إِسَاءَةً وَ رَجُلٌ لاَ تَبْغِي عَلَيْهِ وَ هُوَ يَبْغِي عَلَيْكَ وَ رَجُلٌ عَاهَدْتَهُ عَلَى أَمْرٍ فَوَفَيْتَ لَهُ وَ غَدَرَ بِكَ وَ رَجُلٌ وَصَلَ قَرَابَتَهُ فَقَطَعُوهُ يَا عَلِيُّ مَنِ اِسْتَوْلَى عَلَيْهِ اَلضَّجَرُ رَحَلَتْ عَنْهُ اَلرَّاحَةُ يَا عَلِيُّ اِثْنَتَا عَشْرَةَ خَصْلَةً يَنْبَغِي لِلرَّجُلِ اَلْمُسْلِمِ أَنْ يَتَعَلَّمَهَا عَلَى اَلْمَائِدَةِ أَرْبَعٌ مِنْهَا فَرِيضَةٌ وَ

أَرْبَعٌ مِنْهَا سُنَّةٌ وَ أَرْبَعٌ مِنْهَا أَدَبٌ فَأَمَّا اَلْفَرِيضَةُ فَالْمَعْرِفَةُ بِمَا يَأْكُلُ وَ اَلتَّسْمِيَةُ وَ اَلشُّكْرُ وَ اَلرِّضَا وَ أَمَّا اَلسُّنَّةُ فَالْجُلُوسُ عَلَى اَلرِّجْلِ اَلْيُسْرَى وَ اَلْأَكْلُ بِثَلاَثِ أَصَابِعَ وَ أَنْ يَأْكُلَ مِمَّا يَلِيهِ وَ مَصُّ اَلْأَصَابِعِ وَ أَمَّا اَلْأَدَبُ فَتَصْغِيرُ اَللُّقْمَةِ وَ اَلْمَضْغُ اَلشَّدِيدُ وَ قِلَّةُ اَلنَّظَرِ فِي وُجُوهِ اَلنَّاسِ وَ غَسْلُ اَلْيَدَيْنِ يَا عَلِيُّ خَلَقَ اَللَّهُ عَزَّ وَ جَلَّ اَلْجَنَّةَ مِنْ لَبِنَتَيْنِ لَبِنَةٍ مِنْ ذَهَبٍ وَ لَبِنَةٍ مِنْ فِضَّةٍ وَ جَعَلَ حِيطَانَهَا اَلْيَاقُوتَ وَ سَقْفَهَا اَلزَّبَرْجَدَ وَ حَصَاهَا اَللُّؤْلُؤَ وَ تُرَابَهَا اَلزَّعْفَرَانَ وَ اَلْمِسْكَ اَلْأَذْفَرَ ثُمَّ قَالَ لَهَا تَكَلَّمِي فَقَالَتْ لاَ إِلَهَ إِلاَّ اَللَّهُ اَلْحَيُّ اَلْقَيُّومُ قَدْ سَعِدَ مَنْ يَدْخُلُنِي قَالَ اَللَّهُ جَلَّ جَلاَلُهُ «وَ عِزَّتِي وَ جَلاَلِي لاَ يَدْخُلُهَا مُدْمِنُ خَمْرٍ وَ لاَ نَمَّامٌ وَ لاَ دَيُّوثٌ وَ لاَ شُرْطِيٌّ وَ لاَ مُخَنَّثٌ وَ لاَ نَبَّاشٌ وَ لاَ عَشَّارٌ وَ لاَ قَاطِعُ رَحِمٍ وَ لاَ قَدَرِيٌّ »

يَا عَلِيُّ كَفَرَ بِاللَّهِ اَلْعَظِيمِ مِنْ هَذِهِ اَلْأُمَّةِ عَشَرَةٌ اَلْقَتَّاتُ وَ اَلسَّاحِرُ وَ اَلدَّيُّوثُ وَ نَاكِحُ اَلْمَرْأَةِ حَرَاماً فِي دُبُرِهَا وَ نَاكِحُ اَلْبَهِيمَةِ وَ مَنْ نَكَحَ ذَاتَ مَحْرَمٍ وَ اَلسَّاعِي فِي اَلْفِتْنَةِ وَ بَائِعُ اَلسِّلاَحِ مِنْ أَهْلِ اَلْحَرْبِ وَ مَانِعُ اَلزَّكَاةِ وَ مَنْ وَجَدَ سَعَةً فَمَاتَ وَ لَمْ يَحُجَّ يَا عَلِيُّ لاَ وَلِيمَةَ إِلاَّ فِي خَمْسٍ فِي عُرْسٍ أَوْ خُرْسٍ أَوْ عِذَارٍ أَوْ وِكَارٍ أَوْ رِكَازٍ فَالْعُرْسُ اَلتَّزْوِيجُ وَ اَلْخُرْسُ اَلنِّفَاسُ بِالْوَلَدِ وَ اَلْعِذَارُ اَلْخِتَانُ وَ اَلْوِكَارُ فِي بِنَاءِ اَلدَّارِ وَ شِرَائِهَا وَ اَلرِّكَازُ اَلرَّجُلُ يَقْدَمُ مِنْ مَكَّةَ » قَالَ مُصَنِّفُ هَذَا اَلْكِتَابِ رَحِمَهُ اَللَّهُ سَمِعْتُ بَعْضَ أَهْلِ اَللُّغَةِ يَقُولُ فِي مَعْنَى اَلْوِكَارِ يُقَالُ لِلطَّعَامِ اَلَّذِي يُدْعَى إِلَيْهِ اَلنَّاسُ عِنْدَ بِنَاءِ اَلدَّارِ أَوْ شِرَائِهَا اَلْوَكِيرَةُ وَ اَلْوِكَارُ مِنْهُ وَ اَلطَّعَامُ اَلَّذِي يُتَّخَذُ لِلْقُدُومِ مِنَ اَلسَّفَرِ يُقَالُ لَهُ اَلنَّقِيعَةُ وَ يُقَالُ لَهُ اَلرِّكَازُ أَيْضاً وَ اَلرِّكَازُ اَلْغَنِيمَةُ كَأَنَّهُ يُرِيدُ أَنَّ فِي اِتِّخَاذِ اَلطَّعَامِ لِلْقُدُومِ مِنْ مَكَّةَ غَنِيمَةٌ لِصَاحِبِهِ مِنَ اَلثَّوَابِ اَلْجَزِيلِ وَ مِنْهُ قَوْلُ اَلنَّبِيِّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ «اَلصَّوْمُ فِي اَلشِّتَاءِ اَلْغَنِيمَةُ اَلْبَارِدَةُ: يَا عَلِيُّ لاَ يَنْبَغِي لِلْعَاقِلِ أَنْ يَكُونَ ظَاعِناً إِلاَّ فِي ثَلاَثٍ مَرَمَّةٍ لِمَعَاشٍ أَوْ تَزَوُّدٍ لِمَعَادٍ أَوْ لَذَّةٍ فِي غَيْرِ مُحَرَّمٍ يَا عَلِيُّ ثَلاَثٌ مِنْ مَكَارِمِ اَلْأَخْلاَقِ فِي اَلدُّنْيَا وَ اَلْآخِرَةِ أَنْ تَعْفُوَ عَمَّنْ ظَلَمَكَ وَ تَصِلَ مَنْ قَطَعَكَ وَ تَحْلُمَ عَمَّنْ جَهِلَ عَلَيْكَ يَا عَلِيُّ بَادِرْ بِأَرْبَعٍ قَبْلَ أَرْبَعٍ شَبَابِكَ قَبْلَ هَرَمِكَ وَ صِحَّتِكَ قَبْلَ سُقْمِكَ وَ غِنَاكَ قَبْلَ فَقْرِكَ وَ حَيَاتِكَ قَبْلَ مَوْتِكَ يَا عَلِيُّ كَرِهَ اَللَّهُ عَزَّ وَ جَلَّ لِأُمَّتِي اَلْعَبَثَ فِي اَلصَّلاَةِ وَ اَلْمَنَّ فِي اَلصَّدَقَةِ وَ إِتْيَانَ اَلْمَسَاجِدِ جُنُباً وَ اَلضَّحِكَ بَيْنَ اَلْقُبُورِ وَ اَلتَّطَلُّعَ فِي اَلدُّورِ وَ اَلنَّظَرَ إِلَى فُرُوجِ اَلنِّسَاءِ لِأَنَّهُ يُورِثُ اَلْعَمَى وَ كَرِهَ اَلْكَلاَمَ عِنْدَ اَلْجِمَاعِ لِأَنَّهُ يُورِثُ اَلْخَرَسَ وَ كَرِهَ اَلنَّوْمَ بَيْنَ اَلْعِشَاءَيْنِ لِأَنَّهُ يَحْرِمُ اَلرِّزْقَ وَ كَرِهَ اَلْغُسْلَ تَحْتَ اَلسَّمَاءِ إِلاَّ بِمِئْزَرٍ وَ كَرِهَ دُخُولَ اَلْأَنْهَارِ إِلاَّ بِمِئْزَرٍ فَإِنَّ فِيهَا سُكَّاناً مِنَ اَلْمَلاَئِكَةِ وَ كَرِهَ دُخُولَ اَلْحَمَّامِ إِلاَّ بِمِئْزَرٍ وَ كَرِهَ اَلْكَلاَمَ بَيْنَ اَلْأَذَانِ وَ اَلْإِقَامَةِ فِي صَلاَةِ اَلْغَدَاةِ وَ كَرِهَ رُكُوبَ اَلْبَحْرِ فِي وَقْتِ هَيَجَانِهِ وَ كَرِهَ اَلنَّوْمَ فَوْقَ سَطْحٍ لَيْسَ بِمُحَجَّرٍ»

وَ قَالَ «مَنْ نَامَ عَلَى سَطْحٍ غَيْرِ مُحَجَّرٍ فَقَدْ بَرِئَتْ مِنْهُ اَلذِّمَّةُ وَ كَرِهَ أَنْ يَنَامَ اَلرَّجُلُ فِي بَيْتٍ وَحْدَهُ وَ كَرِهَ أَنْ يَغْشَى اَلرَّجُلُ اِمْرَأَتَهُ وَ هِيَ حَائِضٌ فَإِنْ فَعَلَ وَ خَرَجَ اَلْوَلَدُ مَجْذُوماً أَوْ بِهِ بَرَصٌ فَلاَ يَلُومَنَّ إِلاَّ نَفْسَهُ وَ كَرِهَ أَنْ يُكَلِّمَ اَلرَّجُلُ مَجْذُوماً إِلاَّ أَنْ يَكُونَ بَيْنَهُ وَ بَيْنَهُ قَدْرَ ذِرَاعٍ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ «فِرَّ مِنَ اَلْمَجْذُومِ فِرَارَكَ مِنَ اَلْأَسَدِ وَ كَرِهَ أَنْ يَأْتِيَ اَلرَّجُلُ أَهْلَهُ وَ قَدِ اِحْتَلَمَ حَتَّى يَغْتَسِلَ مِنَ اَلِاحْتِلاَمِ فَإِنْ فَعَلَ ذَلِكَ وَ خَرَجَ اَلْوَلَدُ مَجْنُوناً فَلاَ يَلُومَنَّ إِلاَّ نَفْسَهُ وَ كَرِهَ اَلْبَوْلَ عَلَى شَطِّ نَهَرٍ جَارٍ وَ كَرِهَ أَنْ يُحْدِثَ اَلرَّجُلُ تَحْتَ شَجَرَةٍ أَوْ نَخْلَةٍ قَدْ أَثْمَرَتْ وَ كَرِهَ أَنْ يُحْدِثَ اَلرَّجُلُ وَ هُوَ قَائِمٌ وَ كَرِهَ أَنْ يَتَنَعَّلَ اَلرَّجُلُ وَ هُوَ قَائِمٌ وَ كَرِهَ أَنْ يَدْخُلَ اَلرَّجُلُ بَيْتاً مُظْلِماً إِلاَّ مَعَ اَلسِّرَاجِ: يَا عَلِيُّ آفَةُ اَلْحَسَبِ اَلِافْتِخَارُ يَا عَلِيُّ مَنْ خَافَ اَللَّهَ عَزَّ وَ جَلَّ خَافَ مِنْهُ كُلُّ شَيْءٍ وَ مَنْ لَمْ يَخَفِ اَللَّهَ عَزَّ وَ جَلَّ أَخَافَهُ اَللَّهُ مِنْ كُلِّ شَيْءٍ

يَا عَلِيُّ ثَمَانِيَةٌ لاَ يَقْبَلُ اَللَّهُ مِنْهُمُ اَلصَّلاَةَ اَلْعَبْدُ اَلْآبِقُ حَتَّى يَرْجِعَ إِلَى مَوْلاَهُ وَ اَلنَّاشِزُ وَ زَوْجُهَا عَلَيْهَا سَاخِطٌ وَ مَانِعُ اَلزَّكَاةِ وَ تَارِكُ اَلْوُضُوءِ وَ اَلْجَارِيَةُ اَلْمُدْرِكَةُ تُصَلِّي بِغَيْرِ خِمَارٍ وَ إِمَامُ قَوْمٍ يُصَلِّي بِهِمْ وَ هُمْ لَهُ كَارِهُونَ وَ اَلسَّكْرَانُ وَ اَلزَّبِّينُ وَ هُوَ اَلَّذِي يُدَافِعُ اَلْبَوْلَ وَ اَلْغَائِطَ: يَا عَلِيُّ أَرْبَعٌ مَنْ كُنَّ فِيهِ بَنَى اَللَّهُ تَعَالَى لَهُ بَيْتاً فِي اَلْجَنَّةِ مَنْ آوَى اَلْيَتِيمَ وَ رَحِمَ اَلضَّعِيفَ وَ أَشْفَقَ عَلَى وَالِدَيْهِ وَ رَفَقَ بِمَمْلُوكِهِ يَا عَلِيُّ ثَلاَثٌ مَنْ لَقِيَ اَللَّهَ عَزَّ وَ جَلَّ بِهِنَّ فَهُوَ مِنْ أَفْضَلِ اَلنَّاسِ مَنْ أَتَى اَللَّهَ بِمَا اِفْتَرَضَ عَلَيْهِ فَهُوَ مِنْ أَعْبَدِ اَلنَّاسِ وَ مَنْ وَرِعَ عَنْ مَحَارِمِ اَللَّهِ عَزَّ وَ جَلَّ فَهُوَ مِنْ أَوْرَعِ اَلنَّاسِ وَ مَنْ قَنِعَ بِمَا رَزَقَهُ اَللَّهُ فَهُوَ مِنْ أَغْنَى اَلنَّاسِ يَا عَلِيُّ ثَلاَثٌ لاَ تُطِيقُهَا هَذِهِ اَلْأُمَّةُ اَلْمُوَاسَاةُ لِلْأَخِ فِي مَالِهِ وَ إِنْصَافُ اَلنَّاسِ مِنْ نَفْسِهِ وَ ذِكْرُ اَللَّهِ عَلَى كُلِّ حَالٍ وَ لَيْسَ هُوَ سُبْحَانَ اَللَّهِ وَ اَلْحَمْدُ لِلَّهِ وَ لاَ إِلَهَ إِلاَّ اَللَّهُ وَ اَللَّهُ أَكْبَرُ وَ لَكِنْ إِذَا وَرَدَ عَلَى مَا يَحْرُمُ عَلَيْهِ خَافَ اَللَّهَ عَزَّ وَ جَلَّ عِنْدَهُ وَ تَرَكَهُ يَا عَلِيُّ ثَلاَثَةٌ إِنْ أَنْصَفْتَهُمْ ظَلَمُوكَ اَلسِّفْلَةُ وَ أَهْلُكَ وَ خَادِمُكَ وَ ثَلاَثَةٌ لاَ يَنْتَصِفُونَ مِنْ ثَلاَثَةٍ حُرٌّ مِنْ عَبْدٍ وَ عَالِمٌ مِنْ جَاهِلٍ وَ قَوِيٌّ مِنْ ضَعِيفٍ يَا عَلِيُّ سَبْعَةٌ مَنْ كُنَّ فِيهِ فَقَدِ اِسْتَكْمَلَ حَقِيقَةَ اَلْإِيمَانِ وَ أَبْوَابُ اَلْجَنَّةِ مُفَتَّحَةٌ لَهُ مَنْ أَسْبَغَ وُضُوءَهُ وَ أَحْسَنَ صَلاَتَهُ وَ أَدَّى زَكَاةَ مَالِهِ وَ كَفَّ غَضَبَهُ وَ سَجَنَ لِسَانَهُ وَ اِسْتَغْفَرَ لِذَنْبِهِ وَ أَدَّى اَلنَّصِيحَةَ لِأَهْلِ بَيْتِ نَبِيِّهِ يَا عَلِيُّ لَعَنَ اَللَّهُ ثَلاَثَةً آكِلَ زَادِهِ وَحْدَهُ وَ رَاكِبَ اَلْفَلاَةِ وَحْدَهُ وَ اَلنَّائِمَ فِي بَيْتٍ وَحْدَهُ يَا عَلِيُّ ثَلاَثَةٌ يُتَخَوَّفُ مِنْهُنَّ اَلْجُنُونُ اَلتَّغَوُّطُ بَيْنَ اَلْقُبُورِ وَ اَلْمَشْيُ فِي خُفٍّ وَاحِدٍ وَ اَلرَّجُلُ يَنَامُ وَحْدَهُ يَا عَلِيُّ ثَلاَثٌ يَحْسُنُ فِيهِنَّ اَلْكَذِبُ اَلْمَكِيدَةُ فِي اَلْحَرْبِ وَ عِدَتُكَ زَوْجَتَكَ وَ اَلْإِصْلاَحُ بَيْنَ اَلنَّاسِ وَ ثَلاَثَةٌ مُجَالَسَتُهُمْ تُمِيتُ اَلْقَلْبَ مُجَالَسَةُ اَلْأَنْذَالِ وَ مُجَالَسَةُ اَلْأَغْنِيَاءِ وَ اَلْحَدِيثُ مَعَ اَلنِّسَاءِ يَا عَلِيُّ ثَلاَثٌ مِنْ حَقَائِقِ اَلْإِيمَانِ اَلْإِنْفَاقُ مِنَ اَلْإِقْتَارِ وَ إِنْصَافُكَ اَلنَّاسَ مِنْ نَفْسِكَ وَ بَذْلُ اَلْعِلْمِ لِلْمُتَعَلِّمِ يَا عَلِيُّ ثَلاَثٌ مَنْ لَمْ يَكُنَّ فِيهِ لَمْ يَتِمَّ عَمَلُهُ وَرَعٌ يَحْجُزُهُ عَنْ مَعَاصِي اَللَّهِ وَ خُلُقٌ يُدَارِي بِهِ اَلنَّاسَ وَ حِلْمٌ يَرُدُّ بِهِ جَهْلَ اَلْجَاهِلِ يَا عَلِيُّ ثَلاَثٌ فَرَحَاتٌ لِلْمُؤْمِنِ فِي اَلدُّنْيَا لِقَاءُ اَلْإِخْوَانِ وَ تَفْطِيرُ اَلصَّائِمِ وَ اَلتَّهَجُّدُ مِنْ آخِرِ اَللَّيْلِ يَا عَلِيُّ أَنْهَاكَ عَنْ ثَلاَثِ خِصَالٍ اَلْحَسَدِ وَ اَلْحِرْصِ وَ اَلْكِبْرِ يَا عَلِيُّ أَرْبَعُ خِصَالٍ مِنَ اَلشَّقَاوَةِ جُمُودُ اَلْعَيْنِ وَ قَسَاوَةُ اَلْقَلْبِ وَ بُعْدُ اَلْأَمَلِ وَ حُبُّ اَلْبَقَاءِ يَا عَلِيُّ ثَلاَثٌ دَرَجَاتٌ وَ ثَلاَثٌ كَفَّارَاتٌ وَ ثَلاَثٌ مُهْلِكَاتٌ وَ ثَلاَثٌ مُنْجِيَاتٌ فَأَمَّا اَلدَّرَجَاتُ فَإِسْبَاغُ اَلْوُضُوءِ فِي اَلسَّبَرَاتِ وَ اِنْتِظَارُ اَلصَّلاَةِ بَعْدَ اَلصَّلاَةِ وَ اَلْمَشْيُ بِاللَّيْلِ وَ اَلنَّهَارِ إِلَى اَلْجَمَاعَاتِ وَ أَمَّا اَلْكَفَّارَاتُ فَإِفْشَاءُ اَلسَّلاَمِ وَ إِطْعَامُ اَلطَّعَامِ وَ اَلتَّهَجُّدُ بِاللَّيْلِ وَ اَلنَّاسُ نِيَامٌ وَ أَمَّا اَلْمُهْلِكَاتُ فَشُحٌّ مُطَاعٌ وَ هَوًى مُتَّبَعٌ وَ إِعْجَابُ اَلْمَرْءِ بِنَفْسِهِ وَ أَمَّا اَلْمُنْجِيَاتُ فَخَوْفُ اَللَّهِ فِي اَلسِّرِّ وَ اَلْعَلاَنِيَةِ وَ اَلْقَصْدُ فِي اَلْغِنَى وَ اَلْفَقْرِ وَ كَلِمَةُ اَلْعَدْلِ فِي اَلرِّضَا وَ اَلسَّخَطِ يَا عَلِيُّ لاَ رَضَاعَ بَعْدَ فِطَامٍ وَ لاَ يُتْمَ بَعْدَ اِحْتِلاَمٍ يَا عَلِيُّ سِرْ سَنَتَيْنِ بَرَّ وَالِدَيْكَ سِرْ سَنَةً صِلْ رَحِمَكَ سِرْ مِيلاً عُدْ مَرِيضاً سِرْ مِيلَيْنِ شَيِّعْ جَنَازَةً سِرْ ثَلاَثَةَ أَمْيَالٍ أَجِبْ دَعْوَةً سِرْ أَرْبَعَةَ أَمْيَالٍ زُرْ أَخاً فِي اَللَّهِ سِرْ خَمْسَةَ أَمْيَالٍ أَجِبِ اَلْمَلْهُوفَ سِرْ سِتَّةَ أَمْيَالٍ اُنْصُرِ اَلْمَظْلُومَ وَ عَلَيْكَ بِالِاسْتِغْفَارِ يَا عَلِيُّ لِلْمُؤْمِنِ ثَلاَثُ عَلاَمَاتِ اَلصَّلاَةُ وَ اَلزَّكَاةُ وَ اَلصِّيَامُ وَ لِلْمُتَكَلِّفِ ثَلاَثُ عَلاَمَاتٍ يَتَمَلَّقُ إِذَا حَضَرَ وَ يَغْتَابُ إِذَا غَابَ وَ يَشْمَتُ بِالْمُصِيبَةِ وَ لِلظَّالِمِ ثَلاَثُ عَلاَمَاتٍ يَقْهَرُ مَنْ دُونَهُ بِالْغَلَبَةِ وَ مَنْ فَوْقَهُ بِالْمَعْصِيَةِ وَ يُظَاهِرُ اَلظَّلَمَةَ وَ لِلْمُرَائِي ثَلاَثُ عَلاَمَاتٍ يَنْشَطُ إِذَا كَانَ عِنْدَ اَلنَّاسِ وَ يَكْسَلُ إِذَا كَانَ وَحْدَهُ وَ يُحِبُّ أَنْ يُحْمَدَ فِي جَمِيعِ أُمُورِهِ وَ لِلْمُنَافِقِ ثَلاَثُ عَلاَمَاتٍ إِذَا حَدَّثَ كَذَبَ وَ إِذَا وَعَدَ أَخْلَفَ وَ إِذَا اُئْتُمِنَ خَانَ يَا عَلِيُّ تِسْعَةُ أَشْيَاءَ تُورِثُ اَلنِّسْيَانَ أَكْلُ اَلتُّفَّاحِ اَلْحَامِضِ وَ أَكْلُ اَلْكُزْبَرَةِ وَ اَلْجُبْنُ وَ سُؤْرِ اَلْفَأْرَةِ وَ قِرَاءَةُ كِتَابَةِ اَلْقُبُورِ وَ اَلْمَشْيُ بَيْنَ اِمْرَأَتَيْنِ وَ طَرْحُ اَلْقَمْلَةِ وَ اَلْحِجَامَةُ فِي اَلنُّقْرَةِ وَ اَلْبَوْلُ فِي اَلْمَاءِ اَلرَّاكِدِ يَا عَلِيُّ اَلْعَيْشُ فِي ثَلاَثَةِ دَارٍ قَوْرَاءَ وَ جَارِيَةٍ حَسْنَاءَ وَ فَرَسٍ قَبَّاءَ»

قَالَ مُصَنِّفُ هَذَا اَلْكِتَابِ رَحِمَهُ اَللَّهُ سَمِعْتُ رَجُلاً مِنْ أَهْلِ اَلْمَعْرِفَةِ بِاللُّغَةِ بِالْكُوفَةِ يَقُولُ اَلْفَرَسُ اَلْقَبَّاءُ اَلضَّامِرُ اَلْبَطْنِ يُقَالُ فَرَسٌ أَقَبُّ وَ قَبَّاءُ لِأَنَّ اَلْفَرَسَ يُذَكَّرُ وَ يُؤَنَّثُ وَ يُقَالُ لِلْأُنْثَى قَبَّاءُ لاَ غَيْرُ قَالَ ذُو اَلرُّمَّةِ تَنَصَّبَتْ حَوْلَهُ يَوْماً تُرَاقِبُهُ، صُحْرٌ سَمَاحِيجُ فِي أَحْشَائِهَا قَبَبٌ اَلصُّحْرُ جَمْعُ أَصْحَرَ وَ هُوَ اَلَّذِي يَضْرِبُ لَوْنُهُ إِلَى اَلْحُمْرَةِ وَ هَذَا اَللَّوْنُ يَكُونُ فِي اَلْحِمَارِ اَلْوَحْشِيِّ وَ اَلسَّمَاحِيجُ اَلطِّوَالُ وَاحِدُهَا سَمْحَجٌ وَ اَلْقَبَبُ اَلضُّمْرُ : «يَا عَلِيُّ وَ اَللَّهِ لَوْ أَنَّ اَلْوَضِيعَ فِي قَعْرِ بِئْرٍ لَبَعَثَ اَللَّهُ عَزَّ وَ جَلَّ إِلَيْهِ رِيحاً تَرْفَعُهُ فَوْقَ اَلْأَخْيَارِ فِي دَوْلَةِ اَلْأَشْرَارِ يَا عَلِيُّ مَنِ اِنْتَمَى إِلَى غَيْرِ مَوَالِيهِ فَعَلَيْهِ لَعْنَةُ اَللَّهِ وَ مَنْ مَنَعَ أَجِيراً أَجْرَهُ فَعَلَيْهِ لَعْنَةُ اَللَّهِ وَ مَنْ أَحْدَثَ حَدَثاً أَوْ آوَى مُحْدِثاً فَعَلَيْهِ لَعْنَةُ اَللَّهِ» فَقِيلَ يَا رَسُولَ اَللَّهِ وَ مَا ذَلِكَ اَلْحَدَثُ قَالَ «اَلْقَتْلُ يَا عَلِيُّ اَلْمُؤْمِنُ مَنْ أَمِنَهُ اَلْمُسْلِمُونَ عَلَى أَمْوَالِهِمْ وَ دِمَائِهِمْ وَ اَلْمُسْلِمُ مَنْ سَلِمَ اَلْمُسْلِمُونَ مِنْ يَدِهِ وَ لِسَانِهِ وَ اَلْمُهَاجِرُ مَنْ هَجَرَ اَلسَّيِّئَاتِ يَا عَلِيُّ أَوْثَقُ عُرَى اَلْإِيمَانِ اَلْحُبُّ فِي اَللَّهِ وَ اَلْبُغْضُ فِي اَللَّهِ يَا عَلِيُّ مَنْ أَطَاعَ اِمْرَأَتَهُ أَكَبَّهُ اَللَّهُ عَزَّ وَ جَلَّ عَلَى وَجْهِهِ فِي اَلنَّارِ » فَقَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ «وَ مَا تِلْكَ اَلطَّاعَةُ» قَالَ «يَأْذَنُ لَهَا فِي اَلذَّهَابِ إِلَى اَلْحَمَّامَاتِ وَ اَلْعُرُسَاتِ وَ اَلنَّائِحَاتِ وَ لُبْسِ اَلثِّيَابِ اَلرِّقَاقِ يَا عَلِيُّ إِنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى قَدْ أَذْهَبَ بِالْإِسْلاَمِ نَخْوَةَ اَلْجَاهِلِيَّةِ وَ تَفَاخُرَهَا بِآبَائِهَا أَلاَ إِنَّ اَلنَّاسَ مِنْ آدَمَ وَ آدَمَ مِنْ تُرَابٍ وَ أَكْرَمَهُمْ عِنْدَ اَللَّهِ أَتْقَاهُمْ يَا عَلِيُّ مِنَ اَلسُّحْتِ ثَمَنُ اَلْمَيْتَةِ وَ ثَمَنُ اَلْكَلْبِ وَ ثَمَنُ اَلْخَمْرِ وَ مَهْرُ اَلزَّانِيَةِ وَ اَلرِّشْوَةُ فِي اَلْحُكْمِ وَ أَجْرُ اَلْكَاهِنِ يَا عَلِيُّ مَنْ تَعَلَّمَ عِلْماً لِيُمَارِيَ بِهِ اَلسُّفَهَاءَ أَوْ يُجَادِلَ بِهِ اَلْعُلَمَاءَ أَوْ لِيَدْعُوَ اَلنَّاسَ إِلَى نَفْسِهِ فَهُوَ مِنْ أَهْلِ اَلنَّارِ يَا عَلِيُّ إِذَا مَاتَ اَلْعَبْدُ قَالَ اَلنَّاسُ مَا خَلَّفَ وَ قَالَتِ اَلْمَلاَئِكَةُ مَا قَدَّمَ يَا عَلِيُّ اَلدُّنْيَا سِجْنُ اَلْمُؤْمِنِ وَ جَنَّةُ اَلْكَافِرِ يَا عَلِيُّ مَوْتُ اَلْفَجْأَةِ رَاحَةٌ لِلْمُؤْمِنِ وَ حَسْرَةٌ لِلْكَافِرِ يَا عَلِيُّ أَوْحَى اَللَّهُ تَبَارَكَ وَ تَعَالَى إِلَى اَلدُّنْيَا «اُخْدُمِي مَنْ خَدَمَنِي وَ أَتْعِبِي مَنْ خَدَمَكِ»

يَا عَلِيُّ إِنَّ اَلدُّنْيَا لَوْ عَدَلَتْ عِنْدَ اَللَّهِ تَبَارَكَ وَ تَعَالَى جَنَاحَ بَعُوضَةٍ لَمَا سَقَى اَلْكَافِرَ مِنْهَا شَرْبَةَ مِنْ مَاءٍ يَا عَلِيُّ مَا أَحَدٌ مِنَ اَلْأَوَّلِينَ وَ اَلْآخِرِينَ إِلاَّ وَ هُوَ يَتَمَنَّى، يَوْمَ اَلْقِيَامَةِ أَنَّهُ لَمْ يُعْطَ مِنَ اَلدُّنْيَا إِلاَّ قُوتاً يَا عَلِيُّ شَرُّ اَلنَّاسِ مَنِ اِتَّهَمَ اَللَّهَ فِي قَضَائِهِ ، يَا عَلِيُّ أَنِينُ اَلْمُؤْمِنِ تَسْبِيحٌ وَ صِيَاحُهُ تَهْلِيلٌ وَ نَوْمُهُ عَلَى اَلْفِرَاشِ عِبَادَةٌ وَ تَقَلُّبُهُ مِنْ جَنْبٍ إِلَى جَنْبٍ جِهَادٌ فِي سَبِيلِ اَللَّهِ فَإِنْ عُوفِيَ مَشَى فِي اَلنَّاسِ وَ مَا عَلَيْهِ مِنْ ذَنْبٍ يَا عَلِيُّ لَوْ أُهْدِيَ إِلَيَّ كُرَاعٌ لَقَبِلْتُهُ وَ لَوْ دُعِيتُ إِلَى كُرَاعٍ لَأَجَبْتُ يَا عَلِيُّ لَيْسَ عَلَى اَلنِّسَاءِ جُمُعَةٌ وَ لاَ جَمَاعَةٌ وَ لاَ أَذَانٌ وَ لاَ إِقَامَةٌ وَ لاَ عِيَادَةُ مَرِيضٍ وَ لاَ اِتِّبَاعُ جَنَازَةٍ وَ لاَ هَرْوَلَةٌ بَيْنَ اَلصَّفَا وَ اَلْمَرْوَةِ وَ لاَ اِسْتِلاَمُ اَلْحَجَرِ وَ لاَ حَلْقٌ وَ لاَ تَوَلِّي اَلْقَضَاءِ وَ لاَ تُسْتَشَارُ وَ لاَ تَذْبَحُ إِلاَّ عِنْدَ اَلضَّرُورَةِ وَ لاَ تَجْهَرُ بِالتَّلْبِيَةِ وَ لاَ تُقِيمُ عِنْدَ قَبْرٍ وَ لاَ تَسْمَعُ اَلْخُطْبَةَ وَ لاَ تَتَوَلَّى اَلتَّزْوِيجَ بِنَفْسِهَا وَ لاَ تَخْرُجُ مِنْ بَيْتِ زَوْجِهَا إِلاَّ بِإِذْنِهِ فَإِنْ خَرَجَتْ بِغَيْرِ إِذْنِهِ لَعَنَهَا اَللَّهُ وَ جَبْرَئِيلُ وَ مِيكَائِيلُ وَ لاَ تُعْطِي مِنْ بَيْتِ زَوْجِهَا شَيْئاً إِلاَّ بِإِذْنِهِ وَ لاَ تَبِيتُ وَ زَوْجُهَا عَلَيْهَا سَاخِطٌ وَ إِنْ كَانَ ظَالِماً لَهَا يَا عَلِيُّ اَلْإِسْلاَمُ عُرْيَانٌ فَلِبَاسُهُ اَلْحَيَاءُ وَ زِينَتُهُ اَلْوَفَاءُ وَ مُرُوءَتُهُ اَلْعَمَلُ اَلصَّالِحُ وَ عِمَادُهُ اَلْوَرَعُ وَ لِكُلِّ شَيْءٍ أَسَاسٌ وَ أَسَاسُ اَلْإِسْلاَمِ حُبُّنَا أَهْلَ اَلْبَيْتِ

يَا عَلِيُّ سُوءُ اَلْخُلُقِ شُؤْمٌ وَ طَاعَةُ اَلْمَرْأَةِ نَدَامَةٌ يَا عَلِيُّ إِنْ كَانَ اَلشُّؤْمُ فِي شَيْءٍ فَفِي لِسَانِ اَلْمَرْأَةِ يَا عَلِيُّ نَجَا اَلْمُخِفُّونَ يَا عَلِيُّ مَنْ كَذَبَ عَلَيَّ مُتَعَمِّداً فَلْيَتَبَوَّأْ مَقْعَدَهُ مِنَ اَلنَّارِ ، يَا عَلِيُّ ثَلاَثَةٌ يَزِدْنَ فِي اَلْحِفْظِ وَ يُذْهِبْنَ اَلْبَلْغَمَ اَللُّبَانُ وَ اَلسِّوَاكُ وَ قِرَاءَةُ اَلْقُرْآنِ يَا عَلِيُّ اَلسِّوَاكُ مِنَ اَلسُّنَّةِ وَ مَطْهَرَةٌ لِلْفَمِ وَ يَجْلُو اَلْبَصَرَ وَ يُرْضِي اَلرَّحْمَنَ وَ يُبَيِّضُ اَلْأَسْنَانَ وَ يَذْهَبُ بِالْحَفَرِ وَ يَشُدُّ اَللِّثَةَ وَ يُشَهِّي اَلطَّعَامَ وَ يَذْهَبُ بِالْبَلْغَمِ وَ يَزِيدُ فِي اَلْحِفْظِ وَ يُضَاعِفُ اَلْحَسَنَاتِ وَ تَفْرَحُ بِهِ اَلْمَلاَئِكَةُ يَا عَلِيُّ اَلنَّوْمُ أَرْبَعَةٌ نَوْمُ اَلْأَنْبِيَاءِ عَلَيْهِمُ اَلسَّلاَمُ عَلَى أَقْفِيَتِهِمْ وَ نَوْمُ اَلْمُؤْمِنِينَ عَلَى أَيْمَانِهِمْ وَ

نَوْمُ اَلْكُفَّارِ وَ اَلْمُنَافِقِينَ عَلَى أَيْسَارِهِمْ وَ نَوْمُ اَلشَّيَاطِينِ عَلَى وُجُوهِهِمْ يَا عَلِيُّ مَا بَعَثَ اَللَّهُ عَزَّ وَ جَلَّ نَبِيّاً إِلاَّ وَ جَعَلَ ذُرِّيَّتَهُ مِنْ صُلْبِهِ وَ جَعَلَ ذُرِّيَّتِي مِنْ صُلْبِكَ وَ لَوْلاَكَ مَا كَانَتْ لِي ذُرِّيَّةٌ يَا عَلِيُّ أَرْبَعَةٌ مِنْ قَوَاصِمِ اَلظَّهْرِ إِمَامٌ يَعْصِي اَللَّهَ عَزَّ وَ جَلَّ وَ يُطَاعُ أَمْرُهُ وَ زَوْجَةٌ يَحْفَظُهَا زَوْجُهَا وَ هِيَ تَخُونُهُ وَ فَقْرٌ لاَ يَجِدُ صَاحِبُهُ مُدَاوِياً وَ جَارُ سَوْءٍ فِي دَارِ مُقَامٍ يَا عَلِيُّ إِنَّ عَبْدَ اَلْمُطَّلِبِ عَلَيْهِ اَلسَّلاَمُ سَنَّ فِي اَلْجَاهِلِيَّةِ خَمْسَ سُنَنٍ أَجْرَاهَا اَللَّهُ عَزَّ وَ جَلَّ فِي اَلْإِسْلاَمِ حَرَّمَ نِسَاءَ اَلْآبَاءِ عَلَى اَلْأَبْنَاءِ فَأَنْزَلَ اَللَّهُ عَزَّ وَ جَلَّ: «وَ لاٰ تَنْكِحُوا مٰا نَكَحَ آبٰاؤُكُمْ مِنَ اَلنِّسٰاءِ» وَ وَجَدَ كَنْزاً فَأَخْرَجَ مِنْهُ اَلْخُمُسَ وَ تَصَدَّقَ بِهِ فَأَنْزَلَ اَللَّهُ عَزَّ وَ جَلَّ: «وَ اِعْلَمُوا أَنَّمٰا غَنِمْتُمْ مِنْ شَيْءٍ فَأَنَّ لِلّٰهِ خُمُسَهُ وَ لِلرَّسُولِ » » اَلْآيَةَ «وَ لَمَّا حَفَرَ بِئْرَ زَمْزَمَ سَمَّاهَا سِقَايَةَ اَلْحَاجِّ فَأَنْزَلَ اَللَّهُ تَبَارَكَ وَ تَعَالَى: «أَ جَعَلْتُمْ سِقٰايَةَ اَلْحٰاجِّ وَ عِمٰارَةَ اَلْمَسْجِدِ اَلْحَرٰامِ كَمَنْ آمَنَ بِاللّٰهِ وَ اَلْيَوْمِ اَلْآخِرِ» »

اَلْآيَةَ «وَ سَنَّ فِي اَلْقَتْلِ مِائَةً مِنَ اَلْإِبِلِ فَأَجْرَى اَللَّهُ عَزَّ وَ جَلَّ ذَلِكَ فِي اَلْإِسْلاَمِ وَ لَمْ يَكُنْ لِلطَّوَافِ عَدَدٌ عِنْدَ قُرَيْشٍ فَسَنَّ لَهُمْ عَبْدُ اَلْمُطَّلِبِ سَبْعَةَ أَشْوَاطٍ فَأَجْرَى اَللَّهُ عَزَّ وَ جَلَّ ذَلِكَ فِي اَلْإِسْلاَمِ يَا عَلِيُّ إِنَّ عَبْدَ اَلْمُطَّلِبِ كَانَ لاَ يَسْتَقْسِمُ بِالْأَزْلاَمِ وَ لاَ يَعْبُدُ اَلْأَصْنَامَ وَ لاَ يَأْكُلُ مَا ذُبِحَ عَلَى اَلنُّصُبِ وَ يَقُولُ أَنَا عَلَى دِينِ أَبِي إِبْرَاهِيمَ عَلَيْهِ اَلسَّلاَمُ يَا عَلِيُّ أَعْجَبُ اَلنَّاسِ إِيمَاناً وَ أَعْظَمُهُمْ يَقِيناً قَوْمٌ يَكُونُونَ فِي آخِرِ اَلزَّمَانِ لَمْ يَلْحَقُوا اَلنَّبِيَّ وَ حُجِبَ عَنْهُمُ اَلْحُجَّةُ فَآمَنُوا بِسَوَادٍ عَلَى بَيَاضٍ يَا عَلِيُّ ثَلاَثَةٌ يُقْسِينَ اَلْقَلْبَ اِسْتِمَاعُ اَللَّهْوِ وَ طَلَبُ اَلصَّيْدِ وَ إِتْيَانُ بَابِ اَلسُّلْطَانِ يَا عَلِيُّ لاَ تُصَلِّ فِي جِلْدِ مَا لاَ تَشْرَبُ لَبَنَهُ وَ لاَ تَأْكُلُ لَحْمَهُ وَ لاَ تُصَلِّ فِي ذَاتِ اَلْجَيْشِ وَ لاَ فِي ذَاتِ اَلصَّلاَصِلِ وَ لاَ فِي ضَجْنَانَ يَا عَلِيُّ كُلْ مِنَ اَلْبَيْضِ مَا اِخْتَلَفَ طَرَفَاهُ وَ مِنَ اَلسَّمَكِ مَا كَانَ لَهُ قِشْرٌ وَ مِنَ اَلطَّيْرِ مَا دَفَّ وَ أْتْرُكْ مِنْهُ مَا صَفَّ وَ كُلْ مِنْ طَيْرِ اَلْمَاءِ مَا كَانَتْ لَهُ قَانِصَةٌ أَوْ صِيصِيَةٌ يَا عَلِيُّ كُلُّ ذِي نَابٍ مِنَ اَلسِّبَاعِ وَ مِخْلَبٍ مِنَ اَلطَّيْرِ فَحَرَامٌ أَكْلُهُ لاَ تَأْكُلْهُ يَا عَلِيُّ لاَ قَطْعَ فِي ثَمَرٍ وَ لاَ كَثَرٍ يَا عَلِيُّ لَيْسَ عَلَى زَانٍ عُقْرٌ وَ لاَ حَدَّ فِي اَلتَّعْرِيضِ وَ لاَ شَفَاعَةَ فِي حَدٍّ ، وَ لاَ يَمِينَ فِي قَطِيعَةِ رَحِمٍ وَ لاَ يَمِينَ لِوَلَدٍ مَعَ وَالِدِهِ وَ لاَ لِامْرَأَةٍ مَعَ زَوْجِهَا وَ لاَ لِلْعَبْدِ مَعَ مَوْلاَهُ وَ لاَ صَمْتَ يَوْماً إِلَى اَللَّيْلِ وَ لاَ وِصَالَ فِي صِيَامٍ وَ لاَ تَعَرُّبَ بَعْدَ هِجْرَةٍ يَا عَلِيُّ لاَ يُقْتَلُ وَالِدٌ بِوَلَدِهِ يَا عَلِيُّ لاَ يَقْبَلُ اَللَّهُ دُعَاءَ قَلْبٍ سَاهٍ يَا عَلِيُّ نَوْمُ اَلْعَالِمِ أَفْضَلُ مِنْ عِبَادَةِ اَلْعَابِدِ يَا عَلِيُّ رَكْعَتَيْنِ يُصَلِّيهِمَا اَلْعَالِمُ أَفْضَلُ مِنْ أَلْفِ رَكْعَةٍ يُصَلِّيهَا اَلْعَابِدُ يَا عَلِيُّ لاَ تَصُومُ اَلْمَرْأَةُ تَطَوُّعاً إِلاَّ بِإِذْنِ زَوْجِهَا وَ لاَ يَصُومُ اَلْعَبْدُ تَطَوُّعاً إِلاَّ بِإِذْنِ مَوْلاَهُ وَ لاَ يَصُومُ اَلضَّيْفُ تَطَوُّعاً إِلاَّ بِإِذْنِ صَاحِبِهِ يَا عَلِيُّ صَوْمُ يَوْمِ اَلْفِطْرِ حَرَامٌ وَ صَوْمُ يَوْمِ اَلْأَضْحَى حَرَامٌ وَ صَوْمُ اَلْوِصَالِ حَرَامٌ وَ صَوْمُ اَلصَّمْتِ حَرَامٌ وَ صَوْمُ نَذْرِ اَلْمَعْصِيَةِ حَرَامٌ وَ صَوْمُ اَلدَّهْرِ حَرَامٌ يَا عَلِيُّ فِي اَلزِّنَا سِتُّ خِصَالٍ ثَلاَثٌ مِنْهَا فِي اَلدُّنْيَا وَ ثَلاَثٌ مِنْهَا فِي اَلْآخِرَةِ فَأَمَّا اَلَّتِي فِي اَلدُّنْيَا فَيَذْهَبُ بِالْبَهَاءِ وَ يُعَجِّلُ اَلْفَنَاءَ وَ يَقْطَعُ اَلرِّزْقَ وَ أَمَّا اَلَّتِي فِي اَلْآخِرَةِ فَسُوءُ اَلْحِسَابِ وَ سَخَطُ اَلرَّحْمَنِ وَ خُلُودٌ فِي اَلنَّارِ يَا عَلِيُّ اَلرِّبَا سَبْعُونَ جُزْءاً فَأَيْسَرُهَا مِثْلُ أَنْ يَنْكِحَ اَلرَّجُلُ أُمَّهُ فِي بَيْتِ اَللَّهِ اَلْحَرَامِ يَا عَلِيُّ دِرْهَمٌ رِبًا أَعْظَمُ عِنْدَ اَللَّهِ عَزَّ وَ جَلَّ مِنْ سَبْعِينَ زَنْيَةً كُلُّهَا بِذَاتِ مَحْرَمٍ فِي بَيْتِ اَللَّهِ اَلْحَرَامِ يَا عَلِيُّ مَنْ مَنَعَ قِيرَاطاً مِنْ زَكَاةِ مَالِهِ فَلَيْسَ بِمُؤْمِنٍ وَ لاَ بِمُسْلِمٍ وَ لاَ كَرَامَةَ يَا عَلِيُّ تَارِكُ اَلزَّكَاةِ يَسْأَلُ اَللَّهَ اَلرَّجْعَةَ إِلَى اَلدُّنْيَا وَ ذَلِكَ قَوْلُ اَللَّهِ عَزَّ وَ جَلَّ «حَتّٰى إِذٰا جٰاءَ أَحَدَهُمُ اَلْمَوْتُ قٰالَ رَبِّ اِرْجِعُونِ» » اَلْآيَةَ «يَا عَلِيُّ تَارِكُ اَلْحَجِّ وَ هُوَ مُسْتَطِيعٌ كَافِرٌ يَقُولُ اَللَّهُ تَبَارَكَ وَ تَعَالَى: «وَ لِلّٰهِ عَلَى اَلنّٰاسِ حِجُّ اَلْبَيْتِ مَنِ اِسْتَطٰاعَ إِلَيْهِ سَبِيلاً وَ مَنْ كَفَرَ فَإِنَّ اَللَّهَ غَنِيٌّ عَنِ اَلْعالَمِينَ» يَا عَلِيُّ مَنْ سَوَّفَ اَلْحَجَّ حَتَّى يَمُوتَ بَعَثَهُ اَللَّهُ، يَوْمَ اَلْقِيَامَةِ يَهُودِيّاً أَوْ نَصْرَانِيّاً يَا عَلِيُّ اَلصَّدَقَةُ تَرُدُّ اَلْقَضَاءَ اَلَّذِي قَدْ أُبْرِمَ إِبْرَاماً يَا عَلِيُّ صِلَةُ اَلرَّحِمِ تَزِيدُ فِي اَلْعُمُرِ يَا عَلِيُّ

اِفْتَتِحْ بِالْمِلْحِ وَ اِخْتَتِمْ بِالْمِلْحِ فَإِنَّ فِيهِ شِفَاءً مِنِ اِثْنَيْنِ وَ سَبْعِينَ دَاءً يَا عَلِيُّ لَوْ قَدْ قُمْتُ عَلَى اَلْمَقَامِ اَلْمَحْمُودِ لَشَفَعْتُ فِي أَبِي وَ أُمِّي وَ عَمِّي وَ أَخٍ كَانَ لِي فِي اَلْجَاهِلِيَّةِ يَا عَلِيُّ أَنَا اِبْنُ اَلذَّبِيحَيْنِ ، يَا عَلِيُّ أَنَا دَعْوَةُ أَبِي إِبْرَاهِيمَ يَا عَلِيُّ اَلْعَقْلُ مَا اُكْتُسِبَتْ بِهِ اَلْجَنَّةُ وَ طُلِبَ بِهِ رِضَا اَلرَّحْمَنِ يَا عَلِيُّ إِنَّ أَوَّلَ خَلْقٍ خَلَقَهُ اَللَّهُ عَزَّ وَ جَلَّ اَلْعَقْلُ فَقَالَ لَهُ «أَقْبِلْ» فَأَقْبَلَ ثُمَّ قَالَ لَهُ «أَدْبِرْ» فَأَدْبَرَ فَقَالَ «وَ عِزَّتِي وَ جَلاَلِي مَا خَلَقْتُ خَلْقاً هُوَ أَحَبُّ إِلَيَّ مِنْكَ بِكَ آخُذُ وَ بِكَ أُعْطِي وَ بِكَ أُثِيبُ وَ بِكَ أُعَاقِبُ» يَا عَلِيُّ لاَ صَدَقَةَ وَ ذُو رَحِمٍ مُحْتَاجٌ يَا عَلِيُّ دِرْهَمٌ فِي اَلْخِضَابِ خَيْرٌ مِنْ أَلْفِ دِرْهَمٍ يُنْفَقُ فِي سَبِيلِ اَللَّهِ وَ فِيهِ أَرْبَعَ عَشْرَةَ خَصْلَةً يَطْرُدُ اَلرِّيحَ مِنَ اَلْأُذُنَيْنِ وَ يَجْلُو اَلْبَصَرَ وَ يُلَيِّنُ اَلْخَيَاشِيمَ وَ يُطَيِّبُ اَلنَّكْهَةَ وَ يَشُدُّ اَللِّثَةَ وَ يَذْهَبُ بِالضَّنَى وَ يُقِلُّ وَسْوَسَةَ اَلشَّيْطَانِ وَ تَفْرَحُ بِهِ اَلْمَلاَئِكَةُ وَ يَسْتَبْشِرُ بِهِ اَلْمُؤْمِنُ وَ يَغِيظُ بِهِ اَلْكَافِرَ وَ هُوَ زِينَةٌ وَ طِيبٌ وَ يَسْتَحْيِي مِنْهُ مُنْكَرٌ وَ نَكِيرٌ وَ هُوَ بَرَاءَةٌ لَهُ فِي قَبْرِهِ، يَا عَلِيُّ لاَ خَيْرَ فِي اَلْقَوْلِ إِلاَّ مَعَ اَلْفِعْلِ وَ لاَ فِي اَلْمَنْظَرِ إِلاَّ مَعَ اَلْمَخْبَرِ وَ لاَ فِي اَلْمَالِ إِلاَّ مَعَ اَلْجُودِ وَ لاَ فِي اَلصِّدْقِ إِلاَّ مَعَ اَلْوَفَاءِ وَ لاَ فِي اَلْفِقْهِ إِلاَّ مَعَ اَلْوَرَعِ وَ لاَ فِي اَلصَّدَقَةِ إِلاَّ مَعَ اَلنِّيَّةِ وَ لاَ فِي اَلْحَيَاةِ إِلاَّ مَعَ اَلصِّحَّةِ وَ لاَ فِي اَلْوَطَنِ إِلاَّ مَعَ اَلْأَمْنِ وَ اَلسُّرُورِ يَا عَلِيُّ حُرِّمَ مِنَ اَلشَّاةِ سَبْعَةُ أَشْيَاءَ اَلدَّمُ وَ اَلْمَذَاكِيرُ وَ اَلْمَثَانَةُ وَ اَلنُّخَاعُ وَ اَلْغُدَدُ وَ اَلطِّحَالُ وَ اَلْمَرَارَةُ يَا عَلِيُّ لاَ تُمَاكِسْ فِي أَرْبَعَةِ أَشْيَاءَ فِي شِرَاءِ اَلْأُضْحِيَّةِ وَ اَلْكَفَنِ وَ اَلنَّسَمَةِ وَ اَلْكِرَى إِلَى مَكَّةَ يَا عَلِيُّ أَ لاَ أُخْبِرُكُمْ بِأَشْبَهِكُمْ بِي خُلُقاً» قَالَ «بَلَى يَا رَسُولَ اَللَّهِ » قَالَ «أَحْسَنُكُمْ خُلُقاً وَ أَعْظَمُكُمْ حِلْماً وَ أَبَرُّكُمْ بِقَرَابَتِهِ وَ أَشَدُّكُمْ مِنْ نَفْسِهِ إِنْصَافاً يَا عَلِيُّ أَمَانٌ لِأُمَّتِي مِنَ اَلْغَرَقِ إِذَا هُمْ رَكِبُوا اَلسُّفُنَ فَقَرَءُوا «بِسْمِ اَللَّهِ اَلرَّحْمَنِ اَلرَّحِيمِ» : «وَ مَا قَدَرُوا اَللَّهَ حَقَّ قَدْرِهِ وَ اَلْأَرْضُ جَمِيعاً قَبْضَتُهُ يَوْمَ اَلْقِيَامَةِ وَ اَلسَّمَاوَاتُ مَطْوِيَّاتٌ بِيَمِينِهِ سُبْحَانَهُ وَ تَعَالَى عَمَّا يُشْرِكُونَ» «بِسْمِ اَللَّهِ مَجْرَاهَا وَ مُرْسَاهَا إِنَّ رَبِّي لَغَفُورٌ رَحِيمٌ» يَا عَلِيُّ أَمَانٌ لِأُمَّتِي مِنَ اَلسَّرَقِ «قُلِ اُدْعُوا اَللَّهَ أَوِ اُدْعُوا اَلرَّحْمَنَ أَيًّا مَا تَدْعُوا فَلَهُ اَلْأَسْمَاءُ اَلْحُسْنَى» »

إِلَى آخِرِ اَلسُّورَةِ «يَا عَلِيُّ أَمَانٌ لِأُمَّتِي مِنَ اَلْهَدْمِ «إِنَّ اَللَّهَ يُمْسِكُ اَلسَّمَاوَاتِ وَ اَلْأَرْضَ أَنْ تَزُولاَ وَ لَئِنْ زَالَتَا إِنْ أَمْسَكَهُمَا مِنْ أَحَدٍ مِنْ بَعْدِهِ إِنَّهُ كَانَ حَلِيماً غَفُوراً» يَا عَلِيُّ أَمَانٌ لِأُمَّتِي مِنَ اَلْهَمِّ لاَ حَوْلَ وَ لاَ قُوَّةَ إِلاَّ بِاللَّهِ اَلْعَلِيِّ اَلْعَظِيمِ لاَ مَلْجَأَ وَ لاَ مَنْجَى مِنَ اَللَّهِ إِلاَّ إِلَيْهِ يَا عَلِيُّ أَمَانٌ لِأُمَّتِي مِنَ اَلْحَرَقِ: «إِنَّ وَلِيِّيَ اَللَّهُ اَلَّذِي نَزَّلَ اَلْكِتَابَ وَ هُوَ يَتَوَلَّى اَلصَّالِحِينَ» «وَ مَا قَدَرُوا اَللَّهَ حَقَّ قَدْرِهِ» » اَلْآيَةَ «يَا عَلِيُّ مَنْ خَافَ مِنَ اَلسَّبَاعِ فَلْيَقْرَأْ «لَقَدْ جَاءَكُمْ رَسُولٌ مِنْ أَنْفُسِكُمْ عَزِيزٌ عَلَيْهِ مَا عَنِتُّمْ» » إِلَى آخِرِ اَلسُّورَةِ «يَا عَلِيُّ مَنِ اِسْتَصْعَبَتْ عَلَيْهِ دَابَّتُهُ فَلْيَقْرَأْ فِي أُذُنِهَا اَلْيُمْنَى «وَ لَهُ أَسْلَمَ مَنْ فِي اَلسَّمَاوَاتِ وَ اَلْأَرْضِ طَوْعاً وَ كَرْهاً وَ إِلَيْهِ يُرْجَعُونَ» يَا عَلِيُّ مَنْ كَانَ فِي بَطْنِهِ مَاءٌ أَصْفَرُ فَلْيَكْتُبْ عَلَى بَطْنِهِ آيَةَ اَلْكُرْسِيِّ وَ لْيَشْرَبْهُ فَإِنَّهُ يَبْرَأُ بِإِذْنِ اَللَّهِ عَزَّ وَ جَلَّ يَا عَلِيُّ مَنْ خَافَ سَاحِراً أَوْ شَيْطَاناً فَلْيَقْرَأْ «إِنَّ رَبَّكُمُ اَللَّهُ اَلَّذِي خَلَقَ اَلسَّمَاوَاتِ وَ اَلْأَرْضَ» »

اَلْآيَةَ «يَا عَلِيُّ حَقُّ اَلْوَلَدِ عَلَى وَالِدِهِ أَنْ يُحْسِنَ اِسْمَهُ وَ أَدَبَهُ وَ يَضَعَهُ مَوْضِعاً صَالِحاً وَ حَقُّ اَلْوَالِدِ عَلَى وَلَدِهِ أَنْ لاَ يُسَمِّيَهُ بِاسْمِهِ وَ لاَ يَمْشِيَ بَيْنَ يَدَيْهِ وَ لاَ يَجْلِسَ أَمَامَهُ وَ لاَ يَدْخُلَ مَعَهُ فِي اَلْحَمَّامِ يَا عَلِيُّ ثَلاَثَةٌ مِنَ اَلْوَسْوَاسِ أَكْلُ اَلطِّينِ وَ تَقْلِيمُ اَلْأَظْفَارِ بِالْأَسْنَانِ وَ أَكْلُ اَللِّحْيَةِ يَا عَلِيُّ لَعَنَ اَللَّهُ وَالِدَيْنِ حَمَلاَ وَلَدَهُمَا عَلَى عُقُوقِهِمَا يَا عَلِيُّ يَلْزَمُ اَلْوَالِدَيْنِ مِنْ عُقُوقِ وَلَدِهِمَا مَا يَلْزَمُ اَلْوَلَدَ لَهُمَا مِنْ عُقُوقِهِمَا يَا عَلِيُّ رَحِمَ اَللَّهُ وَالِدَيْنِ حَمَلاَ وَلَدَهُمَا عَلَى بِرِّهِمَا يَا عَلِيُّ مَنْ أَحْزَنَ وَالِدَيْهِ فَقَدْ عَقَّهُمَا يَا عَلِيُّ مَنِ اُغْتِيبَ عِنْدَهُ أَخُوهُ اَلْمُسْلِمُ فَاسْتَطَاعَ نَصْرَهُ فَلَمْ يَنْصُرْهُ خَذَلَهُ اَللَّهُ فِي اَلدُّنْيَا وَ اَلْآخِرَةِ يَا عَلِيُّ مَنْ كَفَى يَتِيماً فِي نَفَقَتِهِ بِمَالِهِ حَتَّى يَسْتَغْنِيَ وَجَبَتْ لَهُ اَلْجَنَّةُ اَلْبَتَّةَ يَا عَلِيُّ مَنْ

مَسَحَ يَدَهُ عَلَى رَأْسِ يَتِيمٍ تَرَحُّماً لَهُ أَعْطَاهُ اَللَّهُ عَزَّ وَ جَلَّ بِكُلِّ شَعْرَةٍ نُوراً يَوْمَ اَلْقِيَامَةِ يَا عَلِيُّ لاَ فَقْرَ أَشَدُّ مِنَ اَلْجَهْلِ وَ لاَ مَالَ أَعْوَدُ مِنَ اَلْعَقْلِ وَ لاَ وَحْشَةَ أَوْحَشُ مِنَ اَلْعُجْبِ وَ لاَ عَقْلَ كَالتَّدْبِيرِ وَ لاَ وَرَعَ كَالْكَفِّ عَنْ مَحَارِمِ اَللَّهِ تَعَالَى وَ لاَ حَسَبَ كَحُسْنِ اَلْخُلُقِ وَ لاَ عِبَادَةَ مِثْلُ اَلتَّفَكُّرِ يَا عَلِيُّ آفَةُ اَلْحَدِيثِ اَلْكَذِبُ وَ آفَةُ اَلْعِلْمِ اَلنِّسْيَانُ وَ آفَةُ اَلْعِبَادَةِ اَلْفَتْرَةُ وَ آفَةُ اَلْجَمَالِ اَلْخُيَلاَءُ وَ آفَةُ اَلْعِلْمِ اَلْحَسَدُ يَا عَلِيُّ أَرْبَعَةٌ يَذْهَبْنَ ضَيَاعاً اَلْأَكْلُ عَلَى اَلشَّبَعِ وَ اَلسِّرَاجُ فِي اَلْقَمَرِ وَ اَلزَّرْعُ فِي اَلسَّبَخَةِ وَ اَلصَّنِيعَةُ عِنْدَ غَيْرِ أَهْلِهَا يَا عَلِيُّ مَنْ نَسِيَ اَلصَّلاَةَ عَلَيَّ فَقَدْ أَخْطَأَ طَرِيقَ اَلْجَنَّةِ يَا عَلِيُّ إِيَّاكَ وَ نَقْرَةَ اَلْغُرَابِ، وَ فَرِيشَةَ اَلْأَسَدِ يَا عَلِيُّ لَأَنْ أُدْخِلَ يَدِي فِي فَمِ اَلتِّنِّينِ إِلَى اَلْمِرْفَقِ أَحَبُّ إِلَيَّ مِنْ أَنْ أَسْأَلَ مَنْ لَمْ يَكُنْ ثُمَّ كَانَ ، يَا عَلِيُّ إِنَّ أَعْتَى اَلنَّاسِ عَلَى اَللَّهِ عَزَّ وَ جَلَّ اَلْقَاتِلُ غَيْرَ قَاتِلِهِ وَ اَلضَّارِبُ غَيْرَ ضَارِبِهِ وَ مَنْ تَوَلَّى غَيْرَ مَوَالِيهِ فَقَدْ كَفَرَ بِمَا أَنْزَلَ اَللَّهُ عَزَّ وَ جَلَّ عَلَيَّ يَا عَلِيُّ تَخَتَّمْ بِالْيَمِينِ فَإِنَّهَا فَضِيلَةٌ مِنَ اَللَّهِ عَزَّ وَ جَلَّ لِلْمُقَرَّبِينَ» قَالَ «بِمَ أَتَخَتَّمُ يَا رَسُولَ اَللَّهِ »

قَالَ «بِالْعَقِيقِ اَلْأَحْمَرِ فَإِنَّهُ أَوَّلُ جَبَلٍ أَقَرَّ لِلَّهِ تَعَالَى بِالرُّبُوبِيَّةِ وَ لِيَ بِالنُّبُوَّةِ وَ لَكَ بِالْوَصِيَّةِ وَ لِوُلْدِكَ بِالْإِمَامَةِ وَ لِشِيعَتِكَ بِالْجَنَّةِ وَ لِأَعْدَائِكَ بِالنَّارِ يَا عَلِيُّ إِنَّ اَللَّهَ عَزَّ وَ جَلَّ أَشْرَفَ عَلَى أَهْلِ اَلدُّنْيَا فَاخْتَارَنِي مِنْهَا عَلَى رِجَالِ اَلْعَالَمِينَ ثُمَّ اِطَّلَعَ اَلثَّانِيَةَ فَاخْتَارَكَ عَلَى رِجَالِ اَلْعَالَمِينَ ثُمَّ اِطَّلَعَ اَلثَّالِثَةَ فَاخْتَارَ اَلْأَئِمَّةَ مِنْ وُلْدِكَ عَلَى رِجَالِ اَلْعَالَمِينَ ثُمَّ اِطَّلَعَ اَلرَّابِعَةَ فَاخْتَارَ فَاطِمَةَ عَلَى نِسَاءِ اَلْعَالَمِينَ يَا عَلِيُّ إِنِّي رَأَيْتُ اِسْمَكَ مَقْرُوناً بِاسْمِي فِي ثَلاَثَةِ مَوَاطِنَ فَآنَسْتُ بِالنَّظَرِ إِلَيْهِ إِنِّي لَمَّا بَلَغْتُ بَيْتَ اَلْمَقْدِسِ فِي مِعْرَاجِي إِلَى اَلسَّمَاءِ وَجَدْتُ عَلَى صَخْرَتِهَا لاَ إِلَهَ إِلاَّ اَللَّهُ، مُحَمَّدٌ رَسُولُ اَللَّهِ «أَيَّدْتُهُ بِوَزِيرِهِ وَ نَصَرْتُهُ بِوَزِيرِهِ» فَقُلْتُ لِجَبْرَئِيلَ عَلَيْهِ اَلسَّلاَمُ مَنْ وَزِيرِي فَقَالَ عَلِيُّ بْنُ أَبِي طَالِبٍ فَلَمَّا اِنْتَهَيْتُ إِلَى سِدْرَةِ اَلْمُنْتَهَى وَجَدْتُ مَكْتُوباً عَلَيْهَا «إِنِّي «أَنَا اَللَّهُ لاٰ إِلٰهَ إِلاٰ أَنَا» وَحْدِي، مُحَمَّدٌ صَفْوَتِي مِنْ خَلْقِي أَيَّدْتُهُ بِوَزِيرِهِ وَ نَصَرْتُهُ بِوَزِيرِهِ»

فَقُلْتُ لِجَبْرَئِيلَ عَلَيْهِ اَلسَّلاَمُ مَنْ وَزِيرِي فَقَالَ عَلِيُّ بْنُ أَبِي طَالِبٍ فَلَمَّا جَاوَزْتُ سِدْرَةَ اَلْمُنْتَهَى اِنْتَهَيْتُ إِلَى عَرْشِ رَبِّ اَلْعَالَمِينَ جَلَّ جَلاَلُهُ فَوَجَدْتُ مَكْتُوباً عَلَى قَوَائِمِهِ «إِنِّي «أَنَا اَللَّهُ لاٰ إِلٰهَ إِلاٰ أَنَا» وَحْدِي، مُحَمَّدٌ حَبِيبِي أَيَّدْتُهُ بِوَزِيرِهِ وَ نَصَرْتُهُ بِوَزِيرِهِ » يَا عَلِيُّ إِنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى أَعْطَانِي فِيكَ سَبْعَ خِصَالٍ أَنْتَ أَوَّلُ مَنْ يَنْشَقُّ عَنْهُ اَلْقَبْرُ مَعِي وَ أَنْتَ أَوَّلُ مَنْ يَقِفُ عَلَى اَلصِّرَاطِ مَعِي وَ أَنْتَ أَوَّلُ مَنْ يُكْسَى إِذَا كُسِيتُ وَ يَحْيَا إِذَا حُيِيتُ وَ أَنْتَ أَوَّلُ مَنْ يَسْكُنُ مَعِي فِي عِلِّيِّينَ وَ أَنْتَ أَوَّلُ مَنْ يَشْرَبُ مَعِي مِنَ اَلرَّحِيقِ اَلْمَخْتُومِ اَلَّذِي «خِتٰامُهُ مِسْكٌ» »

ثُمَّ قَالَ عَلَيْهِ اَلسَّلاَمُ لِسَلْمَانَ اَلْفَارِسِيِّ رَحْمَةُ اَللَّهِ عَلَيْهِ «يَا سَلْمَانُ إِنَّ لَكَ فِي عِلِّيِّكَ إِذَا اِعْتَلَلْتَ ثَلاَثَ خِصَالٍ أَنْتَ مِنَ اَللَّهِ تَبَارَكَ وَ تَعَالَى بِذِكْرٍ وَ دُعَاؤُكَ فِيهَا مُسْتَجَابٌ وَ لاَ تَدَعُ اَلْعِلَّةُ عَلَيْكَ ذَنْباً إِلاَّ حَطَّتْهُ مَتَّعَكَ اَللَّهُ بِالْعَافِيَةِ إِلَى اِنْقِضَاءِ أَجَلِكَ » ثُمَّ قَالَ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ لِأَبِي ذَرٍّ رَحْمَةُ اَللَّهُ عَلَيْهِ «يَا أَبَا ذَرٍّ إِيَّاكَ وَ اَلسُّؤَالَ فَإِنَّهُ ذُلٌّ حَاضِرٌ وَ فَقْرٌ تَتَعَجَّلُهُ وَ فِيهِ حِسَابٌ طَوِيلٌ يَوْمَ اَلْقِيَامَةِ يَا أَبَا ذَرٍّ تَعِيشُ وَحْدَكَ وَ تَمُوتُ وَحْدَكَ وَ تَدْخُلُ اَلْجَنَّةَ وَحْدَكَ يَسْعَدُ بِكَ قَوْمٌ مِنْ أَهْلِ اَلْعِرَاقِ يَتَوَلَّوْنَ غُسْلَكَ وَ تَجْهِيزَكَ وَ دَفْنَكَ يَا أَبَا ذَرٍّ لاَ تَسْأَلْ بِكَفِّكَ وَ إِنْ أَتَاكَ شَيْءٌ فَاقْبَلْهُ » ثُمَّ قَالَ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ لِأَصْحَابِهِ «أَ لاَ أُخْبِرُكُمْ بِأَشْرَارِكُمْ» قَالُوا بَلَى يَا رَسُولَ اَللَّهِ قَالَ «اَلْمَشَّاءُونَ بِالنَّمِيمَةِ اَلْمُفَرِّقُونَ بَيْنَ اَلْأَحِبَّةِ اَلْبَاغُونَ لِلْبُرَآءِ اَلْعَيْبَ ».

H.5762 - The Prophet {saws}, peace and blessings be upon him and his family, said to Imam Ali ibn Abi Talib {a.s}, peace be upon him:
"O' Ali {a.s}, I advise you with a piece of advice, so preserve it, and you will remain in goodness as long as you preserve my advice.
O' Ali {a.s}, whoever suppresses his anger while having the power to act upon it, Allah {SWT} will grant him security and faith on the Day of Judgment, and he will taste its sweetness.
O' Ali {a.s}, whoever does not write a good will at the time of his death, it is a deficiency in his dignity, and he shall not possess intercession.
O' Ali {a.s}, the best form of jihad is for one to begin the day without intending to oppress anyone.
O' Ali {a.s}, whoever people fear due to his tongue is among the people of the Fire.
O' Ali {a.s}, the worst of people is he whom others honor out of fear of his foul language."
It has also been narrated: "the worst of people is he who sells his Hereafter for his worldly life, and even worse than that is one who sells his Hereafter for the worldly life of another.
O' Ali {a.s}, whoever does not accept the excuse of a person seeking forgiveness, whether he is truthful or lying, shall not attain my intercession.
O' Ali {a.s}, Allah {SWT}, the Almighty, loves lying if it brings about reconciliation and hates truthfulness if it causes corruption.
O' Ali {a.s}, whoever abandons intoxicants for reasons other than seeking the pleasure of Allah {SWT}, Allah {SWT} will make him drink from the sealed pure drink (ra*h*iq Al-makhtum) in the Hereafter."
Imam Ali ibn Abi Talib {a.s} said: "For other than Allah {SWT}?"
The Prophet, peace and blessings be upon him and his family, replied:
"Yes, by Allah {SWT}, if it is to safeguard himself, Allah {SWT} will reward him for it.
O' Ali {a.s}, the drinker of alcohol is like an idol worshipper.
O' Ali {a.s}, the drinker of alcohol, Allah {SWT} the Almighty will not accept his prayer for forty days; if he dies within those forty days, he dies as a disbeliever."

[AL SADUQ]
The compiler of this book, may Allah {SWT} have mercy on him, commented, "This means if he considers it lawful."

(Prophet {saws} continued);
"O' Ali {a.s}, every intoxicant is forbidden, and whatever intoxicates in large quantities, then even a sip of it is forbidden.
O' Ali {a.s}, all sins have been placed in a house, and their key is alcohol consumption.
O' Ali {a.s}, there comes a time upon the drinker of alcohol when he does not recognize his Lord {AZJ}, the Almighty and Glorious.
O' Ali {a.s}, the removal of mighty mountains is easier than the removal of a kingdom whose appointed term has not yet ended.

O' Ali {a.s}, whoever does not benefit you in your religion and your worldly life, there is no good for you in his companionship, and whoever does not regard you, do not regard him, and there is no honor for him.

O' Ali {a.s}, a believer should have eight qualities: dignity in times of turmoil, patience in affliction, gratitude in ease, contentment with what Allah {SWT}, the Almighty and Glorious, has provided him, not oppressing enemies, not burdening friends, his body is in toil while people are at ease from him.

O' Ali {a.s}, there are four whose supplications are never rejected: a just leader, a father for his child, a person who prays for his brother in his absence, and the oppressed. Allah {SWT}, the Almighty and Glorious, says, *'By My might and majesty, I shall surely grant you victory, even after some time.*'"

O' Ali {a.s}, there are eight types of people who, if they are humiliated, should blame no one but themselves: the one who goes to a feast to which he was not invited, the one who interferes in the affairs of the master of the house, the one who seeks goodness from his enemies, the one who asks for favor from the miserly, the one who interferes in a secret matter between two people without being involved, the one who disrespects authority, the one who sits in a gathering where he does not belong, and the one who speaks to someone who does not listen to him.

O' Ali {a.s}, Allah {SWT} has forbidden Paradise to every obscene and foul-mouthed person who does not care what he says or what is said to him.

O' Ali {a.s}, blessed is the one whose life is long and his deeds are good.

O' Ali {a.s}, do not joke too much, for it will take away your dignity, and do not lie, for it will take away your light.

Beware of two traits: impatience and laziness. If you are impatient, you will not endure the truth, and if you are lazy, you will not fulfill your duties.

O' Ali {a.s}, every sin has a repentance except bad character, for its possessor, whenever he leaves one sin, enters into another.

O' Ali {a.s}, four types of people receive punishment the fastest: a man to whom you have done good, but he repays your kindness with evil; a man against whom you bear no ill will, but he bears ill will against you; a man with whom you made an agreement, and you fulfilled it, but he betrayed you; and a man who maintains ties of kinship, but they cut him off.

O' Ali {a.s}, whoever is overwhelmed by impatience, comfort departs from him.

O' Ali {a.s}, there are twelve qualities that a Muslim man should learn regarding dining: four of them are obligatory, four are recommended practices, and four are etiquettes. As for the obligatory ones, they are: knowing what one eats, saying the name of Allah {SWT}, expressing gratitude, and being content.

The recommended practices are: sitting on the left leg, eating with three fingers, eating from what is in front of him, and licking the fingers.

The etiquettes are: taking small bites, chewing thoroughly, avoiding looking at people's faces while eating, and washing the hands.

O' Ali {a.s}, Allah {SWT}, the Almighty and Glorious, created Paradise from two bricks: one of gold and one of silver, and made its walls of ruby, its roof of emerald, its pebbles of

pearls, and its soil of saffron and fragrant musk. Then He {SWT} said to it, "Speak!" and it said, There is no God but Allah {SWT}, the Ever-Living, the Sustainer. Blessed is the one who enters me. Allah {SWT}, the Glorious and Majestic, said: "*By My Might and My Glory, none shall enter it who is addicted to alcohol, nor the slanderer, nor the cuckold, nor the oppressor, nor the effeminate, nor the grave robber, nor the tax collector, nor the one who severs ties of kinship, nor the Qadari (who denies divine predestination)*."

O' Ali {a.s}, ten people from this nation have disbelieved in Allah {SWT}, the Almighty: the tale-bearer, the sorcerer, the cuckold, the one who engages in unlawful intercourse with a woman in her rectum, the one who has intercourse with an animal, the one who marries a woman who is forbidden to him, the one who incites discord, the one who sells weapons to the enemies in war, the one who withholds zakat, and the one who finds financial means but dies without performing Hajj.

O' Ali {a.s}, there should be no feast except in five cases: during a wedding, at the birth of a child, upon circumcision, when building or purchasing a house, and upon returning from a journey. The wedding feast is for marriage, the birth feast is for celebrating the birth of a child, the circumcision feast is for the ritual circumcision, the feast for building or buying a house is known as Wikar, and the feast upon returning from a journey is known as Rikaz.

[AL SADUQ]

The compiler of this book, may Allah {SWT} have mercy on him, said: I heard some linguists say that the term Wikar refers to food that people are invited to when a house is built or purchased. It is called Wakira, and Wikar is derived from it. The food prepared for someone's return from travel is called Naqi'a, and it is also referred to as Rikaz. Rikaz also means booty, as if the person who prepares food upon returning from Makkah gains a great reward.

This is derived from the saying of the Prophet, peace and blessings be upon him and his family,

Fasting in the winter is the easy reward.

(Prophet {saws} continued);

"O' Ali {a.s}, it is not appropriate for an intelligent person to travel except for three reasons: to seek provision for his livelihood, to gather provisions for the Hereafter, or to enjoy a permissible pleasure.

O' Ali {a.s}, there are three noble traits in both this world and the Hereafter: to forgive those who wrong you, to maintain ties with those who cut you off, and to show patience with those who act ignorantly towards you.

O' Ali {a.s}, hasten to accomplish four things before four: your youth before your old age, your health before your illness, your wealth before your poverty, and your life before your death.

O' Ali {a.s}, Allah {SWT}, the Almighty, dislikes for my nation certain things: fidgeting during prayer, boasting about charity, entering mosques while in a state of impurity, laughing in graveyards, peeking into people's homes, and looking at the private parts of women, for it leads to blindness.

Allah {SWT} also dislikes speaking during intimacy as it leads to muteness, sleeping between the Maghrib and Isha prayers as it deprives one of sustenance, bathing under the open sky without a covering, entering rivers without a covering because they contain angels, entering bathhouses without a covering, speaking between the call to prayer (Adhan) and the Iqama in the Fajr prayer, sailing the sea when it is turbulent, and sleeping on a roof without a protective barrier.

Prophet {saws} said: "Whoever sleeps on a roof without a protective barrier has absolved himself of responsibility."

Prophet {saws} disliked a person sleeping alone in a house, and He {saws} disliked a man having relations with his wife while she is menstruating. If he does so and the child is born with leprosy or vitiligo, he should blame none but himself.

Prophet {saws} also disliked a man speaking to a person afflicted with leprosy unless there is a distance of at least an arm's length between them."

Prophet {saws} said: "Flee from a leper as you would flee from a lion."

Prophet {saws} disliked a man approaching his wife after having a nocturnal emission until he has performed the ritual purification. If he does so and the child is born mentally impaired, he should blame none but himself.

Prophet {saws} disliked urinating on the bank of a flowing river, and he disliked relieving oneself under a fruit-bearing tree or palm tree.

Prophet {saws} disliked relieving oneself while standing, putting on shoes while standing, and entering a dark house without a lamp.

O' Ali {a.s}, the affliction of noble lineage is arrogance.

O' Ali {a.s}, whoever fears Allah {SWT}, everything will fear him, and whoever does not fear Allah {SWT}, Allah {SWT} will make him fearful of everything.

O' Ali {a.s}, there are eight types of people whose prayers Allah {SWT} does not accept: the runaway slave until he returns to his master, the rebellious wife whose husband is displeased with her, the one who withholds zakat, the one who neglects ablution, the mature girl who prays without a head covering, an imam who leads a congregation that dislikes him, the intoxicated person, and the one who prays while suppressing the urge to urinate or defecate.

O' Ali {a.s}, there are four qualities for which Allah {SWT} builds a house in Paradise for the one who possesses them: one who shelters the orphan, has mercy on the weak, is compassionate toward his parents, and treats his servant with kindness.

O' Ali {a.s}, there are three things that if a person meets Allah {SWT} with them, he will be among the best of people: whoever fulfills what Allah {SWT} has made obligatory upon him, he will be among the most devoted worshippers; whoever abstains from what Allah {SWT} has prohibited, he will be among the most pious; and whoever is content with what Allah {SWT} has provided for him, he will be among the richest of people.

O' Ali {a.s}, there are three things that this nation cannot bear: sharing one's wealth with his brother, treating people with fairness from oneself, and remembering Allah {SWT} in all circumstances. And this remembrance is not merely saying "Subhanallah {SWT}, Alhamdulillah, La ilaha illa Allah {SWT}, Allahu Akbar," but it is when one faces something prohibited and fears Allah {SWT} and refrains from it.

O' Ali {a.s}, there are three types of people who will wrong you if you treat them with fairness: the lowly, your family, and your servant. And three types of people will never be treated fairly by three others: a free man by a slave, a learned man by an ignorant person, and a strong person by a weak one.

O' Ali {a.s}, seven qualities, if found in a person, complete his faith, and the gates of Paradise are opened for him: one who perfects his ablution, performs his prayer properly, pays the zakat of his wealth, restrains his anger, controls his tongue, seeks forgiveness for his sins, and gives sincere advice to the family of his Prophet.

O' Ali {a.s}, Allah {SWT} has cursed three types of people: one who eats alone, one who travels alone in the wilderness, and one who sleeps alone in a house.

O' Ali {a.s}, three things are feared to cause madness: relieving oneself between graves, walking with only one shoe, and sleeping alone.

O' Ali {a.s}, there are three situations where lying is permissible: strategizing in war, making a promise to your wife, and reconciling between people.

O' Ali {a.s}, three things kill the heart: sitting with the lowly, associating with the wealthy, and engaging in idle talk with women.

O' Ali {a.s}, three things are among the realities of faith: spending in times of hardship, treating people with fairness, and sharing knowledge with those who seek it.

O' Ali {a.s}, three things, if a person does not possess them, his deeds will not be complete: a piety that prevents him from disobeying Allah {SWT}, good character to interact with people, and patience to withstand the ignorance of the ignorant.

O' Ali {a.s}, there are three joys for a believer in this world: meeting his brothers in faith, breaking the fast of a fasting person, and engaging in prayer in the last part of the night.

O' Ali {a.s}, I warn you against three traits: envy, greed, and arrogance.

O' Ali {a.s}, four traits are signs of misery: dryness of the eyes (lack of tears), hardness of the heart, long aspirations, and love for staying in this world.

O' Ali {a.s}, there are three levels, three expiations, three destructive qualities, and three saving virtues. As for the levels, they are: performing ablution thoroughly in hardship, waiting for the next prayer after finishing one, and walking to congregational prayers day and night.

As for the expiations, they are: spreading peace, feeding others, and praying at night while people are asleep.

As for the destructive qualities, they are: obeying greed, following desires, and self-admiration.

And as for the saving virtues, they are: fearing Allah {SWT} in secret and in public, moderation in wealth and poverty, and speaking words of justice in times of pleasure and displeasure.

O' Ali {a.s}, there is no nursing after weaning, and no orphanhood after reaching maturity.

O' Ali {a.s}, travel for two years to be dutiful to your parents, travel for one year to maintain ties of kinship, travel for a mile to visit the sick, travel for two miles to follow a funeral procession, travel for three miles to accept an invitation, travel for four miles

to visit a brother in faith, travel for five miles to help someone in distress, and travel for six miles to support the oppressed. And always engage in seeking forgiveness.

O' Ali {a.s}, a believer has three signs: prayer, almsgiving, and fasting.

A pretentious person has three signs: he flatters when present, backbites when absent, and rejoices over people's misfortunes.

A tyrant has three signs: he oppresses those beneath him with force, disobeys those above him, and sides with other oppressors.

A hypocrite has three signs: he lies when he speaks, breaks his promises, and betrays when entrusted.

O' Ali {a.s}, nine things cause forgetfulness: eating sour apples, eating coriander, eating cheese, drinking the leftover of a mouse, reading inscriptions on graves, walking between two women, throwing lice away, cupping at the crown of the head, and urinating in stagnant water.

O' Ali {a.s}, the essence of a good life lies in three things: a spacious home, a beautiful spouse, and a well-bred horse.

[AL SADUQ]

The compiler of this book, may Allah {SWT} have mercy on him, said: I heard a man from among those knowledgeable in language in Kufa say that the term "Qabba" refers to a horse with a slender belly. It is said "faras aaqab" (a horse that is lean) and "Qabba" refers to both male and female horses. However, for a female horse, it is exclusively called "Qabba" and nothing else. The poet Dhul-Rummah said:

It stood erect around him one day, observing him,

Tall wild donkeys with slender bellies.

The term " Ṣuhr" is the plural of "Aṣhar", referring to an animal whose color tends towards redness, which is commonly found in wild donkeys. "Samahij" refers to tall animals, the singular being "Samhaj", and "Qabab" means slenderness.

(Prophet {saws} continued);

"O' Ali {a.s}, by Allah {SWT}, if a lowly person were in the depths of a well, Allah {SWT}, the Almighty and Majestic, would send a wind to lift him above the righteous during the rule of the wicked.

O' Ali {a.s}, whoever claims affiliation to other than his masters, upon him is the curse of Allah {SWT}. Whoever withholds the wages of a hired worker, upon him is the curse of Allah {SWT}. Whoever introduces an innovation or shelters an innovator, upon him is the curse of Allah {SWT}.

[AL SADUQ]

It was said: "O' Messenger of Allah {SWT}, what is this wrongdoing?"

Prophet {a.s} replied: "Killing."

(Prophet {saws} continued);

"O' Ali {a.s}, the believer is the one whom Muslims trust with their wealth and lives, and the Muslim is the one from whose hand and tongue other Muslims are safe, and the emigrant is the one who abandons sins.

O' Ali {a.s}, the strongest bond of faith is love for the sake of Allah {SWT} and hatred for the sake of Allah {SWT}.

O' Ali {a.s}, whoever obeys his wife in matters that lead to disobedience, Allah {SWT}, the Almighty and Majestic, will throw him on his face into the fire.

Imam Ali ibn Abi Talib {a.s} said: "What kind of obedience is that?"

The Prophet {saws} replied: "Allowing her to go to public baths, weddings, mourning gatherings, and to wear revealing clothing."

