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**Bihar Al-Anwaar – The summary of the pearls of the
Ahadeeth of the Pure Imams^{-asws}**

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TABLE OF CONTENTS

CHAPTER 10 – THE RULINGS OF UMRAH AL TAMATTO.....	4
CHAPTER 11 – RULINGS OF USHERING THE SACRIFICIAL ANIMAL	12
CHAPTER 12 – RULING OF THE WALKING TO THE HOUSE OF ALLAH ^{-azwj} , AND RULING OF ONE WHO VOWS IT	16
CHAPTER 13 – RULINGS OF THE CAPABILITY AND ITS STIPULATIONS	23
CHAPTER 14 – CONDITIONS OF HEALTH FOR THE HAJJ	32
CHAPTER 15 – REWARDS OF OFFERING FINANCIAL ASSISTANCE FOR THE HAJJ.....	33
CHAPTER 16 – OBLIGATION OF THE HAJJ DURING EVERY SEASON (YEAR).....	33
CHAPTER 17 – HAJJ OF THE YOUNG BOY AND THE SLAVE.....	34
CHAPTER 18 – HAJJ BY THE REPRESENTATIVE, OR THE DONOR FOR ANOTHER, AND RULING OF THE ONE WHO DIES AND HE DID NOT PERFORM HAJJ, OR BEQUEATHED WITH THE HAJJ.....	36
CHAPTER 19 – ETIQUETTES OF PREPARING FOR THE HAJJ AND ETIQUETTES OF THE GOING OUT.....	44
CHAPTER 20 – ETIQUETTES OF THE JOURNEY TO HAJJ IN THE SHIPS AND OTHER SUCH, AND IN IT ARE ETIQUETTES OF THE TRAVEL AS WELL	47
CHAPTER 21 – A SUMMARY OF THE ETIQUETTES OF HAJJ	51
CHAPTER 22 – THE JUNCTURES AND RULING OF THE ONE DELAYS THE IHRAAM FROM THE JUNCTURE OR PRECEDES UPON IT	54
CHAPTER 23 – THE MONTHS OF HAJJ AND GROWING THE HAIR FOR THE HAJJ.....	64
CHAPTER 24 – THE IHRAAM (CONSECRATION) AND ITS PRECEDING ACTS, FROM THE WASHING, AND THE SALAT AND OTHER SUCH.....	66
CHAPTER 25 – WHAT CLOTHES THE IHRAAM IS ALLOWED IN AND WHAT IS NO ALLOWED, AND WHAT CLOTHES ARE ALLOWED FOR THE ONE IN IHRAAM TO WEAR AND WHAT IS NO ALLOWED.....	78
CHAPTER 26 – THE HUNTING AND ITS RULINGS	84
CHAPTER 27 – THE PERFUME, AND THE OIL, AND THE KOHL, AND THE ADORNMENTS, AND THE RINGS, AND THE BATHING, AND WASHING THE HEAD AND THE BODY, AND MASSAGING FOR THE CONSECRATED ONE	120
CHAPTER 28 – SHUNNING THE WOMEN FOR THE CONSECRATED ONE, AND IN IT IS MENTION OF THE IMMORALITY, AND THE QUARRELLING AND SPOILING OF THE HAJJ.....	123
CHAPTER 29 – COVERING THE HEAD AND THE FACE, AND THE SHADE, AND THE IMMERSION FOR THE CONSECRATED ONE.....	137
CHAPTER 30 – THE CUPPING, AND EXTRACTING THE BLOOD, AND REMOVAL OF THE HAIR, AND TREATING THE INJURY, AND BRUSHING THE TEETH.....	143

CHAPTER 10 – THE RULINGS OF UMRAH AL TAMATTO

(The book) ‘Qurb Al Isnaad’ –

‘Ali, from his brother (Al-Kazim^{-asws}’, he said, ‘I asked him^{-asws} about a man who enters one day before Al-Tarwiyya and intends the Ihraam for the Hajj on the day of Al-Tarwiyya, but errs before the Umrah, ‘What is his state?’

1- ب، قرب الإسناد علي عن أخيه ع قال: سألتُهُ عن رجلٍ دخلَ قبلَ التَّوْبَةِ بيومٍ و أرادَ الإِحْرَامَ بِالحَجِّ يَوْمَ التَّوْبَةِ فَأَخْطَأَ قَبْلَ العُمْرَةِ مَا حَالُهُ قَالَ لَيْسَ عَلَيْهِ شَيْءٌ فَلْيُعِدِ الإِحْرَامَ بِالحَجِّ.

He^{-asws} said: ‘There is nothing upon him, so let him repeat the Ihraam for the Hajj’.¹

2- قَالَ: وَ سَأَلْتُهُ عَنْ رَجُلٍ اعْتَمَرَ فِي رَجَبٍ وَ رَجَعَ إِلَى أَهْلِهِ هَلْ يَصْلُحُ لَهُ إِنْ هُوَ حَجَّ أَنْ يَتَمَتَّعَ بِالعُمْرَةِ إِلَى الحَجِّ

And I asked him^{-asws} about a man performing Umrah in Rajab and he returns to his family, ‘It is correct for him if he performs Hajj that he combines the Umrah with the Hajj?’

قَالَ لَا يَعْدِلُ بِذَلِكَ.

He^{-asws} said: ‘That does not equate with that’.²

3- قَالَ: وَ سَأَلْتُهُ عَنْ رَجُلٍ قَدِمَ مُتَمَتِّعًا ثُمَّ أَحَلَّ قَبْلَ ذَلِكَ أَلَهُ الخُرُوجَ

He said, ‘And I asked him^{-asws} about a man who arrives for Umrah Tamatto, then he deconsecrates before that, ‘Is it for him to go out?’

