

# الكافي

## AL-KAFI

ج 4

Volume 4

للمحدّث الجليل والعالم الفقيه الشيخ محمد بن يعقوب الكليني المعروف بثقة  
الإسلام الكليني المتوفى سنة 329 هجرية

Of the majestic narrator and the scholar, the jurist, the Sheykh  
Muhammad Bin Yaqoub Al-Kulayni

Well known as 'The trustworthy of Al-Islam Al-Kulayni'

Who died in the year 329 H

كِتَابُ الْحَجِّ

THE BOOK OF HAJJ (6)

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ، وَصَلَّى اللَّهُ عَلَى سَيِّدِنَا مُحَمَّدٍ وَآلِهِ الطَّاهِرِينَ، وَسَلَّم تَسْلِيمًا.

In the Name of Allah<sup>azwj</sup> the Beneficent, the Merciful. The Praise is for Allah<sup>azwj</sup> Lord<sup>azwj</sup> of the Worlds, and Blessing be upon our Chief Muhammad<sup>saww</sup> and his<sup>saww</sup> Purified Progeny<sup>asws</sup>, and greetings with abundant greetings.

بَابُ مَا يَجُوزُ لِلْمُحْرَمِ قَتْلُهُ وَ مَا يَجِبُ عَلَيْهِ فِيهِ الْكَفَّارَةُ

## Chapter 97 – What is allowed for the one in *Ihraam* to kill, and what expiation is Obligated upon him with regards to it

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادِ بْنِ عَيْسَى عَنْ حَرِيْزِ عَمَّنْ أَخْبَرَهُ عَنْ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) قَالَ كُلُّ مَا خَافَ الْمُحْرَمُ عَلَى نَفْسِهِ مِنَ السَّبَاعِ وَالْحَيَّاتِ وَ غَيْرِهَا فَلْيَقْتُلْهُ فَإِنْ لَمْ يُرِدْكَ فَلَا تُرُدَّهُ .

Ali Bin Ibrahim, from his father, from Hammad Bin Isa, from Hareyz, from the one who informed him,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'Whatever the one in *Ihraams* fears upon himself from the predators, and the snakes, and such else, so let him kill it. But, if it does not intend (to attack) you, so you should not attack it'<sup>1</sup>.

عَلِيُّ عَنْ أَبِيهِ وَ مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شَادَانَ جَمِيعًا عَنِ ابْنِ أَبِي عُمَيْرٍ وَ صَفْوَانَ عَنِ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنِ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) قَالَ إِذَا أَحْرَمْتَ فَأَتَقِ قَتْلَ الدَّوَابِّ كُلِّهَا إِلَّا الْأَفْعَى وَ الْعُقْرَبَ وَ الْفَأْرَةَ فَإِنَّهَا تُوهِي السَّقَاءَ وَ تُحْرِقُ عَلَى أَهْلِ الْبَيْتِ

Ali, from his father, and Muhammad Bin Ismail, from Al Fazl Bin Sahzaan, altogether from Ibn Abu Umeyr, and Safwan, from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When you wear *Ihraam*, so fear killing the insects, all of them, except for the snake, and the scorpion, and the rat, for these tear the water containers and burn down (the house) upon the people of the house.

وَ أَمَّا الْعُقْرَبُ فَإِنَّ نَبِيَّ اللَّهِ ( صلى الله عليه وآله ) مَدَّ يَدَهُ إِلَى الْحَجَرِ فَلَسَعَنَّهُ عُقْرَبٌ فَقَالَ لَعَنَكَ اللَّهُ لَا بَرًّا تَدْعِينِ وَ لَا فَاجِرًا

And as for the scorpion, so the Prophet<sup>saww</sup> of Allah<sup>azwj</sup> extended his<sup>saww</sup> hand to the tree, and a scorpion bit him<sup>saww</sup>. So he<sup>saww</sup> said: 'May Allah<sup>azwj</sup> Curse you! Neither do you leave a righteous one nor an immoral one'.

وَ الْحَيَّةُ إِذَا أَرَادَتْكَ فَاقْتُلْهَا فَإِنْ لَمْ تُرِدْكَ فَلَا تُرُدَّهَا

And the snake, when it intends (to attack) you, so kill it. But if it does not intend (to attack) you, so do not intend (to attack it)'.

وَ الْكَلْبُ الْعُقُورُ وَ السَّبُعُ إِذَا أَرَادَكَ فَاقْتُلْهُمَا فَإِنْ لَمْ يُرِيدَاكَ فَلَا تُرُدَّهُمَا

And the vicious dog and the wild animal, when they intend (to attack) you, so kill them. But, if they do not intend (to attack) you, so do not intend (to attack) them.

<sup>1</sup> Al Kafi – V 4 – The Book of Hajj Ch 97 H 1

وَالْأَسْوَدُ الْعَدِرُ فَأَقْتُلْهُ عَلَى كُلِّ حَالٍ وَارْمِ الْعُرَابَ رَمِيًّا وَالْجِدَاةَ عَلَى ظَهْرِ بَعِيرِكَ .

And the treacherous black snake, so kill it upon every state. And the crow and the buzzard, pelt it upon the back of your camel'.<sup>2</sup>

عَلِيٌّ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ يُقْتَلُ فِي الْحَرَمِ وَالْإِحْرَامِ الْأَفْعَى وَالْأَسْوَدُ الْعَدِرُ وَكُلُّ حَبِيَّةٍ سَوَاءٍ وَالْعَقْرَبُ وَالْفَأْرَةُ وَهِيَ الْفُوَيْسِقَةُ وَيُرْجَمُ الْعُرَابُ وَالْجِدَاةُ رَجْمًا فَإِنْ عَرَضَ لَكَ لُصُوصٌ امْتَنَعْتَ مِنْهُمْ .

Ali, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'They can be killed in the *Haram* and in *Ihraam* – the snake, and the treacherous black snake, and every evil snake, and the scorpion, and the mouse and it is *Al-Fuweysiqa* rat, and the crow can be pelted, and buzzard can be pelted. So if a thief were to present himself to you, defend from them'.<sup>3</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ يَحْيَى عَنْ غِيَاثِ بْنِ إِبْرَاهِيمَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ يُقْتَلُ الْمُحْرِمُ الزُّبُورَ وَالنَّسْرَ وَالْأَسْوَدَ الْعَدِرَ وَالذَّنْبَ وَمَا خَافَ أَنْ يُعَدَّوْهُ عَلَيْهِ وَقَالَ الْكَلْبُ الْعُقُورُ هُوَ الذَّنْبُ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Muhammad Bin Yahya, from Giyas Bin Ibrahim, from his father,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The one in *Ihraam* can kill the wasp, and the eagle, and the treacherous black snake, and the wolf, and whatever he fears if it pursues him'. And he<sup>asws</sup> said: 'The vicious dog, it is the wolf'.<sup>4</sup>

عَلِيٌّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ عَنِ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ مُحْرِمٍ قَتَلَ زُبُورًا قَالَ إِنْ كَانَ خَطَأً فَلَيْسَ عَلَيْهِ شَيْءٌ فَلْتِ لَا بَلَّ مُنْعَمًا قَالَ يُطْعَمُ شَيْئًا مِنْ طَعَامِ قُلْتِ إِنَّهُ أَرَادَنِي قَالَ كُلُّ شَيْءٍ أَرَادَكَ فَأَقْتُلْهُ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Muawiya,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam* who kills a wasp. He<sup>asws</sup> said: 'If it was erroneously, so there is nothing upon him'. I said, 'No, but it was deliberate'. He<sup>asws</sup> said: 'He should feed something from the food'. I said, '(If) it intended (to attack) me?' He<sup>asws</sup> said: 'Everything which intends (to attack) you, so kill it'.<sup>5</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ أَبِي نَصْرِ عَنْ مُتَنَّى بْنِ عَبْدِ السَّلَامِ عَنْ زُرَّارَةَ عَنْ أَحَدِهِمَا ( عَلَيْهِمَا السَّلَامُ ) قَالَ سَأَلْتُهُ عَنِ الْمُحْرِمِ يَقْتُلُ الْبَقَّةَ وَالْبُرْعُوثَ إِذَا أَرَادَهُ قَالَ نَعَمْ .

A number of our companions, from Sahl Bin Ziyad, from Ahmad Bin Muhammad Bin Abu Nasr, from Musna Bin Abdul Salaam, from Zurara,

<sup>2</sup> Al Kafi – V 4 – The Book of Hajj Ch 97 H 2

<sup>3</sup> Al Kafi – V 4 – The Book of Hajj Ch 97 H 3

<sup>4</sup> Al Kafi – V 4 – The Book of Hajj Ch 97 H 4

<sup>5</sup> Al Kafi – V 4 – The Book of Hajj Ch 97 H 5

(It has been narrated) from one of the two (5<sup>th</sup> or 6<sup>th</sup> Imam<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam* (whether he can) kill the bug and the flea, when they intend (to attack) him'. He<sup>asws</sup> said: 'Yes'.<sup>6</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ وَ سَهْلِ بْنِ زِيَادٍ عَنِ الْحَسَنِ بْنِ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رَبَائِبٍ عَنْ مِسْمَعٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ الْبُرُوعُ وَالْقَنْفَذُ وَالصَّبُّ إِذَا أَمَاتَهُ الْمُحْرِمُ فِيهِ جَدِيٌّ وَالْجَدِيُّ خَيْرٌ مِنْهُ وَإِنَّمَا قُلْتُ هَذَا كَيْ يَنْكُلَ عَنْ صَيْدٍ غَيْرِهَا .

A number of our companions, from Ahmad Bin Muhammad, and Sahl Bin Ziyad, from Al Haasan Bin Mahboub, from Ali Bin Raib, from Misma'a,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The Jerboa (a rodent), and the hedgehog, and the lizard, when the one in *Ihraam* causes it to die, (the penalty) regarding it is a kid (young goat) (as an expiation); and the kid (young goat) is better than it, but rather, I<sup>asws</sup> say this in order to deter (people) from hunting other than these'.<sup>7</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادِ بْنِ عَيْسَى عَنْ حَرِيْزِ بْنِ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِنَّ الْفُرَادَ لَيْسَ مِنَ الْبَعِيرِ وَالْحَلْمَةُ مِنَ الْبَعِيرِ بِمَنْزِلَةِ الْقُمَّلَةِ مِنْ جَسَدِكَ فَلَا تُلْقَهَا وَ أَلْقِ الْفُرَادَ .

Ali Bin Ibrahim, from his father, from Hammad Bin Isa, from Hareyz,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The tick is not from the camel, and the *الحلمة* from the camel is at the status of the lice from your body. Therefore, do not cast it off, and cast off the ticks'.<sup>8</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنِ الْمُحْرِمِ يُفْرِدُ الْبَعِيرَ قَالَ نَعَمْ وَ لَا يَنْزِعُ الْحَلْمَةَ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ali Bin Al Hakam, from Ali Bin Abu Hamza, from Abu Baseer,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam* removing ticks from the camel. He<sup>asws</sup> said: 'Yes, and he cannot remove the *الحلمة*'.<sup>9</sup>

أَحْمَدُ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْعُرْزَمِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ يَقْتُلُ الْمُحْرِمُ كُلَّ مَا حَتَّيْتَهُ عَلَى نَفْسِهِ .

Ahmad, from Ali Bin Al Hakam, from Abdul Rahman Bin Al Armany,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, from his<sup>asws</sup> father<sup>asws</sup>, from Ali<sup>asws</sup> having said: 'The one in *Ihraam* can kill whatever he fears upon himself'.<sup>10</sup>

أَحْمَدُ عَنْ ابْنِ فَضَّالٍ عَنْ بَعْضِ أَصْحَابِنَا عَنْ زُرَّارَةَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ لَا بَأْسَ بِقَتْلِ الْبُرْعُوْثِ وَالْقُمَّلَةِ وَ النَّبَقَةِ فِي الْحَرَمِ .

<sup>6</sup> Al Kafi – V 4 – The Book of Hajj Ch 97 H 6

<sup>7</sup> Al Kafi – V 4 – The Book of Hajj Ch 97 H 7

<sup>8</sup> Al Kafi – V 4 – The Book of Hajj Ch 97 H 8

<sup>9</sup> Al Kafi – V 4 – The Book of Hajj Ch 97 H 9

<sup>10</sup> Al Kafi – V 4 – The Book of Hajj Ch 97 H 10

Ahmad, from Ibn Fazzal, from one of our companions, from Zurara,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'There is no problem with killing the flea, and the louse, and the bug inside the *Harram*'.<sup>11</sup>

أَحْمَدُ بْنُ مُحَمَّدٍ عَنْ أَحْمَدَ الْقَلَانِسِيِّ عَنْ أَحْمَدَ بْنِ الْوَلِيدِ عَنْ أَبَانَ عَنْ أَبِي الْجَارُودِ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) حَكَكْتُ رَأْسِي وَ أَنَا مُحْرِمٌ فَوَقَعَتْ قُمَّلَةٌ قَالَ لَا بَأْسَ قُلْتُ أَيُّ شَيْءٍ تَجْعَلُ عَلَيَّ فِيهَا قَالَ وَ مَا أَجْعَلُ عَلَيْكَ فِي قُمَّلَةٍ لَيْسَ عَلَيْكَ فِيهَا شَيْءٌ .

Ahmad Bin Muhammad, from Ahmad Al Qalanasy, from Ahmad Bin Al Waleed, from Aban, from Abu Al Jaroud who said,

'I said to Abu Abdullah<sup>asws</sup>, 'I rub my head and I am in *Ihraam*, so lice falls down'. He<sup>asws</sup> said: 'There is no problem'. I said, 'Which thing is upon me (as an expiation) with regards to it?' He<sup>asws</sup> said: 'And I<sup>asws</sup> did not make (anything to be) upon you with regards to lice. There is nothing upon you with regards to it'.<sup>12</sup>

بَابُ الْمُحْرِمِ يَذْبَحُ وَ يَحْتَشُّ لِذَاتَيْهِ

## Chapter 98 – The one in *Ihraam* slaughters (an animal) and he cuts grass for his riding animal

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادِ بْنِ عَيْسَى عَنْ حَرِيزِ بْنِ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ الْمُحْرِمُ يَذْبَحُ الْبَقْرَ وَ الْإِبِلَ وَ الْغَنَمَ وَ كُلَّ مَا لَمْ يَصْفَ مِنَ الطَّيْرِ وَ مَا أَجَلَ لِلْحَلَالِ أَنْ يَذْبَحَهُ فِي الْحَرَمِ وَ هُوَ مُحْرِمٌ فِي الْحِلِّ وَ الْحَرَمِ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad Bin Isa, from Hareyz,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The one in *Ihraam* can slaughter the cow, and the camel, and the sheep, and whatever does not array its wings from the birds, and whatever is Permissible for the one not in *Ihraam* that he slaughters inside the *Harram*, so it is also Permissible for the one in *Ihraam* (to slaughter) in the unrestricted area as well as in the *Harram* (the restricted area)'.<sup>13</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ مُوسَى بْنِ سَعْدَانَ عَنْ عَبْدِ اللَّهِ بْنِ الْقَاسِمِ عَنْ عَبْدِ اللَّهِ بْنِ سِنَانَ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) الْمُحْرِمُ يَنْحَرُ بَعِيرَهُ أَوْ يَذْبَحُ شَاتَهُ قَالَ نَعَمْ قُلْتُ لَهُ يَحْتَشُّ لِذَاتَيْهِ وَ بَعِيرِهِ قَالَ نَعَمْ وَ يَقْطَعُ مَا شَاءَ مِنَ الشَّجَرِ حَتَّى يَدْخُلَ الْحَرَمَ فَإِذَا دَخَلَ الْحَرَمَ فَلَا .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Musa Bin Sa'dan, from Abdullah Bin Al Qasim, from Abdullah Bin Sinan who said,

'I said to Abu Abdullah<sup>asws</sup>, 'Can the one in *Ihraam* sacrifice his camel, or slaughter his sheep'. He<sup>asws</sup> said: 'Yes'. I said to him<sup>asws</sup>, 'Can he cut the grass for his riding animal and his camel?' He<sup>asws</sup> said: 'Yes, and he can cut whatever he so desires to from the trees, until he enters the *Harram*. So when he enters the *Harram*, so no'.<sup>14</sup>

<sup>11</sup> Al Kafi – V 4 – The Book of Hajj Ch 97 H 11

<sup>12</sup> Al Kafi – V 4 – The Book of Hajj Ch 97 H 12

<sup>13</sup> Al Kafi – V 4 – The Book of Hajj Ch 98 H 1

<sup>14</sup> Al Kafi – V 4 – The Book of Hajj Ch 98 H 2

## بَابُ آدَبِ الْمُحْرَمِ

Chapter 99 – Disciplines of the one in *Ihraam*

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) قَالَ إِذَا حَكَكْتَ رَأْسَكَ فَحَكَّهُ حَكَاً رَفِيقاً وَ لَا تَحْكَنَّ بِالْأظْفَارِ وَ لَكِنَّ بِأَطْرَافِ الْأَصَابِعِ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ali Bin Al Hakam, from Ali Bin Abu Hamza, from Abu Baseer,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When you scratch your head, so scratch gently, and do not scratch with the nails, but with the side of your fingers'.<sup>15</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادٍ عَنْ حَرِيزٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) قَالَ إِذَا اغْتَسَلَ الْمُحْرَمُ مِنَ الْجَنَابَةِ يَصُبُّ عَلَى رَأْسِهِ وَ يُمِيزُ الشَّعْرَ بِأَنَامِلِهِ بَعْضُهُ مِنْ بَعْضٍ .

Ali Bin Ibrahim, from his father, from Hammad, from Hareyz,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When the one in *Ihraam* washes from the sexual impurity, he can pour (water) upon his head and separate the hairs by his fingers, from each other'.<sup>16</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ فَضَّالٍ عَنْ بَعْضِ أَصْحَابِنَا عَنْ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) قَالَ لَا بَأْسَ بِأَنْ يَدْخُلَ الْمُحْرَمُ الْحَمَّامَ وَ لَكِنَّ لَا يَتَدَلَّكَ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ibn Fazzal, from one of our companions,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'There is no problem with it if the one in *Ihraam* were to enter the bathhouse, but he should not massage'.<sup>17</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ مُحَمَّدِ بْنِ إِسْمَاعِيلَ عَنْ حَمَّادِ بْنِ عَيْسَى عَنْ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) قَالَ لَيْسَ لِلْمُحْرَمِ أَنْ يَلْبَسَ مِنْ دَعَاةٍ حَتَّى يَقْضِيَ إِحْرَامَهُ قُلْتُ كَيْفَ يَقُولُ قَالَ يَقُولُ يَا سَعْدُ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Muhammad Bin Ismail, from Hammad Bin Isa,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'It is not (correct) for the one in *Ihraam* that he answers by (saying), 'Labbeyk' (Here I am!), until his *Ihraam* is off'. I said, 'How should he be saying?' He<sup>asws</sup> said: 'He should be saying, '(Yes) O Sa'ad!'.<sup>18</sup>

مُحَمَّدُ بْنُ يَحْيَى وَ أَحْمَدُ بْنُ إِدْرِيسَ عَنْ مُحَمَّدِ بْنِ أَحْمَدَ عَنْ أَحْمَدَ بْنِ الْحَسَنِ عَنْ عَمْرِو بْنِ سَعِيدٍ عَنْ مُصَدِّقِ بْنِ صَدَقَةَ عَنْ عَمَّارِ بْنِ مُوسَى عَنْ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) قَالَ سَأَلْتُهُ عَنْ الْمُحْرَمِ يَتَخَلَّلُ قَالَ لَا بَأْسَ .

Muhammad Bin Yahya, and Ahmad Bin Idrees, from Muhammad Bin Ahmad, from Ahmad Bin Al Hassan, from Amro Bin Saeed, from Musaddaq Bin Sadawa, from Ammar Bin Musa,

<sup>15</sup> Al Kafi – V 4 – The Book of Hajj Ch 99 H 1

<sup>16</sup> Al Kafi – V 4 – The Book of Hajj Ch 99 H 2

<sup>17</sup> Al Kafi – V 4 – The Book of Hajj Ch 99 H 3

<sup>18</sup> Al Kafi – V 4 – The Book of Hajj Ch 99 H 4



(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam*, whether he can pick (clean) his teeth'. He<sup>asws</sup> said: 'There is no problem'.<sup>19</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) الْمُحْرِمُ يَسْتَاكُ قَالَ نَعَمْ قُلْتُ فَإِنْ أَدْمَى يَسْتَاكُ قَالَ نَعَمْ هُوَ مِنَ السُّنَّةِ وَرُوِيَ أَيْضًا لَا يَسْتَدْمِي .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Muawiya who said,

'I said to Abu Abdullah<sup>asws</sup>, 'The one in *Ihraam*, can he brush his teeth?' He<sup>asws</sup> said: 'Yes'. I said, 'Supposing he brushes his teeth habitually (frequently)?' He<sup>asws</sup> said: 'Yes, it is from the Sunnah'. And it is reported that that he should not bleed.<sup>20</sup>

حُمَيْدُ بْنُ زِيَادٍ عَنِ ابْنِ سَمَاعَةَ عَنْ غَيْرِ وَاحِدٍ عَنْ أَبَانَ عَنْ زُرَّارَةَ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) هَلْ يَحْكُ الْمُحْرِمُ رَأْسَهُ وَ يَغْتَسِلُ بِالْمَاءِ قَالَ يَحْكُ رَأْسَهُ مَا لَمْ يَتَعَمَّدْ قَتْلَ دَابَّةٍ وَ لَا بَأْسَ بِأَنْ يَغْتَسِلَ بِالْمَاءِ وَ يَصُبُّ عَلَى رَأْسِهِ مَا لَمْ يَكُنْ مُلَبِّدًا فَإِنْ كَانَ مُلَبِّدًا فَلَا يُفِيضُ عَلَى رَأْسِهِ الْمَاءَ إِلَّا مِنَ الْإِحْتِلَامِ .

Humeyd Bin Ziyad, from Ibn Sama'at, from someone else, from Aban, from Zurara who said,

'I asked Abu Abdullah<sup>asws</sup> about the one in *Ihraam*, if he can scratch his head and wash (his head) with the water?' He<sup>asws</sup> said: 'He can scratch his head for as long as he does not intend killing the insects; and there is no problem with him washing with the water, and he can pour upon his head for as long as he does not happen to have applied 'talbid' (lice powder). So, if he was such, having applied lice powder, so he should not pour the water upon his head, except if (after becoming impure) due to wet-dream'.<sup>21</sup>

الْحُسَيْنُ بْنُ مُحَمَّدٍ عَنْ مُعَلَّى بْنِ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ عَلِيٍّ عَنْ حَمَادِ بْنِ عُمَانَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ يُكْرَهُ الْإِحْتِبَاءُ لِلْمُحْرِمِ وَ يُكْرَهُ فِي الْمَسْجِدِ الْحَرَامِ .

Al Husayn Bin Muhammad, from Moalla Bin Muhammad, from Al Hassan Bin Ali, from Hammad Bin Usman,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The squatting (الإحْتِبَاءُ) is disliked for the one in *Ihraam*, and it is disliked in the Sacred Masjid'.<sup>22</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنْ حَنْصَلِ بْنِ الْبَحْتَرِيِّ عَنْ أَبِي حَلَّالِ الرَّازِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ رَجُلَيْنِ اقْتَتَلَا وَ هُمَا مُحْرِمَانِ قَالَ سُبْحَانَ اللَّهِ بِنَسِّ مَا صَنَعَا قُلْتُ قَدْ فَعَلَا فَمَا الَّذِي يَلْزَمُهُمَا قَالَ عَلَى كُلِّ وَاحِدٍ مِنْهُمَا دَمٌ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ali Bin Al Hakam, from Hafsa Bin Bakhtary, from Abu Hallal Al Razy,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the two men (pushing and) pulling each other, and they were both in *Ihraam*. He<sup>asws</sup> said: 'Glory be to Allah<sup>azwj</sup>! Evil is what they have both done'. I said, 'They have done it. So

<sup>19</sup> Al Kafi – V 4 – The Book of Hajj Ch 99 H 5

<sup>20</sup> Al Kafi – V 4 – The Book of Hajj Ch 99 H 6

<sup>21</sup> Al Kafi – V 4 – The Book of Hajj Ch 99 H 7

<sup>22</sup> Al Kafi – V 4 – The Book of Hajj Ch 99 H 8

what is that which necessitates the two of them?' He<sup>asws</sup> said: 'Upon each one of them is blood (of a sacrificial animal)'.<sup>23</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْعَمْرِيِّ بْنِ عَلِيِّ بْنِ عَلِيٍّ عَنِ ابْنِ جَعْفَرٍ عَنْ أَخِيهِ أَبِي الْحَسَنِ ( عليه السلام ) قَالَ سَأَلْتُهُ عَنِ الْمُحْرِمِ يُصَارِعُ هَلْ يَصْلُحُ لَهُ قَالَ لَا يَصْلُحُ لَهُ مَخَافَةٌ أَنْ يُصِيبَهُ جِرَاحٌ أَوْ يَقَعَ بَعْضُ شَعْرِهِ .

Muhammad in Yahya, from Ahmad Bin Muhammad, from Al Amraky Bin Ali,

(It has been narrated) from Ali son of Ja'far<sup>asws</sup>, from his brother<sup>asws</sup>, Abu Al-Hassan<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam* grappling (with someone). Is it correct for him to do so?' He<sup>asws</sup> said: 'It is not correct for him out of fear that an injury might hit him, or some of his hair might fall off'.<sup>24</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنِ الْحَسَنِ بْنِ عَلِيِّ الْكُوفِيِّ عَنِ الْعَبَّاسِ بْنِ عَامِرٍ عَنْ عَبْدِ اللَّهِ بْنِ جَبَلَةَ عَنْ عَبْدِ اللَّهِ بْنِ سَعِيدٍ قَالَ سَأَلَ أَبُو عَبْدِ الرَّحْمَنِ أَبَا عَبْدِ اللَّهِ ( عليه السلام ) عَنِ الْمُحْرِمِ يُعَالِجُ دَبْرَ الْجَمَلِ قَالَ فَقَالَ يُلْقَى عَنْهُ الدَّوَابُّ وَ لَا يُذْمِيهِ .