O' Ali {a.s}, Allah {SWT}, the Blessed and Exalted, has abolished the arrogance and pride of pre-Islamic ignorance and its boasting about ancestors. Verily, people are from Adam, and Adam is from dust. The most honorable of them in the sight of Allah {SWT} is the most pious.

O' Ali {a.s}, unlawful earnings include the price of a dead animal, the price of a dog, the price of alcohol, the dowry of a prostitute, a bribe in judgment, and the fee of a soothsayer.

O' Ali {a.s}, whoever seeks knowledge to argue with the foolish, to debate with scholars, or to draw people to himself, he is among the people of Hellfire.

O' Ali {a.s}, when a person dies, people ask, "What has he left behind?" while the angels ask, "What has he sent ahead?"

O' Ali {a.s}, this world is a prison for the believer and a paradise for the disbeliever.

O' Ali {a.s}, sudden death is a relief for the believer and a regret for the disbeliever.

O' Ali {a.s}, Allah {SWT}, the Blessed and Exalted, revealed to the world: "*Serve those who serve Me, and exhaust those who serve you*."

O' Ali {a.s}, if this world were worth the wing of a mosquito in the sight of Allah {SWT}, the Blessed and Exalted, He {SWT} would not have given the disbeliever even a sip of water from it.

O' Ali {a.s}, every person from the first to the last will wish on the Day of Judgment that they had received from this world only enough to sustain them.

O' Ali {a.s}, the worst of people is the one who doubts Allah's {SWT} decree.

O' Ali {a.s}, the groaning of the believer is glorification, his shouting is the declaration of God's oneness, his sleep on his bed is worship, and his turning from side to side is striving in the way of Allah {SWT}. If he recovers, he walks among the people without a sin upon him.

O' Ali {a.s}, if I were given a leg of meat as a gift, I would accept it, and if I were invited to partake of a leg of meat, I would respond.

O' Ali {a.s}, women are not required to attend the Friday prayer, congregational prayers, call to prayer, Iqama, visiting the sick, following funeral processions, running between Safa and Marwa, touching the Black Stone, shaving the head, taking up judicial positions, being consulted, slaughtering animals except in necessity, raising their voices in the Talbiyah, standing by graves, listening to sermons, arranging their own marriages, or leaving their husband's house without his permission. If she leaves without his permission, Allah {SWT}, Jibril, and Mikaeel will curse her. She should not give away anything from her husband's house without his consent, nor should she sleep while he is displeased with her, even if he is unjust to her.

O' Ali {a.s}, Islam is naked; its clothing is modesty, its adornment is loyalty, its dignity is righteous deeds, and its foundation is piety. Everything has a foundation, and the foundation of Islam is love for us, the Ahlulbayt {a.s}.

O' Ali {a.s}, bad character is an ill omen, and obeying a woman leads to regret.

O' Ali {a.s}, if there is ill fortune in anything, it is in the tongue of a woman.

O' Ali {a.s}, those who carry little burden are saved.

O' Ali {a.s}, whoever deliberately lies about me, let him prepare his seat in the Fire.

O' Ali {a.s}, three things increase memory and remove phlegm: chewing frankincense, using the miswak, and reciting the Quran.

O' Ali {a.s}, the miswak is part of the Sunnah; it purifies the mouth, enhances eyesight, pleases the Most Merciful, whitens the teeth, removes tartar, strengthens the gums, increases appetite, eliminates phlegm, boosts memory, multiplies good deeds, and brings joy to the angels.

O' Ali {a.s}, sleep is of four types: the sleep of the prophets, peace be upon them, is on their backs; the sleep of the believers is on their right sides; the sleep of the disbelievers and hypocrites is on their left sides; and the sleep of the devils is on their faces.

O' Ali {a.s}, Allah {SWT}, the Almighty and Exalted, did not send any prophet except that He {SWT} made his progeny from his own loins, but He {SWT} made my progeny from your loins. If it were not for you {a.s}, I {saws} would have had no descendants.

O' Ali {a.s}, four things break a person's back: a leader who disobeys Allah {SWT}, yet his orders are followed; a wife who is protected by her husband yet betrays him; poverty that leaves a person without treatment; and a bad neighbour in a permanent residence.

O' Ali {a.s}, indeed Abdul Muttalib {a.s}, peace be upon him, established five practices during the era of ignorance (Jahiliyyah), which Allah {SWT}, the Almighty, continued in Islam.

He prohibited the wives of fathers for their sons, and Allah {SWT}, the Almighty, revealed: "*And do not marry women whom your fathers married*."

He discovered a treasure and took out a fifth of it and gave it in charity, and Allah {SWT}, the Almighty, revealed: "*And know that whatever you obtain of war booty – then indeed, for Allah {SWT} is one-fifth of it and for the Messenger*..."

When he dug the well of Zamzam, he named it the provision for the pilgrims, and Allah {SWT}, the Blessed and Exalted, revealed: "*Have you made the providing of water for the pilgrim and the maintenance of Al-Masjid Al-Haram equal to [the deeds of] the one who believes in Allah {SWT} and the Last Day?*"

O' Ali {a.s}, Abdul Muttalib established the practice of a hundred camels as blood money for killing, and Allah {SWT}, the Almighty, continued this practice in Islam.

There was no fixed number for circumambulation (Tawaf) among the Quraysh, but Abdul Muttalib prescribed seven circuits for them, and Allah {SWT}, the Almighty, continued this practice in Islam.

O' Ali {a.s}, Abdul Muttalib never practiced divination by arrows, nor did he worship idols, nor eat anything slaughtered on stone altars, and he used to say: "I am on the religion of my father Ibrahim, peace be upon him."

O' Ali {a.s}, the most astonishing people in faith and the greatest in certainty will be those who live in the end times; they will not have met the Prophet {saws} nor seen the proof, yet they will believe based on black lines on white paper.

O' Ali {a.s}, three things harden the heart: listening to idle talk, excessive hunting, and approaching the doors of rulers.

O' Ali {a.s}, do not pray in the skin of animals whose milk you do not drink and whose meat you do not eat. Do not pray in places known as Dhat Al-Jaysh, Dhat Al-Salasil, or Dhajnan.

O' Ali {a.s}, eat from eggs that have different ends, from fish that have scales, and from birds that flap their wings when they fly; avoid those that glide. Eat from water birds that have a crop or spurs.

O' Ali {a.s}, every predatory animal with fangs and every bird with talons is forbidden to eat; do not consume them.

O' Ali {a.s}, there is no punishment for stealing fruit or palm shoots.

O' Ali {a.s}, there is no blood money for a fornicator, no punishment for insinuation, no intercession in prescribed punishments, and no oath in severing family ties. A child cannot take an oath against their parent, nor can a wife against her husband, nor a servant against his master. There is no fasting from morning until night, no continuous fasting, and no reverting to a life of ignorance after migration.

O' Ali {a.s}, a parent is not to be executed for killing their child.

O' Ali {a.s}, Allah {SWT} does not accept the supplication of a heedless heart.

O' Ali {a.s}, the sleep of a scholar is better than the worship of a devoted worshiper.

O' Ali {a.s}, two units of prayer offered by a scholar are better than a thousand units offered by a worshiper.

O' Ali {a.s}, a woman should not observe voluntary fasting without her husband's permission, nor should a servant without their master's permission, nor should a guest without the host's permission.

O' Ali {a.s}, fasting on the day of Eid Al-Fitr is forbidden, fasting on the day of Eid Al-Adha is forbidden, continuous fasting is forbidden, silence fasting is forbidden, fasting as a vow for sin is forbidden, and perpetual fasting is forbidden.

O' Ali {a.s}, there are six consequences of fornication: three in this world and three in the Hereafter. As for those in this world, it takes away dignity, hastens death, and cuts off sustenance. As for those in the Hereafter, they result in a difficult reckoning, the wrath of the Merciful, and eternal punishment in the Fire.

O' Ali {a.s}, usury consists of seventy parts, the least of which is like a man committing fornication with his mother in the sacred House of Allah {SWT}.

O' Ali {a.s}, one dirham gained through usury is greater in sin before Allah {SWT} than seventy acts of fornication, all with a forbidden relative, in the sacred House of Allah {SWT}.

O' Ali {a.s}, whoever withholds even a small portion of the zakat due on his wealth is neither a believer nor a Muslim, and he has no honor.

O' Ali {a.s}, the one who neglects zakat will plead to Allah {SWT} for a return to the world, as Allah {SWT} the Almighty says: "Un*til, when death comes to one of them, he says, My Lord {AZJ}, send me back*.'"

O' Ali {a.s}, whoever is capable of performing Hajj and does not do so is considered a disbeliever, as Allah {SWT} the Exalted says: "*And pilgrimage to the House is a duty unto Allah {SWT} for mankind, for him who can find a way there. And whoever disbelieves, then verily Allah {SWT} is Independent of all creation*."

O' Ali {a.s}, whoever postpones Hajj until he dies, Allah {SWT} will resurrect him on the Day of Judgment as a Jew or a Christian.

O' Ali {a.s}, charity repels decrees that have been firmly established.

O' Ali {a.s}, maintaining ties of kinship increases lifespan.

O' Ali {a.s}, begin your meals with salt and end with salt, for it is a cure for seventy-two diseases.

O' Ali {a.s}, if I were to stand at the Praised Station (maqam Al Mahmoud), I would intercede for my father {a.s}, my mother {s.a}, my uncle {a.s}, and a brother {a.s} I had in the pre-Islamic era.

O' Ali {a.s}, I am the son of the two sacrifices.

O' Ali {a.s}, I am the answer to the supplication of my father Ibrahim.

O' Ali {a.s}, intellect is that by which Paradise is attained and the pleasure of the Most Merciful is sought.

O' Ali {a.s}, the first creation that Allah {SWT}, Mighty and Majestic, created was the intellect. He {SWT} said to it, "Come forward," and it came forward. Then He {SWT} said: "Go back," and it went back. Then He {SWT} said: "By My might and majesty, I have not created a creation more beloved to Me {SWT} than you; by you I take, by you I give, by you I reward, and by you I punish."

O' Ali {a.s}, there is no charity when a relative is in need.

O' Ali {a.s}, a dirham spent on dyeing hair is better than a thousand dirhams spent in the way of Allah {SWT}, for it contains fourteen benefits: it repels wind from the ears, enhances eyesight, softens the nostrils, sweetens the breath, strengthens the gums, removes weakness, reduces the whispering of Satan, delights the angels, gladdens the believer, angers the disbeliever, serves as an adornment and fragrance, causes Munkar and Nakir to feel shy of him, and it serves as a means of absolution in his grave.

O' Ali {a.s}, there is no good in speech without action, nor in appearance without substance, nor in wealth without generosity, nor in truth without loyalty, nor in jurisprudence without piety, nor in charity without intention, nor in life without health, nor in homeland without security and happiness.

O' Ali {a.s}, seven things are forbidden from the sheep: blood, male reproductive organs, the bladder, the spinal cord, the glands, the spleen, and the gall bladder.

O' Ali {a.s}, do not bargain in four things: the purchase of a sacrificial animal, a shroud, the freeing of a slave, and the fare for traveling to Mecca.

O' Ali {a.s}, shall I not inform you of the one who resembles me the most in character?

Imam Ali ibn Abi Talib {a.s} said: “Yes, O’ Messenger of Allah {SWT}."

The Prophet {saws} said: “The one with the best character among you, the one with the greatest patience, the one who is most kind to his relatives, and the one who is most fair in dealing with others."

O’ Ali {a.s}, protection for my nation from drowning when they board ships is to recite: *In the name of Allah {SWT}, the Most Gracious, the Most Merciful, and They did not appreciate Allah {SWT} with the appreciation due to Him; and the entire earth will be in His grip on the Day of Resurrection, and the heavens will be folded in His right hand. Glorified is He and high above what they associate with Him, and In the name of Allah {SWT} shall be its course and its anchorage; surely my Lord {AZJ} is Most Forgiving, Most Merciful*. (Surah Az-Zumar 39:67)

O’ Ali {a.s}, protection for my nation from theft is to recite: Say: *Call upon Allah {SWT}, or call upon the Most Gracious; by whatever name you call upon Him, to Him belong the most beautiful names*. (Surah Al Isra 17:110)

O’ Ali {a.s}, protection for my nation from destruction is in reciting: *Indeed, Allah {SWT} holds the heavens and the earth lest they move, and if they should move, no one could hold them after Him; indeed, He is Ever Forbearing, Ever Forgiving*. (Surah Fatir 35:41)

O’ Ali {a.s}, protection for my nation from distress is in saying: *There is no power and no strength except with Allah {SWT}, the Most High, the Most Great. And ‘There is no refuge and no escape from Allah {SWT} except to Him’*. (Surah At-Tawbah 9:118)

O’ Ali {a.s}, protection for my nation from fire is in reciting: *Indeed, my protector is Allah {SWT}, who has sent down the Book, and He takes care of the righteous, and They did not appreciate Allah {SWT} with the appreciation due to Him*... (Surah Al-A'raf 7:196)

O’ Ali {a.s}, whoever fears wild beasts should recite: *Certainly, a Messenger has come to you from among yourselves; it grieves him that you should perish*... until the end of the chapter. (Surah At-Tawbah 9:128)

O’ Ali {a.s}, whoever finds difficulty with his mount should recite in its right ear: *And to Him submits whoever is in the heavens and the earth, willingly or unwillingly, and to Him they shall be returned*. (Surah AAl-e-Imran 3:83)

O’ Ali {a.s}, whoever suffers from Abdominal dropsy should write Ayat Al-Kursi on his stomach and drink it, for he shall be cured by the permission of Allah {SWT}, the Mighty and Majestic.

O’ Ali {a.s}, whoever fears a sorcerer or a devil should recite: *Indeed, your Lord {AZJ} is Allah {SWT}, who created the heavens and the earth*... (Surah Al-A'raf 7:54)

O’ Ali {a.s}, the right of the child upon his father is that he gives him a good name, teaches him good manners, and places him in a righteous environment. The right of the father upon his child is that he should not call him by his name, should not walk ahead of him, should not sit before him, and should not enter the bathhouse with him.

O’ Ali {a.s}, three things are from whispers of Shaytan: eating clay, biting nails with teeth, and consuming one's beard.

O’ Ali {a.s}, may Allah {SWT} curse parents who lead their child to disobey them.

O’ Ali {a.s}, parents are responsible for the disobedience of their children in the same way that children are responsible for disobeying their parents.

O' Ali {a.s}, may Allah {SWT} have mercy on parents who encourage their children to be righteous to them.

O' Ali {a.s}, whoever saddens his parents has indeed disobeyed them.

O' Ali {a.s}, whoever hears his Muslim brother being backbitten and has the ability to defend him but does not, Allah {SWT} will forsake him in this world and the Hereafter.

O' Ali {a.s}, whoever provides for an orphan with his wealth until the orphan becomes self-sufficient, Paradise is assured for him without doubt.

O' Ali {a.s}, whoever passes his hand over an orphan's head out of compassion, Allah {SWT} will grant him a light for every hair he touched on the Day of Judgment.

O' Ali {a.s}, there is no poverty worse than ignorance, no wealth more beneficial than intelligence, no loneliness worse than arrogance, no intellect like planning, no piety like refraining from what Allah {SWT} has forbidden, no nobility like good character, and no worship like contemplation.

O' Ali {a.s}, the flaw of speech is lying, the flaw of knowledge is forgetfulness, the flaw of worship is laziness, the flaw of beauty is arrogance, and the flaw of knowledge is envy.

O' Ali {a.s}, four things are wasted in vain: eating when already full, lighting a lamp under the moonlight, planting crops in barren land, and doing a favor for those who are unworthy of it.

O' Ali {a.s}, whoever forgets to send blessings upon me has indeed lost the path to Paradise.

O' Ali {a.s}, beware of the pecking of the crow and the swooping of the lion.

O' Ali {a.s}, placing my hand inside the mouth of a dragon up to my elbow is more beloved to me than asking from someone who was nothing and then became something.

O' Ali {a.s}, the most rebellious people against Allah {SWT}, the Almighty, are those who kill someone other than their killer, strike someone other than their attacker, and those who align themselves with other than their rightful leaders; such a person has indeed disbelieved in what Allah {SWT} has revealed to me.

O' Ali {a.s}, wear the ring on your right hand, for it is a virtue from Allah {SWT}, the Almighty, for those who are close to Him.

Imam Ali ibn Abi Talib {a.s} asked: "With what should I wear the ring, O' Messenger of Allah {SWT}?"

Prophet {saws} said: O' Ali {a.s}, wear a ring of red agate, for it was the first mountain to acknowledge Allah's {SWT} Lordship {AZJ}, my Prophethood, your successorship, the Imamate of your progeny, Paradise for your followers, and Hellfire for your enemies.

O' Ali {a.s}, Allah {SWT}, the Almighty, looked upon the people of the world and chose Me {saws} from among them over the men of the worlds. Then, He {SWT} looked a second time and chose you {a.s} over the men of the worlds. Then, He {SWT} looked a third time and chose the Imams {a.s} from your {a.s} progeny over the men of the worlds. Then, He {SWT} looked a fourth time and chose (Sayyida) Fatimah {s.a} over the women of the worlds.

O' Ali {a.s}, I have seen your name paired with mine in three places, and I was comforted by seeing it. When I reached Bayt Al-Maqdis during my ascension to the heavens, I found inscribed on its rock: 'There is no God but Allah {SWT}, Muhammad is the

Messenger of Allah {SWT}. I {SWT} have supported Him {saws} with his minister and granted Him {saws} victory through his minister.'

I (Prophet {saws}) asked Jibril {a.s}: "Who is my minister?"

Jibril {a.s} replied: "(Imam) Ali ibn Abi Talib {a.s}."

(Prophet {saws} continued); Then, when I reached the Lote Tree of the Utmost Boundary (Sidrat Al-Muntaha), I found written upon it:

'Indeed, I am Allah {SWT}; there is no God but Me {SWT} alone. Muhammad {saws} is My {SWT} chosen one from My creation; I {SWT} have supported Him {saws} with his minister and granted him victory through his minister (Imam Ali ibn Abi Talib {a.s}).

O' Ali {a.s}, when I passed beyond the Lote Tree of the Utmost Boundary, I reached the Throne of the Lord {AZJ} of the Worlds, Glorified and Exalted is He {SWT}, and I found written on its pillars:

'Indeed, I am Allah {SWT}; there is no God but Me {SWT} alone. Muhammad {saws} is My {SWT} beloved; and I {SWT} have supported him with his minister (Imam Ali ibn Abi Talib {a.s}) and granted him victory through his minister (Imam Ali ibn Abi Talib {a.s}).

O' Ali {a.s}, Allah {SWT}, the Blessed and Exalted, has granted me seven qualities concerning you.

You {a.s} will be the first to rise from your grave with me {saws}.

You {a.s} will be the first to stand with Me {saws} on the Sirat (bridge over Hell).

You {a.s} will be the first to be clothed when I {saws} am clothed (On Day of Resurrection).

You {a.s} will live where I {saws} live.

You {a.s} will be the first to dwell with Me {saws} in the highest ranks of Paradise.

You {a.s} will be the first to drink with Me {saws} from the sealed nectar, its seal is musk.

Then the Prophet, peace and blessings be upon him and his family, said to Salman Al-Farsi, may Allah {SWT} have mercy on him:

"O' Salman, when you fall ill, you are given three blessings: you are in remembrance of Allah {SWT}, the Blessed and Exalted; your supplication during illness is answered; and your illness does not leave any sin upon you except that it is erased. May Allah {SWT} grant you well-being until the end of your appointed term."

Then the Prophet, peace and blessings be upon him and his family, said to Abu Dharr, may Allah {SWT} have mercy on him:

"O' Abu Dharr, beware of asking from others, for it is an immediate humiliation and hastened poverty, and it brings a lengthy reckoning on the Day of Judgment. Abu Dharr, you shall live alone, die alone, and enter Paradise alone. A group of people from Iraq will take care of your washing, shrouding, and burial, and they will be blessed by it.

O' Abu Dharr, do not ask with your hand, but if something comes to you, accept it."

Then the Prophet, peace and blessings be upon him and his family, said to his companions: "Shall I not inform you of the worst among you?"

They said: "Indeed, O' Messenger of Allah {SWT}."

Prophet {saws} said: "Those who walk around spreading gossip, those who create division between loved ones, and those who seek faults in the innocent."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.352 • Makarim Al-Akhlaq, Vol.1 p.433 • Al-Wafi, Vol.26 p.168 • Bihar Al-Anwar, Vol.74 p.46

CHAPTER 176 – AMONG THE CONCISE WORDS OF THE MESSENGER OF ALLAH {SAWS}

وَ مِنْ أَلْفَاظِ رَسُولِ اللَّهِ ص الْمُوجَزَةِ الَّتِي لَمْ يُسْبَقْ إِلَيْهَا

HADITH 5763 – 5920

5763 - اَلْيَدُ اَلْعُلْيَا خَيْرٌ مِنَ اَلْيَدِ اَلسُّفْلَى».

H.5763 – The Prophet {saws} said; “The upper hand is better than the lower hand.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.376 • Al-Majazat Al-Nabawiyyah, Vol.1 p.50 • Al-Amali (Lil-Murtadha), Vol.1 p.405 • Al-Amali (Lil-Murtadha), Vol.1 p.406 • Al-Amali (Lil-Murtadha), Vol.1 p.406 • Wasa’il Al-Shi’ah, Vol.9 p.378

HADITH

5764 - مَا قَلَّ وَ كَفَى خَيْرٌ مِمَّا كَثُرَ وَ أَلْهَى».

H.5764 – The Prophet {saws} said;
"That which is little but sufficient is better than that which is abundant and distracts."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.376 • Wasa’il Al-Shi’ah, Vol.16 p.18

HADITH

5765 - خَيْرُ اَلزَّادِ اَلتَّقْوَى».

H.5765 - The Prophet {saws} said; “The best provision (for hereafter) is piety.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.376 •Ghurar Al-Hikam, Vol.1 p.35 • Uyun Al-Hikam, Vol.1 p.25 • Wasa’il Al-Shi’ah, Vol.15 p.241

HADITH

5766 - رَأْسُ اَلْحِكْمَةِ مَخَافَةُ اَللَّهِ عَزَّ وَ جَلَّ».

H.5766 - The Prophet {saws} said;
“The foundation of wisdom is the fear of Allah {SWT}, the Mighty and Majestic.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.376 • Mishkat Al-Anwar, Vol.1 p.120 • Tafsir Al-Safi, Vol.1 p.299 • Wasa’il Al-Shi’ah, Vol.15 p.221 • Tafsir Nur Al-Thaqalayn, Vol.1 p.287 • Tafsir Kanz Al-Daqaiq, Vol.2 p.444 • Mustadrak Al-Wasa’il, Vol.11 p.229

HADITH

5767 - خَيْرُ مَا أُلْقِيَ فِي اَلْقَلْبِ اَلْيَقِينُ».

H.5767 - The Prophet {saws} said;
“The best of things that can be placed in the heart is certainty.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.376 • Bihar Al-Anwar, Vol.67 p.173

HADITH

5768 - اَلاِرْتِيَابُ مِنَ اَلْكُفْرِ».

H.5768 - The Prophet {saws} said; “Doubt (in religion) is part of disbelief.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.376

HADITH

5769 - اَلنِّيَاحَةُ مِنْ عَمَلِ اَلْجَاهِلِيَّةِ ».

H.5769 - The Prophet {saws} said; “Wailing is an act of the Age of Ignorance.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.376 • Shihab Al-Akhbar, Vol.1 p.19 • Wasa’il Al-Shi’ah, Vol.3 p.272 • Bihar Al-Anwar, Vol.79 p.103

HADITH

5770 - اَلسُّكْرُ جَمْرُ اَلنَّارِ ».

H.5770 - The Prophet {saws} said; “Intoxication is a burning coal of the Fire (Hellfire).”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.376

HADITH

5771 - اَلشِّعْرُ مِنْ إِبْلِيسَ ».

H.5771 - The Prophet {saws} said; “Poetry is from Iblis (Satan).”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.376

HADITH

5772 - اَلْخَمْرُ جِمَاعُ اَلْآثَامِ».

H.5772 - The Prophet {saws} said; “Alcohol is the source of all sins.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.376 • Shihab Al-Akhbar, Vol.1 p.18 • Bihar Al-Anwar, Vol.33 p.621

HADITH

5773 - اَلنِّسَاءُ حِبَالَةُ اَلشَّيْطَانِ ».

H.5773 - The Prophet {saws} said; “Women are the snares of Satan.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.376 • Al-Majazat Al-Nabawiyyah, Vol.1 p.195 • Al-Majazat Al-Nabawiyyah, Vol.1 p.338 • Shihab Al-Akhbar, Vol.1 p.18 • Mustadrak Al-Wasa’il, Vol.14 p.159

HADITH

5774 - اَلشَّبَابُ شُعْبَةٌ مِنَ اَلْجُنُونِ».

H.5774 - The Prophet {saws} said; “Youth is a branch of madness (irrationality).”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.377 • Al-Majazat Al-Nabawiyyah, Vol.1 p.195 • Shihab Al-Akhbar, Vol.1 p.17 • Awali Al-La’ali, Vol.1 p.291 • Bihar Al-Anwar, Vol.74 p.174

HADITH

5775 - شَرُّ اَلْمَكَاسِبِ كَسْبُ اَلرِّبَا».

H.5775 - The Prophet {saws} said; “The worst of earnings is the earning through usury.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.377 • Jami’ Al-Akhbar, Vol.1 p.145 • Wasa’il Al-Shi’ah, Vol.18 p.122 • Bihar Al-Anwar, Vol.100 p.120

HADITH

5776 - شَرُّ اَلْمَآكِلِ أَكْلُ مَالِ اَلْيَتِيمِ ظُلْماً».

H.5776 - The Prophet {saws} said;
“The worst of foods (wealth) is consuming the wealth of an orphan unjustly.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.377 • Wasa’il Al-Shi’ah, Vol.17 p.245 • Bihar Al-Anwar, Vol.76 p.267 • Bihar Al-Anwar, Vol.76 p.270

HADITH

5777 - اَلسَّعِيدُ مَنْ وُعِظَ بِغَيْرِهِ».

H.5777 - The Prophet {saws} said;
“The fortunate one is he who learns a lesson from others.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.377 • Shihab Al-Akhbar, Vol.1 p.27 • Majmu’at Warram, Vol.1 p.270 • Majmu’at Warram, Vol.2 p.211 • Awali Al-La’ali, Vol.1 p.296 • Bihar Al-Anwar, Vol.68 p.324 • Bihar Al-Anwar, Vol.74 p.136

HADITH

5778 - اَلشَّقِيُّ مَنْ شَقِيَ فِي بَطْنِ أُمِّهِ».

H.5778 - The Prophet {saws} said;
“The wretched one is he who is destined for wretchedness while in his mother's womb.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.377 • Shihab Al-Akhbar, Vol.1 p.27 • Bihar Al-Anwar, Vol.74 p.174

HADITH

5779 - مَصِيرُكُمْ إِلَى أَرْبَعَةِ أَذْرُعٍ».

H.5779 - The Prophet {saws} said; “Your ultimate destination (grave) is four cubits.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.377

HADITH

5780 - أَرْبَى اَلرِّبَا اَلْكَذِبُ».

H.5780 - The Prophet {saws} said; “The greatest form of usury is lying.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.377 • Wasa’il Al-Shi’ah, Vol.12 p.246 • Bihar Al-Anwar, Vol.21 p.217 • Mustadrak Al-Wasa’il, Vol.9 p.86

HADITH

5781 - سِبَابُ اَلْمُؤْمِنِ فُسُوقٌ قِتَالُ اَلْمُؤْمِنِ كُفْرٌ أَكْلُ لَحْمِهِ مِنْ مَعْصِيَةِ اَللَّهِ عَزَّ وَ جَلَّ حُرْمَةُ مَالِهِ كَحُرْمَةِ دَمِهِ».

H.5781 - The Prophet {saws} said;
“Insulting a believer is wickedness, fighting a believer is disbelief, consuming his flesh (backbiting) is disobedience to Allah {SWT}, the Mighty and Majestic, and the sanctity of his wealth is like the sanctity of his blood.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.377

HADITH

5782 - مَنْ يَكْظِمِ اَلْغَيْظَ يَأْجُرْهُ اَللَّهُ عَزَّ وَ جَلَّ».

H.5782 - The Prophet {saws} said;
“Whoever suppresses anger, Allah {SWT}, the Mighty and Majestic, will reward him.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.377 • Shihab Al-Akhbar, Vol.1 p.143

HADITH

5783 - مَنْ يَصْبِرْ عَلَى اَلرَّزِيَّةِ يُعَوِّضْهُ اَللَّهُ».

H.5783 - The Prophet {saws} said;
"Whoever is patient during a calamity, Allah {SWT} will compensate him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.377 • Shihab Al-Akhbar, Vol.1 p.143

HADITH

5784 - اَلْآنَ حَمِيَ اَلْوَطِيسُ».

H.5784 - The Prophet {saws} said;
"Now the battle (battlefield) has intensified." (Spoken on the Day of Battle of Hunayn)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.377 • Al-Majazat Al-Nabawiyyah, Vol.1 p.59

HADITH

5785 - لاَ يُلْسَعُ اَلْمُؤْمِنُ مِنْ جُحْرٍ مَرَّتَيْنِ».

H.5785 - The Prophet {saws} said;
"A believer is not stung from the same hole twice."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.378 • Ilal Al-Shara'i', Vol.1 p.49

HADITH

5786 - لاَ يَجْنِي عَلَى اَلْمَرْءِ إِلاَّ يَدُهُ».

H.5786 - The Prophet {saws} said;
"Affliction (harm) does not come to a person except with his own hand."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.378

HADITH

5787 - اَلشَّدِيدُ مَنْ غَلَبَ نَفْسَهُ».

H.5787 - The Prophet {saws} said;
"The strong one is the one who overcomes himself (nafs)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.378 • Wasa'il Al-Shi'ah, Vol.15 p.162 • Al-Fusul Al-Muhimmah, Vol.2 p.214

HADITH

5788 - لَيْسَ اَلْخَبَرُ كَالْمُعَايَنَةِ».

H.5788 - The Prophet {saws} said;
"'Hearing' (with the ears) is not equivalent to 'seeing' (with the eyes)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.378

HADITH

5789 - اَللَّهُمَّ بَارِكْ لِأُمَّتِي فِي بُكُورِهَا يَوْمَ سَبْتِهَا وَ خَمِيسِهَا ».

H.5789 - The Prophet {saws} said;
"O' Allah {SWT}, bless my nation in its (utilizing) early mornings on its Saturdays and Thursdays."

[REFERENCES] Sahifat Al-Ridha, Vol.1 p.51 • Man La Yahduruhu Al-Faqih, Vol.1 p.425 • Man La Yahduruhu Al-Faqih, Vol.4 p.378 • Al-Khisal, Vol.2 p.394 • Uyun Al-Akhbar, Vol.2 p.34 • Wasa'il Al-Shi'ah, Vol.7 p.406 • Wasa'il Al-Shi'ah, Vol.11 p.350 • Wasa'il Al-Shi'ah, Vol.11 p.359 • Wasa'il Al-Shi'ah, Vol.11 p.359 • Bihar Al-Anwar, Vol.56 p.35

HADITH

5790 - اَلْمَجَالِسُ بِالْأَمَانَةِ».

H.5790 - The Prophet {saws} said;
"Gatherings are based on trust." (referring to that which is said and heard during gatherings)

[REFERENCES] Al-Kafi, Vol.2 p.660 • Al-Kafi, Vol.2 p.660 • Man La Yahduruhu Al-Faqih, Vol.4 p.378 • Shihab Al-Akhbar, Vol.1 p.7 • Al-Wafi, Vol.5 p.620 • Al-Wafi, Vol.5 p.620 • Wasa'il Al-Shi'ah, Vol.12 p.104 • Wasa'il Al-Shi'ah, Vol.12 p.104 • Mustadrak Al-Wasa'il, Vol.8 p.399

HADITH

5791 - سَيِّدُ اَلْقَوْمِ خَادِمُهُمْ».

H.5791 - The Prophet {saws} said; "The leader of a people should serve (the people)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.378

HADITH

5792 - لَوْ بَغَى جَبَلٌ عَلَى جَبَلٍ لَجَعَلَهُ اَللَّهُ دَكّاً».

H.5792 - The Prophet {saws} said;
"If (even) a mountain were to oppress another mountain, Allah {SWT} would crush it to dust."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.378 • Thawab Al-A'mal wa Iqab Al-A'mal, Vol.1 p.275 • Wasa'il Al-Shi'ah, Vol.16 p.41 • Bihar Al-Anwar, Vol.72 p.275 • Bihar Al-Anwar, Vol.72 p.276

HADITH

5793 - اِبْدَأْ بِمَنْ تَعُولُ».

H.5793 - The Prophet {saws} said;
"Begin (good behaviors and conduct) with those whom you support (family)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.378 • Al-Amali (Lil-Murtadha), Vol.1 p.405 • Shihab Al-Akhbar, Vol.1 p.309 • Fiqh Al-Quran, Vol.1 p.238 • Fiqh Al-Quran, Vol.2 p.101

HADITH

5794 - اَلْحَرْبُ خُدْعَةٌ».

H.5794 - The Prophet {saws} said;
"War is deception." (War obfuscates truth, and is lacking in transparency and truth)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.378 • Kanz Al-Fawa'id, Vol.2 p.153 • Shihab Al-Akhbar, Vol.1 p.8 • Mutashabih Al-Quran wa Mukhtalifah, Vol.1 p.177 • Al-Wafi, Vol.26 p.164 • Wasa'il Al-Shi'ah, Vol.15 p.134 • Bihar Al-Anwar, Vol.34 p.332 • Bihar Al-Anwar, Vol.97 p.42 • Mustadrak Al-Wasa'il, Vol.11 p.103 • Mustadrak Al-Wasa'il, Vol.11 p.103

HADITH

5795 - اَلْمُسْلِمُ مِرْآةٌ لِأَخِيهِ».

H.5795 - The Prophet {saws} said; "A Muslim is a mirror to his brother."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.378

HADITH

5796 - اَمَاتَ حَتْفَ أَنْفِهِ».

H.5796 - The Prophet {saws} said; "He died a natural death."
(spoken regarding a person who dies whilst not partaking in active jihad)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.379

HADITH

5797 - اَلْبَلَاءُ مُوَكَّلٌ بِالْمَنْطِقِ».

H.5797 - The Prophet {saws} said;
"Affliction is connected to speech." (words can bring about trials or difficulties)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.379 • Shihab Al-Akhbar, Vol.1 p.72 • Jami' Al-Akhbar, Vol.1 p.93 • Mustadrak Al-Wasa'il, Vol.9 p.31

HADITH

5798 - اَلنَّاسُ كَأَسْنَانِ اَلْمُشْطِ سَوَاءٌ».

H.5798 - The Prophet {saws} said; “People are equal like the teeth of a comb.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.379

HADITH

5799 - أَيُّ دَاءٍ أَدْوَى مِنَ اَلْبُخْلِ».

H.5799 - The Prophet {saws} said; “What disease is more severe than miserliness?”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.379 • Al-Majazat Al-Nabawiyyah, Vol.1 p.385 • Al-Wafi, Vol.26 p.165 • Wasa’il Al-Shi’ah, Vol.21 p.550

HADITH

5800 - اَلْحَيَاءُ خَيْرٌ كُلُّهُ».

H.5800 - The Prophet {saws} said; “Modesty is entirely good.” (in its wellness and virtue)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.379 • Ma’ani Al-Akhbar, Vol.1 p.409 • Shihab Al-Akhbar, Vol.1 p.23 •Ghurar Al-Hikam, Vol.1 p.606 • Uyun Al-Hikam, Vol.1 p.446 • Wasa’il Al-Shi’ah, Vol.12 p.168 • Bihar Al-Anwar, Vol.68 p.335 • Mustadrak Al-Wasa’il, Vol.8 p.463

HADITH

5801 - اَلْيَمِينُ اَلْفَاجِرَةُ تَذَرُ اَلدِّيَارَ مِنْ أَهْلِهَا بَلاَقِعَ».

H.5801 - The Prophet {saws} said;
“A false oath leaves homes desolate of their inhabitants.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.379

HADITH

5802 - أَعْجَلُ اَلشَّرِّ عُقُوبَةً اَلْبَغْيُ».

H.5802 - The Prophet {saws} said;
“The quickest evil to be punished is oppression.” (by Allah {SWT} in the Hereafter)

[REFERENCES] Al-Kafi, Vol.2 p.327 • Man La Yahduruhu Al-Faqih, Vol.4 p.379 • Thawab Al-A’mal wa Iqab Al-A’mal, Vol.1 p.275 • Tuhaf Al-’Uqul, Vol.1 p.49 • Al-Wafi, Vol.5 p.883 • Wasa’il Al-Shi’ah, Vol.16 p.39 • Wasa’il Al-Shi’ah, Vol.16 p.41 • Bihar Al-Anwar, Vol.72 p.275 • Bihar Al-Anwar, Vol.72 p.276 • Bihar Al-Anwar, Vol.74 p.153

HADITH

5803 - أَسْرَعُ اَلْخَيْرِ ثَوَاباً اَلْبِرُّ».

H.5803 - The Prophet {saws} said;
"The fastest good to be rewarded is righteousness." (by Allah {SWT} in the Hereafter)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.379 •Ghurar Al-Hikam, Vol.1 p.219 • Uyun Al-Hikam, Vol.1 p.141

HADITH

5804 - اَلْمُسْلِمُونَ عِنْدَ شُرُوطِهِمْ».

H.5804 - The Prophet {saws} said;
"Muslims are bound by their agreements." (that they make to others)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.379 • Awali Al-La'ali, Vol.2 p.258 • Wasa'il Al-Shi'ah, Vol.21 p.73 • Bihar Al-Anwar, Vol.2 p.277

HADITH

5805 - إِنَّ مِنَ اَلشِّعْرِ لَحِكْمَةً وَ إِنَّ مِنَ اَلْبَيَانِ لَسِحْراً».

H.5805 - The Prophet {saws} said;
"Indeed, some poetry contains wisdom, and indeed, some speech has a magical effect."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.379

HADITH

5806 - اِرْحَمْ مَنْ فِي اَلْأَرْضِ يَرْحَمْكَ مَنْ فِي اَلسَّمَاءِ».

H.5806 - The Prophet {saws} said;
"Show mercy to those on the earth, and the One (Allah {SWT}) in the heavens will show mercy to you."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.379 • Shihab Al-Akhbar, Vol.1 p.311

HADITH

5807 - مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ».

H.5807 - The Prophet {saws} said; "Whoever is killed defending his wealth is a martyr."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Shihab Al-Akhbar, Vol.1 p.145 • Awali Al-La'ali, Vol.1 p.38 • Wasa'il Al-Shi'ah, Vol.15 p.122 • Wasa'il Al-Shi'ah, Vol.15 p.122 • Al-Fusul Al-Muhimmah, Vol.2 p.211 • Al-Fusul Al-Muhimmah, Vol.2 p.522 • Bihar Al-Anwar, Vol.29 p.407 • Mustadrak Al-Wasa'il, Vol.18 p.197

HADITH

5808 - اَلْعَائِدُ فِي هِبَتِهِ كَالْعَائِدِ فِي قَيْئِهِ».

H.5808 - The Prophet {saws} said;
"The one who takes back his gift is like the one who returns to his vomit."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Bihar Al-Anwar, Vol.100 p.189 • Mustadrak Al-Wasa'il, Vol.14 p.72

HADITH

5809 - لاَ يَحِلُّ لِلْمُؤْمِنِ أَنْ يَهْجُرَ أَخَاهُ اَلْمُؤْمِنَ فَوْقَ ثَلاَثٍ».

H.5809 - The Prophet {saws} said;
"It is not permissible for a believer to abandon his believing brother for more than three days."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Awali Al-La'ali, Vol.1 p.162 • Bihar Al-Anwar, Vol.72 p.189 • Mustadrak Al-Wasa'il, Vol.9 p.98

HADITH

5810 - مَنْ لاَ يَرْحَمْ لاَ يُرْحَمْ».

H.5810 - The Prophet {saws} said;
"Whoever does not show mercy (to others) will not be shown mercy (by Allah {SWT} in the Hereafter)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 •Ghurar Al-Hikam, Vol.1 p.601 • Uyun Al-Hikam, Vol.1 p.444

HADITH

5811 - اَلنَّدَمُ تَوْبَةٌ».

H.5811 - The Prophet {saws} said; "Regret (of a sin) is (a form of) repentance."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Tuhaf Al-'Uqul, Vol.1 p.55 • Shihab Al-Akhbar, Vol.1 p.8 • Awali Al-La'ali, Vol.1 p.292 • Bihar Al-Anwar, Vol.74 p.159

HADITH

5812 - اَلْوَلَدُ لِلْفِرَاشِ وَ لِلْعَاهِرِ اَلْحَجَرُ».

H.5812 - The Prophet {saws} said;
"The child is attributed to the (lawful) bed, and for the adulterer, there is stone (hadd)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Al-Majazat Al-Nabawiyyah, Vol.1 p.140 • Al-Masa'il Al-Saghamiyyah, Vol.1 p.31 • Shihab Al-Akhbar, Vol.1 p.121 • Awali Al-La'ali, Vol.2 p.132 • Awali Al-La'ali, Vol.2 p.275 • Bihar Al-Anwar, Vol.33 p.521 • Bihar Al-Anwar, Vol.101 p.64 • Tafsir Nur Al-Thaqalayn, Vol.5 p.217 • Tafsir Kanz Al-Daqaiq, Vol.13 p.32

HADITH

5813 - اَلدّالُّ عَلَى اَلْخَيْرِ كَفَاعِلِهِ».

H.5813 - The Prophet {saws} said;
"The one who guides to good is like the one who does it."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Thawab Al-A'mal wa Iqab Al-A'mal, Vol.1 p.1 • Shihab Al-Akhbar, Vol.1 p.29 • Wasa'il Al-Shi'ah, Vol.16 p.123 • Wasa'il Al-Shi'ah, Vol.16 p.173 • Bihar Al-Anwar, Vol.93 p.175 • Mustadrak Al-Wasa'il, Vol.7 p.208

HADITH

5814 - حُبُّكَ لِلشَّيْءِ يُعْمِي وَ يُصِمُّ».

H.5814 - The Prophet {saws} said;
"Your love for something blinds and deafens you." (to its faults and catches)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Al-Majazat Al-Nabawiyyah, Vol.1 p.171 • Shihab Al-Akhbar, Vol.1 p.71 • Awali Al-La'ali, Vol.1 p.124 • Awali Al-La'ali, Vol.1 p.290

HADITH

5815 - لاَ يَشْكُرُ اَللَّهَ مَنْ لاَ يَشْكُرُ اَلنَّاسَ».

H.5815 - The Prophet {saws} said;
"He does not (rightfully) thank Allah {SWT}, who does not thank people." (for doing good onto him)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Shihab Al-Akhbar, Vol.1 p.339 • Al-Amali (Lil-Tusi), Vol.1 p.383 • Wasa'il Al-Shi'ah, Vol.16 p.313

HADITH

5816 - لاَ يُؤْوِي اَلضَّالَّةَ إِلاَّ اَلضَّالُّ».

H.5816 - The Prophet {saws} said; "No one shelters the misguided except the misguided."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Awali Al-La'ali, Vol.3 p.484 • Wasa'il Al-Shi'ah, Vol.25 p.441

HADITH

5817 - اِتَّقُوا اَلنَّارَ وَ لَوْ بِشِقِّ تَمْرَةٍ».

H.5817 - The Prophet {saws} said; "Protect yourselves from the Fire, even if it is with half a date." (showing the enormous merits of even the modest acts of Charity or 'Sadaqa')

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Shihab Al-Akhbar, Vol.1 p.316 • Majmu'at Warram, Vol.1 p.3 • Al-Wafi, Vol.26 p.165

HADITH

5818 - اَلْأَرْوَاحُ جُنُودٌ مُجَنَّدَةٌ فَمَا تَعَارَفَ مِنْهَا اِئْتَلَفَ وَ مَا تَنَاكَرَ مِنْهَا اِخْتَلَفَ».

H.5818 - The Prophet {saws} said;
"The souls are like recruited soldiers; those that recognize one another will find harmony, and those that do not will be in discord." (regarding spiritual affinity between individuals)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Al-I'tiqadat, Vol.1 p.48 • Al-Masa'il Al-Sarwiyyah, Vol.1 p.37 • Al-Masa'il Al-Sarwiyyah, Vol.1 p.53 • Shihab Al-Akhbar, Vol.1 p.89 • Jami' Al-Akhbar, Vol.1 p.171 • Awali Al-La'ali, Vol.1 p.288 • Bihar Al-Anwar, Vol.2 p.265 • Bihar Al-Anwar, Vol.5 p.261 • Bihar Al-Anwar, Vol.58 p.63

HADITH

5819 - مَطْلُ اَلْغَنِيِّ ظُلْمٌ».

H.5819 - The Prophet {saws} said;
"The delay in (due) payment by a wealthy person is injustice."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Shihab Al-Akhbar, Vol.1 p.16 • Muhasabat Al-Nafs, Vol.1 p.33 • Awali Al-La'ali, Vol.4 p.72 • Wasa'il Al-Shi'ah, Vol.18 p.333 • Bihar Al-Anwar, Vol.72 p.231 • Mustadrak Al-Wasa'il, Vol.13 p.397 • Mustadrak Al-Wasa'il, Vol.13 p.397

HADITH

5820 - اَلسَّفَرُ قِطْعَةٌ مِنَ اَلْعَذَابِ».

H.5820 - The Prophet {saws} said; "Travel (discomforts) is a portion of torment."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Shihab Al-Akhbar, Vol.1 p.72

HADITH

5821 - اَلنَّاسُ مَعَادِنُ كَمَعَادِنِ اَلذَّهَبِ وَ اَلْفِضَّةِ».

H.5821 - The Prophet {saws} said; "People are like mines, just as gold and silver mines."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380 • Shihab Al-Akhbar, Vol.1 p.66 • Bihar Al-Anwar, Vol.58 p.65 • Bihar Al-Anwar, Vol.58 p.106

HADITH

5822 - صَاحِبُ اَلْمَجْلِسِ أَحَقُّ بِصَدْرِ مَجْلِسِهِ».

H.5822 - The Prophet {saws} said;
"The host of a gathering has the most right to the forefront of his gathering."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.380

HADITH

5823 - أَحْثُوا فِي وُجُوهِ اَلْمَدَّاحِينَ اَلتُّرَابَ».

H.5823 - The Prophet {saws} said;
"Throw dust onto the faces of those who excessively praise (you)." (advises rejecting excessive flattery)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.381

HADITH

5824 - اِسْتَنْزِلُوا اَلرِّزْقَ بِالصَّدَقَةِ».

H.5824 - The Prophet {saws} said;
"Bring down means of sustenance (from Allah {SWT}) through (giving) charity."

[REFERENCES] Qurb Al-Isnad, Vol.1 p.118 • Al-Kafi, Vol.4 p.10 • Man La Yahduruhu Al-Faqih, Vol.4 p.381 • Al-Ash'athiyat, Vol.1 p.57 • Nahj Al-Balagha, Vol.1 p.494 •Ghurar Al-Hikam, Vol.1 p.150 • Uyun Al-Hikam, Vol.1 p.89 • Al-Nawadir (Lil-Rawandi), Vol.1 p.3 • Uddat Al-Da'i, Vol.1 p.69 • Wasa'il Al-Shi'ah, Vol.9 p.370

HADITH

5825 - اِدْفَعُوا اَلْبَلاَءَ بِالدُّعَاءِ».

H.5825 - The Prophet {saws} said;
"Repel affliction with supplication." (emphasizes the power of supplication (dua) in warding off difficulties and hardships)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.381

HADITH

5826 - جُبِلَتِ اَلْقُلُوبُ عَلَى حُبِّ مَنْ أَحْسَنَ إِلَيْهَا وَ بُغْضِ مَنْ أَسَاءَ إِلَيْهَا».

H.5826 - The Prophet {saws} said;
"Hearts are naturally inclined to love those who do good to them and to dislike those who harm them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.381 • Man La Yahduruhu Al-Faqih, Vol.4 p.419 • Tuhaf Al-'Uqul, Vol.1 p.37 • Bihar Al-Anwar, Vol.74 p.140

HADITH

5827 - مَا نَقَصَ مَالٌ مِنْ صَدَقَةٍ».

H.5827 - The Prophet {saws} said;
"Wealth does not decrease because of (giving in) charity."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.381 • Tafsir Al-Safi, Vol.1 p.303 • Tafsir Kanz Al-Daqaiq, Vol.10 p.211 • Mustadrak Al-Wasa'il, Vol.7 p.161

HADITH

5828 - لاَ صَدَقَةَ وَ ذُو رَحِمٍ مُحْتَاجٌ».

H.5828 - The Prophet {saws} said;
“There is no charity while a close relative is in need.” (needy relatives have a bigger right over the money that was to be given in charity elsewhere)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.2 p.68 • Man La Yahduruhu Al-Faqih, Vol.4 p.381 • Al-Sirat Al-Mustaqim, Vol.3 p.282 • Awali Al-La’ali, Vol.2 p.73 • Al-Wafi, Vol.10 p.405 • Wasa’il Al-Shi’ah, Vol.9 p.412 • Mustadrak Al-Wasa’il, Vol.7 p.196

HADITH

5829 - اَلصِّحَّةُ وَ اَلْفَرَاغُ نِعْمَتَانِ مَكْفُورَتَانِ».

H.5829 - The Prophet {saws} said;
“Health and free time are two neglected blessings.”
(failing to recognize the true value of good health and downtime or spare time)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.381

HADITH

5830 - عَفْوُ اَلْمَلِكِ أَبْقَى لِلْمُلْكِ».

H.5830 - The Prophet {saws} said;
“The forgiveness of a king preserves the kingdom longer.”

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.381 • Wasa’il Al-Shi’ah, Vol.12 p.170

HADITH

5831 - هِبَةُ اَلرَّجُلِ لِزَوْجَتِهِ تَزِيدُ فِي عِفَّتِهَا».

H.5831 - The Prophet {saws} said;
“A man's gift to his wife increases her chastity.”
(strengthens her sense of loyalty and affinity for her husband)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.381

HADITH

5832 - لاَ طَاعَةَ لِمَخْلُوقٍ فِي مَعْصِيَةِ اَلْخَالِقِ».

H.5832 - The Prophet {saws} said;
"There is no obedience to the created (makhlooq) in disobedience to the Creator (Khaliq, the one Allah {SWT})."
(Obedience to anyone other than Allah {SWT}, will not supercede the divine commands of Allah {SWT} if it leads to the disobedience of Allah {SWT})

[REFERENCES] Da'a'im Al-Islam, Vol.1 p.350 • Man La Yahduruhu Al-Faqih, Vol.4 p.381 • Nahj Al-Balagha, Vol.1 p.500 • Khasa'is Al-A'immah, Vol.1 p.109 • Shihab Al-Akhbar, Vol.1 p.345 •Ghurar Al-Hikam, Vol.1 p.787 • Uyun Al-Hikam, Vol.1 p.542 • Majmu'at Warram, Vol.1 p.51 • Awali Al-La'ali, Vol.1 p.444 • Wasa'il Al-Shi'ah, Vol.11 p.157

HADITH

5833 - وَ رَوَى لِي مُحَمَّدُ بْنُ إِبْرَاهِيمَ بْنِ إِسْحَاقَ رَضِيَ اَللَّهُ عَنْهُ عَنْ أَحْمَدَ بْنِ مُحَمَّدِ بْنِ سَعِيدٍ اَلْهَمْدَانِيِّ قَالَ حَدَّثَنِي اَلْحَسَنُ بْنُ اَلْقَاسِمِ قِرَاءَةً قَالَ حَدَّثَنَا عَلِيُّ بْنُ إِبْرَاهِيمَ بْنِ اَلْمُعَلَّى قَالَ حَدَّثَنَا أَبُو عَبْدِ اَللَّهِ مُحَمَّدُ بْنُ خَالِدٍ قَالَ حَدَّثَنَا عَبْدُ اَللَّهِ بْنُ بَكْرٍ اَلْمُرَادِيُّ عَنْ مُوسَى بْنِ جَعْفَرٍ عَنْ أَبِيهِ عَنْ جَدِّهِ عَنْ عَلِيِّ بْنِ اَلْحُسَيْنِ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ قَالَ: «بَيْنَا أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ ذَاتَ يَوْمٍ جَالِسٌ مَعَ أَصْحَابِهِ يُعَبِّيهِمْ لِلْحَرْبِ إِذَا أَتَاهُ شَيْخٌ عَلَيْهِ شَحْبَةُ اَلسَّفَرِ فَقَالَ أَيْنَ أَمِيرُ اَلْمُؤْمِنِينَ فَقِيلَ هُوَ ذَا فَسَلَّمَ عَلَيْهِ ثُمَّ قَالَ يَا أَمِيرَ اَلْمُؤْمِنِينَ إِنِّي أَتَيْتُكَ مِنْ نَاحِيَةِ اَلشَّامِ وَ أَنَا شَيْخٌ كَبِيرٌ قَدْ سَمِعْتُ فِيكَ مِنَ اَلْفَضْلِ مَا لاَ أُحْصِي وَ إِنِّي أَظُنُّكَ سَتُغْتَالُ فَعَلِّمْنِي مِمَّا عَلَّمَكَ اَللَّهُ قَالَ «نَعَمْ يَا شَيْخُ مَنِ اِعْتَدَلَ يَوْمَاهُ فَهُوَ مَغْبُونٌ وَ مَنْ كَانَتِ اَلدُّنْيَا هِمَّتَهُ اِشْتَدَّتْ حَسْرَتُهُ عِنْدَ فِرَاقِهَا وَ مَنْ كَانَ غَدُهُ شَرَّ يَوْمَيْهِ فَهُوَ مَحْرُومٌ وَ مَنْ لَمْ يُبَالِ بِمَا رُزِئَ مِنْ آخِرَتِهِ إِذَا سَلِمَتْ لَهُ دُنْيَاهُ فَهُوَ هَالِكٌ وَ مَنْ لَمْ يَتَعَاهَدِ اَلنَّقْصَ مِنْ نَفْسِهِ غَلَبَ عَلَيْهِ اَلْهَوَى وَ مَنْ كَانَ فِي نَقْصٍ فَالْمَوْتُ خَيْرٌ لَهُ يَا شَيْخُ اِرْضَ لِلنَّاسِ مَا تَرْضَى لِنَفْسِكَ وَ اِئْتِ إِلَى اَلنَّاسِ مَا تُحِبُّ أَنْ يُؤْتَى إِلَيْكَ» ثُمَّ أَقْبَلَ عَلَى أَصْحَابِهِ فَقَالَ «أَيُّهَا اَلنَّاسُ أَ مَا تَرَوْنَ إِلَى أَهْلِ اَلدُّنْيَا يُمْسُونَ وَ يُصْبِحُونَ عَلَى أَحْوَالٍ شَتَّى فَبَيْنَ صَرِيعٍ يَتَلَوَّى وَ بَيْنَ عَائِدٍ وَ مَعُودٍ وَ آخَرَ بِنَفْسِهِ يَجُودُ وَ آخَرَ لاَ يُرْجَى وَ آخَرَ مُسَجًّى وَ طَالِبِ اَلدُّنْيَا وَ اَلْمَوْتُ يَطْلُبُهُ وَ غَافِلٍ وَ لَيْسَ بِمَغْفُولٍ عَنْهُ وَ عَلَى أَثَرِ اَلْمَاضِي يَصِيرُ اَلْبَاقِي » فَقَالَ لَهُ زَيْدُ بْنُ صُوحَانَ اَلْعَبْدِيُّ يَا أَمِيرَ اَلْمُؤْمِنِينَ أَيُّ سُلْطَانٍ أَغْلَبُ وَ أَقْوَى قَالَ «اَلْهَوَى» قَالَ فَأَيُّ ذُلٍّ أَذَلُّ قَالَ «اَلْحِرْصُ عَلَى اَلدُّنْيَا » قَالَ فَأَيُّ فَقْرٍ أَشَدُّ قَالَ «اَلْكُفْرُ بَعْدَ اَلْإِيمَانِ» قَالَ فَأَيُّ دَعْوَةٍ أَضَلُّ قَالَ «اَلدَّاعِي بِمَا لاَ يَكُونُ» ، قَالَ فَأَيُّ عَمَلٍ أَفْضَلُ قَالَ «اَلتَّقْوَى» قَالَ فَأَيُّ عَمَلٍ أَنْجَحُ قَالَ «طَلَبُ مَا عِنْدَ اَللَّهِ عَزَّ وَ جَلَّ» قَالَ فَأَيُّ صَاحِبٍ لَكَ شَرٌّ قَالَ «اَلْمُزَيِّنُ لَكَ مَعْصِيَةَ اَللَّهِ عَزَّ وَ جَلَّ» قَالَ فَأَيُّ اَلْخَلْقِ أَشْقَى قَالَ «مَنْ بَاعَ دِينَهُ بِدُنْيَا غَيْرِهِ» قَالَ فَأَيُّ اَلْخَلْقِ أَقْوَى قَالَ «اَلْحَلِيمُ» قَالَ فَأَيُّ اَلْخَلْقِ أَشَحُّ قَالَ «مَنْ أَخَذَ اَلْمَالَ مِنْ غَيْرِ حِلِّهِ فَجَعَلَهُ فِي غَيْرِ حَقِّهِ» قَالَ فَأَيُّ اَلنَّاسِ أَكْيَسُ قَالَ «مَنْ أَبْصَرَ رُشْدَهُ مِنْ غَيِّهِ فَمَالَ إِلَى رُشْدِهِ» قَالَ فَمَنْ أَحْلَمُ اَلنَّاسِ قَالَ «اَلَّذِي لاَ يَغْضَبُ» قَالَ فَأَيُّ اَلنَّاسِ أَثْبَتُ رَأْياً قَالَ «مَنْ لَمْ يَغُرَّهُ اَلنَّاسُ مِنْ نَفْسِهِ وَ مَنْ لَمْ تَغُرَّهُ اَلدُّنْيَا بِتَشَوُّفِهَا» قَالَ فَأَيُّ اَلنَّاسِ أَحْمَقُ قَالَ «اَلْمُغْتَرُّ بِالدُّنْيَا وَ هُوَ يَرَى مَا فِيهَا مِنْ تَقَلُّبِ أَحْوَالِهَا» قَالَ فَأَيُّ اَلنَّاسِ أَشَدُّ حَسْرَةً قَالَ «اَلَّذِي حُرِمَ اَلدُّنْيَا وَ اَلْآخِرَةَ «ذَلِكَ هُوَ اَلْخُسْرَانُ اَلْمُبِينُ» » قَالَ فَأَيُّ اَلْخَلْقِ أَعْمَى قَالَ «اَلَّذِي عَمِلَ لِغَيْرِ اَللَّهِ يَطْلُبُ بِعَمَلِهِ اَلثَّوَابَ مِنْ عِنْدِ اَللَّهِ

عَزَّ وَ جَلَّ» قَالَ فَأَيُّ اَلْقُنُوعِ أَفْضَلُ قَالَ «اَلْقَانِعُ بِمَا أَعْطَاهُ اَللَّهُ عَزَّ وَ جَلَّ» قَالَ فَأَيُّ اَلْمَصَائِبِ أَشَدُّ قَالَ «اَلْمُصِيبَةُ بِالدِّينِ» قَالَ فَأَيُّ اَلْأَعْمَالِ أَحَبُّ إِلَى اَللَّهِ عَزَّ وَ جَلَّ قَالَ «اِنْتِظَارُ اَلْفَرَجِ» قَالَ فَأَيُّ اَلنَّاسِ خَيْرٌ عِنْدَ اَللَّهِ قَالَ «أَخْوَفُهُمْ لِلَّهِ وَ أَعْمَلُهُمْ بِالتَّقْوَى وَ أَزْهَدُهُمْ فِي اَلدُّنْيَا» قَالَ فَأَيُّ اَلْكَلاَمِ أَفْضَلُ عِنْدَ اَللَّهِ عَزَّ وَ جَلَّ قَالَ «كَثْرَةُ ذِكْرِهِ وَ اَلتَّضَرُّعُ إِلَيْهِ بِالدُّعَاءِ» قَالَ فَأَيُّ اَلْقَوْلِ أَصْدَقُ قَالَ «شَهَادَةُ أَنْ لاَ إِلَهَ إِلاَّ اَللَّهُ» قَالَ فَأَيُّ اَلْأَعْمَالِ أَعْظَمُ عِنْدَ اَللَّهِ عَزَّ وَ جَلَّ قَالَ «اَلتَّسْلِيمُ وَ اَلْوَرَعُ» قَالَ فَأَيُّ اَلنَّاسِ أَصْدَقُ قَالَ «مَنْ صَدَقَ فِي اَلْمَوَاطِنِ» ، ثُمَّ أَقْبَلَ عَلَيْهِ اَلسَّلاَمُ عَلَى اَلشَّيْخِ فَقَالَ «يَا شَيْخُ إِنَّ اَللَّهَ عَزَّ وَ جَلَّ خَلَقَ خَلْقاً ضَيِّقَ اَلدُّنْيَا عَلَيْهِمْ نَظَراً لَهُمْ فَزَهَّدَهُمْ فِيهَا وَ فِي حُطَامِهَا فَرَغِبُوا فِي دَارِ اَلسَّلاَمِ اَلَّتِي دَعَاهُمْ إِلَيْهَا وَ صَبَرُوا عَلَى ضِيقِ اَلْمَعِيشَةِ وَ صَبَرُوا عَلَى اَلْمَكْرُوهِ وَ اِشْتَاقُوا إِلَى مَا عِنْدَ اَللَّهِ عَزَّ وَ جَلَّ مِنَ اَلْكَرَامَةِ فَبَذَلُوا أَنْفُسَهُمُ اِبْتِغَاءَ رِضْوَانِ اَللَّهِ وَ كَانَتْ خَاتِمَةُ أَعْمَالِهِمُ اَلشَّهَادَةَ فَلَقُوا اَللَّهَ عَزَّ وَ جَلَّ وَ هُوَ عَنْهُمْ رَاضٍ وَ عَلِمُوا أَنَّ اَلْمَوْتَ سَبِيلُ مَنْ مَضَى وَ مَنْ بَقِيَ فَتَزَوَّدُوا لِآخِرَتِهِمْ غَيْرَ اَلذَّهَبِ وَ اَلْفِضَّةِ وَ لَبِسُوا اَلْخَشِنَ وَ صَبَرُوا عَلَى اَلْبَلْوَى وَ قَدَّمُوا اَلْفَضْلَ وَ أَحَبُّوا فِي اَللَّهِ وَ أَبْغَضُوا فِي اَللَّهِ عَزَّ وَ جَلَّ أُولَئِكَ اَلْمَصَابِيحُ وَ أَهْلُ اَلنَّعِيمِ فِي اَلْآخِرَةِ وَ اَلسَّلاَمُ » قَالَ اَلشَّيْخُ فَأَيْنَ أَذْهَبُ وَ أَدَعُ اَلْجَنَّةَ وَ أَنَا أَرَاهَا وَ أَرَى أَهْلَهَا مَعَكَ يَا أَمِيرَ اَلْمُؤْمِنِينَ جَهِّزْنِي بِقُوَّةٍ أَتَقَوَّى بِهَا عَلَى عَدُوِّكَ فَأَعْطَاهُ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ سِلاَحاً وَ حَمَلَهُ وَ كَانَ فِي اَلْحَرْبِ بَيْنَ يَدَيْ أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ يَضْرِبُ قُدُماً وَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ يَعْجَبُ مِمَّا يَصْنَعُ فَلَمَّا اِشْتَدَّ اَلْحَرْبُ أَقْدَمَ فَرَسَهُ حَتَّى قُتِلَ رَحْمَةُ اَللَّهِ عَلَيْهِ وَ أَتْبَعَهُ رَجُلٌ مِنْ أَصْحَابِ أَمِيرِ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فَوَجَدَهُ صَرِيعاً وَ وَجَدَ دَابَّتَهُ وَ وَجَدَ سَيْفَهُ فِي ذِرَاعِهِ فَلَمَّا اِنْقَضَتِ اَلْحَرْبُ أَتَى أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ بِدَابَّتِهِ وَ سِلاَحِهِ وَ صَلَّى عَلَيْهِ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ وَ قَالَ «هَذَا وَ اَللَّهِ اَلسَّعِيدُ حَقّاً فَتَرَحَّمُوا عَلَى أَخِيكُمْ» ».

H.5833 - Muhammad ibn Ibrahim ibn Ishaq, may Allah {SWT} be pleased with him, narrated to me from Ahmad ibn Muhammad ibn Said Al-Hamdani, who said: Al-Hasan ibn Al-Qasim recited to me, saying: Ali ibn Ibrahim ibn Al-Mualla narrated to us, who said: Abu Abdullah Muhammad ibn Khalid narrated to us, who said: Abdullah ibn Bakr Al-Muradi narrated from Imam Musa ibn Jafar Al-Kadhim {a.s}, from his father Imam Jafar ibn Muhammad Al-Sadiq, from his grandfather Imam Muhammad ibn Ali Al-Baqir {a.s}, from Imam Ali ibn Al-Hussain {a.s}, from his father Imam Hussain ibn Ali {a.s}, peace be upon him, who said:

“One day, the Commander of the Faithful {a.s}, peace be upon him, was sitting with his companions, preparing them for battle.

A man, bearing the signs of travel, approached and asked:

“Where is the Commander of the Faithful?"

They replied: “Here he is."

He greeted Imam {a.s} and said: “O’ Commander of the Faithful {a.s}, I have come to you from the region of Sham. I am an old man who has heard countless virtues about you, and I believe that you may be assassinated. Teach me from what Allah {SWT} has taught you."

Imam Ali ibn Abi Talib {a.s} said: “Yes, O’ elderly man;

‘Whoever's two days are equal is at a loss.’

‘Whoever makes this world his main concern will suffer greatly at its departure.’

‘Whoever's tomorrow is worse than his today is deprived.’
‘Whoever does not care about what he loses from his Hereafter as long as his worldly affairs are intact is destroyed.’
‘Whoever does not regularly examine his own shortcomings will be overtaken by his desires.’
And ‘whoever is in a state of deficiency, death is better for him.’
O’ elderly man, be pleased for people with what you are pleased for yourself and treat people as you would like to be treated."
Then Imam Ali ibn Abi Talib {a.s} turned to his companions and said:
“O’ people, do you not see how the people of this world end their evenings and begin their mornings in various conditions?
Among them is one who is writhing in pain, another visiting and being visited, another struggling with his soul, another who has no hope left, another who is shrouded, one who seeks the world while death is seeking him, one who is heedless yet is not forgotten, and the remaining are following in the footsteps of those who have passed."
Zayd ibn Suhan Al-Abdi then asked: “O’ Commander of the Faithful {a.s}, which power is the most dominant and strongest?"
Imam Ali ibn Abi Talib {a.s} replied: “Desire."
He (Zayd) asked: “Which humiliation is the most degrading?"
Imam Ali ibn Abi Talib {a.s} replied: “Greed for the world."
He (Zayd) asked: “Which poverty is the most severe?"
Imam Ali ibn Abi Talib {a.s} replied: “Disbelief after faith."
He (Zayd) asked: “Which call is the most misguided?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who calls for what cannot be."
He (Zayd) asked: “Which deed is the best?"
Imam Ali ibn Abi Talib {a.s} replied: “Piety."
He (Zayd) asked: “Which action is the most successful?"
Imam Ali ibn Abi Talib {a.s} replied: “Seeking what is with Allah {SWT}, the Mighty and Majestic."
He (Zayd) asked: “Who is the worst companion for you?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who beautifies disobedience to Allah {SWT}, the Mighty and Majestic, for you."
He (Zayd) asked: “Who among creation is the most wretched?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who sells his religion for the worldly life of another."
He (Zayd) asked: “Who among creation is the strongest?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who is patient and forbearing."
He (Zayd) asked: “Who among creation is the most miserly?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who acquires wealth unlawfully and spends it inappropriately."
He (Zayd) asked: “Who among people is the wisest?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who recognizes his guidance from his misguidance and inclines towards his guidance."

He (Zayd) asked: “Who among people is the most patient?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who does not become angry."
He (Zayd) asked: “Who among people has the most steadfast opinion?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who is not deceived by people about himself and whom the world does not deceive with its attractions."
He (Zayd) asked: “Who among people is the most foolish?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who is deluded by the world despite witnessing its changing conditions."
He (Zayd) asked: “Who among people will have the greatest regret?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who is deprived of both this world and the Hereafter - that is the clear loss."
He (Zayd) asked: “Who among creation is the most blind?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who acts for other than Allah {SWT} while seeking reward for his actions from Allah {SWT}, the Mighty and Majestic."
He (Zayd) asked: “Which contentment is the best?"
Imam Ali ibn Abi Talib {a.s} replied: “Being content with what Allah {SWT}, the Majestic, has given."
He (Zayd) asked: “Which affliction is the most severe?"
Imam Ali ibn Abi Talib {a.s} replied: “The affliction in religion."
He (Zayd) asked: “Which deeds are most beloved to Allah {SWT}, the Mighty and Majestic?"
Imam Ali ibn Abi Talib {a.s} replied: “Awaiting relief (deliverance)."
He (Zayd) asked: “Who among people is the best in the sight of Allah {SWT}?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who fears Allah {SWT} the most, acts most righteously with piety, and is the most detached from the world."
He (Zayd) asked: “Which speech is the best in the sight of Allah {SWT}, the Mighty and Majestic?"
Imam Ali ibn Abi Talib {a.s} replied: “Abundant remembrance of Him {SWT} and humbly supplicating to Him {SWT} in prayer."
He (Zayd) asked: “Which statement is the most truthful?"
Imam Ali ibn Abi Talib {a.s} replied: “The testimony that there is ‘no God but Allah {SWT}’."
He (Zayd) asked: “Which deeds are the greatest before Allah {SWT}, the Mighty and Majestic?"
Imam Ali ibn Abi Talib {a.s} replied: “Submission (to Allah {SWT}) and piety."
He (Zayd) asked: “Who among people is the most truthful?"
Imam Ali ibn Abi Talib {a.s} replied: “The one who is truthful in all circumstances."
Then the Commander of the Faithful, peace be upon him, turned to the elderly man and said:
“O’ elderly man, indeed Allah {SWT}, the Mighty and Majestic, has created people upon whom He {SWT} has narrowed the worldly life, looking upon them with care.
He {SWT} made them disinterested in it and in its fleeting pleasures, so they longed for the Abode of Peace (Paradise) to which He {SWT} invited them. They patiently endured

the hardship of life and bore difficulties, yearning for the honor that is with Allah {SWT}, the Mighty and Majestic.

They sacrificed themselves seeking Allah's {SWT} pleasure, and the conclusion of their deeds was martyrdom. Thus, they met Allah {SWT}, Mighty and Majestic, while He {SWT} was pleased with them.

They (these people) have understood that death is the path for those who have passed and those who remain.

Therefore, they prepared for their Hereafter, not with gold or silver, but by wearing coarse garments, patiently enduring trials, prioritizing virtue, loving for the sake of Allah {SWT}, and hating for the sake of Allah {SWT}, the Mighty and Majestic.

They are the beacons of light and the people of bliss in the Hereafter. And peace be upon you."

The elderly man said: "Where could I go, leaving Paradise behind when I can see it and see its people with you, O' Commander of the Faithful {a.s}? Equip me with strength so that I may fight your enemies."

So the Commander of the Faithful {a.s}, peace be upon him, provided him with weapons and provisions. The elderly man joined the battle, fighting in front of Commander of the Faithful {a.s}, peace be upon him, striking (fighting) with great vigor.

The Commander of the Faithful, peace be upon him, was amazed at what the elderly man did.

When the battle intensified, the elderly man charged his horse forwards until he was martyred - may Allah {SWT} have mercy on him.

One of the companions of the Commander of the Faithful, peace be upon him, followed him and found him lying lifeless, his mount nearby, and his sword still in his hand. When the battle ended, the companion brought his mount and weapons to the Commander of the Faithful.

The Commander of the Faithful, peace be upon him, prayed over him and said:

"This (elderly) man, by Allah {SWT}, is truly fortunate. So seek mercy for your brother."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.381 • Ma'ani Al-Akhbar, Vol.1 p.197 • Al-Arba'un HADITHan (Lil-Shahid Al-Awwal), Vol.1 p.61 • Al-Wafi, Vol.26 p.226

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5834 - وَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي وَصِيَّتِهِ لِابْنِهِ مُحَمَّدِ بْنِ اَلْحَنَفِيَّةِ رَضِيَ اَللَّهُ عَنْهُ: «يَا بُنَيَّ إِيَّاكَ وَ اَلاِتِّكَالَ عَلَى اَلْأَمَانِيِّ فَإِنَّهَا بَضَائِعُ اَلنَّوْكَى وَ تَثْبِيطٌ عَنِ اَلْآخِرَةِ وَ مِنْ خَيْرِ حَظِّ اَلْمَرْءِ قَرِينٌ صَالِحٌ جَالِسْ أَهْلَ اَلْخَيْرِ تَكُنْ مِنْهُمْ بَايِنْ أَهْلَ اَلشَّرِّ وَ مَنْ يَصُدُّكَ عَنْ ذِكْرِ اَللَّهِ عَزَّ وَ جَلَّ وَ ذِكْرِ اَلْمَوْتِ بِالْأَبَاطِيلِ اَلْمُزَخْرَفَةِ وَ اَلْأَرَاجِيفِ اَلْمُلَفَّقَةِ تَبِنْ مِنْهُمْ وَ لاَ يَغْلِبَنَّ عَلَيْكَ سُوءُ اَلظَّنِّ بِاللَّهِ عَزَّ وَ جَلَّ فَإِنَّهُ لَنْ يَدَعَ بَيْنَكَ وَ بَيْنَ خَلِيلِكَ صُلْحاً أَذْكِ بِالْأَدَبِ قَلْبَكَ كَمَا تُذْكَى اَلنَّارُ بِالْحَطَبِ فَنِعْمَ اَلْعَوْنُ اَلْأَدَبُ لِلنَّجِيزَةِ وَ اَلتِّجَارِبُ لِذِي اَللُّبِّ اُضْمُمْ آزَاءَ اَلرِّجَالِ بَعْضَهَا إِلَى بَعْضٍ ثُمَّ اِخْتَرْ أَقْرَبَهَا إِلَى اَلصَّوَابِ وَ أَبْعَدَهَا مِنَ اَلاِرْتِيَابِ يَا بُنَيَّ لاَ شَرَفَ أَعْلَى مِنَ اَلْإِسْلاَمِ وَ لاَ كَرَمَ أَعَزُّ مِنَ اَلتَّقْوَى وَ لاَ مَعْقِلَ أَحْرَزُ مِنَ اَلْوَرَعِ وَ لاَ شَفِيعَ أَنْجَحُ مِنَ اَلتَّوْبَةِ وَ لاَ لِبَاسَ أَجْمَلُ مِنَ اَلْعَافِيَةِ وَ لاَ وِقَايَةَ أَمْنَعُ مِنَ اَلسَّلاَمَةِ وَ لاَ كَنْزَ أَغْنَى مِنَ اَلْقُنُوعِ وَ لاَ مَالَ أَذْهَبُ لِلْفَاقَةِ مِنَ اَلرِّضَا بِالْقُوتِ وَ مَنِ اِقْتَصَرَ عَلَى بُلْغَةِ اَلْكَفَافِ فَقَدِ

اِنْتَظَمَ اَلرَّاحَةَ وَ تَبَوَّأَ خَفْضَ اَلدَّعَةِ اَلْحِرْصُ دَاعٍ إِلَى اَلتَّقَحُّمِ فِي اَلذُّنُوبِ أَلْقِ عَنْكَ وَارِدَاتِ اَلْهُمُومِ بِعَزَائِمِ اَلصَّبْرِ عَوِّدْ نَفْسَكَ اَلصَّبْرَ فَنِعْمَ اَلْخُلُقُ اَلصَّبْرُ وَ اِحْمِلْهَا عَلَى مَا أَصَابَكَ مِنْ أَهْوَالِ اَلدُّنْيَا وَ هُمُومِهَا فَازَ اَلْفَائِزُونَ وَ نَجَا اَلَّذِينَ سَبَقَتْ لَهُمْ مِنَ اَللَّهِ اَلْحُسْنَى فَإِنَّهُ جُنَّةٌ مِنَ اَلْفَاقَةِ وَ أَلْجِئْ نَفْسَكَ فِي اَلْأُمُورِ كُلِّهَا إِلَى اَللَّهِ اَلْوَاحِدِ اَلْقَهَّارِ فَإِنَّكَ تُلْجِئُهَا إِلَى كَهْفٍ حَصِينٍ وَ حِرْزٍ حَرِيزٍ وَ مَانِعٍ عَزِيزٍ وَ أَخْلِصِ اَلْمَسْأَلَةَ لِرَبِّكَ فَإِنَّ بِيَدِهِ اَلْخَيْرَ وَ اَلشَّرَّ وَ اَلْإِعْطَاءَ وَ اَلْمَنْعَ وَ اَلصِّلَةَ وَ اَلْحِرْمَانَ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ فِي هَذِهِ اَلْوَصِيَّةِ «يَا بُنَيَّ اَلرِّزْقُ رِزْقَانِ رِزْقٌ تَطْلُبُهُ وَ رِزْقٌ يَطْلُبُكَ فَإِنْ لَمْ تَأْتِهِ أَتَاكَ فَلاَ تَحْمِلْ هَمَّ سَنَتِكَ عَلَى هَمِّ يَوْمِكَ وَ كَفَاكَ كُلَّ يَوْمٍ مَا هُوَ فِيهِ فَإِنْ تَكُنِ اَلسَّنَةُ مِنْ عُمُرِكَ فَإِنَّ اَللَّهَ عَزَّ وَ جَلَّ سَيَأْتِيكَ فِي كُلِّ غَدٍ بِجَدِيدِ مَا قَسَمَ لَكَ وَ إِنْ لَمْ تَكُنِ اَلسَّنَةُ مِنْ عُمُرِكَ فَمَا تَصْنَعُ بِغَمِّ وَ هَمِّ مَا لَيْسَ لَكَ وَ اِعْلَمْ أَنَّهُ لَنْ يَسْبِقَكَ إِلَى رِزْقِكَ طَالِبٌ وَ لَنْ يَغْلِبَكَ عَلَيْهِ غَالِبٌ وَ لَنْ يَحْتَجِبَ عَنْكَ مَا قُدِّرَ لَكَ فَكَمْ رَأَيْتَ مِنْ طَالِبٍ مُتْعِبٍ نَفْسَهُ مُقْتَرٍ عَلَيْهِ رِزْقُهُ وَ مُقْتَصِدٍ فِي اَلطَّلَبِ قَدْ سَاعَدَتْهُ اَلْمَقَادِيرُ وَ كُلٌّ مَقْرُونٌ بِهِ اَلْفَنَاءُ اَلْيَوْمُ لَكَ وَ أَنْتَ مِنْ بُلُوغِ غَدٍ عَلَى غَيْرِ يَقِينٍ وَ لَرُبَّ مُسْتَقْبِلِ يَوْماً لَيْسَ بِمُسْتَدْبِرِهِ وَ مَغْبُوطٍ فِي أَوَّلِ لَيْلَةٍ قَامَ فِي آخِرِهَا بَوَاكِيهِ فَلاَ يَغُرَّنَّكَ مِنَ اَللَّهِ طُولُ خُلُولِ اَلنِّعَمِ وَ إِبْطَاءُ مَوَارِدِ اَلنِّقَمِ فَإِنَّهُ لَوْ خَشِيَ اَلْفَوْتَ عَاجَلَ بِالْعُقُوبَةِ قَبْلَ اَلْمَوْتِ يَا بُنَيَّ اِقْبَلْ مِنَ اَلْحُكَمَاءِ مَوَاعِظَهُمْ وَ تَدَبَّرْ أَحْكَامَهُمْ وَ كُنْ آخَذَ اَلنَّاسِ بِمَا تَأْمُرُ بِهِ وَ أَكَفَّ اَلنَّاسِ عَمَّا تَنْهَى عَنْهُ وَ أْمُرْ بِالْمَعْرُوفِ تَكُنْ مِنْ أَهْلِهِ فَإِنَّ اِسْتِتْمَامَ اَلْأُمُورِ عِنْدَ اَللَّهِ تَبَارَكَ وَ تَعَالَى اَلْأَمْرُ بِالْمَعْرُوفِ وَ اَلنَّهْيُ عَنِ اَلْمُنْكَرِ وَ تَفَقَّهْ فِي اَلدِّينِ فَإِنَّ اَلْفُقَهَاءَ وَرَثَةُ اَلْأَنْبِيَاءِ إِنَّ اَلْأَنْبِيَاءَ لَمْ يُوَرِّثُوا دِينَاراً وَ لاَ دِرْهَماً وَ لَكِنَّهُمْ وَرَّثُوا اَلْعِلْمَ فَمَنْ أَخَذَ مِنْهُ أَخَذَ بِحَظٍّ وَافِرٍ وَ اِعْلَمْ أَنَّ طَالِبَ اَلْعِلْمِ يَسْتَغْفِرُ لَهُ مَنْ فِي اَلسَّمَاوَاتِ وَ اَلْأَرْضِ حَتَّى اَلطَّيْرُ فِي جَوِّ اَلسَّمَاءِ وَ اَلْحُوتُ فِي اَلْبَحْرِ وَ أَنَّ اَلْمَلاَئِكَةَ لَتَضَعُ أَجْنِحَتَهَا لِطَالِبِ اَلْعِلْمِ رِضًا بِهِ وَ فِيهِ شَرَفُ اَلدُّنْيَا وَ اَلْفَوْزُ بِالْجَنَّةِ يَوْمَ اَلْقِيَامَةِ لِأَنَّ اَلْفُقَهَاءَ هُمُ اَلدُّعَاةُ إِلَى اَلْجِنَانِ وَ اَلْأَدِلاَّءُ عَلَى اَللَّهِ تَبَارَكَ وَ تَعَالَى وَ أَحْسِنْ إِلَى جَمِيعِ اَلنَّاسِ كَمَا تُحِبُّ أَنْ يُحْسَنَ إِلَيْكَ وَ اِرْضَ لَهُمْ مَا تَرْضَاهُ لِنَفْسِكَ وَ اِسْتَقْبِحْ مِنْ نَفْسِكَ مَا تَسْتَقْبِحُهُ مِنْ غَيْرِكَ وَ حَسِّنْ مَعَ جَمِيعِ اَلنَّاسِ خُلُقَكَ حَتَّى إِذَا غِبْتَ عَنْهُمْ حَنُّوا إِلَيْكَ وَ إِذَا مِتَّ بَكَوْا عَلَيْكَ وَ «قَالُوا إِنَّا لِلَّهِ وَ إِنَّا إِلَيْهِ رَاجِعُونَ» وَ لاَ تَكُنْ مِنَ اَلَّذِينَ يُقَالُ عِنْدَ مَوْتِهِ «اَلْحَمْدُ لِلَّهِ رَبِّ اَلْعَالَمِينَ» وَ اِعْلَمْ أَنَّ رَأْسَ اَلْعَقْلِ بَعْدَ اَلْإِيمَانِ بِاللَّهِ عَزَّ وَ جَلَّ مُدَارَاةُ اَلنَّاسِ وَ لاَ خَيْرَ فِيمَنْ لاَ يُعَاشِرُ بِالْمَعْرُوفِ مَنْ لاَ بُدَّ مِنْ مُعَاشَرَتِهِ حَتَّى يَجْعَلَ اَللَّهُ إِلَى اَلْخَلاَصِ مِنْهُ سَبِيلاً فَإِنِّي وَجَدْتُ جَمِيعَ مَا يَتَعَايَشُ بِهِ اَلنَّاسُ وَ بِهِ يَتَعَاشَرُونَ مِلْءَ مِكْيَالٍ ثُلُثَاهُ اِسْتِحْسَانٌ وَ ثُلُثُهُ تَغَافُلٌ وَ مَا خَلَقَ اَللَّهُ عَزَّ وَ جَلَّ شَيْئاً أَحْسَنَ مِنَ اَلْكَلاَمِ وَ لاَ أَقْبَحَ مِنْهُ بِالْكَلاَمِ اِبْيَضَّتِ اَلْوُجُوهُ وَ بِالْكَلاَمِ اِسْوَدَّتِ اَلْوُجُوهُ وَ اِعْلَمْ أَنَّ اَلْكَلاَمَ فِي وَثَاقِكَ مَا لَمْ تَتَكَلَّمْ بِهِ فَإِذَا تَكَلَّمْتَ بِهِ صِرْتَ فِي وَثَاقِهِ فَاخْزُنْ لِسَانَكَ كَمَا تَخْزُنُ ذَهَبَكَ وَ وَرِقَكَ فَإِنَّ اَللِّسَانَ كَلْبٌ عَقُورٌ فَإِنْ أَنْتَ خَلَّيْتَهُ عَقَرَ وَ رُبَّ كَلِمَةٍ سَلَبَتْ نِعْمَةً مَنْ سَيَّبَ عِذَارَهُ قَادَهُ إِلَى كُلِّ كَرِيهَةٍ وَ فَضِيحَةٍ ثُمَّ لَمْ يَخْلُصْ مِنْ دَهْرِهِ إِلاَّ عَلَى مَقْتٍ مِنَ اَللَّهِ عَزَّ وَ جَلَّ وَ ذَمٍّ مِنَ اَلنَّاسِ قَدْ خَاطَرَ بِنَفْسِهِ مَنِ اِسْتَغْنَى بِرَأْيِهِ وَ مَنِ اِسْتَقْبَلَ وُجُوهَ اَلْآرَاءِ عَرَفَ مَوَاقِعَ اَلْخَطَإِ مَنْ تَوَرَّطَ فِي اَلْأُمُورِ غَيْرَ نَاظِرٍ فِي اَلْعَوَاقِبِ فَقَدْ تَعَرَّضَ لِمُفْظِعَاتِ اَلنَّوَائِبِ وَ اَلتَّدْبِيرُ قَبْلَ اَلْعَمَلِ يُؤْمِنُكَ مِنَ اَلنَّدَمِ وَ اَلْعَاقِلُ مَنْ وَعَظَتْهُ اَلتَّجَارِبُ وَ فِي اَلتَّجَارِبِ عِلْمٌ مُسْتَأْنَفٌ وَ فِي تَقَلُّبِ اَلْأَحْوَالِ عِلْمُ جَوَاهِرِ اَلرِّجَالِ اَلْأَيَّامُ تَهْتِكُ لَكَ عَنِ اَلسَّرَائِرِ اَلْكَامِنَةِ تَفَهَّمْ وَصِيَّتِي هَذِهِ وَ لاَ تَذْهَبَنَّ عَنْكَ صَفْحاً فَإِنَّ خَيْرَ اَلْقَوْلِ مَا نَفَعَ اِعْلَمْ يَا بُنَيَّ أَنَّهُ لاَ بُدَّ لَكَ مِنْ حُسْنِ اَلِارْتِيَادِ وَ بَلاَغِكَ مِنَ اَلزَّادِ مَعَ خِفَّةِ اَلظَّهْرِ فَلاَ تَحْمِلْ عَلَى ظَهْرِكَ فَوْقَ طَاقَتِكَ فَيَكُونَ عَلَيْكَ ثِقْلاً فِي حَشْرِكَ وَ نَشْرِكَ فِي اَلْقِيَامَةِ فَبِئْسَ اَلزَّادُ إِلَى اَلْمَعَادِ اَلْعُدْوَانُ

عَلَى اَلْعِبَادِ وَ اِعْلَمْ أَنَّ أَمَامَكَ مَهَالِكَ وَ مَهَاوِيَ وَ جُسُوراً وَ عَقَبَةً كَئُوداً لاَ مَحَالَةَ أَنْتَ هَابِطُهَا وَ أَنَّ مَهْبِطَهَا إِمَّا عَلَى جَنَّةٍ أَوْ عَلَى نَارٍ فَارْتَدْ لِنَفْسِكَ قَبْلَ نُزُولِكَ إِيَّاهَا وَ إِذَا وَجَدْتَ مِنْ أَهْلِ اَلْفَاقَةِ مَنْ يَحْمِلُ زَادَكَ إِلَى اَلْقِيَامَةِ فَيُوَافِيكَ بِهِ غَداً حَيْثُ تَحْتَاجُ إِلَيْهِ فَاغْتَنِمْهُ وَ حَمِّلْهُ وَ أَكْثِرْ مِنْ تَزَوُّدِهِ وَ أَنْتَ قَادِرٌ عَلَيْهِ فَلَعَلَّكَ تَطْلُبُهُ فَلاَ تَجِدُهُ وَ إِيَّاكَ أَنْ تَثِقَ لِتَحْمِيلِ زَادِكَ بِمَنْ لاَ وَرَعَ لَهُ وَ لاَ أَمَانَةَ فَيَكُونَ مَثَلُكَ مَثَلَ ظَمْآنَ رَأَى سَرَاباً حَتَّى إِذَا جَاءَهُ لَمْ يَجِدْهُ شَيْئاً فَتَبْقَى فِي اَلْقِيَامَةِ مُنْقَطَعاً بِكَ» وَ قَالَ عَلَيْهِ اَلسَّلاَمُ فِي هَذِهِ اَلْوَصِيَّةِ «يَا بُنَيَّ اَلْبَغْيُ سَائِقٌ إِلَى اَلْحَيْنِ لَنْ يَهْلِكَ اِمْرُؤٌ عَرَفَ قَدْرَهُ مَنْ حَصَّنَ شَهْوَتَهُ صَانَ قَدْرَهُ قِيمَةُ كُلِّ اِمْرِئٍ مَا يُحْسِنُ اَلاِعْتِبَارُ يُفِيدُكَ اَلرَّشَادَ أَشْرَفُ اَلْغِنَى تَرْكُ اَلْمُنَى اَلْحِرْصُ فَقْرٌ حَاضِرٌ اَلْمَوَدَّةُ قَرَابَةٌ مُسْتَفَادَةٌ صَدِيقُكَ أَخُوكَ لِأَبِيكَ وَ أُمِّكَ وَ لَيْسَ كُلُّ أَخٍ لَكَ مِنْ أَبِيكَ وَ أُمِّكَ صَدِيقَكَ لاَ تَتَّخِذَنَّ عَدُوَّ صَدِيقِكَ صَدِيقاً فَتُعَادِيَ صَدِيقَكَ كَمْ مِنْ بَعِيدٍ أَقْرَبُ مِنْكَ مِنْ قَرِيبٍ وَصُولٌ مُعْدِمٌ خَيْرٌ مِنْ مُثْرٍ جَافٍ اَلْمَوْعِظَةُ كَهْفٌ لِمَنْ وَعَاهَا مَنْ مَنَّ بِمَعْرُوفِهِ أَفْسَدَهُ مَنْ أَسَاءَ خُلُقَهُ عَذَّبَ نَفْسَهُ وَ كَانَتِ اَلْبِغْضَةُ أَوْلَى بِهِ لَيْسَ مِنَ اَلْعَدْلِ اَلْقَضَاءُ بِالظَّنِّ عَلَى اَلثِّقَةِ مَا أَقْبَحَ اَلْأَشَرَ عِنْدَ اَلظَّفَرِ وَ اَلْكَآبَةَ عِنْدَ اَلنَّائِبَةِ اَلْمُعْضِلَةِ وَ اَلْقَسْوَةَ عَلَى اَلْجَارِ وَ اَلْخِلاَفَ عَلَى اَلصَّاحِبِ وَ اَلْجِنْثَ مِنْ ذِي اَلْمُرُوءَةِ وَ اَلْغَدْرَ مِنَ اَلسُّلْطَانِ، كُفْرُ اَلنِّعَمِ مُوقٌ وَ مُجَالَسَةُ اَلْأَحْمَقِ شُؤْمٌ اِعْرِفِ اَلْحَقَّ لِمَنْ عَرَفَهُ لَكَ شَرِيفاً كَانَ أَوْ وَضِيعاً مَنْ تَرَكَ اَلْقَصْدَ جَارَ مَنْ تَعَدَّى اَلْحَقَّ ضَاقَ مَذْهَبُهُ كَمْ مِنْ دَنِفٍ قَدْ نَجَا وَ صَحِيحٍ قَدْ هَوَى قَدْ يَكُونُ اَلْيَأْسُ إِدْرَاكاً وَ اَلطَّمَعُ هَلاَكاً اِسْتَعْتِبْ مَنْ رَجَوْتَ عِتَابَهُ لاَ تَبِيتَنَّ مِنِ اِمْرِئٍ عَلَى غَدْرٍ اَلْغَدْرُ شَرُّ لِبَاسِ اَلْمَرْءِ اَلْمُسْلِمِ مَنْ غَدَرَ مَا أَخْلَقَ أَنْ لاَ يُوفَى لَهُ اَلْفَسَادُ يُبِيرُ اَلْكَثِيرَ وَ اَلاِقْتِصَادُ يُنْمِي اَلْيَسِيرَ مِنَ اَلْكَرَمِ اَلْوَفَاءُ بِالذِّمَمِ مَنْ كَرُمَ سَادَ وَ مَنْ تَفَهَّمَ اِزْدَادَ اِمْحَضْ أَخَاكَ اَلنَّصِيحَةَ وَ سَاعِدْهُ عَلَى كُلِّ حَالٍ مَا لَمْ يَحْمِلْكَ عَلَى مَعْصِيَةِ اَللَّهِ عَزَّ وَ جَلَّ زُلْ مَعَهُ حَيْثُ زَالَ لاَ تَصْرِمْ أَخَاكَ عَلَى اِرْتِيَابٍ وَ لاَ تَقْطَعْهُ دُونَ اِسْتِعْتَابٍ لَعَلَّ لَهُ عُذْراً وَ أَنْتَ تَلُومُ اِقْبَلْ مِنْ مُتَنَصِّلٍ عُذْرَهُ فَتَنَالَكَ اَلشَّفَاعَةُ وَ أَكْرِمِ اَلْوَفِدَ بِهِمْ تَصُولُ وَ اِزْدَدْ لَهُمْ طُولَ اَلصُّحْبَةِ بِرّاً وَ إِكْرَاماً وَ تَبْجِيلاً وَ تَعْظِيماً فَلَيْسَ جَزَاءُ مَنْ عَظَّمَ شَأْنَكَ أَنْ تَضَعَ مِنْ قَدْرِهِ وَ لاَ جَزَاءُ مَنْ سَرَّكَ أَنْ تَسُوءَهُ أَكْثِرِ اَلْبِرَّ مَا اِسْتَطَعْتَ لِجَلِيسِكَ فَإِنَّكَ إِذَا شِئْتَ رَأَيْتَ رُشْدَهُ مَنْ كَسَاهُ اَلْحَيَاءُ ثَوْبَهُ اِخْتَفَى عَنِ اَلْعُيُونِ عَيْبُهُ مَنْ تَحَرَّى اَلْقَصْدَ خَفَّتْ عَلَيْهِ اَلْمُؤَنُ مَنْ لَمْ يُعْطِ نَفْسَهُ شَهْوَتَهَا أَصَابَ رُشْدَهُ مَعَ كُلِّ شِدَّةٍ رَخَاءٌ وَ مَعَ كُلِّ أُكْلَةٍ غَصَصٌ لاَ تُنَالُ نِعْمَةٌ إِلاَّ بَعْدَ أَذًى لِنْ لِمَنْ غَاظَكَ تَظْفَرْ بِطَلِبَتِكَ سَاعَاتُ اَلْهُمُومِ سَاعَاتُ اَلْكَفَّارَاتِ وَ اَلسَّاعَاتُ تُنْفِدُ عُمُرَكَ لاَ خَيْرَ فِي لَذَّةٍ بَعْدَهَا اَلنَّارُ وَ مَا خَيْرٌ بِخَيْرٍ بَعْدَهُ اَلنَّارُ وَ مَا شَرٌّ بِشَرٍّ بَعْدَهُ اَلْجَنَّةُ كُلُّ نَعِيمٍ دُونَ اَلْجَنَّةِ مَحْقُورٌ وَ كُلُّ بَلاَءٍ دُونَ اَلنَّارِ عَافِيَةٌ لاَ تُضِيعَنَّ حَقَّ أَخِيكَ اِتِّكَالاً عَلَى مَا بَيْنَكَ وَ بَيْنَهُ فَإِنَّهُ لَيْسَ لَكَ بِأَخٍ مَنْ أَضَعْتَ حَقَّهُ وَ لاَ يَكُونَنَّ أَخُوكَ عَلَى قَطِيعَتِكَ أَقْوَى مِنْكَ عَلَى صِلَتِهِ وَ لاَ عَلَى اَلْإِسَاءَةِ إِلَيْكَ أَقْوَى مِنْكَ عَلَى اَلْإِحْسَانِ إِلَيْهِ يَا بُنَيَّ إِذَا قَوِيتَ فَاقْوَ عَلَى طَاعَةِ اَللَّهِ عَزَّ وَ جَلَّ وَ إِذَا ضَعُفْتَ فَاضْعُفْ عَنْ مَعْصِيَةِ اَللَّهِ عَزَّ وَ جَلَّ وَ إِنِ اِسْتَطَعْتَ أَنْ لاَ تُمَلِّكَ اَلْمَرْأَةَ مِنْ أَمْرِهَا مَا جَاوَزَ نَفْسَهَا فَافْعَلْ فَإِنَّهُ أَدْوَمُ لِجَمَالِهَا وَ أَرْخَى لِبَالِهَا وَ أَحْسَنُ لِحَالِهَا فَإِنَّ اَلْمَرْأَةَ رَيْحَانَةٌ وَ لَيْسَتْ بِقَهْرَمَانَةٍ فَدَارِهَا عَلَى كُلِّ حَالٍ وَ أَحْسِنِ اَلصُّحْبَةَ لَهَا فَيَصْفُوَ عَيْشُكَ اِحْتَمِلِ اَلْقَضَاءَ بِالرِّضَا وَ إِنْ أَحْبَبْتَ أَنْ تَجْمَعَ خَيْرَ اَلدُّنْيَا وَ اَلْآخِرَةِ فَاقْطَعْ طَمَعَكَ مِمَّا فِي أَيْدِي اَلنَّاسِ وَ اَلسَّلاَمُ عَلَيْكَ وَ رَحْمَةُ اَللَّهِ وَ بَرَكَاتُهُ».