قَالَ لَا يُخْرَجُ حَتَّى يُحْرِمَ بِالحَجِّ وَ لَا يُجَاوِزَ الطَّائِفَ وَ شِبْهَهَا.

He^{-asws} said: ‘He should not go out until he dons Ihraam for the Hajj, and he should go beyond Al-Taaif and the like’.³

4- ب، قرب الإسناد ابنُ أبي الخطَّابِ عَنِ الرِّزْنِيِّ قَالَ: قُلْتُ لِلرِّضَا ع جُعِلْتُ فِدَاكَ كَيْفَ تَصْنَعُ بِالحَجِّ

(The book) ‘Qurb Al Isnaad’ – Ibn Abu Al Khattab, from Al Bazanty who said,

‘I said to Al-Reza^{-asws}, ‘May I be sacrificed for you^{-asws}! How you^{-asws} deal with the Hajj?’

قَالَ أَمَا نَحْنُ فَنَخْرُجُ فِي وَفْتٍ صَبِقَ تَذَهَبُ فِيهِ الأَيَّامُ فَأُفْرِدُ لَهُ الحَجَّ

¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 1

² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 2

³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 3

He^{-asws} said: 'As for us^{-asws}, we^{-asws} go out during a narrow (limited) time. The days pass by in it, so I^{-asws} individualise the Hajj for it'.

قُلْتُ لَهُ جَعَلْتُ فِدَاكَ أَرَأَيْتَ إِنْ أَرَادَ الْمُتَمَتِّعُ كَيْفَ يَصْنَعُ

I said, 'May I be sacrificed for you^{-asws}! What is your^{-asws} view if one intends the combining (Tamatto), how should he deal with it?'

قَالَ يَنْوِي الْعُمْرَةَ وَ يُحْرِمُ بِالْحَجِّ.

He^{-asws} said: 'He should intend the Umrah and enters into Ihram for Hajj'.⁴

5- ب، قرب الإسناد عليّ عن أخيه ع قال: سألتُهُ عن رجلٍ قدمَ مَكَّةَ مُتَمَتِّعاً فَأَحَلَّ فِيهِ أَلَهُ أَنْ يَرْجِعَ قَالَ لَا يَرْجِعُ حَتَّى يُحْرِمَ بِالْحَجِّ وَ لَا يُجَاوِزِ الطَّائِفَ وَ شِبْهَهَا خَافَةَ أَنْ لَا يُدْرِكَ الْحَجَّ فَإِنْ أَحَبَّ أَنْ يَرْجِعَ إِلَى مَكَّةَ رَجَعَ وَ إِنْ خَافَ أَنْ يَفُوتَهُ الْحَجُّ مَضَى عَلَى وَجْهِهِ إِلَى عَرَافَاتٍ.

(The book) 'Qurb Al Isnaad' –

'Ali, from his brother (Al-Kazim^{-asws}), he said, 'I asked him^{-asws} about a man arriving at Makkah for Umrah Tamatto, so he deconsecrates in it, 'Is it for him to return?'

He^{-asws} said: 'He should not return until he consecrates (wears Ihraam) for the Hajj and should not go beyond Al-Taaif and it's like fearing that he may not attain the Hajj. If he likes to return to Makkah he can return, and if he fears that he will miss the Hajj, he should continue upon his heading to Arafah'.⁵

6- ن، عيون أخبار الرضا عليه السلام ابن الوليد عن الصَّغَارِ عَنِ ابْنِ عَيْسَى عَنِ الْبَرْزَطِيِّ قَالَ: قُلْتُ لِأَبِي الْحَسَنِ ع كَيْفَ صَنَعْتَ فِي عَامِكَ

(The book) 'Uyoun Akhbar Al-Reza^{-asws}', may the greeting be upon him^{-asws} – Ibn Al Waleed, from Al Saffar, from Ibn Isa, from Al Bazanty who said,

'I said to Abu Al-Hassan^{-asws}, 'What did you^{-asws} do in your^{-asws} season (of Hajj)?'

فَقَالَ اعْتَمَرْتُ فِي رَجَبٍ وَ دَخَلْتُ مُتَمَتِّعاً وَ كَذَلِكَ أَفْعَلُ إِذَا اعْتَمَرْتُ.

He^{-asws} said: 'I^{-asws} performed Umrah in Rajab and entered for Tamatto, and like that I^{-asws} do whenever I^{-asws} perform Umrah'.⁶

7- ن، عيون أخبار الرضا عليه السلام أبي عن سعدٍ عَنِ ابْنِ عَيْسَى عَنِ الْوَشَائِ عَنِ الرِّضَا ع قَالَ: إِذَا أَهَلَّ هَلَالُ ذِي الْحِجَّةِ وَ نَحْنُ بِالْمَدِينَةِ لَمْ يَكُنْ لَنَا أَنْ نُحْرِمَ إِلَّا بِالْحَجِّ لِأَنَّ نُحْرُمَ مِنَ الشَّجَرَةِ وَ هُوَ الَّذِي وَقَّتْ رَسُولُ اللَّهِ ص وَ أَنْتُمْ إِذَا قَدِمْتُمْ مِنَ الْعِرَاقِ فَأَهَلَّ الْهَلَالُ فَلَكُمْ أَنْ تَعْتَمِرُوا لِأَنَّ بَيْنَ أَيْدِيكُمْ ذَاتَ عَرَبٍ وَ عَرَبُهَا بِنَاءٌ وَقَّتْ لَكُمْ رَسُولُ اللَّهِ ص

⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 4

⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 5

⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 6

(The book) 'Uyoun Akhbar Al-Reza^{-asws}', may the greeting be upon him^{-asws} – My father, from Sa'ad, from Ibn Isa, from Al Washa,

'When the crescent of Zil Hijja emerges and we are at Al-Medina, it cannot be for us to consecrate except for the Hajj, because we don Ihraam from (Masjid) Al-Shajara, and it is which Rasool-Allah^{-saww} had made it a juncture, while you all, when you arrive from Al-Iraq and the crescent emerges, for you is to perform Umrah because in front of you is Zat Irq (a juncture) and others from what Rasool-Allah^{-saww} had made it a juncture for you all'.