Abu Ali Al Ashary, from Al Hassan Bin Ali Al Kufy, from Al Abbas Bin Aamir, from Abdulla Bin Jabala, from Abdullah Bin Saeed who said,

'Abu Abdul Rahman asked Abu Abdullah<sup>asws</sup> about the one in *Ihraam* treating the back of the camel. So he<sup>asws</sup> said: 'He can cast off the insects from it and he should not bleed it'.<sup>25</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ أَحْمَدَ عَنْ أَحْمَدَ بْنِ الْحَسَنِ عَنْ عَمْرِو بْنِ سَعِيدٍ عَنْ مُصَدِّقِ بْنِ صَدَقَةَ عَنْ عَمَّارِ بْنِ مُوسَى عَنْ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) قَالَ سَأَلْتُهُ عَنِ الْمُحْرِمِ يَكُونُ بِهِ الْجَرَبُ فَيُؤَذِّبُهُ قَالَ يَحْكُهُ فَإِنْ سَالَ مِنْهُ الدَّمُ فَلَا بَأْسَ .

Muhammad Bin Yahya, from Muhammad Bin Ahmad Bin Al Hassan, from Amro Bin Saeed, from Musaddaq Bin Sadaqa, from Ammae Bin Musa,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam* who happens to be with scabies, so it harms him. He<sup>asws</sup> said: 'He can scrape it. So if the blood were to flow from it, there would be no problem'.<sup>26</sup>

## بَابُ الْمُحْرِمِ يَمُوتُ

### Chapter 100 – The one in *Ihraam* dies

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ أَبِي نَصْرٍ عَنْ ابْنِ أَبِي جَمْرَةَ عَنْ أَبِي الْحَسَنِ ( عليه السلام ) فِي الْمُحْرِمِ يَمُوتُ قَالَ يُغَسَّلُ وَ يُكْفَنُ وَ يُعْطَى وَجْهُهُ وَ لَا يُحْتَطُّ وَ لَا يُمَسُّ شَيْئًا مِنَ الطَّيِّبِ .

A number of our companions, from Sahl Bin Ziyad, from Ahmad Bin Muhammad Bin Abu Nasr, from Ibn Abu Hamza,

(It has been narrated) from Abu Al-Hassan<sup>asws</sup> regarding the one in *Ihraam* dying. He<sup>asws</sup> said: 'He would be washed, and enshrouded, and his face would be covered. Neither would he be embalmed nor touched by anything from the perfumes'.<sup>27</sup>

<sup>23</sup> Al Kafi – V 4 – The Book of Hajj Ch 99 H 9

<sup>24</sup> Al Kafi – V 4 – The Book of Hajj Ch 99 H 10

<sup>25</sup> Al Kafi – V 4 – The Book of Hajj Ch 99 H 11

<sup>26</sup> Al Kafi – V 4 – The Book of Hajj Ch 99 H 12

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عُثْمَانَ بْنِ عِيسَى عَنْ سَمَاعَةَ قَالَ سَأَلْتُهُ عَنِ الْمُحْرِمِ يَمُوتُ قَالَ يُغَسَّلُ وَ يُكْفَنُ بِالْتِّيَابِ كُلِّهَا يُصْنَعُ بِهِ كَمَا يُصْنَعُ بِالْمُحِلِّ غَيْرَ أَنَّهُ لَا يَمَسُّ الطَّيِّبَ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Usman Bin Isa, from Sama'at who said,

'I asked him<sup>asws</sup> about the one in *Ihraam*, dying'. He<sup>asws</sup> said: 'He would be washed and can be enshrouded with the clothes, all of them. He would be dealt with just as the one not in *Ihraam* is dealt with, apart from that he would not be touched with the perfume'.<sup>28</sup>

مُحَمَّدٌ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ فَضَّالٍ عَنْ يُونُسَ بْنِ يَعْقُوبَ عَنْ أَبِي مَرْيَمَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ نُوفِيَ عَبْدُ الرَّحْمَنِ بْنُ الْحَسَنِ بْنِ عَلِيٍّ بِالْأَبْوَاءِ وَ هُوَ مُحْرِمٌ وَ مَعَهُ الْحَسَنُ وَ الْحُسَيْنُ وَ عَبْدُ اللَّهِ بْنُ جَعْفَرٍ وَ عَبْدُ اللَّهِ وَ عُبَيْدُ اللَّهِ ابْنَا الْعَبَّاسِ فَكَفَّنُوهُ وَ حَمَرُوا وَجْهَهُ وَ رَأْسَهُ وَ لَمْ يُحْنَطُوهُ وَ قَالَ هَكَذَا فِي كِتَابِ عَلِيِّ ( عَلَيْهِ السَّلَامُ ) .

Muhammad, from Ahmad Bin Muhammad, from Ibn Fazzal, from Yunus Bin Yaquob, from Abu Maryam,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, having said: 'Abdul Rahman Bin Al-Hassan Bin Ali died at Al-Abwa and he was in *Ihraam*, and with him were Al-Hassa, Al-Husayn, and Abdullah Bin Ja'far, and Abdullah, and Ubeydullah, the two sons of Al-Abbas. So they enshrouded him, and covered his face and his dead, and did not embalm him'. And he<sup>asws</sup> said: 'This is how it is in the Book of Ali'<sup>asws</sup>,<sup>29</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ مُحَمَّدِ بْنِ عَبْدِ اللَّهِ بْنِ هِلَالٍ عَنْ عَبْدِ اللَّهِ بْنِ جَبَلَةَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنِ الْمَرْأَةِ الْمُحْرِمَةِ تَمُوتُ وَ هِيَ طَامِثٌ قَالَ لَا تَمَسُّ الطَّيِّبَ وَ إِنْ كُنَّ مَعَهَا نِسْوَةٌ حَلَالٌ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Muhammad Bin Abdullah Bin Hilal, from Abdullah Bin Jabala, from Is'haq Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the woman in *Ihraam*, dying, and she is in her menstruation. He<sup>asws</sup> said: 'The perfume should not touch her and even if there were (other) women with her who were not in *Ihraam*'.<sup>30</sup>

### بَابُ الْمَحْضُورِ وَ الْمَصْدُودِ وَ مَا عَلَيْهِمَا مِنَ الْكُفَّارَةِ

## Chapter 101 – The confined one and the prevented one, what is the expiation upon the both of them

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ ابْنِ أَبِي نَصْرٍ عَنْ دَاوُدَ بْنِ سِرْحَانَ عَنْ عَبْدِ اللَّهِ بْنِ فَرْقَدٍ عَنْ حُمْرَانَ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) قَالَ إِنْ رَسُولَ اللَّهِ ( صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ ) جِئَ صَدًّا بِالْحَدِيثِ قَصَرَ وَ أَحَلَّ وَ نَحَرَ تَمَّ أَنْصَرَفَ مِنْهَا وَ لَمْ يَجِبْ عَلَيْهِ الْحَلُّ حَتَّى يَقْضِيَ النَّسْكَ فَأَمَّا الْمَحْضُورُ فَإِنَّمَا يَكُونُ عَلَيْهِ التَّقْصِيرُ .

A number of our companions, from Sahl Bin Ziyad, from Ibn Abu Nasr, from Dawood Bin Sirham, from Abdullah Bin Farqad, from Humran,

<sup>27</sup> Al Kafi – V 4 – The Book of Hajj Ch 100 H 1

<sup>28</sup> Al Kafi – V 4 – The Book of Hajj Ch 100 H 2

<sup>29</sup> Al Kafi – V 4 – The Book of Hajj Ch 100 H 3

<sup>30</sup> Al Kafi – V 4 – The Book of Hajj Ch 100 H 4

(It has been narrated) from Abu Ja'far<sup>asws</sup> having said that Rasool-Allah<sup>saww</sup>, when he<sup>saww</sup> was prevented at Al-Hudaybiyya, shortened (his<sup>saww</sup> nails, hair etc.), and freed from wearing *Ihraam*, and offered a sacrifice. Then he<sup>saww</sup> left from it. And, the shaving (of the head) is not Obligated until the rituals are fulfilled. So, as for the confined one, rather the shortening (of hair, nails, etc.) happens to be upon him'.<sup>31</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ وَ مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ جَمِيعاً عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ أَبِي نَصْرٍ قَالَ سَأَلْتُ أَبَا الْحَسَنِ ( عَلَيْهِ السَّلَامُ ) عَنْ مُحْرِمٍ انْكَسَرَتْ سَاقُهُ أَيُّ شَيْءٍ يَكُونُ حَالَهُ وَ أَيُّ شَيْءٍ عَلَيْهِ قَالَ هُوَ حَلَالٌ مِنْ كُلِّ شَيْءٍ قُلْتُ مِنَ النِّسَاءِ وَ الثِّيَابِ وَ الطَّيِّبِ فَقَالَ نَعَمْ مِنْ جَمِيعٍ مَا يَحْرُمُ عَلَى الْمُحْرِمِ

A number of our companions, from Sahl Bin Ziyad and Muhammad Bin Yahya, from Ahmad Bin Muhammad, altogether from Ahmad Bin Muhammad Bin Abu Nasr who said,

'I asked Abu Al-Hassan<sup>asws</sup> about the one in *Ihraam* who breaks his leg, 'Which would be his state, and which thing would be upon him?' He<sup>asws</sup> said: 'He is free from *Ihraam*, from everything'. I said, '(In Permissibility) from the women, and the clothes, and the perfume?' So he<sup>asws</sup> said: 'Yes, from the entirety of whatever is Prohibited unto the one in *Ihraam*'.

وَ قَالَ أَمَا بَلَغَكَ قَوْلُ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) حُلْنِي حَيْثُ حَبَسْتَنِي لِقَدْرِكَ الَّذِي قَدَّرْتَ عَلَيَّ قُلْتُ أَصْلَحَكَ اللَّهُ مَا تَقُولُ فِي الْحَجِّ قَالَ لَا بُدَّ أَنْ يَحْجَّ مِنْ قَابِلٍ

And he<sup>asws</sup> said: 'Has it not reached you, the words of Abu Abdullah<sup>asws</sup>: 'You<sup>azwj</sup> have Freed me<sup>asws</sup> where You<sup>azwj</sup> Restricted me<sup>asws</sup>, by Your<sup>azwj</sup> Measurement which You<sup>azwj</sup> Ordained upon me<sup>asws</sup>?' I said, 'May Allah<sup>azwj</sup> Keep you<sup>asws</sup> well! What are you<sup>asws</sup> saying regarding the Hajj?' He<sup>asws</sup> said: 'He must perform Hajj, the next year'.

قُلْتُ أَخْبِرْنِي عَنِ الْمُحْصُورِ وَ الْمَصْدُودِ هُمَا سَوَاءٌ فَقَالَ لَا قُلْتُ فَأَخْبِرْنِي عَنِ النَّبِيِّ ( صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ ) حِينَ صَدَّهُ الْمُشْرِكُونَ فَضَى عُمْرَتَهُ قَالَ لَا وَ لَكِنَّهُ اغْتَمَرَ بَعْدَ ذَلِكَ .

I said, 'Inform me about the confined one and the prevented one. Are they both equal?' So he<sup>asws</sup> said: 'No'. I said, 'So inform me about the Prophet<sup>saww</sup> where the Polytheists prevented him<sup>saww</sup>. Did he<sup>saww</sup> fulfill his<sup>saww</sup> Umra?' He<sup>asws</sup> said: 'No, but he<sup>saww</sup> performed Umra after that'.<sup>32</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ وَ مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شاذَانَ عَنِ ابْنِ أَبِي عُمَيْرٍ وَ صَفْوَانَ عَنْ مَعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَمِعْتُهُ يَقُولُ الْمَحْصُورُ غَيْرُ الْمَصْدُودِ الْمَحْصُورُ الْمَرِيضُ وَ الْمَصْدُودُ الَّذِي يَصُدُّهُ الْمُشْرِكُونَ كَمَا رَدُّوا رَسُولَ اللَّهِ ( صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ ) وَ أَصْحَابَهُ لَيْسَ مِنْ مَرَضٍ وَ الْمَصْدُودُ تَجَلُّ لَهُ النِّسَاءُ وَ الْمَحْصُورُ لَا تَجَلُّ لَهُ النِّسَاءُ

Ali Bin Ibrahim, from his father, from Ibn Umeyr and Muhammad Bin Ismail, from Al Fazl Bin Shazaan, from Ibn Abu Umeyr, and Safwan, from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I heard him<sup>asws</sup> saying: 'The confined one is other than a prevented one. The confined one is the sick (confined by the illness), and the prevented one is the one whom the Polytheists prevent, just as they returned Rasool-Allah<sup>saww</sup> and his<sup>saww</sup> companions, not being from an illness.

<sup>31</sup> Al Kafi – V 4 – The Book of Hajj Ch 101 H 1

<sup>32</sup> Al Kafi – V 4 – The Book of Hajj Ch 101 H 2

And the prevented one, the women are Permissible for him, and the confined one, the women are not Permissible for him.

قَالَ وَ سَأَلْتُهُ عَنْ رَجُلٍ أَحْصَرَ فَبَعَثَ بِالْهَدْيِ قَالَ يُرَاعِدُ أَصْحَابَهُ مِيعَاداً إِنْ كَانَ فِي الْحَجِّ فَمَجَلُّ الْهَدْيِ يَوْمَ النَّحْرِ فَإِذَا كَانَ يَوْمَ النَّحْرِ فَلْيُقِصَّ مِنْ رَأْسِهِ وَ لَا يَجِبُ عَلَيْهِ الْحَلْقُ حَتَّى يَفْضِيَ الْمَنَاسِكَ وَ إِنْ كَانَ فِي عُمْرَةٍ فَلْيَنْظُرْ مِقْدَارَ دُخُولِ أَصْحَابِهِ مَكَّةَ وَ السَّاعَةَ الَّتِي يَعِدُهُمْ فِيهَا فَإِذَا كَانَ تِلْكَ السَّاعَةَ قَصَرَ وَ أَحَلَّ

He (the narrator) said, 'And I asked him<sup>asws</sup> about a man who is confined (by an illness), so he sends the sacrificial animal. He<sup>asws</sup> said: 'His companions would set up a promised time. If it was regarding the Hajj, so the time for the offering is the day of the sacrifice. So when it would be the day of the sacrifice, so let him shorten (hair) from his head, and the shaving is not Obligated upon him until the rituals are fulfilled. And, if it was regarding an Umra, so let him wait until his companions enter Makkah, and the time which they had set up for him with regards to it. So when it is that particular time, he shortens (hair, nails etc.), and frees from *Ihraam*.

وَ إِنْ كَانَ مَرِيضاً فِي الطَّرِيقِ بَعْدَ مَا أَحْرَمَ فَأَرَادَ الرُّجُوعَ رَجَعَ إِلَى أَهْلِهِ وَ نَحَرَ بَدَنَهُ أَوْ أَقَامَ مَكَانَهُ حَتَّى يَبْرَأَ إِذَا كَانَ فِي عُمْرَةٍ وَ إِذَا بَرَأَ فَعَلَيْهِ الْعُمْرَةُ وَاجِبَةٌ وَ إِنْ كَانَ عَلَيْهِ الْحَجُّ رَجَعَ أَوْ أَقَامَ فَفَاتَهُ الْحَجُّ فَإِنَّ عَلَيْهِ الْحَجَّ مِنْ قَابِلٍ

And if it was that he had fallen sick on the way after having had worn *Ihraam*, and he intended the return, he can return to his family, and sacrifice his animal, or he can stay in his place until he is cured. If it was during an Umra and when he is cured, so upon him is the (performing of the) Umra, an Obligation. And if the Hajj was outstanding upon him, he can either return or stay. So if the Hajj is missed, upon him would be the Hajj in the next year'.

فَإِنَّ الْحُسَيْنَ بْنَ عَلِيٍّ صَلَّى صَلَوَاتُ اللَّهِ عَلَيْهِمَا خَرَجَ مُعْتَمِراً فَمَرِضَ فِي الطَّرِيقِ فَبَلَغَ عَلِيًّا ( عليه السلام ) ذَلِكَ وَ هُوَ فِي الْمَدِينَةِ فَخَرَجَ فِي طَلَبِهِ فَأَدْرَكَهُ بِالسُّقْيَا وَ هُوَ مَرِيضٌ بِهَا فَقَالَ يَا بُنَيَّ مَا تَشْتَكِي فَقَالَ أَشْتَكِي رَأْسِي فَدَعَا عَلِيٌّ ( عليه السلام ) بِبَدَنِهِ فَنَحَرَهَا وَ حَلَقَ رَأْسَهُ وَ رَدَّهُ إِلَى الْمَدِينَةِ فَلَمَّا بَرَأَ مِنْ وَجَعِهِ اعْتَمَرَ

Al-Husayn<sup>asws</sup> Bin Ali<sup>asws</sup> went out for performing Umra, but he<sup>asws</sup> fell ill on the way. So (the news of) that reached Ali<sup>asws</sup>, and he<sup>asws</sup> was in Al-Medina. So he<sup>asws</sup> went out seeking him<sup>asws</sup>, and he<sup>asws</sup> came across him<sup>asws</sup> at Al-Suqya, and the illness was with him<sup>asws</sup>. So he<sup>asws</sup> said: 'O my<sup>asws</sup> son<sup>asws</sup>! What is your<sup>saww</sup> complaint?' So he<sup>asws</sup> said: 'I<sup>asws</sup> complain of my<sup>asws</sup> head'. So Ali<sup>asws</sup> called for his<sup>asws</sup> sacrificial animal and sacrificed it, and shaved his<sup>asws</sup> head, and returned him<sup>asws</sup> to Al-Medina. So when he<sup>asws</sup> was cured from his<sup>asws</sup> pain, he<sup>asws</sup> performed Umra'.

قُلْتُ أَرَأَيْتَ حِينَ بَرَأَ مِنْ وَجَعِهِ قَبْلَ أَنْ يَخْرُجَ إِلَى الْعُمْرَةِ حَلَّتْ لَهُ النِّسَاءُ قَالَ لَا تَحِلُّ لَهُ النِّسَاءُ حَتَّى يَطُوفَ بِالْبَيْتِ وَ بِالصَّفَا وَ الْمَرْوَةِ قُلْتُ فَمَا بَالَ رَسُولَ اللَّهِ ( صلى الله عليه وآله ) حِينَ رَجَعَ مِنَ الْحُدَيْبِيَّةِ حَلَّتْ لَهُ النِّسَاءُ وَ لَمْ يَطُفْ بِالْبَيْتِ قَالَ لَيْسَ سِوَاءَ كَأَنَّ النَّبِيَّ ( صلى الله عليه وآله ) مَصْدُوداً وَ الْحُسَيْنُ ( عليه السلام ) مَحْصُوراً .

I said, 'What is your<sup>asws</sup> view, where he<sup>asws</sup> was cured from his<sup>asws</sup> pain before he went out to perform Umra, were the women Permissible unto him<sup>asws</sup>?' He<sup>asws</sup> said: 'The women are not Permissible to him<sup>asws</sup> until he<sup>asws</sup> circumambulates by the House (Kabah), and with Al-Safa and Al-Marwa (Sa'ee)'. I said, 'So what was the matter, Rasool-Allah<sup>saww</sup>, where he<sup>saww</sup> returned from Al-Medina, the Women were Permissible unto him<sup>saww</sup> and he<sup>saww</sup> had not circumambulated by the House

(Kabah)?' He<sup>asws</sup> said: 'They are not the same. The Prophet<sup>saww</sup> was prevented, and Al-Husayn<sup>asws</sup> was confined (by illness)'.<sup>33</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ وَ سَهْلِ بْنِ زِيَادٍ عَنِ ابْنِ مَحْبُوبٍ عَنِ ابْنِ رَبَائِبٍ عَنْ زُرَّارَةَ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) قَالَ إِذَا أَحْصَرَ الرَّجُلُ بَعَثَ بِهَدْيِهِ فَإِذَا أَفَاقَ وَ وَجَدَ مِنْ نَفْسِهِ خِفَةً فَلْيَمُضْ إِنْ ظَنَّ أَنَّهُ يُدْرِكُ النَّاسَ فَإِنْ قَدِمَ مَكَّةَ قَبْلَ أَنْ يَنْحَرَ الْهَدْيَ فَلْيَقُمْ عَلَى إِحْرَامِهِ حَتَّى يَفْرُغَ مِنْ جَمِيعِ الْمَنَاسِكِ وَ لِيَنْحَرَ هَدْيَهُ وَ لَا شَيْءَ عَلَيْهِ وَ إِنْ قَدِمَ مَكَّةَ وَ قَدْ نَحَرَ هَدْيَهُ فَإِنْ عَلَيْهِ الْحَجُّ مِنْ قَابِلٍ أَوْ الْعُمْرَةَ

A number of our companions, from Ahmad Bin Muhammad, and Sahl Bin Ziyad, from Ibn Mahboub, from Ibn Raib, from Zurara,

(It has been narrated) from Abu Ja'far<sup>asws</sup> having said: 'When the man is confined (by an illness), he should send forward his sacrificial animal. So when he wakes up and finds lightness from himself (feels better), so let him go if he thinks he can catch up with the people. So when he sets foot in Makkah before the sacrifice of the animal, so let him stay upon his *Ihraam* until he is free from the entirety of the rituals, and let him sacrifice his animal, and there would be nothing upon him. And, if he sets foot in Makkah, and his animal has already been sacrificed, so upon him would be the (performance of the) Hajj the next year, or the Umra'.

قُلْتُ فَإِنْ مَاتَ وَ هُوَ مُحْرَمٌ قَبْلَ أَنْ يَنْتَهِيَ إِلَى مَكَّةَ قَالَ يُحَجُّ عَنْهُ إِنْ كَانَتْ حَجَّةَ الْإِسْلَامِ وَ يُعْتَمِرُ إِنَّمَا هُوَ شَيْءٌ عَلَيْهِ .

I said, 'Supposing he dies while being in *Ihraam* before he ends up at Makkah?' He<sup>asws</sup> said: 'The Hajj should be performed on his behalf, if there was a Hajj of Al-Islam outstanding, and Umra (be performed on his behalf). But rather, it is a thing which is (outstanding) upon him'.<sup>34</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) أَنَّهُ قَالَ فِي الْمَحْصُورِ وَ لَمْ يَسِقِ الْهَدْيَ قَالَ يَنْسُكُ وَ يَرْجِعُ فَإِنْ لَمْ يَجِدْ ثَمَنَ هَدْيٍ صَامَ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said regarding the one confined (by an illness) not ushering the sacrificial animal: 'He should perform rituals and return. So if he cannot find the price of a sacrificial animal, he should Fast'.<sup>35</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنِ ابْنِ أَبِي نَصْرٍ عَنْ مُتَنَّى عَنْ زُرَّارَةَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِذَا أَحْصَرَ الرَّجُلُ فَبَعَثَ بِهَدْيِهِ فَأَذَاهُ رَأْسُهُ قَبْلَ أَنْ يَنْحَرَ هَدْيَهُ فَإِنَّهُ يَذِيحُ شَاةً فِي الْمَكَانِ الَّذِي أَحْصَرَ فِيهِ أَوْ يَصُومُ أَوْ يَتَصَدَّقُ وَ الصَّوْمُ ثَلَاثَةَ أَيَّامٍ وَ الصَّدَقَةُ عَلَى سِتَّةِ مَسَاكِينَ نَصْفُ صَاعٍ لِكُلِّ مَسْكِينٍ .

A number of our companions, from Sahl Bin Ziyad, from Ibn Abu Nasr, from Musna, from Zurara,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When the man is confined (by an illness), so he sends his sacrificial animal. So his head hurts before he sacrifices his animal. So he should slaughter his sheep in the place in which he is confined (by the illness), or he should Fast, or give in charity. And the Fasting, is for

<sup>33</sup> Al Kafi – V 4 – The Book of Hajj Ch 101 H 3

<sup>34</sup> Al Kafi – V 4 – The Book of Hajj Ch 101 H 4

<sup>35</sup> Al Kafi – V 4 – The Book of Hajj Ch 101 H 5

three days, and the charity is upon six poor ones, half a Sa'a (approximately 1.5 kg of food), for each poor one'.<sup>36</sup>

سَهْلٌ عَنْ ابْنِ أَبِي نَصْرٍ عَنْ رِفَاعَةَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنِ الرَّجُلِ يَسْتَرْطُ وَهُوَ يَنْوِي الْمُنْعَةَ فَيُحْصِرُ هَلْ يُجْزِيهِ أَنْ لَا يَحُجَّ مِنْ قَابِلٍ قَالَ يُحُجُّ مِنْ قَابِلٍ وَ الْحَاجُّ مِثْلُ ذَلِكَ إِذَا أُحْصِرَ قُلْتُ رَجُلٌ سَاقَ الْهَدْيِ ثُمَّ أُحْصِرَ قَالَ يَبْعَثُ بِهِدْيِهِ قُلْتُ هَلْ يَسْتَمْتَعُ مِنْ قَابِلٍ فَقَالَ لَا وَ لَكِنْ يَدْخُلُ فِي مِثْلِ مَا خَرَجَ مِنْهُ .