هَذَا آخِرُ وَصِيَّتِهِ ع- لِمُحَمَّدِ بْنِ اَلْحَنَفِيَّةِ.

H.5834 - The Commander of the Faithful, peace be upon him, said in his will to his son Muhammad ibn Al-Hanafiyyah, may Allah {SWT} be pleased with him:

"O' my son, beware of relying on vain hopes, for they are the merchandise of the foolish and a hindrance from the Hereafter.

One of the best fortunes a person can have is a righteous companion - sit with the people of goodness, and you will be one of them; separate yourself from the people of evil.

Keep away from those who divert you from the remembrance of Allah {SWT}, Mighty and Majestic, and the remembrance of death with embellished falsehoods and fabricated rumors.

Do not let ill thoughts about Allah {SWT}, Mighty and Majestic, overpower you, for they will not leave any reconciliation between you and your friend.

Discipline your heart with good manners as fire is kindled with wood, for good manners are a great aid for one's nature, and experiences are a guide for the wise.

Combine the opinions of different men, then choose the one closest to correctness and farthest from doubt.

O' my son, there is no honor higher than Islam,

no dignity greater than piety, n

o stronghold more secure than restraint,

no intercessor more effective than repentance,

no garment more beautiful than well-being,

no protection stronger than safety,

and no treasure wealthier than contentment.

And there is no wealth that removes poverty better than contentment with sustenance.

Whoever suffices with the bare necessities has attained ease and settled in comfort.

Greed leads to plunging into sins.

Cast away intrusive worries with firm resolve in patience.

Accustom yourself to patience, for it is the best of manners, and endure the hardships and concerns of this world.

The successful ones have triumphed, and those for whom Allah {SWT} has decreed goodness have been saved, for patience is a shield against poverty.

Entrust all your affairs to Allah {SWT}, the One {SWT}, the All-Dominant {SWT}, for in doing so, you take refuge in a fortified cave, a secure stronghold, and an invincible protector.

Sincerely direct your supplications to your Lord {SWT}, for in His {SWT} hands are all good and evil, giving and withholding, granting and depriving."

And Commander of the Faithful Imam Ali ibn Abi Talib {a.s}, said in this will:

"O' my son, sustenance is of two kinds: one that you seek, and one that seeks you. If you do not go to it, it will come to you. So do not burden yourself with the worries of your entire year upon the concern of your day; each day is sufficient with what it holds. If the year is part of your life, then Allah {SWT}, Mighty and Majestic, will bring to you each day what He {SWT} has apportioned for you.

And if the year is not part of your life, then why concern yourself with grief and anxiety over what is not yours?

Know that no seeker can overtake you in your sustenance, nor can anyone overpower you in it, and what has been decreed for you will not be kept from you. How many seekers have you seen exhausting themselves, yet their provision remains restricted, while others who seek with moderation find that destiny aids them? And everything is accompanied by its end.

Today is yours, but you have no certainty of reaching tomorrow. How many have awaited a day they never lived to see? How many were envied at the beginning of a night, yet by its end, they were mourned? So do not be deceived by the prolonged presence of blessings from Allah {SWT} or by the delay in the arrival of punishment, for if He {SWT} feared missing the opportunity, He {SWT} would hasten the punishment before death.

O' my son, accept the wisdom of the wise, reflect upon their judgments, and be the one who adheres most to what you command others and refrains most from what you forbid.

Enjoin what is good so that you may be among its people, for the completion of matters lies with Allah {SWT}, Blessed and Exalted."

Enjoin what is good and forbid what is evil, and seek understanding in religion, for the jurists are the inheritors of the prophets. The prophets did not leave behind dinars or dirhams, but rather, they left behind knowledge, and whoever takes from it has taken a great share.

Know that the seeker of knowledge is prayed for by those in the heavens and the earth, even the birds in the sky and the fish in the sea. The angels lower their wings for the seeker of knowledge out of pleasure for him. In knowledge, there is the honor of this world and success in Paradise on the Day of Judgment, for the jurists are the callers to Paradise and the guides to Allah {SWT}, Blessed and Exalted.

Treat all people kindly just as you would like to be treated, and be pleased for them with what you are pleased with for yourself.

Dislike for yourself what you dislike in others, and perfect your character with all people so that if you are absent, they long for you, and if you die, they weep for you and say, *'Indeed, we belong to Allah {SWT}, and indeed, to Him we shall return*.'"

And do not be among those about whom it is said at their death: *'All praise is due to Allah {SWT}, the Lord of the worlds*.' (being grateful of your demise)

Know that the essence of intellect, after faith in Allah {SWT}, Mighty and Majestic, is managing relationships with people. There is no good in one who does not deal kindly with those whom he must interact with, until Allah {SWT} provides a way for deliverance from them. Indeed, I have found that everything by which people live and associate with one another fills a measure - two-thirds of it is appreciation, and one-third of it is overlooking faults.

Allah {SWT}, Mighty and Majestic, has created nothing better than speech, and nothing more disgraceful than it. With speech, faces are brightened, and with speech, faces are blackened.

Know that speech remains under your control as long as you have not spoken it, but once you have spoken it, you become under its control. So guard your tongue as you would guard your gold and silver, for the tongue is a vicious dog - if you release it, it will bite. Many a word has stripped a person of blessings.

Whoever lets go of his restraint is led to every undesirable and disgraceful act, and he will not be saved from his time except with the wrath of Allah {SWT}, Mighty and Majestic and blame from people will follow the one who risks himself by relying solely on his own opinion.

Whoever considers multiple perspectives will recognize where mistakes lie.

Whoever rushes into matters without looking at the consequences exposes himself to devastating calamities.

Planning before action protects you from regret.

The intelligent one is he who learns from experiences, for in experiences lies new knowledge, and in the changes of circumstances lies the knowledge of the true nature of men.

The passing of days reveals hidden secrets.

Understand this will of mine, and do not disregard it, for the best speech is that which benefits. Know, O' my son, that you must carefully seek provision and take only what is necessary while keeping your burden light. Do not load upon your back more than you can bear, lest it becomes a heavy burden upon you in your resurrection on the Day of Judgment.

The worst provision for the Hereafter is oppression against the servants of Allah {SWT}.

Know that ahead of you are dangers, pitfalls, bridges, and a steep ascent, which you will inevitably descend. Its descent will either lead to Paradise or to Hell. So prepare yourself before you reach it. If you find among those in need someone who can carry your provision to the Hereafter, so that he may deliver it to you when you are in dire need of it, then take advantage of this opportunity, and let him carry it for you while you have the ability. Perhaps a time will come when you seek such an opportunity but will not find it.

Beware of entrusting your provisions to one who lacks piety and honesty, lest your condition be like that of a thirsty person who sees a mirage, but when he reaches it, he finds nothing, and so he remains stranded in the Hereafter with nothing to sustain him."

And Commander of the Faithful Imam Ali ibn Abi Talib {a.s} said in this will:

"O' my son, oppression leads to ruin.

No one will perish who knows his own worth.

Whoever safeguards his desires preserves his dignity.

The worth of every person is in what they excel at.

Reflection brings guidance.

The noblest wealth is to abandon false hopes.

Greed is present poverty.

Affection is an acquired kinship.

Your true friend is your brother from your father and mother, but not every sibling from your parents is your friend.

Do not take the enemy of your friend as a friend, lest you become an enemy to your own friend.

How many distant people are closer to you than those who are near?

A generous yet poor person is better than a wealthy but rude one.

Admonition is a refuge for those who heed it.

Whoever boasts of his favor (to others) spoils it (their reward).

Whoever has bad manners torments himself, and resentment is more fitting for him.

It is unjust to judge based on suspicion when trust is required.

How ugly is arrogance in victory, despair in hardship, cruelty to a neighbor, betrayal of a companion, breaking an oath by a noble person, and treachery from a ruler.

Denying blessings leads to destruction, and keeping company with a fool is misfortune.

Acknowledge the right of those who uphold it, whether they are noble or lowly.

Whoever abandons moderation goes astray.

Whoever oversteps justice finds his path narrow. How many ailing people have survived, and how many healthy ones have perished? Sometimes despair leads to success, and greed leads to destruction.

Reconcile with those whom you hope will accept your apology.

Never sleep with betrayal in your heart toward anyone, for betrayal is the worst trait of a Muslim.

Whoever betrays is likely to never be trusted again.

Corruption ruins abundance, while moderation increases little.

Of nobility is fulfilling covenants.

Whoever is generous will lead, and whoever seeks understanding will increase in wisdom.

Be sincere in advising your brother and support him in all matters, as long as he does not lead you into disobedience to Allah {SWT}, Mighty and Majestic."

Stay with your brother wherever he goes. Do not sever ties with him over doubt, nor cut him off without first seeking reconciliation - perhaps he has an excuse while you blame him.

Accept the apology of one who seeks pardon, so that intercession may reach you.

Honor those through whom you gain strength, and lengthen your companionship with them in kindness, respect, reverence, and esteem.

The recompense of one who elevates your status is not that you lower his, and the reward of one who brings you joy is not that you cause him sorrow.

Show as much kindness as you can to your companion, for when you wish, you will find his guidance.

The faults of one clothed in modesty remain hidden from sight.

Whoever maintains moderation finds his burdens lightened. Whoever does not grant his soul its desires attains wisdom.

With every hardship, there is ease, and with every meal, there may be choking. No blessing is attained except after hardship.

Be gentle with one who angers you, and you will achieve your goal.

The hours of distress are hours of atonement, and time gradually consumes your life.

There is no good in a pleasure that is followed by the Fire. And no good is truly good if it is followed by the Fire, and no evil is truly evil if it is followed by Paradise.

Every pleasure besides Paradise is insignificant, and every hardship besides the Fire is a form of well-being.

Do not neglect your brother's right, relying on the bond between you and him, for he is not truly your brother if you disregard his right.

Do not let your brother be stronger in cutting ties with you than you are in maintaining them, nor let him be more capable of harming you than you are of showing kindness to him.

O' my son, when you are strong, then be strong in obedience to Allah {SWT}, Mighty and Majestic, and when you are weak, then let your weakness be in avoiding disobedience to Allah {SWT}, Mighty and Majestic.

If you can, do not grant a woman authority over her affairs beyond herself, for that preserves her beauty longer, brings her more peace of mind, and improves her condition.

A woman is like a delicate flower, not a steward - so treat her kindly in every situation, and be good in your companionship with her so that your life may be peaceful.

Accept fate with contentment.

If you wish to gather the best of this world and the Hereafter, then cut your expectations from what is in the hands of people.

And peace be upon you, and the mercy of Allah {SWT}, and His {SWT} blessings."

[AL SADUQ]

This is the conclusion of his will, peace be upon him, to Muhammad ibn Al-Hanafiyyah.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.384

HADITH

5835 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ أَبَانِ بْنِ عُثْمَانَ وَ هِشَامِ بْنِ سَالِمٍ وَ مُحَمَّدِ بْنِ حُمْرَانَ عَنِ اَلصَّادِقِ عَ قَالَ: «عَجِبْتُ لِمَنْ فَزِعَ مِنْ أَرْبَعٍ كَيْفَ لاَ يَفْزَعُ إِلَى أَرْبَعٍ عَجِبْتُ لِمَنْ خَافَ كَيْفَ لاَ يَفْزَعُ إِلَى قَوْلِهِ عَزَّ وَ جَلَّ: ۝ حَسْبُنَا اَللَّهُ وَ نِعْمَ اَلْوَكِيلُ ۝ فَإِنِّي سَمِعْتُ اَللَّهَ عَزَّ وَ جَلَّ يَقُولُ بِعَقِبِهَا: ۝ فَانْقَلَبُوا بِنِعْمَةٍ مِنَ اَللَّهِ وَ فَضْلٍ لَمْ يَمْسَسْهُمْ سُوءٌ ۝ وَ عَجِبْتُ لِمَنِ اِغْتَمَّ كَيْفَ لاَ يَفْزَعُ إِلَى قَوْلِهِ تَعَالَى: ۝ لاَ إِلَهَ إِلاَّ أَنْتَ سُبْحانَكَ إِنِّي كُنْتُ مِنَ اَلظَّالِمِينَ ۝ فَإِنِّي سَمِعْتُ اَللَّهَ عَزَّ وَ جَلَّ يَقُولُ بِعَقِبِهَا: ۝ فَاسْتَجَبْنا لَهُ وَ نَجَّيْناهُ مِنَ اَلْغَمِّ وَ كَذٰلِكَ نُنْجِي اَلْمُؤْمِنِينَ ۝ وَ عَجِبْتُ لِمَنْ مُكِرَ بِهِ كَيْفَ لاَ يَفْزَعُ إِلَى قَوْلِهِ تَعَالَى: ۝ وَ أُفَوِّضُ أَمْرِي إِلَى اَللَّهِ إِنَّ اَللَّهَ بَصِيرٌ بِالْعِبادِ ۝ فَإِنِّي سَمِعْتُ اَللَّهَ عَزَّ وَ جَلَّ يَقُولُ بِعَقِبِهَا: ۝ فَوَقاهُ اَللَّهُ سَيِّئاتِ ما مَكَرُوا ۝ وَ عَجِبْتُ لِمَنْ أَرَادَ اَلدُّنْيَا وَ زِينَتَهَا كَيْفَ لاَ يَفْزَعُ إِلَى قَوْلِهِ تَعَالَى: ۝ ما شاءَ اَللَّهُ لاٰ قُوَّةَ إِلاّٰ بِاللّٰهِ ۝ فَإِنِّي سَمِعْتُ اَللَّهَ عَزَّ وَ جَلَّ يَقُولُ بِعَقِبِهَا ۝ إِنْ تَرَنِ أَنَا أَقَلَّ مِنْكَ مٰالاً وَ وَلَداً فَعَسىٰ رَبِّي أَنْ يُؤْتِيَنِ خَيْراً مِنْ جَنَّتِكَ ۝ اَلْآيَةَ «وَ عَسَى مُوجِبَةٌ».

H.5835 - Muhammad ibn Abi Umayr narrated from Aban ibn Uthman, Hisham ibn Salim, and Muhammad ibn Humran from Imam Jafar Al-Sadiq {a.s}, who said:
"I am amazed at the one who becomes afraid - how does he not turn to the words of Allah {SWT}, the Mighty and Majestic:
'Allah {SWT} is sufficient for us, and He is the best disposer of affairs' (Surah AAl-E-Imran 3:173)?
For I heard Allah {SWT}, the Mighty and Majestic, say immediately after it:
'So they returned with favor from Allah {SWT} and bounty, no harm having touched them'
(Surah AAl-E-Imran 3:174).
And I am amazed at the one who is distressed - how does he not turn to His saying:
'There is no God but You; glory be to You! Indeed, I was among the wrongdoers'
(Surah Al-Anbiya 21:87)?
For I heard Allah {SWT}, the Mighty and Majestic, say after it:
'So We responded to him and saved him from distress. And thus do We save the believers' (Surah Al-Anbiya 21:88).
And I am amazed at the one who is plotted against - how does he not turn to His {SWT} saying:
'I entrust my affair to Allah {SWT}. Indeed, Allah {SWT} is Seeing of the servants' (Surah Ghafir 40:44)?
For I heard Allah {SWT}, the Mighty and Majestic, say after it:
'So Allah {SWT} protected him from the evil of their plots' (Surah Ghafir 40:45).
And I am amazed at the one who desires the world and its adornments - how does he not turn to His {SWT} saying:
'What Allah {SWT} wills [will happen]. There is no power except with Allah {SWT}' (Surah Al-Kahf 18:39)?
For I heard Allah {SWT}, the Mighty and Majestic, say after it:
'If you see me less than you in wealth and children, perhaps my Lord {AZJ} will give me something better than your garden' (Surah Al-Kahf 18:39).
And indeed, the word 'perhaps' necessitates fulfillment."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.392 • Al-Khisal, Vol.1 p.218 • Al-Amali (Lil-Saduq), Vol.1 p.6 • Rawdat Al-Wa'izin, Vol.2 p.450 • Al-Adab Al-Diniyyah, Vol.1 p.147 • Mishkat Al-Anwar, Vol.1 p.119 • Al-Wafi, Vol.9 p.1760 • Tafsir Al-Burhan, Vol.3 p.637 • Bihar Al-Anwar, Vol.90 p.184 • Awalim Al-Uloom, Vol.20 p.676

HADITH

5836 - وَ رَوَى مُحَمَّدُ بْنُ زِيَادٍ اَلْأَزْدِيُّ عَنْ أَبَانِ بْنِ عُثْمَانَ اَلْأَحْمَرِ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ: أَنَّهُ جَاءَ إِلَيْهِ رَجُلٌ فَقَالَ لَهُ بِأَبِي أَنْتَ وَ أُمِّي يَا اِبْنَ رَسُولِ اَللَّهِ عَلِّمْنِي مَوْعِظَةً فَقَالَ لَهُ عَلَيْهِ اَلسَّلاَمُ «إِنْ كَانَ اَللَّهُ تَبَارَكَ وَ تَعَالَى قَدْ تَكَفَّلَ بِالرِّزْقِ فَاهْتِمَامُكَ لِمَا ذَا وَ إِنْ كَانَ اَلرِّزْقُ مَقْسُوماً فَالْحِرْصُ لِمَا ذَا وَ إِنْ كَانَ اَلْحِسَابُ حَقّاً فَالْجَمْعُ لِمَا ذَا وَ إِنْ كَانَ اَلْخَلَفُ مِنَ اَللَّهِ عَزَّ وَ جَلَّ حَقّاً فَالْبُخْلُ لِمَا ذَا وَ إِنْ كَانَتِ اَلْعُقُوبَةُ مِنَ اَللَّهِ عَزَّ وَ جَلَّ اَلنَّارَ فَالْمَعْصِيَةُ لِمَا ذَا وَ إِنْ كَانَ اَلْمَوْتُ حَقّاً فَالْفَرَحُ لِمَا ذَا وَ إِنْ كَانَ اَلْعَرْضُ عَلَى اَللَّهِ عَزَّ وَ جَلَّ حَقّاً فَالْمَكْرُ لِمَا ذَا وَ إِنْ كَانَ اَلشَّيْطَانُ عَدُوّاً فَالْغَفْلَةُ لِمَا ذَا وَ إِنْ كَانَ اَلْمَمَرُّ عَلَى اَلصِّرَاطِ حَقّاً فَالْعُجْبُ لِمَا ذَا وَ إِنْ كَانَ كُلُّ شَيْءٍ بِقَضَاءِ مِنَ اَللَّهِ وَ قَدَرِهِ فَالْحُزْنُ لِمَا ذَا وَ إِنْ كَانَتِ اَلدُّنْيَا فَانِيَةً فَالطُّمَأْنِينَةُ إِلَيْهَا لِمَا ذَا ».

H.5836 - Muhammad ibn Ziyad Al-Azdi narrated from Aban ibn Uthman Al-Ahmar, from Imam Jafar ibn Muhammad Al-Sadiq {a.s}, that a man came to him and said:
"May my father and mother be sacrificed for you, O' son of the Messenger of Allah {SWT}, teach me something that will admonish me."
Imam Jafar ibn Muhammad Al-Sadiq {a.s}, said to him:
"If Allah {SWT}, the Exalted, has ensured sustenance, then why are you anxious about it?
If sustenance is already apportioned, then why the greed?
If accountability is real, then why the accumulation (of wealth)?
If compensation from Allah {SWT}, the Mighty and Majestic, is certain, then why the stinginess?
If punishment from Allah {SWT}, the Mighty and Majestic, is the Fire, then why the disobedience?
If death is inevitable, then why the joy (in worldly matters)?
If standing before Allah {SWT}, the Mighty and Majestic, is certain, then why the deceit?
If Satan is an enemy, then why the heedlessness?
If crossing the Sirat (the bridge over Hell) is certain, then why the arrogance?
If everything is by Allah's {SWT} decree and destiny, then why the sorrow?
And if the world is perishable, then why the tranquility in it?"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.393 • Al-Amali (Lil-Saduq), Vol.1 p.7 • Al-Wafi, Vol.26 p.270 • Bihar Al-Anwar, Vol.75 p.190 • Awalim Al-Uloom, Vol.20 p.677

HADITH

5837 - وَ قَالَ عَلَيْهِ اَلسَّلاَمُ : «إِنِّي لَأَرْحَمُ ثَلاَثَةً وَ حَقٌّ لَهُمْ أَنْ يُرْحَمُوا عَزِيزٌ أَصَابَتْهُ مَذَلَّةٌ بَعْدَ اَلْعِزِّ وَ غَنِيٌّ أَصَابَتْهُ حَاجَةٌ بَعْدَ اَلْغِنَى وَ عَالِمٌ يَسْتَخِفُّ بِهِ أَهْلُهُ وَ اَلْجَهَلَةُ».

H.5837 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, said:
"Indeed, I feel mercy for three people, and it is their right to be shown mercy:
A noble person who has been humiliated after his honor,
A wealthy person who has fallen into poverty after wealth,
And a scholar who is belittled by his own people and the ignorant."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.394 • Al-Khisal, Vol.1 p.86 • Al-Amali (Lil-Saduq), Vol.1 p.12 • Tuhaf Al-'Uqul, Vol.1 p.367 • Rawdat Al-Wa'izin, Vol.1 p.8 • Al-Wafi, Vol.26 p.558 • Bihar Al-Anwar, Vol.2 p.41 • Bihar Al-Anwar, Vol.71 p.405 • Bihar Al-Anwar, Vol.75 p.250 • Awalim Al-Uloom, Vol.20 p.678

HADITH

5838 - وَ قَالَ عَلَيْهِ اَلسَّلاَمُ : «خَمْسٌ هُنَّ كَمَا أَقُولُ لَيْسَتْ لِبَخِيلٍ رَاحَةٌ وَ لاَ لِحَسُودٍ لَذَّةٌ وَ لاَ لِلْمَمْلُوكِ وَفَاءٌ وَ لاَ لِكَذُوبٍ مُرُوءَةٌ وَ لاَ يَسُودُ سَفِيهٌ».

H.5838 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Five things are exactly as I say:
A miser will never find comfort,
A jealous person will never experience pleasure,
A slave will not have loyalty,
A liar will have no honor,
And a foolish person will never attain leadership."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.394 • Al-Khisal, Vol.1 p.271 • Al-Wafi, Vol.5 p.995 • Al-Wafi, Vol.26 p.558 • Bihar Al-Anwar, Vol.69 p.193 • Bihar Al-Anwar, Vol.70 p.303 • Bihar Al-Anwar, Vol.72 p.300 • Bihar Al-Anwar, Vol.72 p.338 • Bihar Al-Anwar, Vol.75 p.194 • Awalim Al-Uloom, Vol.20 p.678

HADITH

5839 - وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «إِنَّكُمْ لَنْ تَسَعُوا اَلنَّاسَ بِأَمْوَالِكُمْ فَسَعُوهُمْ بِأَخْلاَقِكُمْ».

H.5839 - Messenger of Allah {SWT}, peace and blessings be upon him and his family, said:
"Indeed, you cannot encompass people with your wealth, so encompass them with your good character."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.394 • Al-Amali (Lil-Saduq), Vol.1 p.12 • Al-Ikhtisas, Vol.1 p.225 • Nuzhat Al-Nazir, Vol.1 p.11 • Rawdat Al-Wa'izin, Vol.2 p.376 • Mishkat Al-Anwar, Vol.1 p.211 • Al-Durrah Al-Bahirah, Vol.1 p.14 • Awali Al-La'ali, Vol.2 p.74 • Awali Al-La'ali, Vol.4 p.80 • Al-Wafi, Vol.4 p.424

HADITH

5840 - وَ رَوَى يُونُسُ بْنُ ظَبْيَانَ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ : «اَلاِشْتِهَارُ بِالْعِبَادَةِ رِيبَةٌ إِنَّ أَبِي حَدَّثَنِي عَنْ أَبِيهِ ، عَنْ جَدِّهِ عَلَيْهِمُ اَلسَّلاَمُ أَنَّ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ قَالَ «أَعْبَدُ اَلنَّاسِ مَنْ أَقَامَ اَلْفَرَائِضَ وَ أَسْخَى اَلنَّاسِ مَنْ أَدَّى زَكَاةَ مَالِهِ وَ أَزْهَدُ اَلنَّاسِ مَنِ اِجْتَنَبَ اَلْحَرَامَ وَ أَتْقَى اَلنَّاسِ مَنْ قَالَ اَلْحَقَّ فِيمَا لَهُ وَ عَلَيْهِ وَ أَعْدَلُ اَلنَّاسِ مَنْ رَضِيَ لِلنَّاسِ مَا يَرْضَى لِنَفْسِهِ وَ كَرِهَ لَهُمْ مَا يَكْرَهُ لِنَفْسِهِ وَ أَكْيَسُ اَلنَّاسِ مَنْ كَانَ أَشَدَّ ذِكْراً لِلْمَوْتِ وَ أَغْبَطُ اَلنَّاسِ مَنْ كَانَ تَحْتَ اَلتُّرَابِ قَدْ أَمِنَ اَلْعِقَابَ وَ يَرْجُو اَلثَّوَابَ وَ أَغْفَلُ اَلنَّاسِ مَنْ لَمْ يَتَّعِظْ بِتَغَيُّرِ اَلدُّنْيَا مِنْ حَالٍ إِلَى حَالٍ وَ أَعْظَمُ اَلنَّاسِ فِي اَلدُّنْيَا خَطَراً مَنْ لَمْ يَجْعَلْ لِلدُّنْيَا عِنْدَهُ خَطَراً وَ أَعْلَمُ اَلنَّاسِ مَنْ جَمَعَ عِلْمَ اَلنَّاسِ إِلَى عِلْمِهِ وَ أَشْجَعُ اَلنَّاسِ مَنْ غَلَبَ هَوَاهُ وَ أَكْثَرُ اَلنَّاسِ قِيمَةً أَكْثَرُهُمْ عِلْماً وَ أَقَلُّ اَلنَّاسِ قِيمَةً أَقَلُّهُمْ عِلْماً وَ أَقَلُّ اَلنَّاسِ لَذَّةً اَلْحَسُودُ وَ أَقَلُّ اَلنَّاسِ رَاحَةً اَلْبَخِيلُ وَ أَبْخَلُ اَلنَّاسِ مَنْ بَخِلَ بِمَا اِفْتَرَضَ اَللَّهُ عَزَّ وَ جَلَّ عَلَيْهِ وَ أَوْلَى اَلنَّاسِ بِالْحَقِّ أَعْلَمُهُمْ بِهِ وَ أَقَلُّ اَلنَّاسِ حُرْمَةً اَلْفَاسِقُ وَ أَقَلُّ اَلنَّاسِ وَفَاءً اَلْمَمْلُوكُ وَ أَقَلُّ اَلنَّاسِ صَدِيقاً اَلْمَلِكُ وَ أَفْقَرُ اَلنَّاسِ اَلطَّامِعُ وَ أَغْنَى اَلنَّاسِ مَنْ لَمْ يَكُنْ لِلْحِرْصِ أَسِيراً وَ أَفْضَلُ اَلنَّاسِ إِيمَاناً أَحْسَنُهُمْ خُلُقاً وَ أَكْرَمُ اَلنَّاسِ أَتْقَاهُمْ وَ أَعْظَمُ اَلنَّاسِ قَدْراً مَنْ تَرَكَ مَا لاَ يَعْنِيهِ وَ أَوْرَعُ اَلنَّاسِ مَنْ تَرَكَ اَلْمِرَاءَ وَ إِنْ كَانَ مُحِقّاً وَ أَقَلُّ اَلنَّاسِ مُرُوءَةً مَنْ كَانَ كَاذِباً وَ أَشْقَى اَلنَّاسِ اَلْمَلُوكُ وَ أَمْقَتُ اَلنَّاسِ اَلْمُتَكَبِّرُ وَ أَشَدُّ اَلنَّاسِ اِجْتِهَاداً مَنْ تَرَكَ اَلذُّنُوبَ وَ أَحْكَمُ اَلنَّاسِ مَنْ فَرَّ مِنْ جُهَّالِ اَلنَّاسِ وَ أَسْعَدُ اَلنَّاسِ مَنْ خَالَطَ كِرَامَ اَلنَّاسِ وَ أَعْقَلُ اَلنَّاسِ أَشَدُّهُمْ مُدَارَاةً لِلنَّاسِ وَ أَوْلَى اَلنَّاسِ بِالتُّهَمَةِ مَنْ جَالَسَ أَهْلَ اَلتُّهَمَةِ وَ أَغْنَى اَلنَّاسِ مَنْ قَنَعَ غَيْرَ قَاتِلِهِ أَوْ ضَرَبَ غَيْرَ ضَارِبِهِ وَ أَوْلَى اَلنَّاسِ بِالْعَفْوِ أَقْدَرُهُمْ عَلَى اَلْعُقُوبَةِ وَ أَحَقُّ اَلنَّاسِ بِالذَّنْبِ اَلسَّفِيهُ اَلْمُغْتَابُ وَ أَذَلُّ اَلنَّاسِ مَنْ أَهَانَ اَلنَّاسَ وَ أَحْزَمُ اَلنَّاسِ أَكْظَمُهُمْ لِلْغَيْظِ وَ أَصْلَحُ اَلنَّاسِ أَصْلَحُهُمْ لِلنَّاسِ وَ خَيْرُ اَلنَّاسِ مَنِ اِنْتَفَعَ بِهِ اَلنَّاسُ» ».

H.5840 - Yunus ibn Zabyan narrated from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, that he said: "Being well-known for worship is a source of suspicion."
“My father Imam Muhammad ibn Ali Al-Baqir {a.s}, narrated to me from his father Imam Ali ibn Al-Hussain {a.s}, from his grandfather Imam Ali ibn Abi Talib {a.s}, peace be upon them, that the Messenger of Allah {SWT}, peace be upon him and his family, said:
'The most devout of people, is the one who upholds the obligatory acts.
The most generous of people, is the one who pays the zakat on his wealth.
The most ascetic of people, is the one who avoids what is forbidden.
The most God-fearing of people, is the one who speaks the truth, whether it is for or against him.
The most just of people, is the one who is pleased for others with what he is pleased for himself and dislikes for them what he dislikes for himself.
The wisest of people, is the one who remembers death the most.
The most enviable of people, is the one who is under the earth (in the grave) but safe from punishment and hoping for reward.
The most heedless of people, is the one who does not learn from the changing states of the world.
The greatest in status in this world, is the one who considers the world to have no worth to him.

The most knowledgeable of people, is the one who gathers the knowledge of others along with his own.
The bravest of people, is the one who overcomes his desires.
The most valuable of people, is the one with the most knowledge.
The least valuable of people, is the one with the least knowledge.
The least delighted of people, is the envious person.
The least comfortable of people, is the miser.
The stingiest of people, is the one who withholds what Allah {SWT}, the Mighty and Majestic, has made obligatory.'"
Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}:
"The person most entitled to the truth is the one most knowledgeable of it.
The least respected among people, is the sinner.
The least loyal among people, is the servant.
The one with the fewest friends, is the king.
The poorest of people, is the one consumed by greed.
The richest of people, is the one who is not enslaved by desire.
The best in faith among people, is the one with the best character.
The most honorable of people, is the most God-conscious.
The greatest in status among people, is the one who abandons what does not concern him.
The most pious of people, is the one who avoids argumentation, even when he is right.
The least dignified among people, is the liar.
The most wretched of people, are kings.
The most hated of people, is the arrogant.
The most diligent of people, is the one who abandons sins.
The wisest of people, is the one who avoids ignorant people.
The happiest of people, is the one who associates with honorable people.
The most intelligent of people, is the one who deals most patiently with people.
The most deserving of suspicion, is the one who keeps the company of suspicious people.
The most rebellious of people, is the one who kills someone who did not kill him or strikes someone who did not strike him.
The person most worthy of forgiveness, is the one most capable of punishment.
The most deserving of blame, is the foolish backbiter.
The most humiliated of people, is the one who humiliates others.
The most composed of people, is the one who suppresses anger the most.
The most righteous of people, is the one who is most beneficial to others.
And the best of people, is the one from whom people benefit."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.394 • Ma'ani Al-Akhbar, Vol.1 p.195 • Al-Amali (Lil-Saduq), Vol.1 p.20 • Al-Arba'un HADITHan (Lil-Shahid Al-Awwal), Vol.1 p.54 • Al-Wafi, Vol.26 p.158 • Bihar Al-Anwar, Vol.74 p.111

HADITH

5841 - وَ مَرَّ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ بِرَجُلٍ يَتَكَلَّمُ بِفُضُولِ اَلْكَلاَمِ فَوَقَفَ عَلَيْهِ ثُمَّ قَالَ «يَا هَذَا إِنَّكَ تُمْلِي عَلَى حَافِظَيْكَ كِتَاباً إِلَى رَبِّكَ فَتَكَلَّمْ بِمَا يَعْنِيكَ وَ دَعْ مَا لاَ يَعْنِيكَ».

H.5841 - The Commander of the Faithful, peace be upon him, passed by a man who was speaking excessively and unnecessarily.
Imam Ali ibn Abi Talib {a.s} stopped and said to him: "O' man, you are dictating to your two recording angels a book to be presented to your Lord {AZJ}. So speak only about what concerns you and leave what does not concern you."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.396 • Al-Wafi, Vol.4 p.454 • Wasa'il Al-Shi'ah, Vol.12 p.197

HADITH

5842 - وَ قَالَ عَلَيْهِ اَلسَّلاَمُ : «لاَ يَزَالُ اَلرَّجُلُ اَلْمُسْلِمُ يُكْتَبُ مُحْسِناً مَا دَامَ سَاكِتاً فَإِذَا تَكَلَّمَ كُتِبَ مُحْسِناً أَوْ مُسِيئاً».

H.5842 - The Commander of the Faithful, peace be upon him, said:
"A Muslim man continues to be recorded as a doer of good as long as he remains silent. But when he speaks, he is recorded either as a doer of good or a doer of evil."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.396 • Thawab Al-A'mal wa Iqab Al-A'mal, Vol.1 p.178 • Al-I'tiqadat, Vol.1 p.69

HADITH

5843 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «اَلصَّمْتُ كَنْزٌ وَافِرٌ وَ زَيْنُ اَلْحَلِيمِ وَ سِتْرُ اَلْجَاهِلِ».

H.5843 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, said:
"Silence is a vast treasure, the adornment of the wise, and a covering for the ignorant."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.396 • Al-Ikhtisas, Vol.1 p.232 • Al-Wafi, Vol.4 p.455 • Wasa'il Al-Shi'ah, Vol.12 p.185 • Bihar Al-Anwar, Vol.68 p.288 • Bihar Al-Anwar, Vol.68 p.294 • Awalim Al-Uloom, Vol.20 p.686 • Mustadrak Al-Wasa'il, Vol.9 p.16

HADITH

5844 - وَ قَالَ عَلَيْهِ اَلسَّلاَمُ : «كَلاَمٌ فِي حَقٍّ خَيْرٌ مِنْ سُكُوتٍ عَلَى بَاطِلٍ».

H.5844 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, said:
"Speaking the truth is better than remaining silent upon falsehood."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.396 • Al-I'tiqadat, Vol.1 p.43 • Al-Wafi, Vol.4 p.455 • Wasa'il Al-Shi'ah, Vol.12 p.184 • Awalim Al-Uloom, Vol.20 p.686

HADITH

5845 - وَ رَوَى إِسْمَاعِيلُ بْنُ مُسْلِمٍ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ آبَائِهِ عَلَيْهِمُ اَلسَّلاَمُ قَالَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «كَانَتِ اَلْفُقَهَاءُ وَ اَلْحُكَمَاءُ إِذَا كَاتَبَ بَعْضُهُمْ بَعْضاً كَتَبُوا بِثَلاَثٍ لَيْسَ مَعَهُنَّ رَابِعَةٌ مَنْ كَانَتِ اَلْآخِرَةُ هَمَّهُ كَفَاهُ اَللَّهُ هَمَّهُ مِنَ اَلدُّنْيَا وَ مَنْ أَصْلَحَ سَرِيرَتَهُ أَصْلَحَ اَللَّهُ عَلاَنِيَتَهُ وَ مَنْ أَصْلَحَ فِيمَا بَيْنَهُ وَ بَيْنَ اَللَّهِ أَصْلَحَ اَللَّهُ فِيمَا بَيْنَهُ وَ بَيْنَ اَلنَّاسِ».

H.5845 - Isma'il ibn Muslim narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, from his forefathers, peace be upon them, who said that the Commander of the Faithful, said: "The scholars and the wise, when writing to one another, would write with three pieces of advice, with no fourth: Whoever makes the Hereafter his concern, Allah {SWT} will suffice him in his worldly concerns. Whoever rectifies his inner self, Allah {SWT} will rectify his outward state. Whoever improves what is between him and Allah {SWT}, Allah {SWT} will improve what is between him and people."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.396 • Thawab Al-A'mal wa Iqab Al-A'mal, Vol.1 p.181 • Al-Khisal, Vol.1 p.129 • Al-Amali (Lil-Saduq), Vol.1 p.34 • Rawdat Al-Wa'izin, Vol.2 p.442 • Bihar Al-Anwar, Vol.68 p.181 • Bihar Al-Anwar, Vol.68 p.364 • Bihar Al-Anwar, Vol.74 p.379 • Bihar Al-Anwar, Vol.74 p.396 • Bihar Al-Anwar, Vol.100 p.29

HADITH

5846 - وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «طُوبَى لِمَنْ طَالَ عُمُرُهُ وَ حَسُنَ عَمَلُهُ فَحَسُنَ مُنْقَلَبُهُ إِذْ سَخِطَ عَلَيْهِ رَبُّهُ عَزَّ وَ جَلَّ ».

H.5846 - Messenger of Allah {SWT}, peace and blessings be upon him and his family, said:
"Glad tidings to the one whose life is long and whose deeds are good, for his outcome will be good as his Lord {AZJ} is pleased with him. And woe to the one whose life is long and whose deeds are evil, for his outcome will be bad as his Lord {AZJ}, the Mighty and Majestic, is displeased with him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.396 • Al-Amali (Lil-Saduq), Vol.1 p.56 • Al-Wafi, Vol.4 p.319 • Bihar Al-Anwar, Vol.68 p.171 • Bihar Al-Anwar, Vol.74 p.113

HADITH

5847 - وَ رَوَى عَمْرُو بْنُ شِمْرٍ عَنْ جَابِرِ بْنِ يَزِيدَ اَلْجُعْفِيِّ عَنْ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيٍّ اَلْبَاقِرِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «أَوْحَى اَللَّهُ عَزَّ وَ جَلَّ إِلَى رَسُولِهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ «أَنِّي شَكَرْتُ لِجَعْفَرِ بْنِ أَبِي طَالِبٍ أَرْبَعَ خِصَالٍ» فَدَعَاهُ اَلنَّبِيُّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ فَأَخْبَرَهُ فَقَالَ لَوْ لاَ أَنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى أَخْبَرَكَ مَا أَخْبَرْتُكَ مَا شَرِبْتُ خَمْراً قَطُّ لِأَنِّي عَلِمْتُ أَنِّي إِنْ شَرِبْتُهَا زَالَ عَقْلِي وَ مَا كَذَبْتُ قَطُّ لِأَنَّ اَلْكَذِبَ يَنْقُصُ اَلْمُرُوءَةَ وَ مَا زَنَيْتُ قَطُّ لِأَنِّي خِفْتُ أَنِّي إِذَا عَمِلْتُ عُمِلَ بِي وَ مَا عَبَدْتُ صَنَماً قَطُّ لِأَنِّي عَلِمْتُ أَنَّهُ لاَ يَضُرُّ وَ لاَ يَنْفَعُ قَالَ فَضَرَبَ اَلنَّبِيُّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ يَدَهُ عَلَى عَاتِقِهِ وَ قَالَ «حَقٌّ عَلَى اَللَّهِ عَزَّ وَ جَلَّ أَنْ يَجْعَلَ لَكَ جَنَاحَيْنِ تَطِيرُ بِهِمَا مَعَ اَلْمَلاَئِكَةِ فِي اَلْجَنَّةِ » ».

H.5847 - Amr ibn Shimr narrated from Jabir ibn Yazid Al-Jufi, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, peace be upon him, who said:
"Allah {SWT}, the Mighty and Majestic, revealed to His Messenger, peace and blessings be upon him and his family: 'I have thanked Jafar ibn Abi Talib {a.s} for four qualities.'
The Prophet, peace be upon him and his family, called him and informed him.
Jafar {a.s} said: 'If Allah {SWT}, Blessed and Exalted, had not informed you, I would not have told you. I have never drunk wine because I knew if I drank it, my mind would be gone. I have never lied because lying diminishes honor. I have never committed adultery because I feared that if I did it, the same would be done to me. I have never worshiped an idol because I knew it could neither harm nor benefit.'
The Prophet, peace and blessings be upon him and his family, placed his hand on Jafar's {a.s} shoulder and said: 'It is a right upon Allah {SWT}, the Mighty and Majestic, to grant you two wings with which you will fly with the angels in Paradise.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.397 • Ilal Al-Shara'i', Vol.2 p.558 • Al-Amali (Lil-Saduq), Vol.1 p.74 • Rawdat Al-Wa'izin, Vol.2 p.269 • Al-Wafi, Vol.5 p.1082 • Bihar Al-Anwar, Vol.22 p.272

HADITH

5848 - وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «قَالَ اَللَّهُ جَلَّ جَلاَلُهُ «عِبَادِي كُلُّكُمْ ضَالٌّ إِلاَّ مَنْ هَدَيْتُهُ وَ كُلُّكُمْ فَقِيرٌ إِلاَّ مَنْ أَغْنَيْتُهُ وَ كُلُّكُمْ مُذْنِبٌ إِلاَّ مَنْ عَصَمْتُهُ» ».

H.5848 - Messenger of Allah {SWT}, peace be upon him and his family, said:
"Allah {SWT}, the Glorious and Exalted, said: 'O' My servants, all of you are misguided except those whom I have guided. All of you are in need except those whom I have enriched. And all of you are sinners except those whom I have protected.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.397 • Al-Amali (Lil-Saduq), Vol.1 p.101 • Al-Wafi, Vol.26 p.120 • Kulliyat HADITH Qudsi, Vol.1 p.273 • Bihar Al-Anwar, Vol.5 p.198

HADITH

5849 - وَ فِي رِوَايَةِ اَلسَّكُونِيِّ قَالَ قَالَ عَلِيٌّ عَلَيْهِ اَلسَّلاَمُ : «مَا مِنْ يَوْمٍ يَمُرُّ عَلَى اِبْنِ آدَمَ إِلاَّ قَالَ لَهُ ذَلِكَ اَلْيَوْمُ أَنَا يَوْمٌ جَدِيدٌ وَ أَنَا عَلَيْكَ شَهِيدٌ فَقُلْ فِيَّ خَيْراً وَ اِعْمَلْ فِيَّ خَيْراً أَشْهَدْ لَكَ بِهِ يَوْمَ اَلْقِيَامَةِ فَإِنَّكَ لَنْ تَرَانِي بَعْدَ هَذَا أَبَداً».

H.5849 - In the narration of Al-Sakuni, it is reported that Imam Ali ibn Abi Talib {a.s} said:
"There is no day that passes over the son of Adam except that the day says to him:
'I am a new day, and I am a witness over you. So speak good in me and act righteously in me, for I will testify for you on the Day of Judgment. You will never see me again after this.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.397 • Al-Amali (Lil-Saduq), Vol.1 p.108 • Rawdat Al-Wa'izin, Vol.2 p.393 • Jami' Al-Akhbar, Vol.1 p.89 • Al-Wafi, Vol.4 p.316 • Bihar Al-Anwar, Vol.68 p.181 • Bihar Al-Anwar, Vol.74 p.379

HADITH

5850 - وَ فِي رِوَايَةِ مَسْعَدَةَ بْنِ صَدَقَةَ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «لِلْمُؤْمِنِ عَلَى اَلْمُؤْمِنِ سَبْعَةُ حُقُوقٍ وَاجِبَةٍ مِنَ اَللَّهِ عَزَّ وَ جَلَّ عَلَيْهِ اَلْإِجْلَالُ لَهُ فِي عَيْنِهِ وَ اَلْوُدُّ لَهُ فِي صَدْرِهِ وَ اَلْمُوَاسَاةُ لَهُ فِي مَالِهِ وَ أَنْ يُحَرِّمَ غِيبَتَهُ وَ أَنْ يَعُودَهُ فِي مَرَضِهِ وَ أَنْ يُشَيِّعَ جَنَازَتَهُ وَ أَنْ لاَ يَقُولَ فِيهِ بَعْدَ مَوْتِهِ إِلاَّ خَيْراً».

H.5850 - In the narration of Mas'ada ibn Sadaqa, the Messenger of Allah {SWT} (peace and blessings be upon him and his family) said:
"A believer has seven rights over another believer, which are obligatory upon him by Allah {SWT}, the Mighty and Majestic: to respect him in his sight, to have affection for him in his heart, to assist him with his wealth, to prohibit speaking ill of him in his absence, to visit him when he is sick, to accompany his funeral, and to speak only good of him after his death."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.398 • Al-Amali (Lil-Saduq), Vol.1 p.32 • Rawdat Al-Wa'izin, Vol.2 p.292 • Mishkat Al-Anwar, Vol.1 p.77 • Jami' Al-Akhbar, Vol.1 p.85 • Sulwat Al-Hazin, Vol.1 p.222 • Al-Wafi, Vol.5 p.558 • Wasa'il Al-Shi'ah, Vol.12 p.208 • Bihar Al-Anwar, Vol.71 p.222

HADITH

5851 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ أَبِي زِيَادٍ اَلنَّهْدِيِّ عَنْ عَبْدِ اَللَّهِ بْنِ وَهْبٍ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «حَسْبُ اَلْمُؤْمِنِ مِنَ اَللَّهِ نُصْرَةً أَنْ يَرَى عَدُوَّهُ يَعْمَلُ بِمَعَاصِي اَللَّهِ عَزَّ وَ جَلَّ».

H.5851 - Ibn Abi Umayr narrated from Abu Ziyad Al-Nahdi, from Abdullah ibn Wahb, from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"It is sufficient as a form of support from Allah {SWT} for the believer, that he sees his enemy engaging in acts of disobedience to Allah {SWT}, the Mighty and Majestic."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.398 • Man La Yahduruhu Al-Faqih, Vol.4 p.409 • Al-Khisal, Vol.1 p.27 • Al-Amali (Lil-Saduq), Vol.1 p.38 • Al-Amali (Lil-Saduq), Vol.1 p.366 • Mishkat Al-Anwar, Vol.1 p.318 • Al-Wafi, Vol.4 p.445 • Bihar Al-Anwar, Vol.68 p.414 • Awalim Al-Uloom, Vol.20 p.686

HADITH

5852 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ وَهْبٍ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «اِصْبِرْ عَلَى أَعْدَاءِ اَلنِّعَمِ فَإِنَّكَ لَنْ تُكَافِئَ مَنْ عَصَى اَللَّهَ فِيكَ بِأَفْضَلَ مِنْ أَنْ تُطِيعَ اَللَّهَ فِيهِ».

H.5852 - Ibn Abi Umayr narrated from Mu'awiyah ibn Wahb, from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, peace be upon him, who said:
"Be patient with those who are envious of your blessings, for you cannot repay one who disobeys Allah {SWT} regarding you with anything better than obeying Allah {SWT} concerning him."

[REFERENCES] Al-Kafi, Vol.2 p.109 • Al-Kafi, Vol.2 p.110 • Man La Yahduruhu Al-Faqih, Vol.4 p.398 • Al-Khisal, Vol.1 p.20 • Al-Amali (Lil-Saduq), Vol.1 p.98 • Rawdat Al-Wa'izin, Vol.2 p.422 • Mishkat Al-Anwar, Vol.1 p.24 • Majmu'at Warram, Vol.2 p.189 • Al-Wafi, Vol.4 p.444 • Al-Wafi, Vol.4 p.445

HADITH

5853 - وَ رَوَى اَلْمُعَلَّى بْنُ مُحَمَّدٍ اَلْبَصْرِيُّ عَنْ أَحْمَدَ بْنِ مُحَمَّدِ بْنِ عَبْدِ اَللَّهِ عَنْ عَمْرِو بْنِ زِيَادٍ عَنْ مُدْرِكِ بْنِ عَبْدِ اَلرَّحْمَنِ عَنْ أَبِي عَبْدِ اَللَّهِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِذَا كَانَ يَوْمُ اَلْقِيَامَةِ جَمَعَ اَللَّهُ عَزَّ وَ جَلَّ اَلنَّاسَ فِي صَعِيدٍ وَاحِدٍ وَ وُضِعَتِ اَلْمَوَازِينُ فَتُوزَنُ دِمَاءُ اَلشُّهَدَاءِ مَعَ مِدَادِ اَلْعُلَمَاءِ فَيَرْجَحُ مِدَادُ اَلْعُلَمَاءِ عَلَى دِمَاءِ اَلشُّهَدَاءِ».

H.5853 - Al-Mualla ibn Muhammad Al-Basri narrated from Ahmad ibn Muhammad ibn Abdullah, from Amr ibn Ziyad, from Mudrik ibn Abd Al-Rahman, from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, peace be upon him, who said:
"On the Day of Judgment, Allah {SWT}, the Mighty and Majestic, will gather all people on one plain ground, and the scales will be set. The blood of the martyrs will be weighed against the ink of the scholars, and the ink of the scholars will outweigh the blood of the martyrs."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.398 • Al-Amali (Lil-Saduq), Vol.1 p.168 • Rawdat Al-Wa'izin, Vol.1 p.9 • Mishkat Al-Anwar, Vol.1 p.137 • Al-Sarair, Vol.3 p.622 • Uddat Al-Da'i, Vol.1 p.77 • Awali Al-La'ali, Vol.4 p.61 • Al-Wafi, Vol.1 p.145 • Tafsir Al-Safi, Vol.5 p.148 • Bihar Al-Anwar, Vol.2 p.14

HADITH

5854 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ عَبْدِ اَللَّهِ بْنِ اَلْقَاسِمِ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَدِّهِ عَنْ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ قَالَ : «كُنْ لِمَا لاَ تَرْجُو أَرْجَى مِنْكَ لِمَا تَرْجُو فَإِنَّ مُوسَى بْنَ عِمْرَانَ عَلَيْهِ اَلسَّلاَمُ خَرَجَ يَقْتَبِسُ لِأَهْلِهِ نَاراً فَكَلَّمَهُ اَللَّهُ عَزَّ وَ جَلَّ فَرَجَعَ نَبِيّاً وَ خَرَجَتْ مَلِكَةُ سَبَإٍ فَأَسْلَمَتْ مَعَ سُلَيْمَانَ عَلَيْهِ اَلسَّلاَمُ وَ خَرَجَ سَحَرَةُ فِرْعَوْنَ يَطْلُبُونَ اَلْعِزَّةَ لِفِرْعَوْنَ فَرَجَعُوا مُؤْمِنِينَ».

H.5854 - Muhammad ibn Abi Umayr narrated from Abdullah ibn Al-Qasim, from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, from his grandfather Imam Hussain ibn Ali {a.s}, from Imam Ali ibn Abi Talib {a.s}, who said:
"Be more hopeful for what you do not expect than for what you expect.
For indeed, Musa ibn Imran {a.s}, peace be upon him, went out to bring fire for his family and returned as a prophet after Allah {SWT}, the Mighty and Majestic, spoke to him.
The Queen of Sheba went out and embraced Islam with Prophet Sulayman, peace be upon him.
And the magicians of Pharaoh went out seeking honor for Pharaoh but returned as believers."

[REFERENCES] Fiqh Al-Ridha, Vol.1 p.359 • Al-Kafi, Vol.5 p.83 • Man La Yahduruhu Al-Faqih, Vol.3 p.165 • Man La Yahduruhu Al-Faqih, Vol.4 p.399 • Al-Amali (Lil-Saduq), Vol.1 p.178 • Tuhaf Al-'Uqul, Vol.1 p.208 • Rawdat Al-Wa'izin, Vol.2 p.502 • Mishkat Al-Anwar, Vol.1 p.117 • Al-Sarair, Vol.3 p.622 • Al-Wafi, Vol.17 p.67

HADITH

5855 - وَ رَوَى عَبْدُ اَللَّهِ بْنُ عَبَّاسٍ عَنْ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَنَّهُ قَالَ : «أَشْرَافُ أُمَّتِي حَمَلَةُ اَلْقُرْآنِ وَ أَصْحَابُ اَللَّيْلِ».

H.5855 - Abdullah ibn Abbas narrated from the Messenger of Allah {SWT}, peace and blessings be upon him and his family, that the Prophet {saws} said:
"The nobles of my nation are the bearers of the Qur'an and those who engage in prayer during the night."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.399 • Al-Khisal, Vol.1 p.7 • Ma'ani Al-Akhbar, Vol.1 p.177 • Al-Amali (Lil-Saduq), Vol.1 p.234 • Rawdat Al-Wa'izin, Vol.1 p.6 • Al-Wafi, Vol.7 p.101 • Wasa'il Al-Shi'ah, V.6 p.168 • Wasa'il Al-Shi'ah, V.6 p.174 • Wasa'il Al-Shi'ah, V.8 p.155 • Al-Fusul Al-Muhimmah, Vol.3 p.318

HADITH

5856 - وَ نَزَلَ جَبْرَئِيلُ عَلَيْهِ اَلسَّلاَمُ عَلَى اَلنَّبِيِّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ فَقَالَ لَهُ «يَا جَبْرَئِيلُ عِظْنِي» فَقَالَ لَهُ يَا مُحَمَّدُ عِشْ مَا شِئْتَ فَإِنَّكَ مَيِّتٌ وَ أَحْبِبْ مَنْ شِئْتَ فَإِنَّكَ مُفَارِقُهُ وَ اِعْمَلْ مَا شِئْتَ فَإِنَّكَ مُلاَقِيهِ شَرَفُ اَلْمُؤْمِنِ صَلاَتُهُ بِاللَّيْلِ وَ عِزُّهُ كَفُّ اَلْأَذَى عَنِ اَلنَّاسِ.

H.5856 - Jibr'il {a.s} (Gabriel), descended upon the Prophet {saws}.
The Prophet {saws} said to him: "O' Jibr'il, advise me."
Jibr'il said to him: "O' Muhammad {saws}, live as you wish, for you will surely die.
Love whomever you wish, for you will surely part from them.
Do whatever you wish, for you will surely be recompensed for it.
The honor of a believer lies in his prayer during the night, and his dignity is in refraining from harming others."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.1 p.471 • Man La Yahduruhu Al-Faqih, Vol.4 p.399 • Rawdat Al-Wa'izin, Vol.2 p.321 • Al-Wafi, Vol.7 p.101

HADITH

5857 - وَ رَوَى اَلْحَسَنُ بْنُ مُوسَى اَلْخَشَّابُ عَنْ غِيَاثِ بْنِ كَلُّوبٍ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ آبَائِهِ عَلَيْهِمُ اَلسَّلاَمُ أَنَّ عَلِيّاً عَلَيْهِ اَلسَّلاَمُ كَانَ يَقُولُ : «مَا مِنْ أَحَدٍ أُبْتُلِيَ وَ إِنْ عَظُمَتْ بَلْوَاهُ بِأَحَقَّ بِالدُّعَاءِ مِنَ اَلْمُعَافَى اَلَّذِي لاَ يَأْمَنُ اَلْبَلاَءَ».

H.5857 - Al-Hasan ibn Musa Al-Khashshab narrated from Ghiyath ibn Kallub, from Ishaq ibn Ammar, from Imam Jafar ibn Muhammad Al-Sadiq {a.s}, from his forefathers, peace be upon them, that Imam Ali ibn Abi Talib {a.s}, peace be upon him, used to say:
"There is no one afflicted with a trial, no matter how great his affliction, who is more deserving of supplication than the one who is in well-being and does not feel secure from tribulation."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.399 • Al-Amali (Lil-Saduq), Vol.1 p.265 • Rawdat Al-Wa'izin, Vol.2 p.327 • Makarim Al-Akhlaq, Vol.1 p.271 • Majmu'at Warram, Vol.2 p.166 • Uddat Al-Da'i, Vol.1 p.16 • Al-Wafi, Vol.9 p.1473 • Wasa'il Al-Shi'ah, Vol.7 p.42 • Bihar Al-Anwar, Vol.90 p.380

HADITH

5858 - وَ رَوَى عَلِيُّ بْنُ مَهْزِيَارَ عَنِ اَلْحُسَيْنِ [اَلْحُسَيْنِ خ ل] بْنِ سَعِيدٍ عَنِ اَلْحَارِثِ بْنِ مُحَمَّدِ بْنِ اَلنُّعْمَانِ اَلْأَحْوَلِ صَاحِبِ اَلطَّاقِ عَنْ جَمِيلِ بْنِ صَالِحٍ عَنْ أَبِي عَبْدِ اَللَّهِ اَلصَّادِقِ عَنْ آبَائِهِ عَلَيْهِمُ اَلسَّلاَمُ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «مَنْ أَحَبَّ أَنْ يَكُونَ أَكْرَمَ اَلنَّاسِ فَلْيَتَّقِ اَللَّهَ وَ مَنْ أَحَبَّ أَنْ يَكُونَ أَتْقَى اَلنَّاسِ فَلْيَتَوَكَّلْ عَلَى اَللَّهِ تَعَالَى وَ مَنْ أَحَبَّ أَنْ يَكُونَ أَغْنَى اَلنَّاسِ فَلْيَكُنْ بِمَا عِنْدَ اَللَّهِ عَزَّ وَ جَلَّ أَوْثَقَ مِنْهُ بِمَا فِي يَدِهِ» ثُمَّ قَالَ عَلَيْهِ اَلسَّلاَمُ «أَ لاَ أُنَبِّئُكُمْ بِشَرِّ اَلنَّاسِ» قَالُوا بَلَى يَا رَسُولَ اَللَّهِ قَالَ «مَنْ أَبْغَضَ اَلنَّاسَ وَ أَبْغَضَهُ اَلنَّاسُ » ثُمَّ قَالَ «أَ لاَ أُنَبِّئُكُمْ بِشَرٍّ مِنْ هَذَا» قَالُوا بَلَى يَا رَسُولَ اَللَّهِ قَالَ «اَلَّذِي لاَ يُقِيلُ عَثْرَةً وَ لاَ يَقْبَلُ مَعْذِرَةً وَ لاَ يَغْفِرُ ذَنْباً» ثُمَّ قَالَ «أَ لاَ أُنَبِّئُكُمْ بِشَرٍّ مِنْ هَذَا» قَالُوا بَلَى يَا رَسُولَ اَللَّهِ قَالَ «مَنْ لاَ يُؤْمَنُ شَرُّهُ وَ لاَ يُرْجَى خَيْرُهُ إِنَّ عِيسَى اِبْنَ مَرْيَمَ عَلَيْهِ اَلسَّلاَمُ قَامَ فِي بَنِي إِسْرَائِيلَ فَقَالَ يَا بَنِي إِسْرَائِيلَ لاَ تُحَدِّثُوا بِالْحِكْمَةِ اَلْجُهَّالَ فَتَظْلِمُوهَا وَ لاَ تَمْنَعُوهَا أَهْلَهَا فَتَظْلِمُوهُمْ وَ لاَ تُعِينُوا اَلظَّالِمَ عَلَى ظُلْمِهِ فَيَبْطُلَ فَضْلُكُمْ اَلْأُمُورُ ثَلاَثَةٌ أَمْرٌ تَبَيَّنَ لَكَ رُشْدُهُ فَاتَّبِعْهُ وَ أَمْرٌ تَبَيَّنَ لَكَ غَيُّهُ فَاجْتَنِبْهُ وَ أَمْرٌ اُخْتُلِفَ فِيهِ فَرُدَّهُ إِلَى اَللَّهِ عَزَّ وَ جَلَّ».

H.5858 - Ali ibn Mahziyar narrated from Al-Husayn ibn Said, from Al-Harith ibn Muhammad ibn Al-Numan Al-Ahwal, known as Sahib Al-Taq, from Jamil ibn Salih, from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, from his forefathers, peace be upon them, who said that the Messenger of Allah {SWT}, peace and blessings be upon him and his family, said:

"Whoever wishes to be the most honored among people should fear Allah {SWT}.

Whoever wishes to be the most pious among people should place his trust in Allah {SWT}, the Exalted.

And whoever wishes to be the richest among people should have more trust in what is with Allah {SWT}, the Mighty and Majestic, than in what is in his own hands."

Then Prophet {saws}, peace be upon him, said: "Shall I inform you of the worst of people?"

They replied: “Yes, O’ Messenger of Allah {SWT}."

Prophet {saws} said: "The one who hates people and whom people hate."

Then Prophet {saws} said: "Shall I inform you of someone worse than that?"

They said: “Yes, O’ Messenger of Allah {SWT}."

Prophet {saws} said: "The one who does not forgive a slip, does not accept an excuse, and does not pardon a sin."

Then Prophet {saws} said: "Shall I inform you of someone even worse than that?"

They said: “Yes, O’ Messenger of Allah {SWT}."

Prophet {saws} said: "The one whose harm is not safe from and whose goodness is not hoped for.

Indeed, Isa (Jesus) {a.s}, the son of Mary {s.a}, peace be upon him, stood among the Children of Israel and said: 'O’ Children of Israel, do not speak wisdom to the ignorant lest you wrong it, and do not withhold it from its rightful people lest you wrong them.

Do not support the oppressor in his oppression, or your virtue will be nullified.

Matters are of three kinds:

A matter whose guidance is clear to you, so follow it.
A matter whose misguidance is clear to you, so avoid it.
And a matter in which there is disagreement, so refer it back to Allah {SWT}, the Mighty and Majestic.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.400 • Ma'ani Al-Akhbar, Vol.1 p.196 • Al-Amali (Lil-Saduq), Vol.1 p.305 • Al-Arba'un HADITHan (Lil-Shahid Al-Awwal), Vol.1 p.57 • Al-Wafi, Vol.26 p.160 • Bihar Al-Anwar, Vol.69 p.203 • Bihar Al-Anwar, Vol.74 p.124

HADITH

5859 - وَ رَوَى اَلْحَسَنُ بْنُ عَلِيِّ بْنِ فَضَّالٍ عَنِ اَلْحَسَنِ بْنِ اَلْجَهْمِ عَنِ اَلْفُضَيْلِ بْنِ يَسَارٍ قَالَ قَالَ اَلصَّادِقُ جَعْفَرُ بْنُ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ : «مَا ضَعُفَ بَدَنٌ عَمَّا قَوِيَتْ عَلَيْهِ اَلنِّيَّةُ».

H.5859 - Al-Hasan ibn Ali ibn Faddal narrated from Al-Hasan ibn Al-Jahm, from Al-Fudayl ibn Yasar, who said that Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"The body does not become weak in pursuing what the intention has been strengthened for."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.400 • Al-Amali (Lil-Saduq), Vol.1 p.329 • Al-Wafi, Vol.4 p.370 • Wasa'il Al-Shi'ah, Vol.1 p.53 • Bihar Al-Anwar, Vol.67 p.205

HADITH

5860 - وَ رَوَى اِبْنُ فَضَّالٍ عَنْ غَالِبِ بْنِ عُثْمَانَ عَنْ شُعَيْبٍ اَلْعَقَرْقُوفِيِّ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «مَنْ مَلَكَ نَفْسَهُ إِذَا رَغِبَ وَ إِذَا رَهِبَ وَ إِذَا اِشْتَهَى وَ إِذَا غَضِبَ وَ إِذَا رَضِيَ حَرَّمَ اَللَّهُ جَسَدَهُ عَلَى اَلنَّارِ ».

H.5860 - Ibn Faddal narrated from Ghalib ibn Uthman, from Shuayb Al-Aqarqufi, from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, peace be upon him, who said:
"Whoever controls himself in moments of desire, fear, craving, anger, and satisfaction, Allah {SWT} will make his body forbidden to the Fire."

[REFERENCES] Fiqh Al-Ridha, Vol.1 p.371 • Man La Yahduruhu Al-Faqih, Vol.4 p.400 • Thawab Al-A'mal wa Iqab Al-A'mal, Vol.1 p.159 • Al-Amali (Lil-Saduq), Vol.1 p.329 • Tuhaf Al-'Uqul, Vol.1 p.361 • Rawdat Al-Wa'izin, Vol.2 p.380 • Mishkat Al-Anwar, Vol.1 p.247 • Mishkat Al-Anwar, Vol.1 p.307 • Al-Wafi, Vol.4 p.336 • Wasa'il Al-Shi'ah, Vol.15 p.162

HADITH

5861 - وَ سُئِلَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : عَنِ اَلزَّاهِدِ فِي اَلدُّنْيَا قَالَ «اَلَّذِي يَتْرُكُ حَلاَلَهَا مَخَافَةَ حِسَابِهِ وَ يَتْرُكُ حَرَامَهَا مَخَافَةَ عَذَابِهِ».

H.5861 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, peace be upon him, was asked about the one who is ascetic in this world.
Imam {a.s} said: "The one who abandons what is lawful out of fear of its reckoning and abandons what is unlawful out of fear of its punishment."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.400 • Uyun Al-Akhbar, Vol.1 p.312 • Uyun Al-Akhbar, Vol.2 p.52 • Ma'ani Al-Akhbar, Vol.1 p.287 • Al-Amali (Lil-Saduq), Vol.1 p.358 • Rawdat Al-Wa'izin, Vol.2 p.433 • Mishkat Al-Anwar, Vol.1 p.115 • Al-Wafi, Vol.4 p.403 • Wasa'il Al-Shi'ah, Vol.16 p.16 • Bihar Al-Anwar, Vol.67 p.310

HADITH

5862 - وَ رَوَى مُحَمَّدُ بْنُ سِنَانٍ عَنْ عَبْدِ اَللَّهِ بْنِ مُسْكَانَ عَنْ أَبِي عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : «إِنَّ أَحَقَّ اَلنَّاسِ بِأَنْ يَتَمَنَّى لِلنَّاسِ اَلْغِنَى اَلْبُخَلاَءُ لِأَنَّ اَلنَّاسَ إِذَا اِسْتَغْنَوْا كَفُّوا عَنْ أَمْوَالِهِمْ وَ إِنَّ أَحَقَّ اَلنَّاسِ بِأَنْ يَتَمَنَّى لِلنَّاسِ اَلصَّلاَحَ أَهْلُ اَلْعُيُوبِ لِأَنَّ اَلنَّاسَ إِذَا صَلَحُوا كَفُّوا، عَنْ تَتَبُّعِ عُيُوبِهِمْ وَ إِنَّ أَحَقَّ اَلنَّاسِ بِأَنْ يَتَمَنَّى لِلنَّاسِ اَلْحِلْمَ أَهْلُ اَلسَّفَهِ اَلَّذِينَ يَحْتَاجُونَ أَنْ يُعْفَى عَنْ سَفَهِهِمْ فَأَصْبَحَ أَهْلُ اَلْبُخْلِ يَتَمَنَّوْنَ فَقْرَ اَلنَّاسِ وَ أَصْبَحَ أَهْلُ اَلْعُيُوبِ يَتَمَنَّوْنَ مَعَايِبَ اَلنَّاسِ وَ أَصْبَحَ أَهْلُ اَلسَّفَهِ يَتَمَنَّوْنَ سَفَهَ اَلنَّاسِ وَ فِي اَلْفَقْرِ اَلْحَاجَةُ إِلَى اَلْبَخِيلِ وَ فِي اَلْفَسَادِ طَلَبُ عَوْرَةِ أَهْلِ اَلْعُيُوبِ وَ فِي اَلسَّفَهِ اَلْمُكَافَأَةُ بِالذُّنُوبِ».

H.5862 - Muhammad ibn Sinan narrated from Abdullah ibn Muskan, from Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, peace be upon him, who said:
"Indeed, the people most deserving to wish for others to be wealthy are the misers because if people become self-sufficient, they will refrain from seeking their wealth.
And the people most deserving to wish for others to be righteous are those with flaws because if people become righteous, they will stop pursuing their faults.
And the people most deserving to wish for others to be forbearing are the foolish, for they need others to pardon their foolishness.
Yet, the misers wish for people to be poor, the flawed wish for others to have faults, and the foolish wish for others to be foolish.
In poverty lies the need for the miser, in corruption lies the exposure of the flawed, and in foolishness lies the reciprocation of sins."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.401 • Al-Khisal, Vol.1 p.152 • Al-Amali (Lil-Saduq), Vol.1 p.387 • Al-Amali (Lil-Tusi), Vol.1 p.430 • Al-Wafi, Vol.5 p.995 • Bihar Al-Anwar, Vol.70 p.300 • Bihar Al-Anwar, Vol.75 p.191 • Awalim Al-Uloom, Vol.20 p.679

HADITH

5863 - وَ رُوِيَ عَنْ أَبِي هَاشِمٍ اَلْجَعْفَرِيِّ أَنَّهُ قَالَ : أَصَابَتْنِي ضِيقَةٌ شَدِيدَةٌ فَصِرْتُ إِلَى أَبِي اَلْحَسَنِ عَلِيِّ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ فَاسْتَأْذَنْتُ عَلَيْهِ فَأَذِنَ لِي فَلَمَّا جَلَسْتُ قَالَ «يَا أَبَا هَاشِمٍ أَيُّ نِعَمِ اَللَّهِ عَلَيْكَ تُرِيدُ أَنْ تُؤَدِّيَ شُكْرَهَا» قَالَ أَبُو هَاشِمٍ فَوَجَمْتُ فَلَمْ أَدْرِ مَا أَقُولُ لَهُ فَابْتَدَأَنِي عَلَيْهِ اَلسَّلاَمُ فَقَالَ «إِنَّ اَللَّهَ عَزَّ وَ جَلَّ رَزَقَكَ اَلْإِيمَانَ فَحَرَّمَ بِهِ بَدَنَكَ عَلَى اَلنَّارِ وَ رَزَقَكَ اَلْعَافِيَةَ فَأَعَانَكَ عَلَى اَلطَّاعَةِ وَ رَزَقَكَ اَلْقُنُوعَ فَصَانَكَ عَنِ اَلتَّبَذُّلِ يَا أَبَا هَاشِمٍ إِنَّمَا اِبْتَدَأْتُكَ بِهَذَا لِأَنِّي ظَنَنْتُ أَنَّكَ تُرِيدُ أَنْ تَشْكُوَ لِي مَنْ فَعَلَ بِكَ هَذَا قَدْ أَمَرْتُ لَكَ بِمِائَةِ دِينَارٍ فَخُذْهَا».

H.5863 - It is narrated from Abu Hashim Al-Jafari that he said:
"I was afflicted with severe hardship, so I went to Abu Al-Hasan Imam Ali ibn Muhammad Al-Hadi {a.s}, peace be upon him. I sought permission to enter, and he granted me permission.
When I sat down, Imam {a.s} said:
'O' Abu Hashim, which of Allah's {SWT} blessings upon you do you wish to fulfill its gratitude?'
Abu Hashim said: I was speechless and did not know what to say.
Then Imam {a.s}, peace be upon him, initiated the conversation and said:
'Indeed, Allah {SWT}, the Mighty and Majestic, has granted you faith, by which He {SWT} has made your body forbidden to the Fire.
He {SWT} has granted you well-being, enabling you to obey Him {SWT}. He {SWT} has granted you contentment, protecting you from disgrace.
O' Abu Hashim, I began with this because I thought you were about to complain to me about who has caused this hardship to you. I have ordered for you one hundred dinars, so take them.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.401 • Al-Amali (Lil-Saduq), Vol.1 p.412 • Al-Wafi, Vol.5 p.707 • Bihar Al-Anwar, Vol.50 p.129 • Bihar Al-Anwar, Vol.69 p.326

HADITH

5864 - وَ رَوَى مُحَمَّدُ بْنُ سِنَانٍ عَنْ طَلْحَةَ بْنِ زَيْدٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ اَلصَّادِقِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «اَلْعَامِلُ عَلَى غَيْرِ بَصِيرَةٍ كَالسَّائِرِ عَلَى غَيْرِ اَلطَّرِيقِ فَلاَ تَزِيدُهُ سُرْعَةُ اَلسَّيْرِ مِنَ اَلطَّرِيقِ إِلاَّ بُعْداً».

H.5864 - Muhammad ibn Sinan narrated from Talhah ibn Zayd, who said:
"I heard Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, peace be upon him, say:
'One who acts without insight is like a traveler walking off the path. The faster he moves, the farther he becomes from the correct way.'"

[REFERENCES] Fiqh Al-Ridha, Vol.1 p.381 • Al-Muhasin, Vol.1 p.198 • Al-Kafi, Vol.1 p.43 • Man La Yahduruhu Al-Faqih, Vol.4 p.401 • Al-Amali (Lil-Saduq), Vol.1 p.421 • Tuhaf Al-'Uqul, Vol.1 p.362 • Kanz Al-Fawa'id, Vol.2 p.109 • Rawdat Al-Wa'izin, Vol.1 p.10 • Mishkat Al-Anwar, Vol.1 p.134 • Al-Sarair, Vol.3 p.623

HADITH

5865 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «اَلنَّوْمُ رَاحَةٌ لِلْجَسَدِ وَ اَلنُّطْقُ رَاحَةٌ لِلرُّوحِ وَ اَلسُّكُوتُ رَاحَةٌ لِلْعَقْلِ».

H.5865 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, said:
"Sleep is rest for the body, speech is rest for the soul, and silence is rest for the mind."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.402 • Al-Amali (Lil-Saduq), Vol.1 p.441 • Al-Wafi, Vol.4 p.455 • Wasa'il Al-Shi'ah, Vol.12 p.186 • Bihar Al-Anwar, Vol.68 p.276 • Awalim Al-Uloom, Vol.20 p.680

HADITH

5866 - وَ رَوَى مُحَمَّدُ بْنُ سِنَانٍ عَنِ اَلْمُفَضَّلِ بْنِ عُمَرَ قَالَ قَالَ اَلصَّادِقُ جَعْفَرُ بْنُ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ : «مَنْ لَمْ يَكُنْ لَهُ وَاعِظٌ مِنْ قَلْبِهِ وَ زَاجِرٌ مِنْ نَفْسِهِ وَ لَمْ يَكُنْ لَهُ قَرِينٌ مُرْشِدٌ اِسْتَمْكَنَ عَدُوُّهُ مِنْ عُنُقِهِ».