فَقَالَ لَهُ الْمُضَلُّ فَلْيَ الْآنَ أَنْ أَمْتَعَّ وَ قَدْ طُفْتُ بِالْبَيْتِ

Al-Fazl said to him^{-asws}, 'So for me now is to perform Tamatto and I have already performed Tawaaf of the House (Kabah)?'

فَقَالَ لَهُ نَعَمْ

He^{-asws} said to him: 'Yes'.

فَدَهَبَ بِهَا مُحَمَّدُ بْنُ جَعْفَرٍ إِلَى سُفْيَانَ بْنِ عُيَيْنَةَ وَ أَصْحَابِ سُفْيَانَ فَقَالَ لَهُمْ إِنَّ فُلَانًا قَالَ كَذَا وَ كَذَا فَشَنَّعَ عَلَى أَبِي الْحَسَنِ ع.

Muhammad Bin Ja'far went to Sufyan Bin Uyayna and companions of Sufyan. He said to him, 'So and so said such and such!', making it ugly upon Abu Al-Hassan^{-asws}'.⁷

8 ع، علل الشرائع ابن الوليد عن الصَّفَّارِ عَنِ ابْنِ زَيْدٍ عَنِ ابْنِ أَبِي عَمِيرٍ عَنِ جَمِيلٍ عَنِ أَبِي عَبْدِ اللَّهِ ع قَالَ: مَنْ أَدْرَكَ الْمَشْعَرَ الْحَرَامَ يَوْمَ النَّخْرِ قَبْلَ زَوَالِ الشَّمْسِ فَقَدْ أَدْرَكَ الْحَجَّ وَ مَنْ أَدْرَكَهُ يَوْمَ عَرَفَةَ قَبْلَ زَوَالِ الشَّمْسِ فَقَدْ أَدْرَكَ الْمُتَعَةَ.

(The book) 'Ilal Al Sharaie' – Ibn Al Waleed, from Al Saffar, from Ibn Yazeed, from Ibn Abu Umeyr, from Jameel,

'From Abu Abdullah^{-asws} having said: 'One who comes across the Sacred Monuments on the day of the sacrifice before decline of the sun (midday), so he has achieved the Hajj, and one who comes across it on the day of Arafah before decline of the sun (midday), so he has achieved the Tamatto''.⁸

9- ضا، فقه الرضا عليه السلام إِنَّ نَسِيَّ الْمُتَمَتِّعِ التَّقْصِيرِ حَتَّى يُهْلَ بِالْحَجِّ كَانَ عَلَيْهِ دَمٌ وَ رُوِيَ يَسْتَعْفِرُ اللَّهُ

(The book) 'Fiqh Al-Reza^{-asws}', may the greetings be upon him^{-asws} – 'If the Tamatto performer forgets the shortening (of the hair and the nails) until he begins with the Hajj, upon him would be blood (sacrificial offering)', and it is reported he should seek Forgiveness of Allah^{-azwj}'.

وَ إِذَا حَلَقَ الْمُتَمَتِّعُ رَأْسَهُ بِمَكَّةَ فَلَيْسَ عَلَيْهِ شَيْءٌ إِذْ كَانَ جَاهِلًا وَ إِذْ تَعَمَّدَ ذَلِكَ فِي أَوَّلِ شَهْرِ الْحَجِّ بِثَلَاثِينَ يَوْمًا مِنْهَا فَلَيْسَ عَلَيْهِ شَيْءٌ وَ إِذْ تَعَمَّدَ بَعْدَ الثَّلَاثِينَ الَّذِي يُؤَقَّرُ فِيهَا شَعْرُهُ لِلْحَجِّ فَإِنَّ عَلَيْهِ دَمٌ [دَمًا]

And when the Tamatto performer shaves his head at Makkah, there is nothing upon him if he was ignorant, and if he had deliberated that is during beginning of months of Hajj, thirty days

⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 7

⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 8

from these, so there is nothing upon him, and if he had deliberated after the thirty (days) in which he is supposed to grow his hair for the Hajj, upon him is blood (sacrificial offering).

فَإِذَا أَرَادَ الْمُتَمَتِّعُ الْخُرُوجَ مِنْ مَكَّةَ إِلَى بَعْضِ الْمَوَاضِعِ فَلَيْسَ لَهُ ذَلِكَ لِأَنَّهُ مُرْتَبِطٌ بِالْحَجِّ حَتَّى يَقْضِيَهُ إِلَّا أَنْ يَعْلَمَ أَنَّهُ لَا يَقُوتُهُ الْحَجُّ فَإِنْ عَلِمَ وَ خَرَجَ ثُمَّ رَجَعَ فِي الشَّهْرِ الَّذِي خَرَجَ فِيهِ دَخَلَ مَكَّةَ حُرًّا وَ إِنْ رَجَعَ فِي غَيْرِ ذَلِكَ الشَّهْرِ دَخَلَهَا مُحْرَمًا.

When the Tamatto performer wants to go out from Makkah to one of the places, that isn't for him (to do) because he is tied with the Hajj until he fulfils it, except if he knows that he will not miss out the Hajj. If he knows and yet goes out, then he returns during the month which he had gone out in, he should enter Makka deconsecrated, and if he returns in other than that month, he should enter it consecrated (in Ihraam)".⁹

10- سر، السرائر جميل عن بعض أصحابه عن أحدهما ع في الرجل يخرج من الحرم إلى بعض حاجته و يرجع من يومه قال لا بأس بأن يدخل بغير إخراج.