Sahl, from Ibn Abu Nasr, from Rifa'at,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the man who stipulates, and he intended the *Tumutto*, but he falls sick, 'Would it suffice him if he does not perform Hajj the next year?' He<sup>asws</sup> said: 'He should perform Hajj the next year; and similar to that he should perform Hajj when he is confined (by an illness)'. I said, 'A man ushers the sacrificial animal, then he is confined (by an illness)'. He<sup>asws</sup> said: 'He should send his sacrificial animal'. I said, 'Should he perform *Tumutto* the next year?' So he<sup>asws</sup> said: 'No. But, he should enter into what he had exited from'.<sup>37</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْفَضْلِ بْنِ يُوسُفَ عَنْ أَبِي الْحَسَنِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ رَجُلٍ عَرَضَ لَهُ سُلْطَانٌ فَأَخَذَهُ ظَالِمًا لَهُ يَوْمَ عَرَفَةَ قِيلَ أَنْ يُعْرِفَ فَبَعَثَ بِهِ إِلَى مَكَّةَ فَحَبَسَهُ فَلَمَّا كَانَ يَوْمَ النَّحْرِ خَلَى سَبِيلَهُ كَيْفَ يَصْنَعُ قَالَ يَلْحَقُ قَيْفَ بَجَمْعٍ ثُمَّ يَنْصَرِفُ إِلَى مَنْى فَيَرْمِي وَيَذْبَحُ وَيَحْلِقُ وَلَا شَيْءَ عَلَيْهِ

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Al Fazl Bin Yunus,

(It has been narrated) from Abu Al-Hassan<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about a man to whom a Sultan (ruling authority) seized unjustly on the day of Arafaat, before he could participate. So he had him sent to Makka and imprisoned him. So when it was the day of the sacrifice, he freed his way. 'What should he do?' He<sup>asws</sup> said: 'He should meet up (with the people) at Jam'a. Then he should leave to go to Mina, and he should pelt (the rocks), and slaughter (the sacrificial animal), and he should shave (his head), and there would be nothing upon him'.

قُلْتُ فَإِنْ خَلَى عَنْهُ يَوْمَ النَّفَرِ كَيْفَ يَصْنَعُ قَالَ هَذَا مَصْدُودٌ عَنِ الْحَجِّ إِنْ كَانَ دَخَلَ مَكَّةَ مُتَمَتِّعًا بِالْعُمْرَةِ إِلَى الْحَجِّ فَلْيَطُفْ بِالْبَيْتِ أُسْبُوعًا ثُمَّ يَسْعَى أُسْبُوعًا وَيَحْلِقُ رَأْسَهُ وَيَذْبَحُ شَاةً فَإِنْ كَانَ مُفْرِدًا لِلْحَجِّ فَلْيَسَّ عَلَيْهِ ذَبْحٌ وَلَا شَيْءَ عَلَيْهِ .

I said, 'Supposing he was freed on the day of the sacrifice, what should he do?' He<sup>asws</sup> said: 'This one is prevented from the Hajj. If he had entered Makkah intending to perform *Tumutto* with the Umra to the Hajj, so let him circumambulate by the House, seven (circuits). Then he should perform Sa'ee, seven (circuits), and he should shave off his head, and he should slaughter a sheep. So if he was performing exclusively for the Hajj, so there would be neither a slaughter, nor anything upon him'.<sup>38</sup>

حُمَيْدُ بْنُ زِيَادٍ عَنِ الْحَسَنِ بْنِ مُحَمَّدٍ بْنِ سَمَاعَةَ عَنْ أَحْمَدَ بْنِ الْحَسَنِ الْمَيْمَنِيِّ عَنْ أَبَانَ عَنْ زُرَّارَةَ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) قَالَ الْمَصْدُودُ يَذْبَحُ حَيْثُ صَدَّ وَ يَرْجِعُ صَاحِبُهُ فَيَأْتِي النَّسَاءَ وَ الْمُحْصَنُونَ يَبْعَثُ بِهِدْيِهِ وَ يَعْذُهُمْ يَوْمًا فَإِذَا بَلَغَ الْهَدْيُ أَحَلَّ هَذَا فِي مَكَانِهِ

<sup>36</sup> Al Kafi – V 4 – The Book of Hajj Ch 101 H 6

<sup>37</sup> Al Kafi – V 4 – The Book of Hajj Ch 101 H 7

<sup>38</sup> Al Kafi – V 4 – The Book of Hajj Ch 101 H 8

Humejd Bin Ziyad, from Al Hassan Bin Muhammad Bin Sama'at, from Ahmad Bin Al Hassan Al Maysami, from Aban, from Zurara,

(It has been narrated) from Abu Ja'far<sup>asws</sup> having said: 'The prevented one should slaughter (his sacrificial animal) where he has been prevented, and he would return, and he can go to the women. And the one confined (by an illness) should send his sacrificial animal, and they would appoint a day. So when the sacrificial animal reaches (its destination), this one would free himself from his *Ihraam* in his place'.

قُلْتُ لَهُ أَرَأَيْتَ إِنْ رَدُّوا عَلَيْهِ دَرَاهِمَهُ وَ لَمْ يَذْبَحُوا عَنْهُ وَ قَدْ أَحَلَّ فَاتَى النَّسَاءَ قَالَ قَلْبُوعِدَ وَ لَيْسَ عَلَيْهِ شَيْءٌ وَ لِيُْمْسِكَ الْآنَ عَنِ النَّسَاءِ إِذَا بَعَثَ .

I said to him<sup>asws</sup>, 'What is your<sup>asws</sup> view if they were to return the Dirham back to him and they do not slaughter on his behalf, and he has already freed himself from his *Ihraam*, and has gone to the women?' He<sup>asws</sup> said: 'So let him repeat, and there would be nothing (expiation) upon, and let him refrain from the women now, when he sends (his sacrificial animal)'.<sup>39</sup>

### بَابُ الْمُحْرِمِ يَتَزَوَّجُ أَوْ يُزَوَّجُ وَ يُطَلِّقُ وَ يَشْتَرِي الْجَوَارِيَ

## Chapter 102 – The one in *Ihraam* gets married, or marries and divorces, and he buys the slave girl

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ عَلِيٍّ عَنْ بَعْضِ أَصْحَابِنَا عَنْ أَبِي عَبْدِ اللَّهِ (عليه السلام) قَالَ الْمُحْرِمُ لَا يَنْكِحُ وَ لَا يَنْكَحُ وَ لَا يَخْطُبُ وَ لَا يَشْهَدُ النِّكَاحَ وَ إِنْ نَكَحَ فَنِكَاحُهُ بَاطِلٌ .

A number of our companions, from Ahmad Bin Muhammad, from Al Hassan Bin Ali, from one of our companions,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The one in *Ihraam* can neither be married off, or get married, nor address, nor attend the marriage. And, if he were to get married, so his marriage would be invalid'.<sup>40</sup>

أَحْمَدُ عَنْ صَفْوَانَ بْنِ بَحْبِيٍّ عَنْ حَرِيْزٍ عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي عَبْدِ اللَّهِ عَنْ أَبِي عَبْدِ اللَّهِ (عليه السلام) قَالَ إِنْ رَجُلًا مِنَ الْأَنْصَارِ تَزَوَّجَ وَ هُوَ مُحْرِمٌ فَأَبْطَلَ رَسُولُ اللَّهِ (صلى الله عليه وآله) نِكَاحَهُ .

Ahmad, from Safwan Bin yahya, from Hareyz, from Abdul Rahman Bin Abu Abdullah,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'A man from the Ansaars married and he was in *Ihraam*. So Rasool-Allah<sup>saww</sup> invalidated his marriage'.<sup>41</sup>

أَحْمَدُ بْنُ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ عَلِيٍّ عَنِ ابْنِ بُكَيْرٍ عَنْ إِبْرَاهِيمَ بْنِ الْحَسَنِ عَنْ أَبِي عَبْدِ اللَّهِ (عليه السلام) قَالَ إِنْ الْمُحْرِمَ إِذَا تَزَوَّجَ وَ هُوَ مُحْرِمٌ فُرِّقَ بَيْنَهُمَا ثُمَّ لَا يَتَعَاوَدَانِ أَبَدًا .

Ahmad Bin Muhammad, from Al Hassan Bin Ali, from Ibn Bukeyr, from Ibrahim Bin Al Hassan,

<sup>39</sup> Al Kafi – V 4 – The Book of Hajj Ch 101 H 9

<sup>40</sup> Al Kafi – V 4 – The Book of Hajj Ch 102 H 1

<sup>41</sup> Al Kafi – V 4 – The Book of Hajj Ch 102 H 2



(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The one in *Ihraam*, when he marries while being in *Ihraam*, separation would be effected between the two of them. Then they would not (be able to) be married again, ever'.<sup>42</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ صَفْوَانَ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ قَالَ الْمُحْرِمُ لَا يَنْزَوِجُ فَإِنْ فَعَلَ فَكَأَحُهُ بَاطِلٌ.

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Safwan, from Muawiya Bin Ammar who said,

'The one in *Ihraam* cannot get married. So if he were to do so, then his marriage would be invalid'.<sup>43</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ وَ سَهْلِ بْنِ زِيَادٍ عَنِ ابْنِ مَحْبُوبٍ عَنْ سَمَاعَةَ بْنِ مِهْرَانَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ لَا يَنْبَغِي لِلرَّجُلِ الْحَلَالِ أَنْ يُزَوِّجَ مُحْرِمًا وَ هُوَ يَعْلَمُ أَنَّهُ لَا يَحِلُّ لَهُ فَلْتٌ فَإِنْ فَعَلَ فَدَخَلَ بِهَا الْمُحْرِمُ قَالَ إِنْ كَانَا عَالِمِينَ فَإِنَّ عَلَى كُلِّ وَاحِدٍ مِنْهُمَا بَدَنَةٌ وَ عَلَى الْمَرْأَةِ إِنْ كَانَتْ مُحْرِمَةً بَدَنَةٌ وَ إِنْ لَمْ تَكُنْ مُحْرِمَةً فَلَا شَيْءَ عَلَيْهَا إِلَّا أَنْ تَكُونَ فَذَلِكَ عَلِمَتْ أَنَّ الَّذِي تَزَوَّجَهَا مُحْرِمٌ فَإِنْ كَانَتْ عَلِمَتْ ثُمَّ تَزَوَّجَتْهُ فَعَلَيْهَا بَدَنَةٌ .

A number of our companions, from Ahmad Bin Muhammad, and Sahl Bin Ziyad, from Ibn Mahboub, from Sama'at Bin Mihran,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'It is not befitting for the man (who is) not in *Ihraam* that he should marry the one in *Ihraam*, and he is knowing that it is not Permissible for him'. I said to him<sup>asws</sup>, 'Supposing he does so and the one in *Ihraam* sleeps with her?' He<sup>asws</sup> said: 'If they were both knowing, so upon each one of them would be a sacrificial animal, and upon the woman, if she was in *Ihraam*, would be a sacrificial animal, and if she was not in *Ihraam*, so there would be nothing upon her, except if she happen to have known that the one who married her was in *Ihraam*. So if she was knowing (of that fact), then got married to him, so upon her would be a sacrificial animal'.<sup>44</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنِ النَّضْرِ بْنِ سُوَيْدٍ عَنْ عَاصِمِ بْنِ حُمَيْدٍ عَنْ أَبِي بَصِيرٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) يَقُولُ الْمُحْرِمُ يُطَلَّقُ وَ لَا يَنْزَوِجُ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Al Husayn Bin Saeed, from Al Nazar Bin Suweyd, from Aasim Bin Humeyd, from Abu Baseer who said,

'I heard Abu Abdullah<sup>asws</sup> saying: 'The one in *Ihraam* can divorce, but he cannot marry'.<sup>45</sup>

أَحْمَدُ بْنُ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ سِنَانَ عَنْ حَمَّادِ بْنِ عُثْمَانَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنِ الْمُحْرِمِ يُطَلَّقُ قَالَ نَعَمْ .

Ahmad Bin Muhammad, from Muhammad Bin Sinan, from Hammad Bin Usman,

(It has been narrated) from Abu Abdullah<sup>asws</sup> said, 'I asked him<sup>asws</sup> about the one in *Ihraam*, 'Can he divorce?' He<sup>asws</sup> said: 'Yes'.<sup>46</sup>

<sup>42</sup> Al Kafi – V 4 – The Book of Hajj Ch 102 H 3

<sup>43</sup> Al Kafi – V 4 – The Book of Hajj Ch 102 H 4

<sup>44</sup> Al Kafi – V 4 – The Book of Hajj Ch 102 H 5

<sup>45</sup> Al Kafi – V 4 – The Book of Hajj Ch 102 H 6

أَحْمَدُ بْنُ مُحَمَّدٍ عَنِ الْبُرْقِيِّ عَنْ سَعْدِ بْنِ سَعْدٍ عَنْ أَبِي الْحَسَنِ الرِّضَا ( عليه السلام ) قَالَ سَأَلْتُهُ عَنِ الْمُحْرِمِ يَشْتَرِي الْجَوَارِيَ وَ يَبِيعُ قَالَ نَعَمْ .

Ahmad Bin Muhammad, from Al Barqy, from Sa'ad Bin Sa'ad,

(It has been narrated) from Abu Al-Hassan Al-Reza<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam*, 'Can he buy the slave girl, and sell?' He<sup>asws</sup> said: 'Yes'.<sup>47</sup>

بَابُ الْمُحْرِمِ يُوقِعُ امْرَأَتَهُ قَبْلَ أَنْ يَقْضِيَ مَنَاسِكَهُ أَوْ مُحَلًّا يَفْعُ عَلَى مُحْرِمَةٍ

## Chapter 103 – The one in *Ihraam* falls upon his wife before he fulfils his rituals, or the one free from *Ihraam* falls upon a woman in *Ihraam*

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادٍ عَنْ حَرِيْزٍ عَنْ زُرَّارَةَ قَالَ سَأَلْتُهُ عَنْ مُحْرِمٍ عَشِيَ امْرَأَتَهُ وَ هِيَ مُحْرِمَةٌ قَالَ جَاهِلِينَ أَوْ عَالَمِينَ قُلْتُ أَجِبْنِي فِي الْوَجْهَيْنِ جَمِيعاً قَالَ إِنْ كَانَا جَاهِلِينَ اسْتَعْفَرَا رَبَّهُمَا وَ مَضِيَا عَلَى حَجَّهُمَا وَ لَيْسَ عَلَيْهِمَا شَيْءٌ وَ إِنْ كَانَا عَالَمِينَ فُرِقَ بَيْنَهُمَا مِنَ الْمَكَانِ الَّذِي أَحَدْنَا فِيهِ وَ عَلَيْهِمَا بَدَنَةٌ وَ عَلَيْهِمَا الْحُجُّ مِنْ قَابِلٍ فَإِذَا بَلَغَا الْمَكَانَ الَّذِي أَحَدْنَا فِيهِ فُرِقَ بَيْنَهُمَا حَتَّى يَقْضِيَا نُسُكَهُمَا وَ يَرْجِعَا إِلَى الْمَكَانِ الَّذِي أَصَابَا فِيهِ مَا أَصَابَا

Ali Bin Ibrahim, from his father, from Hammad, from Hareyz, from Zurara who said,

'I asked him<sup>asws</sup> about one in *Ihraam* overwhelming his wife and she is in *Ihraam*. He<sup>asws</sup> said: 'Were they both ignorant or knowing?' I said, 'Answer me regarding the two aspects together'. He<sup>asws</sup> said: 'If they were both ignorant, they would both seek Forgiveness of their Lord<sup>azwj</sup> and fulfil their rituals upon their Hajj, and there would not be anything upon them. But, if they were both knowing, separation would be effected between the two of them from the place wherein the occurrence took place, and upon them both would be a sacrificial animal (each), and upon them would be the performance of the Hajj the next year. So when they reach the place in which they had acted so, separation would be effected between them until they both fulfill their rituals, and they return back to the place in which they attained that which they attained'.

قُلْتُ فَأَيُّ الْحَجَّتَيْنِ لَهُمَا قَالَ الْأُولَى الَّتِي أَحَدْنَا فِيهَا مَا أَحَدْنَا وَ الْأُخْرَى عَلَيْهِمَا عُقُوبَةٌ .

I said, 'So which of the two Hajj is for them?' He<sup>asws</sup> said: 'The first in which they did what they did, and the other would be upon them as a Punishment'.<sup>48</sup>

عَلِيُّ عَنْ أَبِيهِ عَنْ حَمَّادٍ عَنْ أَبَانَ بْنِ عُثْمَانَ رَفَعَهُ إِلَى أَحَدِهِمَا ( عليهما السلام ) قَالَ مَعْنَى يُفْرَقُ بَيْنَهُمَا أَيُّ لَا يَخْلُوانِ وَ أَنْ يَكُونَ مَعَهُمَا تَالِثٌ .

Ali, from his father, from Hammad, from Aban Bin Usman,

(It has been narrated) raising it to one of the two (5<sup>th</sup> or 6<sup>th</sup> Imam<sup>asws</sup>) having said: 'The meaning of 'effecting separation between the two)', i.e.. They both should not be together without there happening to be a third person along with them'.<sup>49</sup>

<sup>46</sup> Al Kafi – V 4 – The Book of Hajj Ch 102 H 7

<sup>47</sup> Al Kafi – V 4 – The Book of Hajj Ch 102 H 8

<sup>48</sup> Al Kafi – V 4 – The Book of Hajj Ch 103 H 1

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ وَ مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شاذَانَ عَنِ ابْنِ أَبِي عُمَيْرٍ وَ صَفْوَانَ عَنِ مَعَاوِيَةَ بْنِ عَمَّارٍ عَنِ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) فِي الْمُحْرَمِ يَقَعُ عَلَى أَهْلِهِ قَالَ إِنْ كَانَ أَفْضَى إِلَيْهَا فَعَلَيْهِ بَدَنَةٌ وَ الْحَجُّ مِنْ قَابِلٍ وَ إِنْ لَمْ يَكُنْ أَفْضَى إِلَيْهَا فَعَلَيْهِ بَدَنَةٌ وَ لَيْسَ عَلَيْهِ الْحَجُّ مِنْ قَابِلٍ

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr and Muhammad Bin Ismail, from Al Fazl Bin Shazaan, from Ibn Abu Umeyr, and Safwan, from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the one in *Ihraam* falling upon his wife. He<sup>asws</sup> said: 'If he has gone into her, so upon him would be a sacrificial animal, and he (performing of the) Hajj the next year. And if he had not gone into her, so upon him would be a sacrificial animal, and there would not be a Hajj upon him the next year'.

قَالَ وَ سَأَلْتُهُ عَنْ رَجُلٍ وَقَعَ عَلَى امْرَأَتِهِ وَ هُوَ مُحْرِمٌ قَالَ إِنْ كَانَ جَاهِلًا فَلَيْسَ عَلَيْهِ شَيْءٌ وَ إِنْ لَمْ يَكُنْ جَاهِلًا فَعَلَيْهِ سَوْقُ بَدَنَةٍ وَ عَلَيْهِ الْحَجُّ مِنْ قَابِلٍ فَإِذَا انْتَهَى إِلَى الْمَكَانِ الَّذِي وَقَعَ بِهَا فَرَّقَ مَحْمِلَهُمَا فَلَمْ يَجْتَمِعَا فِي خَبَاءٍ وَاحِدٍ إِلَّا أَنْ يَكُونَ مَعَهُمَا غَيْرُهُمَا حَتَّى يَبْلُغَ الْهَدْيُ مَحَلَّهُ .

He (the narrator) said, 'I asked him<sup>asws</sup> about a man who falls upon his wife, and he is in *Ihraam*. He<sup>asws</sup> said: 'If he was ignorant, so there is nothing upon him; and if he did not happen to be ignorant, so upon him would be ushering of a sacrificial animal, and upon him would be the Hajj next year. So when he ends up to the place where he fell upon her, separation would be effect between their two carriages, so they would not be gathered in one tent unless there happens to be someone else along with the two of them, until the sacrificial animal reaches its place'.<sup>50</sup>

الْحُسَيْنُ بْنُ مُحَمَّدٍ عَنْ مُعَلَّى بْنِ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ عَلِيٍّ عَنِ ابْنِ عُثْمَانَ عَنْ زُرَّارَةَ قَالَ قُلْتُ لِأَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَام ) رَجُلٌ وَقَعَ عَلَى أَهْلِهِ وَ هُوَ مُحْرِمٌ قَالَ أ جَاهِلٌ أَوْ عَالِمٌ قَالَ قُلْتُ جَاهِلٌ قَالَ يَسْتَغْفِرُ اللَّهُ وَ لَا يَعُودُ وَ لَا شَيْءَ عَلَيْهِ .

Al Husayn Bin Muhammad, from Moallah Bin Muhammad, from Al Hassan Bin Ali, from Aban Bin Usman, from Zurara who said,

'I said to Abu Ja'far<sup>asws</sup>, 'A man falls upon his wife and he is in *Ihraam*'. He<sup>asws</sup> said: 'Are they both ignorant of knowing?' I said, 'Ignorant'. He<sup>asws</sup> said: 'He should seek Forgiveness of Allah<sup>azwj</sup>, and he should not repeat, and there would be nothing upon him'.<sup>51</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنِ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ عَنِ عَلِيِّ بْنِ أَبِي حَمْرَةَ قَالَ سَأَلْتُ أَبَا الْحَسَنِ ( عَلَيْهِ السَّلَام ) عَنْ مُحْرِمٍ وَقَعَ أَهْلَهُ فَقَالَ قَدْ أَتَى عَظِيمًا قُلْتُ أَفْتِنِي فَقَالَ اسْتَكَرَّ هَهَا أَوْ لَمْ يَسْتَكَرَّ هَهَا قُلْتُ أَفْتِنِي فِيهِمَا جَمِيعًا

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Al Husayn Bin Saeed, from Al Qasim Bin Muhammad, from Ali Bin Abu Hamza who said,

'I asked Abu Al-Hassan<sup>asws</sup> about one in *Ihraam* falling upon his wife. So he<sup>asws</sup> said: 'He has come to a grievous matter'. I said, 'Issue a verdict to me'. So he<sup>asws</sup> said: 'Did he coerce (force) her or did he not coerce her?' I said, 'Issue a verdict regarding both together'.

<sup>49</sup> Al Kafi – V 4 – The Book of Hajj Ch 103 H 2

<sup>50</sup> Al Kafi – V 4 – The Book of Hajj Ch 103 H 3

<sup>51</sup> Al Kafi – V 4 – The Book of Hajj Ch 103 H 4

فَقَالَ إِنْ كَانَ اسْتَكْرَهَهَا فَعَلَيْهِ بَدْنَتَانِ وَإِنْ لَمْ يَكُنْ اسْتَكْرَهَهَا فَعَلَيْهِ بَدْنَةٌ وَعَلَيْهَا بَدْنَةٌ وَيَفْتَرِقَانِ مِنَ الْمَكَانِ الَّذِي كَانَ فِيهِ مَا كَانَ حَتَّى يَنْتَهِيَا إِلَى مَكَّةَ وَعَلَيْهِمَا الْحَجُّ مِنْ قَابِلٍ لَا بُدَّ مِنْهُ

So he<sup>asws</sup> said: 'If he had coerced her, so upon him would be two sacrificial animals; and if did not happen to have coerced her, so upon him would be a sacrificial animal, and upon her would be a sacrificial animal, and they would both be separate from the place in which they did what they did, until they both end up to Makkah, and upon them both would be the Hajj of the next year, it being inevitable from it'.

قَالَ قُلْتُ فَإِذَا انْتَهَيَا إِلَى مَكَّةَ فِيهِ امْرَأَتُهُ كَمَا كَانَتْ فَقَالَ نَعَمْ هِيَ امْرَأَتُهُ كَمَا هِيَ فَإِذَا انْتَهَيَا إِلَى الْمَكَانِ الَّذِي كَانَ مِنْهُمَا مَا كَانَ افْتَرَقَا حَتَّى يُجَلَّأَ فَإِذَا أَحَلَّ فَقَدْ انْقَضَى عَنْهُمَا فَإِنَّ أَبِي كَانَ يَقُولُ ذَلِكَ

He (the narrator) said, 'I said, 'So when they both end up to Makkah, so she would still be his wife just as she used to be?' So he<sup>asws</sup> said: 'Yes. She would be his wife just as she used to be. So when they both end up to the place which from the two of them was what was, separated would be effected between them until they were free from their *Ihraam*. So it would have been ended from them. My<sup>asws</sup> father<sup>asws</sup> was saying that'.

وَفِي رَوَايَةٍ أُخْرَى فَإِنْ لَمْ يَقْدِرْ عَلَى بَدْنَةٍ فَاطْعَامُ سِتِّينَ مَسْكِينًا لِكُلِّ مَسْكِينٍ مُدٌّ فَإِنْ لَمْ يَقْدِرْ فَصِيَامٌ ثَمَانِيَةَ عَشَرَ يَوْمًا وَعَلَيْهَا أَيْضًا كَمِثْلِهِ إِنْ لَمْ يَكُنْ اسْتَكْرَهَهَا .

And in another report, '(He<sup>asws</sup> said): 'So if he was not able upon a sacrificial animal, so he should feed sixty poor ones, for each poor one being one *Mudd* (approximated 750 gms of food). So if he was not able, then he should Fast for eighteen days, and upon her as well would be similar to it if he did not happen to have coerced her'<sup>52</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ ابْنِ أَبِي نَصْرٍ عَنْ صَبَّاحِ الْحَدَّاءِ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ قُلْتُ لِأَبِي الْحَسَنِ مُوسَى ( عَلَيْهِ السَّلَامُ ) أَخْبَرَنِي عَنْ رَجُلٍ مُجَلٍّ وَقَعَ عَلَى أَمَةٍ لَهُ مُحْرَمَةٌ قَالَ مُوسَى أَوْ مُعْسِرٌ قُلْتُ أَجْنَبِي فِيهِمَا قَالَ هُوَ أَمْرًا بِالْإِحْرَامِ أَوْ لَمْ يَأْمُرْهَا أَوْ أَحْرَمَتْ مِنْ قِبَلِ نَفْسِهَا قُلْتُ أَجْنَبِي فِيهِمَا

A number of our companions, from Ahmad Bin Muhammad, from Ibn Abu Nasr, from Sabbah Al Haza'a, from Is'haq Bin Ammar who,

'I said to Abu Al-Hassan Musa<sup>asws</sup>, 'Inform me about a man not in *Ihraam* falling upon a slave girl of his in *Ihraam*'. He<sup>asws</sup> said: 'Is he (financially) solvent or insolvent?' I said, 'Answer me regarding both of them'. He<sup>asws</sup> said: 'Did he instruct her to be in *Ihraam* or did not instruct her so? Or did she wear *Ihraam* of her own accord?' I said, 'Answer me regarding both of these'.