H.5866 - Muhammad ibn Sinan narrated from Al-Mufaddal ibn Umar, who said that Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, peace be upon him, said:
"Whoever does not have an inner advisor from his heart, a restrainer from his own soul, and a guiding companion, his enemy will easily gain control over him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.402 • Al-Amali (Lil-Saduq), Vol.1 p.441 • Rawdat Al-Wa'izin, Vol.2 p.420 • Mishkat Al-Anwar, Vol.1 p.85 • Al-Wafi, Vol.5 p.575 • Wasa'il Al-Shi'ah, Vol.12 p.41 • Wasa'il Al-Shi'ah, Vol.15 p.162 • Bihar Al-Anwar, Vol.71 p.187 • Awalim Al-Uloom, Vol.20 p.680

HADITH

5867 - وَ رَوَى جَعْفَرُ بْنُ مُحَمَّدِ بْنِ مَالِكٍ اَلْفَزَارِيُّ اَلْكُوفِيُّ قَالَ حَدَّثَنَا جَعْفَرُ بْنُ مُحَمَّدِ بْنِ سَهْلٍ عَنْ سَعِيدِ بْنِ مُحَمَّدٍ عَنْ مَسْعَدَةَ قَالَ قَالَ لِي أَبُو اَلْحَسَنِ مُوسَى بْنُ جَعْفَرٍ عَلَيْهِمَا اَلسَّلاَمُ : «إِنَّ عِيَالَ اَلرَّجُلِ أُسَرَاؤُهُ فَمَنْ أَنْعَمَ اَللَّهُ عَلَيْهِ نِعْمَةً فَلْيُوَسِّعْ عَلَى أُسَرَائِهِ فَإِنْ لَمْ يَفْعَلْ أَوْشَكَ أَنْ تَزُولَ تِلْكَ اَلنِّعْمَةُ».

H.5867 - Ja'far ibn Muhammad ibn Malik Al-Fazari Al-Kufi narrated from Ja'far ibn Muhammad ibn Sahl, from Said ibn Muhammad, from Masadah, who said that Abu Al-Hasan Imam Musa ibn Jafar Al-Kadhim {a.s}, peace be upon them, said:
"Indeed, a man's family are his captives. So whoever Allah {SWT} blesses with a bounty should expand that blessing upon his family. If he does not, that blessing is at risk of disappearing."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.3 p.556 • Man La Yahduruhu Al-Faqih, Vol.4 p.402 • Al-Amali (Lil-Saduq), Vol.1 p.442 • Rawdat Al-Wa'izin, Vol.2 p.371 • Makarim Al-Akhlaq, Vol.1 p.217 • Kashf Al-Ghummah, Vol.2 p.207 • Al-Wafi, Vol.22 p.790 • Wasa'il Al-Shi'ah, Vol.20 p.171 • Wasa'il Al-Shi'ah, Vol.21 p.541 • Bihar Al-Anwar, Vol.75 p.208

HADITH

5868 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى عَنْ أَبِي اَلصَّبَّاحِ اَلْكِنَانِيِّ قَالَ : قُلْتُ لِلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ أَخْبِرْنِي عَنْ هَذَا اَلْقَوْلِ قَوْلُ مَنْ هُوَ «أَسْأَلُ اَللَّهَ اَلْإِيمَانَ وَ اَلتَّقْوَى وَ أَعُوذُ بِاللَّهِ مِنْ شَرِّ عَاقِبَةِ اَلْأُمُورِ إِنَّ أَشْرَفَ اَلْحَدِيثِ ذِكْرُ اَللَّهِ تَعَالَى وَ رَأْسَ اَلْحِكْمَةِ طَاعَتُهُ وَ أَصْدَقَ اَلْقَوْلِ وَ أَبْلَغَ اَلْمَوْعِظَةِ وَ أَحْسَنَ اَلْقَصَصِ كِتَابُ اَللَّهِ وَ أَوْثَقَ اَلْعُرَى اَلْإِيمَانُ بِاللَّهِ وَ خَيْرَ اَلْمِلَلِ مِلَّةُ إِبْرَاهِيمَ عَلَيْهِ اَلسَّلاَمُ وَ أَحْسَنَ اَلسُّنَنِ سُنَّةُ اَلْأَنْبِيَاءِ وَ أَحْسَنَ اَلْهَدْيِ هَدْيُ مُحَمَّدٍ وَ خَيْرَ «اَلزَّادِ اَلتَّقْوىٰ» وَ خَيْرَ اَلْعِلْمِ مَا نَفَعَ وَ خَيْرَ اَلْهُدَى مَا اُتُّبِعَ وَ خَيْرَ اَلْغِنَى غِنَى اَلنَّفْسِ وَ خَيْرَ مَا أُلْقِيَ فِي اَلْقَلْبِ اَلْيَقِينُ وَ زِينَةَ اَلْحَدِيثِ اَلصِّدْقُ وَ زِينَةَ اَلْعِلْمِ اَلْإِحْسَانُ وَ أَشْرَفَ اَلْمَوْتِ قَتْلُ اَلشَّهَادَةِ وَ خَيْرَ اَلْأُمُورِ خَيْرُهَا عَاقِبَةً وَ مَا قَلَّ وَ كَفَى خَيْرٌ مِمَّا كَثُرَ وَ أَلْهَى وَ اَلشَّقِيُّ مَنْ شَقِيَ فِي بَطْنِ أُمِّهِ وَ اَلسَّعِيدَ مَنْ وُعِظَ بِغَيْرِهِ وَ أَكْيَسَ اَلْكَيْسِ اَلتُّقَى وَ أَحْمَقَ اَلْحُمْقِ اَلْفُجُورُ وَ شَرَّ اَلرِّوَايَا رِوَايَا اَلْكَذِبِ وَ شَرَّ اَلْأُمُورِ مُحْدَثَاتُهَا وَ شَرَّ اَلْعَمَى عَمَى اَلْقَلْبِ وَ شَرَّ اَلنَّدَامَةِ نَدَامَةُ يَوْمِ اَلْقِيَامَةِ وَ أَعْظَمَ اَلْمُخْطِئِينَ عِنْدَ اَللَّهِ عَزَّ وَ جَلَّ لِسَانُ اَلْكَذَّابِ وَ شَرَّ اَلْكَسْبِ كَسْبُ اَلرِّبَا وَ شَرَّ اَلْمَآكِلِ أَكْلُ مَالِ اَلْيَتِيمِ ظُلْماً وَ أَحْسَنَ زِينَةِ اَلرَّجُلِ اَلسَّكِينَةُ مَعَ اَلْإِيمَانِ وَ مَنْ تَتَبَّعَ اَلْمَشْمَعَةَ يُشَمِّعُ اَللَّهُ بِهِ وَ مَنْ يَعْرِفِ اَلْبَلاَءَ يَصْبِرْ عَلَيْهِ وَ مَنْ لاَ يَعْرِفْهُ يُنْكِرْهُ وَ اَلرَّيْبُ كُفْرٌ وَ مَنْ يَسْتَكْبِرْ يَضَعْهُ اَللَّهُ وَ مَنْ يُطِعِ اَلشَّيْطَانَ يَعْصِ اَللَّهَ وَ مَنْ يَعْصِ اَللَّهَ يُعَذِّبْهُ اَللَّهُ وَ مَنْ يَشْكُرْهُ يَزِدْهُ اَللَّهُ وَ مَنْ يَصْبِرْ عَلَى اَلرَّزِيَّةِ يُعِنْهُ اَللَّهُ وَ مَنْ يَتَوَكَّلْ عَلَى اَللَّهِ فَحَسْبُهُ اَللَّهُ وَ مَنْ يَتَوَكَّلْ عَلَى اَللَّهِ يُؤْجِرْهُ اَللَّهُ لاَ تُسْخِطُوا اَللَّهَ بِرِضَا أَحَدٍ مِنْ خَلْقِهِ وَ لاَ تَتَقَرَّبُوا إِلَى أَحَدٍ مِنَ اَلْخَلْقِ بِتَبَاعُدٍ مِنَ اَللَّهِ فَإِنَّ اَللَّهَ عَزَّ وَ جَلَّ لَيْسَ بَيْنَهُ وَ بَيْنَ أَحَدٍ مِنَ اَلْخَلْقِ شَيْءٌ فَيُعْطِيَهُ بِهِ خَيْراً أَوْ يَصْرِفَ بِهِ عَنْهُ سُوءاً إِلاَّ بِطَاعَتِهِ وَ اِبْتِغَاءِ مَرْضَاتِهِ إِنَّ طَاعَةَ اَللَّهِ تَبَارَكَ وَ تَعَالَى نَجَاحُ كُلِّ خَيْرٍ يُبْتَغَى وَ نَجَاةٌ مِنْ كُلِّ شَرٍّ يُتَّقَى وَ إِنَّ اَللَّهَ عَزَّ وَ جَلَّ يَعْصِمُ مَنْ أَطَاعَهُ وَ لاَ يَعْتَصِمُ مِنْهُ مَنْ عَصَاهُ وَ لاَ يَجِدُ اَلْهَارِبُ مِنَ اَللَّهِ مَهْرَباً فَإِنَّ أَمْرَ اَللَّهِ تَعَالَى ذِكْرُهُ نَازِلٌ بِإِذْلاَلِهِ وَ لَوْ كَرِهَ اَلْخَلاَئِقُ وَ كُلُّ مَا هُوَ آتٍ قَرِيبٌ مَا شَاءَ اَللَّهُ كَانَ وَ مَا لَمْ يَشَأْ لَمْ يَكُنْ «تَعٰاوَنُوا عَلَى اَلْبِرِّ وَ اَلتَّقْوىٰ وَ لاٰ تَعٰاوَنُوا عَلَى اَلْإِثْمِ وَ اَلْعُدْوٰانِ وَ اِتَّقُوا اَللّٰهَ إِنَّ اَللّٰهَ شَدِيدُ اَلْعِقٰابِ» » فَقَالَ اَلصَّادِقُ جَعْفَرُ بْنُ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ «هَذَا قَوْلُ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ ».

H.5868 - Safwan ibn Yahya narrated from Abu Al-Sabbah Al-Kinani, who said:
I asked Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}:
"Inform me about this statement, whose words are:
'I ask Allah {SWT} for faith and piety, and I seek refuge in Allah {SWT} from the evil consequences of matters.
Indeed, the most honorable speech is the remembrance of Allah {SWT}, the Exalted, and the pinnacle of wisdom is obedience to Him.
The most truthful speech, the most eloquent admonition, and the best of stories are found in the Book of Allah {SWT}.
The firmest bond is faith in Allah {SWT}.
The best of religions is the religion of Ibrahim, peace be upon him.
The best of traditions is the tradition of the prophets.
The best of guidance is the guidance of Muhammad {saws}.
The best provision is piety.
The best knowledge is that which benefits.

The best guidance is that which is followed.
The best wealth is the wealth of the soul.
The best thing placed in the heart is certainty.
The adornment of speech is truthfulness.
The adornment of knowledge is benevolence.
The most honorable death is martyrdom.
The best of matters are those with favorable outcomes.
That which is little and sufficient is better than that which is abundant and distracting.
The truly unfortunate is the one who is doomed while still in his mother's womb.
The truly fortunate is the one who takes heed from others.
The wisest of the wise is the one who fears Allah {SWT}.
The most foolish of the foolish is the one who engages in wickedness.
The worst of narrations is falsehood.
The worst of matters are their innovations.
The worst blindness is the blindness of the heart.
The worst regret is regret on the Day of Judgment.
The greatest sinner in the sight of Allah {SWT}, the Exalted, is the lying tongue.
The worst earnings are those acquired through usury.
The worst food is that which is acquired through unlawfully consuming the orphan's wealth.
The best adornment of a man is calmness with faith.
Whoever pursues scandal, Allah {SWT} will expose him.
Whoever accepts trials will endure them, and whoever does not recognize them will reject them.
Doubt is disbelief.
Whoever is arrogant, Allah {SWT} will humble him.
Whoever obeys Satan disobeys Allah {SWT}.
Whoever disobeys Allah {SWT}, Allah {SWT} will punish him.
Whoever gives thanks to Allah {SWT}, He will increase him.
Whoever is patient in adversity, Allah {SWT} will relieve him.
Whoever relies on Allah {SWT}, He will suffice him.
Whoever entrusts himself to Allah {SWT}, He will reward him.
Do not incur Allah's {SWT} wrath by seeking the approval of His {SWT} creation.
Do not seek nearness to creation by distancing yourself from Allah {SWT}. Indeed, there is nothing between Allah {SWT}, the Exalted, and His creation that can grant them goodness or protect them from harm except obedience to Him and seeking His pleasure.
The obedience of Allah {SWT}, the Blessed and Exalted, is the key to every good that is sought and the means to salvation from every evil that is feared.
Indeed, Allah {SWT}, the Exalted, safeguards those who obey Him, but those who disobey Him will find no protection from Him.

No one can escape from Allah {SWT}, for His command is inevitable, even if creation dislikes it. Everything that is coming is near, and whatever Allah {SWT} wills will be, and whatever He does not will shall never be.
Cooperate in righteousness and piety, and do not cooperate in sin and transgression. Fear Allah {SWT}; indeed, Allah {SWT} is severe in punishment.'"
Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"This is the statement of Messenger of Allah {SWT}, blessings be upon him and his family."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.402 • Al-Amali (Lil-Saduq), Vol.1 p.487 • Al-Wafi, Vol.26 p.157 • Bihar Al-Anwar, Vol.74 p.114

HADITH

5869 - وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «قَالَ اَللَّهُ جَلَّ جَلاَلُهُ «أَيُّمَا عَبْدٍ أَطَاعَنِي لَمْ أَكِلْهُ إِلَى غَيْرِي وَ أَيُّمَا عَبْدٍ عَصَانِي وَكَلْتُهُ إِلَى نَفْسِهِ ثُمَّ لَمْ أُبَالِ فِي أَيِّ وَادٍ هَلَكَ» ».

H.5869 - Messenger of Allah {SWT}, peace upon him and his family, said:
"Allah {SWT}, the Glorified and Exalted, said:
'Whoever of My {SWT} servants obeys Me {SWT}, I will not entrust him to anyone other than Myself {SWT}.
And whoever disobeys Me {SWT}, I will leave him to himself, and I will not care in which valley he perishes.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.403 • Al-Amali (Lil-Saduq), Vol.1 p.489 • Rawdat Al-Wa'izin, Vol.2 p.420 • Mishkat Al-Anwar, Vol.1 p.85 • Jami' Al-Akhbar, Vol.1 p.100 • Al-Wafi, Vol.4 p.303 • Wasa'il Al-Shi'ah, Vol.15 p.235 • Wasa'il Al-Shi'ah, Vol.15 p.307 • Kulliyat HADITH Qudsi, Vol.1 p.279 • Kulliyat HADITH Qudsi, Vol.1 p.291

HADITH

5870 - وَ رَوَى مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ عِيسَى اَلْفَرَّاءِ عَنْ عَبْدِ اَللَّهِ بْنِ أَبِي يَعْفُورٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ قَالَ أَبُو جَعْفَرٍ اَلْبَاقِرُ عَلَيْهِ اَلسَّلاَمُ : «مَنْ كَانَ ظَاهِرُهُ أَرْجَحَ مِنْ بَاطِنِهِ خَفَّ مِيزَانُهُ».

H.5870 - Muhammad ibn Abi Umayr narrated from Isa Al-Farra', from Abdullah ibn Abi Yafur, who said: "I heard Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, say that Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, said:
'Whoever's outward appearance outweighs his inward self, his scale (of deeds) will be light.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.404 • Al-Amali (Lil-Saduq), Vol.1 p.492 • Tuhaf Al-'Uqul, Vol.1 p.294 • Mishkat Al-Anwar, Vol.1 p.321 • Majmu'at Warram, Vol.2 p.10 • Al-Durrah Al-Bahirah, Vol.1 p.28 • Al-Wafi, Vol.5 p.857 • Wasa'il Al-Shi'ah, Vol.1 p.68 • Bihar Al-Anwar, Vol.68 p.365 • Bihar Al-Anwar, Vol.75 p.173

HADITH

5871 - وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «قَالَ اَللَّهُ عَزَّ وَ جَلَّ «إِذَا عَصَانِي مِنْ خَلْقِي مَنْ يَعْرِفُنِي سَلَّطْتُ عَلَيْهِ مِنْ خَلْقِي مَنْ لاَ يَعْرِفُنِي » ».

H.5871 - Messenger of Allah {SWT}, said:
"Allah {SWT}, the Mighty and Majestic, said:
'When someone among My {SWT} creation who knows Me {SWT} proceeds to disobey Me {SWT}, I will set over him from My {SWT} creation one who does not know Me {SWT}.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.404 • Al-Wafi, Vol.4 p.303 • Wasa'il Al-Shi'ah, Vol.15 p.307 • Kulliyat HADITH Qudsi, Vol.1 p.291

HADITH

5872 - وَ رَوَى اِبْنُ أَبِي عُمَيْرٍ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «يَا إِسْحَاقُ صَانِعِ اَلْمُنَافِقَ بِلِسَانِكَ وَ أَخْلِصْ وُدَّكَ لِلْمُؤْمِنِ وَ إِنْ جَالَسَكَ يَهُودِيٌّ فَأَحْسِنْ مُجَالَسَتَهُ».

H.5872 - Ibn Abi Umayr narrated from Ishaq ibn Ammar, who said that Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, peace be upon him, said:
"O' Ishaq, be courteous to the hypocrite with your speech, but keep your sincere affection for the believer. And if a Jew sits with you, then treat him with good companionship."

[REFERENCES] Al-Zuhd, Vol.1 p.22 • Man La Yahduruhu Al-Faqih, Vol.4 p.404 • Al-Amali (Lil-Saduq), Vol.1 p.628 • Al-Ikhtisas, Vol.1 p.230 • Al-Amali (Lil-Mufid), Vol.1 p.185 • Nuzhat Al-Nazir, Vol.1 p.99 • Rawdat Al-Wa'izin, V.2 p.371 • Mishkat Al-Anwar, V.1 p.82 • A'lam Al-Din, Vol.1 p.301 • Bihar Al-Anwar, Vol.71 p.152

HADITH

5873 - وَ رَوَى اَلْمُفَضَّلُ بْنُ عُمَرَ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ جَدِّهِ عَلَيْهِمُ اَلسَّلاَمُ قَالَ : قِيلَ لِلْحُسَيْنِ بْنِ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ كَيْفَ أَصْبَحْتَ يَا اِبْنَ رَسُولِ اَللَّهِ قَالَ «أَصْبَحْتُ وَ لِيَ رَبٌّ فَوْقِي وَ اَلنَّارُ أَمَامِي وَ اَلْمَوْتُ يَطْلُبُنِي وَ اَلْحِسَابُ مُحْدِقٌ بِي وَ أَنَا مُرْتَهَنٌ بِعَمَلِي لاَ أَجِدُ مَا أُحِبُّ وَ لاَ أَدْفَعُ مَا أَكْرَهُ وَ اَلْأُمُورُ بِيَدِ غَيْرِي فَإِنْ شَاءَ عَذَّبَنِي وَ إِنْ شَاءَ عَفَا عَنِّي فَأَيُّ فَقِيرٍ أَفْقَرُ مِنِّي».

H.5873 - Al-Mufaddal ibn Umar narrated from Imam Ja'far ibn Muhammad Al-Sadiq, from his father Imam Muhammad ibn Ali Al-Baqir {a.s}, from his grandfather Imam Hussain ibn Ali {a.s}, peace be upon them, who said:
"It was said to Imam Hussain ibn Ali {a.s}: "How did you wake up this morning, O' son of the Messenger of Allah {SWT}?"
Imam {a.s} replied: "I woke up with my Lord {AZJ} above me, the Hellfire before me, death pursuing me, and the reckoning encircling me. I am held accountable by my own deeds. I do not attain what I desire, nor can I repel what I dislike. All matters are in the hands of someone other than myself. If He {SWT} wills, He {SWT} will punish me, and if He {SWT} wills, He {SWT} will forgive me. So, who is poorer than me?"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.404 • Al-Amali (Lil-Saduq), Vol.1 p.609 • Rawdat Al-Wa'izin, Vol.2 p.489 • Jami' Al-Akhbar, Vol.1 p.90 • Al-'Adad Al-Qawiyyah, Vol.1 p.35 • Al-Wafi, Vol.26 p.241 • Bihar Al-Anwar, Vol.73 p.15 • Bihar Al-Anwar, Vol.75 p.116

HADITH

5874 - وَ رَوَى اَلْمُفَضَّلُ عَنِ اَلصَّادِقِ عَ أَنَّهُ قَالَ : «وَقَعَ بَيْنَ سَلْمَانَ اَلْفَارِسِيِّ رَحْمَةُ اَللَّهِ عَلَيْهِ وَ بَيْنَ رَجُلٍ خُصُومَةٌ فَقَالَ اَلرَّجُلُ لِسَلْمَانَ مَنْ أَنْتَ وَ مَا أَنْتَ فَقَالَ سَلْمَانُ أَمَّا أَوَّلِي وَ أَوَّلُكَ فَنُطْفَةٌ قَذِرَةٌ وَ أَمَّا آخِرِي وَ آخِرُكَ فَجِيفَةٌ مُنْتِنَةٌ فَإِذَا كَانَ يَوْمُ اَلْقِيَامَةِ وَ نُصِبَتِ اَلْمَوَازِينُ فَمَنْ ثَقُلَتْ مَوَازِينُهُ فَهُوَ اَلْكَرِيمُ وَ مَنْ خَفَّتْ مَوَازِينُهُ فَهُوَ اَللَّئِيمُ».

H.5874 - Al-Mufaddal narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s}, that he said:
"A dispute occurred between Salman Al-Farsi, may Allah {SWT} have mercy on him, and a man.
The man said to Salman: 'Who are you, and what are you?'
Salman replied: 'As for my beginning and yours, it is a unclean drop of fluid, and as for my end and yours, it is a decaying corpse.
But on the Day of Judgment, when the scales are set up, whoever's scales are heavy, he is the honorable one, and whoever's scales are light, he is the disgraceful one.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.404 • Al-Wafi, Vol.26 p.398 • Tafsir Nur Al-Thaqalayn, Vol.5 p.660 • Tafsir Kanz Al-Daqaiq, Vol.14 p.412

HADITH

5875 - قَالَ اَلْمُفَضَّلُ وَ سَمِعْتُ اَلصَّادِقَ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «بَلِيَّةُ اَلنَّاسِ عَلَيْنَا عَظِيمَةٌ إِنْ دَعَوْنَاهُمْ لَمْ يُجِيبُونَا وَ إِنْ تَرَكْنَاهُمْ لَمْ يَهْتَدُوا بِغَيْرِنَا».

H.5875 - Al-Mufaddal said: I heard Imam Jafar ibn Muhammad Al-Sadiq {a.s}, say:
"The trial of the people concerning us is severe. If we call them, they do not respond to us, and if we leave them, they will not find guidance without us."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.405 • Al-Amali (Lil-Saduq), Vol.1 p.609 • Kanz Al-Fawa'id, Vol.2 p.37 • Al-Wafi, Vol.2 p.237 • Bihar Al-Anwar, Vol.23 p.99 • Awalim Al-Uloom, Vol.20 p.680

HADITH

5876 - وَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «جُمِعَ اَلْخَيْرُ كُلُّهُ فِي ثَلاَثِ خِصَالٍ اَلنَّظَرِ وَ اَلسُّكُوتِ وَ اَلْكَلاَمِ فَكُلُّ نَظَرٍ لَيْسَ فِيهِ اِعْتِبَارٌ فَهُوَ سَهْوٌ وَ كُلُّ كَلاَمٍ لَيْسَ فِيهِ ذِكْرٌ فَهُوَ لَغْوٌ وَ كُلُّ سُكُوتٍ لَيْسَ فِيهِ فِكْرَةٌ فَهُوَ غَفْلَةٌ فَطُوبَى لِمَنْ كَانَ نَظَرُهُ عَبَراً وَ سُكُوتُهُ فِكْراً وَ كَلاَمُهُ ذِكْراً وَ بَكَى عَلَى خَطِيئَتِهِ وَ أَمِنَ اَلنَّاسُ شَرَّهُ».

H.5876 - Commander of the Faithful Imam Ali ibn Abi Talib {a.s} said:
"All goodness has been gathered in three qualities: looking, silence, and speech.
Every glance that lacks reflection is heedlessness, every speech without the remembrance (of Allah {SWT}) is idle talk, and every silence without contemplation is neglect.
Glad tidings are for the one whose gaze is reflective, whose silence is thoughtful, whose speech is in remembrance, who weeps over his sins, and from whose harm people are safe."

[REFERENCES] Al-Muhasin, Vol.1 p.5 • Man La Yahduruhu Al-Faqih, Vol.4 p.405 • Thawab Al-A'mal wa Iqab Al-A'mal, Vol.1 p.177 • Al-Khisal, Vol.1 p.98 • Ma'ani Al-Akhbar, Vol.1 p.344 • Al-Amali (Lil-Saduq), Vol.1 p.27 • Al-Amali (Lil-Saduq), Vol.1 p.109 • Tuhaf Al-'Uqul, Vol.1 p.215 • Al-Ikhtisas, Vol.1 p.231 • Rawdat Al-Wa'izin, Vol.2 p.390

HADITH

5877 - وَ قَالَ اَلصَّادِقُ ع : «أَوْحَى اَللَّهُ عَزَّ وَ جَلَّ إِلَى آدَمَ عَلَيْهِ اَلسَّلاَمُ «يَا آدَمُ إِنِّي أَجْمَعُ لَكَ اَلْخَيْرَ كُلَّهُ فِي أَرْبَعِ كَلِمَاتٍ وَاحِدَةٌ لِي وَ وَاحِدٌ لَكَ وَ وَاحِدَةٌ فِيمَا بَيْنِي وَ بَيْنَكَ وَ وَاحِدَةٌ فِيمَا بَيْنَكَ وَ بَيْنَ اَلنَّاسِ فَأَمَّا اَلَّتِي لِي فَتَعْبُدُنِي وَ لاَ تُشْرِكُ بِي شَيْئاً وَ أَمَّا اَلَّتِي لَكَ فَأُجَازِيكَ بِعَمَلِكَ أَحْوَجَ مَا تَكُونُ إِلَيْهِ وَ أَمَّا اَلَّتِي فِيمَا بَيْنِي وَ بَيْنَكَ فَعَلَيْكَ اَلدُّعَاءُ وَ عَلَيَّ اَلْإِجَابَةُ وَ أَمَّا اَلَّتِي بَيْنَكَ وَ بَيْنَ اَلنَّاسِ فَتَرْضَى لِلنَّاسِ مَا تَرْضَى لِنَفْسِكَ» ».

H.5877 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Allah {SWT}, the Almighty, revealed to Adam, peace be upon him:
'O' Adam, I have gathered all goodness for you in four words: one is for Me {SWT}, one is for you, one is between Me {SWT} and you, and one is between you and the people.
As for the one for Me {SWT}, worship Me {SWT} and do not associate anything with Me {SWT}.
As for the one for you, I will reward you for your deeds when you are in most need of it.
As for the one between Me {SWT} and you, it is upon you to supplicate and upon Me {SWT} to answer.
And as for the one between you and the people, be pleased for them with what you are pleased for yourself.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.405 • Ma'ani Al-Akhbar, Vol.1 p.137 • Al-Amali (Lil-Saduq), Vol.1 p.608 • Al-Wafi, Vol.4 p.267 • Bihar Al-Anwar, Vol.11 p.257 • Bihar Al-Anwar, Vol.72 p.26

HADITH

5878 - وَ قَالَ اَلصَّادِقُ جَعْفَرُ بْنُ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ : «اَلْعَافِيَةُ نِعْمَةٌ خَفِيَّةٌ إِذَا وُجِدَتْ نُسِيَتْ وَ إِذَا فُقِدَتْ ذُكِرَتْ».

H.5878 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s}, said:
"Well-being is a hidden blessing. When it is present, it is forgotten, and when it is lost, it is remembered."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.406 • Al-Wafi, Vol.4 p.354 • Al-Wafi, Vol.26 p.557 • Bihar Al-Anwar, Vol.78 p.172

HADITH

5879 - وَ رَوَى اَلسَّكُونِيُّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَنْ آبَائِهِ عَلَيْهِمُ اَلسَّلاَمُ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «كَلِمَتَانِ غَرِيبَتَانِ فَاحْتَمِلُوهُمَا كَلِمَةُ حِكْمَةٍ مِنْ سَفِيهٍ فَاقْبَلُوهَا وَ كَلِمَةُ سَفَهٍ مِنْ حَكِيمٍ فَاغْفِرُوهَا».

H.5879 - Al-Sakuni narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, from his forefathers, peace be upon them, that the Messenger of Allah {SWT}, peace and blessings be upon him and his family, said:
"Two words are strange, so bear them patiently:
A word of wisdom from a foolish person - accept it;
and a foolish word from a wise person - forgive it."

[REFERENCES] Al-Muhasin, Vol.1 p.230 • Man La Yahduruhu Al-Faqih, Vol.4 p.406 • Ma'ani Al-Akhbar, Vol.1 p.367 • Al-Wafi, Vol.1 p.304 • Wasa'il Al-Shi'ah, Vol.15 p.267 • Bihar Al-Anwar, Vol.2 p.42

HADITH

5880 - وَ رَوَى عَمْرُو بْنُ شِمْرٍ عَنْ جَابِرِ بْنِ يَزِيدَ اَلْجُعْفِيِّ عَنْ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيٍّ اَلْبَاقِرِ عَنْ أَبِيهِ عَنْ جَدِّهِ عَلَيْهِمُ اَلسَّلاَمُ أَنَّ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ قَالَ فِي خُطْبَةٍ خَطَبَهَا بَعْدَ مَوْتِ اَلنَّبِيِّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «أَيُّهَا اَلنَّاسُ إِنَّهُ لاَ شَرَفَ أَعْلَى مِنَ اَلْإِسْلاَمِ وَ لاَ كَرَمَ أَعَزُّ مِنَ اَلتَّقْوَى وَ لاَ مَعْقِلَ أَحْرَزُ مِنَ اَلْوَرَعِ وَ لاَ شَفِيعَ أَنْجَحُ مِنَ اَلتَّوْبَةِ وَ لاَ كَنْزَ أَنْفَعُ مِنَ اَلْعِلْمِ وَ لاَ عِزَّ أَرْفَعُ مِنَ اَلْحِلْمِ وَ لاَ حَسَبَ أَبْلَغُ مِنَ اَلْأَدَبِ وَ لاَ نَصَبَ أَوْضَعُ مِنَ اَلْغَضَبِ وَ لاَ جَمَالَ أَزْيَنُ مِنَ اَلْعَقْلِ وَ لاَ سَوْأَةَ أَسْوَأُ مِنَ اَلْكَذِبِ وَ لاَ حَافِظَ أَحْفَظُ مِنَ اَلصَّمْتِ وَ لاَ لِبَاسَ أَجْمَلُ مِنَ اَلْعَافِيَةِ وَ لاَ غَائِبَ أَقْرَبُ مِنَ اَلْمَوْتِ أَيُّهَا اَلنَّاسُ إِنَّهُ مَنْ مَشَى عَلَى وَجْهِ اَلْأَرْضِ فَإِنَّهُ يَصِيرُ إِلَى بَطْنِهَا وَ اَللَّيْلُ وَ اَلنَّهَارُ مُسْرِعَانِ فِي هَدْمِ اَلْأَعْمَارِ وَ لِكُلِّ ذِي رَمَقٍ قُوتٌ وَ لِكُلِّ حَبَّةٍ آكِلٌ وَ أَنْتَ قُوتُ اَلْمَوْتِ وَ إِنَّ مَنْ عَرَفَ اَلْأَيَّامَ لَنْ يَغْفُلَ عَنِ اَلِاسْتِعْدَادِ لَنْ يَنْجُوَ مِنَ اَلْمَوْتِ غَنِيٌّ بِمَالِهِ وَ لاَ فَقِيرٌ لِإِقْلاَلِهِ أَيُّهَا اَلنَّاسُ مَنْ خَافَ رَبَّهُ كَفَّ ظُلْمَهُ وَ مَنْ لَمْ يَرْعَ فِي كَلاَمِهِ أَظْهَرَ هُجْرَهُ وَ مَنْ لَمْ يَعْرِفِ اَلْخَيْرَ مِنَ اَلشَّرِّ فَهُوَ بِمَنْزِلَةِ اَلْبَهْمِ مَا أَصْغَرَ اَلْمُصِيبَةَ مَعَ عِظَمِ اَلْفَاقَةِ غَداً هَيْهَاتَ وَ مَا تَنَاكَرْتُمْ إِلاَّ لِمَا فِيكُمْ مِنَ اَلْمَعَاصِي وَ اَلذُّنُوبِ فَمَا أَقْرَبَ اَلرَّاحَةَ مِنَ اَلتَّعَبِ وَ اَلْبُؤْسَ مِنَ اَلنَّعِيمِ وَ مَا شَرٌّ بِشَرٍّ بَعْدَهُ اَلْجَنَّةُ وَ مَا خَيْرٌ بِخَيْرٍ بَعْدَهُ اَلنَّارُ وَ كُلُّ نَعِيمٍ دُونَ اَلْجَنَّةِ مَحْقُورٌ وَ كُلُّ بَلاَءٍ دُونَ اَلنَّارِ عَافِيَةٌ».

H.5880 - Amr ibn Shimr narrated from Jabir ibn Yazid Al-Ju'fi from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} from his father from his grandfather, peace be upon them, that Commander of the Faithful, peace be upon him, said in a sermon he delivered after the death of the Prophet, peace and blessings be upon him and his family:
"O' people, there is no honor higher than Islam,
No dignity more precious than piety,
No fortress more secure than restraint,
No intercessor more successful than repentance,
No treasure more beneficial than knowledge,
No dignity more elevated than forbearance,

No lineage more effective than good manners,
No burden heavier than anger,
No beauty more adorned than intellect,
No disgrace worse than lying,
No guard more vigilant than silence,
No attire more beautiful than well-being,
And no absent thing closer than death.
O' people, whoever walks on the surface of the earth will eventually end up in its depths.
The night and day hasten in demolishing the lifespan, and for every living soul, there is sustenance; for every grain, there is a consumer; and you are the sustenance of death.
Whoever understands the nature of time will not neglect to prepare.
Neither the wealthy due to their wealth nor the poor due to their lack will escape death.
O' people, whoever fears his Lord {AZJ} will restrain his oppression.
Whoever does not guard his speech reveals his foolishness.
Whoever does not distinguish between good and evil is like the cattle.
How insignificant is affliction compared to the great deprivation that awaits tomorrow! Alas!
The only reason you have become estranged from each other is due to your sins and transgressions. How near is relief after hardship, and distress after prosperity!
No evil is truly evil if followed by Paradise, and no good is truly good if followed by Hellfire.
Every comfort short of Paradise is insignificant, and every trial short of Hellfire is safety.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.406 • Al-Wafi, Vol.26 p.225

HADITH

5881 - وَ فِي رِوَايَةِ إِسْمَاعِيلَ بْنِ مُسْلِمٍ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «ثَلاَثٌ أَخَافُهُنَّ عَلَى أُمَّتِي مِنْ بَعْدِي اَلضَّلاَلَةُ بَعْدَ اَلْهُدَى وَ مَضَلاَّتُ اَلْفِتَنِ وَ شَهْوَةُ اَلْبَطْنِ وَ اَلْفَرْجِ».

H.5881 - In the narration of Ismail ibn Muslim, the Messenger of Allah {SWT} (peace be upon him and his family) said:
"Three things I fear for my nation after me: deviation after guidance, misleading temptations, and the desires of the stomach and the private parts."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.407

HADITH

5882 - وَ مَرَّ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ بِقَوْمٍ يَتَشَاءَلُونَ حَجَراً فَقَالَ «مَا هَذَا وَ مَا يَدْعُوكُمْ إِلَيْهِ» قَالُوا لِنَعْرِفَ أَشَدَّنَا وَ أَقْوَانَا قَالَ «أَ فَلاَ أَدُلُّكُمْ عَلَى أَشَدِّكُمْ وَ أَقْوَاكُمْ» قَالُوا بَلَى يَا رَسُولَ اَللَّهِ قَالَ «أَشَدُّكُمْ وَ أَقْوَاكُمُ اَلَّذِي إِذَا رَضِيَ لَمْ يُدْخِلْهُ رِضَاهُ فِي إِثْمٍ وَ لاَ بَاطِلٍ وَ إِذَا سَخِطَ لَمْ يُخْرِجْهُ سَخَطُهُ مِنْ قَوْلِ اَلْحَقِّ وَ إِذْ مَلَكَ لَمْ يَتَعَاطَ مَا لَيْسَ لَهُ» وَ فِي خَبَرٍ آخَرَ «وَ إِذَا قَدَرَ لَمْ يَتَعَاطَ مَا لَيْسَ لَهُ بِحَقٍّ».

H.5882 - The Messenger of Allah {SWT} (peace be upon him and his family) passed by a group of people lifting a stone and said: “What is this and what drives you to do it?"
They replied: “So we may know who among us is the strongest and most powerful."
Prophet {saws} said: “Shall I not guide you to the strongest and mightiest among you?"
They said: “Yes, O’ Messenger of Allah {SWT}."
Prophet {saws} said: “The strongest and mightiest among you is the one who, when pleased, is not led by his pleasure into sin or falsehood, and when angry, his anger does not drive him away from speaking the truth, and when he possesses power, he does not take what is not rightfully his."
In another narration, Prophet {saws} added:
"And when he has authority, he does not claim what is not his by right."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.407

HADITH

5883 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ أَبِي وَلاَّدٍ اَلْحَنَّاطِ قَالَ : سَأَلْتُ أَبَا عَبْدِ اَللَّهِ جَعْفَرَ بْنَ مُحَمَّدٍ اَلصَّادِقَ عَلَيْهِ اَلسَّلاَمُ عَنْ قَوْلِ اَللَّهِ عَزَّ وَ جَلَّ: «وَ بِالْوَالِدَيْنِ إِحْساناً» مَا هَذَا اَلْإِحْسَانُ فَقَالَ «اَلْإِحْسَانُ أَنْ تُحْسِنَ صُحْبَتَهُمَا وَ أَنْ لاَ تُكَلِّفَهُمَا أَنْ يَسْأَلاَكَ شَيْئاً مِمَّا يَحْتَاجُونَ إِلَيْهِ وَ إِنْ كَانَا مُسْتَغْنِيَيْنِ إِنَّ اَللَّهَ عَزَّ وَ جَلَّ يَقُولُ: ﴿ لَنْ تَنَالُوا اَلْبِرَّ حَتَّى تُنْفِقُوا مِمَّا تُحِبُّونَ ﴾ ثُمَّ قَالَ عَلَيْهِ اَلسَّلاَمُ « «إِمَّا يَبْلُغَنَّ عِنْدَكَ اَلْكِبَرَ أَحَدُهُمَا أَوْ كِلاَهُمَا فَلاَ تَقُلْ لَهُمَا أُفٍّ» إِنْ أَضْجَرَاكَ «وَ لاَ تَنْهَرْهُمَا» إِنْ ضَرَبَاكَ «وَ قُلْ لَهُمَا قَوْلاً كَرِيماً» وَ اَلْقَوْلُ اَلْكَرِيمُ أَنْ تَقُولَ لَهُمَا غَفَرَ اَللَّهُ لَكُمَا فَذَاكَ مِنْكَ قَوْلٌ كَرِيمٌ «وَ اِخْفِضْ لَهُمَا جَنَاحَ اَلذُّلِّ مِنَ اَلرَّحْمَةِ » وَ هُوَ أَنْ لاَ تَمْلَأَ عَيْنَيْكَ مِنَ اَلنَّظَرِ إِلَيْهِمَا وَ تَنْظُرَ إِلَيْهِمَا بِرَحْمَةٍ وَ رَأْفَةٍ وَ أَنْ لاَ تَرْفَعَ صَوْتَكَ فَوْقَ أَصْوَاتِهِمَا وَ لاَ يَدَكَ فَوْقَ أَيْدِيهِمَا وَ لاَ تَتَقَدَّمَ قُدَّامَهُمَا».

H.5883 - Al-Hasan ibn Mahbub narrated from Abu Walad Al-Hannat that he asked Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} about the saying of Allah {SWT}, the Exalted: "*And be good to parents*."
He asked: “What is this goodness (ihsan)?"
Imam {a.s} replied: “Goodness is to treat them well in companionship and not to burden them to ask you for anything they need, even if they are self-sufficient. Indeed, Allah {SWT}, the Exalted, says: *'You will never attain righteousness until you spend out of what you love*.'"
(Surah AAl-E-Imran 3:92)
Then Imam {a.s} said: "If one or both of them reach old age in your care, do not say to them 'uff' (a word of annoyance) if they irritate you, and do not repel them if they strike

you, but speak to them noble words." The noble words mean that you say to them, 'May Allah {SWT} forgive you both.' That is noble speech from you.
"And lower to them the wing of humility out of mercy." This means that you should not fix your eyes on them with sharpness but look at them with mercy and compassion. Do not raise your voice above theirs, nor your hand above theirs, and do not walk ahead of them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.407

HADITH

5884 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ مَالِكِ بْنِ عَطِيَّةَ عَنْ عَائِذٍ اَلْأَحْمَسِيِّ عَنْ أَبِي حَمْزَةَ اَلثُّمَالِيِّ قَالَ قَالَ زَيْنُ اَلْعَابِدِينَ عَلِيُّ بْنُ اَلْحُسَيْنِ عَلَيْهِمَا اَلسَّلاَمُ : «أَلاَ إِنَّ أَحَبَّكُمْ إِلَى اَللَّهِ عَزَّ وَ جَلَّ أَحْسَنُكُمْ عَمَلاً وَ إِنَّ أَعْظَمَكُمْ عِنْدَ اَللَّهِ حَظّاً أَعْظَمُكُمْ فِيمَا عِنْدَ اَللَّهِ رَغْبَةً وَ إِنَّ أَنْجَى اَلنَّاسِ مِنْ عَذَابِ اَللَّهِ أَشَدُّهُمْ لِلَّهِ خَشْيَةً وَ إِنَّ أَقْرَبَكُمْ مِنَ اَللَّهِ أَوْسَعُكُمْ خُلُقاً وَ إِنَّ أَرْضَاكُمْ عِنْدَ اَللَّهِ أَسْبَغُكُمْ عَلَى عِيَالِهِ وَ «إِنَّ أَكْرَمَكُمْ عِنْدَ اَللَّهِ أَتْقَاكُمْ» »

H.5884 - Al-Hasan ibn Mahbub narrated from Malik ibn Atiyyah, from Aidh Al-Ahmasi, from Abu Hamzah Al-Thumali, who said that Zayn Al-Abidin Imam Ali ibn Al-Hussain {a.s} said:
"Behold, the most beloved of you to Allah {SWT}, the Mighty and Majestic, is the one with the best deeds.
Indeed, the greatest among you in reward with Allah {SWT} is the one with the greatest desire for what is with Allah {SWT}.
The safest of people from Allah's {SWT} punishment is the one who fears Allah {SWT} the most.
The closest of you to Allah {SWT} is the one with the most expansive and noble character.
The most pleasing to Allah {SWT} among you is the one who is most generous toward his family.
Indeed, the most honored of you in the sight of Allah {SWT} is the most God-conscious among you."

[REFERENCES] Al-Kafi, Vol.8 p.68 • Man La Yahduruhu Al-Faqih, Vol.4 p.408 • Tuhaf Al-'Uqul, Vol.1 p.279 • Majmu'at Warram, Vol.2 p.46 • A'lam Al-Din, Vol.1 p.222 • Al-Wafi, Vol.26 p.252 • Bihar Al-Anwar, Vol.75 p.136 • Bihar Al-Anwar, Vol.101 p.73 • Mustadrak Al-Wasa'il, Vol.15 p.255

HADITH

5885 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنْ سَعْدِ بْنِ أَبِي خَلَفٍ عَنْ أَبِي اَلْحَسَنِ مُوسَى بْنِ جَعْفَرٍ عَلَيْهِمَا اَلسَّلاَمُ أَنَّهُ قَالَ لِبَعْضِ وُلْدِهِ : «يَا بُنَيَّ إِيَّاكَ أَنْ يَرَاكَ اَللَّهُ عَزَّ وَ جَلَّ فِي مَعْصِيَةٍ نَهَاكَ عَنْهَا وَ إِيَّاكَ أَنْ يَفْقِدَكَ اَللَّهُ تَعَالَى عِنْدَ طَاعَةٍ أَمَرَكَ بِهَا وَ عَلَيْكَ بِالْجِدِّ وَ لاَ تُخْرِجَنَّ نَفْسَكَ مِنَ اَلتَّقْصِيرِ فِي عِبَادَةِ اَللَّهِ فَإِنَّ اَللَّهَ عَزَّ وَ جَلَّ لاَ يُعْبَدُ حَقَّ عِبَادَتِهِ وَ إِيَّاكَ وَ اَلْمِزَاحَ فَإِنَّهُ يَذْهَبُ بِنُورِ إِيمَانِكَ وَ يَسْتَخِفُّ بِمُرُوءَتِكَ وَ إِيَّاكَ وَ اَلْكَسَلَ وَ اَلضَّجَرَ فَإِنَّهُمَا يَمْنَعَانِكَ حَظَّكَ مِنَ اَلدُّنْيَا وَ اَلْآخِرَةِ».

H.5885 - Al-Hasan ibn Mahbub narrated from Sa'd ibn Abi Khalaf, from Abu Al-Hasan Imam Musa ibn Jafar Al-Kadhim {a.s} that Imam {a.s} said to one of his sons:
"My son, beware that Allah {SWT}, the Mighty and Majestic, sees you committing a sin He {SWT} has forbidden you from.
And beware that Allah {SWT}, the Exalted, does not find you present in an act of obedience that He {SWT} has commanded you to perform.
Be diligent and do not excuse yourself from shortcomings in worship of Allah {SWT}, for Allah {SWT}, the Mighty and Majestic, is never worshipped as He {SWT} truly deserves.
Avoid excessive joking, for it extinguishes the light of your faith and diminishes your dignity.
Also, beware of laziness and boredom, for they will deprive you of your share in this world and the Hereafter."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.408 • Tuhaf Al-'Uqul, Vol.1 p.409 • Al-Sarair, Vol.3 p.591 • Al-Wafi, Vol.26 p.279 • Bihar Al-Anwar, Vol.66 p.395 • Bihar Al-Anwar, Vol.75 p.320

HADITH

5886 - وَ رَوَى عَلِيُّ بْنُ اَلْحَكَمِ عَنْ هِشَامِ بْنِ سَالِمٍ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «اَلدُّنْيَا طَالِبَةٌ وَ مَطْلُوبَةٌ فَمَنْ طَلَبَ اَلدُّنْيَا طَلَبَهُ اَلْمَوْتُ حَتَّى يُخْرِجَهُ مِنْهَا وَ مَنْ طَلَبَ اَلْآخِرَةَ طَلَبَتْهُ اَلدُّنْيَا حَتَّى تُوَفِّيَهُ رِزْقَهُ».

H.5886 - Ali ibn Al-Hakam narrated from Hisham ibn Salim, from Imam Jafar ibn Muhammad Al-Sadiq {a.s}, who said:
"The world is both a seeker and one being sought.
Whoever seeks the world, death will pursue him until it removes him from it.
And whoever seeks Hereafter, the world will pursue him until it delivers his sustenance to him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.409 • Nahj Al-Balagha, Vol.1 p.552 •Ghurar Al-Hikam, Vol.1 p.117 • Uyun Al-Hikam, Vol.1 p.64 • Al-Wafi, Vol.26 p.270 • Tafsir Al-Safi, Vol.1 p.509 • Bihar Al-Anwar, Vol.100 p.38 • Tafsir Nur Al-Thaqalayn, Vol.1 p.560 • Tafsir Kanz Al-Daqaiq, Vol.3 p.560 • Awalim Al-Uloom, Vol.20 p.681

HADITH

5887 - وَ قَالَ الصَّادِقُ ع حَسْبُ الْمُؤْمِنِ مِنَ اللَّهِ نُصْرَةً أَنْ يَرَى عَدُوَّهُ يَعْمَلُ بِمَعَاصِي اللَّهِ عَزَّ وَ جَلَ.

H.5887 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Sufficient is it for a believer as support from Allah {SWT} to see his enemy engaging in acts of disobedience to Allah {SWT}, the Mighty and Majestic."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.409

HADITH

5888 - وَ قَالَ نَبِيُّ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «بَادِرُوا إِلَى رِيَاضِ اَلْجَنَّةِ » قَالُوا يَا رَسُولَ اَللَّهِ وَ مَا رِيَاضُ اَلْجَنَّةِ قَالَ «حَلَقُ اَلذِّكْرِ ».

H.5888 - The Prophet of Allah {SWT}, peace be upon him and his family, said:
"Hasten towards the gardens of Paradise."
They asked: “O’ Messenger of Allah {SWT}, what are the gardens of Paradise?"
Prophet {saws} replied: “The gatherings of remembrance (of Allah {SWT})."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.409 • Al-Wafi, Vol.1 p.177

HADITH

5889 - وَ رَوَى مُحَمَّدُ بْنُ أَحْمَدَ بْنِ يَحْيَى عَنْ مُحَمَّدِ بْنِ آدَمَ عَنْ أَبِيهِ عَنْ أَبِي اَلْحَسَنِ اَلرِّضَا عَنْ آبَائِهِ عَنْ عَلِيٍّ عَلَيْهِ اَلسَّلاَمُ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ لِعَلِيٍّ عَلَيْهِ اَلسَّلاَمُ : «يَا عَلِيُّ لاَ تُشَاوِرَنَّ جَبَاناً فَإِنَّهُ يُضَيِّقُ عَلَيْكَ اَلْمَخْرَجَ وَ لاَ تُشَاوِرَنَّ بَخِيلاً فَإِنَّهُ يَقْصُرُ بِكَ عَنْ غَايَتِك وَ لاَ تُشَاوِرَنَّ حَرِيصاً فَإِنَّهُ يُزَيِّنُ لَكَ شَرَهاً وَ اِعْلَمْ أَنَّ اَلْجُبْنَ وَ اَلْبُخْلَ وَ اَلْحِرْصَ غَرِيزَةٌ يَجْمَعُهَا سُوءُ اَلظَّنِّ».

H.5889 - Imam Ali ibn Abi Talib {a.s} narrated that the Messenger of Allah {SWT}, peace be upon him and his family, said to him:
"O’ Ali {a.s}, do not consult a coward, for he will restrict you from finding a solution.
Do not consult a miser, for he will hinder you from reaching your goal.
And do not consult a greedy person, for he will make greed seem appealing to you.
Know that cowardice, miserliness, and greed are innate traits that are all rooted in having a bad opinion (of Allah {SWT})."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.409 • Al-Khisal, Vol.1 p.101 • Ilal Al-Shara’i’, Vol.2 p.559 • Al-Wafi, Vol.5 p.582 • Wasa’il Al-Shi’ah, Vol.12 p.46 • Bihar Al-Anwar, Vol.67 p.386 • Bihar Al-Anwar, Vol.70 p.304 • Bihar Al-Anwar, Vol.72 p.99

HADITH

5890 - وَ رَوَى اَلْحَسَنُ بْنُ مَحْبُوبٍ عَنِ اَلْهَيْثَمِ بْنِ وَاقِدٍ قَالَ سَمِعْتُ اَلصَّادِقَ جَعْفَرَ بْنَ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «مَنْ أَخْرَجَهُ اَللَّهُ عَزَّ وَ جَلَّ مِنْ ذُلِّ اَلْمَعَاصِي إِلَى عِزِّ اَلتَّقْوَى أَغْنَاهُ اَللَّهُ بِلاَ مَالٍ وَ أَعَزَّهُ بِلاَ عَشِيرَةٍ وَ آنَسَهُ بِلاَ أَنِيسٍ وَ مَنْ خَافَ اَللَّهَ عَزَّ وَ جَلَّ أَخَافَ اَللَّهُ مِنْهُ كُلَّ شَيْءٍ وَ مَنْ لَمْ يَخَفِ اَللَّهَ عَزَّ وَ جَلَّ أَخَافَهُ اَللَّهُ مِنْ كُلِّ شَيْءٍ وَ مَنْ رَضِيَ مِنَ اَللَّهِ عَزَّ وَ جَلَّ بِاليَسِيرِ مِنَ اَلرِّزْقِ رَضِيَ اَللَّهُ مِنْهُ بِاليَسِيرِ مِنَ اَلعَمَلِ وَ مَنْ لَمْ يَسْتَحِ مِنْ طَلَبِ اَلْمَعَاشِ خَفَّتْ مَؤُونَتُهُ وَ نَعَّمَ أَهْلَهُ وَ مَنْ زَهِدَ فِي اَلدُّنْيَا أَثْبَتَ اَللَّهُ اَلْحِكْمَةَ فِي قَلْبِهِ وَ أَنْطَقَ بِهَا لِسَانَهُ وَ بَصَّرَهُ عُيُوبَ اَلدُّنْيَا دَاءَهَا وَ دَوَاءَهَا وَ أَخْرَجَهُ مِنَ اَلدُّنْيَا سَالِماً إِلَى دَارِ اَلسَّلاَمِ».

H.5890 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Whoever Allah {SWT}, the Almighty and Majestic, brings out from the humiliation of sins to the honor of piety, Allah {SWT} enriches him without wealth, honors him without a tribe, and comforts him without a companion.
Whoever fears Allah {SWT}, Allah {SWT} will make everything fear him, and whoever does not fear Allah {SWT}, Allah {SWT} will make him fear everything.
Whoever is content with the little provision Allah {SWT} gives him, Allah {SWT} will be pleased with his little deeds.
Whoever is not ashamed to seek his livelihood, his burdens will be lightened, and his family will be blessed.
And whoever renounces the world, Allah {SWT} will instill wisdom in his heart, make it flow from his tongue, show him the flaws of the world - its sickness and its cure - and will take him safely from this world to the abode of peace."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.410 • A'lam Al-Din, Vol.1 p.120 • Al-Wafi, Vol.26 p.270 • Wasa'il Al-Shi'ah, Vol.15 p.241 • Awalim Al-Uloom, Vol.20 p.681

HADITH

5891 - وَ رَوَى أَبُو حَمْزَةَ اَلثُّمَالِيُّ قَالَ قَالَ لِي أَبُو جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ : «لَمَّا حَضَرَتْ أَبِي عَلَيْهِ اَلسَّلاَمُ اَلْوَفَاةُ ضَمَّنِي إِلَى صَدْرِهِ ثُمَّ قَالَ «يَا بُنَيَّ اِصْبِرْ عَلَى اَلْحَقِّ وَ إِنْ كَانَ مُرّاً يُوَفَّ إِلَيْكَ أَجْرُكَ بِغَيْرِ حِسَابٍ» ».

H.5891 - Abu Hamza Al-Thumali narrated that Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} said: "When death approached my father {a.s}, he embraced me to his chest and said:
'O' my son, be patient upon the truth even if it is bitter, for your reward will be given to you without measure.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.410 • Al-Wafi, Vol.4 p.340 • Wasa'il Al-Shi'ah, Vol.15 p.238 • Awalim Al-Uloom, Vol.18 p.298

HADITH

5892 - وَ رَوَى اِبْنُ مُسْكَانَ عَنْ عَبْدِ اَللَّهِ بْنِ أَبِي يَعْفُورٍ قَالَ : قَالَ اَلصَّادِقُ جَعْفَرُ بْنُ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ لِرَجُلٍ «اِجْعَلْ قَلْبَكَ قَرِيناً تُزَاوِلُهُ وَ اِجْعَلْ عِلْمَكَ وَالِداً تَتَّبِعُهُ وَ اِجْعَلْ نَفْسَكَ عَدُوّاً تُجَاهِدُهُ وَ اِجْعَلْ مَالَكَ كَعَارِيَّةٍ تَرُدُّهَا».

H.5892 - Ibn Muskan narrated from Abdullah ibn Abi Ya'fur that Ja'far ibn Muhammad Al-Sadiq {a.s} said to a man: "Make your heart a companion you engage with, make your knowledge a guide you follow, make your soul an enemy you struggle against, and consider your wealth as a loan that you will return."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.410 • Awalim Al-Uloom, Vol.20 p.681

HADITH

5893 - وَ قَالَ عَلَيْهِ اَلسَّلاَمُ : «جَاهِدْ هَوَاكَ كَمَا تُجَاهِدُ عَدُوَّكَ».

H.5893 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Struggle against your desires just as you struggle against your enemy."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.410 • Al-Wafi, Vol.4 p.314 • Wasa'il Al-Shi'ah, Vol.15 p.280 • Awalim Al-Uloom, Vol.20 p.688

HADITH

5894 - وَ رَوَى اَلْحَسَنُ بْنُ رَاشِدٍ عَنْ أَبِي حَمْزَةَ اَلثُّمَالِيِّ عَنْ أَبِي جَعْفَرٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : أَتَى رَجُلٌ رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ فَقَالَ عَلِّمْنِي يَا رَسُولَ اَللَّهِ شَيْئاً فَقَالَ عَلَيْهِ اَلسَّلاَمُ «عَلَيْكَ بِالْيَأْسِ مِمَّا فِي أَيْدِي اَلنَّاسِ فَإِنَّهُ اَلْغِنَى اَلْحَاضِرُ» قَالَ زِدْنِي يَا رَسُولَ اَللَّهِ قَالَ «إِيَّاكَ وَ اَلطَّمَعَ فَإِنَّهُ اَلْفَقْرُ اَلْحَاضِرُ» قَالَ زِدْنِي يَا رَسُولَ اَللَّهِ قَالَ «إِذَا هَمَمْتَ بِأَمْرٍ فَتَدَبَّرْ عَاقِبَتَهُ فَإِنْ يَكُ خَيْراً أَوْ رُشداً اِتَّبَعْتَهُ وَ إِنْ يَكُ شَرّاً أَوْ غَيّاً تَرَكْتَهُ».

H.5894 - Al-Hasan ibn Rashid narrated from Abu Hamza Al-Thumali, from Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:
'A man came to the Messenger of Allah {SWT}, peace and blessings be upon him and his family, and said: "Teach me something, O' Messenger of Allah {SWT}."
Prophet {saws} said: "You must renounce what is in the hands of people, for it is immediate wealth."
The man said: "Increase me (in knowledge), O' Messenger of Allah {SWT}."
Prophet {saws} said: "Beware of greed, for it is present poverty."
The man said: "Increase me (in knowledge), O' Messenger of Allah {SWT}."
Prophet {saws} said: "When you intend to undertake something, consider its consequences.
If it is good or leads to guidance, follow it; and if it is evil or leads to misguidance, abandon it."

[REFERENCES] Man La Yahduruhu Al-Faqih, V.4 p.410 • Al-Wafi, V.4 p.417 • Wasa'il Al-Shi'ah, Vol.15 p.282

HADITH

5895 - وَ رَوَى اَلْحُسَيْنُ بْنُ يَزِيدَ عَنْ عَلِيِّ بْنِ غُرَابٍ قَالَ اَلصَّادِقُ جَعْفَرُ بْنُ مُحَمَّدٍ: «مَنْ خَلاَ بِذَنْبٍ فَرَاقَبَ اَللَّهَ ذِكْرُهُ فِيهِ وَ اِسْتَحْيَا مِنَ اَلْحَفَظَةِ غَفَرَ اَللَّهُ عَزَّ وَ جَلَّ لَهُ جَمِيعَ ذُنُوبِهِ وَ إِنْ كَانَتْ مِثْلَ ذُنُوبِ اَلثَّقَلَيْنِ».

H.5895 - Al-Husayn ibn Yazid narrated from Ali ibn Ghurab who said: Abu Abdullah {a.s}, said: "Whoever commits a sin in private and then fears Allah {SWT}, exalted be His {SWT} mention, regarding it, and feels ashamed before the recording angels; Allah {SWT}, the Majestic, will forgive all his sins, even if they are as numerous as the sins of the two weighty beings (humankind and jinn)."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.411 • Al-Wafi, Vol.5 p.1089 • Wasa'il Al-Shi'ah, Vol.15 p.221 • Awalim Al-Uloom, Vol.20 p.688

HADITH

5896 - وَ رَوَى اَلْعَبَّاسُ بْنُ بَكَّارٍ اَلضَّبِّيُّ قَالَ حَدَّثَنَا مُحَمَّدُ بْنُ سُلَيْمَانَ اَلْكُوفِيُّ اَلْبَزَّازُ قَالَ حَدَّثَنَا عَمْرُو بْنُ خَالِدٍ عَنْ زَيْدِ بْنِ عَلِيٍّ عَنْ أَبِيهِ عَلِيِّ بْنِ اَلْحُسَيْنِ عَنْ أَبِيهِ اَلْحُسَيْنِ بْنِ عَلِيٍّ ، عَنْ أَبِيهِ أَمِيرِ اَلْمُؤْمِنِينَ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «مَنْ مَاتَ يَوْمَ اَلْخَمِيسِ بَعْدَ زَوَالِ اَلشَّمْسِ إِلَى يَوْمِ اَلْجُمُعَةِ وَقْتَ اَلزَّوَالِ وَ كَانَ مُؤْمِناً أَعَاذَهُ اَللَّهُ عَزَّ وَ جَلَّ مِنْ ضَغْطَةِ اَلْقَبْرِ وَ قَبِلَ شَفَاعَتَهُ فِي مِثْلِ رَبِيعَةَ وَ مُضَرَ وَ مَنْ مَاتَ يَوْمَ اَلسَّبْتِ مِنَ اَلْمُؤْمِنِينَ لَمْ يَجْمَعِ اَللَّهُ عَزَّ وَ جَلَّ بَيْنَهُ وَ بَيْنَ اَلْيَهُودِ فِي اَلنَّارِ أَبداً وَ مَنْ مَاتَ يَوْمَ اَلْأَحَدِ مِنَ اَلْمُؤْمِنِينَ لَمْ يَجْمَعِ اَللَّهُ عَزَّ وَ جَلَّ بَيْنَهُ وَ بَيْنَ اَلنَّصَارَى فِي اَلنَّارِ أَبداً وَ مَنْ مَاتَ يَوْمَ اَلاِثْنَيْنِ مِنَ اَلْمُؤْمِنِينَ لَمْ يَجْمَعِ اَللَّهُ عَزَّ وَ جَلَّ بَيْنَهُ وَ بَيْنَ أَعْدَائِنَا مِنْ بَنِي أُمَيَّةَ فِي اَلنَّارِ أَبداً وَ مَنْ مَاتَ يَوْمَ اَلثُّلاَثَاءِ مِنَ اَلْمُؤْمِنِينَ حَشَرَهُ اَللَّهُ عَزَّ وَ جَلَّ مَعَنَا فِي اَلرَّفِيقِ اَلْأَعْلَى وَ مَنْ مَاتَ يَوْمَ اَلْأَرْبِعَاءِ مِنَ اَلْمُؤْمِنِينَ وَقَاهُ اَللَّهُ نَحْسَ يَوْمِ اَلْقِيَامَةِ وَ أَسْعَدَهُ بِمُجَاوَرَتِهِ وَ أَحَلَّهُ دَارَ اَلْمُقَامَةِ مِنْ فَضْلِهِ لاَ يَمَسُّهُ فِيهَا نَصَبٌ وَ لاَ يَمَسُّهُ فِيهَا لُغُوبٌ» ثُمَّ قَالَ عَلَيْهِ اَلسَّلاَمُ «اَلْمُؤْمِنُ عَلَى أَيِّ اَلْحَالاَتِ مَاتَ وَ فِي أَيِّ يَوْمٍ وَ سَاعَةٍ قُبِضَ فَهُوَ صِدِّيقٌ شَهِيدٌ وَ لَقَدْ سَمِعْتُ حَبِيبِي رَسُولَ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ يَقُولُ «لَوْ أَنَّ اَلْمُؤْمِنَ خَرَجَ مِنَ اَلدُّنْيَا وَ عَلَيْهِ مِثْلُ ذُنُوبِ أَهْلِ اَلْأَرْضِ لَكَانَ اَلْمَوْتُ كَفَّارَةً لِتِلْكَ اَلذُّنُوبِ، » ثُمَّ قَالَ عَلَيْهِ اَلسَّلاَمُ «مَنْ قَالَ لاَ إِلَهَ إِلاَّ اَللَّهُ بِإِخْلاَصٍ فَهُوَ بَرِيءٌ مِنَ اَلشِّرْكِ وَ مَنْ خَرَجَ مِنَ اَلدُّنْيَا لاَ يُشْرِكُ بِاللَّهِ شَيْئاً دَخَلَ اَلْجَنَّةَ » ثُمَّ تَلاَ هَذِهِ اَلْآيَةَ ۝ إِنَّ اَللَّهَ لاَ يَغْفِرُ أَنْ يُشْرَكَ بِهِ وَ يَغْفِرُ مٰا دُونَ ذٰلِكَ لِمَنْ يَشٰاءُ ۝ مِنْ شِيعَتِكَ وَ مُحِبِّيكَ يَا عَلِيُّ » قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ «فَقُلْتُ يَا رَسُولَ اَللَّهِ هَذَا لِشِيعَتِي قَالَ «إِي وَ رَبِّي إِنَّهُ لِشِيعَتِكَ وَ إِنَّهُمْ لَيَخْرُجُونَ يَوْمَ اَلْقِيَامَةِ مِنْ قُبُورِهِمْ وَ هُمْ يَقُولُونَ: لاَ إِلَهَ إِلاَّ اَللَّهُ، مُحَمَّدٌ رَسُولُ اَللَّهِ، عَلِيُّ بْنُ أَبِي طَالِبٍ حُجَّةُ اَللَّهِ فَيُؤْتَوْنَ بِحُلَلٍ خُضْرٍ مِنَ اَلْجَنَّةِ وَ أَكَالِيلَ مِنَ اَلْجَنَّةِ وَ تِيجَانٍ مِنَ اَلْجَنَّةِ وَ نَجَائِبَ مِنَ اَلْجَنَّةِ فَيَلْبَسُ كُلُّ وَاحِدٍ مِنْهُمْ حُلَّةً خَضْرَاءَ وَ يُوضَعُ عَلَى رَأْسِهِ تَاجُ اَلْمُلْكِ وَ إِكْلِيلُ اَلْكَرَامَةِ ثُمَّ يَرْكَبُونَ اَلنَّجَائِبَ فَتَطِيرُ بِهِمْ إِلَى اَلْجَنَّةِ : «لاَ يَحْزُنُهُمُ اَلْفَزَعُ اَلْأَكْبَرُ وَ تَتَلَقَّاهُمُ اَلْمَلاَئِكَةُ هٰذَا يَوْمُكُمُ اَلَّذِي كُنْتُمْ تُوعَدُونَ» » »

H.5896 - Al-Abbas ibn Bakkar Al-Dabbi narrated, saying: Muhammad ibn Sulayman Al-Kufi Al-Bazzaz narrated to us, saying: Amr ibn Khalid narrated from Zayd ibn Ali, from his father Imam Ali ibn Al-Hussain {a.s}, from his father Imam Hussain ibn Ali {a.s}, from his father Commander of the Faithful Imam Ali ibn Abi Talib {a.s}, peace be upon him, who said:

"Whoever dies on Thursday after the sun has passed its zenith until the time of the sun's zenith on Friday, and was a believer, Allah {SWT}, the Majestic, will protect him from the squeezing of the grave and accept his intercession for people as numerous as the tribes of Rabiah and Mudar.

Whoever dies on Saturday from among the believers, Allah {SWT}, the Almighty and Majestic, will never gather him with the Jews in the Fire.

Whoever dies on Sunday from among the believers, Allah {SWT}, the Almighty and Majestic, will never gather him with the Christians in the Fire.

Whoever dies on Monday from among the believers, Allah {SWT}, the Almighty and Majestic, will never gather him with our enemies from Banu Umayyah in the Fire.

Whoever dies on Tuesday from among the believers, Allah {SWT}, the Almighty and Majestic, will gather him with us in the highest companionship.
Whoever dies on Wednesday from among the believers, Allah {SWT}, the Almighty and Majestic, will protect him from the misfortune of the Day of Judgment, bless him with His {SWT} nearness, and place him in the abode of permanence by His {SWT} grace, where no fatigue shall touch him, nor shall any exhaustion afflict him."
Then Commander of the Faithful Imam Ali ibn Abi Talib {a.s} said:
"The believer, in whatever state he dies and at whatever day or hour he passes away, is a truthful martyr. And indeed, I heard my beloved, the Messenger of Allah {SWT}, say:
'If a believer were to leave this world carrying sins equal to those of the people of the earth, death would be an expiation for those sins.'"
Then Commander of the Faithful Imam Ali ibn Abi Talib {a.s} said:
"Whoever says 'There is no God but Allah {SWT}' with sincerity is free from polytheism, and whoever leaves this world without associating anything with Allah {SWT} shall enter Paradise."
Then Imam Ali ibn Abi Talib {a.s} recited this verse:
'*Indeed, Allah {SWT} does not forgive associating partners with Him {SWT}, but He {SWT} forgives anything less than that for whom He {SWT} wills* - from among your followers and those who love you, O' Ali {a.s}." (Surah An-Nisa 4:48) and (Surah An-Nisa 4:116)
Then Commander of the Faithful Imam Ali ibn Abi Talib {a.s} said:
"I asked: 'O' Messenger of Allah {SWT}, is this for my followers?'
Prophet {saws} said: "Yes, by my Lord {AZJ}, it is for your followers (O' Ali {a.s}).
And indeed, they shall rise on the Day of Judgment from their graves saying:
'There is no God but Allah {SWT}, Muhammad {saws} is the Messenger of Allah {SWT}, Imam Ali ibn Abi Talib {a.s} is the proof of Allah {SWT}'.
They will be given green garments from Paradise, crowns from Paradise, and tiaras from Paradise. Each one of them will wear a green garment, and the crown of sovereignty and the wreath of honor will be placed on his head. Then they will mount noble steeds from Paradise, and these will take them flying to Paradise.'
They will not be grieved by the greatest terrors, and the angels will receive them, saying: 'This is your Day which you were promised.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.411 • Al-Wafi, Vol.24 p.269

HADITH

5897 - وَ سُئِلَ اَلصَّادِقُ عَ : مَا حَدُّ حُسْنِ اَلْخُلُقِ قَالَ «تُلِينُ جَانِبَكَ وَ تُطِيبُ كَلاَمَكَ وَ تَلْقَى أَخَاكَ بِبِشْرٍ حَسَنٍ».

H.5897 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked:
"What is the definition of good character?"
Imam {a.s} replied: "It is to be gentle in your behaviour, speak kindly, and meet your brother with a cheerful face."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.412 • Tafsir Nur Al-Thaqalayn, Vol.5 p.391 • Tafsir Kanz Al-Daqaiq, Vol.13 p.376

HADITH

5898 - وَ سُئِلَ عَلَيْهِ اَلسَّلاَمُ : مَا حَدُّ اَلسَّخَاءِ قَالَ «تُخْرِجُ مِنْ مَالِكَ اَلْحَقَّ اَلَّذِي أَوْجَبَهُ اَللَّهُ عَزَّ وَ جَلَّ عَلَيْكَ فَتَضَعُهُ فِي مَوْضِعِهِ».

H.5898 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} was asked:
"What is the definition of generosity?"
Imam {a.s} replied: "It is to give from your wealth the rightful dues that Allah {SWT}, the Almighty, has obligated upon you, and to place it in its appropriate place."

[REFERENCES] Al-Kafi, Vol.4 p.39 • Man La Yahduruhu Al-Faqih, Vol.4 p.412 • Ma'ani Al-Akhbar, Vol.1 p.255 • Al-Wafi, Vol.10 p.479 • Wasa'il Al-Shi'ah, Vol.9 p.17 • Bihar Al-Anwar, Vol.68 p.353

HADITH

5899 - وَ رَوَى يَعْقُوبُ بْنُ يَزِيدَ عَنْ أَحْمَدَ بْنِ اَلْحَسَنِ اَلْمِيثَمِيِّ عَنِ اَلْحُسَيْنِ بْنِ أَبِي حَمْزَةَ قَالَ سَمِعْتُ أَبَا عَبْدِ اَللَّهِ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «أَنْفِقْ وَ أَيْقِنْ بِالْخَلَفِ وَ اِعْلَمْ أَنَّهُ مَنْ لَمْ يُنْفِقْ فِي طَاعَةِ اَللَّهِ اُبْتُلِيَ بِأَنْ يُنْفِقَ فِي مَعْصِيَةِ اَللَّهِ عَزَّ وَ جَلَّ وَ مَنْ لَمْ يَمْشِ فِي حَاجَةِ وَلِيِّ اَللَّهِ اُبْتُلِيَ بِأَنْ يَمْشِيَ فِي حَاجَةِ عَدُوِّ اَللَّهِ عَزَّ وَ جَلَّ».

H.5899 - Yaqub ibn Yazid narrated from Ahmad ibn Al-Hasan Al-Mithami, from Al-Husayn ibn Abi Hamzah, who said: I heard Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} say:
"Spend (in the way of Allah {SWT}) and be certain of the replacement.
Know that whoever does not spend in obedience to Allah {SWT} will be tested by spending in disobedience to Allah {SWT}, the Almighty.
And whoever does not walk to fulfill the need of a friend of Allah {SWT} will be tested by walking to fulfill the need of an enemy of Allah {SWT}, the Almighty."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.412 • Mishkat Al-Anwar, Vol.1 p.183 • Jami' Al-Akhbar, Vol.1 p.178 • Al-Wafi, Vol.10 p.488 • Bihar Al-Anwar, Vol.93 p.130 • Awalim Al-Uloom, Vol.20 p.682

HADITH

5900 - وَ رَوَى أَحْمَدُ بْنُ إِسْحَاقَ بْنِ سَعْدٍ عَنْ عَبْدِ اَللَّهِ بْنِ مَيْمُونٍ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِ اَلسَّلاَمُ قَالَ : قَالَ اَلْفَضْلُ بْنُ اَلْعَبَّاسِ أُهْدِيَ إِلَى رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ بَغْلَةٌ أَهْدَاهَا لَهُ كِسْرَى أَوْ قَيْصَرُ فَرَكِبَهَا اَلنَّبِيُّ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ بِجُلٍّ مِنْ شَعْرٍ وَ أَرْدَفَنِي خَلْفَهُ ثُمَّ قَالَ لِي «يَا غُلاَمُ اِحْفَظِ اَللَّهَ يَحْفَظْكَ وَ اِحْفَظِ اَللَّهَ تَجِدْهُ أَمَامَكَ، تَعَرَّفْ إِلَى اَللَّهِ عَزَّ وَ جَلَّ فِي اَلرَّخَاءِ، يَعْرِفْكَ فِي اَلشِّدَّةِ إِذَا سَأَلْتَ فَاسْأَلِ اَللَّهَ وَ إِذَا اِسْتَعَنْتَ فَاسْتَعِنْ بِاللَّهِ عَزَّ وَ جَلَّ فَقَدْ مَضَى اَلْقَلَمُ بِمَا هُوَ كَائِنٌ فَلَوْ جَهَدَ اَلنَّاسُ أَنْ يَنْفَعُوكَ بِأَمْرٍ لَمْ يَكْتُبْهُ اَللَّهُ لَكَ لَمْ يَقْدِرُوا عَلَيْهِ وَ لَوْ جَهَدُوا أَنْ يَضُرُّوكَ بِأَمْرٍ لَمْ يَكْتُبْهُ اَللَّهُ عَلَيْكَ لَمْ يَقْدِرُوا عَلَيْهِ فَإِنِ اِسْتَطَعْتَ أَنْ تَعْمَلَ بِالصَّبْرِ مَعَ اَلْيَقِينِ فَافْعَلْ فَإِنْ لَمْ تَسْتَطِعْ فَاصْبِرْ فَإِنَّ فِي اَلصَّبْرِ عَلَى مَا تَكْرَهُ خَيْراً كَثِيراً وَ اِعْلَمْ أَنَّ اَلنَّصْرَ مَعَ اَلصَّبْرِ وَ أَنَّ اَلْفَرَجَ مَعَ اَلْكَرْبِ وَ أَنَّ مَعَ اَلْعُسْرِ يُسْراً «إِنَّ مَعَ اَلْعُسْرِ يُسْراً» ».

H.5900 - Ahmad ibn Ishaq ibn Saʿd narrated from Abdullah ibn Maymun, from Imam Jafar ibn Muhammad Al-Sadiq {a.s} from his father, Imam Muhammad ibn Ali Al-Baqir {a.s}, who said:

Al-Fadl ibn Al-Abbas said:

A mule was gifted to the Messenger of Allah {SWT} (peace and blessings be upon him and his family) by Kisra (the Persian emperor) or Qayṣar (the Roman emperor).

The Prophet (peace and blessings be upon him and his family) rode it with a saddle made of hair and had me ride behind him.

Then, the Prophet {saws} said to me:

"O' boy, safeguard Allah {SWT}, and He {SWT} will safeguard you.

Safeguard Allah {SWT}, and you will find Him {SWT} before you.

Recognize Allah {SWT} in times of ease, and He {SWT} will recognize you in times of hardship.

When you ask, ask Allah {SWT}, and when you seek help, seek help from Allah {SWT}, the Mighty and Majestic.

Indeed, the pen has already written what is to occur. So, if all people strive to benefit you with something that Allah {SWT} has not decreed for you, they will never be able to do so.

And if they strive to harm you with something that Allah {SWT} has not decreed against you, they will never be able to harm you.

If you are able to act with patience along with certainty, then do so. If you are unable, then be patient, for in patience over what you dislike is much good.

Know that victory comes with patience, relief comes with distress, and with hardship comes ease.

Indeed, with hardship comes ease."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.412 • Al-Wafi, Vol.26 p.161

HADITH

5901 - وَ رَوَى مُحَمَّدُ بْنُ عَلِيٍّ اَلْكُوفِيُّ عَنْ إِسْمَاعِيلَ بْنِ مِهْرَانَ عَنْ مُرَازِمٍ عَنْ جَابِرِ بْنِ يَزِيدَ عَنْ جَابِرِ بْنِ عَبْدِ اَللَّهِ اَلْأَنْصَارِيِّ قَالَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «إِذَا وَقَعَ اَلْوَلَدُ فِي بَطْنِ أُمِّهِ صَارَ وَجْهُهُ قِبَلَ ظَهْرِ أُمِّهِ إِنْ كَانَ ذَكَراً وَ إِنْ كَانَتْ أُنْثَى صَارَ وَجْهُهَا قِبَلَ بَطْنِ أُمِّهَا وَ يَدَاهُ عَلَى وَجْنَتَيْهِ وَ ذَقْنُهُ عَلَى رُكْبَتَيْهِ كَهَيْئَةِ اَلْحَزِينِ اَلْمَهْمُومِ فَهُوَ كَالْمَصْرُورِ مَنُوطٌ بِمِعَاءٍ مِنْ سُرَّتِهِ إِلَى سُرَّةِ أُمِّهِ فَبِتِلْكَ اَلسُّرَّةِ يَغْتَذِي مِنْ طَعَامِ أُمِّهِ وَ شَرَابِهَا إِلَى اَلْوَقْتِ اَلْمُقَدَّرِ لِوِلاَدَتِهِ فَيَبْعَثُ اَللَّهُ عَزَّ وَ جَلَّ إِلَيْهِ مَلَكاً فَيَكْتُبُ عَلَى جَبْهَتِهِ شَقِيٌّ أَوْ سَعِيدٌ مُؤْمِنٌ أَوْ كَافِرٌ غَنِيٌّ أَوْ فَقِيرٌ وَ يَكْتُبُ أَجَلَهُ وَ رِزْقَهُ وَ سُقْمَهُ وَ صِحَّتَهُ فَإِذَا اِنْقَطَعَ اَلرِّزْقُ اَلْمُقَدَّرُ لَهُ مِنْ سُرَّةِ أُمِّهِ زَجَرَهُ اَلْمَلَكُ زَجْرَةً فَانْقَلَبَ فَزِعاً مِنَ اَلزَّجْرَةِ وَ صَارَ رَأْسُهُ قِبَلَ اَلْمَخْرَجِ فَإِذَا وَقَعَ عَلَى اَلْأَرْضِ دُفِعَ إِلَى هَوْلٍ عَظِيمٍ وَ عَذَابٍ أَلِيمٍ إِنْ أَصَابَتْهُ رِيحٌ أَوْ مَسَّتْهُ يَدٌ وَجَدَ لِذَلِكَ مِنَ اَلْأَلَمِ مَا يَجِدُ اَلْمَسْلُوخُ عَنْهُ جِلْدُهُ يَجُوعُ فَلاَ يَقْدِرُ عَلَى اَلِاسْتِطْعَامِ وَ يَعْطَشُ فَلاَ يَقْدِرُ عَلَى اَلِاسْتِسْقَاءِ وَ يَتَوَجَّعُ فَلاَ يَقْدِرُ عَلَى اَلِاسْتِغَاثَةِ فَيُوَكِّلُ اَللَّهُ تَبَارَكَ وَ تَعَالَى بِرَحْمَتِهِ وَ اَلشَّفَقَةِ عَلَيْهِ وَ اَلْمَحَبَّةِ لَهُ أُمَّهُ فَتَقِيهِ اَلْحَرَّ وَ اَلْبَرْدَ بِنَفْسِهَا وَ تَكَادُ تَفْدِيهِ بِرُوحِهَا وَ تَصِيرُ مِنَ اَلتَّعَطُّفِ عَلَيْهِ بِحَالٍ لاَ تُبَالِي أَنْ تَجُوعَ إِذَا شَبِعَ وَ تَعْطَشَ إِذَا رَوِيَ وَ تَعْرَى إِذَا كُسِيَ وَ جَعَلَ اَللَّهُ تَعَالَى ذِكْرُهُ رِزْقَهُ فِي ثَدْيَيْ أُمِّهِ فِي إِحْدَاهُمَا

شَرَابُهُ وَ فِي اَلْأُخْرَى طَعَامُهُ حَتَّى إِذَا رَضَعَ آتَاهُ اَللَّهُ عَزَّ وَ جَلَّ كُلَّ يَوْمٍ بِمَا قَدَّرَ لَهُ فِيهِ مِنْ رِزْقٍ فَإِذَا أَدْرَكَ فَهَّمَهُ اَلْأَهْلَ وَ اَلْمَالَ وَ اَلشَّرَهَ وَ اَلْحِرْصَ ثُمَّ هُوَ مَعَ ذَلِكَ يُعْرَضُ لِلْآفَاتِ وَ اَلْعَاهَاتِ وَ اَلْبَلِيَّاتِ مِنْ كُلِّ وَجْهٍ وَ اَلْمَلاَئِكَةُ تَهْدِيهِ وَ تُرْشِدُهُ وَ اَلشَّيَاطِينُ تُضِلُّهُ وَ تُغْوِيهِ فَهُوَ هَالِكٌ إِلاَّ أَنْ يُنْجِيَهُ اَللَّهُ عَزَّ وَ جَلَّ وَ قَدْ ذَكَرَ اَللَّهُ تَعَالَى ذِكْرُهُ نِسْبَةَ اَلْإِنْسَانِ فِي مُحْكَمِ كِتَابِهِ فَقَالَ عَزَّ وَ جَلَّ

۞ وَ لَقَدْ خَلَقْنَا اَلْإِنْسانَ مِنْ سُلالَةٍ مِنْ طِينٍ ثُمَّ جَعَلْناهُ نُطْفَةً فِي قَرارٍ مَكِينٍ ثُمَّ خَلَقْنَا اَلنُّطْفَةَ عَلَقَةً فَخَلَقْنَا اَلْعَلَقَةَ مُضْغَةً فَخَلَقْنَا اَلْمُضْغَةَ عِظاماً فَكَسَوْنَا اَلْعِظامَ لَحْماً ثُمَّ أَنْشَأْناهُ خَلْقاً آخَرَ فَتَبارَكَ اَللَّهُ أَحْسَنُ اَلْخالِقِينَ ثُمَّ إِنَّكُمْ بَعْدَ ذٰلِكَ لَمَيِّتُونَ ثُمَّ إِنَّكُمْ يَوْمَ اَلْقِيامَةِ تُبْعَثُونَ ۞

قَالَ جَابِرُ بْنُ عَبْدِ اَللَّهِ اَلْأَنْصَارِيُّ فَقُلْتُ يَا رَسُولَ اَللَّهِ هَذِهِ حَالُنَا فَكَيْفَ حَالُكَ وَ حَالُ اَلْأَوْصِيَاءِ بَعْدَكَ فِي اَلْوِلاَدَةِ فَسَكَتَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ مَلِيّاً ثُمَّ قَالَ «يَا جَابِرُ لَقَدْ سَأَلْتَ عَنْ أَمْرٍ جَسِيمٍ لاَ يَحْتَمِلُهُ إِلاَّ ذُو حَظٍّ عَظِيمٍ إِنَّ اَلْأَنْبِيَاءَ وَ اَلْأَوْصِيَاءَ مَخْلُوقُونَ مِنْ نُورِ عَظَمَةِ اَللَّهِ جَلَّ ثَنَاؤُهُ يُودِعُ اَللَّهُ أَنْوَارَهُمْ أَصْلاَباً طَيِّبَةً وَ أَرْحَاماً طَاهِرَةً يَحْفَظُهَا بِمَلاَئِكَتِهِ وَ يُرَبِّيهَا بِحِكْمَتِهِ وَ يَغْذُوهَا بِعِلْمِهِ فَأَمْرُهُمْ يَجِلُّ عَنْ أَنْ يُوصَفَ وَ أَحْوَالُهُمْ تَدِقُّ عَنْ أَنْ تُعْلَمَ لِأَنَّهُمْ نُجُومُ اَللَّهِ فِي أَرْضِهِ وَ أَعْلاَمُهُ فِي بَرِيَّتِهِ وَ خُلَفَاؤُهُ عَلَى عِبَادِهِ وَ أَنْوَارُهُ فِي بِلاَدِهِ وَ حُجَجُهُ عَلَى خَلْقِهِ يَا جَابِرُ هَذَا مِنْ مَكْنُونِ اَلْعِلْمِ وَ مَخْزُونِهِ فَاكْتُمْهُ إِلاَّ مِنْ أَهْلِهِ».