(The book) 'Al Saraair' – Jameel, from one of his companions,

'From one of the two (5th or 6th Imam^{-asws}) regarding the man who goes out from the Sanctuary to one of his needs and he returns from his very day. He^{-asws} said: 'There is no problem if he enters without Ihraam (deconsecrated)".¹⁰

11- شي، تفسير العياشي عن زرارة عن أبي جعفر ع قال: إنَّ العُمْرَةَ وَاجِبَةٌ بِمَنْزِلَةِ الْحَجِّ لِأَنَّ اللَّهَ يَقُولُ وَ أَمُوا الْحَجَّ وَ العُمْرَةَ لِلَّهِ هِيَ وَاجِبَةٌ مِثْلَ الْحَجِّ وَ مَنْ تَمَتَّعَ أَجْزَاءَهُ وَ العُمْرَةَ فِي أَشْهُرِ الْحَجِّ مُتَمَتِّعًا.

(The book) 'Tafseer Al Ayyashi' – from Zurara,

'From Abu Ja'far^{-asws} having said: 'The obligatory Umrah is at the status of the Hajj because Allah^{-azwj} Says: **And complete the Hajj and the Umrah [2:196]**. It is obligatory like the Hajj, and the one who performs Tamatto, it will suffice him, and the Umar during the months of Hajj is Tamatto".¹¹

12- شي، تفسير العياشي عن يعقوب بن شعيب عن أبي عبد الله ع وَ أَمُوا الْحَجَّ وَ العُمْرَةَ لِلَّهِ فُلْتُ يَكْتَفِي الرَّجُلُ إِذَا تَمَتَّعَ بِالْعُمْرَةِ إِلَى الْحَجِّ مَكَانَ ذَلِكَ العُمْرَةَ الْمُفْرَدَةَ

(The book) 'Tafseer Al Ayyashi' – from Yaquob Bin Shueyb,

'From Abu Abdullah^{-asws} – regarding **And complete the Hajj and the Umrah [2:196]**. I said, 'Will it suffice the man when he combines the Umrah to the Hajj in place of that individual Umrah?'

قَالَ نَعَمْ كَذَلِكَ أَمَرَ رَسُولُ اللَّهِ ص.

⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 9

¹⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 10

¹¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 11

He^{-asws} said: ‘Yes. Rasool-Allah^{-saww} had instructed like that!’¹²

13- كَش، رجال الكشي حَمَدُوهُ عَنِ الْبُقَطِيِّ عَنِ يُونُسَ عَنِ عَبْدِ اللَّهِ بْنِ زُرَّارَةَ وَ مُحَمَّدِ بْنِ قُؤْلُوْبِيهِ وَ الْحُسَيْنِ بْنِ الْحُسَيْنِ مَعَا عَنْ سَعْدِ عَنْ هَارُونَ عَنِ الْحُسَيْنِ بْنِ مُحَمَّدٍ عَنْ عَبْدِ اللَّهِ بْنِ زُرَّارَةَ وَ ابْنَيْهِ الْحُسَيْنِ وَ الْحُسَيْنِ عَنِ عَبْدِ اللَّهِ بْنِ زُرَّارَةَ قَالَ: قَالَ لِي أَبُو عَبْدِ اللَّهِ عَ أَفْرَأُ مَعِيَ عَلَى وَالدِّكَ السَّلَامِ- وَ قُلْ لَهُ عَلَيْكَ بِالصَّلَاةِ السَّنَةِ وَ الْأَرْبَعِينَ وَ عَلَيْكَ بِالْحَجِّ أَنْ تُهَلَّ بِالْإِفْرَادِ وَ تَنْوِي الْفَسْحَ

(The book) ‘Rijal Al Kashi’ – Hamdawiya, from Al Yaqteeny, from Yunus, from Abdullah Bin Zurara and Muhammad Bin Qawlawayi, and Al Husayn Bin Al-Hassan, both together from Sa’ad, from Haroun, from Al-Hassan Bin Mahboub Bin Abdullah Bin Zurara, and his two sons Al-Hassan Al Husayn, from Abdullah Bin Zurara who said,

‘Abu Abdullah^{-asws} said to me: ‘Abu Abdullah^{-asws} said to me: ‘Convey the greeting from me^{-asws} to your father, and say to him, ‘Upon you is with the forty-six Salat(s), and upon you is with the Hajj to begin with the individual and intend the termination.

إِذَا قَدِمْتَ مَكَّةَ وَ طُفْتَ وَ سَعَيْتَ فَسَحَّتْ مَا أَهَلَّتْ بِهِ وَ قَلَبْتَ الْحَجَّ عُمْرَةً أَخَلَّتْ إِلَى يَوْمِ التَّوْبَةِ ثُمَّ اسْتَأْنَفِ الْإِهْلَالَ بِالْحَجِّ مُفْرَدًا إِلَى مِيٍّ وَ تَشْهَدُ الْمَنَافِعَ بَعْرَفَاتٍ وَ الْمُزْدَلِفَةَ

When you arrive at Makkah and have performed the Tawaaf and have performed Sa’ee, terminate what you had begun with and turn the Hajj into Umrah. You have deconsecrated up to the day of Al-Tarwiyya. Then resume the beginning with the individual Hajj up to Mina, and attend the Monuments at Arafaah and Al-Muzdalifa.

كَذَلِكَ حَجَّ رَسُولُ اللَّهِ ص وَ هَكَذَا أَمَرَ أَصْحَابَهُ أَنْ يُفْعَلُوا أَنْ يُفْسَحُوا مَا أَهَلُّوا بِهِ وَ يَهْلِيُوا الْحَجَّ عُمْرَةً

Rasool-Allah^{-saww} had performed Hajj like that, and he^{-saww} had instructed his^{-saww} companions to be doing like that, that they should terminate what they had begun with and turn the Hajj into Umrah.