فَقَالَ إِنْ كَانَ مُوسِرًا وَكَانَ عَالِمًا أَنَّهُ لَا يَنْبَغِي لَهُ وَكَانَ هُوَ الَّذِي أَمَرَهَا بِالْإِحْرَامِ فَعَلَيْهِ بَدْنَةٌ وَإِنْ شَاءَ بَقْرَةٌ وَإِنْ شَاءَ شَاةٌ وَإِنْ لَمْ يَكُنْ أَمْرًا بِالْإِحْرَامِ فَلَا شَيْءَ عَلَيْهِ مُوسِرًا كَانَ أَوْ مُعْسِرًا وَإِنْ كَانَ أَمْرًا وَهُوَ مُعْسِرٌ فَعَلَيْهِ دَمٌ شَاةٍ أَوْ صِيَامٌ .

So he<sup>asws</sup> said: 'If he was (financially) solvent and was knowing that it is not befitting for him, and he had instructed her to be in *Ihraam*, so upon him is a sacrificial animal; and if he so desires it, a cow, or if he so desires it, a sheep. And, if he did not happen to have instructed her with the *Ihraam*, so there is nothing upon him, whether

<sup>52</sup> Al Kafi – V 4 – The Book of Hajj Ch 103 H 5

he was (financially) solvent or insolvent; and if he had instructed her so and he was (financially) solvent, so upon him is blood of a sheep, or Fasts'.<sup>53</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنِ النَّضْرِ بْنِ سُؤَيْدٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ عَنِ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ رَجُلٍ بَاسَرَ امْرَأَتَهُ وَ هُمَا مُحْرَمَانِ مَا عَلَيْهِمَا فَقَالَ إِنْ كَانَتِ الْمَرْأَةُ أَعَانَتْ بِشَهْوَةٍ مَعَ شَهْوَةِ الرَّجُلِ فَعَلَيْهِمَا الْهُدْيُ جَمِيعاً وَ يُفَرَّقُ بَيْنَهُمَا حَتَّى يَفْرَعَا مِنَ الْمَنَاسِكِ وَ حَتَّى يَرْجِعَا إِلَى الْمَكَانِ الَّذِي أَصَابَا فِيهِ مَا أَصَابَا وَ إِنْ كَانَتِ الْمَرْأَةُ لَمْ تُعِنْ بِشَهْوَةٍ وَ اسْتَكْرَهَهَا صَاحِبُهَا فَلَيْسَ عَلَيْهَا شَيْءٌ .

A number of our companions, from Ahmad Bin Muhammad, from Al Husayn Bin Saeed, from Al Nazar Bin Suweyd, from Hisham Bin Salim, from Suleyman Bin Khalid,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about a man who slept with his wife and they were both in *Ihraam*, 'What is upon them both?' So he<sup>asws</sup> said: 'If the woman had aided by desire along with the desire of the man, so upon them both would be the sacrifice, together (each), and separation would be effected between the two of them until they are both free from the rituals, and until they both return to the place in which they attained what they attained. And if it was such that the woman did not aid with desire and disliked her companion (doing it), so there is nothing upon her'.<sup>54</sup>

بَابُ الْمُحْرَمِ يُقَبِّلُ امْرَأَتَهُ وَ يَنْظُرُ إِلَيْهَا بِشَهْوَةٍ أَوْ غَيْرِ شَهْوَةٍ أَوْ يَنْظُرُ إِلَى غَيْرِهَا

## Chapter 104 – The one in *Ihraam* kisses his wife and he looks at her with desire, or without desire, or he looks at someone else

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ وَ مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شَادَانَ عَنِ ابْنِ أَبِي عُمَيْرٍ وَ صَفْوَانَ بْنِ يَحْيَى عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ مُحْرَمٍ نَظَرَ إِلَى امْرَأَتِهِ فَأَمْنَى أَوْ أَمْدَى وَ هُوَ مُحْرَمٌ قَالَ لَا شَيْءَ عَلَيْهِ وَ لَكِنْ لِيَعْتَسِلَ وَ يَسْتَعْفِرَ رَبَّهُ وَ إِنْ حَمَلَهَا مِنْ غَيْرِ شَهْوَةٍ فَأَمْنَى أَوْ أَمْدَى فَلَا شَيْءَ عَلَيْهِ وَ إِنْ حَمَلَهَا أَوْ مَسَّهَا بِشَهْوَةٍ فَأَمْنَى أَوْ أَمْدَى فَعَلَيْهِ دَمٌ

Ali Bin Ibrahim, from his father and Muhammad Bin Ismail, from Al Fazl Bin Shazaan, from Ibn Abu Umeyr, and Safwan Bin Yahya, from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam* looking at his wife so he discharges semen or seminal fluid, and he is in *Ihraam*. He<sup>asws</sup> said: 'There is nothing upon him, but let him wash, and he should seek Forgiveness of his Lord<sup>azwj</sup>. And, if he burdened upon her from without desire, so he discharged semen or seminal fluid, then there is nothing upon him; and if he burdened her or touched her with desire, so he discharged semen or seminal fluid, then upon him is blood (of a sacrificial animal)'.<sup>55</sup>

وَ قَالَ فِي الْمُحْرَمِ يَنْظُرُ إِلَى امْرَأَتِهِ وَ يُنْزِلُهَا بِشَهْوَةٍ حَتَّى يُنْزَلَ قَالَ عَلَيْهِ بَدَنَةٌ .

And he<sup>asws</sup> said regarding the one in *Ihraam* looking at his wife, and he descends upon her until his discharge descends, said: 'Upon him is a sacrificial animal'.<sup>55</sup>

<sup>53</sup> Al Kafi – V 4 – The Book of Hajj Ch 103 H 6

<sup>54</sup> Al Kafi – V 4 – The Book of Hajj Ch 103 H 7

<sup>55</sup> Al Kafi – V 4 – The Book of Hajj Ch 104 H 1

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنِ الْمُحْرَمِ يَضَعُ يَدَهُ مِنْ غَيْرِ شَهْوَةٍ عَلَى امْرَأَتِهِ قَالَ نَعَمْ يُصَلِّحُ عَلَيْهَا خِمَارَهَا وَ يُصَلِّحُ عَلَيْهَا ثَوْبَهَا وَ مَحْمَلَهَا فَلْتُ أَ قِيمَسُهَا وَ هِيَ مُحْرِمَةٌ قَالَ نَعَمْ فَلْتُ الْمُحْرَمِ يَضَعُ يَدَهُ بِشَهْوَةٍ قَالَ يُهْرِيقُ دَمَ شَاةٍ فَلْتُ فَإِنْ قَبِلَ قَالَ هَذَا أَشَدُّ يَنْحَرُ بَدَنَةً .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam* placing his hand upon his wife from without desire. He<sup>asws</sup> said: 'Yes, he can correct her veil upon her, or he can correct her clothes upon her, and her carriage'. I said, 'Can he touch her and she is in *Ihraam*?' He<sup>asws</sup> said: 'Yes'. I said, 'The one in *Ihraam* placing his hand with desire?' He<sup>asws</sup> said: 'He should spill blood of a sheep'. I said, 'Supposing he kisses?' He<sup>asws</sup> said: 'This is more intense. He should sacrifice a camel'.<sup>56</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ أَبِي حَمَزَةَ عَنْ أَبِي الْحَسَنِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ رَجُلٍ قَبِلَ امْرَأَتَهُ وَ هُوَ مُحْرَمٌ قَالَ عَلَيْهِ بَدَنَةٌ وَ إِنْ لَمْ يُنْزِلْ وَ لَيْسَ لَهُ أَنْ يَأْكُلَ مِنْهَا .

A number of our companions, from Sahl Bin Ziyad, from Ahmad Bin Muhammad, from Ali Bin Abu Hamza,

(It has been narrated) from Abu Al-Hassan<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about a man who kisses his wife and he is in *Ihraam*. He<sup>asws</sup> said: 'Upon him is a sacrificial animal. And even if he did not discharge, it is not for him that he should eat from it'.<sup>57</sup>

سَهْلُ بْنُ زِيَادٍ وَ مُحَمَّدُ بْنُ يَحْيَى عَنِ أَحْمَدَ بْنِ مُحَمَّدٍ جَمِيعاً عَنِ ابْنِ مَحْبُوبٍ عَنِ ابْنِ رَبَّابٍ عَنْ مِسْمَعِ أَبِي سَيَّارٍ قَالَ قَالَ لِي أَبُو عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) يَا أَبَا سَيَّارٍ إِنَّ حَالَ الْمُحْرَمِ ضَيِّقَةً فَمَنْ قَبِلَ امْرَأَتَهُ عَلَى غَيْرِ شَهْوَةٍ وَ هُوَ مُحْرَمٌ فَعَلَيْهِ دَمُ شَاةٍ وَ مَنْ قَبِلَ امْرَأَتَهُ عَلَى شَهْوَةٍ فَأَمْنَى فَعَلَيْهِ جَزُورٌ وَ يَسْتَعْفِرُ رَبَّهُ وَ مَنْ مَسَّ امْرَأَتَهُ بِيَدِهِ وَ هُوَ مُحْرَمٌ عَلَى شَهْوَةٍ فَعَلَيْهِ دَمُ شَاةٍ وَ مَنْ نَظَرَ إِلَى امْرَأَتِهِ نَظَرَ شَهْوَةٍ فَأَمْنَى فَعَلَيْهِ جَزُورٌ وَ مَنْ مَسَّ امْرَأَتَهُ أَوْ لَازَمَهَا مِنْ غَيْرِ شَهْوَةٍ فَلَا شَيْءَ عَلَيْهِ .

Sahl Bin Ziyad and Muhammad Bin Yahya, from Ahmad Bin Muhammad, altogether from Ibn Mahboub, from Ibn Raib, from Misma'a Abu Sayyar who said,

'Abu Abdullah<sup>asws</sup> said to me: 'O Abu Sayyar! The state of the one in *Ihraam* is constricted. So the one who kisses his wife upon other than desire and he was in *Ihraam*, so upon him is blood of a sheep; and the one who kisses his wife upon desire, so he discharges semen, so upon him would be a camel, and he should seek Forgiveness of his Lord<sup>azwj</sup>. And the one who touches his wife with his hand upon desire and he is in *Ihraam*, so upon him is blood of a sheep. And the one who looks at his wife with a lustful look, so he discharges semen, so upon him would be a camel. And the one who touches his wife, or holds her from without desire, so there is nothing upon him'.<sup>58</sup>

مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شَاذَانَ عَنْ صَفْوَانَ عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَجَّاجِ قَالَ سَأَلْتُ أَبَا الْحَسَنِ ( عَلَيْهِ السَّلَامُ ) عَنِ الْمُحْرَمِ بَعِثَ بِأَهْلِهِ حَتَّى يُمْنَى مِنْ غَيْرِ جَمَاعٍ أَوْ يَفْعَلَ ذَلِكَ فِي شَهْرِ رَمَضَانَ مَا ذَا عَلَيْهِمَا قَالَ عَلَيْهِمَا قَالَ عَلَيْهِمَا جَمِيعاً الْكَفَّارَةَ مِثْلُ مَا عَلَى الَّذِي يُجَامَعُ .

Muhammad Bin Ismail, from Al Fazl Bin Shazaan, from Safwan, from Abdul Rahman Bin Al Hajjaj who said,

<sup>56</sup> Al Kafi – V 4 – The Book of Hajj Ch 104 H 2

<sup>57</sup> Al Kafi – V 4 – The Book of Hajj Ch 104 H 3

<sup>58</sup> Al Kafi – V 4 – The Book of Hajj Ch 104 H 4

'I asked Abu Al-Hassan<sup>asws</sup> about the one in *Ihraam* tampering with his wife until he discharges semen from without copulation, or he does that during a Month of Ramazan. What is that which would be upon them both?' He<sup>asws</sup> said: 'Upon them both is an expiation similar to what is upon the one who copulates'.<sup>59</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ عَمْرِو بْنِ عُثْمَانَ الْخَزَّازِ عَنْ صَبَّاحِ الْحِذَاءِ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي الْحَسَنِ ( عَلَيْهِ السَّلَامُ ) قَالَ قُلْتُ لَهُ مَا تَقُولُ فِي مُحْرِمٍ عَيْتَ بِذِكْرِهِ فَأَمَّنِي قَالَ أَرَى عَلَيْهِ مِثْلَ مَا عَلَى مَنْ أَتَى أَهْلَهُ وَهُوَ مُحْرِمٌ بَدَنَةً وَ النَّحَجِّ مِنْ قَابِلٍ .

Ali Bin Ibrahim, from his father, from Amro Bin Usman Al Khazzaz, from Sabbah Al Haza'a, from Is'haq Bin Ammar,

(It has been narrated) from Abu Al-Hassan<sup>asws</sup>, said, 'I said to him<sup>asws</sup>, 'What are you<sup>asws</sup> saying regarding the one in *Ihraam* who tampers with his manhood, so he discharges?' He<sup>asws</sup> said: 'I<sup>asws</sup> upon him to be similar to what is upon the one who goes to his wife and he is in *Ihraam* – a sacrificial animal, and the Hajj (to be performed) the next year'.<sup>60</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي بَصِيرٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ رَجُلٍ نَظَرَ إِلَى سَاقِ امْرَأَةٍ فَأَمَّنِي قَالَ إِنْ كَانَ مُوسِرًا فَعَلَيْهِ بَدَنَةٌ وَإِنْ كَانَ بَيْنَ ذَلِكَ قَبْرَةً وَإِنْ كَانَ فَقِيرًا فَشَاةٌ أَمَا إِنِّي لَمْ أَجْعَلْ ذَلِكَ عَلَيْهِ مِنْ أَجْلِ الْمَاءِ وَ لَكِنْ مِنْ أَجْلِ أَنَّهُ نَظَرَ إِلَى مَا لَا يَجِلُّ لَهُ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan, from Is'haq Bin Ammar, from Abu Baseer who said,

'I asked Abu Abdullah<sup>asws</sup> about a man who looks at a leg of a woman, so he discharges. He<sup>asws</sup> said: 'If he was (financially) solvent, so upon him is a camel; and if he was in between that, so a cow; and if he was poor, so a sheep. But, I<sup>asws</sup> do not make that to be upon him from a reason of the water (discharge), but from a reason that he looked at what is not Permissible for him'.<sup>61</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ فِي مُحْرِمٍ نَظَرَ إِلَى غَيْرِ أَهْلِهِ فَأَنْزَلَ قَالَ عَلَيْهِ دَمٌ لِأَنَّهُ نَظَرَ إِلَى غَيْرِ مَا يَجِلُّ لَهُ وَ إِنْ لَمْ يَكُنْ أَنْزَلَ فَلْيَتَّقِ اللَّهَ وَ لَا يَعْذُ وَ لَيْسَ عَلَيْهِ شَيْءٌ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Muawiya Bin Ammar,

'Regarding the one in *Ihraam* looking at other than his wife, so his discharge descends. He<sup>asws</sup> said: 'Upon him is blood (of a sacrificial animal), because he looked at other than what is Permissible for him. And, if he did not happen to have discharged, so let him fear Allah<sup>azwj</sup>, and he should not repeat, and there is nothing upon him'.<sup>62</sup>

أَحْمَدُ بْنُ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ أَحْمَدَ النَّهْدِيِّ عَنْ مُحَمَّدِ بْنِ الْوَلِيدِ عَنْ أَبَانَ بْنِ عُثْمَانَ عَنِ الْحُسَيْنِ بْنِ حَمَادٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الْمُحْرِمِ يُقْبَلُ أُمُّهُ قَالَ لَا بَأْسَ هَذِهِ قُبْلَةٌ رَحْمَةً إِنَّمَا يُكْرَهُ قُبْلَةُ الشَّهْوَةِ .

Ahmad Bin Muhammad, from Muhammad Bin Ahmad Al Nahdy, from Muhammad Bin Al Waleed, from Aban Bin Usman, from Al Husayn Bin Hammad who said,

<sup>59</sup> Al Kafi – V 4 – The Book of Hajj Ch 104 H 5

<sup>60</sup> Al Kafi – V 4 – The Book of Hajj Ch 104 H 6

<sup>61</sup> Al Kafi – V 4 – The Book of Hajj Ch 104 H 7

<sup>62</sup> Al Kafi – V 4 – The Book of Hajj Ch 104 H 8

'I asked Abu Abdullah<sup>asws</sup> about the one in *Ihraam* kissing his mother. He<sup>asws</sup> said: 'There is no problem with these kisses of mercy. But what is disliked is kisses of the lustful desires'.<sup>63</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ وَهَيْبِ بْنِ حَفْصِ بْنِ أَبِي بَصِيرٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) عَنْ رَجُلٍ يَسْمَعُ كَلَامَ امْرَأَةٍ مِنْ خَلْفِ حَائِطٍ وَهُوَ مُحْرِمٌ فَتَشَهَّى حَتَّى أَنْزَلَ قَالَ لَيْسَ عَلَيْهِ شَيْءٌ .

Ali Bin Ibrahim, from his father, from Wuheyb Bin Hafs, from Abu Baseer who said,

'I asked Abu Abdullah<sup>asws</sup> about a man who heard the speech of his wife from behind a wall and he was in *Ihraam*. So he desired her until he discharged. He<sup>asws</sup> said: 'There is nothing upon him'.<sup>64</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ أَحْمَدَ بْنِ مُحَمَّدِ بْنِ أَبِي نَصْرِ عَنْ بَعْضِ أَصْحَابِنَا عَنْ أَبِي عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) فِي مُحْرِمٍ اسْتَمَعَ عَلَى رَجُلٍ يُجَامِعُ أَهْلَهُ فَأَمَنَى قَالَ لَيْسَ عَلَيْهِ شَيْءٌ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Ahmad Bin Muhammad Bin Abu Nasr, from one of our companions,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the one in *Ihraam* who listened upon a man copulating with his wife, so he discharged. He<sup>asws</sup> said: 'There is nothing upon him'.<sup>65</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ أَحْمَدَ بْنِ مُحَمَّدِ بْنِ أَبِي نَصْرِ عَنْ سَمَاعَةَ عَنْ أَبِي عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) فِي الْمُحْرِمِ تَنَعَّتْ لَهُ الْمَرْأَةُ الْجَمِيلَةَ الْحَلْقَةَ فِيمَنِي قَالَ لَيْسَ عَلَيْهِ شَيْءٌ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Ahmad Bin Muhammad Bin Abu Nasr, from Sama'at,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the one in *Ihraam* to whom the beautiful woman describes her creation, so he discharges. He<sup>asws</sup> said: 'There is nothing upon her'.<sup>66</sup>

بَابُ الْمُحْرِمِ يَأْتِي أَهْلَهُ وَ قَدْ قَضَى بَعْضَ مَنَاسِكِهِ

## Chapter 105 – The one in *Ihraam* goes to his wife, and he had already fulfilled some of his rituals

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ أَبِي أَيُّوبَ الْخَزَّازِ عَنْ سَلَمَةَ بْنِ مَحْرَزٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) عَنْ رَجُلٍ وَقَعَ عَلَى أَهْلِهِ قَبْلَ أَنْ يَطُوفَ طَوَافَ النِّسَاءِ قَالَ لَيْسَ عَلَيْهِ شَيْءٌ فَخَرَجَتْ إِلَى أَصْحَابِنَا فَأَخْبَرْتُهُمْ فَقَالُوا اتَّفَاكَ هَذَا مُبَسَّرٌ قَدْ سَأَلَهُ عَنْ مِثْلِ مَا سَأَلْتَ فَقَالَ لَهُ عَلِيُّكَ بَدَنَةٌ

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Abu Ayoub Al Khazzaz, from Salma Bin Muhraz who said,

<sup>63</sup> Al Kafi – V 4 – The Book of Hajj Ch 104 H 9

<sup>64</sup> Al Kafi – V 4 – The Book of Hajj Ch 104 H 10

<sup>65</sup> Al Kafi – V 4 – The Book of Hajj Ch 104 H 11

<sup>66</sup> Al Kafi – V 4 – The Book of Hajj Ch 104 H 12



'I asked Abu Abdullah<sup>asws</sup> about a man who falls upon his wife before he has circumambulated the circumambulation of the women (طَوَافَ النِّسَاءِ). He<sup>asws</sup> said: 'There is nothing upon him'. So I went out to our companions and I informed them, so they said, 'He<sup>asws</sup> applied dissimulation on you. This here is Muyassar who had asked him<sup>asws</sup> similar to what you asked, so he<sup>asws</sup> said to him: 'Upon you is a sacrificial animal'.

قَالَ فَدَخَلْتُ عَلَيْهِ فَقُلْتُ جُعِلْتُ فِدَاكَ إِنِّي أَخْبَرْتُ أَصْحَابِنَا بِمَا أَجَبْتَنِي فَقَالُوا اتَّقَاكَ هَذَا مُيَسَّرٌ قَدْ سَأَلَهُ عَمَّا سَأَلْتَ فَقَالَ لَهُ عَلَيْكَ بَدَنَةٌ فَقَالَ إِنَّ ذَلِكَ كَانَ بَلْعُهُ فَهَلْ بَلَعَكَ قُلْتُ لَا قَالَ لَيْسَ عَلَيْكَ شَيْءٌ .

He (the narrator) said, 'So I went to him<sup>asws</sup> and I said, 'May I be sacrificed for you<sup>asws</sup>! I informed our companions with what you<sup>asws</sup> answered me with, but they said, 'He<sup>asws</sup> applied dissimulation on you. This here is Muyassar who had asked him<sup>asws</sup> similar to what you asked, so he<sup>asws</sup> said to him: 'Upon you is a sacrificial animal'. So he<sup>asws</sup> said: 'That was because it (the ruling) had reached him. So, had it reached you?' I said, 'No'. He<sup>asws</sup> said: 'There is nothing upon you'.<sup>67</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ سِنَانَ عَنْ أَبِي خَالِدٍ الْقَمَاطِ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ رَجُلٍ وَقَعَ عَلَى امْرَأَتِهِ يَوْمَ النَّحْرِ قَبْلَ أَنْ يَزُورَ قَالَ إِنَّ كَانَ وَقَعَ عَلَيْهَا بِشَهْوَةٍ فَعَلَيْهِ بَدَنَةٌ وَإِنْ كَانَ غَيْرَ ذَلِكَ فَبِقَرَّةٍ قُلْتُ أَوْ شَاةٍ قَالَ أَوْ شَاةٍ .

Muhammad Bin yahya, from Ahmad Bin Muhammad, from Muhammad Bin Sinan, from Abu Khalid Al Qammat who said,

'I asked Abu Abdullah<sup>asws</sup> about a man who falls upon his wife on the day of the sacrifice before he performs *Ziyaarat*. He<sup>asws</sup> said: 'If he had fallen upon her with desire, so upon him is a camel; and if it was without that, so a cow'. I said, 'Or a sheep?' He<sup>asws</sup> said: 'Or a sheep'.<sup>68</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ مُتَمَتِّعٍ وَقَعَ عَلَى أَهْلِهِ وَ لَمْ يَزُرْ قَالَ يَنْحَرُ جَزُورًا وَ قَدْ خَشِيتُ أَنْ يَكُونَ قَدْ تَلَّمَ حَجَّهُ إِنْ كَانَ عَالِمًا وَ إِنْ كَانَ جَاهِلًا فَلَا شَيْءَ عَلَيْهِ

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Muawiya Bin Ammar who said,

'I asked Abu Abdullah<sup>asws</sup> about (a man) performing *Tumutto* falling upon his wife and he has not performed *Ziyaarat*. He<sup>asws</sup> said: 'He should sacrifice a camel, and I<sup>asws</sup> fear that his Hajj would break if he was knowing; and if he was ignorant, so there is nothing upon him'.

وَ سَأَلْتُهُ عَنْ رَجُلٍ وَقَعَ عَلَى امْرَأَتِهِ قَبْلَ أَنْ يَطُوفَ طَوَافَ النِّسَاءِ قَالَ عَلَيْهِ جَزُورٌ سَمِينَةٌ وَ إِنْ كَانَ جَاهِلًا فَلَيْسَ عَلَيْهِ شَيْءٌ

And I asked him<sup>asws</sup> about a man who falls upon his wife before he has circumambulated the circumambulation of the women (طَوَافَ النِّسَاءِ). He<sup>asws</sup> said: 'Upon him is a fat camel. And, if he was ignorant, so there is nothing upon him'.

قَالَ وَ سَأَلْتُهُ عَنْ رَجُلٍ قَبْلَ امْرَأَتِهِ وَ قَدْ طَافَ طَوَافَ النِّسَاءِ وَ لَمْ تَطْفُفْ هِيَ قَالَ عَلَيْهِ دَمٌ يُهْرِبُهُ مِنْ عِنْدِهِ .