H.5901 - Muhammad ibn Ali Al-Kufi narrated from Isma'il ibn Mihran, from Murazim, from Jabir ibn Yazid, from Jabir ibn Abdullah Al-Ansari, who said that the Messenger of Allah {SWT}, peace and blessings be upon him and his family, said:

"When the child is in the womb of his mother, if it is a male, his face is turned towards the back of his mother, and if it is a female, her face is turned towards the belly of her mother.

His hands are placed on his cheeks, and his chin is on his knees, in the position of one who is sorrowful and worried. He is like a tightly bound entity, connected by an umbilical cord from his navel to the navel of his mother.

Through this umbilical cord, he receives nourishment from his mother's food and drink until the appointed time of his birth.

Then Allah {SWT}, the Almighty and Majestic, sends an angel who writes on his forehead whether he will be wretched or happy (person), a believer or a disbeliever, rich or poor. The angel also writes his lifespan, his sustenance, his illnesses, and his health.

When the sustenance decreed for his through its mother's umbilical cord is cut off, the angel gives his a nudge, and he turns, startled by the nudge, causing his head to face the exit.

When he is born onto the earth, he is met with great fear and intense torment. If he is struck by a breeze or touched by a hand, he feels pain similar to that of someone whose skin has been peeled off. He experiences hunger but cannot seek food, and he feels thirst but cannot request water, and he suffers pain but cannot cry out for help.

So Allah {SWT}, Blessed and Exalted, entrusts his mother with mercy, compassion, and love for him, such that she shields him from heat and cold with her own self, and she is almost willing to sacrifice her life for him. She becomes so affectionate towards him

that she does not mind going hungry if he is full, or being thirsty if he is quenched, or being unclothed if he is clothed.

Allah {SWT}, Exalted is His remembrance, has placed his sustenance in his mother's breasts - one providing his drink and the other his food. When he nurses, Allah {SWT}, the Almighty and Majestic, grants him daily the sustenance that has been decreed for him. When he grows up, Allah {SWT} grants him understanding of family, wealth, desire, and greed. Despite all this, he is exposed to afflictions, ailments, and tribulations from all directions. The angels guide him and direct him, while the devils mislead him and lead him astray. He is doomed unless Allah {SWT}, the Almighty and Majestic, saves him.

And Allah {SWT}, Exalted is His {SWT} remembrance, has mentioned the reality of mankind in His clear Book, saying:

"*And indeed, We {SWT} created man from an extract of clay. Then We {SWT} placed him as a drop of fluid in a firm lodging. Then We {SWT} created the drop into a clinging clot, and We {SWT} created the clot into a lump, and We {SWT} created the lump into bones, and We {SWT} clothed the bones with flesh; then We {SWT} developed him into another creation. So blessed is Allah {SWT}, the best of creators. Then indeed, after that, you will surely die. Then indeed, on the Day of Resurrection, you will be resurrected*."

(Surah Al-Mu'minun 23:12-16)

Jabir ibn Abdullah Al-Ansari said: I asked:

"O' Messenger of Allah {SWT}, this is our condition, but how is your condition and the condition of the successors after you in birth?"

The Messenger of Allah {SWT}, peace and blessings be upon him and his family, remained silent for a long while.

Then the prophet {saws} said: "O' Jabir, you have asked about a great matter which none can bear except one who has been granted great wisdom.

Indeed, the prophets and the successors are created from the light of the greatness of Allah {SWT}, Glorified be His {SWT} praise. Allah {SWT} places their lights in pure loins and immaculate wombs, protecting them with His {SWT} angels, nurturing them with His {SWT} wisdom, and sustaining them with His {SWT} knowledge.

Their matter is too great to be described, and their conditions are too subtle to be comprehended, for they are the stars of Allah {SWT} on His {SWT} earth, His {SWT} signs among His {SWT} creation, His {SWT} successors over His {SWT} servants (people), His {SWT} lights in His {SWT} lands, and His {SWT} proofs over His {SWT} creation.

O' Jabir, this is part of the concealed and stored knowledge, so conceal it except from those who are worthy of it."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.413 • Al-Wafi, Vol.23 p.1286 • Bihar Al-Anwar, Vol.57 p.352

HADITH

5902 - وَ رَوَى اَلْمُفَضَّلُ بْنُ عُمَرَ عَنْ ثَابِتٍ اَلثُّمَالِيِّ عَنْ حَبَابَةَ اَلْوَالِبِيَّةِ رَضِيَ اَللَّهُ عَنْهَا قَالَ سَمِعْتُ مَوْلاَيَ أَمِيرَ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «إِنَّا أَهْلُ بَيْتٍ لاَ نَشْرَبُ اَلْمُسْكِرَ وَ لاَ نَأْكُلُ اَلْجِرِّيَّ وَ لاَ نَمْسَحُ عَلَى اَلْخُفَّيْنِ فَمَنْ كَانَ مِنْ شِيعَتِنَا فَلْيَقْتَدِ بِنَا وَ لْيَسْتَنَّ بِسُنَّتِنَا».

H.5902 - Al-Mufaddal ibn Umar narrated from Thabit Al-Thumali from Hababah Al-Walibiyyah (may Allah {SWT} be pleased with her) who said:
"I heard my master, the Commander of the Faithful Imam Ali ibn Abi Talib {a.s}, say:
'Indeed, we are the Ahlul Bayt who do not drink intoxicants, do not eat catfish, and do not wipe over leather socks (in ablution).
So whoever is from our Shia should follow our example and adhere to our Sunnah.'"

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.415 • Al-Wafi, Vol.6 p.305 • Al-Wafi, Vol.20 p.644 • Wasa'il Al-Shi'ah, Vol.24 p.132

HADITH

5903 - وَ رَوَى حَمَّادُ بْنُ عُثْمَانَ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «فِي حِكْمَةِ آلِ دَاوُدَ يَنْبَغِي لِلْعَاقِلِ أَنْ يَكُونَ مُقْبِلاً عَلَى شَأْنِهِ حَافِظاً لِلِسَانِهِ عَارِفاً بِأَهْلِ زَمَانِهِ».

H.5903 - Hammad ibn Uthman narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s} who said: "In the wisdom of the family of Dawud {a.s}, it is fitting for a wise person to be focused on his own affairs, to safeguard his tongue, and to be aware of the people of his time."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.416 • Wasa'il Al-Shi'ah, Vol.12 p.192

HADITH

5904 - وَ رَوَى صَفْوَانُ بْنُ يَحْيَى وَ مُحَمَّدُ بْنُ أَبِي عُمَيْرٍ عَنْ مُوسَى بْنِ بَكْرٍ عَنْ زُرَارَةَ عَنِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «اَلصَّنِيعَةُ لاَ تَكُونُ صَنِيعَةً إِلاَّ عِنْدَ ذِي حَسَبٍ أَوْ دِينٍ اَلصَّلاَةُ قُرْبَانُ كُلِّ تَقِيٍّ اَلْحَجُّ جِهَادُ كُلِّ ضَعِيفٍ لِكُلِّ شَيْءٍ زَكَاةٌ وَ زَكَاةُ اَلْجَسَدِ اَلصِّيَامُ جِهَادُ اَلْمَرْأَةِ حُسْنُ اَلتَّبَعُّلِ اِسْتَنْزِلُوا اَلرِّزْقَ بِالصَّدَقَةِ مَنْ أَيْقَنَ بِالْخَلَفِ جَادَ بِالْعَطِيَّةِ إِنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى يُنَزِّلُ اَلْمَعُونَةَ عَلَى قَدْرِ اَلْمَئُونَةِ حَصِّنُوا أَمْوَالَكُمْ بِالزَّكَاةِ اَلتَّقْدِيرُ نِصْفُ اَلْعَيْشِ مَا عَالَ اِمْرُؤٌ اِقْتَصَدَ قِلَّةُ اَلْعِيَالِ أَحَدُ اَلْيَسَارَيْنِ اَلدَّاعِي بِلاَ عَمَلٍ كَالرَّامِي بِلاَ وَتَرٍ اَلتَّوَدُّدُ نِصْفُ اَلْعَقْلِ اَلْهَمُّ نِصْفُ اَلْهَرَمِ إِنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى يُنَزِّلُ اَلصَّبْرَ عَلَى قَدْرِ اَلْمُصِيبَةِ مَنْ ضَرَبَ يَدَهُ عَلَى فَخِذِهِ عِنْدَ اَلْمُصِيبَةِ حَبِطَ أَجْرُهُ مَنْ أَحْزَنَ وَالِدَيْهِ فَقَدْ عَقَّهُمَا».

H.5904 - Safwan ibn Yahya and Muhammad ibn Abi Umayr narrated from Musa ibn Bakr, from Zurara, who reported from Imam Jafar ibn Muhammad Al-Sadiq {a.s} that he said:
"A favor is only truly a favor when it is done for someone with noble lineage or faith.
Prayer is the means of closeness for every pious person.
Hajj is the jihad for every weak individual.
Everything has a form of charity, and the charity of the body is fasting.
A woman's jihad is being a good wife.
Seek sustenance through charity.
Whoever is certain of divine compensation will be generous in giving.
Indeed, Allah {SWT}, the Blessed and Exalted, sends down assistance according to the burden.
Safeguard your wealth through zakat.
Moderation is half of livelihood. No person who is moderate will face poverty.
Having fewer dependents is one of the two forms of ease.
One who prays without action is like an archer without a bowstring.
Affection is half of intelligence.
Anxiety is half of aging.
Indeed, Allah {SWT}, the Blessed and Exalted, sends down patience in proportion to the calamity.
Whoever strikes his hand on his thigh during a calamity, his reward is nullified.
Whoever grieves his parents has been disobedient to them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.416 • Al-Wafi, Vol.26 p.271 • Awalim Al-Uloom, Vol.20 p.682

HADITH

5905 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «إِنَّ اَللَّهَ تَبَارَكَ وَ تَعَالَى قَسَمَ بَيْنَكُمْ أَخْلاَقَكُمْ كَمَا قَسَمَ بَيْنَكُمْ أَرْزَاقَكُمْ».

H.5905 - Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Indeed, Allah {SWT}, the Blessed and Exalted, has distributed your manners among you just as He {SWT} has distributed your sustenance among you."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.416 • Al-Wafi, Vol.4 p.425

HADITH

5906 - وَ رُوِيَ عَنْ أَبِي جَمِيلَةَ اَلْمُفَضَّلِ بْنِ صَالِحٍ عَنْ سَعْدِ بْنِ طَرِيفٍ عَنِ اَلْأَصْبَغِ بْنِ نُبَاتَةَ عَنْ أَمِيرِ اَلْمُؤْمِنِينَ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «هَبَطَ جَبْرَئِيلُ عَلَى آدَمَ عَلَيْهِ اَلسَّلاَمُ فَقَالَ يَا آدَمُ إِنِّي أُمِرْتُ أَنْ أُخَيِّرَكَ وَاحِدَةً مِنْ ثَلاَثٍ فَاخْتَرْ وَاحِدَةً وَ دَعْ اِثْنَتَيْنِ فَقَالَ لَهُ وَ مَا تِلْكَ اَلثَّلاَثُ قَالَ اَلْعَقْلُ وَ اَلْحَيَاءُ وَ اَلدِّينُ فَقَالَ آدَمُ عَلَيْهِ اَلسَّلاَمُ فَإِنِّي قَدِ اِخْتَرْتُ اَلْعَقْلَ فَقَالَ جَبْرَئِيلُ عَلَيْهِ اَلسَّلاَمُ لِلْحَيَاءِ وَ اَلدِّينِ اِنْصَرِفَا وَ دَعَاهُ فَقَالاَ يَا جَبْرَئِيلُ إِنَّا أُمِرْنَا أَنْ نَكُونَ مَعَ اَلْعَقْلِ حَيْثُ كَانَ قَالَ فَشَأْنَكُمَا وَ عَرَجَ ».

H.5906 - It is narrated from Abu Jameelah Al-Mufaddal ibn Salih, from Sa'd ibn Tarif, from Al-Asbagh ibn Nubata, from Commander of the Faithful Imam Ali ibn Abi Talib {a.s} who said:
"Jibril {a.s} descended upon Adam {a.s} and said: 'O' Adam, I have been commanded to offer you a choice among three things, so choose one and leave the other two.'
Adam {a.s} asked: 'What are those three things?'
Jibril {a.s} replied: 'Intellect, modesty, and religion.'
Adam {a.s} said: 'I choose intellect.'
So Jibril {a.s} said to modesty and religion: 'Depart from him.'
They both replied: 'O' Jibril, we have been commanded to remain with intellect wherever it is.'
Jibril {a.s} said: 'Then it is your affair,' and he ascended."

[REFERENCES] Al-Muhasin, Vol.1 p.191 • Al-Kafi, Vol.1 p.10 • Man La Yahduruhu Al-Faqih, Vol.4 p.416 • Al-Khisal, Vol.1 p.102 • Al-Amali (Lil-Saduq), Vol.1 p.672 • Kanz Al-Fawa'id, Vol.1 p.56 • Rawdat Al-Wa'izin, Vol.1 p.3 • Mishkat Al-Anwar, Vol.1 p.248 • A'lam Al-Din, Vol.1 p.171 • Wasa'il Al-Shi'ah, Vol.15 p.204

HADITH

5907 - وَ رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ عِيسَى عَنْ عَلِيِّ بْنِ إِسْمَاعِيلَ عَنْ عَبْدِ اَللَّهِ بْنِ اَلْوَلِيدِ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اَللَّهِ اَلصَّادِقِ جَعْفَرِ بْنِ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ قَالَ : «أَرْبَعٌ يَذْهَبْنَ ضَيَاعاً مَوَدَّةٌ تُمْنَحُ مَنْ لاَ وَفَاءَ لَهُ وَ مَعْرُوفٌ يُوضَعُ عِنْدَ مَنْ لاَ يَشْكُرُهُ وَ عِلْمٌ يُعَلَّمُ مَنْ لاَ يَسْتَمِعُ لَهُ وَ سِرٌّ يُودَعُ مَنْ لاَ حَضَانَةَ لَهُ».

H.5907 - It is narrated from Ahmad ibn Muhammad ibn Isa, from Ali ibn Ismail, from Abdullah ibn Al-Waleed, from Abu Basir, from Abu Abdullah Al-Sadiq Ja'far ibn Muhammad {a.s}, who said: "Four things are wasted in vain:
Affection granted to one who has no loyalty,
A favor bestowed upon one who does not appreciate it,
Knowledge taught to one who does not listen,
And a secret entrusted to one who has no sense of safeguarding."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.417 • Al-Wafi, Vol.5 p.581 • Wasa'il Al-Shi'ah, Vol.16 p.298 • Awalim Al-Uloom, Vol.20 p.683

HADITH

5908 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «إِنَّ لِلَّهِ تَبَارَكَ وَ تَعَالَى بِقَاعاً تُسَمَّى اَلْمُنْتَقِمَةَ فَإِذَا أَعْطَى اَللَّهُ عَبْداً مَالاً لَمْ يُخْرِجْ حَقَّ اَللَّهِ عَزَّ وَ جَلَّ مِنْهُ سَلَّطَ اَللَّهُ عَلَيْهِ بُقْعَةً مِنْ تِلْكَ اَلْبِقَاعِ فَأَتْلَفَ ذَلِكَ اَلْمَالَ فِيهَا ثُمَّ مَاتَ وَ تَرَكَهَا».

H.5908 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Indeed, Allah {SWT}, the Blessed and Exalted, has lands called Al-Muntaqimah (The Avenger). When Allah {SWT} grants a servant wealth and he does not give Allah's {SWT} rightful due from it, Allah {SWT} assigns to him a portion of those lands where his wealth is wasted, and then he dies, leaving it behind."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.417 • Ma'ani Al-Akhbar, Vol.1 p.235 • Al-Amali (Lil-Saduq), Vol.1 p.35 • Rawdat Al-Wa'izin, Vol.2 p.356 • Majmu'at Warram, Vol.2 p.10 • Al-Wafi, Vol.20 p.818 • Wasa'il Al-Shi'ah, Vol.5 p.338 • Wasa'il Al-Shi'ah, Vol.9 p.39 • Bihar Al-Anwar, Vol.93 p.11 • Awalim Al-Uloom, Vol.20 p.688

HADITH

5909 - وَ قَالَ اَلصَّادِقُ عَلَيْهِ اَلسَّلاَمُ : «مَنْ لَمْ يُبَالِ مَا قَالَ وَ مَا قِيلَ فِيهِ فَهُوَ شِرْكُ شَيْطَانٍ وَ مَنْ لَمْ يُبَالِ أَنْ يَرَاهُ اَلنَّاسُ مُسِيئاً فَهُوَ شِرْكُ شَيْطَانٍ وَ مَنِ اِغْتَابَ أَخَاهُ اَلْمُؤْمِنَ مِنْ غَيْرِ تِرَةٍ بَيْنَهُمَا فَهُوَ شِرْكُ شَيْطَانٍ وَ مَنْ شُغِفَ بِمَحَبَّةِ اَلْحَرَامِ وَ شَهْوَةِ اَلزِّنَا فَهُوَ شِرْكُ شَيْطَانٍ» ثُمَّ قَالَ عَلَيْهِ اَلسَّلاَمُ «لِوَلَدِ اَلزِّنَا عَلاَمَاتٌ أَحَدُهَا بُغْضُنَا أَهْلَ اَلْبَيْتِ وَ ثَانِيهَا أَنَّهُ يَحِنُّ إِلَى اَلْحَرَامِ اَلَّذِي خُلِقَ مِنْهُ وَ ثَالِثُهَا اَلاِسْتِخْفَافُ بِالدِّينِ وَ رَابِعُهَا سُوءُ اَلْمَحْضَرِ لِلنَّاسِ وَ لاَ يُسِيءُ مَحْضَرَ إِخْوَانِهِ إِلاَّ مَنْ وُلِدَ عَلَى غَيْرِ فِرَاشِ أَبِيهِ أَوْ مَنْ حَمَلَتْ بِهِ أُمُّهُ فِي حَيْضِهَا».

H.5909 - Abu Abdullah Imam Jafar ibn Muhammad Al-Sadiq {a.s} said:
"Whoever does not care about what he says and what is said about him, this is the partnership of Satan.
Whoever does not care if people see him committing wrong, this is the partnership of Satan.
Whoever backbites his believing brother without any grievance between them, this is the partnership of Satan.
And whoever becomes infatuated with the love of the forbidden and the desire for adultery, this is the partnership of Satan."
Then Imam {a.s} said:
"A child born of adultery has certain signs:
the first is hatred for us, the Ahlulbayt;
the second is an inclination toward the forbidden from which he was created;
the third is making light of religion;
and the fourth is behaving badly in gatherings with people.
No one treats his brothers poorly in gatherings except someone born out of wedlock or whose mother conceived him during her menstruation."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.417 • Al-Khisal, Vol.1 p.216 • Ma'ani Al-Akhbar, Vol.1 p.400 • Rawdat Al-Wa'izin, Vol.2 p.462 • Al-Wafi, Vol.5 p.1103 • Wasa'il Al-Shi'ah, Vol.15 p.344 • Bihar Al-Anwar, Vol.70 p.356 • Awalim Al-Uloom, Vol.20 p.684

HADITH

5910 - وَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ : «مَنْ رَضِيَ مِنَ اَلدُّنْيَا بِمَا يُجْزِيهِ كَانَ أَيْسَرُ اَلَّذِي فِيهَا يَكْفِيهِ وَ مَنْ لَمْ يَرْضَ مِنَ اَلدُّنْيَا بِمَا يُجْزِيهِ لَمْ يَكُنْ شَيْءٌ فِيهَا يَكْفِيهِ».

H.5910 - Commander of the Faithful Imam Ali ibn Abi Talib {a.s} said:
"Whoever is content with what suffices him from this world, the least of what is in it will be enough for him. And whoever is not content with what suffices him from this world, nothing in it will ever be enough for him."

[REFERENCES] Fiqh Al-Ridha, Vol.1 p.364 • Al-Kafi, Vol.2 p.140 • Man La Yahduruhu Al-Faqih, Vol.4 p.418 • Tuhaf Al-'Uqul, Vol.1 p.207 • Makarim Al-Akhlaq, Vol.1 p.99 • Mishkat Al-Anwar, Vol.1 p.131 • Al-Wafi, Vol.4 p.409 • Wasa'il Al-Shi'ah, Vol.21 p.532 • Bihar Al-Anwar, Vol.68 p.348 • Bihar Al-Anwar, Vol.70 p.178

HADITH

5911 - وَ رَوَى إِسْحَاقُ بْنُ عَمَّارٍ عَنِ اَلصَّادِقِ عَلَيْهِ اَلسَّلاَمُ أَنَّهُ قَالَ : «تَنْزِلُ اَلْمَعُونَةُ مِنَ اَلسَّمَاءِ عَلَى قَدْرِ اَلْمَئُونَةِ».

H.5911 - Ishaq ibn Ammar narrated from Imam Jafar ibn Muhammad Al-Sadiq {a.s} that he said: "Assistance descends from the heavens in proportion to responsibility."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.3 p.166 • Man La Yahduruhu Al-Faqih, Vol.4 p.418 • Al-Ikhtisas, Vol.1 p.30 • Al-Wafi, Vol.17 p.112 • Wasa'il Al-Shi'ah, Vol.16 p.324 • Awalim Al-Uloom, Vol.20 p.689

HADITH

5912 - وَ رَوَى اَلْحَسَنُ بْنُ عَلِيِّ بْنِ فَضَّالٍ عَنْ مُيَسِّرٍ قَالَ قَالَ اَلصَّادِقُ جَعْفَرُ بْنُ مُحَمَّدٍ عَلَيْهِ اَلسَّلاَمُ : «إِنَّ فِيمَا نَزَلَ بِهِ اَلْوَحْيُ مِنَ اَلسَّمَاءِ لَوْ أَنَّ لاِبْنِ آدَمَ وَادِيَيْنِ يَسِيلاَنِ ذَهَباً وَ فِضَّةً لاَبْتَغَى إِلَيْهِمَا ثَالِثاً يَا اِبْنَ آدَمَ إِنَّمَا بَطْنُكَ بَحْرٌ مِنَ اَلْبُحُورِ وَ وَادٍ مِنَ اَلْأَوْدِيَةِ لاَ يَمْلَأُهُ شَيْءٌ إِلاَّ اَلتُّرَابُ».

H.5912 - Al-Hasan ibn Ali ibn Faddal narrated from Maysar that Abu Abdullah Imam Al-Sadiq Ja'far ibn Muhammad {a.s} said:
"Indeed, among what was revealed in the divine revelation from the heavens is that if the son of Adam had two flowing valleys of gold and silver, he would still seek a third. O' son of Adam! Your stomach is but an ocean among oceans and a valley among valleys; nothing will fill it except dust."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.418

HADITH

5913 - وَ قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «سِبَابُ اَلْمُؤْمِنِ فُسُوقٌ وَ قِتَالُهُ كُفْرٌ وَ أَكْلُ لَحْمِهِ مِنْ مَعْصِيَةِ اَللَّهِ تَعَالَى وَ حُرْمَةُ مَالِهِ كَحُرْمَةِ دَمِهِ».

H.5913 - The Messenger of Allah {SWT} (peace be upon him and his family) said: "Insulting a believer is an act of disobedience, fighting him (a believer) is disbelief, consuming his flesh (backbiting) is a sin against Allah {SWT} the Exalted, and the sanctity of his wealth is like the sanctity of his blood."

[REFERENCES] Al-Kafi, Vol.2 p.359 • Man La Yahduruhu Al-Faqih, Vol.4 p.418 • Mishkat Al-Anwar, Vol.1 p.100 • Jami' Al-Akhbar, Vol.1 p.160 • Majmu'at Warram, Vol.2 p.209 • Munyat Al-Mureed, Vol.1 p.328 • Al-Wafi, Vol.5 p.951 • Wasa'il Al-Shi'ah, Vol.12 p.281 • Wasa'il Al-Shi'ah, Vol.12 p.297 • Wasa'il Al-Shi'ah, Vol.29 p.20

HADITH

5914 - وَ رَوَى أَحْمَدُ بْنُ مُحَمَّدِ بْنِ سَعِيدٍ اَلْكُوفِيُّ قَالَ حَدَّثَنَا عَلِيُّ بْنُ اَلْحَسَنِ بْنِ فَضَّالٍ عَنْ أَبِيهِ عَنْ أَبِي اَلْحَسَنِ عَلِيِّ بْنِ مُوسَى اَلرِّضَا عَلَيْهِ اَلسَّلاَمُ قَالَ : «لِلْإِمَامِ عَلاَمَاتٌ يَكُونُ أَعْلَمَ اَلنَّاسِ وَ أَحْكَمَ اَلنَّاسِ وَ أَتْقَى اَلنَّاسِ وَ أَحْلَمَ اَلنَّاسِ وَ أَشْجَعَ اَلنَّاسِ وَ أَسْخَى اَلنَّاسِ وَ أَعْبَدَ اَلنَّاسِ وَ يُولَدُ مَخْتُوناً وَ يَكُونُ مُطَهَّراً وَ يَرَى مِنْ خَلْفِهِ كَمَا يَرَى مِنْ بَيْنِ يَدَيْهِ وَ لاَ يَكُونُ لَهُ ظِلٌّ وَ إِذَا وَقَعَ عَلَى اَلْأَرْضِ مِنْ بَطْنِ أُمِّهِ وَقَعَ عَلَى رَاحَتَيْهِ رَافِعاً صَوْتَهُ بِالشَّهَادَتَيْنِ وَ لاَ يَحْتَلِمُ وَ تَنَامُ عَيْنُهُ وَ لاَ يَنَامُ قَلْبُهُ وَ يَكُونُ مُحَدَّثاً وَ يَسْتَوِي عَلَيْهِ دِرْعُ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَ لاَ يُرَى لَهُ بَوْلٌ وَ لاَ غَائِطٌ لِأَنَّ اَللَّهَ عَزَّ وَ جَلَّ قَدْ وَكَّلَ اَلْأَرْضَ بِابْتِلاَعِ مَا يَخْرُجُ مِنْهُ وَ تَكُونُ رَائِحَتُهُ أَطْيَبَ مِنْ رَائِحَةِ اَلْمِسْكِ وَ يَكُونُ أَوْلَى بِالنَّاسِ مِنْهُمْ بِأَنْفُسِهِمْ وَ أَشْفَقَ عَلَيْهِمْ مِنْ آبَائِهِمْ وَ أُمَّهَاتِهِمْ وَ يَكُونُ أَشَدَّ اَلنَّاسِ تَوَاضُعاً لِلَّهِ جَلَّ ذِكْرُهُ وَ يَكُونُ آخَذَ اَلنَّاسِ بِمَا يَأْمُرُ بِهِ وَ أَكَفَّ اَلنَّاسِ عَمَّا يَنْهَى عَنْهُ وَ يَكُونُ دُعَاؤُهُ مُسْتَجَاباً حَتَّى إِنَّهُ لَوْ دَعَا عَلَى صَخْرَةٍ لاَنْشَقَّتْ بِنِصْفَيْنِ وَ يَكُونُ عِنْدَهُ سِلاَحُ رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَ سَيْفُهُ ذُو اَلْفَقَارِ وَ يَكُونُ عِنْدَهُ صَحِيفَةٌ يَكُونُ فِيهَا أَسْمَاءُ شِيعَتِهِ إِلَى يَوْمِ اَلْقِيَامَةِ وَ صَحِيفَةٌ فِيهَا أَسْمَاءُ أَعْدَائِهِ إِلَى يَوْمِ اَلْقِيَامَةِ وَ تَكُونُ عِنْدَهُ اَلْجَامِعَةُ وَ هِيَ صَحِيفَةٌ طُولُهَا سَبْعُونَ ذِرَاعاً فِيهَا جَمِيعُ مَا يَحْتَاجُ إِلَيْهِ وُلْدُ آدَمَ وَ يَكُونُ عِنْدَهُ اَلْجَفْرُ اَلْأَكْبَرُ وَ اَلْأَصْغَرُ إِهَابُ مَاعِزٍ وَ إِهَابُ كَبْشٍ فِيهِمَا جَمِيعُ اَلْعُلُومِ حَتَّى أَرْشِ اَلْخَدْشِ وَ حَتَّى اَلْجَلْدَةِ وَ نِصْفِ اَلْجَلْدَةِ وَ ثُلُثِ اَلْجَلْدَةِ وَ يَكُونُ عِنْدَهُ مُصْحَفُ فَاطِمَةَ عَلَيْهَا اَلسَّلاَمُ ».

H.5914 - Ahmad ibn Muhammad ibn Sa'id Al-Kufi reported, saying: Ali ibn Al-Hasan ibn Faddal narrated from his father, from Abu Al-Hasan Imam Ali ibn Musa Ar-Ridha {a.s}, who said:

“The Imam has (various divinely appointed) signs:

He, (The Imam {a.s}) will be the most knowledgeable of people, the most wise of people, the most God-fearing of people, the most patient of people, the most courageous of people, the most generous of people, and the most devoted in worship among people.

He, (The Imam {a.s}) will be born circumcised and purified, and he will see from behind him as he sees from in front of him.

He, (The Imam {a.s}) will have no shadow, and when he falls to the ground from his mother's womb, he will land on his palms, raising his voice with the two testimonies.

He, (The Imam {a.s}) will not experience nocturnal emissions (during sleep), his eyes will sleep, but his heart will not sleep.

He, (The Imam {a.s}) will be divinely inspired, and the armor of the Messenger of Allah {SWT}, peace and blessings be upon him and his family, will fit him perfectly.

He, (The Imam {a.s}) will not be seen urinating or defecating, because Allah {SWT}, the Almighty, has commanded the earth to absorb whatever comes out of him (regarding defecation).

His, (The Imam {a.s}) fragrance will be sweeter than musk.

He, (The Imam {a.s}) will be more entitled to people than they are to themselves and more compassionate towards them than their own fathers and mothers.

He, (The Imam {a.s}) will be the most humble of people before Allah {SWT}, the Glorified.

He, (The Imam {a.s}) will adhere most to what he commands and most refrain from what he forbids.

His, (The Imam {a.s}) supplication will be answered, to the extent that if he were to pray against a rock, it would split in two.

He, (The Imam {a.s}) will have the weapon of the Messenger of Allah {SWT}, peace and blessings be upon him and his family, and his sword, Dhul-Fiqar.

He, (The Imam {a.s}) will have a scroll that contains the names of his followers until the Day of Judgment, and a scroll that contains the names of his enemies until the Day of Judgment.

He, (The Imam {a.s}) will possess "Al-Jami'a," a scroll seventy cubits long containing everything that the children of Adam need.

He, (The Imam {a.s}) will also have "Al-Jafr," the greater and the lesser, which are two containers made of the skin of a goat and a ram, containing all knowledge, even the compensation for a scratch, and matters as specific as a complete skin, half a skin, and a third of a skin.

He, (The Imam {a.s}) will have the Mushaf of (Sayyidah) Fatimah {s.a}, peace be upon her.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.418 • Al-Khisal, Vol.2 p.527 • Uyun Al-Akhbar, Vol.1 p.212 • Ma’ani Al-Akhbar, Vol.1 p.102 • Al-Ihtijaj,Vol. Vol.2 p.436 • Kashf Al-Ghummah, Vol.2 p.290 • Al-Wafi, Vol.3 p.490 • Ithbat Al-Huda, Vol.5 p.343 • Bihar Al-Anwar, Vol.25 p.116

HADITH

5915 - وَ رَوَى لَنَا عَبْدُ اَلْوَاحِدِ بْنُ مُحَمَّدِ بْنِ عُبْدُوسٍ اَلنَّيْسَابُورِيُّ رَضِيَ اَللَّهُ عَنْهُ قَالَ حَدَّثَنَا عَلِيُّ بْنُ مُحَمَّدِ بْنِ قُتَيْبَةَ عَنِ اَلْفَضْلِ بْنِ شَاذَانَ قَالَ سَمِعْتُ اَلرِّضَا عَلَيْهِ اَلسَّلاَمُ يَقُولُ : «لَمَّا حُمِلَ رَأْسُ اَلْحُسَيْنِ عَلَيْهِ اَلسَّلاَمُ إِلَى اَلشَّامِ أَمَرَ يَزِيدُ لَعَنَهُ اَللَّهُ فَوُضِعَ وَ نُصِبَ عَلَيْهِ مَائِدَةٌ فَأَقْبَلَ هُوَ وَ أَصْحَابُهُ يَأْكُلُونَ وَ يَشْرَبُونَ اَلْفُقَّاعَ فَلَمَّا فَرَغُوا أَمَرَ بِالرَّأْسِ فَوُضِعَ فِي طَسْتٍ تَحْتَ سَرِيرَةٍ وَ بُسِطَ عَلَيْهِ رُقْعَةُ اَلشَّطْرَنْجِ وَ جَلَسَ يَزِيدُ لَعَنَهُ اَللَّهُ يَلْعَبُ بِالشَّطْرَنْجِ وَ يَذْكُرُ اَلْحُسَيْنَ بْنَ عَلِيٍّ وَ أَبَاهُ وَ جَدَّهُ عَلَيْهِمُ اَلسَّلاَمُ وَ يَسْتَهْزِئُ بِذِكْرِهِمْ فَمَتَى قَامَرَ صَاحِبَهُ تَنَاوَلَ اَلْفُقَّاعَ فَشَرِبَهُ ثَلاَثَ مَرَّاتٍ ثُمَّ صَبَّ فَضْلَتَهُ عَلَى مَا يَلِي اَلطَّسْتَ مِنَ اَلْأَرْضِ فَمَنْ كَانَ مِنْ شِيعَتِنَا فَلْيَتَوَرَّعْ عَنْ شُرْبِ اَلْفُقَّاعِ وَ اَللِّعْبِ بِالشَّطْرَنْجِ وَ مَنْ نَظَرَ إِلَى اَلْفُقَّاعِ أَوْ إِلَى اَلشَّطْرَنْجِ فَلْيَذْكُرِ اَلْحُسَيْنَ عَلَيْهِ اَلسَّلاَمُ وَ لْيَلْعَنْ يَزِيدَ وَ آلَ زِيَادٍ يَمْحُو اَللَّهُ عَزَّ وَ جَلَّ بِذَلِكَ ذُنُوبَهُ وَ لَوْ كَانَتْ بِعَدَدِ اَلنُّجُومِ».

H.5915 - And it was narrated to us by Abdul-Wahid ibn Muhammad ibn Abdus Al-Naysaburi, may Allah {SWT} be pleased with him, who said: Ali ibn Muhammad ibn Qutaybah narrated to us from Al-Fadl ibn Shadhan, who said:
I heard Imam Ali ibn Musa Ar-Ridha {a.s}, say:
"'When the head of Imam Hussain ibn Ali {a.s}, peace be upon him, was taken to Sham, Yazid - may Allah {SWT} curse him - ordered that it be placed and a table was set upon it. He (Yazid) and his companions came forward, eating and drinking fermented beverages. When they finished, he ordered the head to be placed in a basin under his couch, and a chessboard was spread over it.
Then Yazid - may Allah {SWT} curse him - sat playing chess while mentioning Imam Hussain ibn Ali {a.s} and his father {a.s} and grandfather {saws}, peace be upon them, mocking their remembrance. Whenever he gambled with his companion, he would take the fermented beverage and drink it three times, then pour the remainder onto the ground near the basin.'
Imam {a.s} continued: 'Whoever is from our Shia should abstain from drinking fermented beverages and playing chess.
And whoever looks at fermented beverages or at chess should remember Imam Hussain ibn Ali {a.s}, and curse Yazid and the family of Ziyad. By doing so, Allah {SWT}, the Mighty and Majestic, will erase his sins, even if they are as numerous as the stars.

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.419 • Uyun Al-Akhbar, Vol.2 p.22 • Jami' Al-Akhbar, Vol.1 p.153 • Al-Wafi, Vol.20 p.665 • Bihar Al-Anwar, Vol.45 p.176 • Bihar Al-Anwar, Vol.76 p.237 • Awalim Al-Uloom, Vol.17 p.415

HADITH

5916 - وَ قَالَ اَلرِّضَا عَلَيْهِ اَلسَّلاَمُ : «مَنْ أَصْبَحَ مُعَافًى فِي بَدَنِهِ مُخَلًّى فِي سَرْبِهِ عِنْدَهُ قُوتُ يَوْمِهِ فَكَأَنَّمَا حِيزَتْ لَهُ اَلدُّنْيَا».

H.5916 - Imam Ali ibn Musa Ar-Ridha {a.s} said:
"Whoever begins his day in good health, secure in his surroundings, and has the sustenance for his day, it is as if the entire world has been gathered for him."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.419 • Al-Wafi, Vol.4 p.402

HADITH

5917 - وَ قَالَ ع جُبِلَتِ اَلْقُلُوبُ عَلَى حُبِّ مَنْ أَحْسَنَ إِلَيْهَا وَ بُغْضِ مَنْ أَسَاءَ إِلَيْهَا.

H.5917 - Imam Ali ibn Musa Ar-Ridha {a.s} said:
"Hearts are naturally inclined to love those who do good to them and to dislike those who harm them."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.419

HADITH

5918 - وَ رَوَى سَعْدُ بْنُ طَرِيفٍ عَنِ اَلْأَصْبَغِ بْنِ نُبَاتَةَ قَالَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ فِي بَعْضِ خُطَبِهِ: «أَيُّهَا اَلنَّاسُ اِسْمَعُوا قَوْلِي وَ اِعْقِلُوهُ عَنِّي فَإِنَّ اَلْفِرَاقَ قَرِيبٌ أَنَا إِمَامُ اَلْبَرِيَّةِ وَ وَصِيُّ خَيْرِ اَلْخَلِيقَةِ وَ زَوْجُ سَيِّدَةِ نِسَاءِ اَلْأُمَّةِ وَ أَبُو اَلْعِتْرَةِ اَلطَّاهِرَةِ وَ اَلْأَئِمَّةِ اَلْهَادِيَةِ أَنَا أَخُو رَسُولِ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ وَ وَصِيُّهُ وَ وَلِيُّهُ وَ وَزِيرُهُ وَ صَاحِبُهُ وَ صَفِيُّهُ وَ حَبِيبُهُ وَ خَلِيلُهُ أَنَا أَمِيرُ اَلْمُؤْمِنِينَ وَ قَائِدُ اَلْغُرِّ اَلْمُحَجَّلِينَ وَ سَيِّدُ اَلْوَصِيِّينَ حَرْبِي حَرْبُ اَللَّهِ وَ سِلْمِي سِلْمُ اَللَّهِ وَ طَاعَتِي طَاعَةُ اَللَّهِ وَ وَلاَيَتِي وَلاَيَةُ اَللَّهِ وَ شِيعَتِي أَوْلِيَاءُ اَللَّهِ وَ أَنْصَارِي أَنْصَارُ اَللَّهِ وَ اَلَّذِي خَلَقَنِي وَ لَمْ أَكُ شَيْئاً لَقَدْ عَلِمَ اَلْمُسْتَحْفَظُونَ مِنْ أَصْحَابِ مُحَمَّدٍ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ أَنَّ اَلنَّاكِثِينَ وَ اَلْقَاسِطِينَ وَ اَلْمَارِقِينَ مَلْعُونُونَ عَلَى لِسَانِ اَلنَّبِيِّ اَلْأُمِّيِّ ○ وَ قَدْ خَابَ مَنِ اِفْتَرىٰ ○

H.5918 - Sa'd ibn Tarif narrated from Al-Asbagh ibn Nubatah, who said:
Commander of the Faithful, Imam Ali ibn Abi Talib {a.s}, said in one of his sermons:
"O' people, listen to my words and understand them from me, for separation is near.
I am the leader of creation, the successor of the best of creatures (Prophet {saws}), the husband of the mistress of the women of this nation (Sayyidah Fatima {s.a}), and the father of the pure progeny {a.s} and the guiding Imams {a.s}.
I am the brother of the Messenger of Allah {SWT}, peace and blessings be upon him and his family, his successor, his guardian, his minister, his companion, his confidant, his beloved, and his intimate friend.
I am Commander of the Faithful {a.s}, the leader of the radiant, the master of the successors {a.s}.
My war is the war of Allah {SWT}, my peace is the peace of Allah {SWT}, obedience to me is obedience to Allah {SWT}, and allegiance to me is allegiance to Allah {SWT}.
My followers are the friends of Allah {SWT}, and my supporters are the supporters of Allah {SWT}.
By the One {SWT} who created me when I was nothing, those entrusted with the knowledge among the companions of Muhammad {saws}, peace and blessings be upon him and his family, surely know that the oath-breakers, the unjust, and the renegades are cursed on the tongue of the 'untutored' (one who needed no teacher) Prophet {saws}, and "*indeed, he has failed who invents falsehood*." (Surah Taha 20:61)

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.419 • Al-Amali (Lil-Saduq), Vol.1 p.605 • Al-Wafi, Vol.3 p.732 • Bihar Al-Anwar, Vol.39 p.335

HADITH

5919 - وَ قَالَ أَمِيرُ اَلْمُؤْمِنِينَ عَلَيْهِ اَلسَّلاَمُ «قَالَ رَسُولُ اَللَّهِ صَلَّى اَللَّهُ عَلَيْهِ وَ آلِهِ : «اَللَّهُمَّ اِرْحَمْ خُلَفَائِي» قِيلَ يَا رَسُولَ اَللَّهِ وَ مَنْ خُلَفَاؤُكَ قَالَ «اَلَّذِينَ يَأْتُونَ مِنْ بَعْدِي يَرْوُونَ حَدِيثِي وَ سُنَّتِي » ».

H.5919 - Commander of the Faithful Imam Ali ibn Abi Talib {a.s}, peace be upon him, said:
The Messenger of Allah {SWT}, peace and blessings be upon him and his family, said:
"O' Allah {SWT}, have mercy on my successors."
It was asked: "O' Messenger of Allah {SWT}, who are your successors?"
Prophet {saws} replied: "Those who come after me and narrate my traditions and my Sunnah."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.420 • Ma'ani Al-Akhbar, Vol.1 p.374 • Jami' Al-Akhbar, Vol.1 p.181 • Awali Al-La'ali, Vol.4 p.59 • Al-Wafi, Vol.1 p.146 • Wasa'il Al-Shi'ah, Vol.27 p.91 • Wasa'il Al-Shi'ah, Vol.27 p.139 • Bihar Al-Anwar, Vol.2 p.145 • Bihar Al-Anwar, Vol.86 p.221

HADITH

5920 - وَ رَوَى الْمُعَلَّى بْنُ مُحَمَّدٍ الْبَصْرِيُّ عَنْ جَعْفَرِ بْنِ سَلَمَةَ عَنْ عَبْدِ اللَّهِ بْنِ الْحَكَمِ عَنْ أَبِيهِ عَنْ سَعِيدِ بْنِ جُبَيْرٍ عَنِ ابْنِ عَبَّاسٍ قَالَ قَالَ النَّبِيُّ ص إِنَّ عَلِيّاً وَصِيِّي وَ خَلِيفَتِي وَ زَوْجَتُهُ- فَاطِمَةُ سَيِّدَةُ نِسَاءِ الْعَالَمِينَ ابْنَتِي وَ الْحَسَنُ وَ الْحُسَيْنُ سَيِّدَا شَبَابِ أَهْلِ الْجَنَّةِ وَلَدَايَ مَنْ وَالاهُمْ فَقَدْ وَالانِي وَ مَنْ عَادَاهُمْ فَقَدْ عَادَانِي وَ مَنْ نَاوَأَهُمْ فَقَدْ نَاوَأَنِي وَ مَنْ جَفَاهُمْ فَقَدْ جَفَانِي وَ مَنْ بَرَّهُمْ فَقَدْ بَرَّنِي وَصَلَ اللَّهُ مَنْ وَصَلَهُمْ وَ قَطَعَ اللَّهُ مَنْ قَطَعَهُمْ وَ نَصَرَ اللَّهُ مَنْ أَعَانَهُمْ وَ خَذَلَ مَنْ خَذَلَهُمْ- اللَّهُمَّ مَنْ كَانَ لَهُ مِنْ أَنْبِيَائِكَ وَ رُسُلِكَ ثَقَلٌ وَ أَهْلُ بَيْتٍ فَعَلِيٌّ وَ فَاطِمَةُ وَ الْحَسَنُ وَ الْحُسَيْنُ أَهْلُ بَيْتِي وَ ثَقَلِي فَأَذْهِبْ عَنْهُمُ الرِّجْسَ وَ طَهِّرْهُمْ تَطْهِيراً يَا رَبَّ الْعَالَمِينَ.

H.5920 - Al-Mu'alla ibn Muhammad Al-Basri narrated from Jafar ibn Salamah from Abdullah ibn Al-Hakam from his father from Said ibn Jubayr from Ibn Abbas who said:
"The Prophet {saws}, peace and blessings be upon him and his family, said:
"Indeed, Ali {a.s} is my executor and successor, and his wife (Sayyidah) Fatimah {s.a}, the leader of the women of the worlds, is my daughter, and Al-Hasan {a.s} and Al-Hussain {a.s}, the leaders of the youth of Paradise, are my sons.
Whoever befriends Them {a.s} has befriended me {saws},
Whoever opposes Them {a.s} has opposed me {saws},
Whoever resists Them {a.s} has resisted me {saws},
Whoever abandons Them {a.s} has abandoned me {saws},
Whoever treats Them {a.s} kindly has treated Me {saws} kindly.
May Allah {SWT} connect with those who connect with them {a.s}, and may Allah {SWT} sever ties with those who sever ties with them {a.s}.
May Allah {SWT} support those who aid them {a.s}, and forsake those who forsake them {a.s}.
O' Allah {SWT}, just as each of Your {SWT} prophets and messengers had a trust and a household; (These) Ali {a.s}, Fatimah {s.a}, Hassan {a.s}, and Hussain {a.s} are my household and my trust.
So remove all impurity from Them {a.s} and purify Them {a.s} with thorough purification, O' Lord {AZJ} of the worlds."

[REFERENCES] Man La Yahduruhu Al-Faqih, Vol.4 p.420 • Ma'ani Al-Akhbar, Vol.1 p.374 • Jami' Al-Akhbar, Vol.1 p.181 • Awali Al-La'ali, Vol.4 p.59 • Al-Wafi, Vol.1 p.146 • Wasa'il Al-Shi'ah, Vol.27 p.91 • Wasa'il Al-Shi'ah, Vol.27 p.139 • Bihar Al-Anwar, Vol.2 p.145 • Bihar Al-Anwar, Vol.86 p.221

COMPLETION OF VOLUME FOUR

والحمد لله {عز وجل} رب العالمين

Praise be to Allah {SWT}, the Lord {AZJ} of the worlds.

تَمَّ كِتَابُ مَنْ لاَ يَحْضُرُهُ الْفَقِيهُ تَأْلِيفُ
الشَّيْخِ الْعَالِمِ السَّعِيدِ الْمُؤَيَّدِ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيِّ
بْنِ الْحُسَيْنِ بْنِ مُوسَى بْنِ بَابَوَيْهِ الْقُمِّيِّ الْفَقِيهِ
رَضِيَ اللهُ عَنْهُ وَ أَرْضَاهُ.

THE BOOK "MAN LA YAHDURUHU AL FAQIH" IS
COMPLETED, AUTHORED BY THE LEARNED, BLESSED,
AND DIVINELY SUPPORTED SCHOLAR;
ABU JA'FAR MUHAMMAD IBN ALI IBN AL-HUSAYN IBN
MUSA IBN BABAWAYH AL-QUMMI, THE JURIST.
MAY ALLAH {SWT} BE PLEASED WITH HIM, AND GRANT
HIM HIS {SWT} SATISFACTION.

CLARIFICATION OF THE TRANSMISSION CHAINS

بيان الطريق

بِسْمِ اللَّهِ الرَّحْمنِ الرَّحِيمِ

يقول محمّد بن عليّ بن الحسين بن موسى بن بابويه القمّيّ مصنّف هذا الكتاب- رحمه اللّه تعالى :بيان طرق الصدوق ره إلى من نقل عنهم بالواسطة.

In the name of Allah {SWT}, the Most Gracious, the Most Merciful.
The Shaykh, Muhammad ibn Ali ibn Al-Husayn ibn Musa ibn Babawayh Al-Qummi, the author of this book - may Allah {SWT} have mercy upon him - presents:
Clarification of the transmission chains of Al-Saduq (may Allah {SWT} have mercy on him) to those from whom he narrated through intermediaries.

[بيان الطريق إلى عمّار بن موسى السّاباطيّ]

كلّ ما كان في هذا الكتاب عن عمّار بن موسى السّاباطيّ فقد رويته عن أبي؛ و محمّد بن الحسن بن أحمد بن الوليد- رضي اللّه عنهما- عن سعيد بن عبد اللّه، عن أحمد بن الحسن عليّ بن فضّال، عن عمرو بن سعيد المدائنيّ، عن مصدّق بن صدقة، عن عمّار بن موسى السّاباطيّ.

[Clarification of the transmission chain to Ammar ibn Musa Al-Sabati]
Everything in this book that is narrated from Ammar ibn Musa Al-Sabati has been transmitted by me from my father and from Muhammad ibn Al-Hasan ibn Ahmad ibn Al-Walid - may Allah {SWT} be pleased with them both - from Sa'id ibn Abdullah, from Ahmad ibn Al-Hasan Ali ibn Faddal, from Amr ibn Sa'id Al-Mada'ini, from Musaddiq ibn Sadaqah, from Ammar ibn Musa Al-Sabati.

[بيان الطريق إلى عليّ بن جعفر]

و كلّ ما كان في هذا الكتاب عن عليّ بن جعفر فقد رويته عن أبي- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن العمركيّ بن عليّ البوفكيّ، عن عليّ بن جعفر، عن أخيه موسى بن جعفر عليهما السّلام.

و رويته عن محمّد بن الحسن بن أحمد بن الوليد- رضي اللّه عنه- عن محمّد بن الحسن الصفّار؛ و سعد بن عبد اللّه جميعا عن أحمد بن محمّد بن عيسى؛ و الفضل بن عامر، عن موسى بن القاسم البجليّ، عن عليّ بن جعفر، عن أخيه موسى بن جعفر عليهما السّلام، و كذلك جميع كتاب عليّ بن جعفر عليه السّلام فقد رويته بهذا الإسناد.

[Clarification of the transmission chain to Ali ibn Ja'far]
Everything in this book that is narrated from Ali ibn Ja'far has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Al-Umraki ibn Ali Al-Bawfaki, from Ali ibn Ja'far, from his brother Musa ibn Ja'far, peace be upon them both. I have also narrated it from Muhammad ibn Al-Hasan ibn Ahmad ibn Al-Walid - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar and Sa'd ibn Abdullah together, from Ahmad ibn Muhammad ibn Isa and Al-Fadl ibn Amir, from Musa ibn Al-Qasim Al-Bajali, from Ali ibn Ja'far, from his brother Musa ibn Ja'far, peace be upon them both. Likewise, the entire book of Ali ibn Ja'far, peace be upon him, I have narrated with this chain of transmission.

[بيان الطريق إلى إسحاق بن عمّار]

و ما كان فيه عن إسحاق بن عمّار فقد رويته عن أبي- رضي اللّه عنه- عن عبد اللّه بن جعفر الحميريّ، عن عليّ بن إسماعيل، عن صفوان بن يحيى، عن إسحاق بن عمّار.

[Clarification of the transmission chain to Ishaq ibn Ammar]

Everything in this book that is narrated from Ishaq ibn Ammar has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Abdullah ibn Ja'far Al-Himyari, from Ali ibn Isma'il, from Safwan ibn Yahya, from Ishaq ibn Ammar.

[بيان الطريق إلى يعقوب بن عثيم]

و ما كان فيه عن يعقوب بن عثيم فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن محمّد بن أبي عمير، عن يعقوب بن عثيم. و رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن يعقوب بن يزيد، عن محمّد بن أبي عمير، عن يعقوب بن عثيم.

[Clarification of the transmission chain to Ya'qub ibn 'Athim]

Everything in this book that is narrated from Ya'qub ibn 'Athim has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from Muhammad ibn Abi Umayr, from Ya'qub ibn 'Athim. I have also narrated it from my father - may Allah {SWT} have mercy on him - from Sa'd ibn Abdullah, from Ya'qub ibn Yazid, from Muhammad ibn Abi Umayr, from Ya'qub ibn 'Athim.

[بيان الطريق إلى جابر بن يزيد الجعفيّ]

و ما كان فيه عن جابر بن يزيد الجعفيّ فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن أحمد بن محمّد بن خالد البرقيّ عن أبيه، عن عمرو بن شمر، عن جابر بن يزيد الجعفيّ.

[Clarification of the transmission chain to Jabir ibn Yazid Al-Ju'fi]

Everything in this book that is narrated from Jabir ibn Yazid Al-Ju'fi has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from his uncle Muhammad ibn Abi Al-Qasim, from Ahmad ibn Muhammad ibn Khalid Al-Barqi, from his father, from Amr ibn Shimr, from Jabir ibn Yazid Al-Ju'fi.

[بيان الطريق إلى محمّد بن مسلم الثقفيّ]

و ما كان فيه عن محمّد بن مسلم الثقفيّ فقد رويته عن عليّ بن أحمد بن عبد اللّه ابن أحمد بن أبي عبد اللّه، عن أبيه، عن جدّه أحمد بن أبي عبد اللّه البرقيّ، عن أبيه محمّد بن خالد، عن العلاء بن رزين، عن محمّد بن مسلم.

[Clarification of the transmission chain to Muhammad ibn Muslim Al-Thaqafi]

Everything in this book that is narrated from Muhammad ibn Muslim Al-Thaqafi has been transmitted by me from Ali ibn Ahmad ibn Abdullah ibn Ahmad ibn Abi Abdullah, from his father, from his grandfather Ahmad ibn Abi Abdullah Al-Barqi, from his father Muhammad ibn Khalid, from Al-Ala ibn Razin, from Muhammad ibn Muslim.

[بيان الطريق إلى كردويه الهمدانيّ]

و ما كان فيه عن كردويه الهمدانيّ فقد رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن كردويه الهمدانيّ.

[Clarification of the transmission chain to Kurduwayh Al-Hamadani]

Everything in this book that is narrated from Kurduwayh Al-Hamadani has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Kurduwayh Al-Hamadani.

[بيان الطريق إلى سعد بن عبد اللّه]

و ما كان فيه عن سعد بن عبد اللّه فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه بن أبي خلف.

[Clarification of the transmission chain to Sa'd ibn Abdullah]

Everything in this book that is narrated from Sa'd ibn Abdullah has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah ibn Abi Khalaf.

[بيان الطريق إلى هشام بن سالم]

و ما كان فيه عن هشام بن سالم فقد رويته عن أبي؛ و محمّد بن الحسن بن أحمد ابن الوليد- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و عبد اللّه بن جعفر الحميريّ جميعا عن يعقوب بن يزيد؛ و الحسن بن ظريف؛ و أيّوب بن نوح، عن النضر بن سويد، عن هشام بن سالم، و رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن محمّد بن أبي عمير؛ و عليّ بن الحكم جميعا عن هشام بن سالم الجواليقيّ.

[Clarification of the transmission chain to Hisham ibn Salim]

Everything in this book that is narrated from Hisham ibn Salim has been transmitted by me from my father and from Muhammad ibn Al-Hasan ibn Ahmad ibn Al-Walid - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Abdullah ibn Ja'far Al-Himyari together, from Ya'qub ibn Yazid, Al-Hasan ibn Zhurayf, and Ayyub ibn Nuh, from Al-Nadr ibn Suwayd, from Hisham ibn Salim.

I have also narrated it from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Muhammad ibn Abi 'Umayr and Ali ibn Al-Hakam together, from Hisham ibn Salim Al-Jawaliqi.

[بيان الطريق إلى عمر بن يزيد]

و ما كان فيه عن عمر بن يزيد فقد رويته عن أبي- رضي اللّه عنه- عن محمّد ابن يحيى العطّار، عن يعقوب بن يزيد، عن محمّد بن أبي عمير؛ و صفوان بن يحيى عن عمر بن يزيد. و قد رويته أيضا عن أبي- رضي اللّه عنه- عن عبد اللّه بن جعفر الحميريّ عن محمّد بن عبد الحميد، عن محمّد بن عمر بن يزيد، عن الحسين بن عمر بن يزيد، عن أبيه عمر بن يزيد. و رويته أيضا عن أبي- رحمه اللّه- عن عبد اللّه بن جعفر الحميريّ عن محمّد بن عبد الجبّار، عن محمّد بن إسماعيل، عن محمّد بن عبّاس، عن عمر بن يزيد.

[Clarification of the transmission chain to Umar ibn Yazid]

Everything in this book that is narrated from Umar ibn Yazid has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Yaqub ibn Yazid, from Muhammad ibn Abi Umayr and Safwan ibn Yahya, from Umar ibn Yazid.

I have also narrated it from my father - may Allah {SWT} be pleased with him - from Abdullah ibn Jafar Al-Himyari, from Muhammad ibn Abdul Hamid, from Muhammad ibn Umar ibn Yazid, from Al-Husayn ibn Umar ibn Yazid, from his father Umar ibn Yazid.

Additionally, I have narrated it from my father - may Allah {SWT} have mercy on him - from Abdullah ibn Jafar Al-Himyari, from Muhammad ibn Abdul Jabbar, from Muhammad ibn Ismail, from Muhammad ibn Abbas, from Umar ibn Yazid.

[بيان الطريق إلى زرارة بن أعين]

و ما كان فيه عن زرارة بن أعين فقد رويته عن أبي- رضي اللّه عنه- عن عبد اللّه ابن جعفر الحميريّ، عن محمّد بن عيسى بن عبيد؛ و الحسن بن ظريف؛ و عليّ بن إسماعيل بن عيسى كلّهم عن حمّاد بن عيسى، عن حريز بن عبد اللّه، عن زرارة بن أعين.

[Clarification of the transmission chain to Zurara ibn A'yun]

Everything in this book that is narrated from Zurara ibn A'yun has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Abdullah ibn Ja'far Al-Himyari, from Muhammad ibn 'Isa ibn 'Ubayd, Al-Hasan ibn Zhurayf, and Ali ibn Isma'il ibn 'Isa, all from Hammad ibn 'Isa, from Hariz ibn Abdullah, from Zurara ibn A'yun.

[بيان الطريق إلى حريز بن عبد اللّه]

و كذلك ما كان فيه عن حريز بن عبد اللّه فقد رويته بهذا الإسناد.

[Clarification of the transmission chain to Hariz ibn Abdullah]

Likewise, everything in this book that is narrated from Hariz ibn Abdullah has been transmitted by me through this same chain of transmission.

[بيان الطريق إلى حمّاد بن عيسى]

و كذلك ما كان فيه عن حمّاد بن عيسى.

[Clarification of the transmission chain to Hammad ibn Isa]

Likewise, everything in this book that is narrated from Hammad ibn Isa has been transmitted by me through this same chain of transmission.

[بيان الطريق إلى جاء نفر من اليهود إلى رسول اللّه]

و كل ما كان فيه جاء نفر من اليهود إلى رسول اللّه صلى اللّه عليه و آله فسألوه عن مسائل و كان فيما سألوه أخبرنا يا محمّد لأيّ علّة توضّأ هذه الجوارح الأربع؟ و ما أشبه ذلك من مسائلهم فقد رويته عن عليّ بن أحمد بن عبد اللّه البرقيّ- رضي اللّه عنه- عن أبيه، عن جدّه أحمد بن أبي عبد اللّه، عن أبيه، عن أبي الحسن عليّ بن الحسين البرقيّ عن عبد اللّه بن جبلة، عن معاوية بن عمّار، عن الحسن بن عبد اللّه، عن آبائه عن جدّه الحسن بن عليّ بن أبي طالب عليهما السّلام.

[Clarification of the transmission chain to "A group of Jews came to the Messenger of Allah {SWT}"]

Everything in this book that narrates the incident where a group of Jews came to the Messenger of Allah {SWT}, peace and blessings be upon him and his family, and asked him various questions - including when they asked: “O’ Muhammad, for what reason do you perform ablution on these four limbs?" and similar questions - has been transmitted by me from Ali ibn Ahmad ibn Abdullah Al-Barqi - may Allah {SWT} be pleased with him - from his father, from his grandfather Ahmad ibn Abi Abdullah, from his father, from Abu Al-Hasan Ali ibn Al-Husayn Al-Barqi, from Abdullah ibn Jabala, from Mu'awiyah ibn Ammar, from Al-Hasan ibn Abdullah, from his forefathers, from his grandfather Al-Hasan ibn Ali ibn Abi Talib, peace be upon them.

[بيان الطريق إلى زيد الشحّام]

و ما كان فيه عن زيد الشحّام فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن محمّد بن عبد الحميد، عن أبي جميلة، عن زيد الشحّام أبي اسامة.

[Clarification of the transmission chain to Zayd Al-Shahham]

Everything in this book that is narrated from Zayd Al-Shahham has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah, from Muhammad ibn Abdul Hamid, from Abu Jamilah, from Zayd Al-Shahham Abu Usamah.

[بيان الطريق إلى عبد الرّحمن بن أبي عبد اللّه البصريّ]

و كل ما كان فيه عن عبد الرّحمن بن أبي عبد اللّه البصريّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أيّوب بن نوح، عن محمّد بن أبي عمير و غيره، عن عبد الرّحمن بن أبي عبد اللّه.

[Clarification of the transmission chain to Abdur Rahman ibn Abi Abdullah Al-Basri]
Everything in this book that is narrated from Abdur Rahman ibn Abi Abdullah Al-Basri has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ayyub ibn Nuh, from Muhammad ibn Abi 'Umayr and others, from Abdur Rahman ibn Abi Abdullah.

[بيان الطريق إلى إسماعيل بن جابر]

و ما كان فيه عن إسماعيل بن جابر فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عبد اللّه بن جعفر الحميريّ، عن محمّد بن عيسى، عن صفوان بن يحيى، عن إسماعيل بن جابر.

[Clarification of the transmission chain to Isma'il ibn Jabir]
Everything in this book that is narrated from Isma'il ibn Jabir has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Abdullah ibn Ja'far Al-Himyari, from Muhammad ibn Isa, from Safwan ibn Yahya, from Isma'il ibn Jabir.

[بيان الطريق إلى سماعة بن مهران]

و ما كان فيه عن سماعة بن مهران فقد رويته عن أبي- رضي اللّه عنه- عن عليّ ابن إبراهيم بن هاشم، عن أبيه، عن عثمان بن عيسى العامريّ، عن سماعة بن مهران.

[Clarification of the transmission chain to Sama'ah ibn Mihran]
Everything in this book that is narrated from Sama'ah ibn Mihran has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Uthman ibn Isa Al-Amiri, from Sama'ah ibn Mihran.

[بيان الطريق إلى ما كان فيه عن زرعة، عن سماعة]

و ما كان فيه عن زرعة، عن سماعة فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد، عن أخيه الحسن، عن زرعة بن محمّد الحضرميّ، عن سماعة بن مهران.

[Clarification of the transmission chain to Zur'ah from Sama'ah]
Everything in this book that is narrated from Zur'ah, from Sama'ah has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Al-Husayn ibn Said, from his brother Al-Hasan, from Zur'ah ibn Muhammad Al-Hadrami, from Sama'ah ibn Mihran.

[بيان الطريق إلى عبد اللّه بن أبي يعفور]

و ما كان فيه عن عبد اللّه بن أبي يعفور فقد رويته عن أحمد بن محمّد بن يحيى العطّار- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن أبي عبد اللّه البرقيّ، عن أبيه، عن محمّد بن أبي عمير، عن حمّاد بن عثمان، عن عبد اللّه بن أبي يعفور.

[Clarification of the transmission chain to Abdullah ibn Abi Ya'fur]

Everything in this book that is narrated from Abdullah ibn Abi Ya'fur has been transmitted by me from Ahmad ibn Muhammad ibn Yahya Al-Attar - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ahmad ibn Abi Abdullah Al-Barqi, from his father, from Muhammad ibn Abi Umayr, from Hammad ibn Uthman, from Abdullah ibn Abi Ya'fur.

[بيان الطريق إلى عبد اللّه بن بكير]

و ما كان فيه عن عبد اللّه بن بكير فقد رويته عن أبي- رضي اللّه عنه- عن عبد اللّه ابن جعفر الحميريّ، عن أحمد بن محمّد بن عيسى، عن الحسن بن عليّ بن فضّال، عن عبد اللّه بن بكير.

[Clarification of the transmission chain to Abdullah ibn Bukayr]

Everything in this book that is narrated from Abdullah ibn Bukayr has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Abdullah ibn Ja'far Al-Himyari, from Ahmad ibn Muhammad ibn Isa, from Al-Hasan ibn Ali ibn Faddal, from Abdullah ibn Bukayr.

[بيان الطريق إلى محمّد بن عليّ الحلبيّ]

و ما كان فيه عن محمّد بن عليّ الحلبيّ فقد رويته عن أبي؛ و محمّد بن الحسن؛ و محمّد بن موسى بن المتوكّل- رضي اللّه عنهم- عن عبد اللّه بن جعفر الحميريّ، عن أيّوب بن نوح، عن صفوان بن يحيى، عن عبد اللّه بن مسكان، عن محمّد بن عليّ الحلبيّ.

[Clarification of the transmission chain to Muhammad ibn Ali Al-Halabi]

Everything in this book that is narrated from Muhammad ibn Ali Al-Halabi has been transmitted by me from my father, Muhammad ibn Al-Hasan, and Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with them all - from Abdullah ibn Ja'far Al-Himyari, from Ayyub ibn Nuh, from Safwan ibn Yahya, from Abdullah ibn Muskan, from Muhammad ibn Ali Al-Halabi.

[بيان الطريق إلى حكم بن حكيم ابن أخي خلّاد]

و ما كان فيه عن حكم بن حكيم ابن أخي خلّاد فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و عبد اللّه بن جعفر الحميريّ، عن أحمد بن أبي عبد اللّه البرقيّ، عن أبيه، عن محمّد بن أبي عمير، عن حكم بن حكيم.

[Clarification of the transmission chain to Hakam ibn Hakim, the nephew of Khallad]

Everything in this book that is narrated from Hakam ibn Hakim, the nephew of Khallad, has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Abdullah ibn Ja'far Al-Himyari, from Ahmad ibn Abi Abdullah Al-Barqi, from his father, from Muhammad ibn Abi 'Umayr, from Hakam ibn Hakim.

[بيان الطريق إلى إبراهيم بن أبي محمود]

و ما كان فيه، عن إبراهيم بن أبي محمود فقد رويته، عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه عن إبراهيم بن أبي محمود. و رويته عن أبي- رضي اللّه عنه- عن الحسن بن أحمد المالكيّ، عن أبيه، عن إبراهيم بن أبي محمود. و رويته عن محمّد بن الحسن- رضي اللّه عنه- عن سعد بن عبد اللّه؛ و محمّد بن الحسن الصفّار، عن أحمد بن محمّد بن عيسى، عن إبراهيم بن أبي محمود.

[Clarification of the transmission chain to Ibrahim ibn Abi Mahmood]

Everything in this book that is narrated from Ibrahim ibn Abi Mahmood has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Ibrahim ibn Abi Mahmood.

I have also narrated it from my father - may Allah {SWT} be pleased with him - from Al-Hasan ibn Ahmad Al-Maliki, from his father, from Ibrahim ibn Abi Mahmood.

Additionally, I have narrated it from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah and Muhammad ibn Al-Hasan Al-Saffar, from Ahmad ibn Muhammad ibn 'Isa, from Ibrahim ibn Abi Mahmood.

[بيان الطريق إلى حنان بن سدير]

و ما كان فيه عن حنان بن سدير فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و عبد اللّه بن جعفر الحميريّ جميعا عن محمّد بن عيسى بن عبيد، عن حنان. و رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن عبد الصمد بن محمّد، عن حنان. و رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن حنان بن سدير.

[Clarification of the transmission chain to Hanan ibn Sudayr]

Everything in this book that is narrated from Hanan ibn Sudayr has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Abdullah ibn Ja'far Al-Himyari together, from Muhammad ibn Isa ibn Ubayd, from Hanan.

I have also narrated it from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Abdul-Samad ibn Muhammad, from Hanan.

Additionally, I have narrated it from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Hanan ibn Sudayr.

[بيان الطريق إلى محمّد بن النعمان]

و ما كان فيه عن محمّد بن النعمان فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن محمّد بن أبي عمير؛ و الحسن بن محبوب جميعا عن محمّد بن النعمان.

[Clarification of the transmission chain to Muhammad ibn Al-Nu'man]

Everything in this book that is narrated from Muhammad ibn Al-Nu'man has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Muhammad ibn Abi 'Umayr and Al-Hasan ibn Mahbub together, from Muhammad ibn Al-Nu'man.

[بيان الطريق إلى أبي الأعزّ النخّاس]

و ما كان فيه عن أبي الأعزّ النخّاس فقد رويته عن أبي- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن إبراهيم بن هاشم، عن صفوان بن يحيى؛ و محمّد بن أبي عمير، عن أبي الأعزّ النخّاس.

[Clarification of the transmission chain to Abu Al-Azz Al-Nakhkhas]

Everything in this book that is narrated from Abu Al-Azz Al-Nakhkhas has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Ibrahim ibn Hashim, from Safwan ibn Yahya and Muhammad ibn Abi Umayr, from Abu Al-Azz Al-Nakhkhas.

[بيان الطريق إلى ما كان فيه ممّا كتبه الرّضا عليه السّلام إلى محمّد بن سنان فيما كتب من جواب مسائله في العلل]

و ما كان فيه ممّا كتبه الرّضا عليه السّلام إلى محمّد بن سنان فيما كتب من جواب مسائله في العلل فقد رويته عن عليّ بن أحمد بن موسى الدقّاق؛ و محمّد بن أحمد السّنانيّ و الحسين بن إبراهيم بن أحمد بن هشام المكتّب- رضي اللّه عنهم- قالوا: حدّثنا محمّد بن أبي عبد اللّه الكوفيّ قال: حدّثنا محمّد بن إسماعيل البرمكيّ، عن عليّ بن العبّاس قال: حدّثنا القاسم بن الربيع الصحّاف، عن محمّد بن سنان عن الرّضا عليه السّلام.

[Clarification of the transmission chain for what Imam Al-Ridha {a.s} wrote to Muhammad ibn Sinan in response to his questions on causes (reasons)]

Everything in this book that is narrated from what Imam Al-Ridha {a.s} wrote to Muhammad ibn Sinan in response to his questions on causes has been transmitted by me from Ali ibn Ahmad ibn Musa Al-Daqqaq, Muhammad ibn Ahmad Al-Sinani, and Al-Husayn ibn Ibrahim ibn Ahmad ibn Hisham Al-Maktab - may Allah {SWT} be pleased with them all - who said: Muhammad ibn Abi Abdullah Al-Kufi narrated to us, who said: Muhammad ibn Isma'il Al-Barmaki narrated to us, from Ali ibn Al-Abbas, who said: Al-Qasim ibn Al-Rabi' Al-Sahhaf narrated to us, from Muhammad ibn Sinan, from Imam Al-Ridha {a.s}.

[بيان الطريق إلى عبيد اللّه بن عليّ الحلبيّ]

و ما كان فيه عن عبيد اللّه بن عليّ الحلبيّ فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن أحمد و عبد اللّه ابني محمّد بن عيسى، عن محمّد بن أبي عمير، عن حمّاد بن عثمان، عن عبيد اللّه بن عليّ الحلبيّ و رويته عن أبي؛ و محمّد بن الحسن، و جعفر بن محمّد بن مسرور- رضي اللّه عنهم- عن الحسين بن محمّد بن عامر، عن عمّه عبد اللّه بن عامر، عن محمّد بن أبي عمير، عن حمّاد بن عثمان، عن عبيد اللّه بن عليّ الحلبي.

[Clarification of the transmission chain to Ubaydullah ibn Ali Al-Halabi]

Everything in this book that is narrated from Ubaydullah ibn Ali Al-Halabi has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Al-Himyari together, from Ahmad and Abdullah, the sons of Muhammad ibn 'Isa, from Muhammad ibn Abi 'Umayr, from Hammad ibn 'Uthman, from Ubaydullah ibn Ali Al-Halabi.

I have also narrated it from my father, from Muhammad ibn Al-Hasan, and from Ja'far ibn Muhammad ibn Masrur - may Allah {SWT} be pleased with them all - from Al-Husayn ibn Muhammad ibn 'Amir, from his uncle Abdullah ibn 'Amir, from Muhammad ibn Abi 'Umayr, from Hammad ibn 'Uthman, from Ubaydullah ibn Ali Al-Halabi.

[بيان الطريق إلى معاوية بن ميسرة]

و ما كان فيه عن معاوية بن ميسرة فقد رويته عن أبي- رضي اللّه عنه- عن عبد اللّه بن جعفر الحميريّ، عن أحمد بن محمّد بن عيسى، عن عليّ بن الحكم، عن معاوية ابن ميسرة بن شريح القاضي.

[Clarification of the transmission chain to Mu'awiyah ibn Maysarah]

Everything in this book that is narrated from Mu'awiyah ibn Maysarah has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Abdullah ibn Ja'far Al-Himyari, from Ahmad ibn Muhammad ibn 'Isa, from Ali ibn Al-Hakam, from Mu'awiyah ibn Maysarah ibn Shurayh Al-Qadi.

[بيان الطريق إلى عبد الرّحمن بن أبي نجران]

و ما كان فيه عن عبد الرّحمن بن أبي نجران فقد رويته، عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن أحمد بن محمّد بن عيسى، عن عبد الرّحمن ابن أبي نجران.

[Clarification of the transmission chain to Abdur Rahman ibn Abi Najran]

Everything in this book that is narrated from Abdur Rahman ibn Abi Najran has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Ahmad ibn Muhammad ibn 'Isa, from Abdur Rahman ibn Abi Najran.

[بيان الطريق إلى محمّد بن حمران؛ و جميل بن درّاج]

و ما كان فيه عن محمّد بن حمران؛ و جميل بن درّاج فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن يعقوب بن يزيد، عن محمّد بن أبي عمير، عن محمّد بن حمران؛ و جميل بن درّاج.

[Clarification of the transmission chain to Muhammad ibn Hurman and Jamil ibn Darraj]

Everything in this book that is narrated from Muhammad ibn Hurman and Jamil ibn Darraj has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ya'qub ibn Yazid, from Muhammad ibn Abi 'Umayr, from Muhammad ibn Hurman and Jamil ibn Darraj.

[بيان الطريق إلى عبد اللّه بن سنان]

و ما كان فيه عن عبد اللّه بن سنان فقد رويته عن أبي- رضي اللّه عنه- عن عبد اللّه بن جعفر الحميريّ، عن أيّوب بن نوح، عن محمّد بن أبي عمير، عن عبد اللّه بن سنان، و هو الّذي ذكر عند الصّادق عليه السّلام فقال: أما إنّه يزيد على السنّ خيرا.

[Clarification of the transmission chain to Abdullah ibn Sinan]

Everything in this book that is narrated from Abdullah ibn Sinan has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Abdullah ibn Ja'far Al-Himyari, from Ayyub ibn Nuh, from Muhammad ibn Abi 'Umayr, from Abdullah ibn Sinan. He is the one who was mentioned in the presence of Imam Jafar ibn Muhammad Al-Sadiq {a.s}, and the Imam said: "Indeed, he surpasses old age in goodness."

[بيان الطريق إلى أحمد بن محمّد بن أبي نصر البزنطيّ]

و ما كان فيه عن أحمد بن محمّد بن أبي نصر البزنطيّ فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن أحمد بن محمّد ابن عيسى، عن أحمد بن محمّد بن أبي نصر البزنطيّ. و رويته عن أبي؛ و محمّد بن عليّ ماجيلويه- رضي اللّه عنهما- عن عليّ بن إبراهيم، عن أبيه، عن أحمد بن محمّد بن أبي نصر البزنطيّ.

[Clarification of the transmission chain to Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti]
Everything in this book that is narrated from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Al-Himyari together, from Ahmad ibn Muhammad ibn 'Isa, from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti.
I have also narrated it from my father and from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with them both - from Ali ibn Ibrahim, from his father, from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti.

[بيان الطريق إلى أبي بصير]

و ما كان فيه عن أبي بصير فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن أحمد بن محمّد بن خالد، عن أبيه، عن محمّد بن أبي عمير عن عليّ بن أبي حمزة عن أبي بصير.

[Clarification of the transmission chain to Abu Basir]
Everything in this book that is narrated from Abu Basir has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from his uncle Muhammad ibn Abi Al-Qasim, from Ahmad ibn Muhammad ibn Khalid, from his father, from Muhammad ibn Abi 'Umayr, from Ali ibn Abi Hamzah, from Abu Basir.

[بيان الطريق إلى عبيد اللّه الرّافقيّ]

و ما كان فيه عن عبيد اللّه الرّافقيّ فقد رويته عن جعفر بن محمّد بن مسرور- رضي اللّه عنه- عن الحسين بن محمّد بن عامر، عن عمّه عبد اللّه بن عامر، عن أبي أحمد محمّد بن زياد الأزديّ، عن عبيد اللّه الرّافقيّ.

[Clarification of the transmission chain to Ubaydullah Al-Rafaqi]
Everything in this book that is narrated from Ubaydullah Al-Rafaqi has been transmitted by me from Ja'far ibn Muhammad ibn Masrur - may Allah {SWT} be pleased with him - from Al-Husayn ibn Muhammad ibn 'Amir, from his uncle Abdullah ibn 'Amir, from Abu Ahmad Muhammad ibn Ziyad Al-Azdi, from Ubaydullah Al-Rafaqi.

[بيان الطريق إلى سعدان بن مسلم و اسمه عبد الرّحمن بن مسلم]

و ما كان فيه عن سعدان بن مسلم و اسمه عبد الرّحمن بن مسلم فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن العبّاس بن معروف؛ و أحمد بن إسحاق بن سعد جميعا، عن سعدان بن مسلم.

[Clarification of the transmission chain to Sa'dan ibn Muslim, whose name is Abdur Rahman ibn Muslim]

Everything in this book that is narrated from Sa'dan ibn Muslim, whose name is Abdur Rahman ibn Muslim, has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Al-Abbas ibn Ma'ruf and Ahmad ibn Ishaq ibn Sa'd together, from Sa'dan ibn Muslim.

[بيان الطريق إلى الرّيّان بن الصلت]

و ما كان فيه عن الرّيّان بن الصلت فقد رويته عن أبي و محمّد بن موسى بن المتوكّل و محمّد بن عليّ ماجيلويه؛ و الحسين بن إبراهيم- رضي اللّه عنهم- عن عليّ بن إبراهيم ابن هاشم، عن أبيه، عن الرّيّان بن الصلت.

[Clarification of the transmission chain to Al-Rayan ibn Al-Salt]

Everything in this book that is narrated from Al-Rayan ibn Al-Salt has been transmitted by me from my father, Muhammad ibn Musa ibn Al-Mutawakkil, Muhammad ibn Ali Majilawayh, and Al-Husayn ibn Ibrahim - may Allah {SWT} be pleased with them all - from Ali ibn Ibrahim ibn Hashim, from his father, from Al-Rayan ibn Al-Salt.

[بيان الطريق إلى الحسن بن الجهم]

و ما كان فيه عن الحسن بن الجهم فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن الحسن بن الجهم.

[Clarification of the transmission chain to Al-Hasan ibn Al-Jahm]

Everything in this book that is narrated from Al-Hasan ibn Al-Jahm has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Al-Hasan ibn Al-Jahm.

[بيان الطريق إلى عبد الرّحيم القصير]

و ما كان فيه عن عبد الرّحيم القصير فقد رويته عن جعفر بن عليّ بن الحسن ابن عليّ بن عبد اللّه بن المغيرة الكوفيّ، عن جدّه الحسن بن عليّ، عن العبّاس بن عامر القصبانيّ، عن عبد الرّحيم القصير الأسديّ و قيل له: الأسديّ لأنّه مولى بني أسد.

[Clarification of the transmission chain to Abdur Rahim Al-Qasir]

Everything in this book that is narrated from Abdur Rahim Al-Qasir has been transmitted by me from Ja'far ibn Ali ibn Al-Hasan ibn Ali ibn Abdullah ibn Al-Mughira Al-Kufi, from his grandfather Al-Hasan ibn Ali, from Al-Abbas ibn Amir Al-Qasabani, from Abdur Rahim Al-Qasir Al-Asadi. He was called "Al-Asadi" because he was a freed servant (mawla) of Banu Asad.

[بيان الطريق إلى الحسين بن أبي العلاء]

و ما كان فيه عن الحسين بن أبي العلاء فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن موسى بن سعدان، عن عبد اللّه بن أبي القاسم، عن الحسين بن أبي العلاء الخفّاف مولى بني أسد.

[Clarification of the transmission chain to Al-Husayn ibn Abi Al-'Ala]

Everything in this book that is narrated from Al-Husayn ibn Abi Al-'Ala has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Musa ibn Sa'dan, from Abdullah ibn Abi Al-Qasim, from Al-Husayn ibn Abi Al-'Ala Al-Khaffaf, the freed servant (mawla) of Banu Asad.

[بيان الطريق إلى محمّد بن الحسن الصفّار]

و ما كان فيه عن محمّد بن الحسن الصفّار- رحمه اللّه- فقد رويته عن محمّد بن الحسن بن أحمد بن الوليد- رضي اللّه عنه- عن محمّد بن الحسن الصفّار.

[Clarification of the transmission chain to Muhammad ibn Al-Hasan Al-Saffar]

Everything in this book that is narrated from Muhammad ibn Al-Hasan Al-Saffar - may Allah {SWT} have mercy on him - has been transmitted by me from Muhammad ibn Al-Hasan ibn Ahmad ibn Al-Walid - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar.

[بيان الطريق إلى عليّ بن بلال]

و ما كان فيه عن عليّ بن بلال فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن عليّ بن بلال.

[Clarification of the transmission chain to Ali ibn Bilal]

Everything in this book that is narrated from Ali ibn Bilal has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Ali ibn Bilal.

[بيان الطريق إلى يحيى بن عبّاد المكيّ]

و ما كان فيه عن يحيى بن عبّاد المكيّ فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن محمّد بن أبي عبد اللّه الأسديّ الكوفيّ، عن موسى بن عمران النخعيّ، عن عمّه الحسين بن يزيد، عن يحيى بن عبّاد المكّيّ.

[Clarification of the transmission chain to Yahya ibn Abbad Al-Makki]

Everything in this book that is narrated from Yahya ibn Abbad Al-Makki has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Muhammad ibn Abi Abdullah Al-Asadi Al-Kufi, from Musa ibn Imran Al-Nakha'i, from his uncle Al-Husayn ibn Yazid, from Yahya ibn Abbad Al-Makki.

[بيان الطريق إلى أبي النمير مولى الحارث بن المغيرة النضريّ]

و ما كان فيه عن أبي النمير مولى الحارث بن المغيرة النضريّ فقد رويته عن حمزة بن محمّد العلويّ- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن محمّد بن سنان، عن أبي النمير.

[Clarification of the transmission chain to Abu Al-Namir, the freed servant of Al-Harith ibn Al-Mughira Al-Nadri]

Everything in this book that is narrated from Abu Al-Namir, the freed servant of Al-Harith ibn Al-Mughira Al-Nadri, has been transmitted by me from Hamzah ibn Muhammad Al-Alawi - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Muhammad ibn Sinan, from Abu Al-Namir.

[بيان الطريق إلى منصور بن حازم]

و ما كان فيه عن منصور بن حازم فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن محمّد بن أحمد، عن محمّد بن عبد الحميد، عن سيف ابن عميرة، عن منصور بن حازم الأسديّ الكوفيّ.

[Clarification of the transmission chain to Mansur ibn Hazim]

Everything in this book that is narrated from Mansur ibn Hazim has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Muhammad ibn Ahmad, from Muhammad ibn Abdul Hamid, from Sayf ibn Umayrah, from Mansur ibn Hazim Al-Asadi Al-Kufi.

[بيان الطريق إلى المفضّل بن عمر]

و ما كان فيه عن المفضّل بن عمر فقد رويته عن محمّد بن الحسن- رحمه اللّه- عن الحسن بن متّيل الدّقّاق، عن أحمد بن أبي عبد اللّه، عن أبيه، عن محمّد بن سنان، عن المفضّل بن عمر الجعفيّ الكوفيّ و هو مولى.

[Clarification of the transmission chain to Al-Mufaddal ibn Umar]

Everything in this book that is narrated from Al-Mufaddal ibn Umar has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} have mercy on him - from Al-Hasan ibn Mattil Al-Daqqaq, from Ahmad ibn Abi Abdullah, from his father, from Muhammad ibn Sinan, from Al-Mufaddal ibn Umar Al-Ju'fi Al-Kufi, who was a freed servant (mawla).

[بيان الطريق إلى أبي مريم الأنصاريّ]

و ما كان فيه عن أبي مريم الأنصاريّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد، عن فضالة بن أيّوب، عن أبان بن عثمان، عن أبي مريم.

[Clarification of the transmission chain to Abu Maryam Al-Ansari]

Everything in this book that is narrated from Abu Maryam Al-Ansari has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ahmad ibn Muhammad ibn 'Isa, from Al-Husayn ibn Sa'id, from Fudalah ibn Ayyub, from Aban ibn 'Uthman, from Abu Maryam.

[بيان الطريق إلى أبان بن تغلب]

و ما كان فيه عن أبان بن تغلب فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن يعقوب بن يزيد، عن صفوان بن يحيى، عن أبي أيّوب، عن أبي عليّ صاحب الكلل، عن أبان بن تغلب، و يكنّى أبا سعيد و هو كنديّ كوفيّ و توفّي في أيّام الصادق عليه السّلام فذكره جميل عنده فقال: «رحمه اللّه أما و اللّه لقد أوجع قلبي موت أبان»، و قال عليه السّلام لأبان بن عثمان: «إنّ أبان بن تغلب قد روى عنّي رواية كثيرة فما رواه لك عنّي فاروه عنّي». و لقد لقي الباقر و الصادق عليهما السّلام و روى عنهما.