وَ إِذَا أَقَامَ رَسُولُ اللَّهِ ص عَلَى إِحْرَامِهِ لَيْسَ يَقْبَلُ الَّذِي سَأَقَ مَعَهُ فَإِنَّ السَّائِقِ قَارِنٌ وَ الْقَارِنُ لَا يُحِلُّ حَتَّى يَبْلُغَ هَدْيُهُ مَحَلَّهُ وَ مَحَلُّهُ الْمَنْحَرُ بِمِيٍّ

And rather Rasool-Allah^{-saww} had stayed upon his^{-saww} Ihraam in order to usher which he^{-saww} had ushered with him^{-saww}, for the usherer is a pairing one, and for the Pairing one cannot deconsecrate until the sacrificial offering reaches its place, and its place is the slaughtering at Mina.

فَإِذَا بَلَغَ أَحَلَّ فَهَذَا الَّذِي أَمَرْنَاكَ بِهِ حَجُّ الْمَتَمِّعِ فَالزَّمْ ذَلِكَ وَ لَا يَضِيْعَنَّ صَدْرُكَ وَ الَّذِي أَتَاكَ بِهِ أَبُو بَصِيرٍ مِنْ صَلَاةٍ إِحْدَى وَ خَمْسِينَ وَ الْإِهْلَالَ بِالْتَمَّتْ بِالْعُمْرَةِ إِلَى الْحَجِّ وَ مَا أَمَرْنَا بِهِ مِنْ أَنْ يُهَلَّ بِالْتَمَّتْ فَلِذَلِكَ عِنْدَنَا مَعَانٍ وَ تَصَارِيْفُ لِدَلِكْ مَا يَسْعُنَا وَ يَسْعُكُمْ وَ لَا يُجَالِفُ شَيْءٌ مِنْهُ الْحَقُّ وَ لَا يُضَادُّهُ.

When it does reach, he should deconsecrate. This is which we^{-asws} have instructed you regarding the Hajj of Tamatto. Adhere to this, and do not let your heart be troubled. As for what Abu Baseer has conveyed to you about the fifty-one units of Salat and entering into Ihraam for Tamatto by combining the Umrah to the Hajj, and what we^{-asws} have commanded regarding entering into Ihram for Tamatto, there are, with us^{-asws}, meanings and

¹² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 12

interpretations for that which encompass both our^{-asws} needs and yours, and none of it contradicts or opposes the truth".¹³

14- دَعَائِمُ الْإِسْلَامِ، يُؤَيِّنَا عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ صَلَوَاتُ اللَّهِ عَلَيْهِ أَنَّهُ قَالَ: مَنْ تَمَتَّعَ بِالْعُمْرَةِ إِلَى الْحَجِّ فَأَتَى مَكَّةَ فَلْيَطُفْ بِالْبَيْتِ وَ لَيْسَعِ بَيْنَ الصَّفَا وَ الْمَرْوَةِ ثُمَّ يُقَصِّرْ مِنْ جَوَانِبِ الشَّعْرِ [شَعْرَ] رَأْسِهِ وَ شَارِبِهِ وَ لَحْيَتِهِ يَأْخُذُ شَيْئاً مِنْ أَطْفَارِهِ وَ يُبْقِي مِنْ ذَلِكَ لِحْيَتَهُ

(The book) 'Da'aim Al Islam' –

We are reporting from Ja'far^{-asws} Bin Muhammad^{-asws}, may the Salawaat upon him^{-asws} having said: 'One who combines the Umrah to the Hajj so he comes to Makkah, let him perform Tawaaf of the House (Kabah), and let him Sa'ee between Al-Safa Bin Al-Marwa, then he should clip from the hair of his head and his moustache and his beard. He should take (clip) from his nails, and he keep from that for his Hajj.

فَإِنْ قَصَرَ مِنْ بَعْضِ ذَلِكَ وَ تَرَكَ بَعْضاً أَجْزَأَهُ وَ إِنْ حَلَقَ رَأْسَهُ فَعَلَيْهِ دَمٌ وَ إِذَا كَانَ يَوْمَ التَّحْرِ أَمَرَ الْمُوسَى عَلَى رَأْسِهِ كَمَا يَفْعَلُ الْأَفْرَعُ وَ إِنْ نَسِيَ أَنْ يُقَصِّرَ حَتَّى أَخْرَمَ بِالْحَجِّ فَلَا شَيْءَ عَلَيْهِ وَ يَسْتَغْفِرُ اللَّهَ.

If he shortens from part of that and leaves part, it will suffice him, and he shaves his head, upon him is blood (sacrificial animal), and when, it would be the day of the sacrifice, he should pass the razor upon his head just as the bald man does, and if he forgets to shorten until he dons Ihraam (consecrates) for the Hajj, there is nothing upon him, and he should seek Forgiveness of Allah^{-azwj!}"¹⁴

15- وَ عَنْهُ ع أَنَّهُ قَالَ: وَ الْمُتَمَتِّعُ لَا يَطُوفُ بَعْدَ طَوَافِ الْعُمْرَةِ تَطَوُّعاً حَتَّى يُقَصِّرَ وَ إِذَا قَصَرَ الْمُتَمَتِّعُ فَلَهُ أَنْ يَأْتِيَ النِّسَاءَ وَ إِنْ أَتَى امْرَأَتَهُ قَبْلَ أَنْ يُقَصِّرَ فَعَلَيْهِ جُزُورٌ وَ إِنْ قَبَّلَهَا فَعَلَيْهِ دَمٌ.