<sup>67</sup> Al Kafi – V 4 – The Book of Hajj Ch 105 H 1

<sup>68</sup> Al Kafi – V 4 – The Book of Hajj Ch 105 H 2

He (the narrator) said, 'And I asked him<sup>asws</sup> about a man who kisses his wife and he has circumambulated the circumambulation of the women (طَوَافَ النِّسَاءِ), but she had not circumambulated. He<sup>asws</sup> said: 'Upon him is blood he would be spilling (of a sacrificial animal) from him'.<sup>69</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ بْنِ يَحْيَى عَنْ عِيصِ بْنِ الْقَاسِمِ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ رَجُلٍ وَقَعَ أَهْلُهُ حِينَ ضَحَّى قَبْلَ أَنْ يَزُورَ النَّبِيَّ قَالَ يَهْرِيقُ دَمًا .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan Bin Yahya, from Ays Bin Al Qasim who said,

'I asked Abu Abdullah<sup>asws</sup> about a man who falls upon his wife when he sacrificed, before he had performed *Ziyaarat* of the House (Kabah). He<sup>asws</sup> said: 'He should spill blood (of a sacrificial animal)'.<sup>70</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِذَا وَقَعَ الْمُحْرِمُ امْرَأَتَهُ قَبْلَ أَنْ يَأْتِيَ الْمُرْدَلِفَةَ فَعَلَيْهِ الْحَجُّ مِنْ قَابِلٍ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When the one in *Ihraam* falls upon his wife before he comes to Al-Muzdalifa, so upon him is (performing of) the Hajj next year'.<sup>71</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ وَ سَهْلِ بْنِ زِيَادٍ عَنْ ابْنِ مَحْبُوبٍ عَنْ ابْنِ رَبَّابٍ عَنْ حُمْرَانَ بْنِ أَعْيَنَ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ رَجُلٍ كَانَ عَلَيْهِ طَوَافُ النِّسَاءِ وَحَدَّهُ فَطَافَ مِنْهُ حَمْسَةَ أَشْوَاطٍ ثُمَّ عَمَرَهُ بَطْنُهُ فَخَافَ أَنْ يَبْدُرَهُ فَخَرَجَ إِلَى مَنْزِلِهِ فَفَضَّ ثُمَّ غَشِيَ جَارِيَتَهُ

A number of our companions, from Ahmad Bin Muhammad, and Sahl Bin Ziyad, from Ibn Mahboub, from Ibn Raib, from Humran Bin Ayn,

(It has been narrated) from Abu Ja'far<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about a man upon whom was the performing of circumambulation of the women (طَوَافُ النِّسَاءِ), alone. So he circumambulated five circuits from it, then had belly ache. So he feared that he might caught by surprise. So he went out to his house, so he relieved himself. Then he overwhelmed his slave girl.

قَالَ يَغْتَسِلُ ثُمَّ يَرْجِعُ فَيَطُوفُ بِالنَّبِيِّ طَوَافَيْنِ تَمَامَ مَا كَانَ قَدْ بَقِيَ عَلَيْهِ مِنْ طَوَافِهِ وَ يَسْتَغْفِرُ اللَّهَ وَ لَا يَعُودُ وَ إِنْ كَانَ طَافَ طَوَافَ النِّسَاءِ فَطَافَ مِنْهُ ثَلَاثَةَ أَشْوَاطٍ ثُمَّ خَرَجَ فَعَشِيَ فَقَدْ أَفْسَدَ حَجَّهُ وَ عَلَيْهِ بَدَنَةٌ وَ يَغْتَسِلُ ثُمَّ يَعُودُ فَيَطُوفُ أَسْبُوعًا .

He<sup>asws</sup> said: 'He should wash, then return, and he should circumambulated by the House (Kabah) with two circuits to complete what had remain upon him from his circumambulation, and he should seek Forgiveness of Allah<sup>azwj</sup>, and he should not repeat. And if it was a circumambulation of the women (طَوَافُ النِّسَاءِ), so he had circumambulated three circuits, then went out, so he overwhelmed (his slave girl), so

<sup>69</sup> Al Kafi – V 4 – The Book of Hajj Ch 105 H 3

<sup>70</sup> Al Kafi – V 4 – The Book of Hajj Ch 105 H 4

<sup>71</sup> Al Kafi – V 4 – The Book of Hajj Ch 105 H 5

he would have spoiled his Hajj, and upon him would be a sacrificial animal, and he should wash, then repeat, so he would have to circumambulate seven (circuits)'.<sup>72</sup>

إِبْنُ مَحْبُوبٍ عَنْ عَبْدِ الْعَزِيزِ الْعَبْدِيِّ عَنْ عُبَيْدِ بْنِ زُرَّارَةَ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ رَجُلٍ طَافَ بِالْبَيْتِ أَسْبُوعًا طَوَافَ الْفَرِيضَةِ ثُمَّ سَعَى بَيْنَ الصَّفَا وَالْمَرْوَةِ أَرْبَعَةَ أَشْوَاطٍ ثُمَّ عَمَرَهُ بَطْنُهُ فَخَرَجَ فَقَضَى حَاجَتَهُ ثُمَّ غَشِيَ أَهْلَهُ قَالَ يَغْتَسِلُ ثُمَّ يَعُودُ فَيَطُوفُ ثَلَاثَةَ أَشْوَاطٍ وَيَسْتَغْفِرُ رَبَّهُ وَلَا شَيْءَ عَلَيْهِ

Ibn Mahboub, from Abdul Aziz Al Abdy, from Ubeyd Bin Zurara who said,

'I asked Abu Abdullah<sup>asws</sup> about a man who circumambulated by the House (Kabah) seven Obligatory circumambulations. Then he performed Sa'ee between Al-Safa and Al-Marwa, four circuits. Then his belly ached, so he went out and fulfilled his need. Then he overwhelmed his wife. He<sup>asws</sup> said: 'He should wash, then return, so he should circumambulate three (remaining) circuits, and he should seek Forgiveness of his Lord<sup>azwj</sup>, and there is nothing upon him'.

قُلْتُ فَإِنْ كَانَ طَافَ بِالْبَيْتِ طَوَافَ الْفَرِيضَةِ فَطَافَ أَرْبَعَةَ أَشْوَاطٍ ثُمَّ عَمَرَهُ بَطْنُهُ فَخَرَجَ فَقَضَى حَاجَتَهُ فَغَشِيَ أَهْلَهُ فَقَالَ أَفَسَدَ حَجَّهُ وَ عَلَيْهِ بَدَنَةٌ وَيَغْتَسِلُ ثُمَّ يَرْجِعُ فَيَطُوفُ أَسْبُوعًا ثُمَّ يَسْعَى وَيَسْتَغْفِرُ رَبَّهُ

I said, 'Supposing it was circumambulation of the House (Kabah), the Obligatory circumambulation, so he circumambulated four circuits, then his belly ached, so he went out and fulfilled his need, and overwhelmed his wife?' So he<sup>asws</sup> said: 'His Hajj would be spoiled, and upon him would be a sacrificial animal, and he should wash, then return, so he should circumambulate seven (circuits), then perform Sa'ee, and he should seek Forgiveness of his Lord<sup>azwj</sup>'.

قُلْتُ كَيْفَ لَمْ تَجْعَلْ عَلَيْهِ حِينَ غَشِيَ أَهْلَهُ قَبْلَ أَنْ يَفْرُغَ مِنْ سَعْيِهِ كَمَا جَعَلْتَ عَلَيْهِ هَدِيًّا حِينَ غَشِيَ أَهْلَهُ قَبْلَ أَنْ يَفْرُغَ مِنْ طَوَافِهِ قَالَ إِنَّ الطَّوَافَ فَرِيضَةٌ وَ فِيهِ صَلَاةٌ وَ السَّعْيُ سُنَّةٌ مِنْ رَسُولِ اللَّهِ ( صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ )

I said, 'How come you<sup>asws</sup> did not make it to be upon him, where he overwhelmed his wife before he was free from his Sa'ee, just as you<sup>asws</sup> are making it to be upon him, a sacrificial offering where he overwhelms his wife before he is free from his circumambulation?' He<sup>asws</sup> said: 'The circumambulation is Obligatory, and therein is Prayer, and the Sa'ee, being a Sunnah from Rasool-Allah<sup>saww</sup>'.

قُلْتُ أَلَيْسَ اللَّهُ يَقُولُ إِنَّ الصَّفَا وَالْمَرْوَةَ مِنْ شَعَائِرِ اللَّهِ قَالَ بَلَى وَ لَكِنْ قَدْ قَالَ فِيهِمَا وَ مَنْ تَطَوَّعَ خَيْرًا فَإِنَّ اللَّهَ شَاكِرٌ عَلِيمٌ فَلَوْ كَانَ السَّعْيُ فَرِيضَةً لَمْ يَقُلْ فَمَنْ تَطَوَّعَ خَيْرًا .

I said, 'Isn't Allah<sup>azwj</sup> Saying that **[2:158] Surely the Safa and the Marwa are among the Rituals appointed by Allah?**' He<sup>asws</sup> said: 'Yes, but He<sup>azwj</sup> has Said **[2:158] and whoever does good voluntarily, then surely Allah is Grateful, Knowing.** So, had the Sa'ee been Obligatory, He<sup>azwj</sup> would not have Said **[2:158] and whoever does good voluntarily**'.<sup>73</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ عَلِيِّ بْنِ يَقْطِينٍ عَنْ أَبِي الْحَسَنِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ رَجُلٍ قَالَ لِأَمْرَاتِهِ أَوْ لِجَارِيَّتِهِ بَعْدَ مَا حَلَقَ فَلَمْ يَطْفُؤْ وَ لَمْ يَسْعَ بَيْنَ الصَّفَا وَالْمَرْوَةِ اطَّرَحِي تَوْبِكَ وَ نَظَرِي إِلَى فَرْجِهَا قَالَ لَا شَيْءَ عَلَيْهِ إِذَا لَمْ يَكُنْ غَيْرَ النَّظَرِ .

<sup>72</sup> Al Kafi – V 4 – The Book of Hajj Ch 105 H 6

<sup>73</sup> Al Kafi – V 4 – The Book of Hajj Ch 105 H 7

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Ali Bin Yaqteen,

(It has been narrated) from Abu Al-Hassan<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about a man who said to his wife, or to his slave girl, after having shaved (his head), but he had not circumambulated, and had not performed Sa'ee between Al-Safa and Al-Marwa: 'Cast off your clothes', and he looked at her private parts'. He<sup>asws</sup> said: 'There is nothing upon him, when anything other than looking did not take place'.<sup>74</sup>

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<sup>74</sup> Al Kafi – V 4 – The Book of Hajj Ch 105 H 8

## أَبْوَابُ الصَّيْدِ

# CHAPTERS ON HUNTING

## بَابُ النَّهْيِ عَنِ الصَّيْدِ وَ مَا يُصْنَعُ بِهِ إِذَا أَصَابَهُ الْمُحْرَمُ وَ الْمُحِلُّ فِي الْحِلِّ وَ الْحَرَمِ

### Chapter 106 – The Prohibition from the hunting and what to do with it when the one in *Ihraam* does it, and the one not in *Ihraam* in the non-restricted area and in the *Haram*

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ وَ مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ جَمِيعاً عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنِ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ لَا تَسْتَحِلُّ شَيْئاً مِنَ الصَّيْدِ وَ أَنْتَ حَرَامٌ وَ لَا وَ أَنْتَ حَلَالٌ فِي الْحَرَمِ وَ لَا تَدُلُّ عَلَيْهِ مُحِلاً وَ لَا مُحْرَماً فَيَصْطَادُوهُ وَ لَا تُشِيرَ إِلَيْهِ فَيَسْتَحِلَّ مِنْ أَجْلِكَ فَإِنَّ فِيهِ فِدَاءً لِمَنْ تَعَمَّدَهُ .

Ali Bin Ibrahim, from his father and Muhammad Bin yahya, from Ahmad Bin Muhammad, altogether from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'There is nothing Permissible from the hunting, and you are in *Ihraam*, nor if you are not in *Ihraam*, inside the *Haram*, nor can you point towards it, whether you are in *Ihraam* or not, so that it can be hunted, not can you mention it so that it would be permissible (to be hunted) due to you, for therein is a ransom for the one who deliberates to it'.<sup>75</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ وَ مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شَادَانَ جَمِيعاً عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَفْصِ بْنِ الْبُخْتَرِيِّ عَنْ مَنْصُورِ بْنِ حَازِمٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ الْمُحْرَمُ لَا يَدُلُّ عَلَى الصَّيْدِ فَإِنْ دَلَّ عَلَيْهِ فَقُتِلَ فَعَلَيْهِ الْفِدَاءُ .

Ali Bin Ibrahim, from his father and Muhammad Bin Ismail, from Al Fazl Bin Shazaan, altogether from Ibn Abu Umeyr, from Hafs Bin Al Bakhtary, from Mansour Bin Hazim,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The one in *Ihraam* cannot point out to the prey. So if he were to point it out, and it is killed, then upon him would be the ransom'.<sup>76</sup>

ابْنُ أَبِي عُمَيْرٍ وَ صَفْوَانُ بْنُ يَحْيَى جَمِيعاً عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ لَا تَأْكُلُ مِنَ الصَّيْدِ وَ أَنْتَ حَرَامٌ وَ إِنْ كَانَ الَّذِي أَصَابَهُ مُحِلاً وَ لَيْسَ عَلَيْكَ فِدَاءٌ مَا أَنْتَ بِجَاهِلَةٍ إِلَّا الصَّيْدُ فَإِنَّ عَلَيْكَ فِيهِ الْفِدَاءَ بِجَهْلٍ كَانَ أَوْ بَعْدَ .

Ibn Abu Umeyr and Safwan Bin Yahya, altogether from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'You should not eat from the prey and you are in *Ihraam*, and even if the one who caught it is not in *Ihraam*; and there is no ransom upon you for as long you come to it out of ignorance, except

<sup>75</sup> Al Kafi – V 4 – The Book of Hajj Ch 106 H 1

<sup>76</sup> Al Kafi – V 4 – The Book of Hajj Ch 106 H 2

for the hunting. Thus, upon you, with regards to it, is the ransom, whether it was out of ignorance or deliberate'.<sup>77</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ ابْنِ أَبِي نَصْرٍ عَنْ أَبِي الْحَسَنِ الرِّضَا ( عَلَيْهِ السَّلَام ) قَالَ سَأَلْتُهُ عَنِ الْمُحْرَمِ يَصِيدُ الصَّيْدَ بِجَهَالَةٍ قَالَ عَلَيْهِ كَفَّارَةٌ قُلْتُ فَإِنَّهُ أَصَابَهُ خَطَأً قَالَ وَ أَيْ شَيْءٍ الْخَطَأُ عِنْدَكَ قُلْتُ يَرْمِي هَذِهِ النَّخْلَةَ فَيُصِيبُ نَخْلَةً أُخْرَى قَالَ نَعَمْ هَذَا الْخَطَأُ وَ عَلَيْهِ الْكَفَّارَةُ

A number of our companions, from Ahmad Bin Muhammad, from Ibn Abu Nasr,

(It has been narrated) from Abu Al-Hassan Al-Reza<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam* hunting the prey out of ignorance. He<sup>asws</sup> said: 'Upon him is an expiation'. I said, 'Supposing he attained it in error?' He<sup>asws</sup> said: 'And which thing is (regarded) as an error with you?' I said, 'He pelts this palm tree, so it hits another palm tree'. He<sup>asws</sup> said: 'Yes, this is the error, and upon him is the expiation'.

قُلْتُ فَإِنَّهُ أَخَذَ طَائِرًا مُتَعَمِّدًا فَذَبَحَهُ وَ هُوَ مُحْرَمٌ قَالَ عَلَيْهِ الْكَفَّارَةُ قُلْتُ أَلَسْتَ قُلْتَ إِنَّ الْخَطَأَ وَ الْجَهَالََةَ وَ الْعَمْدَ لَيْسُوا بِسَوَاءٍ فَلَا يَشِيءُ يَفْضُلُ الْمُتَعَمِّدُ الْجَاهِلُ وَ الْخَاطِئُ قَالَ إِنَّهُ أَيْمٌ وَ لَعِبٌ بِيَدِينِهِ .

I said, 'Supposing he were to seize a bird deliberately, so he slaughters it and he is in *Ihraam*?' He<sup>asws</sup> said: 'Upon him is the expiation'. I said, 'Did you<sup>asws</sup> not say that the error, and the ignorance, and the deliberation are not the same? So for which thing is the deliberation distinguishable from the ignorance and the error?' He<sup>asws</sup> said: 'It is a sin, and a playing with his Religion'.<sup>78</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ وَ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رَبَائٍ عَنْ مَسْعُودِ بْنِ عَبْدِ الْمَلِكِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ إِذَا رَمَى الْمُحْرَمُ صَيْدًا فَأَصَابَ اثْنَيْنِ فَإِنَّ عَلَيْهِ كَفَّارَتَيْنِ جَزَاؤُهُمَا .

A number of our companions, from Sahl Bin Ziyad and Ahmad Bin Muhammad, from Al Hassan Bin Mahboub, from Ali Bin Raib, from Misma'a Bin Abdul Malik,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When the one in *Ihraam* pelts a prey, so he hits two, so upon him would be two expiations, as two penalties'.<sup>79</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادِ بْنِ عَيْسَى وَ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ قَالَ قَالَ أَبُو عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) إِذَا أَصَابَ الْمُحْرَمُ الصَّيْدَ فِي الْحَرَمِ وَ هُوَ مُحْرَمٌ فَإِنَّهُ يَنْبَغِي لَهُ أَنْ يَذْفِنَهُ وَ لَا يَأْكُلَهُ أَحَدٌ وَ إِذَا أَصَابَهُ فِي الْجِلِّ فَإِنَّ الْحَلَالَ يَأْكُلُهُ وَ عَلَيْهِ هُوَ الْفِدَاءُ .

Ali Bin Ibrahim, from his father, from Hammad Bin Isa and Ibn Abu Umeyr, from Muawiya Bin Ammar who said,

'Abu Abdullah<sup>asws</sup> said: 'When the one in *Ihraam* catches the prey inside the *Haram* and he is in *Ihraam*, so it is befitting for him that he buries it and no one can eat it; and when he catches it in the unrestricted area, so the one not in *Ihraam* can eat it, and upon him, it is the ransom'.<sup>80</sup>

<sup>77</sup> Al Kafi – V 4 – The Book of Hajj Ch 106 H 3

<sup>78</sup> Al Kafi – V 4 – The Book of Hajj Ch 106 H 4

<sup>79</sup> Al Kafi – V 4 – The Book of Hajj Ch 106 H 5

<sup>80</sup> Al Kafi – V 4 – The Book of Hajj Ch 106 H 6

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ بْنِ يَحْيَى عَنْ مَنْصُورِ بْنِ حَازِمٍ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) رَجُلٌ أَصَابَ مِنْ صَيْدٍ أَصَابَهُ مُحْرِمٌ وَهُوَ حَلَالٌ قَالَ فَلْيَأْكُلْ مِنْهُ الْحَلَالُ وَ لَيْسَ عَلَيْهِ شَيْءٌ إِنَّمَا الْفِدَاءُ عَلَى الْمُحْرِمِ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan Bin Yahya, from Mansour Bin Hazim who said,

'I said to Abu Abdullah<sup>asws</sup>, 'A man attains from a prey caught by one in *Ihraam*, and he is not in *Ihraam*'. He<sup>asws</sup> said: 'So let the one who is not in *Ihraam* eat from it, and there would be nothing upon him. But rather, the ransom is upon the one in *Ihraam*'.<sup>81</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادِ بْنِ عَيْسَى عَنْ حَرِيزِ بْنِ عَبْدِ اللَّهِ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ لُحُومِ الْوَحْشِ تُهْدَى إِلَى الرَّجُلِ وَ لَمْ يَعْلَمْ صَيْدَهَا وَ لَمْ يَأْمُرْ بِهِ أَيْ أَكَلَهُ قَالَ لَا

Ali Bin Ibrahim, from his father, from Hammad Bin Isa, from Hareyz Bin Abdullah, from Muhammad Bin Muslim who said,

'I asked Abu Abdullah<sup>asws</sup> about the flesh of the wild animal gifted to the man, and he does not know it being hunted, and he did not instruct with it. Can he eat it?' He<sup>asws</sup> said: 'No'.

قَالَ وَ سَأَلْتُهُ أَيْ يَأْكُلُ قَيْدَ الْوَحْشِ مُحْرِمٌ قَالَ لَا .

He (the narrator) said, 'And I asked him<sup>asws</sup>, 'Can the one in *Ihraam* eat the cured meat of the wild animal?' He<sup>asws</sup> said: 'No'.<sup>82</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ بْنِ يَحْيَى عَنْ جَمِيلِ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) الصَّيْدُ يَكُونُ عِنْدَ الرَّجُلِ مِنَ الْوَحْشِ فِي أَهْلِهِ أَوْ مِنَ الطَّيْرِ يُحْرِمُ وَ هُوَ فِي مَنْزِلِهِ قَالَ لَا بَأْسَ لَا يَضُرُّهُ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan Bin Yahya, from Jameel who said,

'I said to Abu Abdullah<sup>asws</sup>, 'The hunted prey from the wild animals happens to be in the possession of the man among his family, or from the birds. Is it Prohibited and he is in his house?' He<sup>asws</sup> said: 'There is no problem. It would not harm him'.<sup>83</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عَمْرٍو عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ قَالَ قَالَ أَبُو عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) مَا وَطِئْتَهُ أَوْ وَطِئَهُ بَعِيرُكَ وَ أَنْتَ مُحْرِمٌ فَعَلَيْكَ فِدَاؤُهُ

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Muawiya Bin Ammar who said,

'Abu Abdullah<sup>asws</sup> said: 'Whatever you trample, or your camel tramples upon, and you are in *Ihraam*, so upon you is it ransom'.

وَ قَالَ اعْلَمْ أَنَّهُ لَيْسَ عَلَيْكَ فِدَاءٌ شَيْءٍ أَنْتَيْتَهُ وَ أَنْتَ جَاهِلٌ بِهِ وَ أَنْتَ مُحْرِمٌ فِي حَجِّكَ وَ لَا فِي عُمْرَتِكَ إِلَّا الصَّيْدَ فَإِنَّ عَلَيْكَ فِيهِ الْفِدَاءَ بِجَهَالَةٍ كَانَ أَوْ بَعَمْدٍ .

<sup>81</sup> Al Kafi – V 4 – The Book of Hajj Ch 106 H 7

<sup>82</sup> Al Kafi – V 4 – The Book of Hajj Ch 106 H 8

<sup>83</sup> Al Kafi – V 4 – The Book of Hajj Ch 106 H 9

And he<sup>asws</sup> said: ‘Know! There is no ransom upon you for anything you come to, and you are ignorant, and you are in *Ihraam*, during your Hajj, nor during your Umra, except for the hunted prey. So, upon you, regarding it, is the ransom, whether it was out of ignorance or deliberate’.<sup>84</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ النَّوْفَلِيِّ عَنِ السَّكُونِيِّ عَنْ جَعْفَرٍ عَنْ آبَائِهِ ( عَلَيْهِمُ السَّلَامُ ) قَالَ قَالَ أَمِيرُ الْمُؤْمِنِينَ صَلَّى اللَّهُ عَلَيْهِ فِي الْمُحْرَمِ يُصِيبُ الصَّيْدَ فَيُدْمِيهِ ثُمَّ يُرْسِلُهُ قَالَ عَلَيْهِ جَزَاؤُهُ .