[Clarification of the transmission chain to Aban ibn Taghlib]

Everything in this book that is narrated from Aban ibn Taghlib has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ya'qub ibn Yazid, from Safwan ibn Yahya, from Abu Ayyub, from Abu Ali, the companion of Al-Kilal, from Aban ibn Taghlib. He was known by the kunya Abu Sa'id and was a Kindite from Kufa. He passed away during the lifetime of Imam Jafar ibn Muhammad Al-Sadiq {a.s}. When Imam Jafar ibn Muhammad Al-Sadiq {a.s} was informed of his death, he praised him and said: “May Allah {SWT} have mercy on him. By Allah {SWT}, the death of Aban has truly pained my heart." The Imam {a.s} also said to Aban ibn 'Uthman, "Indeed, Aban ibn Taghlib has narrated many traditions from me, so whatever he narrates to you from me, narrate it from me." Aban ibn Taghlib met both Imam Al-Baqir and Imam Al-Sadiq (peace be upon them) and narrated from them.

[بيان الطريق إلى الفضل بن عبد الملك]

و ما كان فيه عن الفضل بن عبد الملك فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر بن بشير، عن حمّاد بن عثمان، عن الفضل بن عبد الملك المعروف بأبي العبّاس البقباق الكوفيّ.

[Clarification of the transmission chain to Al-Fadl ibn Abdul Malik]

Everything in this book that is narrated from Al-Fadl ibn Abdul Malik has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Ja'far ibn Bashir, from Hammad ibn 'Uthman, from Al-Fadl ibn Abdul Malik, who was known as Abu Al-Abbas Al-Baqbaq Al-Kufi.

[بيان الطريق إلى الحسن بن زياد]

و ما كان فيه عن الحسن بن زياد فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ عن أبيه، عن يونس بن عبد الرّحمن، عن الحسن بن زياد الصيقل، و هو كوفيّ مولى و كنيته أبو الوليد.

[Clarification of the transmission chain to Al-Hasan ibn Ziyad]

Everything in this book that is narrated from Al-Hasan ibn Ziyad has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Ali ibn Al-Husayn Al-Sa'dabadi, from Ahmad ibn Abi Abdullah Al-Barqi, from his father, from Yunus ibn Abd Al-Rahman, from Al-Hasan ibn Ziyad Al-Sayqal. He was a Kufan, a freed servant (mawla), and his kunya was Abu Al-Walid.

[بيان الطريق إلى الفضيل بن عثمان الأعور]

و ما كان فيه عن الفضيل بن عثمان الأعور فقد رويته عن محمّد بن الحسن بن أحمد بن الوليد- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن محمّد بن عيسى بن عبيد، عن صفوان بن يحيى، عن فضيل بن عثمان الأعور المراديّ الكوفيّ.

[Clarification of the transmission chain to Al-Fudayl ibn 'Uthman Al-A'war]

Everything in this book that is narrated from Al-Fudayl ibn 'Uthman Al-A'war has been transmitted by me from Muhammad ibn Al-Hasan ibn Ahmad ibn Al-Walid - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Muhammad ibn 'Isa ibn 'Ubayd, from Safwan ibn Yahya, from Al-Fudayl ibn 'Uthman Al-A'war Al-Muradi Al-Kufi.

[بيان الطريق إلى صفوان بن مهران الجمّال]

و ما كان فيه عن صفوان بن مهران الجمّال فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن أحمد بن محمّد بن خالد، عن أبيه، عن ابن أبي عمير، عن صفوان بن مهران الجمّال. و رويته عن أبي- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن محمّد بن أحمد بن يحيى، عن موسى بن عمر، عن عبد اللّه بن محمّد الحجّال، عن صفوان بن مهران الجمّال.

[Clarification of the transmission chain to Safwan ibn Mihran Al-Jammal]

Everything in this book that is narrated from Safwan ibn Mihran Al-Jammal has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from his uncle Muhammad ibn Abi Al-Qasim, from Ahmad ibn Muhammad ibn Khalid, from his father, from Ibn Abi 'Umayr, from Safwan ibn Mihran Al-Jammal.

I have also narrated it from my father - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Muhammad ibn Ahmad ibn Yahya, from Musa ibn Umar, from Abdullah ibn Muhammad Al-Hajjal, from Safwan ibn Mihran Al-Jammal.

[بيان الطريق إلى يحيى بن عبد اللّه]

و ما كان فيه عن يحيى بن عبد اللّه فقد رويته عن أحمد بن الحسين القطّان، عن أحمد بن محمّد بن سعيد الهمدانيّ مولى بني هاشم، عن عبد الرّحمن بن جعفر الحريريّ عن يحيى بن عبد اللّه بن محمّد بن عمر بن عليّ بن أبي طالب عليه السّلام.

[Clarification of the transmission chain to Yahya ibn Abdullah]

Everything in this book that is narrated from Yahya ibn Abdullah has been transmitted by me from Ahmad ibn Al-Husayn Al-Qattan, from Ahmad ibn Muhammad ibn Sa'id Al-Hamadani, the freed servant (mawla) of Banu Hashim, from Abdur Rahman ibn Ja'far Al-Hariri, from Yahya ibn Abdullah ibn Muhammad ibn Umar ibn Ali ibn Abi Talib, peace be upon him.

[بيان الطريق إلى هشام بن الحكم]

و ما كان فيه عن هشام بن الحكم فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن أحمد بن محمّد بن عيسى عن عليّ ابن الحكم؛ و محمّد بن أبي عمير جميعا عن هشام بن الحكم، و كنيته أبو محمّد، مولى بني شيبان، بيّاع الكرابيس، تحوّل من بغداد إلى الكوفة.

[Clarification of the transmission chain to Hisham ibn Al-Hakam]

Everything in this book that is narrated from Hisham ibn Al-Hakam has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Al-Himyari together, from Ahmad ibn Muhammad ibn 'Isa, from Ali ibn Al-Hakam and Muhammad ibn Abi 'Umayr together, from Hisham ibn Al-Hakam. His kunya was Abu Muhammad, and he was a freed servant (mawla) of Banu Shayban. He was a seller of woolen garments and moved from Baghdad to Kufa.

[بيان الطريق إلى جرّاح المدائنيّ]

و ما كان فيه عن جرّاح المدائنيّ فقد رويته عن أبي رضي اللّه عنه- عن سعد ابن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد، عن النضر بن سويد، عن القاسم بن سليمان، عن جرّاح المدائنيّ.

[Clarification of the transmission chain to Jarrah Al-Mada'ini]

Everything in this book that is narrated from Jarrah Al-Mada'ini has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ahmad ibn Muhammad ibn 'Isa, from Al-Husayn ibn Sa'id, from Al-Nadr ibn Suwayd, from Al-Qasim ibn Sulayman, from Jarrah Al-Mada'ini.

[بيان الطريق إلى حفص بن البختريّ]

و ما كان فيه عن حفص بن البختريّ فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و عبد اللّه بن جعفر الحميريّ جميعا عن يعقوب ابن يزيد، عن محمّد بن أبي عمير، عن حفص بن البختريّ الكوفيّ.

[Clarification of the transmission chain to Hafs ibn Al-Bukhtari]

Everything in this book that is narrated from Hafs ibn Al-Bukhtari has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Abdullah ibn Ja'far Al-Himyari together, from Ya'qub ibn Yazid, from Muhammad ibn Abi 'Umayr, from Hafs ibn Al-Bukhtari Al-Kufi.

[بيان الطريق إلى أحمد بن أبي عبد اللّه البرقيّ]

و ما كان فيه عن أحمد بن أبي عبد اللّه البرقيّ فقد رويته عن أبي؛ و محمّد بن موسى بن المتوكّل- رضي اللّه عنهما- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ.

[Clarification of the transmission chain to Ahmad ibn Abi Abdullah Al-Barqi]

Everything in this book that is narrated from Ahmad ibn Abi Abdullah Al-Barqi has been transmitted by me from my father and from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with them both - from Ali ibn Al-Husayn Al-Sa'dabadi, from Ahmad ibn Abi Abdullah Al-Barqi.

[بيان الطريق إلى زيد بن عليّ بن الحسين بن عليّ بن أبي طالب عليهم السّلام]

و ما كان فيه عن زيد بن عليّ بن الحسين بن عليّ بن أبي طالب عليهم السّلام فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن أبي الجوزاء المنبّه بن عبد اللّه، عن الحسين بن علوان، عن عمرو بن خالد، عن زيد بن عليّ بن الحسين بن عليّ بن أبي طالب عليهم السّلام.

[Clarification of the transmission chain to Zayd ibn Ali ibn Al-Husayn ibn Ali ibn Abi Talib, peace be upon them]

Everything in this book that is narrated from Zayd ibn Ali ibn Al-Husayn ibn Ali ibn Abi Talib, peace be upon them, has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah, from Abu Al-Jawza' Al-Munabbih ibn Abdullah, from Al-Husayn ibn 'Alwan, from 'Amr ibn Khalid, from Zayd ibn Ali ibn Al-Husayn ibn Ali ibn Abi Talib, peace be upon them.

[بيان الطريق إلى أسماء بنت عميس في خبر ردّ الشّمس على أمير المؤمنين عليه السّلام]

و ما كان فيه عن أسماء بنت عميس في خبر ردّ الشّمس على أمير المؤمنين عليه السّلام في حياة رسول اللّه صلى اللّه عليه و آله فقد رويته عن أحمد بن الحسن القطّان قال: حدّثنا أبو- الحسين محمّد بن صالح قال: حدّثنا عمر بن خالد المخزوميّ قال: حدّثنا أبو نباتة، عن محمّد بن موسى، عن عمارة بن مهاجر، عن أمّ جعفر و أمّ محمّد ابنتي محمّد بن جعفر عن أسماء بنت عميس و هي جدّتهما. و رويته عن أحمد بن محمّد بن إسحاق قال: حدّثني الحسين بن موسى النخّاس قال: حدّثنا عثمان بن أبي شيبة قال: حدّثنا عبد اللّه بن موسى، عن إبراهيم بن الحسن، عن فاطمة بنت الحسين، عن أسماء بنت عميس.

[Clarification of the transmission chain to Asma bint Umais regarding the narration of the return of the sun for the Commander of the Faithful {a.s}]

Everything in this book that is narrated from Asma bint Umais concerning the incident of the sun returning for the Commander of the Faithful {a.s} during the lifetime of the Messenger of Allah {SWT} (peace and blessings be upon him and his family) has been transmitted by me from Ahmad ibn Al-Hasan Al-Qattan, who said: Abu Al-Husayn Muhammad ibn Salih narrated to us, who said: Umar ibn Khalid Al-Makhzumi narrated to us, who said: Abu Nabatah narrated to us, from Muhammad ibn Musa, from Imarah ibn Muhajir, from Umm Jafar and Umm Muhammad, the daughters of Muhammad ibn Jafar, from Asma bint Umais, who was their grandmother.

I have also narrated it from Ahmad ibn Muhammad ibn Ishaq, who said: Al-Husayn ibn Musa Al-Nakhkhas narrated to me, who said: Uthman ibn Abi Shaybah narrated to us, who said: Abdullah ibn Musa narrated to us, from Ibrahim ibn Al-Hasan, from Fatimah bint Al-Husayn, from Asma bint Umais.

[بيان الطريق إلى جويرية بن مسهر في ردّ الشمس على أمير المؤمنين عليه السّلام]

و ما كان فيه عن جويرية بن مسهر في ردّ الشمس على أمير المؤمنين عليه السّلام بعد وفاة النبيّ صلى اللّه عليه و آله فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- قالا:

حدّثنا سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد، عن أحمد بن عبد اللّه القرويّ، عن الحسين بن المختار القلانسيّ، عن أبي بصير، عن عبد الواحد بن المختار الأنصاريّ، عن أمّ المقدام الثقفيّة، عن جويرية بن مسهر.

[Clarification of the transmission chain to Juwayriyyah ibn Musahhar regarding the return of the sun for the Commander of the Faithful {a.s}]

Everything in this book that is narrated from Juwayriyyah ibn Musahhar concerning the return of the sun for the Commander of the Faithful {a.s} after the passing of the Prophet (peace and blessings be upon him and his family) has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - who said:

Sa'd ibn Abdullah narrated to us, from Ahmad ibn Muhammad ibn 'Isa, from Al-Husayn ibn Sa'id, from Ahmad ibn Abdullah Al-Qurawi, from Al-Husayn ibn Al-Mukhtar Al-Qalansi, from Abu Basir, from Abdul Wahid ibn Al-Mukhtar Al-Ansari, from Umm Al-Miqdam Al-Thaqafiyyah, from Juwayriyyah ibn Musahhar.

[بيان الطريق إلى ما كان فيه من حديث سليمان بن داود عليه السّلام في معنى]

و ما كان فيه من حديث سليمان بن داود عليه السّلام في معنى قول اللّه عزّ و جلّ «فَطَفِقَ مَسْحاً بِالسُّوقِ وَ الْأَعْناقِ» فقد رويته عن عليّ بن أحمد بن موسى- رضي اللّه عنه- عن محمّد بن أبي عبد اللّه الكوفيّ، عن موسى بن عمران النخعيّ، عن عمّه الحسين ابن يزيد النوفليّ، عن عليّ بن سالم، عن أبيه، عن الصادق جعفر بن محمّد عليهما السّلام.

[Clarification of the transmission chain for the narration about Prophet Sulayman ibn Dawud {a.s} regarding the meaning of Allah's {SWT} statement]

Everything in this book that is narrated about Prophet Sulayman ibn Dawud {a.s} concerning the meaning of Allah {SWT}, the Almighty and Glorious, saying "So he began striking [their] legs and necks" has been transmitted by me from Ali ibn Ahmad ibn Musa - may Allah {SWT} be pleased with him - from Muhammad ibn Abi Abdullah Al-Kufi, from Musa ibn Imran Al-Nakha'i, from his uncle Al-Husayn ibn Yazid Al-Nawfali, from Ali ibn Salim, from his father, from Ja'far ibn Muhammad Al-Sadiq (peace be upon them both).

[بيان الطريق إلى سليمان بن خالد البجليّ]

و ما كان فيه عن سليمان بن خالد البجليّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن إبراهيم بن هاشم، عن محمّد بن أبي عمير، عن هشام بن سالم عن سليمان بن خالد البجليّ الأقطع الكوفيّ و كان خرج مع زيد بن عليّ عليه السّلام فأفلت.

[Clarification of the transmission chain to Sulayman ibn Khalid Al-Bajali]

Everything in this book that is narrated from Sulayman ibn Khalid Al-Bajali has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ibrahim ibn Hashim, from Muhammad ibn Abi 'Umayr, from Hisham ibn Salim, from Sulayman ibn Khalid Al-Bajali Al-Aqta' Al-Kufi. He had joined Zayd ibn Ali {a.s} in his uprising but managed to escape.

[بيان الطريق إلى معمر بن يحيى]

و ما كان فيه عن معمر بن يحيى فقد رويته عن أبي- رضي اللّه عنه- عن عبد اللّه بن جعفر الحميريّ، عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد، عن فضالة، عن حمّاد بن عثمان، عن معمر بن يحيى.

[Clarification of the transmission chain to Mu'ammar ibn Yahya]

Everything in this book that is narrated from Mu'ammar ibn Yahya has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Abdullah ibn Ja'far Al-Himyari, from Ahmad ibn Muhammad ibn 'Isa, from Al-Husayn ibn Sa'id, from Fudalah, from Hammad ibn 'Uthman, from Mu'ammar ibn Yahya.

[بيان الطريق إلى عائذ الأحمسيّ]

و ما كان فيه عن عائذ الأحمسيّ فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن أحمد بن محمّد بن عيسى، عن الحسين ابن سعيد، عن فضالة بن أيّوب، عن جميل، عن عائذ بن حبيب الأحمسيّ.

[Clarification of the transmission chain to A'idh Al-Ahmasi]

Everything in this book that is narrated from A'idh Al-Ahmasi has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Al-Himyari together, from Ahmad ibn Muhammad ibn Isa, from Al-Husayn ibn Said, from Fudalah ibn Ayyub, from Jamil, from A'idh ibn Habib Al-Ahmasi.

[بيان الطريق إلى مسعدة بن صدقة]

و ما كان فيه عن مسعدة بن صدقة فقد رويته عن أبي- رضي اللّه عنه- عن عبد اللّه بن جعفر الحميريّ، عن هارون بن مسلم، عن مسعدة بن صدقة الرّبعيّ.

[Clarification of the transmission chain to Mas'adah ibn Sadaqah]

Everything in this book that is narrated from Mas'adah ibn Sadaqah has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Abdullah ibn Ja'far Al-Himyari, from Harun ibn Muslim, from Mas'adah ibn Sadaqah Al-Ruba'i.

[بيان الطريق إلى معاوية بن وهب]

و ما كان فيه عن معاوية بن وهب فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن أحمد بن محمّد بن عيسى، عن الحسن بن محبوب، عن أبي القاسم معاوية بن وهب البجليّ الكوفيّ.

[Clarification of the transmission chain to Mu'awiyah ibn Wahb]

Everything in this book that is narrated from Mu'awiyah ibn Wahb has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Ahmad ibn Muhammad ibn Isa, from Al-Hasan ibn Mahbub, from Abu Al-Qasim Mu'awiyah ibn Wahb Al-Bajali Al-Kufi.

[بيان الطريق إلى مالك الجهنيّ]

و ما كان فيه عن مالك الجهنيّ فقد رويته عن أبي- رضي اللّه عنه- عن عليّ ابن موسى بن جعفر بن أبي جعفر الكمنداني، عن أحمد بن محمّد بن عيسى، عن الحسن ابن محبوب، عن عمرو بن أبي المقدام، عن أبي محمّد مالك بن أعين الجهنيّ، و هو عربيّ كوفيّ، و ليس هو من آل سنسن.

[Clarification of the transmission chain to Malik Al-Juhani]

Everything in this book that is narrated from Malik Al-Juhani has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Ali ibn Musa ibn Ja'far ibn Abi Ja'far Al-Kamandani, from Ahmad ibn Muhammad ibn 'Isa, from Al-Hasan ibn Mahbub, from 'Amr ibn Abi Al-Miqdam, from Abu Muhammad Malik ibn A'yan Al-Juhani. He was an Arab from Kufa and not from the family of Sansan.

[بيان الطريق إلى عبيد بن زرارة]

و ما كان فيه عن عبيد بن زرارة فقد رويته عن أبي- رضي اللّه عنه- عن سعد ابن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم بن مسكين الثقفيّ، عن عبيد بن زرارة بن أعين، و كان أحول.

[Clarification of the transmission chain to Ubayd ibn Zurarah]

Everything in this book that is narrated from Ubayd ibn Zurarah has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Al-Hakam ibn Miskin Al-Thaqafi, from Ubayd ibn Zurarah ibn A'yun. He was known to have a squint (cross-eyed).

[بيان الطريق إلى الفضيل بن يسار]

و ما كان فيه عن الفضيل بن يسار فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ، عن أبيه، عن ابن أبي عمير، عن عمر بن اذينة، عن الفضيل بن يسار و هو كوفيّ مولى لبني نهد، انتقل من الكوفة إلى البصرة، و كان أبو جعفر عليه السّلام إذا رآه قال: «بَشِّرِ الْمُخْبِتِينَ» و ذكر ربعيّ بن عبد اللّه عن غاسل الفضيل بن يسار أنّه قال: إنّي لأغسّل الفضيل و إنّ يده لتسبقني إلى عورته، قال: فخبّرت بذلك أبا عبد اللّه عليه السّلام فقال: رحم اللّه الفضيل ابن يسار هو منّا أهل البيت.

[Clarification of the transmission chain to Al-Fudayl ibn Yasar]

Everything in this book that is narrated from Al-Fudayl ibn Yasar has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Ali ibn Al-Husayn Al-Sadabadi, from Ahmad ibn Abi Abdullah Al-Barqi, from his father, from Ibn Abi Umayr, from Umar ibn Udhaynah, from Al-Fudayl ibn Yasar. He was a Kufan and a freed servant (mawla) of Banu Nahd. He moved from Kufa to Basra.

Whenever Imam Abu Jafar Imam Muhammad ibn Ali Al-Baqir {a.s} saw him, he would say: "Give glad tidings to the humble ones." Rabi ibn Abdullah narrated from the person who washed the body of Al-Fudayl ibn Yasar that he said: "As I was washing Al-Fudayl, his hand would move ahead of me to cover his private parts." When this was reported to Imam Abu Abdullah {a.s}, he said: "May Allah {SWT} have mercy on Al-Fudayl ibn Yasar. He is one of us, the Ahl Al-Bayt."

[بيان الطريق إلى بكير بن أعين]

و ما كان فيه عن بكير بن أعين فقد رويته عن أبي- رضي اللّه عنه- عن عليّ ابن إبراهيم، عن أبيه، عن محمّد بن أبي عمير، عن بكير بن أعين و هو كوفيّ يكنّى أبا الجهم من موالي بني شيبان، و لمّا بلغ الصادق عليه السّلام موت بكير بن أعين قال: «أما و اللّه لقد أنزله اللّه عزّ و جلّ بين رسوله و بين أمير المؤمنين صلوات اللّه عليهما».

[Clarification of the transmission chain to Bukayr ibn A'yun]

Everything in this book that is narrated from Bukayr ibn A'yun has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Muhammad ibn Abi 'Umayr, from Bukayr ibn A'yun. He was a Kufan, known by the kunya Abu Al-Juhm, and was a freed servant (mawla) of Banu Shayban.

When Imam Jafar ibn Muhammad Al-Sadiq {a.s} was informed of the death of Bukayr ibn A'yun, he said: "By Allah {SWT}, indeed Allah {SWT}, the Almighty and Glorious, has placed him between His Messenger and the Commander of the Faithful, peace and blessings be upon them both."

[بيان الطريق إلى محمّد بن يحيى الخثعميّ]

و ما كان فيه عن محمّد بن يحيى الخثعميّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن عيسى، عن زكريّا المؤمن، عن محمّد بن يحيى الخثعميّ.

[Clarification of the transmission chain to Muhammad ibn Yahya Al-Khath'ami]

Everything in this book that is narrated from Muhammad ibn Yahya Al-Khath'ami has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn 'Isa, from Zakariyya Al-Mu'min, from Muhammad ibn Yahya Al-Khath'ami.

[بيان الطريق إلى بكر بن محمّد الأزديّ]

و ما كان فيه عن بكر بن محمّد الأزديّ فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن العبّاس بن معروف؛ و أحمد بن إسحاق بن سعد؛ و إبراهيم بن هاشم، عن بكر بن محمّد الأزديّ.

[Clarification of the transmission chain to Bakr ibn Muhammad Al-Azdi]

Everything in this book that is narrated from Bakr ibn Muhammad Al-Azdi has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Al-Abbas ibn Ma’ruf, Ahmad ibn Ishaq ibn Sa’d, and Ibrahim ibn Hashim, from Bakr ibn Muhammad Al-Azdi.

[بيان الطريق إلى إسماعيل بن رباح]

و ما كان فيه عن إسماعيل بن رباح فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن أبيه عن أحمد بن أبي عبد اللّه البرقيّ، عن أبيه، عن محمّد بن أبي عمير، عن إسماعيل بن رباح الكوفيّ.

[Clarification of the transmission chain to Isma'il ibn Rabah]

Everything in this book that is narrated from Isma'il ibn Rabah has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from his father, from Ahmad ibn Abi Abdullah Al-Barqi, from his father, from Muhammad ibn Abi 'Umayr, from Isma'il ibn Rabah Al-Kufi.

[بيان الطريق إلى أبي عبد اللّه الفرّاء]

و ما كان فيه عن أبي عبد اللّه الفرّاء فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن أبي عبد اللّه، عن أبيه، عن محمّد بن أبي عمير، عن أبي عبد اللّه الفرّاء.

[Clarification of the transmission chain to Abu Abdullah Al-Farra]

Everything in this book that is narrated from Abu Abdullah Al-Farra has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ahmad ibn Abi Abdullah, from his father, from Muhammad ibn Abi 'Umayr, from Abu Abdullah Al-Farra.

[بيان الطريق إلى الحسين بن المختار]

و ما كان فيه عن الحسين بن المختار فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه؛ و الحميريّ؛ و محمّد بن يحيى العطّار؛ و أحمد بن إدريس جميعا عن محمّد ابن الحسين بن أبي الخطّاب، عن حمّاد بن عيسى، عن الحسين بن المختار القلانسيّ.

و قد رويته عن محمّد بن الحسين- رضي اللّه عنه- عن الحسين بن الحسن بن أبان، عن الحسين بن سعيد، عن حمّاد بن عيسى، عن الحسين بن المختار القلانسيّ.

[Clarification of the transmission chain to Al-Husayn ibn Al-Mukhtar]

Everything in this book that is narrated from Al-Husayn ibn Al-Mukhtar has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, Al-Himyari, Muhammad ibn Yahya Al-'Attar, and Ahmad ibn Idris, all from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Hammad ibn 'Isa, from Al-Husayn ibn Al-Mukhtar Al-Qalansi.

I have also narrated it from Muhammad ibn Al-Husayn - may Allah {SWT} be pleased with him - from Al-Husayn ibn Al-Hasan ibn Aban, from Al-Husayn ibn Sa'id, from Hammad ibn 'Isa, from Al-Husayn ibn Al-Mukhtar Al-Qalansi.

[بيان الطريق إلى عمر بن حنظلة]

و ما كان فيه عن عمر بن حنظلة فقد رويته عن الحسين بن أحمد بن إدريس- رضي اللّه عنه- عن أبيه، عن محمّد بن أحمد بن يحيى، عن محمّد بن عيسى، عن صفوان بن يحيى، عن داود بن الحصين، عن عمر بن حنظلة.

[Clarification of the transmission chain to Umar ibn Hanzalah]

Everything in this book that is narrated from Umar ibn Hanzalah has been transmitted by me from Al-Husayn ibn Ahmad ibn Idris - may Allah {SWT} be pleased with him - from his father, from Muhammad ibn Ahmad ibn Yahya, from Muhammad ibn Isa, from Safwan ibn Yahya, from Dawud ibn Al-Husayn, from Umar ibn Hanzalah.

[بيان الطريق إلى حريز بن عبد اللّه]

و ما كان فيه عن حريز بن عبد اللّه فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ؛ و محمّد بن يحيى العطّار؛ و أحمد ابن إدريس، عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد؛ و عليّ بن حديد؛ و عبد الرّحمن ابن أبي نجران، عن حمّاد بن عيسى الجهنيّ، عن حريز بن عبد اللّه السّجستاني. و رويته أيضا عن أبي؛ و محمّد بن الحسن؛ و محمّد بن موسى بن المتوكّل- رضي اللّه عنهم- عن عبد اللّه ابن جعفر الحميريّ، عن عليّ بن إسماعيل؛ و محمّد بن عيسى؛ و يعقوب بن يزيد؛ و الحسن بن ظريف، عن حمّاد بن عيسى، عن حريز بن عبد اللّه السجستانيّ.

[Clarification of the transmission chain to Hariz ibn Abdullah]

Everything in this book that is narrated from Hariz ibn Abdullah has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah, Al-Himyari, Muhammad ibn Yahya Al-Attar, and Ahmad ibn Idris, from Ahmad ibn Muhammad ibn Isa, from Al-Husayn ibn Said, Ali ibn Hadid, and Abdur Rahman ibn Abi Najran, from Hammad ibn Isa Al-Juhani, from Hariz ibn Abdullah Al-Sijistani.

I have also narrated it from my father, Muhammad ibn Al-Hasan, and Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with them all - from Abdullah ibn Jafar Al-Himyari, from Ali ibn Ismail, Muhammad ibn Isa, Yaqub ibn Yazid, and Al-Hasan ibn Zhurayf, from Hammad ibn Isa, from Hariz ibn Abdullah Al-Sijistani.

[بيان الطريق إلى حريز بن عبد اللّه في- الزّكاة]

و ما كان فيه عن حريز بن عبد اللّه في- الزّكاة- فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن العبّاس بن معروف، عن إسماعيل ابن سهل، عن حمّاد بن عيسى، عن حريز بن عبد اللّه. و رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم عن أبيه، عن حمّاد، عن حريز.

[Clarification of the transmission chain to Hariz ibn Abdullah regarding Zakat]

Everything in this book that is narrated from Hariz ibn Abdullah concerning Zakat has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Al-Abbas ibn Ma'ruf, from Isma'il ibn Sahl, from Hammad ibn Isa, from Hariz ibn Abdullah.

I have also narrated it from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Hammad, from Hariz.

[بيان الطريق إلى خالد بن ماد القلانسيّ]

و ما كان فيه عن خالد بن ماد القلانسيّ فقد رويته عن أبي- رضي اللّه عنه- عن عبد اللّه بن جعفر الحميريّ، عن محمّد بن عبد الجبّار، عن النضر بن شعيب، عن خالد ابن ماد القلانسيّ.

[Clarification of the transmission chain to Khalid ibn Maad Al-Qalansi]

Everything in this book that is narrated from Khalid ibn Maad Al-Qalansi has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Abdullah ibn Ja'far Al-Himyari, from Muhammad ibn Abdul Jabbar, from Al-Nadr ibn Shu'ayb, from Khalid ibn Maad Al-Qalansi.

[بيان الطريق إلى أبي حمزة الثماليّ]

و ما كان فيه عن أبي حمزة الثماليّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن إبراهيم بن هاشم، عن أحمد بن محمّد بن أبي نصر البزنطيّ، عن محمّد بن الفضيل، عن أبي حمزة ثابت بن دينار الثماليّ. و دينار يكنّى أبا صفيّة و هو من حيّ من بني ثعل و نسب إلى ثمالة لأنّ داره كانت فيهم، و توفّي سنة خمسين و مائة و هو ثقة عدل قد لقي أربعة من الأئمّة: عليّ بن الحسين؛ و محمّد بن عليّ، و جعفر بن محمّد، و موسى بن جعفر عليهم السّلام، و طرقي إليه كثيرة و لكنّي اقتصرت على طريق واحد منها.

[Clarification of the transmission chain to Abu Hamzah Al-Thumali]

Everything in this book that is narrated from Abu Hamzah Al-Thumali has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ibrahim ibn Hashim, from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti, from Muhammad ibn Al-Fudayl, from Abu Hamzah Thabit ibn Dinar Al-Thumali.

Dinar was known by the kunya Abu Safiyyah. He was from a clan of Banu Tha'l and was attributed to Thumalah because his residence was among them. He passed away in the year 150 AH. He was trustworthy and just (thiqa 'adl) and met four Imams: Ali ibn Al-Husayn, Muhammad ibn Ali, Ja'far ibn Muhammad, and Musa ibn Ja'far (peace be upon them all). Although there are many transmission routes to him, I have sufficed with mentioning only one of them.

[بيان الطريق إلى عبد الأعلى مولى آل سام]

و ما كان فيه عن عبد الأعلى مولى آل سام فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسن بن متيل، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر بن بشير، عن خالد بن أبي إسماعيل، عن عبد الأعلى مولى آل سام.

[Clarification of the transmission chain to Abd Al-Ala, the freed servant of Al-Sam]

Everything in this book that is narrated from Abd Al-Ala, the freed servant of Al-Sam, has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Al-Hasan ibn Matil, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Jafar ibn Bashir, from Khalid ibn Abi Ismail, from Abd Al-Ala, the freed servant of Al-Sam.

[بيان الطريق إلى الأصبغ بن نباتة]

و ما كان فيه عن الأصبغ بن نباتة فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن أبيه، عن أحمد بن محمّد خالد، عن الهيثم بن عبد اللّه النهديّ عن الحسين بن علوان، عن عمرو بن ثابت، عن سعد بن طريف، عن الأصبغ بن نباتة.

[Clarification of the transmission chain to Al-Asbagh ibn Nubatah]

Everything in this book that is narrated from Al-Asbagh ibn Nubatah has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from his father, from Ahmad ibn Muhammad ibn Khalid, from Al-Haytham ibn Abdullah Al-Nahdi, from Al-Husayn ibn Alwan, from Amr ibn Thabit, from Sad ibn Tarif, from Al-Asbagh ibn Nubatah.

[بيان الطريق إلى جابر بن عبد اللّه الأنصاريّ]

و ما كان فيه عن جابر بن عبد اللّه الأنصاريّ فقد رويته عن عليّ بن أحمد بن موسى- رضي اللّه عنه- عن محمّد بن أبي عبد اللّه الكوفيّ، عن محمّد بن إسماعيل البرمكيّ عن جعفر بن أحمد، عن عبد اللّه بن الفضل، عن المفضّل بن عمر، عن جابر بن يزيد الجعفيّ، عن جابر بن عبد اللّه الأنصاريّ.

[Clarification of the transmission chain to Jabir ibn Abdullah Al-Ansari]

Everything in this book that is narrated from Jabir ibn Abdullah Al-Ansari has been transmitted by me from Ali ibn Ahmad ibn Musa - may Allah {SWT} be pleased with him - from Muhammad ibn Abi Abdullah Al-Kufi, from Muhammad ibn Isma'il Al-Barmaki, from Ja'far ibn Ahmad, from Abdullah ibn Al-Fadl, from Al-Mufaddal ibn Umar, from Jabir ibn Yazid Al-Ju'fi, from Jabir ibn Abdullah Al-Ansari.

[بيان الطريق إلى صالح بن الحكم]

و ما كان فيه عن صالح بن الحكم فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين أبي الخطّاب، عن جعفر بن بشير، عن حمّاد بن عثمان، عن صالح بن الحكم الأحول.

[Clarification of the transmission chain to Salih ibn Al-Hakam]

Everything in this book that is narrated from Salih ibn Al-Hakam has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn Al-Husayn Abi Al-Khattab, from Ja'far ibn Bashir, from Hammad ibn 'Uthman, from Salih ibn Al-Hakam Al-Ahwal.

[بيان الطريق إلى عامر بن نعيم القمّيّ]

و ما كان فيه عن عامر بن نعيم القمّيّ فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن محمّد بن أبي عمير، عن عامر بن نعيم القمّيّ.

[Clarification of the transmission chain to Amir ibn Naim Al-Qummi]

Everything in this book that is narrated from Amir ibn Naim Al-Qummi has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Muhammad ibn Abi Umayr, from Amir ibn Naim Al-Qummi.

[بيان الطريق إلى عليّ بن مهزيار]

و ما كان فيه عن عليّ بن مهزيار فقد رويته عن أبي- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن الحسين بن إسحاق التاجر، عن عليّ بن مهزيار. و رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن إبراهيم بن مهزيار عن أخيه عليّ بن مهزيار. و رويته أيضا عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد ابن الحسن الصفّار، عن العبّاس بن معروف، عن عليّ بن مهزيار الأهوازيّ.

[Clarification of the transmission chain to Ali ibn Mahziyar]

Everything in this book that is narrated from Ali ibn Mahziyar has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Al-Husayn ibn Ishaq, the merchant, from Ali ibn Mahziyar.

I have also narrated it from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah and Al-Himyari together, from Ibrahim ibn Mahziyar, from his brother Ali ibn Mahziyar.

Additionally, I have narrated it from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Al-Abbas ibn Ma'ruf, from Ali ibn Mahziyar Al-Ahwazi.

[بيان الطريق إلى صفوان بن يحيى]

و ما كان فيه عن صفوان بن يحيى فقد رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن صفوان بن يحيى.

[Clarification of the transmission chain to Safwan ibn Yahya]

Everything in this book that is narrated from Safwan ibn Yahya has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Safwan ibn Yahya.

[بيان الطريق إلى الحسن بن عليّ الكوفيّ]

و ما كان فيه عن الحسن بن عليّ الكوفيّ فقد رويته عن أبي- رحمه اللّه- عن عليّ بن الحسن بن عليّ الكوفيّ، عن أبيه. و رويته عن جعفر بن عليّ بن الحسن الكوفيّ، عن جدّه الحسن بن عليّ الكوفيّ.

[Clarification of the transmission chain to Al-Hasan ibn Ali Al-Kufi]

Everything in this book that is narrated from Al-Hasan ibn Ali Al-Kufi has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Ali ibn Al-Hasan ibn Ali Al-Kufi, from his father.

I have also narrated it from Ja'far ibn Ali ibn Al-Hasan Al-Kufi, from his grandfather Al-Hasan ibn Ali Al-Kufi.

[بيان الطريق إلى أبي الجارود]

و ما كان فيه عن أبي الجارود فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن محمّد بن عليّ القرشيّ الكوفيّ، عن محمّد بن- سنان، عن أبي الجارود زياد بن المنذر الكوفيّ.

[Clarification of the transmission chain to Abu Al-Jarud]

Everything in this book that is narrated from Abu Al-Jarud has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from his uncle Muhammad ibn Abi Al-Qasim, from Muhammad ibn Ali Al-Qurashi Al-Kufi, from Muhammad ibn Sinan, from Abu Al-Jarud Ziyad ibn Al-Mundhir Al-Kufi.

[بيان الطريق إلى أبي الجارود]

و ما كان فيه عن حبيب بن المعلّى فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الوليد الخزّاز، عن حمّاد بن عثمان، عن حبيب بن المعلّى الخثعميّ.

[Clarification of the transmission chain to Habib ibn Al-Mu'alla]

Everything in this book that is narrated from Habib ibn Al-Mu'alla has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn Al-Walid Al-Khazzaz, from Hammad ibn 'Uthman, from Habib ibn Al-Mu'alla Al-Khath'ami.

[بيان الطريق إلى عبد الرّحمن بن الحجّاج]

و ما كان فيه عن عبد الرّحمن بن الحجّاج فقد رويته عن أحمد بن محمّد بن يحيى العطّار- رضي اللّه عنه- عن أبيه، عن أحمد بن محمّد بن عيسى، عن ابن أبي عمير؛ و الحسن بن محبوب جميعا عن عبد الرحمن بن الحجّاج البجليّ الكوفيّ و هو مولى و قد لقي الصادق و موسى بن جعفر عليهما السّلام و روى عنهما، و كان موسى عليه السّلام إذا ذكر عنده قال: «إنّه لثقيل في الفؤاد».

[Clarification of the transmission chain to Abdur Rahman ibn Al-Hajjaj]

Everything in this book that is narrated from Abdur Rahman ibn Al-Hajjaj has been transmitted by me from Ahmad ibn Muhammad ibn Yahya Al-Attar - may Allah {SWT} be pleased with him - from his father, from Ahmad ibn Muhammad ibn Isa, from Ibn Abi Umayr and Al-Hasan ibn Mahbub together, from Abdur Rahman ibn Al-Hajjaj Al-Bajali Al-Kufi.

He was a freed servant (mawla) who met Imam Al-Sadiq and Imam Musa ibn Jafar (peace be upon them) and narrated from both of them. Imam Musa {a.s}, when Abdur Rahman was mentioned in his presence, would say: "Indeed, he weighs heavily on the heart."

[بيان الطريق إلى موسى بن عمر بن بزيع]

و ما كان فيه عن موسى بن عمر بن بزيع فقد رويته عن محمّد بن عليّ ماجيلويه- رحمه اللّه- عن علي بن إبراهيم، عن أبيه، عن موسى بن عمر بن بزيع.

[Clarification of the transmission chain to Musa ibn Umar ibn Bazi]

Everything in this book that is narrated from Musa ibn Umar ibn Bazi has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} have mercy on him - from Ali ibn Ibrahim, from his father, from Musa ibn Umar ibn Bazi.

[بيان الطريق إلى العيص بن القاسم]

و ما كان فيه عن العيص بن القاسم فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن يعقوب بن يزيد، عن صفوان بن يحيى، عن العيص بن القاسم.

[Clarification of the transmission chain to Al-Ays ibn Al-Qasim]

Everything in this book that is narrated from Al-Ays ibn Al-Qasim has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Yaqub ibn Yazid, from Safwan ibn Yahya, from Al-Ays ibn Al-Qasim.

[بيان الطريق إلى سليمان بن جعفر الجعفريّ]

و ما كان فيه عن سليمان بن جعفر الجعفريّ فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ، عن سليمان بن جعفر الجعفريّ. و رويته عن أبي- رحمه اللّه- عن عليّ بن إبراهيم، عن أبيه، عن سليمان بن جعفر الجعفريّ. و رويته عن أبى- رضي اللّه عنه- عن الحميريّ، عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد، عن سليمان بن جعفر الجعفريّ.

[Clarification of the transmission chain to Sulayman ibn Ja'far Al-Ja'fari]

Everything in this book that is narrated from Sulayman ibn Ja'far Al-Ja'fari has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Ali ibn Al-Husayn Al-Sa'dabadi, from Ahmad ibn Abi Abdullah Al-Barqi, from Sulayman ibn Ja'far Al-Ja'fari.

I have also narrated it from my father - may Allah {SWT} have mercy on him - from Ali ibn Ibrahim, from his father, from Sulayman ibn Ja'far Al-Ja'fari.

Additionally, I have narrated it from my father - may Allah {SWT} be pleased with him - from Al-Himyari, from Ahmad ibn Muhammad ibn 'Isa, from Al-Husayn ibn Sa'id, from Sulayman ibn Ja'far Al-Ja'fari.

[بيان الطريق إلى إسماعيل بن عيسى]

و ما كان فيه عن إسماعيل بن عيسى فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- قال: حدّثنا عليّ بن إبراهيم، عن أبيه، عن إسماعيل بن عيسى.

[Clarification of the transmission chain to Isma'il ibn 'Isa]

Everything in this book that is narrated from Isma'il ibn 'Isa has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - who said: Ali ibn Ibrahim narrated to us from his father, from Isma'il ibn 'Isa.

[بيان الطريق إلى جعفر بن محمّد بن يونس]

و ما كان فيه عن جعفر بن محمّد بن يونس فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن إبراهيم بن هاشم، عن جعفر بن محمّد بن يونس.

[Clarification of the transmission chain to Ja'far ibn Muhammad ibn Yunus]

Everything in this book that is narrated from Ja'far ibn Muhammad ibn Yunus has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ibrahim ibn Hashim, from Ja'far ibn Muhammad ibn Yunus.

[بيان الطريق إلى هاشم الحنّاط]

و ما كان فيه عن هاشم الحنّاط فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن إبراهيم بن هاشم؛ و أحمد بن إسحاق بن سعد، عن هاشم الحنّاط.

[Clarification of the transmission chain to Hashim Al-Hannat]

Everything in this book that is narrated from Hashim Al-Hannat has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Ibrahim ibn Hashim and Ahmad ibn Ishaq ibn Sa'd, from Hashim Al-Hannat.

[بيان الطريق إلى أبي جميلة]

و ما كان فيه عن أبي جميلة فقد رويته عن أبي- رضي اللّه عنه- عن الحميريّ عن أحمد بن محمّد بن عيسى، عن أحمد بن محمّد بن أبي نصر البزنطيّ، عن أبي جميلة المفضّل ابن صالح.

[Clarification of the transmission chain to Abu Jamilah]

Everything in this book that is narrated from Abu Jamilah has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Al-Himyari, from Ahmad ibn Muhammad ibn 'Isa, from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti, from Abu Jamilah Al-Mufaddal ibn Salih.

[بيان الطريق إلى داود الصرميّ]

و ما كان فيه عن داود الصرميّ فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن سعد بن عبد اللّه؛ و عليّ بن إبراهيم بن هاشم جميعا عن محمّد بن عيسى ابن عبيد، عن داود الصرميّ.

[Clarification of the transmission chain to Dawud Al-Sarmi]

Everything in this book that is narrated from Dawud Al-Sarmi has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah and Ali ibn Ibrahim ibn Hashim together, from Muhammad ibn 'Isa ibn 'Ubayd, from Dawud Al-Sarmi.

[بيان الطريق إلى إبراهيم بن مهزيار]

و ما كان فيه عن إبراهيم بن مهزيار فقد رويته عن أبي- رضي اللّه عنه- عن الحميريّ، عن إبراهيم بن مهزيار.

[Clarification of the transmission chain to Ibrahim ibn Mahziyar]

Everything in this book that is narrated from Ibrahim ibn Mahziyar has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Al-Himyari, from Ibrahim ibn Mahziyar.

[بيان الطريق إلى يحيى بن أبي عمران]

و ما كان فيه عن يحيى بن أبي عمران فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن يحيى بن أبي عمران، و كان تلميذ يونس بن عبد الرّحمن.

[Clarification of the transmission chain to Yahya ibn Abi 'Imran]

Everything in this book that is narrated from Yahya ibn Abi 'Imran has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Yahya ibn Abi 'Imran. He was a student of Yunus ibn 'Abd Al-Rahman.

[بيان الطريق إلى مسمع بن مالك البصريّ]

و ما كان فيه عن مسمع بن مالك البصريّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد، عن القاسم بن محمّد عن أبان، عن مسمع بن مالك البصريّ، و يقال له: مسمع بن عبد المالك البصريّ، و لقبه كردين و هو عربيّ من بني قيس بن ثعلبة و يكنّى أبا سيّار، و يقال: إنّ الصادق عليه السّلام قال له أوّل ما رآه: ما اسمك؟ فقال: مسمع فقال: ابن من؟ قال: ابن مالك فقال بل أنت مسمع بن عبد الملك.

[Clarification of the transmission chain to Masma ibn Malik Al-Basri]

Everything in this book that is narrated from Masma ibn Malik Al-Basri has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Al-Husayn ibn Said, from Al-Qasim ibn Muhammad, from Aban, from Masma ibn Malik Al-Basri.

He is also known as Masma ibn Abd Al-Malik Al-Basri, and his nickname was Kardin. He was an Arab from Banu Qays ibn Thalabah and was known by the kunya Abu Sayyar. It is reported that when Imam Jafar ibn Muhammad Al-Sadiq {a.s} first saw him, he asked: “What is your name?" He replied: “Masma." The Imam asked: “Son of whom?" He replied: “Son of Malik." The Imam said: “Rather, you are Masma ibn Abd Al-Malik."

[بيان الطريق إلى محمّد بن إسماعيل بن بزيع]

و ما كان فيه عن محمّد بن إسماعيل بن بزيع فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن أحمد بن محمّد بن عيسى، عن محمّد بن إسماعيل بن بزيع.

[Clarification of the transmission chain to Muhammad ibn Isma'il ibn Bazi']

Everything in this book that is narrated from Muhammad ibn Isma'il ibn Bazi' has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Ahmad ibn Muhammad ibn 'Isa, from Muhammad ibn Isma'il ibn Bazi'.

[بيان الطريق إلى عليّ بن الرّيّان]

و ما كان فيه عن عليّ بن الرّيّان فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن عليّ بن الرّيّان.

[Clarification of the transmission chain to Ali ibn Al-Rayan]

Everything in this book that is narrated from Ali ibn Al-Rayan has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Ali ibn Al-Rayan.

[بيان الطريق إلى يونس بن يعقوب]

و ما كان فيه عن يونس بن يعقوب فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم بن مسكين، عن يونس ابن يعقوب البجليّ.

[Clarification of the transmission chain to Yunus ibn Ya'qub]

Everything in this book that is narrated from Yunus ibn Ya'qub has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Al-Hakam ibn Miskin, from Yunus ibn Ya'qub Al-Bajali.

[بيان الطريق إلى عليّ بن يقطين]

و ما كان فيه عن عليّ بن يقطين فقد رويته عن أبي- رضي اللّه عنه- عن سعد ابن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسن بن عليّ بن يقطين، عن أخيه الحسين عن أبيه عليّ بن يقطين.

[Clarification of the transmission chain to Ali ibn Yaqtin]

Everything in this book that is narrated from Ali ibn Yaqtin has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ahmad ibn Muhammad ibn 'Isa, from Al-Hasan ibn Ali ibn Yaqtin, from his brother Al-Husayn, from their father Ali ibn Yaqtin.

[بيان الطريق إلى رفاعة بن موسى النخّاس]

و ما كان فيه عن رفاعة بن موسى النخّاس فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن يعقوب بن يزيد، عن محمّد بن أبي عمير، عن رفاعة بن موسى النخّاس.

[Clarification of the transmission chain to Rifa'ah ibn Musa Al-Nakhkhas]

Everything in this book that is narrated from Rifa'ah ibn Musa Al-Nakhkhas has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ya'qub ibn Yazid, from Muhammad ibn Abi 'Umayr, from Rifa'ah ibn Musa Al-Nakhkhas.

[بيان الطريق إلى زياد بن سوقة]

و ما كان فيه عن زياد بن سوقة فقد رويته عن أبي- رضي اللّه عنه- عن سعد ابن عبد اللّه، عن أيّوب بن نوح، عن محمّد بن أبي عمير، عن زياد بن سوقة.

[Clarification of the transmission chain to Ziyad ibn Suwqah]

Everything in this book that is narrated from Ziyad ibn Suwqah has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ayyub ibn Nuh, from Muhammad ibn Abi 'Umayr, from Ziyad ibn Suwqah.

[بيان الطريق إلى حمّاد بن عثمان]

و ما كان فيه، عن حمّاد بن عثمان فقد رويته عن أبي- رضي اللّه عنه- عن سعد ابن عبد اللّه؛ و الحميريّ جميعا عن يعقوب بن يزيد، عن محمّد بن أبي عمير، عن حمّاد بن عثمان.

[Clarification of the transmission chain to Hammad ibn Uthman]

Everything in this book that is narrated from Hammad ibn Uthman has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah and Al-Himyari together, from Ya'qub ibn Yazid, from Muhammad ibn Abi 'Umayr, from Hammad ibn Uthman.

[بيان الطريق إلى ياسر الخادم]

و ما كان فيه عن ياسر الخادم فقد رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن ياسر خادم الرّضا عليه السّلام.

[Clarification of the transmission chain to Yasir the Servant]

Everything in this book that is narrated from Yasir, the servant of Imam Al-Rida {a.s}, has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Yasir, the servant of Imam Al-Rida {a.s}.

[بيان الطريق إلى الحسن بن محبوب]

و ما كان فيه عن الحسن بن محبوب فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عبد اللّه بن جعفر الحميريّ؛ و سعد بن عبد اللّه، عن أحمد بن محمّد ابن عيسى، عن الحسن بن محبوب.

[Clarification of the transmission chain to Al-Hasan ibn Mahbub]

Everything in this book that is narrated from Al-Hasan ibn Mahbub has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Abdullah ibn Ja'far Al-Himyari and Sa'd ibn Abdullah, from Ahmad ibn Muhammad ibn 'Isa, from Al-Hasan ibn Mahbub.

[بيان الطريق إلى داود بن أبي زيد]

و ما كان فيه عن داود بن أبي زيد فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن عيسى بن عبيد، عن داود بن أبي زيد.

[Clarification of the transmission chain to Dawud ibn Abi Zayd]

Everything in this book that is narrated from Dawud ibn Abi Zayd has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn 'Isa ibn 'Ubayd, from Dawud ibn Abi Zayd.

[بيان الطريق إلى عليّ بن بجيل]

و ما كان فيه عن عليّ بن بجيل فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسن بن متّيل الدّقّاق، عن محمّد بن الحسين بن أبي الخطّاب، عن أبي عبد اللّه الحكم بن مسكين الثّقفيّ، عن عليّ بن بجيل بن عقيل الكوفيّ.

[Clarification of the transmission chain to Ali ibn Bijil]

Everything in this book that is narrated from Ali ibn Bijil has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Al-Hasan ibn Matil Al-Daqqaq, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Abu Abdullah Al-Hakam ibn Miskin Al-Thaqafi, from Ali ibn Bijil ibn Aqil Al-Kufi.

[بيان الطريق إلى معاوية بن عمّار]

و ما كان فيه عن معاوية بن عمّار فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن يعقوب بن يزيد، عن صفوان بن يحيى؛ و محمّد بن أبي عمير جميعا عن معاوية بن عمّار الدّهنيّ الغنويّ الكوفيّ مولى بجيلة و يكنّى أبا القاسم.

[Clarification of the transmission chain to Mu'awiyah ibn 'Ammar]

Everything in this book that is narrated from Mu'awiyah ibn 'Ammar has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Al-Himyari together, from Ya'qub ibn Yazid, from Safwan ibn Yahya and Muhammad ibn Abi 'Umayr together, from Mu'awiyah ibn 'Ammar Al-Dahni Al-Ghanawi Al-Kufi, the freed servant (mawla) of Bujaylah, and he was known by the kunya Abu Al-Qasim.

[بيان الطريق إلى الحسن بن قارن]

و ما كان فيه عن الحسن بن قارن فقد رويته عن حمزة بن محمّد العلويّ- رحمه اللّه- عن عليّ بن إبراهيم، عن أبيه، عن الحسن بن قارن.

[Clarification of the transmission chain to Al-Hasan ibn Qarin]

Everything in this book that is narrated from Al-Hasan ibn Qarin has been transmitted by me from Hamzah ibn Muhammad Al-Alawi - may Allah {SWT} have mercy on him - from Ali ibn Ibrahim, from his father, from Al-Hasan ibn Qarin.

[بيان الطريق إلى عبد اللّه بن فضالة]

و ما كان فيه عن عبد اللّه بن فضالة فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن محمّد بن خالد، عن أبيه، عن محمّد بن سنان، عن بندار بن حمّاد، عن عبد اللّه بن فضالة.

[Clarification of the transmission chain to Abdullah ibn Fadalah]

Everything in this book that is narrated from Abdullah ibn Fadalah has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Ali ibn Al-Husayn Al-Sa'dabadi, from Ahmad ibn Muhammad ibn Khalid, from his father, from Muhammad ibn Sinan, from Bandar ibn Hammad, from Abdullah ibn Fadalah.

[بيان الطريق إلى خالد بن نجيح]

و ما كان فيه عن خالد بن نجيح فقد رويته عن أبي- رضي اللّه عنه- عن عبد اللّه ابن جعفر الحميريّ، عن أحمد بن محمّد بن عيسى، عن ابن أبي عمير، عن خالد بن نجيح الجوّان.

[Clarification of the transmission chain to Khalid ibn Najeeh]

Everything in this book that is narrated from Khalid ibn Najeeh has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Abdullah ibn Ja'far Al-Himyari, from Ahmad ibn Muhammad ibn 'Isa, from Ibn Abi 'Umayr, from Khalid ibn Najeeh Al-Jawwan.

[بيان الطريق إلى الحسن بن السّريّ]

و ما كان فيه عن الحسن بن السّريّ فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسن بن متّيل الدّقّاق، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر ابن بشير، عن الحسن بن السّريّ.

[Clarification of the transmission chain to Al-Hasan ibn Al-Sirri]

Everything in this book that is narrated from Al-Hasan ibn Al-Sirri has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Al-Hasan ibn Matil Al-Daqqaq, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Ja'far ibn Bashir, from Al-Hasan ibn Al-Sirri.

[بيان الطريق إلى العبّاس بن هلال]

و ما كان فيه عن العبّاس بن هلال فقد رويته عن الحسين بن إبراهيم بن ناتانة- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن العبّاس بن هلال.

[Clarification of the transmission chain to Al-Abbas ibn Hilal]

Everything in this book that is narrated from Al-Abbas ibn Hilal has been transmitted by me from Al-Husayn ibn Ibrahim ibn Natanah - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Al-Abbas ibn Hilal.

[بيان الطريق إلى الحارث بن المغيرة النضريّ]

و ما كان فيه عن الحارث بن المغيرة النضريّ فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن أبيه، عن أحمد بن أبي عبد اللّه، عن أبيه، عن يونس ابن عبد الرّحمن، و محمّد بن أبي عمير جميعا عن الحارث بن المغيرة النضريّ.

[Clarification of the transmission chain to Al-Harith ibn Al-Mughira Al-Nadri]

Everything in this book that is narrated from Al-Harith ibn Al-Mughira Al-Nadri has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from his father, from Ahmad ibn Abi Abdullah, from his father, from Yunus ibn Abd Al-Rahman and Muhammad ibn Abi 'Umayr together, from Al-Harith ibn Al-Mughira Al-Nadri.

[بيان الطريق إلى أبي بكر الحضرميّ، و كليب الأسديّ]

و ما كان فيه عن أبي بكر الحضرميّ، و كليب الأسديّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن عبد اللّه بن عبد الرّحمن الأصم، عن أبي بكر عبد اللّه بن محمّد الحضرميّ؛ و كليب الأسديّ.

[Clarification of the transmission chain to Abu Bakr Al-Hadrami and Kulayb Al-Asadi]

Everything in this book that is narrated from Abu Bakr Abdullah ibn Muhammad Al-Hadrami and Kulayb Al-Asadi has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Abdullah ibn Abdur Rahman Al-Asam, from Abu Bakr Abdullah ibn Muhammad Al-Hadrami and Kulayb Al-Asadi.

[بيان الطريق إلى هشام بن إبراهيم]

و ما كان فيه عن هشام بن إبراهيم فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن إبراهيم بن هاشم، عن هشام بن إبراهيم صاحب الرّضا عليه السّلام.

[Clarification of the transmission chain to Hisham ibn Ibrahim]

Everything in this book that is narrated from Hisham ibn Ibrahim has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Ibrahim ibn Hashim, from Hisham ibn Ibrahim, the companion of Imam Al-Ridha {a.s}.

[بيان الطريق إلى خبر بلال و ثواب المؤذّنين]

و ما كان فيه من خبر بلال و ثواب المؤذّنين بطوله فقد رويته عن أحمد بن زياد بن جعفر الهمدانيّ- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن أحمد بن العبّاس؛ و العبّاس بن عمرو الفقيميّ قالا: حدّثنا هشام بن الحكم، عن ثابت بن هرمز، عن الحسن بن أبي الحسن، عن أحمد بن عبد الحميد، عن عبد اللّه بن عليّ قال: حملت متاعي من البصرة إلى مصر و ذكر الحديث بطوله.

[Clarification of the transmission chain to the narration of Bilal and the reward of the Mu'adhdhin (callers to prayer)]

Everything in this book that is narrated about the story of Bilal and the complete account of the reward of the Mu'adhdhin has been transmitted by me from Ahmad ibn Ziyad ibn Ja'far Al-Hamadani - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Ahmad ibn Al-Abbas and Al-Abbas ibn Amr Al-Fuqaymi, who both said: Hisham ibn Al-Hakam narrated to us, from Thabit ibn Hurmaz, from Al-Hasan ibn Abi Al-Hasan, from Ahmad ibn Abdul Hamid, from Abdullah ibn Ali, who said: "I carried my belongings from Basra to Egypt," and he mentioned the full narration in detail.

[بيان الطريق إلى الفضل بن شاذان من العلل الّتي ذكرها عن الرّضا عليه السّلام]

و ما كان فيه عن الفضل بن شاذان من العلل الّتي ذكرها عن الرّضا عليه السّلام فقد رويته عن عبد الواحد بن عبدوس النّيسابوريّ العطّار- رضي اللّه عنه- عن عليّ ابن محمّد بن قتيبة، عن الفضل بن شاذان النيسابوريّ، عن الرّضا عليه السّلام.

[Clarification of the transmission chain to Al-Fadl ibn Shadhan regarding the causes (reasons) mentioned from Imam Al-Ridha {a.s}]

Everything in this book that is narrated from Al-Fadl ibn Shadhan regarding the causes (reasons) he mentioned from Imam Al-Ridha {a.s} has been transmitted by me from Abdul Wahid ibn Abduws Al-Naysaburi Al-Attar - may Allah {SWT} be pleased with him - from Ali ibn Muhammad ibn Qutaybah, from Al-Fadl ibn Shadhan Al-Naysaburi, from Imam Al-Ridha {a.s}.

[بيان الطريق إلى حمّاد بن عيسى]

و ما كان فيه عن حمّاد بن عيسى فقد رويته عن أبي- رضي اللّه عنه- عن سعد ابن عبد اللّه، عن إبراهيم بن هاشم؛ و يعقوب بن يزيد، عن حمّاد بن عيسى الجهنيّ.

و رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن حمّاد ابن عيسى.

[Clarification of the transmission chain to Hammad ibn Isa]

Everything in this book that is narrated from Hammad ibn Isa has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ibrahim ibn Hashim and Ya'qub ibn Yazid, from Hammad ibn Isa Al-Juhani.

I have also narrated it from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Hammad ibn Isa.

[بيان الطريق إلى عبد اللّه بن جندب]

و ما كان فيه عن عبد اللّه بن جندب فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن عبد اللّه بن جندب.

[Clarification of the transmission chain to Abdullah ibn Jundub]

Everything in this book that is narrated from Abdullah ibn Jundub has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Abdullah ibn Jundub.

[بيان الطريق إلى جهيم بن أبي جهم]

و ما كان فيه عن جهيم بن أبي جهم فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن العبّاس بن معروف، عن سعدان بن مسلم، عن جهيم بن جهم، و يقال له: ابن أبي جهمة.

[Clarification of the transmission chain to Juhaim ibn Abi Juham]

Everything in this book that is narrated from Juhaim ibn Abi Juham has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Al-Abbas ibn Ma'ruf, from Sa'dan ibn Muslim, from Juhaim ibn Juham, who is also known as Ibn Abi Juhamah.

[بيان الطريق إلى إبراهيم بن عبد الحميد]

و ما كان فيه عن إبراهيم بن عبد الحميد فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن العبّاس بن معروف، عن سعدان بن مسلم، عن إبراهيم بن عبد الحميد الكوفيّ. و رويته أيضا عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن ابن أبي عمير، عن إبراهيم بن عبد الحميد.

[Clarification of the transmission chain to Ibrahim ibn Abdul Hamid]

Everything in this book that is narrated from Ibrahim ibn Abdul Hamid has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Al-Abbas ibn Ma'ruf, from Sadan ibn Muslim, from Ibrahim ibn Abdul Hamid Al-Kufi.

I have also narrated it from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Ibn Abi Umayr, from Ibrahim ibn Abdul Hamid.

[بيان الطريق إلى سليمان بن حفص المروزيّ]

و ما كان فيه عن سليمان بن حفص المروزيّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن أبي عبد اللّه البرقيّ، عن سليمان بن حفص المروزيّ.

[Clarification of the transmission chain to Sulayman ibn Hafs Al-Marwazi]

Everything in this book that is narrated from Sulayman ibn Hafs Al-Marwazi has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ahmad ibn Abi Abdullah Al-Barqi, from Sulayman ibn Hafs Al-Marwazi.

[بيان الطريق إلى أحمد بن أبي عبد اللّه البرقيّ]

و ما كان فيه عن أحمد بن أبي عبد اللّه البرقيّ فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن أحمد بن أبي عبد اللّه البرقيّ. و رويته أيضا عن أبي؛ و محمّد بن موسى بن المتوكّل- رضي اللّه عنهما- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ.

[Clarification of the transmission chain to Ahmad ibn Abi Abdullah Al-Barqi]

Everything in this book that is narrated from Ahmad ibn Abi Abdullah Al-Barqi has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah, from Ahmad ibn Abi Abdullah Al-Barqi.

I have also narrated it from my father and from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with them both - from Ali ibn Al-Husayn Al-Sa'dabadi, from Ahmad ibn Abi Abdullah Al-Barqi.

[بيان الطريق إلى عبد الكريم بن عتبة]

و ما كان فيه عن عبد الكريم بن عتبة فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن أحمد بن محمّد بن أبي نصر البزنطيّ عن عبد الكريم بن عمرو الخثعميّ، عن ليث المراديّ، عن عبد الكريم بن عتبة الهاشميّ.

[Clarification of the transmission chain to Abdul Karim ibn Utbah]

Everything in this book that is narrated from Abdul Karim ibn Utbah has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti, from Abdul Karim ibn Amr Al-Khath'ami, from Layth Al-Muradi, from Abdul Karim ibn Utbah Al-Hashimi.

[بيان الطريق إلى إسماعيل بن مسلم السكونيّ الكوفيّ]

و ما كان فيه عن إسماعيل بن مسلم السكونيّ الكوفيّ فقد رويته عن أبي و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن إبراهيم بن هاشم، عن الحسين بن يزيد النوفليّ، عن إسماعيل بن مسلم السكونيّ.

[Clarification of the transmission chain to Isma'il ibn Muslim Al-Sukuni Al-Kufi]

Everything in this book that is narrated from Isma'il ibn Muslim Al-Sukuni Al-Kufi has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah, from Ibrahim ibn Hashim, from Al-Husayn ibn Yazid Al-Nawfali, from Isma'il ibn Muslim Al-Sukuni.

[بيان الطريق إلى عبد اللّه بن المغيرة]

و ما كان فيه عن عبد اللّه بن المغيرة فقد رويته، عن جعفر بن عليّ الكوفيّ- رضي اللّه عنه- عن جدّه الحسن بن عليّ، عن جدّه عبد اللّه بن المغيرة الكوفيّ.

و رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن عبد اللّه بن المغيرة.

و رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن إبراهيم ابن هاشم؛ و أيّوب بن نوح، عن عبد اللّه بن المغيرة.

[Clarification of the transmission chain to Abdullah ibn Al-Mughira]

Everything in this book that is narrated from Abdullah ibn Al-Mughira has been transmitted by me from Ja'far ibn Ali Al-Kufi - may Allah {SWT} be pleased with him - from his grandfather Al-Hasan ibn Ali, from his grandfather Abdullah ibn Al-Mughira Al-Kufi.

I have also narrated it from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Abdullah ibn Al-Mughira.

Additionally, I have narrated it from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Ibrahim ibn Hashim and Ayyub ibn Nuh, from Abdullah ibn Al-Mughira.

[بيان الطريق إلى محمّد بن أبي عمير]

و ما كان فيه عن محمّد بن أبي عمير فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن أيّوب بن نوح؛ و إبراهيم هاشم؛ و يعقوب بن يزيد؛ و محمّد بن عبد الجبّار جميعا عن محمّد بن أبي عمير.

[Clarification of the transmission chain to Muhammad ibn Abi 'Umayr]

Everything in this book that is narrated from Muhammad ibn Abi 'Umayr has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Al-Himyari together, from Ayyub ibn Nuh, Ibrahim ibn Hashim, Ya'qub ibn Yazid, and Muhammad ibn Abdul Jabbar, all from Muhammad ibn Abi 'Umayr.

[بيان الطريق إلى الحسين بن حمّاد]

و ما كان فيه عن الحسين بن حمّاد فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن أحمد بن محمّد بن عيسى، عن البزنطيّ عن عبد الكريم بن عمرو، عن الحسين بن حمّاد الكوفيّ.

[Clarification of the transmission chain to Al-Husayn ibn Hammad]

Everything in this book that is narrated from Al-Husayn ibn Hammad has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Al-Himyari together, from Ahmad ibn Muhammad ibn 'Isa, from Al-Bazanti, from Abdul Karim ibn 'Amr, from Al-Husayn ibn Hammad Al-Kufi.

[بيان الطريق إلى العلاء بن رزين]

و ما كان فيه عن العلاء بن رزين فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن أحمد بن محمّد بن عيسى، عن محمّد بن خالد، عن العلاء بن رزين. و قد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن محمّد بن أبي الصّهبان، عن صفوان بن يحيى عن العلاء. و رويته عن أبي- رضي اللّه عنه- عن عليّ بن سليمان الزراريّ الكوفيّ عن محمّد بن خالد، عن العلاء بن رزين القلاء. و رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن أحمد بن محمّد بن عيسى، عن الحسن بن عليّ بن فضّال؛ و الحسن بن محبوب، عن العلاء بن رزين.

[Clarification of the transmission chain to Al-Ala ibn Razin]

Everything in this book that is narrated from Al-Ala ibn Razin has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Al-Himyari together, from Ahmad ibn Muhammad ibn Isa, from Muhammad ibn Khalid, from Al-Ala ibn Razin.

I have also narrated it from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Al-Himyari together, from Muhammad ibn Abi Al-Sahban, from Safwan ibn Yahya, from Al-Ala ibn Razin.

Additionally, I have narrated it from my father - may Allah {SWT} be pleased with him - from Ali ibn Sulayman Al-Zarari Al-Kufi, from Muhammad ibn Khalid, from Al-Ala ibn Razin Al-Qalla'.

Moreover, I have narrated it from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Ahmad ibn Muhammad ibn Isa, from Al-Hasan ibn Ali ibn Faddal and Al-Hasan ibn Mahbub, from Al-Ala ibn Razin.

[بيان الطريق إلى عبد اللّه بن مسكان]

و ما كان فيه عن عبد اللّه بن مسكان فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن محمّد بن يحيى العطّار، عن محمّد بن الحسين بن أبي الخطّاب، عن صفوان بن يحيى، عن عبد اللّه بن مسكان، و هو كوفيّ من موالي عنزة و يقال إنّه من موالي عجل.

[Clarification of the transmission chain to Abdullah ibn Miskan]

Everything in this book that is narrated from Abdullah ibn Miskan has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Muhammad ibn Yahya Al-Attar, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Safwan ibn Yahya, from Abdullah ibn Miskan. He was a Kufan and a freed servant (mawla) of the tribe of Anzah, and it is also said that he was a freed servant of the tribe of Ujl.

[بيان الطريق إلى عامر بن جذاعة]

و ما كان فيه عن عامر بن جذاعة فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم بن مسكين، عن عامر بن جذاعة الأزديّ، و هو عامر بن عبد اللّه بن جذاعة، و هو عربيّ كوفيّ.

[Clarification of the transmission chain to Amir ibn Jadhaah]

Everything in this book that is narrated from Amir ibn Jadhaah has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Al-Hakam ibn Miskin, from Amir ibn Jadhaah Al-Azdi. He is Amir ibn Abdullah ibn Jadhaah, an Arab from Kufa.

[بيان الطريق إلى النعمان الرازيّ]

و ما كان فيه عن النعمان الرازيّ فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسن بن متّيل الدّقّاق، عن أحمد بن أبي عبد اللّه، عن محمّد بن سالم، عن محمّد بن سنان، عن النعمان الرّازيّ.

[Clarification of the transmission chain to Al-Nu'man Al-Razi]

Everything in this book that is narrated from Al-Nu'man Al-Razi has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Al-Hasan ibn Matil Al-Daqqaq, from Ahmad ibn Abi Abdullah, from Muhammad ibn Salim, from Muhammad ibn Sinan, from Al-Nu'man Al-Razi.

[بيان الطريق إلى أبي كهمس]

و ما كان فيه عن أبي كهمس فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم بن مسكين، عن عبد اللّه بن عليّ الزرّاد، عن أبي كهمس الكوفيّ.

[Clarification of the transmission chain to Abu Kahmas]

Everything in this book that is narrated from Abu Kahmas has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Al-Hakam ibn Miskin, from Abdullah ibn Ali Al-Zarrad, from Abu Kahmas Al-Kufi.

[بيان الطريق إلى سهل بن اليسع]

و ما كان فيه عن سهل بن اليسع فقد رويته عن أحمد بن زياد بن جعفر الهمدانيّ- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن سهل بن اليسع.

[Clarification of the transmission chain to Sahl ibn Al-Yasa']

Everything in this book that is narrated from Sahl ibn Al-Yasa' has been transmitted by me from Ahmad ibn Ziyad ibn Ja'far Al-Hamadani - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Sahl ibn Al-Yasa'.

[بيان الطريق إلى بزيع المؤذّن]

و ما كان فيه عن بزيع المؤذّن فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السّعدآباديّ، عن أحمد بن أبي عبد اللّه، عن أبيه، عن محمّد بن سنان، عن بزيع المؤذّن.

[Clarification of the transmission chain to Bazi' Al-Mu'adhdhin]

Everything in this book that is narrated from Bazi' Al-Mu'adhdhin has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Ali ibn Al-Husayn Al-Sa'dabadi, from Ahmad ibn Abi Abdullah, from his father, from Muhammad ibn Sinan, from Bazi' Al-Mu'adhdhin.

[بيان الطريق إلى عمر بن اذينة]

و ما كان فيه عن عمر بن اذينة فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد، عن محمّد بن أبي عمير، عن عمر بن اذينة.

[Clarification of the transmission chain to Umar ibn Udhaynah]

Everything in this book that is narrated from Umar ibn Udhaynah has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ahmad ibn Muhammad ibn 'Isa, from Al-Husayn ibn Sa'id, from Muhammad ibn Abi 'Umayr, from Umar ibn Udhaynah.

[بيان الطريق إلى أيّوب بن نوح]

و ما كان فيه عن أيّوب بن نوح فقد رويته عن أبي، و محمّد بن الحسن رضي اللّه عنهما- عن سعد بن عبد اللّه، و الحميريّ جميعا عن أيّوب بن نوح.

[Clarification of the transmission chain to Ayyub ibn Nuh]

Everything in this book that is narrated from Ayyub ibn Nuh has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah and Al-Himyari together, from Ayyub ibn Nuh.

[بيان الطريق إلى مرازم بن حكيم]

و ما كان فيه عن مرازم بن حكيم فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن محمّد بن أبي عمير، عن مرازم بن حكيم.

[Clarification of the transmission chain to Marazim ibn Hakim]

Everything in this book that is narrated from Marazim ibn Hakim has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Muhammad ibn Abi 'Umayr, from Marazim ibn Hakim.

[بيان الطريق إلى إبراهيم بن أبي زياد الكرخيّ]

و ما كان فيه عن إبراهيم بن أبي زياد الكرخيّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أيّوب بن نوح، عن محمّد بن أبي عمير، عن إبراهيم بن أبي زياد الكرخيّ.

[Clarification of the transmission chain to Ibrahim ibn Abi Ziyad Al-Karkhi]

Everything in this book that is narrated from Ibrahim ibn Abi Ziyad Al-Karkhi has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ayyub ibn Nuh, from Muhammad ibn Abi 'Umayr, from Ibrahim ibn Abi Ziyad Al-Karkhi.

[بيان الطريق إلى عبد اللّه بن سليمان]

و ما كان فيه عن عبد اللّه بن سليمان فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن يعقوب بن يزيد، عن صفوان بن يحيى؛ و محمّد ابن أبي عمير جميعا عن عبد اللّه بن سليمان.

[Clarification of the transmission chain to Abdullah ibn Sulayman]

Everything in this book that is narrated from Abdullah ibn Sulayman has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Ya'qub ibn Yazid, from Safwan ibn Yahya and Muhammad ibn Abi 'Umayr together, from Abdullah ibn Sulayman.

[بيان الطريق إلى عمر بن أبي زياد]

و ما كان فيه عن عمر بن أبي زياد فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم بن مسكين، عن عمر بن أبي زياد.

[Clarification of the transmission chain to Umar ibn Abi Ziyad]

Everything in this book that is narrated from Umar ibn Abi Ziyad has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Al-Hakam ibn Miskin, from Umar ibn Abi Ziyad.

[بيان الطريق إلى محمّد بن بجيل أخي عليّ بن بجيل]

و ما كان فيه عن محمّد بن بجيل أخي عليّ بن بجيل فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن الهيثم بن أبي مسروق النهديّ، عن الحسن ابن محبوب، عن عليّ بن الحسن بن رباط، عن محمّد بن بجيل أخي عليّ بن بجيل ابن عقيل الكوفيّ.

[Clarification of the transmission chain to Muhammad ibn Bijil, the brother of Ali ibn Bijil]

Everything in this book that is narrated from Muhammad ibn Bijil, the brother of Ali ibn Bijil, has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Al-Haytham ibn Abi Masruq Al-Nahdi, from Al-Hasan ibn Mahbub, from Ali ibn Al-Hasan ibn Ribaat, from Muhammad ibn Bijil, the brother of Ali ibn Bijil ibn Aqil Al-Kufi.

[بيان الطريق إلى أبي زكريّا الأعور]

و ما كان فيه عن أبي زكريّا الأعور فقد رويته عن أحمد بن زياد بن جعفر الهمدانيّ- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن محمّد بن عيسى بن عبيد، عن أبي زكريّا الأعور.

[Clarification of the transmission chain to Abu Zakariya Al-Awar]

Everything in this book that is narrated from Abu Zakariya Al-Awar has been transmitted by me from Ahmad ibn Ziyad ibn Jafar Al-Hamadani - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from Muhammad ibn Isa ibn Ubayd, from Abu Zakariya Al-Awar.

[بيان الطريق إلى أبي حبيب ناجية]

و ما كان فيه عن أبي حبيب ناجية فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن معاوية بن حكيم، عن عبد اللّه بن المغيرة، عن مثنّى الحنّاط، عن أبي حبيب ناجية.

[Clarification of the transmission chain to Abu Habib Najiyah]

Everything in this book that is narrated from Abu Habib Najiyah has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Mu'awiyah ibn Hakim, from Abdullah ibn Al-Mughira, from Mathna Al-Hannat, from Abu Habib Najiyah.

[بيان الطريق إلى إسماعيل الجعفيّ]

و ما كان فيه عن إسماعيل الجعفيّ فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن أحمد بن محمّد بن خالد، عن أبيه، عن محمّد بن سنان؛ و صفوان بن يحيى، عن إسماعيل بن عبد الرّحمن الجعفيّ الكوفيّ.

[Clarification of the transmission chain to Isma'il Al-Ju'fi]

Everything in this book that is narrated from Isma'il ibn 'Abd Al-Rahman Al-Ju'fi Al-Kufi has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from his uncle Muhammad ibn Abi Al-Qasim, from Ahmad ibn Muhammad ibn Khalid, from his father, from Muhammad ibn Sinan and Safwan ibn Yahya, from Isma'il ibn 'Abd Al-Rahman Al-Ju'fi Al-Kufi.

[بيان الطريق إلى حفص بن سالم]

و ما كان فيه عن حفص بن سالم فقد رويته عن أبي- رضي اللّه عنه- عن سعد ابن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر بن بشير، عن حمّاد بن عثمان، عن حفص أبي ولّاد بن سالم الكوفيّ و هو مولى.

[Clarification of the transmission chain to Hafs ibn Salim]

Everything in this book that is narrated from Hafs ibn Salim has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Ja'far ibn Bashir, from Hammad ibn 'Uthman, from Hafs Abu Wallad ibn Salim Al-Kufi, who was a freed servant (mawla).

[بيان الطريق إلى وهيب بن حفص]

و ما كان فيه عن وهيب بن حفص فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن محمّد بن عليّ الهمدانيّ، عن وهيب بن حفص الكوفيّ المعروف بالمنتوف.

[Clarification of the transmission chain to Wahib ibn Hafs]

Everything in this book that is narrated from Wahib ibn Hafs has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from his uncle Muhammad ibn Abi Al-Qasim, from Muhammad ibn Ali Al-Hamdani, from Wahib ibn Hafs Al-Kufi, who was known as Al-Muntaf.

[بيان الطريق إلى إبراهيم بن ميمون]

و ما كان فيه عن إبراهيم بن ميمون فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسين بن الحسن بن أبان، عن الحسين بن سعيد، عن حمّاد بن عيسى، عن معاوية بن عمّار، عن إبراهيم بن ميمون بيّاع الهرويّ مولى آل الزّبير.

[Clarification of the transmission chain to Ibrahim ibn Maymun]

Everything in this book that is narrated from Ibrahim ibn Maymun has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Al-Husayn ibn Al-Hasan ibn Aban, from Al-Husayn ibn Sa'id, from Hammad ibn 'Isa, from Mu'awiyah ibn 'Ammar, from Ibrahim ibn Maymun, the cloth seller from Herat and a freed servant (mawla) of the family of Al-Zubayr.

[بيان الطريق إلى داود بن الحصين]

و ما كان فيه عن داود بن الحصين فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم ابن مسكين، عن داود بن الحصين الأسديّ و هو مولى.

[Clarification of the transmission chain to Dawud ibn Al-Husayn]

Everything in this book that is narrated from Dawud ibn Al-Husayn has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Al-Hakam ibn Miskin, from Dawud ibn Al-Husayn Al-Asadi, who was a freed servant (mawla).

[بيان الطريق إلى أبي بكر بن أبي سمال]

و ما كان فيه عن أبي بكر بن أبي سمال فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسين بن الحسن بن أبان، عن الحسين بن سعيد، عن فضالة، عن عثيم، عن أبي بكر بن أبي سمال.

[Clarification of the transmission chain to Abu Bakr ibn Abi Samal]

Everything in this book that is narrated from Abu Bakr ibn Abi Samal has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Al-Husayn ibn Al-Hasan ibn Aban, from Al-Husayn ibn Sa'id, from Fudalah, from 'Uthaym, from Abu Bakr ibn Abi Samal.

[بيان الطريق إلى زياد بن مروان القنديّ]

و ما كان فيه عن زياد بن مروان القنديّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن، محمّد بن عيسى بن عبيد؛ و يعقوب بن يزيد، عن زياد بن مروان القنديّ.

[Clarification of the transmission chain to Ziyad ibn Marwan Al-Qandi]
Everything in this book that is narrated from Ziyad ibn Marwan Al-Qandi has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn 'Isa ibn 'Ubayd and Ya'qub ibn Yazid, from Ziyad ibn Marwan Al-Qandi.

[بيان الطريق إلى أبي المغراء حميد بن المثنّى العجليّ]

و ما كان فيه عن أبي المغراء حميد بن المثنّى العجليّ فقد رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن عثمان بن عيسى، عن أبي المغراء حميد بن المثنّى العجليّ، و هو عربيّ كوفيّ ثقة و له كتاب.

[Clarification of the transmission chain to Abu Al-Mughira Humayd ibn Al-Muthanna Al-Ajli]
Everything in this book that is narrated from Abu Al-Mughira Humayd ibn Al-Muthanna Al-Ajli has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Sad ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Uthman ibn Isa, from Abu Al-Mughira Humayd ibn Al-Muthanna Al-Ajli. He was a trustworthy Arab from Kufa and had authored a book.

[بيان الطريق إلى معاوية بن شريح]

و ما كان فيه عن معاوية بن شريح فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن عثمان بن عيسى، عن معاوية بن شريح.

[Clarification of the transmission chain to Mu'awiyah ibn Shurayh]
Everything in this book that is narrated from Mu'awiyah ibn Shurayh has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ahmad ibn Muhammad ibn 'Isa, from 'Uthman ibn 'Isa, from Mu'awiyah ibn Shurayh.

[بيان الطريق إلى سليمان بن داود المنقريّ]

و ما كان فيه عن سليمان بن داود المنقريّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن القاسم بن محمّد الأصبهانيّ، عن سليمان بن داود المنقريّ المعروف بابن الشّاذكونيّ.

[Clarification of the transmission chain to Sulayman ibn Dawud Al-Munqari]
Everything in this book that is narrated from Sulayman ibn Dawud Al-Munqari has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Al-Qasim ibn Muhammad Al-Isfahani, from Sulayman ibn Dawud Al-Munqari, who is known as Ibn Al-Shadhkuni.

[بيان الطريق إلى ربعيّ بن عبد اللّه]

و ما كان فيه عن ربعيّ بن عبد اللّه فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد، عن حمّاد بن عيسى، عن ربعي بن عبد اللّه بن جارود الهذليّ و هو عربيّ بصريّ.

[Clarification of the transmission chain to Rubay ibn Abdullah]

Everything in this book that is narrated from Rubay ibn Abdullah has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah and Al-Himyari together, from Ahmad ibn Muhammad ibn Isa, from Al-Husayn ibn Said, from Hammad ibn Isa, from Rubay ibn Abdullah ibn Jarud Al-Hudhali, who was an Arab from Basra.

[بيان الطريق إلى عبد العظيم بن عبد اللّه الحسنيّ]

و ما كان فيه عن عبد العظيم بن عبد اللّه الحسنيّ فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السّعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ، عن عبد العظيم بن عبد اللّه الحسنيّ و كان مرضيّا. و رويته عن عليّ بن أحمد بن موسى- رحمه اللّه- عن محمّد بن أبي عبد اللّه الكوفيّ، عن سهل بن زياد الآدميّ، عن عبد العظيم.

[Clarification of the transmission chain to Abd Al-Azim ibn Abdullah Al-Hasani]

Everything in this book that is narrated from Abd Al-Azim ibn Abdullah Al-Hasani has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Ali ibn Al-Husayn Al-Sadabadi, from Ahmad ibn Abi Abdullah Al-Barqi, from Abd Al-Azim ibn Abdullah Al-Hasani, who was regarded as trustworthy and praiseworthy (mardiyyan).
I have also narrated it from Ali ibn Ahmad ibn Musa - may Allah {SWT} have mercy on him - from Muhammad ibn Abi Abdullah Al-Kufi, from Sahl ibn Ziyad Al-Adami, from Abd Al-Azim.

[بيان الطريق إلى داود بن سرحان]

و ما كان فيه عن داود بن سرحان فقد رويته عن أبي؛ و محمّد بن الحسن- رحمهما اللّه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن أحمد بن محمّد بن أبي نصر البزنطيّ؛ و عبد الرّحمن بن أبي نجران، عن داود بن سرحان العطّار الكوفيّ.

[Clarification of the transmission chain to Dawud ibn Surhan]

Everything in this book that is narrated from Dawud ibn Surhan has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} have mercy on them both - from Sa'd ibn Abdullah, from Ahmad ibn Muhammad ibn 'Isa, from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti and Abdur Rahman ibn Abi Najran, from Dawud ibn Surhan Al-'Attar Al-Kufi.

[بيان الطريق إلى المعلّى بن خنيس]

و ما كان فيه عن المعلّى بن خنيس فقد رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن عبد الرّحمن بن أبي نجران، عن حمّاد بن عيسى، عن المسمعيّ، عن المعلّى بن خنيس و هو مولى الصادق عليه السّلام كوفي، بزّاز قتله داود بن عليّ.

[Clarification of the transmission chain to Al-Mualla ibn Khunays]

Everything in this book that is narrated from Al-Mualla ibn Khunays has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Abd Al-Rahman ibn Abi Najran, from Hammad ibn Isa, from Al-Masmai, from Al-Mualla ibn Khunays.

He was a freed servant (mawla) of Imam Jafar ibn Muhammad Al-Sadiq {a.s}, a Kufan, and a cloth seller (bazzaz). He was killed by Dawud ibn 'Ali.

[بيان الطريق إلى إبراهيم بن أبي البلاد]

و ما كان فيه عن إبراهيم بن أبي البلاد فقد رويته عن أبي- رحمه اللّه- عن عبد اللّه بن جعفر الحميريّ، عن محمّد بن الحسين بن أبي الخطّاب، عن إبراهيم بن أبي البلاد و يكنّى أبا إسماعيل.