And from him^{-asws}, he^{-asws} said: 'And performer of Tamatto should not perform Tawaaf after the Tawaaf of Umrah until he shortens (hair); and when the performer of Tamatto shortens, for him is to go to the women, and if he goes to his wife before he shortens, upon him is a camel, and if he turns it, upon him is blood (of a sacrificial animal)".¹⁵

16- وَ عَنْهُ ع أَنَّهُ قَالَ: إِذَا حَلَّ الْمُتَمَتِّعُ الْمُحْرِمُ طَافَ بِالْبَيْتِ تَطَوُّعاً مَا شَاءَ مَا بَيْنَهُ وَ بَيْنَ أَنْ يُحْرِمَ بِالْحَجِّ.

And from him^{-asws} having said: 'When the performer of Tamatto were to deconsecrate from the Ihraam, he can perform Tawaaf of the House (Kabah) voluntarily whatever he so desires to, whatever is between it and him donning Ihraam (consecrating) for the Hajj".¹⁶

17- وَ عَنْهُ ع أَنَّهُ قَالَ: يَنْبَغِي لِلْمُتَمَتِّعِ بِالْعُمْرَةِ إِلَى الْحَجِّ إِذَا حَلَّ أَنْ لَا يَلْبَسَ قَمِيصاً وَ يَتَشَبَّهُ كَالْمُحْرِمِينَ وَ يَنْبَغِي لِأَهْلِ مَكَّةَ أَنْ يَكُونُوا كَذَلِكَ شِعْناً عُبراً.

¹³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 13

¹⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 14

¹⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 15

¹⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 16

And from him^{-asws} having said: 'It is befitting for the one combining the Umrah to the Hajj when he deconsecrates that he should wear a shirt resemble it with the ones in Ihraam, and it is befitting for the people of Makkah that they are like that, unkempt, dusty'.¹⁷

18- وَعَنْ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيٍّ صَلَوَاتُ اللَّهِ عَلَيْهِمْ أَنَّهُ سُئِلَ عَنِ الْمُتَمَتِّعِ بِقَدَمِ يَوْمِ التَّرْوِيَةِ

And from Abu Ja'far Muhammad Bin Ali^{-asws}, may the Salawaat of Allah^{-azwj} upon them^{-asws}. He^{-asws} was asked about the performer of Tamatto arriving on the day of Al-Tarwiyya (8th Zil Hijja).

قَالَ إِذَا قَدِمَ مَكَّةَ قَبْلَ الرُّوَالِ طَافَ وَ حَلَّ فَإِذَا صَلَّى الظُّهْرَ أَحْرَمَ وَ إِنْ قَدِمَ آخِرَ النَّهَارِ فَلَا بَأْسَ أَنْ يَتَمَتَّعَ وَ يَلْحَقَ النَّاسَ بِمِيٍّ وَ إِنْ قَدِمَ يَوْمَ عَرَفَةَ فَقَدْ فَاتَتْهُ الْمُنْعَةُ وَ يَجْعَلُهَا حَجَّةً مُفْرَدَةً.

He^{-asws} said: 'When he arrives at Makkah before the midday, he should perform Tawaaf and deconsecrate. When he has prayed Al-Zohr, he should consecrate (don Ihraam), and if he arrives at the end of the day, there is no problem if he were to perform Tamatto and join the people Al-Mina; and if he arrives on the Day of Arafaah, so he has missed the Tamatto and he should make it an individual Hajj'.¹⁸

19- وَعَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ سُئِلَ عَنِ امْرَأَةٍ تَمَتَّعَتْ بِالْعُمْرَةِ إِلَى الْحَجِّ فَلَمَّا حَلَّتْ حَشِيْبَتِ الْحَيْضِ

And from Ja'far^{-asws} Bin Muhammad^{-asws}, he^{-asws} was asked about a woman combining the Umrah with the Hajj. When she deconsecrates, she fears the menstruation.

قَالَ تُحْرِمُ بِالْحَجِّ وَ تَطُوفُ بِالْبَيْتِ وَ تَسْعَى لِلْحَجِّ وَ لَا بَأْسَ أَنْ تُقَدِّمَ الْمَرْأَةُ طَوَافَهَا وَ سَعْيَهَا لِلْحَجِّ قَبْلَ الْحَجِّ فَإِذَا حَاضَتْ قَبْلَ أَنْ تَطُوفَ لِلْمُنْعَةِ خَرَجَتْ مَعَ النَّاسِ وَ أَخْرَجَتْ طَوَافَهَا إِلَى أَنْ تَطْهَرَ.

He^{-asws} said: 'He should wear Ihraam (consecrate) for the Hajj and perform Tawaaf of the House (Kabah), and perform Sa'ee for the Hajj, and there is no problem if the woman were to give precedence to her Tawaaf and her Sa'ee of the Hajj before the Hajj. If she were to menstruate before performing Tawaaf of the Tamatto, she should go out with the people and delay her Tawaaf until she is clean'.¹⁹

20- وَعَنْهُ أَنَّهُ قَالَ: فِي قَوْلِ اللَّهِ ذَلِكَ لِمَنْ لَمْ يَكُنْ أَهْلُهُ حَاضِرِي الْمَسْجِدِ الْحَرَامِ قَالَ لَيْسَ لِأَهْلِ مَكَّةَ أَنْ يَتَمَتَّعُوا وَ لَا لِمَنْ أَقَامَ بِمَكَّةَ مُجَاوِرًا مِنْ غَيْرِ أَهْلِهَا وَ مَنْ دَخَلَ مَكَّةَ بِالْعُمْرَةِ فِي شَهْرِ الْحَجِّ ثُمَّ أَقَامَ بِهَا إِلَى أَنْ يُحْجَّ فَهُوَ مُتَمَتِّعٌ وَ إِنْ انْصَرَفَ فَلَا شَيْءَ عَلَيْهِ فَهِيَ عُمْرَةٌ مُفْرَدَةٌ.