Ali Bin Ibrahim, from his father, from Al Nowfaly, from Al Sakuny,

(It has been narrated) from Ja'far<sup>asws</sup>, from his<sup>asws</sup> forefathers<sup>asws</sup> having said: ‘Amir Al-Momineen<sup>asws</sup> said regarding the one in *Ihraam* catching the prey, so he makes it bleed, then he releases it, said: ‘Upon him is its penalty’.<sup>85</sup>

### بَابُ الْمُحْرَمِ يُضْطَرُّ إِلَى الصَّيْدِ وَالْمَيْتَةِ

## Chapter 107 – The one in *Ihraam* is desperate to the hunted prey and the dead

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادِ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنِ الْمُحْرَمِ يُضْطَرُّ فَيَجِدُ الْمَيْتَةَ وَالصَّيْدَ أَيُّهُمَا يَأْكُلُ قَالَ يَأْكُلُ مِنَ الصَّيْدِ مَا يُحِبُّ أَنْ يَأْكُلَ مِنْ مَالِهِ قُلْتُ بَلَى قَالَ إِنَّمَا عَلَيْهِ الْفِدَاءُ فَلْيَأْكُلْ وَ لِيَفِدِهِ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, ‘I asked him<sup>asws</sup> about the one in *Ihraam* being desperate, so he finds the dead (animal carcass), and the hunted prey, which of these two should he eat?’ He<sup>asws</sup> said: ‘He should eat from the hunted prey what he loves to eat from his own wealth’. I said, ‘Why?’ He<sup>asws</sup> said: ‘Rather, upon him is the ransom, so let him eat and let him (pay the) ransom’.<sup>86</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ فَضَّالٍ عَنْ يُونُسَ بْنِ يَعْقُوبَ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنِ الْمُضْطَرِّ إِلَى الْمَيْتَةِ وَ هُوَ يَجِدُ الصَّيْدَ قَالَ يَأْكُلُ الصَّيْدَ قُلْتُ إِنَّ اللَّهَ قَدْ أَحَلَّ لَهُ الْمَيْتَةَ إِذَا اضْطُرَّ إِلَيْهَا وَ لَمْ يَجِدْ لَهُ الصَّيْدَ قَالَ تَأْكُلُ مِنْ مَالِكَ أَحَبُّ إِلَيْكَ أَوْ مِنْ مَيْتَةٍ قُلْتُ مِنْ مَالِي قَالَ هُوَ مَالِكَ لِأَنَّ عَلَيْكَ فِدَاءَهُ قُلْتُ فَإِنْ لَمْ يَكُنْ عِنْدِي مَالٌ قَالَ تَقْتَضِيهِ إِذَا رَجَعْتَ إِلَى مَالِكَ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ibn Fazzal, from Yunus Bin Yaqoub who said,

‘I asked Abu Abdullah<sup>asws</sup> about the one desperate to the dead (animal carcass), and he can find the hunted prey. He<sup>asws</sup> said: ‘He should eat the hunted prey’. I said, ‘Allah<sup>azwj</sup> has Permitted the animal carcass for him when he is desperate for it, and has not Permitted the hunted prey for him’. He<sup>asws</sup> said: ‘Is your eating from your own wealth more beloved to you or from an animal carcass?’ I said, ‘From my own wealth’. He<sup>asws</sup> said: ‘It is your wealth, because upon you is its ransom’. I said,

<sup>84</sup> Al Kafi – V 4 – The Book of Hajj Ch 106 H 10

<sup>85</sup> Al Kafi – V 4 – The Book of Hajj Ch 106 H 11

<sup>86</sup> Al Kafi – V 4 – The Book of Hajj Ch 107 H 1



‘Supposing there does not happen to be wealth with me?’ He<sup>asws</sup> said: ‘You can fulfill it when you return to your wealth’.<sup>87</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ مَحْبُوبٍ عَنْ شَهَابٍ عَنِ ابْنِ بُكَيْرٍ وَ زُرَّارَةَ عَنْ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) فِي رَجُلٍ اضْطُرَّ إِلَى مَيْتَةٍ وَ صَيْدٍ وَ هُوَ مُحْرِمٌ قَالَ يَأْكُلُ الصَّيْدَ وَ يَفْدِي .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Al Hassan Bin Mahboub, from Shahaab, from Ibn Bukeyr and Zurara,

from Abu Abdullah<sup>asws</sup> regarding a man desperate to an animal carcass and a hunted prey, and he is in *Ihraam*. He<sup>asws</sup> said: ‘He should eat the hunted prey, and he should (pay its) ransom’.<sup>88</sup>

بَابُ الْمُحْرِمِ يَصِيدُ الصَّيْدَ مِنْ أَيْنَ يَفْدِيهِ وَ أَيْنَ يَدْبَحُهُ

## Chapter 108 – The one in *Ihraam* hunts the prey, from where should he ransom it, and where should he slaughter it

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ وَ مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شاذَانَ عَنِ ابْنِ أَبِي عُمَيْرٍ وَ صَفْوَانَ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ قَالَ يَفْدِي الْمُحْرِمُ فِدَاءَ الصَّيْدِ مِنْ حَيْثُ أَصَابَهُ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr and Muhammad Bin Ismail, from Al Fazl Bin Shazaan, from Ibn Abu Umeyr, and Safwan, from Muawiya Bin Ammar,

‘He<sup>asws</sup> said: ‘The one in *Ihraam* would pay the ransom of the hunted prey from wherever he attains it’.<sup>89</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ بَعْضِ رِجَالِهِ عَنْ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) قَالَ مَنْ وَجَبَ عَلَيْهِ هَدْيٌ فِي إِحْرَامِهِ فَلَهُ أَنْ يَنْحَرَهُ حَيْثُ شَاءَ إِلَّا فِدَاءَ الصَّيْدِ فَإِنَّ اللَّهَ عَزَّ وَ جَلَّ يَقُولُ هَدْيًا بِالْعِكْبَةِ .

A number of our companions, from Sahl Bin Ziyad, from Ahmad Bin Muhamamd, from one of his men,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: ‘The one in his *Ihraam*, upon whom a sacrifice is Obligated, so for him is that he should sacrifice wherever he so desires to, except for the ransoming of the hunted prey, for Allah<sup>azwj</sup> Mighty and Majestic is Saying **[5:95] an offering to be brought to the Kabah**’.<sup>90</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ بْنِ يَحْيَى عَنْ عَبْدِ اللَّهِ بْنِ سِنَانَ قَالَ قَالَ أَبُو عَبْدِ اللَّهِ ( عليه السلام ) مَنْ وَجَبَ عَلَيْهِ فِدَاءٌ صَيْدًا أَصَابَهُ وَ هُوَ مُحْرِمٌ فَإِنْ كَانَ حَاجًا نَحَرَ هَدْيَهُ الَّذِي يَجِبُ عَلَيْهِ بِمَنْى وَ إِنْ كَانَ مُعْتَمِرًا نَحَرَ بِمَكَّةَ قُبَالَةَ الْكَعْبَةِ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan Bin Yahya, from Abdullah Bin Sinan who said,

‘Abu Abdullah<sup>asws</sup> said: ‘The one upon whom is Obligated the ransoming of a hunted prey, and he is in *Ihraam*, so if he was a pilgrim of Hajj so he should sacrifice his

<sup>87</sup> Al Kafi – V 4 – The Book of Hajj Ch 107 H 2

<sup>88</sup> Al Kafi – V 4 – The Book of Hajj Ch 107 H 3

<sup>89</sup> Al Kafi – V 4 – The Book of Hajj Ch 108 H 1

<sup>90</sup> Al Kafi – V 4 – The Book of Hajj Ch 108 H 2

offering which is Obligated upon him, at Mina; and if he was a pilgrim of Umra, he should sacrifice at Makkah, facing the Kabah'.<sup>91</sup>

الْحُسَيْنُ بْنُ مُحَمَّدٍ عَنْ مُعَلَّى بْنِ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ عَلِيِّ الْوَشَاءِ عَنْ أَبِي بَانَ عَنْ زُرَّارَةَ عَنْ أَبِي جَعْفَرٍ (عَلَيْهِ السَّلَامُ) أَنَّهُ قَالَ فِي الْمُحْرَمِ إِذَا أَصَابَ صَيْدًا فَوَجِبَ عَلَيْهِ الْفِدَاءُ فَعَلَيْهِ أَنْ يَنْحَرَهُ إِنْ كَانَ فِي الْحَجِّ بِمَنْى حَيْثُ يَنْحَرُ النَّاسُ فَإِنْ كَانَ فِي عُمْرَةٍ نَحَرَهُ بِمَكَّةَ وَإِنْ شَاءَ تَرَكَهُ إِلَى أَنْ يَفْتَدِمَ فَيَسْتَرِيهِ فَإِنَّهُ يُجْزَى عَنْهُ .

Al Husayn Bin Muhammad, from Moalla Bin Muhammad, from Al Hassan Bin Ali Al Washa, from Aban, from Zurara,

(It has been narrated) from Abu Ja'far<sup>asws</sup> having said: 'Regarding the one in *Ihraam* when he attains a prey, so the ransom is Obligated upon him, therefore it is upon him that he should sacrifice, if it was during Hajj, at Mina where the people sacrifice; so if it was during an Umra, he should sacrifice at Makkah. And, if he so desires it, he can leave it until he proceeds (to Makkah), so he buys it, for it would suffice from him'.<sup>92</sup>

### بَابُ كَفَّارَاتِ مَا أَصَابَ الْمُحْرَمُ مِنَ الْوَحْشِ

## Chapter 109 – The expiations on what the one in *Ihraam* attains from the wild animals

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) قَالَ سَأَلْتُهُ عَنْ مُحْرَمٍ أَصَابَ نَعَامَهُ أَوْ جِمَارًا وَحِشًا قَالَ عَلَيْهِ بَدَنَةٌ قُلْتُ فَإِنْ لَمْ يَفِدِرْ عَلَى بَدَنَةٍ قَالَ فَلْيُطْعِمْ سِتِّينَ مَسْكِينًا قُلْتُ فَإِنْ لَمْ يَفِدِرْ عَلَى أَنْ يَتَصَدَّقَ قَالَ فَلْيَصُمْ ثَمَانِيَةَ عَشْرَ يَوْمًا وَالصَّدَقَةُ مَدٌّ عَلَى كُلِّ مَسْكِينٍ

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ali Bin Al Hakam, from Ali Bin Abu Hamza, from Abu Baseer,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam* hunting an ostrich or a wild donkey. He<sup>asws</sup> said: 'Upon him is a sacrificial animal'. I said, 'Supposing he is not able upon an animal?' He<sup>asws</sup> said: 'So let him feed sixty poor ones'. I said, 'Supposing he is not able upon giving charity?' He<sup>asws</sup> said: 'So let him Fast eighteen days, and give in charity with one *Mudd* (approximately 750 gms of food) upon a poor one each day'.

قَالَ وَ سَأَلْتُهُ عَنْ مُحْرَمٍ أَصَابَ بَقْرَةً قَالَ عَلَيْهِ بَقْرَةٌ قُلْتُ فَإِنْ لَمْ يَفِدِرْ عَلَى بَقْرَةٍ قَالَ فَلْيُطْعِمْ ثَلَاثِينَ مَسْكِينًا قُلْتُ فَإِنْ لَمْ يَفِدِرْ عَلَى أَنْ يَتَصَدَّقَ قَالَ فَلْيَصُمْ تِسْعَةَ أَيَّامٍ

He (the narrator) said, 'And I asked him<sup>asws</sup> about the one in *Ihraam* killing a cow. He<sup>asws</sup> said: 'Upon him is a cow (as a sacrifice)'. I said, 'Supposing he is not able upon a cow?' He<sup>asws</sup> said: 'So let him feed thirty poor ones'. I said, 'Supposing he is not able upon giving charity?' He<sup>asws</sup> said: 'So let him Fast nine days'.

قُلْتُ فَإِنْ أَصَابَ ظَبْيًا قَالَ عَلَيْهِ شَاةٌ قُلْتُ فَإِنْ لَمْ يَفِدِرْ قَالَ فَاطْعَامُ عَشْرَةَ مَسَاكِينَ فَإِنْ لَمْ يَفِدِرْ عَلَى مَا يَتَصَدَّقُ بِهِ فَعَلَيْهِ صِيَامُ ثَلَاثَةِ أَيَّامٍ .

<sup>91</sup> Al Kafi – V 4 – The Book of Hajj Ch 108 H 3

<sup>92</sup> Al Kafi – V 4 – The Book of Hajj Ch 108 H 4

I said, 'Supposing he kills an antelope?' He<sup>asws</sup> said: 'Upon him is a sheep'. I said, 'Supposing he is not able?' He<sup>asws</sup> said: 'So he should feed ten poor ones. So, if he is not able upon what he should be giving in charity with, so upon him would be the Fasts of three days'.<sup>93</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْحُسَيْنِ بْنِ مُحَمَّدٍ عَنْ دَاوُدَ الرَّقِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي الرَّجُلِ يَكُونُ عَلَيْهِ بَدَنَةٌ وَاجِبَةٌ فِي فِدَاءٍ قَالَ إِذَا لَمْ يَجِدْ بَدَنَةً فَسَبْعُ شِيَاهٍ فَإِنْ لَمْ يَقْدِرْ صَامَ ثَمَانِيَةَ عَشَرَ يَوْمًا .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Al Husayn Bin Muhammad, from Dawood Al Raqqy,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the man who happens to have a (penalty of) a camel upon him, being an Obligation regarding a ransom. He<sup>asws</sup> said: 'When he cannot find a camel, so seven sheep. So, if he is not able, he should Fast for eighteen days'.<sup>94</sup>

أَحْمَدُ بْنُ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ عَلِيٍّ بْنِ فَضَّالٍ عَنِ ابْنِ بُكَيْرٍ عَنْ بَعْضِ أَصْحَابِنَا عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي قَوْلِ اللَّهِ عَزَّ وَجَلَّ أَوْ عَدْلٌ ذَلِكَ صِيَامًا قَالَ يُنْمَنُ قِيَمَةَ الْهَدْيِ طَعَامًا ثُمَّ يَصُومُ لِكُلِّ مَدٍّ يَوْمًا فَإِذَا زَادَتْ الْأُمْدَادُ عَلَى شَهْرَيْنِ فَلَيْسَ عَلَيْهِ أَكْثَرُ مِنْهُ .

Ahmad Bin Muhammad, from Al Hassan Bin Ali Bin Fazzal, from Ibn Bukeyr, from one of our companions,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the Words of Allah<sup>azwj</sup> Mighty and Majestic **[5:95] or the equivalent of it in Fasting**. He<sup>asws</sup> said: 'He should evaluate the price of the sacrifice as food, then he would Fast for each *Mudd* (approximately 750 gms), one day. So when the *Mudds* increase upon two months, so there is nothing more upon him than it'.<sup>95</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ وَ مُحَمَّدِ بْنِ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ جَمِيعًا عَنْ صَفْوَانَ بْنِ يَحْيَى عَنْ يَعْقُوبَ بْنِ شُعَيْبٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ قُلْتُ لَهُ الْمُحْرِمُ يَقْتُلُ نَعَامَةً قَالَ عَلَيْهِ بَدَنَةٌ مِنَ الْإِبِلِ قُلْتُ يَقْتُلُ حِمَارًا وَحَسًّا قَالَ عَلَيْهِ بَدَنَةٌ قُلْتُ فَالْبَقَرَةُ قَالَ بَقَرَةٌ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar and Muhammad Bin Yahya, from Muhammad Bin Al Husayn, altogether from Safwan Bin Yahya, from Yaquub Bin Shuayb,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I said to him<sup>asws</sup>, 'The one in *Ihraam* kills an ostrick'. He<sup>asws</sup> said: 'Upon him is a sacrificial animal from the camels'. I said, 'He kills a wild donkey'. He<sup>asws</sup> said: 'Upon him is a sacrificial animal'. I said, 'So (what about if he kills) a cow?' He<sup>asws</sup> said: '(Upon him is) a cow'.<sup>96</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ جَمِيلٍ عَنْ بَعْضِ أَصْحَابِنَا عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي مُحْرِمٍ قَتَلَ نَعَامَةً قَالَ عَلَيْهِ بَدَنَةٌ فَإِنْ لَمْ يَجِدْ فِاطِعَامُ سِتِّينَ مِسْكِينًا

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Jameel, from one of our companions,

<sup>93</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 1

<sup>94</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 2

<sup>95</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 3

<sup>96</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 4

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding one in *Ihraam* killing an ostrich. He<sup>asws</sup> said: 'Upon him is a sacrificial animal. So if he cannot find, the he feeds sixty poor ones'.

وَقَالَ إِنْ كَانَ قِيَمَةُ الْبِدْنَةِ أَكْثَرَ مِنْ إِطْعَامِ سِتِّينَ مَسْكِينًا لَمْ يَزِدْ عَلَى إِطْعَامِ سِتِّينَ مَسْكِينًا وَإِنْ كَانَ قِيَمَةُ الْبِدْنَةِ أَقَلَّ مِنْ إِطْعَامِ سِتِّينَ مَسْكِينًا لَمْ يَكُنْ عَلَيْهِ إِلَّا قِيَمَةُ الْبِدْنَةِ .

And he<sup>asws</sup> said: 'If the value of the animal was more than the feeding of sixty poor ones, it (the penalty) would not exceed feeding of sixty poor ones; and if the value of the animal was less than the feeding of sixty poor ones, it (penalty) would not be upon him except for the value of the animal'.<sup>97</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ أَبِي نَصْرٍ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي مُحْرَمٍ رَمَى ظَبْيًا فَأَصَابَهُ فِي يَدِهِ فَعَرَجَ مِنْهَا قَالَ إِنْ كَانَ الظَّبْيُ مَشَى عَلَيْهَا وَرَعَى فَعَلَيْهِ رُبْعُ قِيَمَتِهِ وَإِنْ كَانَ ذَهَبَ عَلَى وَجْهِهِ فَلَمْ يَدِرْ مَا صَنَعَ فَعَلَيْهِ الْفِدَاءُ لِأَنَّهُ لَا يَدْرِي لَعَلَّهُ قَدْ هَلَكَ .

A number of our companions, from Sahl Bin Ziyad, from Ahmad Bin Muhammad Bin Abu Nasr, from Ali Bin Abu Hamza, from Abu Baseer,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding one in *Ihraam* shooting an arrow at an antelope, so he hits it in its hand, and it lames from it. He<sup>asws</sup> said: 'If the antelope walks upon it and grazes, so upon him would be a quarter of its value. And, if it was such that he goes upon its direction, so he does not know what happened, upon him would be the penalty, because he does not know, perhaps it may have perished'.<sup>98</sup>

سَهْلُ بْنُ زِيَادٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ أَبِي نَصْرٍ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ رَجُلٍ قَتَلَ ثَعْلَبًا قَالَ عَلَيْهِ دَمٌ قُلْتُ فَأَرْنَبًا قَالَ مِثْلُ مَا عَلَى الثَّعْلَبِ .

Sahl Bin Ziyad, from Ahmad Bin Muhammad, from Ali Bin Abu Hamza, from Abu Baseer who said,

'I asked Abu Abdullah<sup>asws</sup> about a man who kills a fox. He<sup>asws</sup> said: 'Upon him is blood (of a sacrificial animal)'. I said, 'So (what about) a rabbit?' He<sup>asws</sup> said: 'Similar to what is (Obligated) upon the fox'.<sup>99</sup>

أَحْمَدُ بْنُ مُحَمَّدَ بْنِ أَبِي نَصْرٍ عَنْ أَبِي الْحَسَنِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ مُحْرِمٍ أَصَابَ أَرْنَبًا أَوْ ثَعْلَبًا قَالَ فِي الْأَرْنَبِ شَاءَ .

Ahmad Bin Muhammad Bin Abu Nasr,

(It has been narrated) from Abu Al Hassan<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam* killing a rabbit, or a fox. He<sup>asws</sup> said: 'Regarding the rabbit is (a penalty of) a sheep'.<sup>100</sup>

سَهْلُ بْنُ زِيَادٍ عَنِ الْحَسَنِ بْنِ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رَبَائِبٍ عَنْ مِسْمَعِ بْنِ عَبْدِ الْمَلِكِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) وَ مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ أَحْمَدَ بْنِ عَلِيٍّ عَنْ مِسْمَعِ بْنِ عَبْدِ الْمَلِكِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ )

<sup>97</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 5

<sup>98</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 6

<sup>99</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 7

<sup>100</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 8

( قَالَ الزُّبُرُوعُ وَ الْفُنْفُنُ وَ الضَّبُّ إِذَا أَصَابَهُ الْمُحْرِمُ فَعَلَيْهِ جَدْيٌ وَ الْجَدْيُ خَيْرٌ مِنْهُ وَ إِنَّمَا جُعِلَ عَلَيْهِ هَذَا كَيْ يُنْكَلَ عَنْ صَيْدٍ غَيْرِهِ .

Sahl Bin Ziyad, from Al Hassan Bin Mahboub, from Ali Bin Raib, from Misma'a Bin Abdul Malik, from Abu Abdullah<sup>asws</sup>;

and Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ibn Abu Umeyr, from Ahmad Bin Ali, from Misma'a Bin Abdul Malik,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The jerboa (a rodent), and the hedgehog, and the lizard, when the one in *Ihraam* kills it, so upon him is a kid (young goat); and the young goat is better than it, but rather I<sup>asws</sup> make this to be upon him to perhaps deter him from hunting something else'.<sup>101</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ مَحْبُوبٍ وَ عِدَّةٍ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنِ الْحَسَنِ بْنِ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رَبَائِبٍ عَنْ أَبِي عُبَيْدَةَ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِذَا أَصَابَ الْمُحْرِمُ الصَّيْدَ وَ لَمْ يَجِدْ مَا يُكْفِّرُ مِنْ مَوْضِعِهِ الَّذِي أَصَابَ فِيهِ الصَّيْدَ فَوْمَ جَزَاؤُهُ مِنَ النَّعَمِ دَرَاهِمَ ثَمَّ فَوْمَتِ الدَّرَاهِمُ طَعَاماً لِكُلِّ مِسْكِينٍ نِصْفُ صَاعٍ فَإِنْ لَمْ يَقْدِرْ عَلَى الطَّعَامِ صَامَ لِكُلِّ نِصْفِ صَاعٍ يَوْماً .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ibn Mahboub, and a number of our companions, from Sahl Bin Ziyad, from Al Hassan Bin Mahboub, from Ali Bin Raib, from Abu Ubeya,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When the one in *Ihraam* attains the hunted prey, and cannot find what he can expiate from its which he hunted the prey, should evaluate its price from the cattle in Dirhams, then evaluate the Dirham as foodstuff – for each poor one being half a Sa'a (approximately 1.5 kg). So if he is not able upon the foodstuff, should Fast one day for each half Sa'a'.<sup>102</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ أَبِي حَمْرَةَ عَنْ أَبِي الْحَسَنِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ رَجُلٍ أَصَابَ بَيْضَ نَعَامَةٍ وَ هُوَ مُحْرِمٌ قَالَ يُرْسِلُ الْفَحْلَ فِي الْإِبِلِ عَلَى عَدَدِ الْبَيْضِ قُلْتُ فَإِنَّ الْبَيْضَ يَفْسُدُ كُلُّهُ وَ يَصْلُحُ كُلُّهُ قَالَ مَا يَنْتَجُ مِنَ الْهُدْيِ فَهُوَ هُدْيٌ بَالِغٌ الْكَعْبَةِ وَ إِنْ لَمْ يَنْتَجِ فَلَيْسَ عَلَيْهِ شَيْءٌ فَمَنْ لَمْ يَجِدْ إِبِلًا فَعَلَيْهِ لِكُلِّ بَيْضَةٍ شَاةٌ فَإِنْ لَمْ يَجِدْ فَالصَّدَقَةُ عَلَى عَشْرَةِ مَسَاكِينٍ لِكُلِّ مِسْكِينٍ مُدٌّ فَإِنْ لَمْ يَقْدِرْ فَصِيَامٌ ثَلَاثَةَ أَيَّامٍ .

A number of our companions, from Sahl Bin Ziyad, from Ahmad Bin Muhammad, from Ali Bin Abu Hamza,

(It has been narrated) from Abu Al-Hassan<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about a man who attained an egg of an ostrich, and he was in *Ihraam*. He<sup>asws</sup> said: 'He should send (as a sacrifice), the stallion among the camels upon the number of the eggs'. I said, 'Supposing the eggs get spoilt, all of them, and (if) they are correct, all of them'. He<sup>asws</sup> said: 'What is befitting from the sacrifice, so it is the sacrifice reaching the Kabah; and if it produces, so there is nothing upon him. So the one who cannot find a camel, so upon him, for each of the eggs, is a sheep. So if he cannot find, so let him give in charity upon ten poor ones, for each poor one being a *Mudd* (750 gms.). So if he is not able, so he should Fast for three days'.<sup>103</sup>

<sup>101</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 9

<sup>102</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 10

<sup>103</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 11

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ عَلِيِّ بْنِ رَبَائِبٍ عَنْ أَبِي عُبَيْدَةَ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ رَجُلٍ اشْتَرَى لِرَجُلٍ مُحْرِمٍ بَيْضَ نَعَامَةٍ فَأَكَلَهُ الْمُحْرِمُ قَالَ عَلَى الَّذِي اشْتَرَاهُ لِلْمُحْرِمِ فِدَاءٌ وَعَلَى الْمُحْرِمِ فِدَاءٌ

A number of our companions, from Ahmad Bin Muhammad, from Ibn Abu Umeyr, from Ali Bin Raib, from Abu Ubeyda,

(It has been narrated) from Abu Ja'far<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about a man who buys ostrich eggs for a man in *Ihraam*, so the man in *Ihraam* eats it. He<sup>asws</sup> said: 'There is a ransom upon the one who bought it for the one in *Ihraam*, and upon the one in *Ihraam* is (also) a ransom'.

قُلْتُ وَمَا عَلَيْهِمَا قَالَ عَلَى الْمُجَلِّ جِزَاءٌ قِيَمَةِ الْبَيْضِ لِكُلِّ بَيْضَةٍ دِرْهَمٌ وَعَلَى الْمُحْرِمِ الْجِزَاءُ لِكُلِّ بَيْضَةٍ شَاةٌ .

I said, 'And what is upon both of them?' He<sup>asws</sup> said: 'Upon the one not in *Ihraam* is a penalty of the price of the eggs, for each egg being a Dirham; and upon the one in *Ihraam* is the penalty, for each egg being a sheep'.

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنِ الْحَسَنِ بْنِ مَحْبُوبٍ عَنْ عَلِيِّ بْنِ رَبَائِبٍ عَنْ أَبِي عُبَيْدَةَ مِثْلَهُ .

A number of our companions, from Sahl Bin Ziyad, from Al Hassan Bin Mahboub, from Ali Bin Raib, from Abu Ubeyda – similar to it.<sup>104</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ مُحَمَّدِ بْنِ إِسْمَاعِيلَ بْنِ بَزِيْعٍ عَنْ صَالِحِ بْنِ عُقْبَةَ عَنْ يَزِيدَ بْنِ عَبْدِ الْمَلِكِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي رَجُلٍ مَرَّ وَهُوَ مُحْرِمٌ فَأَخَذَ ظَبْيَةً فَاحْتَلَبَهَا وَشَرِبَ لَبَنَهَا قَالَ عَلَيْهِ دَمٌ وَجِزَاءٌ فِي الْحَرَمِ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Muhammad Bin Ismail Bin Bazie, from Salih Bin Uqba, from Yazeed Bin Abdul Malik,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding a man passing-by and he is in *Ihraam*. So he seizes an antelope, so he milks it and drinks its milk. He<sup>asws</sup> said: 'Upon him is blood (of a sacrificial animal), and a penalty in the *Haram*'.<sup>105</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ يَحْيَى بْنِ الْمُبَارَكِ عَنْ عَبْدِ اللَّهِ بْنِ جَبَلَةَ عَنْ سَمَاعَةَ بْنِ مِهْرَانَ عَنْ أَبِي بصيرٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ مُحْرِمٍ كَسَرَ قَرْنَ ظَبْيٍ قَالَ يَجِبُ عَلَيْهِ الْفِدَاءُ

Ali Bin Ibrahim, from his father, from Yahya Bin Al Mubarak, from Abdullah Bin Jabala, from Sama'at Bin Mihran, from Abu Baseer who said,

'I asked Abu Abdullah<sup>asws</sup> about the one in *Ihraam* breaking a horn of an antelope. He<sup>asws</sup> said: 'The ransom is Obligated upon him'.