[Clarification of the transmission chain to Ibrahim ibn Abi Bilad]

Everything in this book that is narrated from Ibrahim ibn Abi Bilad has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Abdullah ibn Jafar Al-Himyari, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Ibrahim ibn Abi Bilad, who was known by the kunyah Abu Ismail.

[بيان الطريق إلى أبي أيّوب الخزّاز]

و ما كان فيه عن أبي أيّوب الخزّاز فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عبد اللّه بن جعفر الحميريّ، عن محمّد بن الحسين بن أبي الخطّاب عن الحسن بن محبوب، عن أبي أيّوب إبراهيم بن عثمان الخزّاز، و يقال إنّه إبراهيم ابن عيسى.

[Clarification of the transmission chain to Abu Ayyub Al-Khazzaz]

Everything in this book that is narrated from Abu Ayyub Al-Khazzaz has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Abdullah ibn Jafar Al-Himyari, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Al-Hasan ibn Mahbub, from Abu Ayyub Ibrahim ibn Uthman Al-Khazzaz. It is also said that his name was Ibrahim ibn Isa.

[بيان الطريق إلى أبي ولّاد الحنّاط]

و ما كان فيه عن أبي ولّاد الحنّاط فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن الهيثم بن أبي مسروق النهديّ، عن الحسن بن محبوب، عن أبي ولّاد الحنّاط، و اسمه حفص بن سالم مولى بني مخزوم.

[Clarification of the transmission chain to Abu Wallad Al-Hannat]

Everything in this book that is narrated from Abu Wallad Al-Hannat has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Al-Haytham ibn Abi Masruq Al-Nahdi, from Al-Hasan ibn Mahbub, from Abu Wallad Al-Hannat, whose name was Hafs ibn Salim, a freed servant (mawla) of Banu Makhzum.

[بيان الطريق إلى محمّد بن خالد البرقيّ]

و ما كان فيه عن محمّد بن خالد البرقيّ فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن محمّد بن خالد البرقيّ.

[Clarification of the transmission chain to Muhammad ibn Khalid Al-Barqi]

Everything in this book that is narrated from Muhammad ibn Khalid Al-Barqi has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Muhammad ibn Khalid Al-Barqi.

[بيان الطريق إلى سيف التمّار]

و ما كان فيه عن سيف التمّار فقد رويته عن محمّد بن موسى بن المتوكّل- رحمه اللّه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ، عن الحسن بن محبوب، عن الحسن بن رباط، عن سيف التمّار.

[Clarification of the transmission chain to Saif Al-Tammar]

Everything in this book that is narrated from Saif Al-Tammar has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} have mercy on him - from Ali ibn Al-Husayn Al-Sa'dabadi, from Ahmad ibn Abi Abdullah Al-Barqi, from Al-Hasan ibn Mahbub, from Al-Hasan ibn Ribbat, from Saif Al-Tammar.

[بيان الطريق إلى زكريّا بن آدم]

و ما كان فيه عن زكريّا بن آدم فقد رويته عن أحمد بن زياد بن جعفر الهمدانيّ- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أحمد بن إسحاق بن سعد، عن زكريّا بن آدم القمّيّ صاحب الرّضا عليه السّلام.

[Clarification of the transmission chain to Zakariyya ibn Adam]

Everything in this book that is narrated from Zakariyya ibn Adam has been transmitted by me from Ahmad ibn Ziyad ibn Jafar Al-Hamadani - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from Ahmad ibn Ishaq ibn Sa'd, from Zakariyya ibn Adam Al-Qummi, the companion of Imam Al-Ridha {a.s}.

[بيان الطريق إلى بحر السّقاء]

و ما كان فيه عن بحر السّقاء فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن إبراهيم بن مهزيار، عن أخيه عليّ، عن حمّاد بن عيسى، عن حريز، عن بحر السقّاء و هو بحر بن كثير.

[Clarification of the transmission chain to Bahr Al-Saqqa']

Everything in this book that is narrated from Bahr Al-Saqqa' has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ibrahim ibn Mahziyar, from his brother Ali, from Hammad ibn 'Isa, from Hariz, from Bahr Al-Saqqa', who is Bahr ibn Kathir.

[بيان الطريق إلى جابر بن إسماعيل]

و ما كان فيه عن جابر بن إسماعيل فقد رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن سلمة بن الخطّاب، عن محمّد بن اللّيث، عن جابر بن إسماعيل.

[Clarification of the transmission chain to Jabir ibn Ismail]

Everything in this book that is narrated from Jabir ibn Ismail has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Sad ibn Abdullah, from Salamah ibn Al-Khattab, from Muhammad ibn Al-Laith, from Jabir ibn Ismail.

[بيان الطريق إلى أبي جرير بن إدريس]

و ما كان فيه عن أبي جرير بن إدريس فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن أبي جرير بن إدريس صاحب موسى بن جعفر عليهما السّلام.

[Clarification of the transmission chain to Abu Jarir ibn Idris]

Everything in this book that is narrated from Abu Jarir ibn Idris has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Abu Jarir ibn Idris, the companion of Imam Musa ibn Jafar (peace be upon them both).

[بيان الطريق إلى زكريّا النقّاض]

و ما كان فيه عن زكريّا النقّاض فقد رويته عن أبي- رحمه اللّه- عن محمّد بن يحيى، عن محمّد بن أحمد، عن علي بن إسماعيل، عن صفوان بن يحيى، عن عبد اللّه بن مسكان، عن أبي العبّاس الفضل بن عبد الملك، عن زكريّا النقّاض، و هو زكريّا بن مالك الجعفيّ.

[Clarification of the transmission chain to Zakariyya Al-Naqqad]

Everything in this book that is narrated from Zakariyya Al-Naqqad has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Muhammad ibn Yahya, from Muhammad ibn Ahmad, from Ali ibn Ismail, from Safwan ibn Yahya, from Abdullah ibn Miskan, from Abu Al-Abbas Al-Fadl ibn Abdul Malik, from Zakariyya Al-Naqqad, who is Zakariyya ibn Malik Al-Jufi.

[بيان الطريق إلى معروف بن خرّبوذ]

و ما كان فيه عن معروف بن خرّبوذ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسن بن محبوب، عن مالك بن عطيّة الأحمسيّ، عن معروف بن خرّبوذ المكّيّ.

[Clarification of the transmission chain to Maruf ibn Kharrabudh]

Everything in this book that is narrated from Maruf ibn Kharrabudh has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Al-Hasan ibn Mahbub, from Malik ibn Atiyyah Al-Ahmasi, from Maruf ibn Kharrabudh Al-Makki.

[بيان الطريق إلى سعيد الأعرج]

و ما كان فيه عن سعيد الأعرج فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن أحمد بن محمّد بن أبي نصر البزنطيّ، عن عبد الكريم بن عمرو الخثعميّ، عن سعيد بن عبد اللّه الأعرج الكوفيّ.

[Clarification of the transmission chain to Said Al-Araj]

Everything in this book that is narrated from Said Al-Araj has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti, from Abdul Karim ibn Amr Al-Khathami, from Said ibn Abdullah Al-Araj Al-Kufi.

[بيان الطريق إلى عليّ بن عطيّة]

و ما كان فيه عن عليّ بن عطيّة فقد رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن علي بن حسّان، عن علي بن عطيّة الأصمّ الحنّاط الكوفيّ.

[Clarification of the transmission chain to Ali ibn Atiyyah]

Everything in this book that is narrated from Ali ibn Atiyyah has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Ali ibn Hassan, from Ali ibn Atiyyah Al-Asam Al-Hannat Al-Kufi.

[بيان الطريق إلى معمر بن خلّاد]

و ما كان فيه عن معمر بن خلّاد فقد رويته عن محمّد بن موسى بن المتوكّل؛ و محمّد بن عليّ ماجيلويه؛ و أحمد بن زياد بن جعفر الهمدانيّ- رضي اللّه عنهم- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن معمر بن خلّاد.

[Clarification of the transmission chain to Mamar ibn Khallad]

Everything in this book that is narrated from Mamar ibn Khallad has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil, Muhammad ibn Ali Majilawayh, and Ahmad ibn Ziyad ibn Jafar Al-Hamadani - may Allah {SWT} be pleased with them all - from Ali ibn Ibrahim ibn Hashim, from his father, from Mamar ibn Khallad.

[بيان الطريق إلى هارون بن حمزة الغنويّ]

و ما كان فيه عن هارون بن حمزة الغنويّ فقد رويته عن محمّد بن الحسن- رحمه اللّه- عن محمّد بن الحسن الصفّار، عن محمّد بن الحسين أبي الخطّاب، عن يزيد بن اسحاق شعر، عن هارون بن حمزة الغنويّ.

[Clarification of the transmission chain to Harun ibn Hamzah Al-Ghanawi]

Everything in this book that is narrated from Harun ibn Hamzah Al-Ghanawi has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} have mercy on him - from Muhammad ibn Al-Hasan Al-Saffar, from Muhammad ibn Al-Husayn Abi Al-Khattab, from Yazid ibn Ishaq Sha'ir, from Harun ibn Hamzah Al-Ghanawi.

[بيان الطريق إلى جعفر بن بشير البجليّ]

و ما كان فيه عن جعفر بن بشير البجليّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطاب، عن جعفر بن بشير البجليّ.

[Clarification of the transmission chain to Jafar ibn Bashir Al-Bajali]

Everything in this book that is narrated from Jafar ibn Bashir Al-Bajali has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Jafar ibn Bashir Al-Bajali.

[بيان الطريق إلى حفص بن غياث]

و ما كان فيه عن حفص بن غياث فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن أبي عبد اللّه، عن أبيه، عن حفص بن غياث. و رويته عن عليّ بن أحمد بن موسى- رحمه اللّه- عن محمّد بن أبي عبد اللّه، عن محمّد بن أبي بشير قال: حدّثنا الحسين بن الهيثم قال: حدّثنا سليمان بن داود المنقريّ، عن حفص بن غياث.

و رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن القاسم بن محمّد الاصبهانيّ، عن سليمان بن داود المنقريّ، عن حفص بن غياث النخعيّ القاضي.

[Clarification of the transmission chain to Hafs ibn Ghayath]

Everything in this book that is narrated from Hafs ibn Ghayath has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ahmad ibn Abi Abdullah, from his father, from Hafs ibn Ghayath.

I have also narrated it from Ali ibn Ahmad ibn Musa - may Allah {SWT} have mercy on him - from Muhammad ibn Abi Abdullah, from Muhammad ibn Abi Bashir, who said: Al-Husayn ibn Al-Haytham narrated to us, saying: Sulayman ibn Dawud Al-Munqari narrated to us, from Hafs ibn Ghayath.

Additionally, I have narrated it from my father - may Allah {SWT} have mercy on him - from Sa'd ibn Abdullah, from Al-Qasim ibn Muhammad Al-Isfahani, from Sulayman ibn Dawud Al-Munqari, from Hafs ibn Ghayath Al-Nakha'i, the judge (qadi).

[بيان الطريق إلى عليّ بن رئاب]

و ما كان فيه عن عليّ بن رئاب فقد رويته عن أبي؛ و محمّد بن الحسن- رحمهما اللّه- عن سعد بن عبد اللّه؛ و الحميريّ، عن أحمد بن محمّد بن عيسى؛ و إبراهيم بن هاشم جميعا عن الحسن بن محبوب، عن عليّ بن رئاب.

[Clarification of the transmission chain to Ali ibn Ri'ab]

Everything in this book that is narrated from Ali ibn Ri'ab has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} have mercy on them both - from Sa'd ibn Abdullah and Al-Himyari, from Ahmad ibn Muhammad ibn 'Isa and Ibrahim ibn Hashim together, from Al-Hasan ibn Mahbub, from Ali ibn Ri'ab.

[بيان الطريق إلى عبد الرّحمن بن كثير الهاشميّ]

و ما كان فيه عن عبد الرّحمن بن كثير الهاشميّ فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن عليّ بن حسّان الواسطيّ عن عمّه عبد الرّحمن بن كثير الهاشميّ.

[Clarification of the transmission chain to Abd Al-Rahman ibn Kathir Al-Hashimi]

Everything in this book that is narrated from Abd Al-Rahman ibn Kathir Al-Hashimi has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Ali ibn Hassan Al-Wasiti, from his uncle Abd Al-Rahman ibn Kathir Al-Hashimi.

[بيان الطريق إلى سليمان الدّيلميّ]

و ما كان فيه عن سليمان الدّيلميّ فقد رويته عن أبي؛ و محمّد بن الحسن- رحمهما اللّه- عن سعد بن عبد اللّه، عن عبّاد بن سليمان، عن محمّد بن سليمان، عن أبيه سليمان الدّيلميّ.

[Clarification of the transmission chain to Sulayman Al-Daylami]

Everything in this book that is narrated from Sulayman Al-Daylami has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} have mercy on them both - from Sa'd ibn Abdullah, from Abbad ibn Sulayman, from Muhammad ibn Sulayman, from his father Sulayman Al-Daylami.

[بيان الطريق إلى عليّ بن الفضل الواسطيّ]

و ما كان فيه عن عليّ بن الفضل الواسطيّ فقد رويته عن أبي- رحمه اللّه- عن عليّ بن إبراهيم، عن أبيه، عن عليّ بن الفضل الواسطيّ صاحب الرّضا عليه السّلام.

[Clarification of the transmission chain to Ali ibn Al-Fadl Al-Wasiti]

Everything in this book that is narrated from Ali ibn Al-Fadl Al-Wasiti has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Ali ibn Ibrahim, from his father, from Ali ibn Al-Fadl Al-Wasiti, the companion of Imam Al-Ridha {a.s}.

[بيان الطريق إلى موسى بن القاسم البجليّ]

و ما كان فيه عن موسى بن القاسم البجليّ فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن الفضل بن عامر؛ و أحمد بن محمّد بن عيسى عن موسى بن القاسم البجليّ.

[Clarification of the transmission chain to Musa ibn Al-Qasim Al-Bajali]

Everything in this book that is narrated from Musa ibn Al-Qasim Al-Bajali has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sa'd ibn Abdullah, from Al-Fadl ibn 'Amir and Ahmad ibn Muhammad ibn 'Isa, from Musa ibn Al-Qasim Al-Bajali.

[بيان الطريق إلى يونس بن عمّار]

و ما كان فيه عن يونس بن عمّار فقد رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن أحمد بن أبي عبد اللّه، عن الحسن بن محبوب، عن مالك بن عطيّة، عن أبي الحسن يونس بن عمّار بن الفيض الصيرفيّ التغلبيّ الكوفيّ و هو أخو إسحاق بن عمّار.

[Clarification of the transmission chain to Yunus ibn 'Ammar]

Everything in this book that is narrated from Yunus ibn 'Ammar has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Sa'd ibn Abdullah, from Ahmad ibn Abi Abdullah, from Al-Hasan ibn Mahbub, from Malik ibn 'Atiyyah, from Abu Al-Hasan Yunus ibn 'Ammar ibn Al-Fayd Al-Sayrafi Al-Taghlibi Al-Kufi, who was the brother of Ishaq ibn 'Ammar.

[بيان الطريق إلى محمّد بن أحمد بن يحيى بن عمران الأشعريّ]

و ما كان فيه عن محمّد بن أحمد بن يحيى بن عمران الأشعريّ فقد رويته عن أبي؛ و محمّد بن الحسن- رحمهما اللّه- عن محمّد بن يحيى العطّار؛ و أحمد بن إدريس جميعا عن محمّد بن أحمد بن يحيى بن عمران الأشعريّ.

[Clarification of the transmission chain to Muhammad ibn Ahmad ibn Yahya ibn Imran Al-Ashari]

Everything in this book that is narrated from Muhammad ibn Ahmad ibn Yahya ibn Imran Al-Ashari has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} have mercy on them both - from Muhammad ibn Yahya Al-Attar and Ahmad ibn Idris together, from Muhammad ibn Ahmad ibn Yahya ibn Imran Al-Ashari.

[بيان الطريق إلى هارون بن خارجة]

و ما كان فيه عن هارون بن خارجة فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن أبي عبد اللّه، عن محمّد بن عليّ الكوفيّ، عن عثمان بن عيسى، عن هارون بن خارجة الكوفيّ.

[Clarification of the transmission chain to Harun ibn Kharjah]

Everything in this book that is narrated from Harun ibn Kharjah has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ahmad ibn Abi Abdullah, from Muhammad ibn Ali Al-Kufi, from 'Uthman ibn 'Isa, from Harun ibn Kharjah Al-Kufi.

[بيان الطريق إلى محمّد بن خالد القسريّ]

و ما كان فيه عن محمّد بن خالد القسريّ فقد رويته عن جعفر بن محمّد بن مسرور- رحمه اللّه- عن الحسين بن محمّد بن عامر، عن عمّه عبد اللّه بن عامر، عن حفصة، عن محمّد بن خالد بن عبد اللّه البجليّ القسريّ و هو كوفيّ عربيّ.

[Clarification of the transmission chain to Muhammad ibn Khalid Al-Qasri]
Everything in this book that is narrated from Muhammad ibn Khalid Al-Qasri has been transmitted by me from Jafar ibn Muhammad ibn Masrur - may Allah {SWT} have mercy on him - from Al-Husayn ibn Muhammad ibn Amir, from his uncle Abdullah ibn Amir, from Hafsah, from Muhammad ibn Khalid ibn Abdullah Al-Bajali Al-Qasri, who was an Arab from Kufa.

[بيان الطريق إلى مبارك العقرقوفيّ]

و ما كان فيه عن مبارك العقرقوفيّ فقد رويته عن الحسين بن إبراهيم بن تاتانة- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن محمّد بن سنان، عن مبارك العقرقوفيّ الأسديّ.

[Clarification of the transmission chain to Mubarak Al-Aqraqufi]
Everything in this book that is narrated from Mubarak Al-Aqraqufi has been transmitted by me from Al-Husayn ibn Ibrahim ibn Tatana - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Muhammad ibn Sinan, from Mubarak Al-Aqraqufi Al-Asadi.

[بيان الطريق إلى أبي الحسين محمّد بن جعفر الأسديّ]

و ما كان فيه عن أبي الحسين محمّد بن جعفر الأسديّ- رضي اللّه عنه- فقد رويته عن عليّ بن أحمد بن موسى؛ و محمّد بن أحمد السّنانيّ، و الحسين بن إبراهيم بن أحمد بن هشام المؤدّب- رضي اللّه عنهم- عن أبي الحسين محمّد بن جعفر الأسديّ الكوفيّ- رضي اللّه عنه-.

[Clarification of the transmission chain to Abu Al-Husayn Muhammad ibn Jafar Al-Asadi]
Everything in this book that is narrated from Abu Al-Husayn Muhammad ibn Jafar Al-Asadi - may Allah {SWT} be pleased with him - has been transmitted by me from Ali ibn Ahmad ibn Musa, Muhammad ibn Ahmad Al-Sanani, and Al-Husayn ibn Ibrahim ibn Ahmad ibn Hisham Al-Mu'addib - may Allah {SWT} be pleased with them all - from Abu Al-Husayn Muhammad ibn Jafar Al-Asadi Al-Kufi - may Allah {SWT} be pleased with him.

[بيان الطريق إلى عمرو بن جميع]

و ما كان فيه عن عمرو بن جميع فقد رويته عن أبي- رحمه اللّه- عن أحمد بن إدريس، عن محمّد بن أحمد، عن الحسن بن الحسين اللّؤلؤيّ، عن الحسن بن عليّ بن يوسف، عن معاذ الجوهريّ، عن عمرو بن جميع.

[Clarification of the transmission chain to Amr ibn Jami]
Everything in this book that is narrated from Amr ibn Jami has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Ahmad ibn Idris, from Muhammad ibn Ahmad, from Al-Hasan ibn Al-Husayn Al-Lu'lu'i, from Al-Hasan ibn Ali ibn Yusuf, from Muadh Al-Jawhari, from Amr ibn Jami.

[بيان الطريق إلى مروان بن مسلم]

و ما كان فيه عن مروان بن مسلم فقد رويته عن أبي- رضي اللّه عنه- عن محمّد ابن يحيى العطّار، عن محمّد بن أحمد بن يحيى، عن سهل بن زياد، عن محمّد بن الحسين عن عليّ بن يعقوب الهاشميّ، عن مروان بن مسلم.

[Clarification of the transmission chain to Marwan ibn Muslim]

Everything in this book that is narrated from Marwan ibn Muslim has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-'Attar, from Muhammad ibn Ahmad ibn Yahya, from Sahl ibn Ziyad, from Muhammad ibn Al-Husayn, from Ali ibn Ya'qub Al-Hashimi, from Marwan ibn Muslim.

[بيان الطريق إلى عاصم بن حميد]

و ما كان فيه عن عاصم بن حميد فقد رويته عن أبي؛ و محمّد بن الحسن- رحمهما اللّه- عن سعد بن عبد اللّه، عن إبراهيم بن هاشم، عن عبد الرّحمن بن أبي نجران، عن عاصم بن حميد.

[Clarification of the transmission chain to Asim ibn Humayd]

Everything in this book that is narrated from Asim ibn Humayd has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} have mercy on them both - from Sad ibn Abdullah, from Ibrahim ibn Hashim, from Abd Al-Rahman ibn Abi Najran, from Asim ibn Humayd.

[بيان الطريق إلى محمّد بن عبد الجبّار]

و ما كان فيه عن محمّد بن عبد الجبّار فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ؛ و محمّد بن يحيى العطّار؛ و أحمد بن إدريس جميعا عن محمّد بن عبد الجبّار؛ و هو محمّد بن أبي الصهبان.

[Clarification of the transmission chain to Muhammad ibn Abd Al-Jabbar]

Everything in this book that is narrated from Muhammad ibn Abd Al-Jabbar has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sad ibn Abdullah, Al-Himyari, Muhammad ibn Yahya Al-Attar, and Ahmad ibn Idris together, from Muhammad ibn Abd Al-Jabbar, who is Muhammad ibn Abi Al-Sahban.

[بيان الطريق إلى يعقوب بن شعيب]

و ما كان فيه عن يعقوب بن شعيب فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسن بن متيل، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر بن بشير عن حمّاد بن عثمان، عن يعقوب بن شعيب بن ميثم الأسديّ و هو مولى كوفيّ.

[Clarification of the transmission chain to Yaqub ibn Shuayb]

Everything in this book that is narrated from Yaqub ibn Shuayb has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Al-Hasan ibn Matil, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Jafar ibn Bashir, from Hammad ibn Uthman, from Yaqub ibn Shuayb ibn Maytham Al-Asadi, who was a freed servant (mawla) and a Kufan.

[بيان الطريق إلى درست بن أبي منصور]

و ما كان فيه عن درست بن أبي منصور فقد رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسن عليّ الوشّاء، عن درست بن أبي منصور الواسطيّ.

[Clarification of the transmission chain to Durust ibn Abi Mansur]

Everything in this book that is narrated from Durust ibn Abi Mansur has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Al-Hasan ibn Ali Al-Washsha', from Durust ibn Abi Mansur Al-Wasiti.

[بيان الطريق إلى وهب بن وهب]

و ما كان فيه عن وهب بن وهب فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن خالد، عن أبيه، عن أبي البختريّ وهب بن وهب القاضي القرشيّ.

[Clarification of the transmission chain to Wahb ibn Wahb]

Everything in this book that is narrated from Wahb ibn Wahb has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Khalid, from his father, from Abu Al-Bakhtari Wahb ibn Wahb Al-Qadi Al-Qurashi.

[بيان الطريق إلى أبي خديجة سالم بن مكرم الجمّال]

و ما كان فيه عن أبي خديجة سالم بن مكرم الجمّال فقد رويته عن محمّد بن علي ماجيلويه- رحمه اللّه- عن عمّه محمّد بن أبي القاسم، عن محمّد بن عليّ الكوفيّ، عن عبد الرّحمن بن أبي هاشم، عن أبي خديجة سالم بن مكرم الجمّال.

[Clarification of the transmission chain to Abu Khadijah Salim ibn Makram Al-Jammal]

Everything in this book that is narrated from Abu Khadijah Salim ibn Makram Al-Jammal has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} have mercy on him - from his uncle Muhammad ibn Abi Al-Qasim, from Muhammad ibn Ali Al-Kufi, from Abdul Rahman ibn Abi Hashim, from Abu Khadijah Salim ibn Makram Al-Jammal.

[بيان الطريق إلى القاسم بن سليمان]

و ما كان فيه عن القاسم بن سليمان فقد رويته عن محمّد بن الحسن- رحمه اللّه- عن محمّد بن الحسن الصفّار، عن محمّد بن عيسى بن عبيد، عن النضر بن سويد، عن القاسم بن سليمان.

[Clarification of the transmission chain to Al-Qasim ibn Sulayman]

Everything in this book that is narrated from Al-Qasim ibn Sulayman has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} have mercy on him - from Muhammad ibn Al-Hasan Al-Saffar, from Muhammad ibn 'Isa ibn 'Ubayd, from Al-Nadr ibn Suwayd, from Al-Qasim ibn Sulayman.

[بيان الطريق إلى زكريّا بن مالك الجعفيّ]

و ما كان فيه عن زكريّا بن مالك الجعفيّ فقد رويته عن الحسين بن أحمد بن إدريس- رحمه اللّه- عن أبيه، عن محمّد بن أحمد، عن عليّ بن إسماعيل، عن صفوان بن يحيى، عن عبد اللّه بن مسكان، عن أبي العبّاس الفضل بن عبد الملك، عن زكريّا بن مالك الجعفيّ.

[Clarification of the transmission chain to Zakariyya ibn Malik Al-Jufi]

Everything in this book that is narrated from Zakariyya ibn Malik Al-Jufi has been transmitted by me from Al-Husayn ibn Ahmad ibn Idris - may Allah {SWT} have mercy on him - from his father, from Muhammad ibn Ahmad, from Ali ibn Ismail, from Safwan ibn Yahya, from Abdullah ibn Miskan, from Abu Al-Abbas Al-Fadl ibn Abdul Malik, from Zakariyya ibn Malik Al-Jufi.

[بيان الطريق إلى إبراهيم بن محمّد الهمدانيّ]

و ما كان فيه عن إبراهيم بن محمّد الهمدانيّ فقد رويته عن أحمد بن زياد بن جعفر الهمدانيّ- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن إبراهيم ابن محمّد الهمدانيّ.

[Clarification of the transmission chain to Ibrahim ibn Muhammad Al-Hamdani]

Everything in this book that is narrated from Ibrahim ibn Muhammad Al-Hamdani has been transmitted by me from Ahmad ibn Ziyad ibn Jafar Al-Hamdani - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Ibrahim ibn Muhammad Al-Hamdani.

[بيان الطريق إلى مصادف]

و ما كان فيه عن مصادف فقد رويته عن محمّد بن موسى بن المتوكّل- رحمه اللّه- عن عبد اللّه بن جعفر الحميريّ، عن أحمد بن محمّد بن عيسى، عن الحسن بن محبوب، عن عليّ بن رئاب، عن مصادف.

[Clarification of the transmission chain to Musadif]

Everything in this book that is narrated from Musadif has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} have mercy on him - from Abdullah ibn Jafar Al-Himyari, from Ahmad ibn Muhammad ibn Isa, from Al-Hasan ibn Mahbub, from Ali ibn Ri'ab, from Musadif.

[بيان الطريق إلى مصعب بن يزيد الأنصاريّ عامل أمير المؤمنين عليه السّلام]

و ما كان فيه عن مصعب بن يزيد الأنصاريّ عامل أمير المؤمنين عليه السّلام فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن عليّ بن الحكم، عن إبراهيم بن عمران الشيبانيّ، عن يونس بن إبراهيم، عن يحيى بن أبي الأشعث الكنديّ، عن مصعب بن يزيد الأنصاريّ قال:استعملني أمير المؤمنين عليّ بن أبي طالب عليه السّلام على أربع رساتيق المدائن- و ذكر الحديث.

[Clarification of the transmission chain to Musab ibn Yazid Al-Ansari, the governor appointed by Commander of the Faithful {a.s}]

Everything in this book that is narrated from Musab ibn Yazid Al-Ansari, the governor appointed by Commander of the Faithful {a.s}, has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Ali ibn Al-Hakam, from Ibrahim ibn Imran Al-Shaybani, from Yunus ibn Ibrahim, from Yahya ibn Abi Al-Ashath Al-Kindi, from Musab ibn Yazid Al-Ansari, who said: "Commander of the Faithful Ali ibn Abi Talib {a.s} appointed me over four districts of Al-Mada'in" - and he narrated the hadith in full.

[بيان الطريق إلى طلحة بن زيد]

و ما كان فيه عن طلحة بن زيد فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن محمّد بن يحيى الخزّاز؛ و محمّد بن سنان جميعا عن طلحة بن زيد.

[Clarification of the transmission chain to Talhah ibn Zayd]

Everything in this book that is narrated from Talhah ibn Zayd has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Muhammad ibn Yahya Al-Khazzaz and Muhammad ibn Sinan together, from Talhah ibn Zayd.

[بيان الطريق إلى أبي الورد]

و ما كان فيه عن أبي الورد فقد رويته عن أبي- رحمه اللّه- عن الحميريّ، عن محمّد بن الحسين بن أبي الخطّاب، عن الحسن بن محبوب، عن عليّ بن رئاب، عن أبي الورد.

[Clarification of the transmission chain to Abu Al-Ward]

Everything in this book that is narrated from Abu Al-Ward has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Al-Himyari, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Al-Hasan ibn Mahbub, from Ali ibn Ri'ab, from Abu Al-Ward.

[بيان الطريق إلى الفضل بن أبي قرّة السّمنديّ]

و ما كان فيه عن الفضل بن أبي قرّة السّمنديّ فقد رويته عن أبي- رحمه اللّه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ، عن شريف بن سابق التفليسيّ، عن الفضل بن أبي قرّة السّمنديّ.

[Clarification of the transmission chain to Al-Fadl ibn Abi Qurrah Al-Samandi]

Everything in this book that is narrated from Al-Fadl ibn Abi Qurrah Al-Samandi has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Ali ibn Al-Husayn Al-Sa'dabadi, from Ahmad ibn Abi Abdullah Al-Barqi, from Sharif ibn Sabiq Al-Tiflisi, from Al-Fadl ibn Abi Qurrah Al-Samandi.

[بيان الطريق إلى الوصّافيّ]

و ما كان فيه عن الوصّافيّ فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن أحمد بن محمّد بن عيسى، عن ابن فضّال، عن عبيد اللّه بن الوليد الوصّافيّ.

[Clarification of the transmission chain to Al-Wassafi]

Everything in this book that is narrated from Al-Wassafi has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Ahmad ibn Muhammad ibn Isa, from Ibn Faddal, from Ubaydullah ibn Al-Walid Al-Wassafi.

[بيان الطريق إلى الوليد بن صبيح]

و ما كان فيه عن الوليد بن صبيح فقد رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن حمّاد بن عيسى، عن الحسين بن المختار، عن الوليد ابن صبيح.

[Clarification of the transmission chain to Al-Walid ibn Subayh]

Everything in this book that is narrated from Al-Walid ibn Subayh has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Hammad ibn Isa, from Al-Husayn ibn Al-Mukhtar, from Al-Walid ibn Subayh.

[بيان الطريق إلى الزّهريّ]

و ما كان فيه عن الزّهريّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن القاسم بن محمّد الاصبهانيّ، عن سليمان بن داود المنقريّ، عن سفيان بن عيينة، عن الزّهريّ- و اسمه محمّد بن مسلم بن شهاب- عن عليّ بن الحسين عليهما السّلام.

[Clarification of the transmission chain to Al-Zuhri]

Everything in this book that is narrated from Al-Zuhri has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Al-Qasim ibn Muhammad Al-Isfahani, from Sulayman ibn Dawud Al-Munqari, from Sufyan ibn Uyaynah, from Al-Zuhri - whose name is Muhammad ibn Muslim ibn Shihab - from Ali ibn Al-Husayn (peace be upon them both).

[بيان الطريق إلى الحسن بن عليّ الوشّاء]

و ما كان فيه عن الحسن بن عليّ الوشّاء فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن أحمد بن محمّد بن عيسى؛ و إبراهيم بن هاشم جميعا عن الحسن بن عليّ الوشّاء المعروف بابن بنت إلياس.

[Clarification of the transmission chain to Al-Hasan ibn Ali Al-Washsha']

Everything in this book that is narrated from Al-Hasan ibn Ali Al-Washsha' has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Ahmad ibn Muhammad ibn 'Isa and Ibrahim ibn Hashim together, from Al-Hasan ibn Ali Al-Washsha', who was known as Ibn Bint Ilyas.

[بيان الطريق إلى الحسن بن راشد]

و ما كان فيه عن الحسن بن راشد فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه؛ و أحمد بن محمّد بن عيسى؛ و إبراهيم بن هاشم جميعا عن القاسم بن يحيى عن جدّه الحسن بن راشد. و رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن القاسم بن يحيى، عن جدّه الحسن بن راشد.

[Clarification of the transmission chain to Al-Hasan ibn Rashid]

Everything in this book that is narrated from Al-Hasan ibn Rashid has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, Ahmad ibn Muhammad ibn Isa, and Ibrahim ibn Hashim together, from Al-Qasim ibn Yahya, from his grandfather Al-Hasan ibn Rashid.

I have also narrated it from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Al-Qasim ibn Yahya, from his grandfather Al-Hasan ibn Rashid.

[بيان الطريق إلى أبان بن عثمان]

و ما كان فيه عن أبان بن عثمان فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن يعقوب بن يزيد؛ و أيّوب بن نوح؛ و إبراهيم بن هاشم و محمّد بن عبد الجبّار كلّهم عن محمّد بن أبي عمير؛ و صفوان بن يحيى، عن أبان بن عثمان الأحمر.

[Clarification of the transmission chain to Aban ibn Uthman]

Everything in this book that is narrated from Aban ibn Uthman has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Yaqub ibn Yazid, Ayyub ibn Nuh, Ibrahim ibn Hashim, and Muhammad ibn Abd Al-Jabbar - all of them from Muhammad ibn Abi Umayr and Safwan ibn Yahya, from Aban ibn Uthman Al-Ahmar.

[بيان الطريق إلى عمرو بن خالد]

و ما كان فيه عن عمرو بن خالد فقد رويته عن أبي- رضي اللّه عنه- عن سعد ابن عبد اللّه، عن الهيثم بن أبي مسروق النّهديّ، عن الحسين بن علوان، عن عمرو بن خالد.

[Clarification of the transmission chain to Amr ibn Khalid]

Everything in this book that is narrated from Amr ibn Khalid has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Al-Haytham ibn Abi Masruq Al-Nahdi, from Al-Husayn ibn Alwan, from Amr ibn Khalid.

[بيان الطريق إلى منصور بن يونس]

و ما كان فيه عن منصور بن يونس فقد رويته عن أبي- رضي اللّه عنه- عن عبد اللّه بن جعفر الحميريّ، عن أحمد بن محمّد بن عيسى، عن عليّ بن حديد؛ و محمّد بن إسماعيل ابن بزيع جميعا عن منصور بن يونس بزرج.

[Clarification of the transmission chain to Mansur ibn Yunus]

Everything in this book that is narrated from Mansur ibn Yunus has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Abdullah ibn Jafar Al-Himyari, from Ahmad ibn Muhammad ibn Isa, from Ali ibn Hadid and Muhammad ibn Ismail ibn Bazi together, from Mansur ibn Yunus Bazraj.

[بيان الطريق إلى محمّد بن الفيض التيميّ]

و ما كان فيه عن محمّد بن الفيض التيميّ فقد رويته عن أبي- رضي اللّه عنه- عن أحمد بن إدريس، عن أحمد بن أبي عبد اللّه، عن داود بن إسحاق الحذّاء، عن محمّد بن الفيض التيميّ.

[Clarification of the transmission chain to Muhammad ibn Al-Fayd Al-Taymi]

Everything in this book that is narrated from Muhammad ibn Al-Fayd Al-Taymi has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Ahmad ibn Idris, from Ahmad ibn Abi Abdullah, from Dawud ibn Ishaq Al-Haddha', from Muhammad ibn Al-Fayd Al-Taymi.

[بيان الطريق إلى عبد المؤمن بن القاسم الأنصاريّ الكوفيّ]

و ما كان فيه عن عبد المؤمن بن القاسم الأنصاريّ الكوفيّ فقد رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم بن مسكين، عن أبي كهمس، عن عبد المؤمن بن القاسم الأنصاريّ الكوفيّ عربيّ، و هو أخو أبي مريم عبد الغفّار بن القاسم الأنصاريّ.

[Clarification of the transmission chain to Abd Al-Mu'min ibn Al-Qasim Al-Ansari Al-Kufi]

Everything in this book that is narrated from Abd Al-Mu'min ibn Al-Qasim Al-Ansari Al-Kufi has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Sad ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Al-Hakam ibn Maskeen, from Abu Kahmas, from Abd Al-Mu'min ibn Al-Qasim Al-Ansari Al-Kufi, who was an Arab and the brother of Abu Maryam Abd Al-Ghaffar ibn Al-Qasim Al-Ansari.

[بيان الطريق إلى إدريس بن هلال]

و ما كان فيه عن إدريس بن هلال فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن محمّد بن الحسين بن أبي الخطّاب، عن محمّد بن سنان عن إدريس بن هلال.

[Clarification of the transmission chain to Idris ibn Hilal]

Everything in this book that is narrated from Idris ibn Hilal has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Muhammad ibn Sinan, from Idris ibn Hilal.

[بيان الطريق إلى القاسم بن عروة]

و ما كان فيه عن القاسم بن عروة فقد رويته عن أبي- رضي اللّه عنه- عن عبد اللّه ابن جعفر الحميريّ، عن هارون بن مسلم بن سعدان، عن القاسم بن عروة.

[Clarification of the transmission chain to Al-Qasim ibn Urwah]

Everything in this book that is narrated from Al-Qasim ibn Urwah has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Abdullah ibn Jafar Al-Himyari, from Harun ibn Muslim ibn Sadan, from Al-Qasim ibn Urwah.

[بيان الطريق إلى محمّد بن قيس]

و ما كان فيه عن محمّد بن قيس فقد رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه عن إبراهيم بن هاشم، عن عبد الرّحمن بن أبي نجران، عن عاصم بن حميد، عن محمّد بن قيس.

[Clarification of the transmission chain to Muhammad ibn Qays]

Everything in this book that is narrated from Muhammad ibn Qays has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Sad ibn Abdullah, from Ibrahim ibn Hashim, from Abd Al-Rahman ibn Abi Najran, from Asim ibn Humayd, from Muhammad ibn Qays.

[بيان الطريق إلى بشير النبّال]

و ما كان فيه عن بشير النبّال فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن إبراهيم بن هاشم، عن محمّد بن سنان، عن بشير النبّال.

[Clarification of the transmission chain to Bishr Al-Nabbal]

Everything in this book that is narrated from Bishr Al-Nabbal has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Ibrahim ibn Hashim, from Muhammad ibn Sinan, from Bishr Al-Nabbal.

[بيان الطريق إلى عبد الكريم بن عمرو]

و ما كان فيه عن عبد الكريم بن عمرو فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن أحمد بن محمّد بن أبي نصر البزنطيّ، عن عبد الكريم بن عمرو الخثعميّ و لقبه كرّام.

[Clarification of the transmission chain to Abd Al-Karim ibn Amr]

Everything in this book that is narrated from Abd Al-Karim ibn Amr has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti, from Abd Al-Karim ibn Amr Al-Khathami, whose title was Karram.

[بيان الطريق إلى عيسى بن أبي منصور]

و ما كان فيه عن عيسى بن أبي منصور فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر بن بشير، عن حمّاد بن عثمان، عن عيسى بن أبي منصور- و كنيته أبو صالح و هو كوفيّ مولى، و حدّثنا محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن يعقوب ابن يزيد، عن ابن أبي عمير، عن إبراهيم بن عبد الحميد، عن عبد اللّه بن سنان، عن ابن أبي يعفور قال: كنت عند أبي عبد اللّه عليه السّلام إذ أقبل عيسى بن أبي منصور فقال لي: «إذا أردت أن تنظر خيارا في الدّنيا خيارا في الآخرة فانظر إليه».

[Clarification of the transmission chain to Isa ibn Abi Mansur]

Everything in this book that is narrated from Isa ibn Abi Mansur has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Jafar ibn Bashir, from Hammad ibn Uthman, from Isa ibn Abi Mansur, whose kunya was Abu Salih. He was a Kufan and a freed servant (mawla).

We were also narrated by Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Yaqub ibn Yazid, from Ibn Abi Umayr, from Ibrahim ibn Abd Al-Hamid, from Abdullah ibn Sinan, from Ibn Abi Yafur, who said: I was with Abu Abdullah {a.s} when Isa ibn Abi Mansur approached, and he (the Imam) said to me: "If you want to see the best in this world and the best in the hereafter, then look at him."

[بيان الطريق إلى عمرو بن شمر]

و ما كان فيه عن عمرو بن شمر فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ، عن أبيه، عن أحمد بن النضر الخزّاز، عن عمرو بن شمر.

[Clarification of the transmission chain to Amr ibn Shumr]

Everything in this book that is narrated from Amr ibn Shumr has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Ali ibn Al-Husayn Al-Sadabadi, from Ahmad ibn Abi Abdullah Al-Barqi, from his father, from Ahmad ibn Al-Nadr Al-Khazzaz, from Amr ibn Shumr.

[بيان الطريق إلى سليمان بن عمرو]

و ما كان فيه عن سليمان بن عمرو فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن أحمد بن أبي عبد اللّه البرقيّ، عن أحمد بن عليّ، عن عبد اللّه بن جبلة، عن عليّ بن شجرة، عن سليمان بن عمرو الأحمر.

[Clarification of the transmission chain to Sulayman ibn Amr]

Everything in this book that is narrated from Sulayman ibn Amr has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Ahmad ibn Abi Abdullah Al-Barqi, from Ahmad ibn Ali, from Abdullah ibn Jiblah, from Ali ibn Shajarah, from Sulayman ibn Amr Al-Ahmar.

[بيان الطريق إلى عبد الملك بن عتبة الهاشميّ]

و ما كان فيه عن عبد الملك بن عتبة الهاشميّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن الحسن بن عليّ ابن فضّال، عن محمّد بن أبي حمزة، عن عبد الملك بن عتبة الهاشميّ.

[Clarification of the transmission chain to Abd Al-Malik ibn Utbah Al-Hashimi]

Everything in this book that is narrated from Abd Al-Malik ibn Utbah Al-Hashimi has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Al-Hasan ibn Ali ibn Faddal, from Muhammad ibn Abi Hamzah, from Abd Al-Malik ibn Utbah Al-Hashimi.

[بيان الطريق إلى عليّ بن أبي حمزة]

و ما كان فيه عن عليّ بن أبي حمزة فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن محمّد بن الحسين بن أبي الخطّاب، عن أحمد بن محمّد بن أبي نصر البزنطيّ، عن عليّ بن أبي حمزة.

[Clarification of the transmission chain to Ali ibn Abi Hamzah]

Everything in this book that is narrated from Ali ibn Abi Hamzah has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti, from Ali ibn Abi Hamzah.

[بيان الطريق إلى يحيى بن أبي العلاء]

و ما كان فيه عن يحيى بن أبي العلاء فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسين بن الحسن بن أبان، عن الحسين بن سعيد، عن فضالة بن أيّوب، عن أبان بن عثمان، عن يحيى بن أبي العلاء.

[Clarification of the transmission chain to Yahya ibn Abi Al-Ala]

Everything in this book that is narrated from Yahya ibn Abi Al-Ala has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Al-Husayn ibn Al-Hasan ibn Aban, from Al-Husayn ibn Said, from Faddalah ibn Ayyub, from Aban ibn Uthman, from Yahya ibn Abi Al-Ala.

[بيان الطريق إلى محمّد بن حكيم]

و ما كان فيه عن محمّد بن حكيم فقد رويته عن أبي- رحمه اللّه- عن عبد اللّه بن جعفر الحميريّ، عن أحمد بن أبي عبد اللّه، عن أبيه، عن حمّاد بن عيسى، عن حريز عن محمّد بن حكيم. و رويته عن محمّد بن الحسن- رحمه اللّه- عن محمّد بن الحسن الصفّار عن يعقوب بن يزيد، عن محمّد بن أبي عمير، عن محمّد بن حكيم.

[Clarification of the transmission chain to Muhammad ibn Hakim]

Everything in this book that is narrated from Muhammad ibn Hakim has been transmitted by me from my father - may Allah {SWT} have mercy on him - from Abdullah ibn Jafar Al-Himyari, from Ahmad ibn Abi Abdullah, from his father, from Hammad ibn Isa, from Hariz, from Muhammad ibn Hakim.

I have also narrated it from Muhammad ibn Al-Hasan - may Allah {SWT} have mercy on him - from Muhammad ibn Al-Hasan Al-Saffar, from Yaqub ibn Yazid, from Muhammad ibn Abi Umayr, from Muhammad ibn Hakim.

[بيان الطريق إلى عليّ بن الحكم]

و ما كان فيه عن عليّ بن الحكم فقد رويته عن أبي- رضي اللّه عنه- عن سعد ابن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن عليّ بن الحكم.

[Clarification of the transmission chain to Ali ibn Al-Hakam]

Everything in this book that is narrated from Ali ibn Al-Hakam has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Ali ibn Al-Hakam.

[بيان الطريق إلى عليّ بن سويد]

و ما كان فيه عن عليّ بن سويد فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و عبد اللّه بن جعفر الحميريّ جميعا عن عليّ بن الحكم، عن عليّ بن سويد.

[Clarification of the transmission chain to Ali ibn Suwayd]

Everything in this book that is narrated from Ali ibn Suwayd has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sad ibn Abdullah and Abdullah ibn Jafar Al-Himyari together, from Ali ibn Al-Hakam, from Ali ibn Suwayd.

[بيان الطريق إلى إدريس بن زيد]

و ما كان فيه عن إدريس بن زيد؛ و عليّ بن إدريس صاحبي الرّضا عليه السّلام فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن إدريس بن زيد؛ و عليّ بن إدريس، عن الرّضا عليه السّلام.

[Clarification of the transmission chain to Idris ibn Zayd]

Everything in this book that is narrated from Idris ibn Zayd and Ali ibn Idris, the companions of Al-Ridha {a.s}, has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Idris ibn Zayd and Ali ibn Idris, from Al-Ridha {a.s}.

[بيان الطريق إلى محمّد بن حمران]

و ما كان فيه عن محمّد بن حمران فقد رويته عن أبي- رضي اللّه عنه- عن عليّ ابن إبراهيم، عن أبيه، عن محمّد بن أبي عمير، عن محمّد بن حمران. و رويته أيضا عن محمّد بن الحسن- رحمه اللّه- عن محمّد بن الحسن الصفّار، عن أيّوب بن نوح؛ و إبراهيم بن هاشم جميعا عن صفوان بن يحيى؛ و ابن أبي عمير جميعا عن محمّد بن حمران.

[Clarification of the transmission chain to Muhammad ibn Humran]

Everything in this book that is narrated from Muhammad ibn Humran has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Muhammad ibn Abi Umayr, from Muhammad ibn Humran.

I have also narrated it from Muhammad ibn Al-Hasan - may Allah {SWT} have mercy on him - from Muhammad ibn Al-Hasan Al-Saffar, from Ayyub ibn Nuh and Ibrahim ibn Hashim together, from Safwan ibn Yahya and Ibn Abi Umayr together, from Muhammad ibn Humran.

[بيان الطريق إلى سعيد النقّاش]

و ما كان فيه عن سعيد النقّاش فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ عن أبيه، عن محمّد بن سنان، عن سعيد النقّاش.

[Clarification of the transmission chain to Said Al-Naqqash]

Everything in this book that is narrated from Said Al-Naqqash has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Ali ibn Al-Husayn Al-Sadabadi, from Ahmad ibn Abi Abdullah Al-Barqi, from his father, from Muhammad ibn Sinan, from Said Al-Naqqash.

[بيان الطريق إلى القاسم بن يحيى]

و ما كان فيه عن القاسم بن يحيى فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن أحمد بن محمّد بن عيسى، و إبراهيم بن هاشم جميعا عن القاسم بن يحيى.

[Clarification of the transmission chain to Al-Qasim ibn Yahya]

Everything in this book that is narrated from Al-Qasim ibn Yahya has been transmitted by me from my father and from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - from Sad ibn Abdullah and Al-Himyari together, from Ahmad ibn Muhammad ibn Isa and Ibrahim ibn Hashim together, from Al-Qasim ibn Yahya.

[بيان الطريق إلى الحسين بن سعيد]

و ما كان فيه عن الحسين بن سعيد فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسين بن الحسن بن أبان، عن الحسين بن سعيد. و رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد.

[Clarification of the transmission chain to Al-Husayn ibn Said]

Everything in this book that is narrated from Al-Husayn ibn Said has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Al-Husayn ibn Al-Hasan ibn Aban, from Al-Husayn ibn Said.

I have also narrated it from my father - may Allah {SWT} have mercy on him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Al-Husayn ibn Said.

[بيان الطريق إلى غياث بن إبراهيم]

و ما كان فيه عن غياث بن إبراهيم فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن محمّد بن إسماعيل بن بزيع؛ و محمّد بن يحيى الخزّاز، عن غياث بن إبراهيم.

[Clarification of the transmission chain to Ghiyath ibn Ibrahim]

Everything in this book that is narrated from Ghiyath ibn Ibrahim has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Muhammad ibn Ismail ibn Bazi and Muhammad ibn Yahya Al-Khazzaz, from Ghiyath ibn Ibrahim.

[بيان الطريق إلى عليّ بن محمّد النوفليّ]

و ما كان فيه عن عليّ بن محمّد النوفليّ فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن أبيه، عن أحمد بن محمّد بن خالد، عن أبيه، عن عليّ بن محمّد النوفليّ.

[Clarification of the transmission chain to Ali ibn Muhammad Al-Nawfali]

Everything in this book that is narrated from Ali ibn Muhammad Al-Nawfali has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from his father, from Ahmad ibn Muhammad ibn Khalid, from his father, from Ali ibn Muhammad Al-Nawfali.

[بيان الطريق إلى عبد اللّه بن لطيف التفليسيّ]

و ما كان فيه عن عبد اللّه بن لطيف التفليسيّ فقد رويته عن جعفر بن محمّد بن مسرور- رضي اللّه عنه- عن الحسين بن محمّد بن عامر، عن عمّه عبد اللّه بن عامر، عن محمّد بن أبي عمير، عن عبد اللّه بن لطيف التفليسيّ.

[Clarification of the transmission chain to Abdullah ibn Latif Al-Taflisi]

Everything in this book that is narrated from Abdullah ibn Latif Al-Taflisi has been transmitted by me from Jafar ibn Muhammad ibn Masrur - may Allah {SWT} be pleased with him - from Al-Husayn ibn Muhammad ibn Amir, from his uncle Abdullah ibn Amir, from Muhammad ibn Abi Umayr, from Abdullah ibn Latif Al-Taflisi.

[بيان الطريق إلى ابن أبي نجران]

و ما كان فيه عن ابن أبي نجران فقد رويته عن أبي- رضي اللّه عنه- عن سعد ابن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن عبد الرّحمن بن أبي نجران.

[Clarification of the transmission chain to Ibn Abi Najran]

Everything in this book that is narrated from Ibn Abi Najran has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Abd Al-Rahman ibn Abi Najran.

[بيان الطريق إلى محمّد بن القاسم بن الفضيل البصريّ صاحب الرّضا عليه السلام]

و ما كان فيه عن محمّد بن القاسم بن الفضيل البصريّ صاحب الرّضا عليه السلام فقد رويته عن الحسين بن إبراهيم- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن عمرو بن عثمان، عن محمّد بن القاسم بن الفضيل البصريّ.

[Clarification of the transmission chain to Muhammad ibn Al-Qasim ibn Al-Fudayl Al-Basri, companion of Al-Ridha {a.s}]

Everything in this book that is narrated from Muhammad ibn Al-Qasim ibn Al-Fudayl Al-Basri, the companion of Al-Ridha {a.s}, has been transmitted by me from Al-Husayn ibn Ibrahim - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Amr ibn Uthman, from Muhammad ibn Al-Qasim ibn Al-Fudayl Al-Basri.

[بيان الطريق إلى سيف بن عميرة]

و ما كان فيه عن سيف بن عميرة فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن أحمد بن محمّد بن عيسى، عن عليّ بن سيف، عن أخيه الحسين [بن سيف] عن أبيه سيف بن عميرة النخعيّ.

[Clarification of the transmission chain to Sayf ibn Umayrah]

Everything in this book that is narrated from Sayf ibn Umayrah has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Ahmad ibn Muhammad ibn Isa, from Ali ibn Sayf, from his brother Al-Husayn [ibn Sayf] from their father Sayf ibn Umayrah Al-Nakhai.

[بيان الطريق إلى محمّد بن عيسى]

و ما كان فيه عن محمّد بن عيسى فقد رويته عن أبي- رضي اللّه عنه- عن سعد ابن عبد اللّه، عن محمّد بن عيسى بن عبيد اليقطينيّ. و رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن محمّد بن عيسى بن عبيد اليقطينيّ.

[Clarification of the transmission chain to Muhammad ibn Isa]

Everything in this book that is narrated from Muhammad ibn Isa has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Muhammad ibn Isa ibn Ubayd Al-Yaqtini.

I have also narrated it from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Muhammad ibn Isa ibn Ubayd Al-Yaqtini.

[بيان الطريق إلى محمّد بن مسعود العيّاشيّ]

و ما كان فيه عن محمّد بن مسعود العيّاشيّ فقد رويته عن المظفّر بن جعفر بن المظفّر العلويّ- رضي اللّه عنه- عن جعفر بن محمّد بن مسعود، عن أبيه أبي النضر محمّد ابن مسعود العيّاشيّ- رضي اللّه عنه-.

[Clarification of the transmission chain to Muhammad ibn Masud Al-Ayyashi]

Everything in this book that is narrated from Muhammad ibn Masud Al-Ayyashi has been transmitted by me from Al-Muzaffar ibn Jafar ibn Al-Muzaffar Al-Alawi - may Allah {SWT} be pleased with him - from Jafar ibn Muhammad ibn Masud, from his father, Abu Al-Nadr Muhammad ibn Masud Al-Ayyashi - may Allah {SWT} be pleased with him.

[بيان الطريق إلى ميمون بن مهران]

و ما كان فيه عن ميمون بن مهران فقد رويته عن أحمد بن محمّد بن يحيى العطّار- رضي اللّه عنه- عن أبيه، عن جعفر بن محمّد بن مالك، عن أبي يحيى الأهوازيّ عن محمّد بن جمهور، عن الحسين بن المختار بيّاع الأكفان، عن ميمون بن مهران.

[Clarification of the transmission chain to Maymun ibn Mihran]

Everything in this book that is narrated from Maymun ibn Mihran has been transmitted by me from Ahmad ibn Muhammad ibn Yahya Al-Attar - may Allah {SWT} be pleased with him - from his father, from Jafar ibn Muhammad ibn Malik, from Abu Yahya Al-Ahwazi, from Muhammad ibn Jumhur, from Al-Husayn ibn Al-Mukhtar, the seller of shrouds, from Maymun ibn Mihran.

[بيان الطريق إلى محمّد بن عمران العجليّ]

و ما كان فيه عن محمّد بن عمران العجليّ فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن أحمد بن أبي عبد اللّه، عن أبيه، عن محمّد بن أبي عمير، عن محمّد بن عمران العجليّ.

[Clarification of the transmission chain to Muhammad ibn Imran Al-Ajali]

Everything in this book that is narrated from Muhammad ibn Imran Al-Ajali has been transmitted by me from Muhammad ibn Ali Majilawayh - may Allah {SWT} be pleased with him - from his uncle Muhammad ibn Abi Al-Qasim, from Ahmad ibn Abi Abdullah, from his father, from Muhammad ibn Abi Umayr, from Muhammad ibn Imran Al-Ajali.

[بيان الطريق إلى عيسى بن عبد اللّه الهاشميّ]

و ما كان فيه عن عيسى بن عبد اللّه الهاشميّ فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن محمّد بن الحسين بن أبي الخطّاب، عن محمّد بن أبي عبد اللّه، عن عيسى بن عبد اللّه بن عليّ بن عمر بن عليّ بن الحسين بن عليّ بن أبي طالب عليهم السّلام.

[Clarification of the transmission chain to Isa ibn Abdullah Al-Hashimi]

Everything in this book that is narrated from Isa ibn Abdullah Al-Hashimi has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Muhammad ibn Yahya Al-Attar, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Muhammad ibn Abi Abdullah, from Isa ibn Abdullah ibn Ali ibn Umar ibn Ali ibn Al-Husayn ibn Ali ibn Abi Talib - peace be upon them.

[بيان الطريق إلى أبي همّام إسماعيل بن همّام]

و ما كان فيه عن أبي همّام إسماعيل بن همّام فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه؛ و عبد اللّه بن جعفر الحميريّ جميعا عن أحمد بن محمّد بن عيسى؛ و إبراهيم بن هاشم جميعا عن أبي همّام إسماعيل بن همّام.

[Clarification of the transmission chain to Abu Hammam Ismail ibn Hammam]

Everything in this book that is narrated from Abu Hammam Ismail ibn Hammam has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah and Abdullah ibn Jafar Al-Himyari, all from Ahmad ibn Muhammad ibn Isa and Ibrahim ibn Hashim, all from Abu Hammam Ismail ibn Hammam.

[بيان الطريق إلى عيسى بن يونس]

و ما كان فيه عن عيسى بن يونس فقد رويته عن أحمد بن محمّد بن زياد بن جعفر الهمدانيّ- رضي اللّه عنه- عن علي بن إبراهيم، عن أبيه، عن محمّد بن سنان، عن حمّاد بن عثمان، عن عيسى بن يونس.

[Clarification of the transmission chain to Isa ibn Yunus]

Everything in this book that is narrated from Isa ibn Yunus has been transmitted by me from Ahmad ibn Muhammad ibn Ziyad ibn Jafar Al-Hamdani - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim, from his father, from Muhammad ibn Sinan, from Hammad ibn Uthman, from Isa ibn Yunus.

[بيان الطريق إلى حذيفة بن منصور]

و ما كان فيه عن حذيفة بن منصور فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن محمّد بن سنان، عن حذيفة بن منصور.

[Clarification of the transmission chain to Hudhayfah ibn Mansur]

Everything in this book that is narrated from Hudhayfah ibn Mansur has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Muhammad ibn Sinan, from Hudhayfah ibn Mansur.

[بيان الطريق إلى داود الرّقّي]

و ما كان فيه عن داود الرّقّي فقد رويته عن الحسين بن أحمد بن إدريس- رضي اللّه عنه- عن أبيه، عن محمّد بن أحمد بن عبد اللّه بن أحمد الرّازيّ، عن حريز ابن صالح، عن إسماعيل بن مهران، عن زكريّا بن آدم، عن داود بن كثير الرّقّيّ و روي عن الصادق عليه السّلام أنّه قال: «أنزلوا داود الرّقّيّ منّي بمنزلة المقداد من رسول اللّه صلى اللّه عليه و آله».

[Clarification of the transmission chain to Dawud Al-Raqqi]

Everything in this book that is narrated from Dawud Al-Raqqi has been transmitted by me from Al-Husayn ibn Ahmad ibn Idris - may Allah {SWT} be pleased with him - from his father, from Muhammad ibn Ahmad ibn Abdullah ibn Ahmad Al-Razi, from Hariz ibn Salih, from Ismail ibn Mihran, from Zakariyya ibn Adam, from Dawud ibn Kathir Al-Raqqi. It has been narrated from Al-Sadiq - peace be upon him - that he said: "Place Dawud Al-Raqqi in the same position with me as Al-Miqdad was with the Messenger of Allah {SWT} - peace and blessings be upon him and his family."

[بيان الطريق إلى إسحاق بن بريد]

و ما كان فيه عن إسحاق بن بريد فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ عن أحمد بن محمّد بن أبي نصر البزنطيّ، عن المثنّى بن الوليد، عن إسحاق بن بريد.

[Clarification of the transmission chain to Ishaq ibn Burayd]

Everything in this book that is narrated from Ishaq ibn Burayd has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Ali ibn Al-Husayn Al-Sadabadi, from Ahmad ibn Abi Abdullah Al-Barqi, from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti, from Al-Muthanna ibn Al-Walid, from Ishaq ibn Burayd.

[بيان الطريق إلى إبراهيم بن عمر]

و ما كان فيه عن إبراهيم بن عمر فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن يعقوب بن يزيد، عن حمّاد بن عيسى، عن إبراهيم بن عمر اليمانيّ.

[Clarification of the transmission chain to Ibrahim ibn Umar]

Everything in this book that is narrated from Ibrahim ibn Umar has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Yaqub ibn Yazid, from Hammad ibn Isa, from Ibrahim ibn Umar Al-Yamani.

[بيان الطريق إلى الحسن بن عليّ بن فضّال]

و ما كان فيه عن الحسن بن عليّ بن فضّال فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسن بن عليّ بن فضّال.

[Clarification of the transmission chain to Al-Hasan ibn Ali ibn Faddal]

Everything in this book that is narrated from Al-Hasan ibn Ali ibn Faddal has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Al-Hasan ibn Ali ibn Faddal.

[بيان الطريق إلى النضر بن سويد]

و ما كان فيه عن النضر بن سويد فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن محمّد بن عيسى بن عبيد، عن النضر بن سويد.

[Clarification of the transmission chain to Al-Nadr ibn Suwayd]

Everything in this book that is narrated from Al-Nadr ibn Suwayd has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Muhammad ibn Isa ibn Ubayd, from Al-Nadr ibn Suwayd.

[بيان الطريق إلى شهاب بن عبد ربّه]

و ما كان فيه عن شهاب بن عبد ربّه فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسن بن محبوب، عن شهاب بن عبد ربّه.

[Clarification of the transmission chain to Shihab ibn Abd Rabbih]

Everything in this book that is narrated from Shihab ibn Abd Rabbih has been transmitted by me from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Al-Hasan ibn Mahbub, from Shihab ibn Abd Rabbih.

[بيان الطريق إلى الحسن الصيقل]

و ما كان فيه عن الحسن الصيقل فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السّعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ عن أبيه، عن يونس بن عبد الرّحمن، عن الحسن بن زياد الصيقل الكوفيّ، و كنيته أبو الوليد و هو مولى.

[Clarification of the transmission chain to Al-Hasan Al-Sayqal]

Everything in this book that is narrated from Al-Hasan Al-Sayqal has been transmitted by me from Muhammad ibn Musa ibn Al-Mutawakkil - may Allah {SWT} be pleased with him - from Ali ibn Al-Husayn Al-Sadabadi, from Ahmad ibn Abi Abdullah Al-Barqi, from his father, from Yunus ibn Abd Al-Rahman, from Al-Hasan ibn Ziyad Al-Sayqal Al-Kufi, whose kunyah is Abu Al-Walid, and he was a mawla.

[بيان الطريق إلى عمرو بن أبي المقدام]

و ما كان فيه عن عمرو بن أبي المقدام فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم ابن مسكين قال: حدّثني عمرو بن أبي المقدام، و اسم أبي المقدام ثابت بن هرمز الحدّاد.

[Clarification of the transmission chain to Amr ibn Abi Al-Miqdam]

Everything in this book that is narrated from Amr ibn Abi Al-Miqdam has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Al-Hakam ibn Maskeen, who said: Amr ibn Abi Al-Miqdam narrated to me, and the name of Abi Al-Miqdam is Thabit ibn Hurmaz Al-Haddad.

[بيان الطريق إلى إبراهيم بن أبي يحيى المدائنيّ]

و ما كان فيه عن إبراهيم بن أبي يحيى المدائنيّ فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن محمّد بن عبد الجبّار، عن الحسن بن عليّ بن فضّال، عن ظريف بن ناصح، عن إبراهيم بن أبي يحيى المدائنيّ.

[Clarification of the transmission chain to Ibrahim ibn Abi Yahya Al-Mada'ini]

Everything in this book that is narrated from Ibrahim ibn Abi Yahya Al-Mada'ini has been transmitted by me from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Muhammad ibn Abd Al-Jabbar, from Al-Hasan ibn Ali ibn Faddal, from Zharif ibn Nasih, from Ibrahim ibn Abi Yahya Al-Mada'ini.

[بيان الطريق إلى عبد الملك بن أعين]

و ما كان فيه عن عبد الملك بن أعين فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن أحمد بن أبي عبد اللّه، عن أبيه، عن يونس بن عبد الرّحمن، عن عبد الملك بن أعين و كنيته أبو ضريس، و زار الصادق عليه السّلام قبره بالمدينة مع أصحابه.

[Clarification of the transmission chain to Abdul Malik bin A'yan]

And whatever is narrated from Abdul Malik bin A'yan, I have narrated it from Muhammad bin Ali Majilwayh – may Allah {SWT} be pleased with him – from his uncle Muhammad bin Abi Al-Qasim, from Ahmad bin Abi Abdullah, from his father, from Yunus bin Abdul Rahman, from Abdul Malik bin A'yan, whose kunyah is Abu Daris. Imam Jafar ibn Muhammad Al-Sadiq {a.s}, visited his grave in Medina with his companions.

[بيان الطريق إلى عليّ بن أسباط]

و ما كان فيه عن عليّ بن أسباط فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن محمّد بن الحسين بن أبي الخطّاب، عن عليّ بن أسباط.

[Clarification of the transmission chain to Ali bin Asbat]

And whatever is narrated from Ali bin Asbat, I have narrated it from Muhammad bin Al-Hasan – may Allah {SWT} be pleased with him – from Muhammad bin Al-Hasan Al-Saffar, from Muhammad bin Al-Husayn bin Abi Al-Khattab, from Ali bin Asbat.

[بيان الطريق إلى أبي الرّبيع الشاميّ]

و ما كان فيه عن أبي الرّبيع الشاميّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم بن مسكين، عن الحسن بن رباط، عن أبي الرّبيع الشاميّ.

[Clarification of the transmission chain to Abu Al-Rabi' Al-Shami]

And whatever is narrated from Abu Al-Rabi' Al-Shami, I have narrated it from my father – may Allah {SWT} be pleased with him – from Sa'd bin 'Abdullah, from Muhammad bin Al-Husayn bin Abi Al-Khattab, from Al-Hakam bin Miskin, from Al-Hasan bin Ribaat, from Abu Al-Rabi' Al-Shami.

[بيان الطريق إلى عمّار بن مروان الكلبيّ]

و ما كان فيه عن عمّار بن مروان الكلبيّ فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عبد اللّه بن جعفر الحميريّ، عن محمّد بن الحسين بن أبي الخطّاب عن الحسن بن محبوب، عن أبي أيّوب الخزّار، عن عمّار بن مروان.

[Clarification of the transmission chain to Ammar bin Marwan Al-Kalbi]

And whatever is narrated from Ammar bin Marwan Al-Kalbi, I have narrated it from Muhammad bin Musa bin Al-Mutawakkil – may Allah {SWT} be pleased with him – from Abdullah bin Ja'far Al-Himyari, from Muhammad bin Al-Husayn bin Abi Al-Khattab, from Al-Hasan bin Mahbub, from Abu Ayyub Al-Khazzar, from Ammar bin Marwan.

[بيان الطريق إلى بكر بن صالح]

و ما كان فيه عن بكر بن صالح فقد رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن بكر بن صالح الرّازيّ.

[Clarification of the transmission chain to Bakr bin Salih]

And whatever is narrated from Bakr bin Salih, I have narrated it from my father – may Allah {SWT} be pleased with him – from Ali bin Ibrahim bin Hashim, from his father, from Bakr bin Salih Al-Razi.

[بيان الطريق إلى أيّوب بن أعين]

و ما كان فيه عن أيّوب بن أعين فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم بن مسكين، عن أيّوب بن أعين.

[Clarification of the transmission chain to Ayyub bin A'yan]

And whatever is narrated from Ayyub bin A'yan, I have narrated it from my father – may Allah {SWT} be pleased with him – from Sa'd bin Abdullah, from Muhammad bin Al-Husayn bin Abi Al-Khattab, from Al-Hakam bin Miskin, from Ayyub bin A'yan.

[بيان الطريق إلى منذر بن جيفر]

و ما كان فيه عن منذر بن جيفر فقد رويته عن أبي- رضي اللّه عنه- عن محمّد ابن يحيى العطّار، عن إبراهيم بن هاشم، عن عبد اللّه بن المغيرة، عن منذر بن جيفر.

[Clarification of the transmission chain to Mundhir ibn Jafar]

And whatever is narrated from Mundhir ibn Jafar, I have narrated it from my father – may Allah {SWT} be pleased with him – from Muhammad ibn Yahya Al-Attar, from Ibrahim ibn Hashim, from Abdullah ibn Al-Mughira, from Mundhir ibn Jafar.

[بيان الطريق إلى عبد اللّه بن ميمون]

و ما كان فيه عن عبد اللّه بن ميمون فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن إبراهيم بن هاشم، عن عبد اللّه بن ميمون.

و رويته عن أبي؛ و محمّد بن موسى بن المتوكّل؛ و محمّد بن عليّ ماجيلويه- رضي اللّه عنهم- عن عليّ بن إبراهيم، عن أبيه، عن عبد اللّه بن ميمون القدّاح المكّيّ.

[Clarification of the transmission chain to Abdullah bin Maymun]

And whatever is narrated from Abdullah bin Maymun, I have narrated it from my father and Muhammad bin Al-Hasan – may Allah {SWT} be pleased with them – from Sa'd bin Abdullah, from Ibrahim bin Hashim, from Abdullah bin Maymun.

And I have also narrated it from my father, and from Muhammad bin Musa bin Al-Mutawakkil, and from Muhammad bin Ali Majilawayh – may Allah {SWT} be pleased with them – from Ali bin Ibrahim, from his father, from Abdullah bin Maymun Al-Qaddah Al-Makki.

[بيان الطريق إلى جعفر بن القاسم]

و ما كان فيه عن جعفر بن القاسم فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و محمّد بن يحيى؛ و أحمد بن إدريس جميعا عن أحمد بن أبي- عبد اللّه، عن أبيه، عن جعفر بن القاسم.

[Clarification of the transmission chain to Jafar bin Al-Qasim]

And whatever is narrated from Jafar bin Al-Qasim, I have narrated it from my father and from Muhammad bin Al-Hasan – may Allah {SWT} be pleased with them – from Sad bin Abdullah, and from Muhammad bin Yahya, and from Ahmad bin Idris, all from Ahmad bin Abi Abdullah, from his father, from Jafar bin Al-Qasim.

[بيان الطريق إلى منصور الصيقل]

و ما كان فيه عن منصور الصيقل فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن عبد الجبّار، عن أبي محمّد الذّهليّ، عن إبراهيم بن خالد العطّار عن محمّد بن منصور الصيقل، عن أبيه منصور الصيقل.

[Clarification of the transmission chain to Mansur Al-Sayqal]

And whatever is narrated from Mansur Al-Sayqal, I have narrated it from my father – may Allah {SWT} be pleased with him – from Sad bin Abdullah, from Muhammad bin Abd Al-Jabbar, from Abu Muhammad Al-Dhahili, from Ibrahim bin Khalid Al-Attar, from Muhammad bin Mansur Al-Sayqal, from his father Mansur Al-Sayqal.

[بيان الطريق إلى عليّ بن ميسرة]

و ما كان فيه عن عليّ بن ميسرة فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن عيسى، عن الحسن بن عليّ الوشّاء، عن عليّ بن ميسرة.

[Clarification of the transmission chain to Ali ibn Maysarah]

And whatever is narrated from Ali ibn Maysarah, I have narrated it from my father – may Allah {SWT} be pleased with him – from Sad ibn Abdullah, from Muhammad ibn Isa, from Al-Hasan ibn Ali Al-Washsha', from Ali ibn Maysarah.

[بيان الطريق إلى محمّد بن القاسم الأسترآباديّ]

و ما كان فيه عن محمّد بن القاسم الأسترآباديّ فقد رويته عنه.

[Clarification of the transmission chain to Muhammad ibn Al-Qasim Al-Astarabadi]

And whatever is narrated from Muhammad ibn Al-Qasim Al-Astarabadi, I have narrated it from him.

[بيان الطريق إلى حمّاد النوّاء]

و ما كان فيه عن حمّاد النوّاء فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن أبيه، عن محمّد بن خالد البرقيّ، عن محمّد بن سنان، عن ابن مسكان، عن حمّاد النوّاء.

[Clarification of the transmission chain to Hammad Al-Nawwa']

And whatever is narrated from Hammad Al-Nawwa', I have narrated it from Muhammad ibn Ali Al-Majilawayh - may Allah {SWT} be pleased with him - from his uncle Muhammad ibn Abi Al-Qasim, from his father, from Muhammad ibn Khalid Al-Barqi, from Muhammad ibn Sinan, from Ibn Muskan, from Hammad Al-Nawwa'.

[بيان الطريق إلى خالد بن أبي العلاء الخفّاف]

و ما كان فيه عن خالد بن أبي العلاء الخفّاف فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن يعقوب بن يزيد، عن محمّد بن أبي- عمير، عن خالد بن أبي العلاء الخفّاف.

[Clarification of the transmission chain to Khalid ibn Abi Al-Ala' Al-Khuffaf]

And whatever is narrated from Khalid ibn Abi Al-Ala' Al-Khuffaf, I have narrated it from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Ya'qub ibn Yazid, from Muhammad ibn Abi Umayr, from Khalid ibn Abi Al-Ala' Al-Khuffaf.

[بيان الطريق إلى الكاهليّ]

و ما كان فيه عن الكاهليّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن أحمد بن محمّد بن أبي نصر البزنطيّ، عن عبد اللّه ابن يحيى الكاهليّ.

[Clarification of the transmission chain to Al-Kahili]

And whatever is narrated from Al-Kahili, I have narrated it from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti, from Abdullah ibn Yahya Al-Kahili.

[بيان الطريق إلى إسماعيل بن الفضل]

و ما كان فيه عن إسماعيل بن الفضل فقد رويته عن جعفر بن محمّد بن مسرور- رضي اللّه عنه- عن الحسين بن محمّد بن عامر، عن عمّه عبد اللّه بن عامر، عن محمّد بن أبي عمير، عن عبد الرّحمن بن محمّد، عن الفضل بن إسماعيل بن الفضل، عن أبيه إسماعيل ابن الفضل الهاشميّ.

[Clarification of the transmission chain to Ismail ibn Al-Fadl]

And whatever is narrated from Ismail ibn Al-Fadl, I have narrated it from Jafar ibn Muhammad ibn Masrur - may Allah {SWT} be pleased with him - from Al-Husayn ibn Muhammad ibn Amir, from his uncle Abdullah ibn Amir, from Muhammad ibn Abi Umayr, from Abd Al-Rahman ibn Muhammad, from Al-Fadl ibn Ismail ibn Al-Fadl, from his father Ismail ibn Al-Fadl Al-Hashimi.

[بيان الطريق إلى أبي الحسن النهديّ]

و ما كان فيه عن أبي الحسن النهديّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسن بن عليّ الوشّاء، عن أبي الحسن النهديّ.

[Clarification of the transmission chain to Abu Al-Hasan Al-Nahdi]

And whatever is narrated from Abu Al-Hasan Al-Nahdi, I have narrated it from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Al-Hasan ibn Ali Al-Washsha', from Abu Al-Hasan Al-Nahdi.

[بيان الطريق إلى عمران الحلبيّ]

و ما كان فيه عن عمران الحلبيّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر بن بشير، عن حمّاد بن عثمان عن عمران الحلبيّ، و كنيته أبو الفضل.

[Clarification of the transmission chain to Imran Al-Halabi]

And whatever is narrated from Imran Al-Halabi, I have narrated it from my father - may Allah {SWT} be pleased with him - from Sad ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Jafar ibn Bashir, from Hammad ibn Uthman, from Imran Al-Halabi, whose kunyah is Abu Al-Fadl.

[بيان الطريق إلى الحسن بن هارون]

و ما كان فيه عن الحسن بن هارون فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن أحمد بن محمّد بن عيسى، عن أحمد بن محمّد بن أبي نصر البزنطيّ، عن عبد الكريم بن عمرو، عن الحسن بن هارون.

[Clarification of the transmission chain to Al-Hasan ibn Harun]

And whatever is narrated from Al-Hasan ibn Harun, I have narrated it from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Muhammad ibn Al-Hasan Al-Saffar, from Ahmad ibn Muhammad ibn Isa, from Ahmad ibn Muhammad ibn Abi Nasr Al-Bazanti, from Abdul-Karim ibn Amr, from Al-Hasan ibn Harun.

[بيان الطريق إلى إبراهيم بن سفيان]

و ما كان فيه عن إبراهيم بن سفيان فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن محمّد بن عليّ الكوفيّ، عن محمّد بن سنان عن إبراهيم بن سفيان.

[Clarification of the transmission chain to Ibrahim ibn Sufyan]

And whatever is narrated from Ibrahim ibn Sufyan, I have narrated it from Muhammad ibn Ali Ma'jilawayh - may Allah {SWT} be pleased with him - from his uncle Muhammad ibn Abi Al-Qasim, from Muhammad ibn Ali Al-Kufi, from Muhammad ibn Sinan, from Ibrahim ibn Sufyan.

[بيان الطريق إلى الحسين بن سالم]

و ما كان فيه عن الحسين بن سالم فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن عبد اللّه بن جبلة، عن أبي عبد اللّه الخراسانيّ، عن الحسين بن سالم.

[Clarification of the transmission chain to Al-Husayn ibn Salim]

And whatever is narrated from Al-Husayn ibn Salim, I have narrated it from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khattab, from Abdullah ibn Jiblah, from Abu Abdullah Al-Khurasani, from Al-Husayn ibn Salim.

[بيان الطريق إلى يوسف الطاطريّ]

و ما كان فيه عن يوسف الطاطريّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن إبراهيم بن هاشم، عن محمّد بن سنان، عن يوسف بن إبراهيم الطاطريّ.

[Clarification of the transmission chain to Yusuf Al-Tatri]

And whatever is narrated from Yusuf Al-Tatri, I have narrated it from my father - may Allah {SWT} be pleased with him - from Sa'd ibn Abdullah, from Ibrahim ibn Hashim, from Muhammad ibn Sinan, from Yusuf ibn Ibrahim Al-Tatri.

[بيان الطريق إلى فضالة بن أيّوب]

و ما كان فيه عن فضالة بن أيّوب فقد رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد، عن فضالة بن أيّوب. و رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسين بن الحسن بن أبان، عن الحسين بن سعيد، عن فضالة بن أيّوب.

[Clarification of the transmission chain to Fadala ibn Ayyub]

And whatever is narrated from Fadala ibn Ayyub, I have narrated it from my father - may Allah {SWT} have mercy on him - from Sa'd ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Al-Husayn ibn Sa'id, from Fadala ibn Ayyub. And I have also narrated it from Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with him - from Al-Husayn ibn Al-Hasan ibn Aban, from Al-Husayn ibn Sa'id, from Fadala ibn Ayyub.

[بيان الطريق إلى يحيى الأزرق]

و ما كان فيه عن يحيى الأزرق فقد رويته عن أبي- رضي اللّه عنه- عن عليّ ابن إبراهيم بن هاشم، عن أبيه، عن محمّد بن أبي عمير، عن أبان بن عثمان، عن يحيى ابن حسّان الأزرق.

[Clarification of the transmission chain to Yahya Al-Azraq]

And whatever is narrated from Yahya Al-Azraq, I have narrated it from my father - may Allah {SWT} be pleased with him - from Ali ibn Ibrahim ibn Hashim, from his father, from Muhammad ibn Abi Umayr, from Aban ibn Uthman, from Yahya ibn Hassan Al-Azraq.

[بيان الطريق إلى عليّ بن النعمان]

و ما كان فيه عن عليّ بن النعمان فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى؛ و إبراهيم بن هاشم جميعا عن عليّ بن النعمان.

[Clarification of the transmission chain to Ali ibn Al-Numan]

And whatever is narrated from Ali ibn Al-Numan, I have narrated it from my father and Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - through Sa'd ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, and Ibrahim ibn Hashim, all from Ali ibn Al-Numan.

[بيان الطريق إلى أحمد بن محمّد بن مطهّر صاحب أبي محمّد عليه السّلام]

و ما كان فيه عن أحمد بن محمّد بن مطهّر صاحب أبي محمّد عليه السّلام فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و عبد اللّه بن جعفر الحميريّ جميعا عن أحمد بن محمّد بن مطهّر صاحب أبي محمّد عليه السّلام.

[Clarification of the transmission chain to Ahmad ibn Muhammad ibn Mutahhar, companion of Abu Muhammad, peace be upon him]

And whatever is narrated from Ahmad ibn Muhammad ibn Mutahhar, the companion of Abu Muhammad, peace be upon him, I have narrated it from my father and Muhammad ibn Al-Hasan - may Allah {SWT} be pleased with them both - through Sa'd ibn Abdullah and Abdullah ibn Jafar Al-Himyari, all from Ahmad ibn Muhammad ibn Mutahhar, the companion of Abu Muhammad, peace be upon him.

[بيان الطريق إلى أبي عبد اللّه الخراسانيّ]

و ما كان فيه عن أبي عبد اللّه الخراسانيّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن إبراهيم بن هاشم، عن أبي عبد اللّه الخراسانيّ.

[Clarification of the transmission chain to Abu Abdullah Al-Khurasani]

And whatever is narrated from Abu Abdullah Al-Khurasani, I have narrated it from my father - may Allah {SWT} be pleased with him - through Sa'd ibn Abdullah, from Ibrahim ibn Hashim, from Abu Abdullah Al-Khurasani.

[بيان الطريق إلى حارث بيّاع الأنماط]

و ما كان فيه عن حارث بيّاع الأنماط فقد رويته عن محمّد بن علي ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن محمّد بن سنان، عن حارث بيّاع الأنماط.

[Clarification of the transmission chain to Harith the seller of carpets]

And whatever is narrated from Harith the seller of carpets, I have narrated it from Muhammad ibn Ali Al-Majilawayh - may Allah {SWT} be pleased with him - through Ali ibn Ibrahim ibn Hashim, from his father, from Muhammad ibn Sinan, from Harith the seller of carpets.

[بيان الطريق إلى عمرو بن سعيد السّاباطيّ]

و ما كان فيه عن عمرو بن سعيد السّاباطيّ فقد رويته عن أحمد بن محمّد بن يحيى العطّار- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن الحسن بن عليّ بن فضّال عن عمرو بن سعيد الساباطيّ.

[Clarification of the transmission chain to Amr ibn Sa'id Al-Sabati]

And whatever is narrated from Amr ibn Sa'id Al-Sabati, I have narrated it from Ahmad ibn Muhammad ibn Yahya Al-Attar – may Allah {SWT} be pleased with him – from Sa'd ibn 'Abdullah, from Ahmad ibn Al-Hasan ibn 'Ali ibn Faddal, from Amr ibn Sa'id Al-Sabati.

[بيان الطريق إلى عليّ بن محمّد الحصينيّ]

و ما كان فيه عن عليّ بن محمّد الحصينيّ فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن محمّد بن عليّ الكوفيّ، عن محمّد بن سنان، عن عليّ بن محمّد الحصينيّ.

[Clarification of the transmission chain to Ali ibn Muhammad Al-Husayni]

And whatever is narrated from Ali ibn Muhammad Al-Husayni, I have narrated it from Muhammad ibn Ali Majilawayh – may Allah {SWT} be pleased with him – from his uncle Muhammad ibn Abi Al-Qasim, from Muhammad ibn Ali Al-Kufi, from Muhammad ibn Sinan, from Ali ibn Muhammad Al-Husayni.

[بيان الطريق إلى سويد القلّاء]

و ما كان فيه عن سويد القلّاء فقد رويته عن محمّد بن الحسن- رحمه اللّه- عن محمّد بن الحسن الصفّار؛ و الحسن بن متّيل، عن محمّد بن الحسين بن أبي الخطّاب، عن عليّ بن النعمان، عن سويد القلّاء.

[Clarification of the transmission chain to Suwayd Al-Qallaʾ]

And whatever is narrated from Suwayd Al-Qallaʾ, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} have mercy on him – from Muhammad ibn Al-Hasan Al-Saffar and Al-Hasan ibn Matil, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Ali ibn Al-Nuʿman, from Suwayd Al-Qallaʾ.

[بيان الطريق إلى مثنّى بن عبد السلام]

و ما كان فيه عن مثنّى بن عبد السلام فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن معاوية بن حكيم، عن عبد اللّه بن المغيرة، عن مثنّى بن عبد السلام.

[Clarification of the transmission chain to Muthanna ibn Abd Al-Salam]

And whatever is narrated from Muthanna ibn Abd Al-Salam, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Muhammad ibn Al-Hasan Al-Ṣaffar, from Muawiyah ibn Hakim, from Abdullah ibn Al-Mughirah, from Muthanna ibn Abd Al-Salam.

[بيان الطريق إلى جعفر بن ناجية]

و ما كان فيه عن جعفر بن ناجية فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسن بن متيل الدّقّاق، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر بن بشير البجليّ، عن جعفر بن ناجية.

[Clarification of the transmission chain to Jafar ibn Najjiyah]

And whatever is narrated from Jafar ibn Najjiyah, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Al-Hasan ibn Matil Al-Daqqaq, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Jafar ibn Bishr Al-Bajali, from Jafar ibn Najjiyah.

[بيان الطريق إلى ذريح المحاربيّ]

و ما كان فيه عن ذريح المحاربيّ فقد رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن محمّد بن أبي عمير، عن ذريح بن يزيد بن محمّد المحاربيّ، و رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن الحسن بن محبوب عن صالح بن رزين، عن ذريح.

[Clarification of the transmission chain to Dhurayh Al-Muharibi]

And whatever is narrated from Dhurayh Al-Muharibi, I have narrated it from my father – may Allah {SWT} be pleased with him – from Ali ibn Ibrahim, from his father, from Muhammad ibn Abi Umayr, from Dhurayh ibn Yazid ibn Muhammad Al-Muharibi. And I have also narrated it from my father – may Allah {SWT} be pleased with him – from Ali ibn Ibrahim, from his father, from Al-Hasan ibn Mahbub, from Ṣalih ibn Razin, from Dhurayh.