And from him^{-asws} having said regarding Words of Allah^{-azwj}: **that is for the one who does not happen to be its people in the Sacred Masjid. [2:196]**. He^{-asws} said: 'It isn't for the people of Makkah that they perform Tamatto, nor for the one resident in Makka as a neighbour from without being its people, and one who enters Makkah for the Umrah during the months of

¹⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 17

¹⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 18

¹⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 19

Hajj, then he stays at it up to he performs Hajj, he should perform Tamatto, and he leaves, there is nothing upon him, for it is an individual Umrah".²⁰

21- **وَعَنْهُ أَنَّهُ قَالَ: وَمَنْ تَمَتَّعَ بِالْعُمْرَةِ إِلَى الْحَجِّ فَعَلَيْهِ مَا اسْتَيْسَرَ مِنَ الْهَدْيِ كَمَا قَالَ اللَّهُ شَاءَ فَمَا فُوقَهَا فَمَنْ لَمْ يَجِدْ فَصِيَامَ ثَلَاثَةِ أَيَّامٍ فِي الْحَجِّ يَصُومُ يَوْمًا قَبْلَ التَّوْبَةِ وَ يَوْمَ التَّوْبَةِ وَ يَوْمَ عَرَفَةَ وَ سَبْعَةَ أَيَّامٍ إِذَا رَجَعَ إِلَى أَهْلِهِ وَ لَهُ أَنْ يَصُومَ مَتَى شَاءَ إِذَا دَخَلَ فِي الْحَجِّ وَ إِنْ قَدَّمَ صَوْمَ الثَّلَاثَةِ الْأَيَّامِ فِي أَوَّلِ الْعَشْرِ فَحَسَنٌ وَ إِنْ لَمْ يَصُمْ فِي الْحَجِّ فَلْيَصُمْ فِي الطَّرِيقِ فَإِنْ لَمْ يَصُمْ وَ جَهِلَ ذَلِكَ فَلْيَصُمْ عَشْرَةَ أَيَّامٍ إِذَا رَجَعَ إِلَى أَهْلِهِ.**

And from him^{-asws}, he^{-asws} said: **'and one who combines with the Umrah to the Hajj – upon him is - whatever is easy from the sacrifice – just as Allah^{-azwj} has Said, a sheep and what is above it - But the one who cannot find, so it is the Fasting for three days during the Hajj [2:196].** He should fast a day before Al-Tarwiya, and the day of Al-Tarwiyya, and the day of Arafah (i.e., 7th, 8th and 9th of Zil Hijja), and seven days when he returns to his family, and for him is to fast whenever he likes to when he enters into the Hajj; and if he were to give precedence of fasting the three days during the first ten (days of Zil Hijja), it is better, and if he does not fast during the Hajj let him fast in the road. If he does not fast and ignores that, let him fast ten days when he returns to his family".²¹

22- **وَعَنْهُ أَنَّهُ قَالَ: مَنْ لَمْ يَجِدْ ثَمَنَ شَاةٍ فَلَهُ أَنْ يَصُومَ وَ مَنْ وَجَدَ الثَّمَنَ وَ لَمْ يَجِدِ الْعَمَةَ أَوْ لَمْ يَجِدِ الثَّمَنَ حَتَّى يَكُونَ آخِرَ النَّفَرِ فَلَيْسَ عَلَيْهِ إِلَّا الصَّوْمُ.**

And from him^{-asws}, he^{-asws} said: 'One who cannot find the price of a sheep, for him is to fast, and the one who does find the price and cannot find the sheep, or if he cannot find the price until he happens to be the last person, it isn't upon him except the fasting".²²

23- **وَعَنْهُ أَنَّهُ قَالَ: فِي الْمَتَمِّعِ لَا يَجِدُ هَدْيًا أَوْ يَمُوتُ قَبْلَ أَنْ يَصُومَ قَالَ يَصُومُ عَنْهُ وَلِيَّهُ.**

And from him^{-asws}, he^{-asws} said regarding the performer of Tamatto who can neither find a sacrificial animal or he dies before he fasts. He^{-asws} said: 'His^{-azwj} guardian should fast on his behalf".²³

24- **وَعَنْهُ أَنَّهُ قَالَ: يَصِلُ الْمُتَمَتِّعُ صَوْمَهُ وَ إِنْ فَرَّقَهُ لِعَلَّةٍ أَوْ لِعَبْرٍ عَلَّةٍ أَوْ لِعَبْرٍ إِذَا أَتَى بِالْعِدَّةِ عَلَى مَا قَالَ اللَّهُ عَزَّ وَ جَلَّ.**

And from him^{-asws}, he^{-asws} said: 'The performer of Tamatto should connect his fast, and if he separates it due to an illness or for other than an illness, it will suffice him if he comes with the number upon what Allah^{-azwj} Mighty and Majestic has Said".²⁴

25- **وَعَنْهُ قَالَ: مَنْ تَمَتَّعَ بِصِيِّ فَعَلَيْهِ أَنْ يَذْبَحَ عَنْهُ.**

And from him^{-asws} having said: 'One who performs Tamatto with a young boy, upon him is to slaughter (a sacrificial animal) on his behalf".²⁵

²⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 20

²¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 21

²² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 22

²³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 23

²⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 24

²⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 25

26- وَ عَنْهُ أَنَّهُ قَالَ: فِي الْمُتَمَتِّعِ بِالْعُمْرَةِ إِلَى الْحَجِّ إِذَا كَانَ يَوْمَ الرَّوْيَةِ اغْتَسَلَ وَ لَبَسَ تَوْبِيَّ إِحْرَامِهِ وَ أَتَى الْمَسْجِدَ الْحَرَامَ خَافِئاً فَطَافَ أُسْبُوعاً تَطَوُّعاً إِنْ شَاءَ وَ صَلَّى رَكْعَتَيْنِ

And from him^{asws} having said regarding the combiner of the Umrah to the Hajj: 'When it would be the day of Al-Tarwiyya, he should was and wear clothes of his Ihraam and come to the Sacred Masjid bare-footed. He can perform Tawaaf of seven circuits if he desires and pray two units Salat.