قَالَ قُلْتُ فَإِنْ كَسَرَ يَدَهُ قَالَ إِنْ كَسَرَ يَدَهُ وَلَمْ يَرْعَ فَعَلَيْهِ دَمٌ شَاةٌ .

He (the narrator) said, 'I said, 'Supposing he broke its hand?' He<sup>asws</sup> said: 'If he broke his hand and it did not graze, so upon him would be blood of a sheep (as sacrifice)'.<sup>106</sup>

<sup>104</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 12

<sup>105</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 13

<sup>106</sup> Al Kafi – V 4 – The Book of Hajj Ch 109 H 14

**بَابُ كَفَّارَةِ مَا أَصَابَ الْمُحْرِمُ مِنَ الطَّيْرِ وَالْبَيْضِ**

**Chapter 110 – Expiation of what the one in *Ihraam* attains, from the birds and the eggs**

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادِ بْنِ عَيْسَى عَنْ حَرِيْزِ بْنِ عَبْدِ اللَّهِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ الْمُحْرِمُ إِذَا أَصَابَ حَمَامَةً فَبَيْضِهَا شَاةٌ وَإِنْ قَتَلَ فِرَاخَهُ فَبَيْضِهَا حَمَلٌ وَإِنْ وَطِئَ الْبَيْضَ فَعَلَيْهِ دِرْهَمٌ .

Ali Bin Ibrahim, from his father, from Hammad Bin Isa, from Hareyz Bin Abdullah,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'The one in *Ihraam*, when he attains a dove, so with regards to it is a sheep; and if he kills a chick, so regarding it is a lamb, and if he tramples the egg, so upon him is a Dirham'.<sup>107</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ إِسْمَاعِيلَ عَنْ مُحَمَّدِ بْنِ الْفُضَيْلِ عَنْ أَبِي الصَّبَّاحِ الْكِنَانِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ فِي الْحَمَامَةِ وَأَشْبَاهِهَا إِذَا قَتَلَهَا الْمُحْرِمُ شَاةٌ وَإِنْ كَانَ فِرَاخًا فَعَدْلُهَا مِنَ الْحُمْلَانِ

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Muhammad Bin Ismail, from Muhammad Bin Al Fuzayl, from Abu Al Sabbah Al Kinany,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said regarding the dove and what resembles it: 'When the one in *Ihraam* kills it, (upon him would be) a sheep; and if it was a chick, so he would equate it from the lambs'.

وَقَالَ فِي رَجُلٍ وَطِئَ بَيْضَ نَعَامَةٍ فَفَدَعَهَا وَهُوَ مُحْرِمٌ فَقَالَ قَضَى فِيهِ عَلِيٌّ ( عَلَيْهِ السَّلَامُ ) أَنْ يُرْسِلَ الْفَحْلَ عَلَى مِثْلِ عَدَدِ الْبَيْضِ مِنَ الْإِبِلِ فَمَا لَفَحَ وَ سَلِمَ حَتَّى يُنْتَجَ كَانَ النَّتَاجُ هَدِيًّا بَالِغِ الْكُعْبَةِ .

And he<sup>asws</sup> said regarding a man trampling an ostrich egg, so he breaks it, and he is in *Ihraam*, so he<sup>asws</sup> said: 'Ali<sup>asws</sup> judged with regards to it that he should send the stallion upon a similar number of the eggs, to be among the camels. So whatever gets impregnated and is safe until it is produced, the produced would be an offering to reach the Kabah'.<sup>108</sup>

عَدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ وَ سَهْلِ بْنِ زِيَادٍ جَمِيعاً عَنْ أَحْمَدَ بْنِ مُحَمَّدِ بْنِ أَبِي نَصْرِ عَنْ الْمُفَضَّلِ بْنِ صَالِحٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِذَا قَتَلَ الْمُحْرِمُ قَطَاةً فَعَلَيْهِ حَمَلٌ قَدْ فَطِمَ مِنَ اللَّيْنِ وَ رَعَى مِنَ الشَّجَرِ .

A number of our companions, from Ahmad Bin Muhammad, and Sahl Bin Ziyad altogether, from Ahmad Bin Muhammad Bin Abu Nasr, from Al Mufazzal Bin Salih,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When the one in *Ihraam* kills a sand grouse, so upon him is a lamb having weaned from the milk and grazed from the trees'.<sup>109</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ ابْنِ سِنَانَ عَنْ ابْنِ مُسْكَانَ عَنْ مَنْصُورِ بْنِ حَازِمٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ قَالَ سَأَلْتُهُ عَنْ مُحْرِمٍ وَطِئَ بَيْضَ قَطَاةٍ فَشَدَحَهُ قَالَ يُرْسِلُ الْفَحْلَ فِي عَدَدِ الْبَيْضِ مِنَ الْعَنَمِ كَمَا يُرْسِلُ الْفَحْلَ فِي عَدَدِ الْبَيْضِ مِنَ النَّعَامِ فِي الْإِبِلِ .

<sup>107</sup> Al Kafi – V 4 – The Book of Hajj Ch 110 H 1

<sup>108</sup> Al Kafi – V 4 – The Book of Hajj Ch 110 H 2

<sup>109</sup> Al Kafi – V 4 – The Book of Hajj Ch 110 H 3

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ibn Sinan, from Ibn Muskan, from Mansour Bin Hazim, from Suleyman Bin Khalid who said,

'I asked him<sup>asws</sup> about the one in *Ihraam* trampling an egg of a sand grouse, so he breaks it. He<sup>asws</sup> said: 'He should send a stallion among the sheep regarding the number of eggs, just as he would send the stallion regarding the number of the ostrich eggs to be among the camels'.<sup>110</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ بْنِ يَحْيَى عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَجَّاجِ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ فِي كِتَابِ عَلِيِّ صَلَوَاتِ اللَّهِ عَلَيْهِ فِي بَيْضِ الْقَطَاةِ بَكَارَةً مِنَ الْغَنَمِ إِذَا أَصَابَهُ الْمُحْرَمُ مِثْلُ مَا فِي بَيْضِ النَّعَامِ بَكَارَةً مِنَ الْإِبِلِ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan Bin Yahya, from Abdul Rahman Bin Al Hajjaj, from Suleyman Bin Khalid,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'In the Book of Ali<sup>asws</sup>, regarding an egg of the sand grouse, is a young from the sheep, when the one in *Ihraam* attains it, similar to what is regarding an egg of the ostrich being a young she camel'.<sup>111</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنْ عَلِيِّ بْنِ أَبِي حَمْزَةَ عَنْ أَبِي بَصِيرٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) عَنْ رَجُلٍ قَتَلَ فَرْخًا وَهُوَ مُحْرَمٌ فِي غَيْرِ الْحَرَمِ فَقَالَ عَلَيْهِ حَمَلٌ وَ لَيْسَ عَلَيْهِ قِيمَةٌ لِأَنَّهُ لَيْسَ فِي الْحَرَمِ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ali Bin Al Hakam, from Ali Bin Abu Hamza, from Abu Baseer who said,

'I asked Abu Abdullah<sup>asws</sup> about a man who kills a chick and he is in *Ihraam*, in besides the *Harram*. So he<sup>asws</sup> said: 'Upon him is a lamb, and there is no evaluation upon him because he is not inside the *Harram*'.<sup>112</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ عَيْسَى عَنْ يَاسِينَ الصَّرِيرِ عَنْ حَرِيْزِ عَمَّ حَدَّثَهُ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) عَنْ قِيمَةِ مَا فِي الْفُمْرِيِّ وَ الدُّبْسِيِّ وَ السَّمَانِيِّ وَ الْعُصْفُورِ وَ الْبَلْبَلِ فَقَالَ قِيمَتُهُ فَإِنْ أَصَابَهُ وَ هُوَ مُحْرَمٌ بِالْحَرَمِ فَقِيمَتَانِ لَيْسَ عَلَيْهِ فِيهِ دَمٌ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad Bin Isa, from Yaseen Al Zareyr, from Hareyz, from the one who narrated it, from Suleyman Bin Khalid who said,

'I asked Abu Abdullah<sup>asws</sup> about the price of what is regarding the turtle dove, and the laughing dove (a small pigeon), and the quail, and the sparrow and the nightingale. So he<sup>asws</sup> said: 'If is attains it and he is in *Ihraam* (as well as) in the *Harram*, so it would be double the price, there being no blood (of a sacrificial animal) with regards to it'.<sup>113</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ بْنِ يَحْيَى عَنْ بَعْضِ أَصْحَابِنَا عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) فِي الْفُبْرَةِ وَ الْعُصْفُورِ وَ الصَّعْوَةِ يَقْتُلُهُمُ الْمُحْرَمُ قَالَ عَلَيْهِ مَدٌّ مِنْ طَعَامٍ لِكُلِّ وَاحِدٍ .

<sup>110</sup> Al Kafi – V 4 – The Book of Hajj Ch 110 H 4

<sup>111</sup> Al Kafi – V 4 – The Book of Hajj Ch 110 H 5

<sup>112</sup> Al Kafi – V 4 – The Book of Hajj Ch 110 H 6

<sup>113</sup> Al Kafi – V 4 – The Book of Hajj Ch 110 H 7



Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan Bin Yahya, from oen of our companions,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the lark, and the sparrow, and the wren, the one in *Ihraam* killing them. He<sup>asws</sup> said: 'Upon him is a *Mudd* (approximately 750 gms.) of food for each one of them'.<sup>114</sup>

مُحَمَّدُ بْنُ جَعْفَرٍ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْحَمِيدِ عَنْ سَيْفِ بْنِ عَمِيرَةَ عَنْ مَنْصُورِ بْنِ حَازِمٍ عَنْ سُلَيْمَانَ بْنِ خَالِدٍ عَنْ أَبِي جَعْفَرٍ ( عليه السلام ) قَالَ فِي كِتَابِ أَمِيرِ الْمُؤْمِنِينَ ( عليه السلام ) مَنْ أَصَابَ قَطَاةً أَوْ حَجَلَةً أَوْ دُرَّاجَةً أَوْ نَظِيرَهُنَّ فَعَلَيْهِ دَمٌ .

Muhammad Bin Ja'far, from Muhammad Bin Abdul Hameed, from Sayf Bin Ameyra, from Mansour Bin Hazim, from Suleyman Bin Khalid,

(It has been narrated) from Abu Ja'far<sup>asws</sup> having said: 'In the Book of Amir Al-Momineen<sup>asws</sup>: 'The one who kills a sand grouse, or a partridge, or a francolin, or their peers, so upon him is blood (of a sacrificial animal)'.<sup>115</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ أَبِي نَصْرٍ عَنْ حَمَادِ بْنِ عَثْمَانَ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عليه السلام ) رَجُلٌ أَصَابَ طَيْرَيْنِ وَاحِدٍ مِنْ حَمَامِ الْحَرَمِ وَالْآخَرَ مِنْ حَمَامٍ غَيْرِ الْحَرَمِ قَالَ يَشْتَرِي بِقِيمَةِ الَّذِي مِنْ حَمَامِ الْحَرَمِ قَمْحًا فَيُطْعِمُهُ حَمَامَ الْحَرَمِ وَيَتَصَدَّقُ بِجَزَاءِ الْآخَرِ .

A number of our companions, from Sahl Bin Ziyad, from Ahmad Bin Muhammad Bin Abu Nasr, from Hammad Bin Usman who said,

'I said to Abu Abdullah<sup>asws</sup>, 'A man attains two birds, one from the doves of the *Harram*, and the other from the doves apart from the *Harram*'. He<sup>asws</sup> said: 'He should buy with the price of that which was in the *Harram*, the bird feed, so he feeds the doves of the *Harram*, and he should give in charity with the value of the other one'.<sup>116</sup>

### بَابُ الْقَوْمِ يَجْتَمِعُونَ عَلَى الصَّيْدِ وَ هُمْ مُحْرِمُونَ

## Chapter 111 – The group gathering upon the hunting, and they are in *Ihraam*

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ وَ مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنِ الْفَضْلِ بْنِ شاذَانَ جَمِيعاً عَنِ ابْنِ أَبِي عُمَيْرٍ وَ صَفْوَانَ بْنِ بَحْبِيٍّ جَمِيعاً عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَجَّاجِ قَالَ سَأَلْتُ أَبَا الْحَسَنِ ( عليه السلام ) عَنْ رَجُلَيْنِ أَصَابَا صَيْدًا وَ هُمَا مُحْرِمَانِ الْجَزَاءُ بَيْنَهُمَا أَوْ عَلَى كُلِّ وَاحِدٍ مِنْهُمَا جَزَاءٌ فَقَالَ لَا بَلْ عَلَيْهِمَا أَنْ يَجْزِيَ كُلُّ وَاحِدٍ مِنْهُمَا الصَّيْدَ

Ali Bin Ibrahim, from his father and Muhammad Bin Ismail, from Al Fazl Bin Shazaan, altogether from Ibn Abu Umeyr, and Safwan Bin Yahya, altogether from Abdul Rahman Bin Al Hajjaj who said,

'I asked Abu Al-Hassan<sup>asws</sup> about two men both hunting a prey, and they are both in *Ihraam*. Would the penalty be (shared) between them or upon each one of them would be a penalty?' So he<sup>asws</sup> said: 'No, but upon them both is that each one of them be penalised for the hunted prey'.

<sup>114</sup> Al Kafi – V 4 – The Book of Hajj Ch 110 H 8

<sup>115</sup> Al Kafi – V 4 – The Book of Hajj Ch 110 H 9

<sup>116</sup> Al Kafi – V 4 – The Book of Hajj Ch 110 H 10

قُلْتُ إِنَّ بَعْضَ أَصْحَابِنَا سَأَلَنِي عَنْ ذَلِكَ فَلَمْ أَدْرِ مَا عَلَيْهِ فَقَالَ إِذَا أَصَبْتُمْ مِثْلَ هَذَا فَلَمْ تَدْرُوا فَعَلَيْكُمْ بِالْإِحْتِيَاظِ حَتَّى تَسْأَلُوا عَنْهُ فَتَعْلَمُوا .

I said, 'One of our companions asked me about that, but I did not know what is upon him'. So he<sup>asws</sup> said: 'When you all attain similar to this, and you are not knowing, so upon you is to be with the precaution until you ask about it, so you learn'.

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ مُحَمَّدِ بْنِ عَيْسَى عَنْ يُونُسَ عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَجَّاجِ مِثْلَهُ .

Ali Bin Ibrahim, from Muhammad Bin Isa, from Yunus, from Abdul Rahman Bin Al Hajjaj – similar to it.<sup>117</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِذَا اجْتَمَعَ قَوْمٌ عَلَى صَيْدٍ وَ هُمْ مُحْرِمُونَ فِي صَيْدِهِ أَوْ أَكَلُوا مِنْهُ فَعَلَى كُلِّ وَاحِدٍ مِنْهُمْ قِيمَتُهُ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'When a group of people gather upon a hunt, and they are in *Ihraam* during its hunting, or they eat from it, so upon each one of them is its price'.<sup>118</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ بْنِ يَحْيَى عَنِ الْحَكَمِ بْنِ أَبِي يَمَانَ عَنْ يُونُسَ الطَّاطَرِيِّ قَالَ قُلْتُ لِأَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) صَيْدٌ أَكَلَهُ قَوْمٌ مُحْرِمُونَ قَالَ عَلَيْهِمْ شَاةٌ وَ لَيْسَ عَلَى الَّذِي ذَبَحَهُ إِلَّا شَاةٌ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan Bin yahya, from Al Hakam Bin Ayman, from Yusuf Al Tatory who said,

'I said to Abu Abdullah<sup>asws</sup>, 'A hunted prey eaten by a group of people in *Ihraam*'. He<sup>asws</sup> said: 'Upon them is a sheep, and there is not upon the one who slaughtered it, except for a sheep'.<sup>119</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ أَبِي نَصْرٍ عَنْ عَلِيِّ بْنِ أَبِي حَمْرَةَ عَنْ أَبِي بَصِيرٍ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ قَوْمٍ اشْتَرَوْا صَيْدًا فَقَالَتْ رَفِيفَةٌ لَهُمْ اجْعَلُوا لِي فِيهِ بِدْرَهُمْ فَجَعَلُوا لَهَا فَقَالَ عَلَى كُلِّ إِنْسَانٍ مِنْهُمْ فِدَاءٌ .

A number of our companions, from Sahl Bin Ziyad, from Ahmad Bin Muhammad Bin Abu Nasr, from Ali Bin Abu Hamza, from Abu Baseer who said,

'I asked Abu Abdullah<sup>asws</sup> about a group of people who are buying a hunted prey. So a female friend of theirs says to them, 'Make (part of it) to be for me, regarding one Dirham'. So they make it to be for her. So he<sup>asws</sup> said: 'Upon each person from them, is a ransom'.<sup>120</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ الْحَسَنِ بْنِ مَحْبُوبٍ عَنْ أَبِي وَالِدِ الْحَنَاطِيِّ قَالَ خَرَجْنَا سِبْغَةَ نَفَرٍ مِنْ أَصْحَابِنَا إِلَيَّ مَكَّةَ فَأَوْفَدْنَا نَارًا عَظِيمَةً فِي بَعْضِ الْمَنَازِلِ أَرَدْنَا أَنْ نَطْرَحَ عَلَيْهَا لَحْمًا ذَكِيًّا وَ كُنَّا مُحْرِمِينَ فَمَرَّ بِنَا طَائِرٌ صَافٌ قَالَ حَمَامَةٌ أَوْ شِبْهُهَا فَأَحْرَقَتْ جَنَاحَهُ فَسَقَطَ فِي النَّارِ فَمَاتَ فَاعْتَمَمْنَا لِذَلِكَ

<sup>117</sup> Al Kafi – V 4 – The Book of Hajj Ch 111 H 1

<sup>118</sup> Al Kafi – V 4 – The Book of Hajj Ch 111 H 2

<sup>119</sup> Al Kafi – V 4 – The Book of Hajj Ch 111 H 3

<sup>120</sup> Al Kafi – V 4 – The Book of Hajj Ch 111 H 4

A number of our companions, from Ahmad Bin Muhammad, from Al Hassan Bin Mahboub, from Abu Wallad Al Hannat who said,

'We went out, being six of us from our companions, to Makkah. So we ignited a great fire in one of the encampment intending to grill pure meat upon it, and we were in *Ihraam*. So a bird passed by us flapping. It was either a dove or it's like. So its wings got burnt, and it fell into the fire, so it died. So we were gloomy due to that.

فَدَخَلْتُ عَلَى أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) بِمَكَّةَ فَأَخْبَرْتُهُ وَ سَأَلْتُهُ فَقَالَ عَلَيْكُمْ فِدَاءٌ وَاحِدٌ دَمُ شَاةٍ تَشْتَرِكُونَ فِيهِ جَمِيعاً لِأَنَّ ذَلِكَ كَانَ مِنْكُمْ عَلَى غَيْرِ تَعَمُّدٍ وَ لَوْ كَانَ ذَلِكَ مِنْكُمْ تَعَمُّداً لَيَقَعُ فِيهَا الصَّيْدُ فَوْقَ أَلْزَمْتُ كُلَّ رَجُلٍ مِنْكُمْ دَمَ شَاةٍ

So I went over to Abu Abdullah<sup>asws</sup> in Makkah, and informed him<sup>asws</sup>, and asked him<sup>asws</sup>. So he<sup>asws</sup> said: 'Upon you all is one ransom, blood of a sheep. You can all participate in it, because that was from you upon other than deliberation; and had that been deliberate from you in order to catch they prey, so it fell, that would have necessitated upon each one of you, blood of a sheep'.

قَالَ أَبُو وَوَلَادٍ وَ كَانَ ذَلِكَ مِنَّا قَبْلَ أَنْ نَدْخُلَ الْحَرَمَ .

Abu Wallad said, 'And that was from us before we had entered the *Haram*'.<sup>121</sup>

أَخْبَدُ بْنُ مُحَمَّدٍ عَنِ الْحَسَنِ بْنِ مَخْبُوبٍ عَنْ شِهَابِ بْنِ زُرَّارَةَ عَنْ أَحَدِهِمَا ( عَلَيْهِمَا السَّلَامُ ) فِي مُحْرِمَيْنِ أَصَابَا صَيْداً فَقَالَ عَلَى كُلِّ وَاحِدٍ مِنْهُمَا الْفِدَاءُ .

Ahmad Bin Muhammad, from Al Hassan Bin Mahboub, from Shihad, from Zurara,

(It has been narrated) from one of the two (5<sup>th</sup> or 6<sup>th</sup> Imam<sup>asws</sup>, regarding the ones in *Ihraam* hunting a prey. So he<sup>asws</sup> said: 'Upon each one of them is the ransom'.<sup>122</sup>

بَابُ فَصْلِ مَا بَيْنَ صَيْدِ الْبَرِّ وَ الْبَحْرِ وَ مَا يَحِلُّ لِلْمُحْرِمِ مِنْ ذَلِكَ

## Chapter 112 – Difference between the prey of the land and the sea, and what is Permissible for the one in *Ihraam* from that

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادٍ عَنْ حَرِيْزِ عَمَّنْ أَخْبَرَهُ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ لَا بَأْسَ بِأَنْ يَصِيدَ الْمُحْرِمُ السَّمَكَ وَ يَأْكُلَ مَالِحَهُ وَ طَرِيئَهُ وَ يَنْزَوِدَ وَ قَالَ أَحَلَّ لَكُمْ صَيْدَ الْبَحْرِ وَ طَعَامَهُ مَتَاعاً لَكُمْ

Ali Bin Ibrahim, from his father, from Hammad, from Hareyz, from the one who informed him,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'There is no problem with it provided that the one in *Ihraam* were to hunt the fish, and he eats its salt-water ones and its fresh-water ones, and he provides for himself'. And He<sup>azwj</sup> Said: '**[5:96] Lawful to you is the game of the sea and its food, a provision for you**'.

قَالَ مَالِحُهُ الَّذِي يَأْكُلُونَ وَ فَصْلُ مَا بَيْنَهُمَا كُلُّ طَيْرٍ يَكُونُ فِي الْأَجَامِ يَبِيضُ فِي الْبَرِّ وَ يُفْرَخُ فِي الْبَرِّ فَهُوَ مِنْ صَيْدِ الْبَرِّ وَ مَا كَانَ مِنْ صَيْدِ الْبَرِّ يَكُونُ فِي الْبَرِّ وَ يَبِيضُ فِي الْبَحْرِ وَ يُفْرَخُ فِي الْبَحْرِ فَهُوَ مِنْ صَيْدِ الْبَحْرِ .

<sup>121</sup> Al Kafi – V 4 – The Book of Hajj Ch 111 H 5

<sup>122</sup> Al Kafi – V 4 – The Book of Hajj Ch 111 H 6

He<sup>asws</sup> said: 'Its salt-water is that which you are eating. And, the difference what is between these two is that every bird which happens to be in the bushes, and laying its eggs in the land, so it is from the hunting prey of the land; and whatever was from the prey of the land which happens to be in the sea, and lays its eggs in the sea, and hatch in the sea, so it is from the prey of the sea'.<sup>123</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ كُلُّ شَيْءٍ يَكُونُ أَسْلُهُ فِي الْبَحْرِ وَ يَكُونُ فِي الْبَرِّ وَ الْبَحْرِ فَلَا يُنْبَغِي لِلْمُحْرِمِ أَنْ يَقْتُلَهُ فَإِنْ قَتَلَهُ فَعَلَيْهِ الْجَزَاءُ كَمَا قَالَ اللَّهُ عَزَّ وَ جَلَّ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'Everything whose origin happens to be in the sea and happens to be in the land and the sea, so it is not befitting of the one in *Ihraam* that he should kill it. So if he were to kill it, then upon him would be the penalty, just as Allah<sup>azwj</sup> Mighty and Majestic has Said'.<sup>124</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ أَبِي نَصْرِ عَنْ الْعَلَاءِ بْنِ رَزِينٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ مِنْ مُحْرِمٍ قَتَلَ جَرَادَةً قَالَ كَفَّ مِنْ طَعَامٍ وَ إِنْ كَانَ كَثِيرًا فَعَلَيْهِ دَمٌ شَاةٍ .

A number of our companions, from Sahl Bin Ziyad, from Ahmad Bin Muhammad Bin Abu Nasr, from Al A'ala Bin Razeyn, from Muhammad Bin Muslim,

(It has been narrated) from Abu Ja'far<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the one in *Ihraam* killing a locust. He<sup>asws</sup> said: 'A handful of food; and if there were many, so upon him is blood of a sheep'.<sup>125</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادٍ عَنْ حَرِيْزِ عَمَّنْ أَخْبَرَهُ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي مُحْرِمٍ قَتَلَ جَرَادَةً قَالَ يُطْعِمُ تَمْرَةً وَ النَّمْرَةَ خَيْرٌ مِنْ جَرَادَةٍ .