[بيان الطريق إلى كليب الأسديّ]

و ما كان فيه، عن كليب الأسديّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن محمّد بن خالد، عن فضالة بن أيّوب، عن كليب بن معاوية الأسديّ الصيداويّ.

[Clarification of the transmission chain to Kulayb Al-Asadi]

And whatever is narrated from Kulayb Al-Asadi, I have narrated it from my father – may Allah {SWT} be pleased with him – from Sad ibn Abdullah, from Ahmad ibn Muhammad ibn Isa, from Muhammad ibn Khalid, from Faḍalah ibn Ayyub, from Kulayb ibn Muawiyah Al-Asadi Al-Ṣaydawi.

[بيان الطريق إلى عبد اللّه بن جعفر الحميريّ]

و ما كان فيه عن عبد اللّه بن جعفر الحميريّ فقد رويته عن أبي؛ و محمّد بن الحسن؛ و محمّد بن موسى بن المتوكّل- رضي اللّه عنهم- عن عبد اللّه بن جعفر بن جامع الحميريّ.

[Clarification of the transmission chain to Abdullah ibn Jafar Al-Himyari]

And whatever is narrated from Abdullah ibn Jafar Al-Himyari, I have narrated it from my father, and from Muhammad ibn Al-Hasan, and from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with them – from Abdullah ibn Jafar ibn Jamiʿ Al-Himyari.

[بيان الطريق إلى محمّد بن عثمان العمريّ]

و ما كان فيه عن محمّد بن عثمان العمريّ- قدّس اللّه روحه- فقد رويته عن أبي؛ و محمّد بن الحسن؛ و محمّد بن موسى بن المتوكّل- رضي اللّه عنهم- عن عبد اللّه بن جعفر الحميريّ، عن محمّد بن عثمان العمريّ [قدّس اللّه روحه].

[Clarification of the transmission chain to Muhammad ibn Uthman Al-Amri]

And whatever is narrated from Muhammad ibn Uthman Al-Amri – may Allah {SWT} sanctify his soul – I have narrated it from my father, and from Muhammad ibn Al-Hasan, and from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with them – from Abdullah ibn Jafar Al-Himyari, from Muhammad ibn Uthman Al-Amri – may Allah {SWT} sanctify his soul.

[بيان الطريق إلى صالح بن عقبة]

و ما كان فيه عن صالح بن عقبة فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن محمّد بن خالد، عن أبيه، عن محمّد بن سنان؛ و يونس بن عبد الرّحمن جميعا عن صالح بن عقبة بن قيس بن سمعان بن أبي ربيحة مولى رسول اللّه صلّى اللّه عليه و آله.

[Clarification of the transmission chain to Ṣalih ibn Uqbah]

And whatever is narrated from Ṣalih ibn Uqbah, I have narrated it from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with him – from Ali ibn Al-Husayn Al-Saʿdaʾbadi, from Ahmad ibn Muhammad ibn Khalid, from his father, from Muhammad ibn Sinan and Yunus ibn Abd Al-Rahman together, from Ṣalih ibn Uqbah ibn Qays ibn Saman ibn Abi Rabihah, the freed slave of the Messenger of Allah {SWT}, peace and blessings be upon him and his family.

[بيان الطريق إلى الحسين بن محمّد القميّ]

و ما كان فيه عن الحسين بن محمّد القميّ فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن الحسين بن محمّد القميّ عن الرّضا عليه السّلام.

[Clarification of the transmission chain to Al-Husayn ibn Muhammad Al-Qummi]

And whatever is narrated from Al-Husayn ibn Muhammad Al-Qummi, I have narrated it from Muhammad ibn Ali Majilawayh – may Allah {SWT} be pleased with him – from Ali ibn Ibrahim ibn Hashim, from his father, from Al-Husayn ibn Muhammad Al-Qummi, from Al-Riḍa, peace be upon him.

[بيان الطريق إلى الحسين بن زيد]

و ما كان فيه عن الحسين بن زيد فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن أيّوب بن نوح، عن محمّد بن أبي عمير، عن الحسين بن زيد بن عليّ بن الحسين بن عليّ بن أبي طالب عليهم السّلام.

[Clarification of the transmission chain to Al-Husayn ibn Zayd]

And whatever is narrated from Al-Husayn ibn Zayd, I have narrated it from Muhammad ibn Ali Majilawayh – may Allah {SWT} be pleased with him – from Muhammad ibn Yahya Al-Aṭṭar, from Ayyub ibn Nuh, from Muhammad ibn Abi Umayr, from Al-Husayn ibn Zayd ibn Ali ibn Al-Husayn ibn Ali ibn Abi Ṭalib, peace be upon them.

[بيان الطريق إلى النعمان بن سعد صاحب أمير المؤمنين عليه السّلام]

و ما كان فيه عن النعمان بن سعد صاحب أمير المؤمنين عليه السّلام فقد حدّثني به محمّد ابن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآبادي، عن أحمد بن أبي عبد اللّه البرقيّ، عن أبيه، عن محمّد بن سنان، عن ثابت بن أبي صفيّة، عن سعيد بن جبير، عن النعمان بن سعد.

[Clarification of the transmission chain to Al-Nuʿman ibn Saʿd, the companion of Amir Al-Muʾminin, peace be upon him]

And whatever is narrated from Al-Nuʿman ibn Saʿd, the companion of Amir Al-Muʾminin, peace be upon him, I have narrated it from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with him – from Ali ibn Al-Husayn Al-Saʿdaʾbadi, from Ahmad ibn Abi Abdillah Al-Barqi, from his father, from Muhammad ibn Sinan, from Thabit ibn Abi Ṣafiyyah, from Saʿid ibn Jubayr, from Al-Nuʿman ibn Saʿd.

[بيان الطريق إلى حمدان الدّيوانيّ]

و ما كان فيه عن حمدان الدّيوانيّ فقد رويته عن أحمد بن زياد بن جعفر الهمدانيّ- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن حمدان الدّيوانيّ.

[Clarification of the transmission chain to Hamdan Al-Diwani]

And whatever is narrated from Hamdan Al-Diwani, I have narrated it from Ahmad ibn Ziyad ibn Jafar Al-Hamadani – may Allah {SWT} be pleased with him – from Ali ibn Ibrahim ibn Hashim, from his father, from Hamdan Al-Diwani.

[بيان الطريق إلى حمزة بن حمران]

و ما كان فيه عن حمزة بن حمران فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن يعقوب بن يزيد، عن محمّد بن أبي عمير، عن حمزة بن حمران بن أعين مولى بني شيبان الكوفيّ.

[Clarification of the transmission chain to Hamzah ibn Himran]

And whatever is narrated from Hamzah ibn Himran, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Muhammad ibn Al-Hasan Al-Ṣaffar, from Yaʿqub ibn Yazid, from Muhammad ibn Abi Umayr, from Hamzah ibn Himran ibn Aʿyan, the freed slave of Banu Shayban Al-Kufi.

[بيان الطريق إلى محمّد بن إسماعيل البرمكيّ]

و ما كان فيه عن محمّد بن إسماعيل البرمكيّ فقد رويته عن عليّ بن أحمد بن موسى؛ و محمّد بن أحمد السنانيّ؛ و الحسين بن إبراهيم بن أحمد بن هشام المكتّب- رضي اللّه عنهم- عن محمّد بن أبي عبد اللّه الكوفيّ، عن محمّد بن إسماعيل البرمكيّ.

[Clarification of the transmission chain to Muhammad ibn Ismaʿil Al-Barmaki]

And whatever is narrated from Muhammad ibn Ismaʿil Al-Barmaki, I have narrated it from Ali ibn Ahmad ibn Musa, and Muhammad ibn Ahmad Al-Sanani, and Al-Husayn ibn Ibrahim ibn Ahmad ibn Hisham Al-Maktab – may Allah {SWT} be pleased with them – from Muhammad ibn Abi Abdillah Al-Kufi, from Muhammad ibn Ismaʿil Al-Barmaki.

[بيان الطريق إلى إسماعيل بن الفضل من ذكر الحقوق عن عليّ بن الحسين سيّد العابدين عليهما السّلام]

و ما كان فيه عن إسماعيل بن الفضل من ذكر الحقوق عن عليّ بن الحسين سيّد العابدين عليهما السّلام فقد رويته عن عليّ بن أحمد بن موسى- رضي اللّه عنه- قال: حدّثنا محمّد بن جعفر الكوفيّ الأسديّ قال: حدّثنا محمّد بن إسماعيل البرمكيّ قال: حدّثنا عبد اللّه بن أحمد قال: حدّثنا إسماعيل بن الفضل، عن ثابت بن دينار الثماليّ عن سيّد العابدين عليّ بن الحسين بن عليّ بن أبي طالب عليهم السّلام.

[Clarification of the transmission chain to Ismaʿil ibn Al-Faḍl regarding the mention of rights from Ali ibn Al-Husayn, Sayyid Al-Abidin, peace be upon them]

And whatever is narrated from Ismaʿil ibn Al-Faḍl regarding the mention of rights from Ali ibn Al-Husayn, Sayyid Al-Abidin, peace be upon them, I have narrated it from Ali ibn Ahmad ibn Musa – may Allah {SWT} be pleased with him – who said: Muhammad ibn Jafar Al-Kufi Al-Asadi narrated to us, who said: Muhammad ibn Ismaʿil Al-Barmaki narrated to us, who said: Abdullah ibn Ahmad narrated to us, who said: Ismaʿil ibn Al-Faḍl narrated to us, from Thabit ibn Dinar Al-Thumali, from Sayyid Al-Abidin, Ali ibn Al-Husayn ibn Ali ibn Abi Ṭalib, peace be upon them.

[بيان الطريق إلى ما كان فيه من وصيّة أمير المؤمنين عليه السّلام لابنه محمّد بن الحنفيّة]

و ما كان فيه من وصيّة أمير المؤمنين عليه السّلام لابنه محمّد بن الحنفيّة- رضي اللّه عنه- فقد رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه عن حمّاد بن عيسى، عمّن ذكره عن أبي عبد اللّه عليه السّلام، و يغلط أكثر النّاس في هذا الاسناد فيجعلون مكان حمّاد بن عيسى حمّاد بن عثمان، و إبراهيم بن هاشم لم يلق حمّاد بن عثمان و إنّما لقي حمّاد بن عيسى و روى عنه.

[Clarification of the transmission chain for the will of Amir Al-Muʾminin, peace be upon him, to his son Muhammad ibn Al-Hanafiyyah]

And whatever is narrated regarding the will of Amir Al-Muʾminin, peace be upon him, to his son Muhammad ibn Al-Hanafiyyah – may Allah {SWT} be pleased with him – I have narrated it from my father – may Allah {SWT} be pleased with him – from Ali ibn Ibrahim ibn Hashim, from his father, from Hammad ibn ʿIsa, from someone who mentioned it from Abu Abdillah, peace be upon him. Most people make an error in this chain of transmission by replacing Hammad ibn ʿIsa with Hammad ibn Uthman, whereas Ibrahim ibn Hashim did not meet Hammad ibn Uthman; rather, he met Hammad ibn ʿIsa and narrated from him.

[بيان الطريق إلى عطاء بن السّائب]

و ما كان فيه عن عطاء بن السّائب فقد رويته عن الحسين بن أحمد بن إدريس- رضي اللّه عنه- عن أبيه، عن محمّد بن أبي الصهبان، عن أبي أحمد محمّد بن زياد الأزديّ عن أبان الأحمر، عن عطاء بن السّائب.

[Clarification of the transmission chain to Aṭaʾ ibn Al-Saʾib]

And whatever is narrated from Aṭaʾ ibn Al-Saʾib, I have narrated it from Al-Husayn ibn Ahmad ibn Idris – may Allah {SWT} be pleased with him – from his father, from Muhammad ibn Abi Al-Ṣuhban, from Abu Ahmad Muhammad ibn Ziyad Al-Azdi, from Aban Al-Ahmar, from Aṭaʾ ibn Al-Saʾib.

[بيان الطريق إلى أحمد بن عائذ]

و ما كان فيه عن أحمد بن عائذ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد عيسى، عن الحسن بن عليّ الوشّاء، عن أحمد بن عائذ.

[Clarification of the transmission chain to Ahmad ibn Aʾidh]

And whatever is narrated from Ahmad ibn Aʾidh, I have narrated it from my father – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Ahmad ibn Muhammad ibn ʿIsa, from Al-Hasan ibn Ali Al-Washshaʾ, from Ahmad ibn Aʾidh.

[بيان الطريق إلى إبراهيم بن محمّد الثقفيّ]

و ما كان فيه عن إبراهيم بن محمّد الثقفيّ فقد رويته عن أبي- رضي اللّه عنه- عن عبد اللّه بن الحسين المؤدّب، عن أحمد بن عليّ الأصبهانيّ، عن إبراهيم بن محمّد الثقفيّ. و رويته عن محمّد بن الحسن- رضي اللّه عنه- عن أحمد بن علويّة الأصبهانيّ، عن إبراهيم بن محمّد الثقفيّ.

[Clarification of the transmission chain to Ibrahim ibn Muhammad Al-Thaqafi]

And whatever is narrated from Ibrahim ibn Muhammad Al-Thaqafi, I have narrated it from my father – may Allah {SWT} be pleased with him – from Abdullah ibn Al-Husayn Al-Muʾaddib, from Ahmad ibn Ali Al-Aṣbahani, from Ibrahim ibn Muhammad Al-Thaqafi. And I have also narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Ahmad ibn Alawiyyah Al-Aṣbahani, from Ibrahim ibn Muhammad Al-Thaqafi.

[بيان الطريق إلى عمرو بن ثابت]

و ما كان فيه عن عمرو بن ثابت، و هو عمرو بن أبي المقدام فقد رويته عن محمّد ابن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار؛ و الحسن بن متّيل جميعا عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم بن مسكين، عن عمرو بن ثابت أبي المقدام.

[Clarification of the transmission chain to Amr ibn Thabit]

And whatever is narrated from Amr ibn Thabit, who is Amr ibn Abi Al-Miqdam, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Muhammad ibn Al-Hasan Al-Ṣaffar and Al-Hasan ibn Matil together, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Al-Hakam ibn Miskin, from Amr ibn Thabit Abi Al-Miqdam.

[بيان الطريق إلى العلاء بن سيابة]

و ما كان فيه عن العلاء بن سيابة فقد رويته عن أبي- رضي اللّه عنه- عن سعد ابن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن الحسن بن عليّ الوشّاء، عن أبان بن عثمان عن العلاء بن سيابة.

[Clarification of the transmission chain to Al-Alaʾ ibn Siyabah]

And whatever is narrated from Al-Alaʾ ibn Siyabah, I have narrated it from my father – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Ahmad ibn Muhammad ibn ʿIsa, from Al-Hasan ibn Ali Al-Washshaʾ, from Aban ibn Uthman, from Al-Alaʾ ibn Siyabah.

[بيان الطريق إلى عبد اللّه بن الحكم]

و ما كان فيه عن عبد اللّه بن الحكم فقد رويته عن الحسين بن أحمد بن إدريس- رضي اللّه عنه- عن أبيه، عن محمّد بن أحمد بن يحيى، عن سهل بن زياد الآدميّ عن الجريريّ و اسمه سفيان، عن أبي عمران الأرمنيّ، عن عبد اللّه بن الحكم. و رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن أحمد بن إدريس، عن محمّد بن حسّان، عن أبي عمران موسى بن زنجويه الأرمنيّ، عن عبد اللّه بن الحكم.

[Clarification of the transmission chain to Abdullah ibn Al-Hakam]

And whatever is narrated from Abdullah ibn Al-Hakam, I have narrated it from Al-Husayn ibn Ahmad ibn Idris – may Allah {SWT} be pleased with him – from his father, from Muhammad ibn Ahmad ibn Yahya, from Sahl ibn Ziyad Al-Adami, from Al-Jariri, whose name is Sufyan, from Abu ʿImran Al-Armani, from Abdullah ibn Al-Hakam. And I have also narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Ahmad ibn Idris, from Muhammad ibn Hassan, from Abu ʿImran Musa ibn Zanjawayh Al-Armani, from Abdullah ibn Al-Hakam.

[بيان الطريق إلى عليّ بن أحمد بن أشيم]

و ما كان فيه عن عليّ بن أحمد بن أشيم فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن أحمد بن محمّد بن خالد، عن عليّ بن أحمد بن أشيم.

[Clarification of the transmission chain to Ali ibn Ahmad ibn Ashim]

And whatever is narrated from Ali ibn Ahmad ibn Ashim, I have narrated it from Muhammad ibn Ali Majilawayh – may Allah {SWT} be pleased with him – from his uncle Muhammad ibn Abi Al-Qasim, from Ahmad ibn Muhammad ibn Khalid, from Ali ibn Ahmad ibn Ashim.

[بيان الطريق إلى عليّ بن مطر]

و ما كان فيه عن عليّ بن مطر فقد رويته عن أحمد بن زياد بن جعفر الهمدانيّ- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن محمّد بن سنان، عن عليّ بن مطر.

[Clarification of the transmission chain to Ali ibn Maṭar]

And whatever is narrated from Ali ibn Maṭar, I have narrated it from Ahmad ibn Ziyad ibn Jafar Al-Hamadani – may Allah {SWT} be pleased with him – from Ali ibn Ibrahim ibn Hashim, from his father, from Muhammad ibn Sinan, from Ali ibn Maṭar.

[بيان الطريق إلى ياسين الضرير]

و ما كان فيه عن ياسين الضرير فقد رويته عن أبي، و محمّد بن الحسن- رضي اللّه عنهما- قالا: حدّثنا سعد بن عبد اللّه؛ و عبد اللّه بن جعفر الحميريّ جميعا عن محمّد بن عيسى بن عبيد، عن ياسين الضّرير البصريّ.

[Clarification of the transmission chain to Yasin Al-Ḍarir]

And whatever is narrated from Yasin Al-Ḍarir, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – who both said: Saʿd ibn Abdullah and Abdullah ibn Jafar Al-Himyari together narrated to us, from Muhammad ibn ʿIsa ibn Ubayd, from Yasin Al-Ḍarir Al-Baṣri.

[بيان الطريق إلى عليّ بن غراب]

و ما كان فيه عن عليّ بن غراب فقد رويته عن أبي، و محمّد بن الحسن- رضي اللّه عنهما- عن أحمد بن إدريس، عن محمّد بن حسّان، عن إدريس بن الحسن، عن عليّ بن غراب، و هو ابن أبي المغيرة الأزديّ.

[Clarification of the transmission chain to Ali ibn Ghurab]

And whatever is narrated from Ali ibn Ghurab, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Ahmad ibn Idris, from Muhammad ibn Hassan, from Idris ibn Al-Hasan, from Ali ibn Ghurab, who is the son of Abu Al-Mughirah Al-Azdi.

[بيان الطريق إلى القاسم بن بريد]

و ما كان فيه عن القاسم بن بريد فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن محمّد بن خالد، عن أبيه، عن محمّد بن سنان، عن القاسم بن بريد بن معاوية العجليّ.

[Clarification of the transmission chain to Al-Qasim ibn Burayd]

And whatever is narrated from Al-Qasim ibn Burayd, I have narrated it from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with him – from Ali ibn Al-Husayn Al-Saʿdaʾbadi, from Ahmad ibn Muhammad ibn Khalid, from his father, from Muhammad ibn Sinan, from Al-Qasim ibn Burayd ibn Muawiyah Al-Ajli.

[بيان الطريق إلى أحمد بن هلال]

و ما كان فيه عن أحمد بن هلال فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن أحمد بن هلال.

[Clarification of the transmission chain to Ahmad ibn Hilal]

And whatever is narrated from Ahmad ibn Hilal, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah, from Ahmad ibn Hilal.

[بيان الطريق إلى أبي هاشم الجعفريّ]

و ما كان فيه عن أبي هاشم الجعفريّ فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ، عن أبي هاشم الجعفريّ.

[Clarification of the transmission chain to Abu Hashim Al-Jafari]

And whatever is narrated from Abu Hashim Al-Jafari, I have narrated it from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with him – from Ali ibn Al-Husayn Al-Saʿdaʾbadi, from Ahmad ibn Abi Abdillah Al-Barqi, from Abu Hashim Al-Jafari.

[بيان الطريق إلى عليّ بن عبد العزيز]

و ما كان فيه عن عليّ بن عبد العزيز فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن أبي عبد اللّه البرقيّ، عن أبيه، عن حمزة بن عبد اللّه، عن إسحاق بن عمّار، عن عليّ بن عبد العزيز.

[Clarification of the transmission chain to Ali ibn Abd Al-Aziz]

And whatever is narrated from Ali ibn Abd Al-Aziz, I have narrated it from my father – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Ahmad ibn Abi Abdillah Al-Barqi, from his father, from Hamzah ibn Abdullah, from Ishaq ibn Ammar, from Ali ibn Abd Al-Aziz.

[بيان الطريق إلى محمّد بن عذافر]

و ما كان فيه عن محمّد بن عذافر فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن محمّد بن الحسين بن أبي الخطّاب عن محمّد بن إسماعيل بن بزيع، عن محمّد بن عذافر الصيرفيّ.

[Clarification of the transmission chain to Muhammad ibn Adhafar]

And whatever is narrated from Muhammad ibn Adhafar, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah and Al-Himyari together, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Muhammad ibn Ismaʿil ibn Baziʿ, from Muhammad ibn Adhafar Al-Ṣayrafi.

[بيان الطريق إلى سدير الصيرفيّ]

و ما كان فيه عن سدير الصيرفيّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد ابن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم بن مسكين، عن عمرو ابن أبي نصر الأنماطيّ، عن سدير بن حكيم بن صهيب الصيرفيّ و يكنّى أبا الفضل.

[Clarification of the transmission chain to Sadir Al-Ṣayrafi]

And whatever is narrated from Sadir Al-Ṣayrafi, I have narrated it from my father – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Al-Hakam ibn Miskin, from Amr ibn Abi Naṣr Al-Anmaṭi, from Sadir ibn Hakim ibn Ṣuhayb Al-Ṣayrafi, who was known by the kunyah Abu Al-Faḍl.

[بيان الطريق إلى أيّوب بن الحرّ]

و ما كان فيه عن أيّوب بن الحرّ فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن أحمد بن أبي عبد اللّه البرقيّ، عن أبيه، عن النضر بن سويد، عن يحيى الحلبيّ، عن أيّوب بن الحرّ الجعفيّ الكوفيّ أخي أديم بن الحرّ و هو مولى.

[Clarification of the transmission chain to Ayyub ibn Al-Harr]

And whatever is narrated from Ayyub ibn Al-Harr, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Muhammad ibn Al-Hasan Al-Ṣaffar, from Ahmad ibn Abi Abdillah Al-Barqi, from his father, from Al-Naḍr ibn Suwayd, from Yahya Al-Halabi, from Ayyub ibn Al-Harr Al-Juʿfi Al-Kufi, the brother of Adim ibn Al-Harr, and he was a freed slave.

[بيان الطريق إلى الحسن بن عليّ بن أبي حمزة]

و ما كان فيه عن الحسن بن عليّ بن أبي حمزة فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن محمّد بن عليّ الصيرفيّ، عن إسماعيل بن مهران، عن الحسن بن عليّ بن أبي حمزة البطائنيّ.

[Clarification of the transmission chain to Al-Hasan ibn Ali ibn Abi Hamzah]

And whatever is narrated from Al-Hasan ibn Ali ibn Abi Hamzah, I have narrated it from Muhammad ibn Ali Majilawayh – may Allah {SWT} be pleased with him – from his uncle Muhammad ibn Abi Al-Qasim, from Muhammad ibn Ali Al-Ṣayrafi, from Ismaʿil ibn Mihran, from Al-Hasan ibn Ali ibn Abi Hamzah Al-Baṭaʾini.

[بيان الطريق إلى الفضل بن أبي قرّة السمنديّ الكوفيّ]

و ما كان فيه عن الفضل بن أبي قرّة السمنديّ الكوفيّ فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ، عن شريف بن سابق التفليسيّ، عن الفضل بن أبي قرّة السّمنديّ الكوفيّ.

[Clarification of the transmission chain to Al-Faḍl ibn Abi Qurrah Al-Samandi Al-Kufi]

And whatever is narrated from Al-Faḍl ibn Abi Qurrah Al-Samandi Al-Kufi, I have narrated it from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with him – from Ali ibn Al-Husayn Al-Saʿdaʾbadi, from Ahmad ibn Abi Abdillah Al-Barqi, from Sharif ibn Sabiq Al-Tiflisi, from Al-Faḍl ibn Abi Qurrah Al-Samandi Al-Kufi.

[بيان الطريق إلى عبد الحميد بن عوّاض الطائيّ]

و ما كان فيه عن عبد الحميد بن عوّاض الطائيّ فقد رويته عن أبي- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن محمّد بن أحمد، عن عمران بن موسى، عن الحسن بن عليّ بن النعمان، عن أبيه، عن عبد الحميد بن عوّاض الطّائيّ.

[Clarification of the transmission chain to Abd Al-Hamid ibn Awaḍ Al-Ṭaʾi]

And whatever is narrated from Abd Al-Hamid ibn Awaḍ Al-Ṭaʾi, I have narrated it from my father – may Allah {SWT} be pleased with him – from Muhammad ibn Yahya Al-Aṭṭar, from Muhammad ibn Ahmad, from ʿImran ibn Musa, from Al-Hasan ibn Ali ibn Al-Nuʿman, from his father, from Abd Al-Hamid ibn Awaḍ Al-Ṭaʾi.

[بيان الطريق إلى عبد الصمد بن بشير]

و ما كان فيه عن عبد الصمد بن بشير فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسن بن متيل الدّقّاق، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر ابن بشير، عن عبد الصمد بن بشير الكوفيّ.

[Clarification of the transmission chain to Abd Al-Ṣamad ibn Bashir]

And whatever is narrated from Abd Al-Ṣamad ibn Bashir, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Al-Hasan ibn Matil Al-Daqqaq, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Jafar ibn Bashir, from Abd Al-Ṣamad ibn Bashir Al-Kufi.

[بيان الطريق إلى عبد اللّه بن محمّد الجعفيّ]

و ما كان فيه عن عبد اللّه بن محمّد الجعفيّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر بن بشير، عن عبد اللّه بن محمّد الجعفيّ.

[Clarification of the transmission chain to Abdullah ibn Muhammad Al-Juʿfi]

And whatever is narrated from Abdullah ibn Muhammad Al-Juʿfi, I have narrated it from my father – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Jafar ibn Bashir, from Abdullah ibn Muhammad Al-Juʿfi.

[بيان الطريق إلى الميثميّ]

و ما كان فيه عن الميثميّ فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن يعقوب بن يزيد، عن محمّد بن الحسن بن زياد، عن أحمد ابن الحسن الميثميّ.

[Clarification of the transmission chain to Al-Mithami]

And whatever is narrated from Al-Mithami, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Muhammad ibn Al-Hasan Al-Ṣaffar, from Yaʿqub ibn Yazid, from Muhammad ibn Al-Hasan ibn Ziyad, from Ahmad ibn Al-Hasan Al-Mithami.

[بيان الطريق إلى أبي ثمامة]

و ما كان فيه عن أبي ثمامة فقد رويته عن محمّد بن عليّ ماجيلويه؛ و محمّد بن موسى بن المتوكّل؛ و الحسين بن إبراهيم- رضي اللّه عنهم- عن عليّ بن إبراهيم بن هاشم، عن أبيه، عن أبي ثمامة صاحب أبي جعفر الثّاني عليه السّلام.

[Clarification of the transmission chain to Abu Thamamah]

And whatever is narrated from Abu Thamamah, I have narrated it from Muhammad ibn Ali Majilawayh, and Muhammad ibn Musa ibn Al-Mutawakkil, and Al-Husayn ibn Ibrahim – may Allah {SWT} be pleased with them – from Ali ibn Ibrahim ibn Hashim, from his father, from Abu Thamamah, the companion of Abu Jafar Al-Thani, peace be upon him.

[بيان الطريق إلى إسماعيل بن أبي فديك]

و ما كان فيه عن إسماعيل بن أبي فديك فقد رويته عن الحسين بن أحمد بن إدريس- رضي اللّه عنه- عن أبيه، عن إبراهيم بن هاشم، عن محمّد بن سنان، عن المفضّل ابن عمر، عن إسماعيل بن أبي فديك.

[Clarification of the transmission chain to Ismaʿil ibn Abi Fudayk]

And whatever is narrated from Ismaʿil ibn Abi Fudayk, I have narrated it from Al-Husayn ibn Ahmad ibn Idris – may Allah {SWT} be pleased with him – from his father, from Ibrahim ibn Hashim, from Muhammad ibn Sinan, from Al-Mufaḍḍal ibn Umar, from Ismaʿil ibn Abi Fudayk.

[بيان الطريق إلى الصباح بن سيابة]

و ما كان فيه عن الصباح بن سيابة فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر بن بشير البجليّ، عن حمّاد بن عثمان، عن الصباح بن سيابة أخي عبد الرّحمن بن سيابة الكوفيّ.

[Clarification of the transmission chain to Al-Ṣabah ibn Siyabah]

And whatever is narrated from Al-Ṣabah ibn Siyabah, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Muhammad ibn Al-Hasan Al-Ṣaffar, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Jafar ibn Bashir Al-Bajali, from Hammad ibn Uthman, from Al-Ṣabah ibn Siyabah, the brother of Abd Al-Rahman ibn Siyabah Al-Kufi.

[بيان الطريق إلى إبراهيم بن هاشم]

و ما كان فيه عن إبراهيم بن هاشم فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و عبد اللّه بن جعفر الحميريّ جميعا عن إبراهيم بن هاشم.

و رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه إبراهيم بن هاشم.

[Clarification of the transmission chain to Ibrahim ibn Hashim]

And whatever is narrated from Ibrahim ibn Hashim, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah and Abdullah ibn Jafar Al-Himyari together, from Ibrahim ibn Hashim. And I have also narrated it from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with him – from Ali ibn Ibrahim, from his father Ibrahim ibn Hashim.

[بيان الطريق إلى روح بن عبد الرّحيم]

و ما كان فيه عن روح بن عبد الرّحيم فقد رويته عن جعفر بن عليّ بن الحسن ابن علي بن عبد اللّه بن المغيرة الكوفيّ، عن جدّه الحسن بن عليّ الكوفيّ، عن الحسن ابن عليّ بن فضّال، عن غالب بن عثمان، عن روح بن عبد الرّحيم.

[Clarification of the transmission chain to Ruh ibn Abd Al-Rahim]

And whatever is narrated from Ruh ibn Abd Al-Rahim, I have narrated it from Jafar ibn Ali ibn Al-Hasan ibn Ali ibn Abdullah ibn Al-Mughirah Al-Kufi, from his grandfather Al-Hasan ibn Ali Al-Kufi, from Al-Hasan ibn Ali ibn Faḍḍal, from Ghalib ibn Uthman, from Ruh ibn Abd Al-Rahim.

[بيان الطريق إلى عبد اللّه بن حمّاد الأنصاريّ]

و ما كان فيه عن عبد اللّه بن حمّاد الأنصاريّ فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ، عن أبيه، عن محمّد بن سنان، عن عبد اللّه بن حمّاد الأنصاريّ.

[Clarification of the transmission chain to Abdullah ibn Hammad Al-Anṣari]

And whatever is narrated from Abdullah ibn Hammad Al-Anṣari, I have narrated it from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with him – from Ali ibn Al-Husayn Al-Saʿdaʾbadi, from Ahmad ibn Abi Abdillah Al-Barqi, from his father, from Muhammad ibn Sinan, from Abdullah ibn Hammad Al-Anṣari.

[بيان الطريق إلى سعيد بن يسار]

و ما كان فيه عن سعيد بن يسار فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن أحمد بن محمّد بن عيسى، عن أحمد بن محمّد بن أبي نصر البزنطيّ، عن المفضّل، عن سعيد بن يسار العجليّ الأعرج الحنّاط الكوفيّ.

[Clarification of the transmission chain to Saʿid ibn Yasar]

And whatever is narrated from Saʿid ibn Yasar, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Muhammad ibn Al-Hasan Al-Ṣaffar, from Ahmad ibn Muhammad ibn ʿIsa, from Ahmad ibn Muhammad ibn Abi Naṣr Al-Bazanti, from Al-Mufaḍḍal, from Saʿid ibn Yasar Al-Ajli Al-Aʿraj Al-Hannaṭ Al-Kufi.

[بيان الطريق إلى بشّار بن يسار]

و ما كان فيه عن بشّار بن يسار فقد رويته عن الحسين بن أحمد بن إدريس،- رضي اللّه عنه- عن أبيه، عن محمّد بن أبي الصهبان، عن محمّد بن سنان، عن بشّار بن يسار.

[Clarification of the transmission chain to Bishar ibn Yasar]

And whatever is narrated from Bishar ibn Yasar, I have narrated it from Al-Husayn ibn Ahmad ibn Idris – may Allah {SWT} be pleased with him – from his father, from Muhammad ibn Abi Al-Ṣuhban, from Muhammad ibn Sinan, from Bishar ibn Yasar.

[بيان الطريق إلى محمّد بن عمرو بن أبي المقدام]

و ما كان فيه عن محمّد بن عمرو بن أبي المقدام فقد رويته، عن أحمد بن زياد بن جعفر الهمدانيّ- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن محمّد بن سنان، عن محمّد بن عمرو بن أبي المقدام.

[Clarification of the transmission chain to Muhammad ibn Amr ibn Abi Al-Miqdam]

And whatever is narrated from Muhammad ibn Amr ibn Abi Al-Miqdam, I have narrated it from Ahmad ibn Ziyad ibn Jafar Al-Hamadani – may Allah {SWT} be pleased with him – from Ali ibn Ibrahim, from his father, from Muhammad ibn Sinan, from Muhammad ibn Amr ibn Abi Al-Miqdam.

[بيان الطريق إلى عبد الملك بن عمرو]

و ما كان فيه عن عبد الملك بن عمرو فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن الحكم بن مسكين، عن عبد الملك بن عمرو الأحول الكوفيّ و هو عربيّ.

[Clarification of the transmission chain to Abd Al-Malik ibn Amr]

And whatever is narrated from Abd Al-Malik ibn Amr, I have narrated it from my father – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Al-Hakam ibn Miskin, from Abd Al-Malik ibn Amr Al-Ahwal Al-Kufi, and he was an Arab.

[بيان الطريق إلى يوسف بن يعقوب]

و ما كان فيه عن يوسف بن يعقوب فقد رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن محمّد بن عيسى بن عبيد، عن محمّد بن سنان، عن يوسف بن يعقوب أخي يونس بن يعقوب و كانا فطحيّين.

[Clarification of the transmission chain to Yusuf ibn Yaʿqub]

And whatever is narrated from Yusuf ibn Yaʿqub, I have narrated it from my father – may Allah {SWT} have mercy on him – from Saʿd ibn Abdullah, from Muhammad ibn ʿIsa ibn Ubayd, from Muhammad ibn Sinan, from Yusuf ibn Yaʿqub, the brother of Yunus ibn Yaʿqub, and they were both Faṭhis.

[بيان الطريق إلى محمّد بن عليّ بن محبوب]

و ما كان فيه عن محمّد بن عليّ بن محبوب فقد رويته عن أبي؛ و محمّد بن الحسن؛ و محمّد بن موسى بن المتوكّل؛ و أحمد بن محمّد بن يحيى العطّار؛ و محمّد بن عليّ ماجيلويه- رضي اللّه عنهم- عن محمّد بن يحيى العطّار، عن محمّد بن عليّ بن محبوب. و رويته عن أبي؛ و الحسين بن أحمد بن إدريس- رضي اللّه عنهما- عن أحمد بن إدريس، عن محمّد بن عليّ بن محبوب.

[Clarification of the transmission chain to Muhammad ibn Ali ibn Mahbub]

And whatever is narrated from Muhammad ibn Ali ibn Mahbub, I have narrated it from my father, and from Muhammad ibn Al-Hasan, and from Muhammad ibn Musa ibn Al-Mutawakkil, and from Ahmad ibn Muhammad ibn Yahya Al-Aṭṭar, and from Muhammad ibn Ali Majilawayh – may Allah {SWT} be pleased with them – from Muhammad ibn Yahya Al-Aṭṭar, from Muhammad ibn Ali ibn Mahbub. And I have also narrated it from my father and from Al-Husayn ibn Ahmad ibn Idris – may Allah {SWT} be pleased with them – from Ahmad ibn Idris, from Muhammad ibn Ali ibn Mahbub.

[بيان الطريق إلى محمّد بن سنان]

و ما كان فيه عن محمّد بن سنان فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن محمّد بن عليّ الكوفيّ، عن محمّد بن سنان. و رويته عن أبي- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن محمّد بن سنان.

[Clarification of the transmission chain to Muhammad ibn Sinan]

And whatever is narrated from Muhammad ibn Sinan, I have narrated it from Muhammad ibn Ali Majilawayh – may Allah {SWT} be pleased with him – from his uncle Muhammad ibn Abi Al-Qasim, from Muhammad ibn Ali Al-Kufi, from Muhammad ibn Sinan. And I have also narrated it from my father – may Allah {SWT} be pleased with him – from Ali ibn Ibrahim, from his father, from Muhammad ibn Sinan.

[بيان الطريق إلى محمّد بن الوليد الكرمانيّ]

و ما كان فيه عن محمّد بن الوليد الكرمانيّ فقد رويته عن أحمد بن زياد بن جعفر الهمدانيّ- رضي اللّه عنه- عن عليّ بن إبراهيم بن هاشم، عن محمّد بن الوليد الكرمانيّ.

[Clarification of the transmission chain to Muhammad ibn Al-Walid Al-Kirmani]

And whatever is narrated from Muhammad ibn Al-Walid Al-Kirmani, I have narrated it from Ahmad ibn Ziyad ibn Jafar Al-Hamadani – may Allah {SWT} be pleased with him – from Ali ibn Ibrahim ibn Hashim, from Muhammad ibn Al-Walid Al-Kirmani.

[بيان الطريق إلى محمّد بن منصور]

و ما كان فيه عن محمّد بن منصور فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن محمّد بن أبي الصهبان، عن محمّد بن سنان، عن محمّد بن منصور.

[Clarification of the transmission chain to Muhammad ibn Manṣur]

And whatever is narrated from Muhammad ibn Manṣur, I have narrated it from Muhammad ibn Ali Majilawayh – may Allah {SWT} be pleased with him – from Muhammad ibn Yahya Al-Aṭṭar, from Muhammad ibn Abi Al-Ṣuhban, from Muhammad ibn Sinan, from Muhammad ibn Manṣur.

[بيان الطريق إلى عبد اللّه بن القاسم]

و ما كان فيه عن عبد اللّه بن القاسم فقد رويته عن الحسين بن أحمد بن إدريس- رضي اللّه عنه- عن أبيه، عن محمّد بن أحمد بن يحيى قال: حدّثنا أبو عبد اللّه الرّازيّ عن عبد اللّه بن أحمد بن محمّد بن خشنام الأصبهانيّ، عن عبد اللّه القاسم.

[Clarification of the transmission chain to Abdullah ibn Al-Qasim]

And whatever is narrated from Abdullah ibn Al-Qasim, I have narrated it from Al-Husayn ibn Ahmad ibn Idris – may Allah {SWT} be pleased with him – from his father, from Muhammad ibn Ahmad ibn Yahya, who said: Abu Abdullah Al-Razi narrated to us from Abdullah ibn Ahmad ibn Muhammad ibn Khushnam Al-Aṣbahani, from Abdullah ibn Al-Qasim.

[بيان الطريق إلى عبد اللّه بن جبلة]

و ما كان فيه عن عبد اللّه بن جبلة فقد رويته عن أبي؛ و محمّد بن الحسن؛ و محمّد بن موسى بن المتوكّل- رضي اللّه عنهم- عن عبد اللّه بن جعفر الحميريّ، عن محمّد بن عبد الجبّار، عن عبد اللّه بن جبلة.

[Clarification of the transmission chain to Abdullah ibn Jablah]

And whatever is narrated from Abdullah ibn Jablah, I have narrated it from my father, and from Muhammad ibn Al-Hasan, and from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with them – from Abdullah ibn Jafar Al-Himyari, from Muhammad ibn Abd Al-Jabbar, from Abdullah ibn Jablah.

[بيان الطريق إلى محمّد بن عبد اللّه بن مهران]

و ما كان فيه عن محمّد بن عبد اللّه بن مهران فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن أبي عبد اللّه البرقيّ، عن محمّد بن عبد اللّه بن مهران.

[Clarification of the transmission chain to Muhammad ibn Abdullah ibn Mihran]

And whatever is narrated from Muhammad ibn Abdullah ibn Mihran, I have narrated it from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with him – from Ali ibn Al-Husayn Al-Saʿdaʾbadi, from Ahmad ibn Abi Abdillah Al-Barqi, from Muhammad ibn Abdullah ibn Mihran.

[بيان الطريق إلى محمّد بن الفيض]

و ما كان فيه عن محمّد بن الفيض فقد رويته عن جعفر بن محمّد بن مسرور- رضي اللّه عنه- عن الحسين بن محمّد بن عامر، عن عمّه عبد اللّه بن عامر، عن ابن أبي عمير، عن محمّد بن الفيض.

[Clarification of the transmission chain to Muhammad ibn Al-Fiḍ]

And whatever is narrated from Muhammad ibn Al-Fiḍ, I have narrated it from Jafar ibn Muhammad ibn Masrur – may Allah {SWT} be pleased with him – from Al-Husayn ibn Muhammad ibn Amir, from his uncle Abdullah ibn Amir, from Ibn Abi Umayr, from Muhammad ibn Al-Fiḍ.

[بيان الطريق إلى ثعلبة بن ميمون]

و ما كان فيه عن ثعلبة بن ميمون فقد رويته عن أبي؛ و محمّد بن الحسن؛ و محمّد بن موسى بن المتوكّل- رضي اللّه عنهم- عن عبد اللّه بن جعفر الحميريّ، عن محمّد بن الحسين بن أبي الخطّاب، عن عبد اللّه بن محمّد بن الحجّال الأسديّ، عن أبي إسحاق ثعلبة بن ميمون. و رويته أيضا عنهم، عن الحميريّ، عن عبد اللّه بن محمّد بن عيسى، عن الحجّال، عن ثعلبة.

[Clarification of the transmission chain to Thaʿlabah ibn Maymun]

And whatever is narrated from Thaʿlabah ibn Maymun, I have narrated it from my father, and from Muhammad ibn Al-Hasan, and from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with them – from Abdullah ibn Jafar Al-Himyari, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Abdullah ibn Muhammad ibn Al-Hajjal Al-Asadi, from Abu Ishaq Thaʿlabah ibn Maymun. And I have also narrated it from them, from Al-Himyari, from Abdullah ibn Muhammad ibn ʿIsa, from Al-Hajjal, from Thaʿlabah.

[بيان الطريق إلى العباس بن عامر القضبانيّ]

و ما كان فيه عن العبّاس بن عامر القضبانيّ فقد رويته عن أبي- رحمه اللّه- عن علي بن الحسن بن عليّ الكوفيّ، عن أبيه، عن العبّاس بن عامر القصبانيّ. و رويته عن جعفر بن عليّ بن الحسن بن عليّ الكوفيّ، عن جدّه الحسن بن عليّ، عن العبّاس ابن عامر القصبانيّ.

[Clarification of the transmission chain to Al-Abbas ibn Amir Al-Qaḍbani]

And whatever is narrated from Al-Abbas ibn Amir Al-Qaḍbani, I have narrated it from my father – may Allah {SWT} have mercy on him – from Ali ibn Al-Hasan ibn Ali Al-Kufi, from his father, from Al-Abbas ibn Amir Al-Qaṣbani. And I have also narrated it from Jafar ibn Ali ibn Al-Hasan ibn Ali Al-Kufi, from his grandfather Al-Hasan ibn Ali, from Al-Abbas ibn Amir Al-Qaṣbani.

[بيان الطريق إلى رومي بن زرارة]

و ما كان فيه عن روميّ بن زرارة فقد رويته عن جعفر بن محمّد بن مسرور- رضي اللّه عنه- عن الحسين بن محمّد بن عامر، عن عمّه عبد اللّه بن عامر، عن محمّد بن أبي عمير، عن روميّ بن زرارة.

[Clarification of the transmission chain to Rumi ibn Zararah]

And whatever is narrated from Rumi ibn Zararah, I have narrated it from Jafar ibn Muhammad ibn Masrur – may Allah {SWT} be pleased with him – from Al-Husayn ibn Muhammad ibn Amir, from his uncle Abdullah ibn Amir, from Muhammad ibn Abi Umayr, from Rumi ibn Zararah.

[بيان الطريق إلى داود بن إسحاق]

و ما كان فيه عن داود بن إسحاق فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن أحمد بن أبي عبد اللّه، عن أبيه، عن محمّد بن سنان عن داود بن إسحاق.

[Clarification of the transmission chain to Dawud ibn Ishaq]

And whatever is narrated from Dawud ibn Ishaq, I have narrated it from Muhammad ibn Ali Majilawayh – may Allah {SWT} be pleased with him – from his uncle Muhammad ibn Abi Al-Qasim, from Ahmad ibn Abi Abdillah, from his father, from Muhammad ibn Sinan, from Dawud ibn Ishaq.

[بيان الطريق إلى بكار بن كردم]

و ما كان فيه عن بكار بن كردم فقد رويته عن محمّد بن الحسن- رحمه اللّه- عن محمّد بن الحسن الصفّار، عن أحمد بن محمّد بن عيسى، عن محمّد بن سنان، عن بكار بن كردم.

[Clarification of the transmission chain to Bakkar ibn Kurdum]

And whatever is narrated from Bakkar ibn Kurdum, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} have mercy on him – from Muhammad ibn Al-Hasan Al-Ṣaffar, from Ahmad ibn Muhammad ibn ʿIsa, from Muhammad ibn Sinan, from Bakkar ibn Kurdum.

[بيان الطريق إلى ما كان فيه متفرقا من قضايا أمير المؤمنين عليه السلام]

و ما كان فيه متفرّقا من قضايا أمير المؤمنين عليه السّلام فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن إبراهيم بن هاشم، عن عبد الرّحمن ابن أبي نجران، عن عاصم بن حميد، عن محمّد بن قيس، عن أبي جعفر عليه السّلام.

[Clarification of the transmission chain for legal cases of Amir Al-Muʾminin, peace be upon him]

And whatever is narrated in various reports regarding the legal cases of Amir Al-Muʾminin, peace be upon him, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah, from Ibrahim ibn Hashim, from Abd Al-Rahman ibn Abi Najran, from Aṣim ibn Humayd, from Muhammad ibn Qays, from Abu Jafar, peace be upon him.

[بيان الطريق إلى إدريس بن عبد اللّه القمّيّ]

و ما كان فيه عن إدريس بن عبد اللّه القمّيّ فقد رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر بن بشير، عن حمّاد بن عثمان، عن إدريس بن عبد اللّه بن سعد الأشعريّ القمّيّ.

[Clarification of the transmission chain to Idris ibn Abdullah Al-Qummi]

And whatever is narrated from Idris ibn Abdullah Al-Qummi, I have narrated it from my father – may Allah {SWT} have mercy on him – from Saʿd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Jafar ibn Bashir, from Hammad ibn Uthman, from Idris ibn Abdullah ibn Saʿd Al-Ashari Al-Qummi.

[بيان الطريق إلى سلمة بن الخطّاب]

و ما كان فيه عن سلمة بن الخطّاب فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن سلمة بن الخطّاب البراوستانيّ.

[Clarification of the transmission chain to Salamah ibn Al-Khaṭṭab]

And whatever is narrated from Salamah ibn Al-Khaṭṭab, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah, from Salamah ibn Al-Khaṭṭab Al-Barawastani.

[بيان الطريق إلى إدريس بن زيد]

و ما كان فيه عن إدريس بن زيد فقد رويته عن أحمد بن عليّ بن زياد- رضي اللّه عنه- عن عليّ بن إبراهيم، عن أبيه، عن إدريس بن زيد القمّيّ.

[Clarification of the transmission chain to Idris ibn Zayd]

And whatever is narrated from Idris ibn Zayd, I have narrated it from Ahmad ibn Ali ibn Ziyad – may Allah {SWT} be pleased with him – from Ali ibn Ibrahim, from his father, from Idris ibn Zayd Al-Qummi.

[بيان الطريق إلى محمد بن سهل]

و ما كان فيه عن محمّد بن سهل فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن محمّد بن سهل بن اليسع الأشعريّ.

[Clarification of the transmission chain to Muhammad ibn Sahl]

And whatever is narrated from Muhammad ibn Sahl, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah, from Ahmad ibn Muhammad ibn ʿIsa, from Muhammad ibn Sahl ibn Al-Yasaʿ Al-Ashari.

[بيان الطريق إلى جعفر بن عثمان]

و ما كان فيه عن جعفر بن عثمان فقد رويته عن أبي- رضي اللّه عنه- عن عليّ بن موسى الكمندانيّ، عن أحمد بن محمّد بن عيسى، عن الحسين بن سعيد، عن محمّد بن أبي عمير، عن أبي جعفر الشاميّ، عن جعفر بن عثمان.

[Clarification of the transmission chain to Jafar ibn Uthman]

And whatever is narrated from Jafar ibn Uthman, I have narrated it from my father – may Allah {SWT} be pleased with him – from Ali ibn Musa Al-Kamandani, from Ahmad ibn Muhammad ibn ʿIsa, from Al-Husayn ibn Saʿid, from Muhammad ibn Abi Umayr, from Abu Jafar Al-Shami, from Jafar ibn Uthman.

[بيان الطريق إلى عثمان بن زياد]

و ما كان فيه عن عثمان بن زياد فقد رويته عن عبد الواحد بن محمّد بن عبدوس العطّار النيسابوريّ، عن عليّ بن محمّد بن قتيبة، عن حمدان بن سليمان، عن محمّد بن الحسين، عن عثمان بن عيسى، عن عبد الصمد بن بشير، عن عثمان بن زياد.

[Clarification of the transmission chain to Uthman ibn Ziyad]

And whatever is narrated from Uthman ibn Ziyad, I have narrated it from Abd Al-Wahid ibn Muhammad ibn Abdus Al-Aṭṭar Al-Nisaburi, from Ali ibn Muhammad ibn Qutaybah, from Hamdan ibn Sulayman, from Muhammad ibn Al-Husayn, from Uthman ibn ʿIsa, from Abd Al-Ṣamad ibn Bashir, from Uthman ibn Ziyad.

[بيان الطريق إلى اميّة بن عمرو، عن الشعيريّ]

و ما كان فيه عن اميّة بن عمرو، عن الشعيريّ فقد رويته عن أحمد بن محمّد بن يحيى العطّار- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن هلال، عن اميّة بن عمرو، عن إسماعيل بن مسلم الشعيريّ.

[Clarification of the transmission chain to Umayyah ibn Amr, from Al-Shuayri]

And whatever is narrated from Umayyah ibn Amr, from Al-Shuayri, I have narrated it from Ahmad ibn Muhammad ibn Yahya Al-Aṭṭar – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Ahmad ibn Hilal, from Umayyah ibn Amr, from Ismaʿil ibn Muslim Al-Shuayri.

[بيان الطريق إلى منهال القصّاب]

و ما كان فيه عن منهال القصّاب فقد رويته عن أبي- رضي اللّه عنه- عن محمّد بن يحيى العطّار، عن أحمد بن محمّد بن عيسى، عن الحسن بن محبوب، عن منهال القصّاب.

[Clarification of the transmission chain to Minhal Al-Qaṣṣab]

And whatever is narrated from Minhal Al-Qaṣṣab, I have narrated it from my father – may Allah {SWT} be pleased with him – from Muhammad ibn Yahya Al-Aṭṭar, from Ahmad ibn Muhammad ibn ʿIsa, from Al-Hasan ibn Mahbub, from Minhal Al-Qaṣṣab.

[بيان الطريق إلى مسعدة بن زياد]

و ما كان فيه عن مسعدة بن زياد فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ جميعا عن هارون بن مسلم، عن مسعدة ابن زياد.

[Clarification of the transmission chain to Masadah ibn Ziyad]

And whatever is narrated from Masadah ibn Ziyad, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah and Al-Himyari together, from Harun ibn Muslim, from Masadah ibn Ziyad.

[بيان الطريق إلى داود بن أبي يزيد]

و ما كان فيه عن داود بن أبي يزيد فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى، عن العبّاس بن معروف، عن أبي محمّد الحجّال، عن داود بن أبي يزيد.

[Clarification of the transmission chain to Dawud ibn Abi Yazid]

And whatever is narrated from Dawud ibn Abi Yazid, I have narrated it from my father – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Ahmad ibn Muhammad ibn ʿIsa, from Al-Abbas ibn Maʿruf, from Abu Muhammad Al-Hajjal, from Dawud ibn Abi Yazid.

[بيان الطريق إلى ثوير بن أبي فاختة]

و ما كان فيه عن ثوير بن أبي فاختة فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن الهيثم بن أبي مسروق النهديّ، عن الحسن بن محبوب، عن مالك بن عطيّة، عن ثوير بن أبي فاختة، و اسم أبي فاختة سعيد بن علاقة.

[Clarification of the transmission chain to Thuwair ibn Abi Fakhtah]

And whatever is narrated from Thuwair ibn Abi Fakhtah, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah, from Al-Haytham ibn Abi Masruq Al-Nahdi, from Al-Hasan ibn Mahbub, from Malik ibn Aṭiyyah, from Thuwair ibn Abi Fakhtah, whose father's name was Saʿid ibn ʿIlaqah.

[بيان الطريق إلى عيسى بن أعين]

و ما كان فيه عن عيسى بن أعين فقد رويته عن أبي- رضي اللّه عنه- عن محمّد بن أحمد بن عليّ بن الصلت، عن أبي طالب عبد اللّه بن الصلت، عن عبد اللّه بن المغيرة، عن عيسى بن أعين.

[Clarification of the transmission chain to ʿIsa ibn Aʿyan]

And whatever is narrated from ʿIsa ibn Aʿyan, I have narrated it from my father – may Allah {SWT} be pleased with him – from Muhammad ibn Ahmad ibn Ali ibn Al-Ṣalt, from Abu Ṭalib Abdullah ibn Al-Ṣalt, from Abdullah ibn Al-Mughirah, from ʿIsa ibn Aʿyan.

[بيان الطريق إلى محمّد بن حسّان]

و ما كان فيه عن محمّد بن حسّان فقد رويته عن أبي؛ و محمّد بن الحسن؛ و الحسين بن أحمد بن إدريس- رضي اللّه عنهم- عن أحمد بن إدريس، عن محمّد بن حسّان.

[Clarification of the transmission chain to Muhammad ibn Hassan]

And whatever is narrated from Muhammad ibn Hassan, I have narrated it from my father, and from Muhammad ibn Al-Hasan, and from Al-Husayn ibn Ahmad ibn Idris – may Allah {SWT} be pleased with them – from Ahmad ibn Idris, from Muhammad ibn Hassan.

[بيان الطريق إلى أحمد بن محمّد بن عيسى الأشعريّ]

و ما كان فيه عن أحمد بن محمّد بن عيسى الأشعريّ- رضي اللّه عنه- فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و عبد اللّه بن جعفر الحميريّ جميعا عن أحمد بن محمّد بن عيسى الأشعريّ.

[Clarification of the transmission chain to Ahmad ibn Muhammad ibn ʿIsa Al-Ashari]

And whatever is narrated from Ahmad ibn Muhammad ibn ʿIsa Al-Ashari – may Allah {SWT} be pleased with him – I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah and Abdullah ibn Jafar Al-Himyari together, from Ahmad ibn Muhammad ibn ʿIsa Al-Ashari.

[بيان الطريق إلى عمر بن أبي شعبة]

و ما كان فيه عن عمر بن أبي شعبة فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن محمّد بن يحيى، عن محمّد بن الحسين بن أبي الخطّاب، عن جعفر بن بشير، عن حمّاد بن عثمان، عن عمر بن أبي شعبة الحلبيّ.

[Clarification of the transmission chain to Umar ibn Abi Shuʿbah]

And whatever is narrated from Umar ibn Abi Shuʿbah, I have narrated it from Muhammad ibn Ali Majilawayh – may Allah {SWT} be pleased with him – from Muhammad ibn Yahya, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Jafar ibn Bashir, from Hammad ibn Uthman, from Umar ibn Abi Shuʿbah Al-Halabi.

[بيان الطريق إلى عمر بن قيس الماصر]

و ما كان فيه عن عمر بن قيس الماصر فقد رويته عن أبي؛ و محمّد بن الحسن- رحمهما اللّه- عن سعد بن عبد اللّه، عن أحمد بن أبي عبد اللّه البرقيّ، عن أبيه، عن محمّد بن سنان و غيره، عن عمر بن قيس الماصر.

[Clarification of the transmission chain to Umar ibn Qays Al-Maṣir]

And whatever is narrated from Umar ibn Qays Al-Maṣir, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} have mercy on them – from Saʿd ibn Abdullah, from Ahmad ibn Abi Abdillah Al-Barqi, from his father, from Muhammad ibn Sinan and others, from Umar ibn Qays Al-Maṣir.

[بيان الطريق إلى أبي سعيد الخدريّ من وصيّة النبيّ صلّى اللّه عليه و آله لعليّ عليه السّلام]

و ما كان فيه عن أبي سعيد الخدريّ من وصيّة النبيّ صلّى اللّه عليه و آله لعليّ عليه السّلام- التي أوّلها «يا عليّ إذا دخلت العروس بيتك»- فقد رويته عن محمّد بن إبراهيم بن إسحاق الطالقانيّ- رضي اللّه عنه- عن أبي سعيد الحسن بن عليّ العدويّ، عن يوسف بن يحيى الأصبهانيّ أبي يعقوب، عن أبي عليّ إسماعيل بن حاتم قال:

حدّثنا أبو جعفر أحمد بن صالح بن سعيد المكّيّ قال: حدّثنا عمر [و] بن حفص، عن إسحاق بن نجيح، عن حصيف، عن مجاهد، عن أبي سعيد الخدريّ قال: أوصى رسول- اللّه صلّى اللّه عليه و آله إلى عليّ بن أبي طالب عليه السّلام فقال: يا عليّ إذا دخلت العروس بيتك- و ذكر الحديث بطوله على ما في هذا الكتاب.

[Clarification of the transmission chain to Abu Saʿid Al-Khudri regarding the will of the Prophet, peace and blessings be upon him and his family, to Ali, peace be upon him]

And whatever is narrated from Abu Saʿid Al-Khudri regarding the will of the Prophet, peace and blessings be upon him and his family, to Ali, peace be upon him, which begins with the statement: "O' Ali, when the bride enters your house," I have narrated it from Muhammad ibn Ibrahim ibn Ishaq Al-Ṭalqani – may Allah {SWT} be pleased with him – from Abu Saʿid Al-Hasan ibn Ali Al-Adawi, from Yusuf ibn Yahya Al-Aṣbahani Abu Yaʿqub, from Abu Ali Ismaʿil ibn Hatim.

Abu Jafar Ahmad ibn Ṣalih ibn Saʿid Al-Makki narrated to us, who said: Umar ibn Hafṣ narrated to us, from Ishaq ibn Najih, from Huṣayf, from Mujahid, from Abu Saʿid Al-Khudri, who said: The Messenger of Allah {SWT}, peace and blessings be upon him and his family, entrusted his will to Ali ibn Abi Ṭalib, peace be upon him, and said: "O' Ali, when the bride enters your house," and he narrated the hadith in its entirety as recorded in this book.

[بيان الطريق إلى عليّ بن حسّان]

و ما كان فيه عن عليّ بن حسّان فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن عليّ بن حسّان الواسطيّ؛ و رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن الحسن بن موسى الخشّاب، عن عليّ بن حسان الواسطيّ.

[Clarification of the transmission chain to Ali ibn Hassan]

And whatever is narrated from Ali ibn Hassan, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Muhammad ibn Al-Hasan Al-Ṣaffar, from Ali ibn Hassan Al-Wasiṭi. And I have also narrated it from my father – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Al-Hasan ibn Musa Al-Khashshab, from Ali ibn Hassan Al-Wasiṭi.

[بيان الطريق إلى إسماعيل بن مهران من كلام فاطمة عليها السّلام]

و ما كان فيه عن إسماعيل بن مهران من كلام فاطمة عليها السّلام فقد رويته عن محمّد بن موسى بن المتوكّل- رضي اللّه عنه- عن عليّ بن الحسين السعدآباديّ، عن أحمد بن محمّد بن خالد البرقيّ، عن أبيه، عن إسماعيل بن مهران، عن أحمد بن محمّد الخزاعيّ، عن محمّد بن جابر، عن عبّاد العامريّ، عن زينب بنت أمير المؤمنين عليهما السّلام، عن فاطمة عليها السّلام.

[Clarification of the transmission chain to Ismaʿil ibn Mihran regarding the words of Faṭimah, peace be upon her]

And whatever is narrated from Ismaʿil ibn Mihran regarding the words of Faṭimah, peace be upon her, I have narrated it from Muhammad ibn Musa ibn Al-Mutawakkil – may Allah {SWT} be pleased with him – from Ali ibn Al-Husayn Al-Saʿdaʾbadi, from Ahmad ibn Muhammad ibn Khalid Al-Barqi, from his father, from Ismaʿil ibn Mihran, from Ahmad ibn Muhammad Al-Khuzaʿi, from Muhammad ibn Jabir, from Abbad Al-Amiri, from Zaynab, the daughter of Amir Al-Muʾminin, peace be upon them, from Faṭimah, peace be upon her.

[بيان الطريق إلى شعيب بن واقد في المناهي]

و ما كان فيه عن شعيب بن واقد في المناهي فقد رويته عن حمزة بن محمّد بن أحمد ابن جعفر بن محمّد بن زيد بن عليّ بن الحسين بن عليّ بن أبي طالب عليهم السّلام قال: حدّثني أبو عبد اللّه عبد العزيز بن محمّد بن عيسى الأبهريّ قال: حدّثنا أبو عبد اللّه محمّد بن زكريّا الجوهريّ الغلابيّ البصريّ قال: حدّثنا شعيب بن واقد قال: حدّثنا الحسين بن زيد، عن الصادق جعفر بن محمّد، عن أبيه، عن آبائه، عن أمير المؤمنين عليّ بن أبي- طالب عليهم السّلام قال: نهى رسول اللّه صلّى اللّه عليه و آله عن الأكل على الجنابة و قال: إنّه يورث الفقر و ذكر الحديث بطوله كما في هذا الكتاب.

[Clarification of the transmission chain to Shuayb ibn Waqid regarding the prohibitions]

And whatever is narrated from Shuayb ibn Waqid regarding the prohibitions, I have narrated it from Hamzah ibn Muhammad ibn Ahmad ibn Jafar ibn Muhammad ibn Zayd ibn Ali ibn Al-Husayn ibn Ali ibn Abi Ṭalib, peace be upon them, who said: Abu Abdullah Abd Al-Aziz ibn Muhammad ibn ʿIsa Al-Abhari narrated to me, who said: Abu Abdullah Muhammad ibn Zakariya Al-Jawhari Al-Ghallabi Al-Baṣri narrated to us, who said: Shuayb ibn Waqid narrated to us, who said: Al-Husayn ibn Zayd narrated to us, from Al-Ṣadiq Jafar ibn Muhammad, from his father, from his forefathers, from Amir Al-Muʾminin Ali ibn Abi Ṭalib, peace be upon him, who said: The Messenger of Allah {SWT}, peace and blessings be upon him and his family, forbade eating while in a state of major ritual impurity (janabah) and said that it causes poverty, and he narrated the hadith in its entirety as recorded in this book.

[بيان الطريق إلى عليّ بن إسماعيل الميثميّ]

و ما كان فيه عن عليّ بن إسماعيل الميثميّ فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن صفوان بن يحيى، عن عليّ بن إسماعيل الميثميّ.

[Clarification of the transmission chain to Ali ibn Ismaʿil Al-Mithami]

And whatever is narrated from Ali ibn Ismaʿil Al-Mithami, I have narrated it from my father – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Ṣafwan ibn Yahya, from Ali ibn Ismaʿil Al-Mithami.

[بيان الطريق إلى يعقوب بن يزيد]

و ما كان فيه عن يعقوب بن يزيد فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، و عبد اللّه بن جعفر الحميريّ؛ و محمّد بن يحيى العطّار و أحمد بن إدريس- رضي اللّه عنهم- عن يعقوب بن يزيد.

[Clarification of the transmission chain to Yaʿqub ibn Yazid]

And whatever is narrated from Yaʿqub ibn Yazid, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah, and Abdullah ibn Jafar Al-Himyari, and Muhammad ibn Yahya Al-Aṭṭar, and Ahmad ibn Idris – may Allah {SWT} be pleased with them – from Yaʿqub ibn Yazid.

[بيان الطريق إلى الحسن بن عليّ بن النعمان]

و ما كان فيه عن الحسن بن عليّ بن النعمان فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن الحسن بن عليّ بن النعمان.

[Clarification of the transmission chain to Al-Hasan ibn Ali ibn Al-Nuʿman]

And whatever is narrated from Al-Hasan ibn Ali ibn Al-Nuʿman, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah, from Al-Hasan ibn Ali ibn Al-Nuʿman.

[بيان الطريق إلى عبد الحميد]

و ما كان فيه عن عبد الحميد فقد رويته عن محمّد بن عليّ ماجيلويه- رضي اللّه عنه- عن عمّه محمّد بن أبي القاسم، عن محمّد بن عليّ القرشيّ، عن إسماعيل بن بشّار عن أحمد بن حبيب، عن الحكم الخيّاط، عن عبد الحميد الأزديّ.

[Clarification of the transmission chain to Abd Al-Hamid]

And whatever is narrated from Abd Al-Hamid, I have narrated it from Muhammad ibn Ali Majilawayh – may Allah {SWT} be pleased with him – from his uncle Muhammad ibn Abi Al-Qasim, from Muhammad ibn Ali Al-Qurashi, from Ismaʿil ibn Bashshar, from Ahmad ibn Habib, from Al-Hakam Al-Khayyaṭ, from Abd Al-Hamid Al-Azdi.

[بيان الطريق إلى سلمة بن تمام صاحب أمير المؤمنين عليه السّلام]

و ما كان فيه عن سلمة بن تمام صاحب أمير المؤمنين عليه السّلام.

[Clarification of the transmission chain to Salamah ibn Tammam, the companion of Amir Al-Muʾminin, peace be upon him]

And whatever is narrated from Salamah ibn Tammam, the companion of Amir Al-Muʾminin, peace be upon him, I have narrated it from my father – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Ahmad ibn Muhammad ibn ʿIsa, from Al-Husayn ibn Saʿid, from Hammad ibn ʿIsa, from Hariz, from Salamah ibn Tammam, the companion of Amir Al-Muʾminin, peace be upon him.

[بيان الطريق إلى محمّد بن أسلم الجبليّ]

و ما كان فيه عن محمّد بن أسلم الجبليّ فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن الحسن بن متّيل، عن محمّد بن حسّان الرّازيّ، عن محمّد بن زيد الرّزاميّ خادم الرضا عليه السلام عن محمّد بن أسلم الجبليّ. و رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن محمّد بن الحسين بن أبي الخطّاب، عن محمّد بن أسلم الجبليّ.

[Clarification of the transmission chain to Muhammad ibn Aslam Al-Jabali]

And whatever is narrated from Muhammad ibn Aslam Al-Jabali, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Al-Hasan ibn Matil, from Muhammad ibn Hassan Al-Razi, from Muhammad ibn Zayd Al-Razzami, the servant of Al-Riḍa, peace be upon him, from Muhammad ibn Aslam Al-Jabali. And I have also narrated it from my father – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, from Muhammad ibn Aslam Al-Jabali.

[بيان الطريق إلى محمّد بن يعقوب الكلينيّ]

و ما كان فيه عن محمّد بن يعقوب الكلينيّ- رحمة اللّه عليه- فقد رويته عن محمّد بن محمّد بن عصام الكلينيّ؛ و عليّ بن أحمد بن موسى؛ و محمّد بن أحمد السنانيّ- رضي اللّه عنهم- عن محمّد بن يعقوب الكلينيّ؛ و كذلك جميع كتاب الكافي فقد رويته عنهم عنه عن رجاله.

[Clarification of the transmission chain to Muhammad ibn Yaʿqub Al-Kulayni]

And whatever is narrated from Muhammad ibn Yaʿqub Al-Kulayni – may Allah {SWT} have mercy on him – I have narrated it from Muhammad ibn Muhammad ibn Aṣam Al-Kulayni, and Ali ibn Ahmad ibn Musa, and Muhammad ibn Ahmad Al-Sanani – may Allah {SWT} be pleased with them – from Muhammad ibn Yaʿqub Al-Kulayni. And likewise, the entire book of Al-Kafi, I have narrated it from them from him, through his transmitters.

[بيان الطريق إلى محمّد بن الحسين بن أبي الخطّاب]

و ما كان فيه عن محمّد بن الحسين بن أبي الخطّاب فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه؛ و الحميريّ؛ و محمّد بن يحيى، و أحمد ابن إدريس جميعا عن محمّد بن الحسين بن أبي الخطّاب الزّيّات، و اسم أبي الخطّاب زيد.

[Clarification of the transmission chain to Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab]

And whatever is narrated from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah, and Al-Himyari, and Muhammad ibn Yahya, and Ahmad ibn Idris, all together from Muhammad ibn Al-Husayn ibn Abi Al-Khaṭṭab Al-Zayyat, whose father's name was Zayd.

[بيان الطريق إلى العبّاس بن معروف]

و ما كان فيه عن العبّاس بن معروف فقد رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن العبّاس بن معروف. و قد رويته عن أبي- رحمه اللّه- عن سعد بن عبد اللّه، عن أحمد بن محمّد بن عيسى؛ و أحمد بن أبي عبد اللّه البرقيّ جميعا عن العبّاس بن معروف.

[Clarification of the transmission chain to Al-Abbas ibn Maʿruf]

And whatever is narrated from Al-Abbas ibn Maʿruf, I have narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Muhammad ibn Al-Hasan Al-Ṣaffar, from Al-Abbas ibn Maʿruf. And I have also narrated it from my father – may Allah {SWT} have mercy on him – from Saʿd ibn Abdullah, from Ahmad ibn Muhammad ibn ʿIsa and Ahmad ibn Abi Abdillah Al-Barqi together, from Al-Abbas ibn Maʿruf.

[بيان الطريق إلى معاوية بن حكيم]

و ما كان فيه عن معاوية بن حكيم فقد رويته عن أبي، و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن معاوية بن حكيم. و رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن معاوية بن حكيم.

[Clarification of the transmission chain to Muawiyah ibn Hakim]

And whatever is narrated from Muawiyah ibn Hakim, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah, from Muawiyah ibn Hakim. And I have also narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Muhammad ibn Al-Hasan Al-Ṣaffar, from Muawiyah ibn Hakim.

[بيان الطريق إلى أبي الجوزاء]

و ما كان فيه عن أبي الجوزاء فقد رويته عن أبي؛ و محمّد بن الحسن- رضي اللّه عنهما- عن سعد بن عبد اللّه، عن أبي الجوزاء المنبّه بن عبد اللّه. و رويته عن محمّد بن الحسن- رضي اللّه عنه- عن محمّد بن الحسن الصفّار، عن أبي الجوزاء.

[Clarification of the transmission chain to Abu Al-Jawzaʾ]

And whatever is narrated from Abu Al-Jawzaʾ, I have narrated it from my father and from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with them – from Saʿd ibn Abdullah, from Abu Al-Jawzaʾ Al-Munabbih ibn Abdullah. And I have also narrated it from Muhammad ibn Al-Hasan – may Allah {SWT} be pleased with him – from Muhammad ibn Al-Hasan Al-Ṣaffar, from Abu Al-Jawzaʾ.

[بيان الطريق إلى حمدان بن الحسين]

و ما كان فيه عن حمدان بن الحسين فقد رويته عن عليّ بن حاتم إجازة قال: أخبرنا القاسم بن محمّد قال: حدّثنا حمدان بن الحسين.

[Clarification of the transmission chain to Hamdan ibn Al-Husayn]

And whatever is narrated from Hamdan ibn Al-Husayn, I have narrated it from Ali ibn Hatim by authorization, who said: Al-Qasim ibn Muhammad informed us, who said: Hamdan ibn Al-Husayn narrated to us.

[بيان الطريق إلى حمّاد بن عمرو؛ و أنس بن محمّد في وصيّة النبيّ ص لأمير المؤمنين ع]

و ما كان فيه عن حمّاد بن عمرو؛ و أنس بن محمّد في وصيّة النبيّ صلّى اللّه عليه و آله لأمير- المؤمنين عليه السّلام فقد رويته عن محمّد بن عليّ الشاء بمروالرّود قال: حدّثنا أبو حامد أحمد بن محمّد بن أحمد بن الحسين قال: حدّثنا أبو يزيد أحمد بن خالد الخالديّ قال:

حدّثنا محمّد بن أحمد بن صالح التميميّ قال: أخبرنا أبي: أحمد بن صالح التّميميّ قال أخبرنا محمّد بن حاتم القطّان، عن حمّاد بن عمرو، عن جعفر بن محمّد، عن أبيه، عن جدّه، عن عليّ بن أبي طالب عليهم السّلام. و رويته أيضا عن محمّد بن عليّ الشاه قال: حدّثنا أبو حامد قال: أخبرنا أبو يزيد قال: أخبرنا محمّد بن أحمد بن صالح التميميّ قال:

حدّثنا أبي قال: حدّثني أنس بن محمّد أبو مالك، عن أبيه، عن جعفر بن محمّد، عن أبيه، عن جدّه، عن عليّ بن أبي طالب عليهم السّلام عن النبيّ صلّى اللّه عليه و آله قال له: يا عليّ أوصيك بوصيّة فاحفظها فلا تزال بخير ما حفظت وصيّتي- و ذكر الحديث بطوله.

[Clarification of the transmission chain to Hammad ibn Amr and Anas ibn Muhammad regarding the will of the Prophet, peace and blessings be upon him and his family, to the Commander of the Faithful, peace be upon him]

And what has been narrated from Hammad bin Amr and Anas bin Muhammad in the will of the Prophet, peace and blessings be upon him and his family, to the Commander of the Faithful, peace be upon him, I have narrated it from Muhammad bin Ali Al-Sha' at Marw Al-Rudh, who said: Abu Hamid Ahmad bin Muhammad bin Ahmad bin Al-Husayn told us, who said: Abu Yazid Ahmad bin Khalid Al-Khalidi told us, who said:

Muhammad bin Ahmad bin Salih Al-Tamimi told us, who said: My father, Ahmad bin Salih Al-Tamimi, informed us, who said: Muhammad bin Hatim Al-Qattan informed us, from Hammad bin Amr, from Ja'far bin Muhammad, from his father, from his grandfather, from Ali bin Abi Talib, peace be upon them. And I have also narrated it from Muhammad bin Ali Al-Shah, who said: Abu Hamid told us, who said: Abu Yazid informed us, who said: Muhammad bin Ahmad bin Salih Al-Tamimi informed us, who said:

My father told us, who said: Anas bin Muhammad Abu Malik told me, from his father, from Ja'far bin Muhammad, from his father, from his grandfather, from Ali bin Abi Talib, peace be upon them, from the Prophet, peace and blessings be upon him and his family, who said to him: O' Ali, I advise you with a will, so preserve it, for you will remain in goodness as long as you preserve my will. And he mentioned the entire narration.

[بيان الطريق إلى أحمد بن محمّد بن سعيد الهمدانيّ]

و ما كان فيه عن أحمد بن محمّد بن سعيد الهمدانيّ فقد رويته عن محمّد بن إبراهيم ابن إسحاق الطالقانيّ- رضي اللّه عنه- عن أحمد بن محمّد بن سعيد الهمدانيّ الكوفيّ مولى بني هاشم.

[Clarification of the transmission chain to Ahmad ibn Muhammad ibn Saʿid Al-Hamadani]

And whatever is narrated from Ahmad ibn Muhammad ibn Saʿid Al-Hamadani, I have narrated it from Muhammad ibn Ibrahim ibn Ishaq Al-Ṭalqani – may Allah {SWT} be pleased with him – from Ahmad ibn Muhammad ibn Saʿid Al-Hamadani Al-Kufi, the freed slave of Banu Hashim.

[بيان الطريق إلى المعلّى بن محمّد البصريّ]

و ما كان فيه عن المعلّى بن محمّد البصريّ فقد رويته عن أبي؛ و محمّد بن الحسن؛ و جعفر بن محمّد بن مسرور- رضي اللّه عنهم- عن الحسين بن محمّد بن عامر، عن المعلّى ابن محمّد البصريّ.

[Clarification of the transmission chain to Al-Mualla ibn Muhammad Al-Baṣri]

And whatever is narrated from Al-Mualla ibn Muhammad Al-Baṣri, I have narrated it from my father, and from Muhammad ibn Al-Hasan, and from Jafar ibn Muhammad ibn Masrur – may Allah {SWT} be pleased with them – from Al-Husayn ibn Muhammad ibn Amir, from Al-Mualla ibn Muhammad Al-Baṣri.

[بيان الطريق إلى عبد الواحد بن محمّد بن عبدوس النيسابوريّ]

و ما كان فيه عن عبد الواحد بن محمّد بن عبدوس النيسابوريّ فقد رويته عنه.

[Clarification of the transmission chain to Abd Al-Wahid ibn Muhammad ibn Abdus Al-Nisaburi]

And whatever is narrated from Abd Al-Wahid ibn Muhammad ibn Abdus Al-Nisaburi, I have narrated it from him.

[بيان الطريق إلى سعد بن طريف الخفّاف]

و ما كان فيه عن سعد بن طريف الخفّاف فقد رويته عن أبي- رضي اللّه عنه- عن سعد بن عبد اللّه، عن الهيثم بن أبي مسروق النّهديّ، عن الحسين بن علوان، عن عمرو بن ثابت، عن سعد بن طريف الخفّاف.

[Clarification of the transmission chain to Saʿd ibn Ṭarif Al-Khiffaf]

And whatever is narrated from Saʿd ibn Ṭarif Al-Khiffaf, I have narrated it from my father – may Allah {SWT} be pleased with him – from Saʿd ibn Abdullah, from Al-Haytham ibn Abi Masruq Al-Nahdi, from Al-Husayn ibn Alwan, from Amr ibn Thabit, from Saʿd ibn Ṭarif Al-Khiffaf.

تمّت أسانيد كتاب من لا يحضره الفقيه بحمد اللّه و منّه، و الصّلاة على محمّد و آله الطاهرين.

The chains of transmission for the book Man La Yaḥḍuruhu Al-Faqih have been completed by the grace and favor of Allah {SWT}, and blessings be upon Muhammad and his pure family.

يقول محمّد بن عليّ بن [الحسين بن] موسى بن بابويه القمّيّ مصنّف هذا الكتاب:

قد سمع السّيّد الشّريف الفاضل أبو عبد اللّه محمّد بن الحسن العلويّ الموسويّ المدينيّ المعروف بنعمة- أدام اللّه تأييده و توفيقه و تسديده- هذا الكتاب من أوّله إلى آخره بقراءتي عليه، و رويته عن مشايخي المذكورين و ذلك بأرض بلخ من ناحية إيلاق، و كتبت بخطّي حامدا للّه و شاكرا و على محمّد و آله مصلّيا و مسلّما، آمين يا ربّ العالمين.

Muhammad ibn Ali ibn Al-Husayn ibn Musa ibn Babawayh Al-Qummi, the author of this book, says:

The noble, virtuous Sayyid Abu Abdullah Muhammad ibn Al-Hasan Al-Alawi Al-Mousawi Al-Madani, known as Ni'mah - may Allah {SWT} continue to support, grant success, and guide him - has heard this book from beginning to end as I recited it to him, and I have narrated it from my mentioned teachers.

This took place in the land of Balkh, in the region of Ilagh. I have written this with my own hand, praising Allah {SWT} and expressing gratitude, and sending prayers and peace upon Muhammad and his family. Ameen, O' Lord {AZJ} of the worlds.

COMPLETION OF VOLUME FOUR

والحمد لله {عز وجل} رب العالمين

Praise be to Allah {SWT}, the Lord {AZJ} of the worlds.

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القمي، قدس الله روحه ونور الله قبره

نقدم جهودنا في هذا التجميع في خدمة إمامنا الزمان، الإمام محمد بن الحسن
المهدي؛ القائم؛ الحجة؛ المنتظر؛ الخلف الصالح؛ الموعود؛ بقية الله؛ صاحب الزمان
وأسلافه المعصومين. والحمد لله رب العالمين،
والصلاة والسلام على سيدنا النبي محمد وعلى ذريته الطاهرة،
وخليفته أمير المؤمنين الإمام علي بن أبي طالب

هنا نختتم كلمتنا في هذا الجزء الرابع – الطبعة الأولى [2025]،
والحمد لله {عز وجل} رب العالمين

English translation of Volume 4 – Edition 1 [2025] of the book "Man La Yahduruhu Al Faqih" has been completed, authored by Shaykh Al-Saeed Abu Ja'far Muhammad ibn Ali ibn Al-Hussain ibn Musa ibn Babawayh Al-Qummi, may Allah {SWT} sanctify his soul and illuminate his grave.

We present our translational efforts in the service of our Imam al-Zaman, Imam Muhammad ibn Hassan Al-Mahdi; Al-Qa'im; Al-Hujjah; Al-Muntazar; Al-Khalaf al-Salih; Al-Maw'ud; Baqiyatullah; Sahib al-Zaman and His Infallible Forefathers.
And praise be to Allah {SWT}, the Lord {AZJ} of the worlds, and blessings [and peace] be upon our Masters Prophet Muhammad {saws} and his pure progeny, and his successor, the Commander of the Faithful Imam Ali ibn Abi Talib {a.s}.

Here we conclude our word on this Volume 4 – Edition 1 [2025].
Praise be to Allah {SWT}, the Lord {AZJ} of the worlds.



حيدر علي شيخ بن محمد

اللَّهُمَّ صَلِّ عَلَىٰ فَاطِمَةَ وَأَبِيهَا وَبَعْلِهَا وَبَنِيهَا وَالسِّرِّ الْمُسْتَوْدَعِ فِيهَا بِعَدَدِ مَا أَحَاطَ بِهِ عِلْمُكَ
يَا اللّٰهُ. يَا اللّٰهُ. يَا اللّٰهُ. يَا اللّٰهُ. يَا اللّٰهُ. يَا اللّٰهُ. يَا اللّٰهُ

Ya Allah {SWT} - Ya Ar-Rahmaan (The Beneficent) & Ar-Raheem (The Merciful), Ya Dhul-Jalaali-Wal-Ikram.

Ya Allah {SWT} - You are Al-Maajid (The Illustrious, the Magnificent) & Al-Mumeet (The Creator of Death);
by the waseelah of Mohammad Al Mustafa {saws}

Ya Allah {SWT} - You are Al-Awwal (The First) & Al-Akhir (The Last);
by the waseelah of Ali Al Murtadha {a.s}

Ya Allah {SWT} - You are Al-Fattaah (Chief Judge) & Al Fatiras-Samawati wal-ardh (Maker of Heavens & Earth);
by the waseelah of Fatima tuz Zahra {s.a}

Ya Allah {SWT} - You are Al-Haleem (The Most Forbearing) & Al-Hakeem (The All Wise);
by the waseelah of Hassan Al Mujtaba {a.s}

Ya Allah {SWT} - You are Al-Haq (The Absolute Truth) & Al-Hameed (The Praiseworthy);
by the waseelah of Hussain Ash-Shaheed {a.s}

Ya Allah {SWT} - You are Al-Mu'izz (The Honourer and Bestower) & Al-Muzil (The Dishonourer);
by the waseelah of Zain Al Abideen {a.s}

Ya Allah {SWT} - You are Al-Baqee (The Everlasting) & Al-Badee (The Incomparable Originator);
by the waseelah of Baqir Al Uloom {a.s}

Ya Allah {SWT} - You are Al-Jaami (The Gatherer & The Uniter) & Al-Jaleel (The Majestic);
by the waseelah of Jafar Al Sadiq {a.s}

Ya Allah {SWT} - You are Al-Khabeer (The All Aware) & Al-Kabeer (The Most Greatest);
by the waseelah of Musa Al Kadhim {a.s}

Ya Allah {SWT} - You are Ar-Ra'oof (The Most Kind) & Ar-Razzaq (The Provider);
by the waseelah of Ali Ibn Musa Ar Ridha {a.s}

Ya Allah {SWT} - You are At-Tawwab (The Ever Pardoning) & Al-Lateef (The Subtle One, The Most Gentle);
by the waseelah of Mohammad Taqi Al Jawad {a.s}

Ya Allah {SWT} - You are Al-Haseeb (The Reckoner) & Al-Hafeedh (The Preserver);
by the waseelah of Ali Naqi Al Hadi {a.s}

Ya Allah {SWT} - You are Al-Ahad (The Unique, The Only One) & Al-Alee (The Most High, The Exalted);
by the waseelah of Hassan Al Askari {a.s}

Ya Allah {SWT} - You are Malik-Ul-Mulk (Master of Kingdom, Owner of Dominion) & Al-Muntaqim (Avenger);
by the waseelah of Mohammad Al Mahdi Al Muntazar {ajf}

رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً وَفِي الْآخِرَةِ حَسَنَةً وَقِنَا عَذَابَ النَّارِ – بِحَقِّ مُحَمَّدٍ وَآلِ مُحَمَّدٍ

Rabbana atina fid dunya hasanatan wa fil Aakhirati hasanatan waqina 'adhaban-nar – behaqqe Muhamadin wa Alay Muhammad

"O' our Lord, grant us good in this world and good in the Hereafter, and save us from the punishment of the Fire – by the right and status of Muhammad {saws} and the Family of Muhammad {saws}."

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Man La Yahduruhu Al-Faqih

VOLUME 4



BAB UL QAIM
PUBLICATIONS