Ali Bin Ibrahim, from his father, from Hammad, from Hareyz, from the one who informed him,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding one in *Ihraam* killing a locust. He<sup>asws</sup> said: 'He should feed dates (to a poor one), and the date is better than a locust'.<sup>126</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) أَنَّهُ قَالَ اعْلَمْ أَنَّ مَا وَطِنْتَ مِنَ الدَّبَا أَوْ وَطِنْتَهُ بَعِيرِكَ فَعَلَيْكَ فِدَاؤُهُ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'Know that whatever is trampled upon from the insects, or trampled by your camel, so upon you is its ransom'.<sup>127</sup>

<sup>123</sup> Al Kafi – V 4 – The Book of Hajj Ch 112 H 1

<sup>124</sup> Al Kafi – V 4 – The Book of Hajj Ch 112 H 2

<sup>125</sup> Al Kafi – V 4 – The Book of Hajj Ch 112 H 3

<sup>126</sup> Al Kafi – V 4 – The Book of Hajj Ch 112 H 4

<sup>127</sup> Al Kafi – V 4 – The Book of Hajj Ch 112 H 5

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ الْحَكَمِ عَنِ الْعَلَاءِ بْنِ رَزِينٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ ( عليه السلام ) قَالَ مَرَّ عَلِيٌّ صَلَوَاتُ اللَّهِ عَلَيْهِ عَلَى قَوْمٍ يَأْكُلُونَ جَرَادًا فَقَالَ سُبْحَانَ اللَّهِ وَ أَنْتُمْ مُحْرِمُونَ فَقَالُوا إِنَّمَا هُوَ مِنْ صَيْدِ الْبَحْرِ فَقَالَ لَهُمْ ارْمُوهُ فِي الْمَاءِ إِذَا .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ali Bin Al Hakam, from Al A'ala Bin Razeyn, from Muhammad Bin Muslim,

(It has been narrated) from Abu Ja'far<sup>asws</sup> having said: 'Ali<sup>asws</sup> passed by a group of people eating locusts. So he<sup>asws</sup> said: 'Glory be to Allah<sup>azwj</sup>, and you are in *Ihraam*?' So they said, 'But rather, it is from the hunted preys of the sea'. So he<sup>asws</sup> said to them: 'Thrown it into the water then'.<sup>128</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادٍ عَنْ حَرِيْزٍ عَنْ زُرَّارَةَ عَنْ أَحَدِهِمَا ( عليهما السلام ) قَالَ الْمُحْرِمُ يَتَنَكَّبُ الْجَرَادَ إِذَا كَانَ عَلَى الطَّرِيقِ فَإِنْ لَمْ يَجِدْ بُدًّا فَقَتَلَ فَلَا شَيْءَ عَلَيْهِ .

Ali Bin Ibrahim, from his father, from Hammad, from Hareyz, from Zurara,

(It has been narrated) from one of the two (5<sup>th</sup> or 6<sup>th</sup> Imam<sup>asws</sup>) having said: 'The one in *Ihraam* steps upon the locusts when they are upon the road, so if he cannot find it apparent, so he kills it, then there is nothing upon him'.<sup>129</sup>

أَبُو عَلِيٍّ الْأَشْعَرِيُّ عَنْ مُحَمَّدِ بْنِ عَبْدِ الْجَبَّارِ عَنْ صَفْوَانَ بْنِ يَحْيَى عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي بَصِيرٍ قَالَ سَأَلْتُهُ عَنِ الْجَرَادِ يَدْخُلُ مَتَاعَ الْقَوْمِ فَيُدْوسُونَهُ مِنْ غَيْرِ تَعَمُّدٍ لِقَتْلِهِ أَوْ يَمْرُونَ بِهِ فِي الطَّرِيقِ فَيَطْنُونَهُ قَالَ إِنْ وَجَدْتَ مَعْدَلًا فَاعْدِلْ عَنْهُ فَإِنْ قَتَلْتَهُ غَيْرَ مُتَعَمِّدٍ فَلَا بَأْسَ .

Abu Ali Al Ashary, from Muhammad Bin Abdul Jabbar, from Safwan Bin Yahya, from Is'haq Bin Ammar, from Abu Baseer who said,

'I asked him<sup>asws</sup> about the locusts entering the provisions of the people, so they are trampling it from without the intention of killing it, or they are passing by it in the road, so they are stepping on it. He<sup>asws</sup> said: 'If you find avoidance, so avoid from it. But, if you were to kill it without deliberation, then there is no problem'.<sup>130</sup>

حُمَيْدُ بْنُ زِيَادٍ عَنِ الْحَسَنِ بْنِ مُحَمَّدِ بْنِ سَمَاعَةَ عَنْ غَيْرِ وَاحِدٍ عَنْ أَبَانَ عَنِ الطَّيَّارِ عَنْ أَحَدِهِمَا ( عليهما السلام ) قَالَ لَا يَأْكُلُ الْمُحْرِمُ طَيْرَ الْمَاءِ .

Humeyd Bin Ziyad, from Al Hassan Bin Muhammad Bin Sama'at, from someone else, from Aban, from Al Tayyar,

(It has been narrated) from one of the two (5<sup>th</sup> or 6<sup>th</sup> Imam<sup>asws</sup>) having said: 'The one in *Ihraam* cannot eat from the birds of the sea'.<sup>131</sup>

<sup>128</sup> Al Kafi – V 4 – The Book of Hajj Ch 112 H 6

<sup>129</sup> Al Kafi – V 4 – The Book of Hajj Ch 112 H 7

<sup>130</sup> Al Kafi – V 4 – The Book of Hajj Ch 112 H 8

<sup>131</sup> Al Kafi – V 4 – The Book of Hajj Ch 112 H 9

بَابُ الْمُحْرَمِ يُصَيِّبُ الصَّيْدَ مَرَارًا**Chapter 113 – The one in *Ihraam* catches the prey repeatedly**

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي الْمُحْرَمِ يَصِيدُ الطَّيْرَ قَالَ عَلَيْهِ الْكَفَّارَةُ فِي كُلِّ مَا أَصَابَ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the one in *Ihram* hunting the birds. He<sup>asws</sup> said: 'Upon him is the expiation regarding everything what he attains'.<sup>132</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي مُحْرَمٍ أَصَابَ صَيْدًا قَالَ عَلَيْهِ الْكَفَّارَةُ فَلْتُ فَإِنْ أَصَابَ آخَرَ قَالَ إِذَا أَصَابَ آخَرَ فَلَيْسَ عَلَيْهِ كَفَّارَةٌ وَهُوَ مِمَّنْ قَالَ اللَّهُ عَزَّ وَجَلَّ وَمَنْ عَادَ فَيَنْتَقِمُ اللَّهُ مِنْهُ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the one in *Ihraam* catching a hunted prey. He<sup>asws</sup> said: 'Upon him is the expiation'. I said, 'Supposing he catches another one?' He<sup>asws</sup> said: 'When he catches another, so there is no expiation upon him, and he would be from the one for whom Allah<sup>azwj</sup> Mighty and Majestic Said [5:95] and whoever returns (to it), Allah will inflict Retribution on him'.<sup>133</sup>

بَابُ الْمُحْرَمِ يُصَيِّبُ الصَّيْدَ فِي الْحَرَمِ**Chapter 114 – The one in *Ihraam* catches the hunted prey inside the *Haram***

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِنْ قَتَلَ الْمُحْرَمُ حَمَامَةً فِي الْحَرَمِ فَعَلَيْهِ شَاةٌ وَ تَمَنُّ الْحَمَامَةِ دِرْهَمٌ أَوْ شِبْهُهُ يَتَصَدَّقُ بِهِ أَوْ يُطْعِمُهُ حَمَامَ مَكَّةَ فَإِنْ قَتَلَهَا فِي الْحَرَمِ وَ لَيْسَ بِمُحْرَمٍ فَعَلَيْهِ تَمَنُّهَا .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'If the one in *Ihraam* kills a dove inside the *Haram*, so upon him is a sheep, and a price of the dove, a Dirham or like it. He should either give in charity with it, or he should feed the doves of Makkah. So if he had killed it inside the *Haram*, and he was not in *Ihraam*, so upon him would be its price'.<sup>134</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ مُحَمَّدِ بْنِ إِسْمَاعِيلَ عَنْ صَالِحِ بْنِ عُقْبَةَ عَنِ الْحَارِثِ بْنِ الْمُغِيرَةِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سُئِلَ عَنْ رَجُلٍ أَكَلَ بَيْضَ حَمَامِ الْحَرَمِ وَ هُوَ مُحْرَمٌ قَالَ عَلَيْهِ لِكُلِّ بَيْضَةٍ دَمٌّ وَ عَلَيْهِ تَمَنُّهَا سُدُسُ أَوْ رُبُعِ الدَّرْهِمِ أَوْ هُمُ مِنْ صَالِحٍ

<sup>132</sup> Al Kafi – V 4 – The Book of Hajj Ch 113 H 1

<sup>133</sup> Al Kafi – V 4 – The Book of Hajj Ch 113 H 2

<sup>134</sup> Al Kafi – V 4 – The Book of Hajj Ch 114 H 1

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Muhammad Bin Ismail, from Salih Bin Uqba, from Al Haris Bin Al Mugheira,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'He<sup>asws</sup> was asked about a man who ate an egg of a dove of the *Harram*, and he was in *Ihraam*'. He<sup>asws</sup> said: 'Upon him, for each egg, is blood (of a sacrificial animal), and upon him is its price, being a sixth or a quarter Dirham for being deluded from correctness'.

ثُمَّ قَالَ إِنَّ الدَّمَاءَ لَزِمَتْهُ لِأَكْلِهِ وَ هُوَ مُحْرِمٌ وَإِنَّ الْجَزَاءَ لَزِمَهُ لِأَخْذِهِ بَيْضَ حَمَامِ الْحَرَمِ .

Then he<sup>asws</sup> said: 'The blood (of a sacrificial animal) is necessitated upon him for eating it, and he was in *Ihraam*; and the penalty (of its price) is necessitated on him for taking an egg of a dove of the *Harram*'.<sup>135</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ مُحَمَّدِ بْنِ إِسْمَاعِيلَ عَنْ صَالِحِ بْنِ عُقْبَةَ عَنْ يَزِيدَ بْنِ عَبْدِ الْمَلِكِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) عَنْ رَجُلٍ مُحْرِمٍ مَرَّ وَ هُوَ فِي الْحَرَمِ فَأَخَذَ عُتُقَ ظَبْيَةٍ فَاحْتَلَبَهَا وَ شَرِبَ مِنْ لَبَنِهَا قَالَ عَلَيْهِ دَمٌ وَ جَزَاؤُهُ فِي الْحَرَمِ ثَمَنُ اللَّبَنِ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Muhammad Bin Ismail, from Salih Bin Uqba, from Yazeed Bin Abdul Malik,

(It has been narrated) from Abu Abdullah<sup>asws</sup> about a man in *Ihraam* passing by and he was inside the *Harram*. So he seized a neck of an antelope, so he milked it, and drank from its milk. He<sup>asws</sup> said: 'Upon him is blood (of a sacrificial animal), and its penalty for him being inside the *Harram*, is the price of the milk'.<sup>136</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ وَ مُحَمَّدُ بْنُ إِسْمَاعِيلَ عَنْ الْفَضْلِ بْنِ شَادَانَ عَنْ صَفْوَانَ وَ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِنْ أَصَبْتَ الصَّيْدَ وَ أَنْتَ حَرَامٌ فِي الْحَرَمِ فَأَلْفِدَاءُ مُضَاعَفٌ عَلَيْكَ وَ إِنْ أَصَبْتَهُ وَ أَنْتَ حَلَالٌ فِي الْحَرَمِ فَفِيْمَةٌ وَاحِدَةٌ وَ إِنْ أَصَبْتَهُ وَ أَنْتَ حَرَامٌ فِي الْجَلِّ فَإِنَّمَا عَلَيْكَ فِدَاءٌ وَاحِدٌ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr and Muhammad Bin Ismail, from Al Fazl Bin Shazaan, from Safwan, and Ibn Abu Umeyr, from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'If you were to attain the hunted prey and you are in *Ihraam* inside the *Harram*, so the ransom is doubled upon you; and if you were to attain it and you are not in *Ihraam* inside the *Harram*, so its price is single; and if you were to attain it and you are in *Ihraam* in the unrestricted area, so rather, upon you is one ransom'.<sup>137</sup>

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ الْحَسَنِ بْنِ عَلِيٍّ عَنْ بَعْضِ رِجَالِهِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ إِنَّمَا يَكُونُ الْجَزَاءُ مُضَاعَفًا فِيمَا دُونَ الْبِدْنَةِ حَتَّى يَبْلُغَ الْبِدْنَةَ فَإِذَا بَلَغَ الْبِدْنَةَ فَلَا تُضَاعَفُ لِأَنَّهُ أَكْبَرُ مَا يَكُونُ قَالَ اللَّهُ عَزَّ وَ جَلَّ وَ مَنْ يُعْظَمُ شَعَائِرَ اللَّهِ فَإِنَّهَا مِنْ تَقْوَى الْقُلُوبِ .

A number of our companions, from Ahmad Bin Muhammad, from Al Hassan Bin Ali, from one of his men,

(It has been narrated) from Abu Abdullah<sup>asws</sup> having said: 'But rather, the penalty happens to double regarding what is besides the camel, until it reaches the camel.

<sup>135</sup> Al Kafi – V 4 – The Book of Hajj Ch 114 H 2

<sup>136</sup> Al Kafi – V 4 – The Book of Hajj Ch 114 H 3

<sup>137</sup> Al Kafi – V 4 – The Book of Hajj Ch 114 H 4

So when it reaches the camel, so it does not get multiplied, because it is greatest of what can happen to be. Allah<sup>azwj</sup> Mighty and Majestic Said **[22:32] and whoever magnifies the Rituals of Allah, this surely is from the piety of the hearts**.<sup>138</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ مُحَمَّدِ بْنِ عَيْسَى عَنِ الْحَسَنِ بْنِ مَحْبُوبٍ عَنْ أَبِي وَلاَدِ الْحَنَاطِ عَنْ حُمْرَانَ بْنِ أَعْيَنَ عَنْ أَبِي جَعْفَرٍ ( عليه السلام ) قَالَ قُلْتُ لَهُ مُحْرَمٌ قَتَلَ طَيْرًا فِيمَا بَيْنَ الصَّفَا وَالْمَرْوَةِ عَمْدًا قَالَ عَلَيْهِ الْفِدَاءُ وَالْجَزَاءُ وَ يُعْرَرُ

Ali Bin Ibrahim, from Muhammad Bin Isa, from Al Hassan Bin Mahboub, from Abu Wallad Al Hannar, from Humran Bin Ayn,

(It has been narrated) from Abu Ja'far<sup>asws</sup>, said, 'I said to him<sup>asws</sup>, 'One in *Ihraam* kills a bird deliberately in what is between Al-Safa and Al-Marwa'. He<sup>asws</sup> said: 'Upon him is the ransom, and the penalty, and he would be reprimanded'.

قَالَ قُلْتُ فَإِنْ فَعَلَهُ فِي الْكُعْبَةِ عَمْدًا قَالَ عَلَيْهِ الْفِدَاءُ وَالْجَزَاءُ وَ يُضْرَبُ دُونَ الْحَدِّ وَ يُقَامُ لِلنَّاسِ كَمَا يَنْكُلُ غَيْرُهُ .

He (the narrator) said, 'I said, 'But his deed was done deliberately in the Kabah'. He<sup>asws</sup> said: 'Upon him is the ransom, and the penalty, and he would be lashed less than the Legal Penalty (*Hadd*), and he would be stood (in front of) the people, perhaps others would be deterred'.<sup>139</sup>

## بَابُ نَوَادِرَ

### Chapter 115 – Miscellaneous

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادِ بْنِ عَيْسَى وَ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عليه السلام ) فِي قَوْلِ اللَّهِ عَزَّ وَ جَلَّ لَنَبْلُوَنَّكُمْ اللَّهُ بِشَيْءٍ مِّنَ الصَّيْدِ تَنَالَهُ أَيْدِيكُمْ وَ رِمَاحُكُمْ قَالَ حُسَيْرٌ لِّرَسُولِ اللَّهِ ( صلى الله عليه وآله ) فِي عُمْرَةِ الْحُدَيْبِيَّةِ الْوَحُوشُ حَتَّى نَالَتْهَا أَيْدِيهِمْ وَ رِمَاحُهُمْ .

Ali Bin Ibrahim, from his father, from Hammad Bin Isa, and Ibn Abu UUmeyr, from Muawiya Bin Ammar,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the Words of Allah<sup>azwj</sup> Mighty and Majestic **[5:94] Allah will certainly Try you in respect of some game which your hands and your lances can reach**. He<sup>asws</sup> said: 'The wild animals crowded to Rasool-Allah<sup>azwj</sup> during the Umra of Al-Hudaybiyya to the extent that their hands and their spears could reach them'.<sup>140</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادِ بْنِ الْحَلْبِيِّ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ ( عليه السلام ) عَنْ قَوْلِ اللَّهِ عَزَّ وَ جَلَّ يَا أَيُّهَا الَّذِينَ آمَنُوا لَنَبْلُوَنَّكُمْ اللَّهُ بِشَيْءٍ مِّنَ الصَّيْدِ تَنَالَهُ أَيْدِيكُمْ وَ رِمَاحُكُمْ قَالَ حُسَيْرٌ عَلَيْهِمُ الصَّيْدُ فِي كُلِّ مَكَانٍ حَتَّى دَنَا مِنْهُمْ لَيَبْلُوَهُمُ اللَّهُ بِهِ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby who said,

'I asked Abu Abdullah<sup>asws</sup> about the Words of Allah<sup>azwj</sup> Mighty and Majestic **[5:94] O you who believe! Allah will certainly Try you in respect of some game which**

<sup>138</sup> Al Kafi – V 4 – The Book of Hajj Ch 114 H 5

<sup>139</sup> Al Kafi – V 4 – The Book of Hajj Ch 114 H 6

<sup>140</sup> Al Kafi – V 4 – The Book of Hajj Ch 115 H 1



**your hands and your lances can reach.** He<sup>asws</sup> said: 'The prey crowded towards them in every place until they approached them. Allah<sup>azwj</sup> Tried them with it'.<sup>141</sup>

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادِ بْنِ عَيْسَى عَنْ إِبْرَاهِيمَ بْنِ عُمَرَ الْيَمَانِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) قَالَ سَأَلْتُهُ عَنْ قَوْلِ اللَّهِ عَزَّ وَجَلَّ ذُو عَدْلٍ مِنْكُمْ قَالَ الْعَدْلُ رَسُولُ اللَّهِ ( صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ ) وَ الْإِمَامُ مِنْ بَعْدِهِ ثُمَّ قَالَ هَذَا مِمَّا أَخْطَأَتْ بِهِ الْكُتَّابُ .

Ali Bin Ibrahim, from his father, from Hammad Bin Isa, from Ibrahim Bin Umar Al Yamany,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about the Words of Allah<sup>azwj</sup> Mighty and Majestic **[5:95] as two just persons among you shall judge.** He<sup>asws</sup> said: 'The just ones are Rasool-Allah<sup>saww</sup>, and the Imam<sup>asws</sup> from after him<sup>saww</sup>. Then he<sup>asws</sup> said: 'This is from what the scribes have erred with (during the compilation) of the Quran'.<sup>142</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ رَفَعَهُ فِي قَوْلِهِ تَعَالَى تَنَالَهُ أَيْدِيكُمْ وَ رِمَاحُكُمْ قَالَ مَا تَنَالَهُ الْأَيْدِي الْبَيْضُ وَ الْفِرَاحُ وَ مَا تَنَالَهُ الرِّمَاحُ فَهُوَ مَا لَا تَصِلُ إِلَيْهِ الْأَيْدِي .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, raising it,

Regarding the Words of Allah<sup>azwj</sup> **[5:94] which your hands and your lances can reach.** He<sup>asws</sup> said: 'What the hands can reach are the eggs and the chicks, and what the spears can reach, so it is what the hands cannot get to it'.<sup>143</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ فَضَّالٍ عَنِ ابْنِ بُكَيْرٍ عَنْ زُرَّارَةَ قَالَ سَأَلْتُ أَبَا جَعْفَرٍ ( عَلَيْهِ السَّلَامُ ) عَنْ قَوْلِ اللَّهِ عَزَّ وَجَلَّ يَحْكُمُ بِهِ ذُو عَدْلٍ مِنْكُمْ قَالَ الْعَدْلُ رَسُولُ اللَّهِ ( صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ ) وَ الْإِمَامُ مِنْ بَعْدِهِ ثُمَّ قَالَ هَذَا مِمَّا أَخْطَأَتْ بِهِ الْكُتَّابُ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ibn Fazzal, from Ibn Bukeyr, from Zurara who said,

'I asked Abu Ja'far<sup>asws</sup> about the Words of Allah<sup>azwj</sup> Mighty and Majestic **[5:95] as two just persons among you shall judge.** He<sup>asws</sup> said: 'The just ones are Rasool-Allah<sup>saww</sup> and the Imam<sup>asws</sup> from after him<sup>saww</sup>. Then he<sup>asws</sup> said: 'This is from what the scribes have erred with (during the compilation of) the Book (the holy Quran)'.<sup>144</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنْ بَعْضِ أَصْحَابِهِ عَنْ أَبِي جَمِيلَةَ عَنْ زَيْدِ الشَّحَّامِ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَامُ ) فِي قَوْلِ اللَّهِ عَزَّ وَجَلَّ وَ مَنْ عَادَ فَيَنْتَقِمُ اللَّهُ مِنْهُ قَالَ إِنَّ رَجُلًا أَنْطَلَقَ وَ هُوَ مُحْرِمٌ فَأَخَذَ ثَعْلَبًا فَجَعَلَ يَقْرُبُ النَّارَ إِلَى وَجْهِهِ وَ جَعَلَ الثَّعْلَبُ يَصِيحُ وَ يُحَدِّثُ مِنْ اسْتِهِ وَ جَعَلَ أَصْحَابُهُ يَنْهَوْنَهُ عَمَّا يَصْنَعُ ثُمَّ أَرْسَلَهُ بَعْدَ ذَلِكَ فَبَيْنَمَا الرَّجُلُ نَائِمٌ إِذْ جَاءَتْهُ حَيَّةٌ فَدَخَلَتْ فِي فِيهِ فَلَمْ تَدْعُهُ حَتَّى جَعَلَ يُحَدِّثُ كَمَا أَحَدَتْ الثَّعْلَبُ ثُمَّ خَلَّتْ عَنْهُ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Al Husayn Bin Saeed, from one of his companions, from Abu Jameela, from Zayd Al Shahham,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding the Words of Allah<sup>azwj</sup> Mighty and Majestic **[5:95] and whoever returns (to it), Allah will inflict Retribution on him.** He<sup>asws</sup> said: 'A man went, and he was in *Ihraam*, so he seized a fox and made

<sup>141</sup> Al Kafi – V 4 – The Book of Hajj Ch 115 H 2

<sup>142</sup> Al Kafi – V 4 – The Book of Hajj Ch 115 H 3

<sup>143</sup> Al Kafi – V 4 – The Book of Hajj Ch 115 H 4

<sup>144</sup> Al Kafi – V 4 – The Book of Hajj Ch 115 H 5

its face to be close to the fire, and the fox went on to shriek and it excreted from its behind; and his companions went to prevent him from what he was doing. Then he released it after that. So when the man was in his sleep, a snake came over and entered into his mouth. So it did not leave him until excreted just as the fox had excreted. Then it left him alone'.<sup>145</sup>

مُحَمَّدُ بْنُ يَحْيَى رَفَعَهُ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) فِي رَجُلٍ أَكَلَ مِنْ لَحْمِ صَيْدٍ لَا يَدْرِي مَا هُوَ وَ هُوَ مُحْرِمٌ قَالَ عَلَيْهِ دَمٌ شَاءَ .

Muhammad Bin Yahya, raising it,

(It has been narrated) from Abu Abdullah<sup>asws</sup> regarding a man who ate from the flesh of a hunted prey not knowing what it was, and he was in *Ihraam*. He<sup>asws</sup> said: 'Upon him is blood of a sheep'.<sup>146</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ عَلِيِّ بْنِ عُقَبَةَ عَنْ أَبِيهِ عُقَبَةَ بْنِ خَالِدٍ عَنْ أَبِي عَبْدِ اللَّهِ ( عَلَيْهِ السَّلَام ) قَالَ سَأَلْتُهُ عَنْ رَجُلٍ قَضَى حَجَّهُ ثُمَّ أَقْبَلَ حَتَّى إِذَا خَرَجَ مِنَ الْحَرَمِ اسْتَقْبَلَهُ صَيْدٌ قَرِيبٌ مِنَ الْحَرَمِ وَ الصَّيْدُ مُتَوَجِّهٌ نَحْوَ الْحَرَمِ فَرَمَاهُ فَقَتَلَهُ مَا عَلَيْهِ فِي ذَلِكَ قَالَ يُفْدِيهِ عَلَى نَحْوِهِ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Ali Bin Uqba, from his father Uqba Bin Khalid,

(It has been narrated) from Abu Abdullah<sup>asws</sup>, said, 'I asked him<sup>asws</sup> about a man who fulfilled his Hajj, then came back until he had exited from the *Harram*. A prey faced him near to the *Harram*, and the prey was going in the direction of the *Harram*. So he shot an arrow at it and killed it. What is upon him with regards to that?' He<sup>asws</sup> said: 'His ransom (payable) is upon its (prey's) like'.<sup>147</sup>

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ مَهْزِيَارٍ قَالَ سَأَلْتُ الرَّجُلَ عَنِ الْمُحْرِمِ يَشْرَبُ الْمَاءَ مِنْ قَرَبَةٍ أَوْ سِفَاءٍ اتَّخَذَ مِنْ جُلُودِ الصَّيْدِ هَلْ يَجُوزُ ذَلِكَ أَمْ لَا فَقَالَ يَشْرَبُ مِنْ جُلُودِهَا .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Ali Bin Mahziyar who said,

'I asked the man<sup>asws</sup> about the one in *Ihraam* drinking the water from a bottle or a water container taken from the skin of the hunted prey. Is that allowed or not?' So he<sup>asws</sup> said: 'He can drink from its skin'.<sup>148</sup>

<sup>145</sup> Al Kafi – V 4 – The Book of Hajj Ch 115 H 6

<sup>146</sup> Al Kafi – V 4 – The Book of Hajj Ch 115 H 7

<sup>147</sup> Al Kafi – V 4 – The Book of Hajj Ch 115 H 8

<sup>148</sup> Al Kafi – V 4 – The Book of Hajj Ch 115 H 9