ثُمَّ جَلَسَ حَتَّى يُصَلِّيَ الظُّهْرَ ثُمَّ يُحْرِمُ كَمَا أَحْرَمَ مِنَ الْمَيْمَاتِ فَإِذَا صَارَ إِلَى الرَّقْطَاءِ دُونَ الرَّدْمِ أَهْلًا بِالتَّائِبِيَّةِ وَ أَهْلًا مَكَّةَ كَذَلِكَ يُحْرِمُونَ لِلْحَجِّ مِنْ مَكَّةَ وَ كَذَلِكَ مَنْ أَقَامَ بِهَا مِنْ غَيْرِ أَهْلِهَا.

Then he should be seated until he has prayed Al Zohr Salat. Then he should consecrate just he had donned Ihraam from the juncture. When he comes to be to Al Raqta'a (a place) before 'Al-Radm' (a place), he should deconsecrate with the Talbiyya, and the people of Makkah are like that. They should be wearing Ihraam for the Hajj from Makkah, and like that is the one who stays at it from without being its inhabitants".²⁶

[باب 11 أحكام سياق الهدي](#)

CHAPTER 11 – RULINGS OF USHERING THE SACRIFICIAL ANIMAL

الآيات الحج و مَنْ يُعْظِمَ شَعَائِرَ اللَّهِ فَإِنَّهَا مِنْ تَقْوَى الْقُلُوبِ لَكُمْ فِيهَا مَنَافِعُ إِلَى أَجَلٍ مُسَمًّى ثُمَّ مَحَلُّهَا إِلَى الْبَيْتِ الْعَتِيقِ.

The Verses - **For you there are benefits therein up to a specified term, then their place (of sacrifice) is the Liberated House [22:33].**

1- ع، علل الشرائع ابنُ الوليدِ عَنِ الصَّفَّارِ عَنِ ابْنِ مَعْرُوفٍ عَنِ ابْنِ مَهْرِيَّازَ عَنِ فَضَالَةَ عَنِ سَيِّفِ بْنِ عَمِيرَةَ عَنِ عَمْرِو بْنِ شَيْمِرٍ عَنِ جَابِرٍ عَنِ أَبِي جَعْفَرٍ ع قَالَ: إِنَّمَا اسْتَحْسَنُوا الْإِشْعَارَ لِلْبُدْنِ لِأَنَّهُ أَوَّلُ قَطْرَةٍ تَقْطُرُ مِنْ دَمِهَا يَغْفِرُ اللَّهُ لَهُ عَلَى ذَلِكَ.

(The book) 'Ilal Al Sharaie' – Ibn Al Waleed, from Al Saffar, from Ibn Marouf, from Ibn Mahziyar, from Fazalah, from Sayf Bin Ameyra, from Amro Bin Shimr, from Jabir,

'From Abu Ja'far^{asws}: 'But rather they improved the branding of the sacrificial animal because the first drop of its blood, Allah^{azwj} Forgives for him upon that!'

2- ع، علل الشرائع أَبِي عَنِ سَعْدِ عَنِ أَحْمَدَ وَ عَبْدِ اللَّهِ ابْنِ مُحَمَّدِ بْنِ عَيْسَى عَنِ ابْنِ أَبِي عُمَيْرٍ عَنِ حَمَّادِ عَنِ الْحَلِيِّ عَنِ أَبِي عَبْدِ اللَّهِ ع قَالَ: أَيُّ رَجُلٍ سَاقَ بَدَنَةً فَانْكَسَرَتْ قَبْلَ أَنْ تَبْلُغَ مَحَلَّهَا أَوْ عَرَضَ لَهَا مَوْتُ أَوْ هَلَكَ فَلْيَنْحَرْهَا إِنْ قَدَرَ عَلَى ذَلِكَ ثُمَّ لِيَطْخَ نَعْلَهَا الَّتِي قَلَدَتْ بِهِ يَدِهِ حَتَّى يَعْلَمَ مَنْ مَرَّ بِهَا أَنَّهُمَا قَدْ دَكَّيْتُ فَيَأْكُلَ مِنْ لَحْمِهَا إِنْ أَرَادَ

(The book) 'Ilal Al Sharaie' - My father, from Saad, from Ahmad and Abdullah, two sons of Muhammad Bin Isa, from Ibn Abu Umeyr, from Hammad, from Al Halby,

'From Abu Abdullah^{asws} having said: 'Whichever man ushers a sacrificial animal, so it breaks (a bone) before it reaches its place, or death presents to it, or destruction, let him slaughter

²⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 10 H 26

it if he is able upon that. Then let him smear his slippers which it is tied with, with blood until it is known by the one passing by it that it has been purified so he can eat from its meat if he wants".²⁷

وَإِنْ كَانَ الْهُدْيُ الَّذِي انْكَسَرَ أَوْ هَلَكَ مَضْمُونًا فَإِنَّ عَلَيْهِ أَنْ يَبْتَاعَ مَكَانَ الَّذِي انْكَسَرَ أَوْ هَلَكَ وَ الْمَضْمُونُ هُوَ الشَّيْءُ الْوَاجِبُ عَلَيْكَ فِي نَذْرٍ أَوْ عَهْدٍ
وَإِنْ لَمْ يَكُنْ مَضْمُونًا وَإِنَّمَا هُوَ شَيْءٌ تَطَوَّعَ بِهِ فَلَيْسَ عَلَيْهِ أَنْ يَبْتَاعَ مَكَانَهُ إِلَّا أَنْ يَشَاءَ أَنْ يَتَطَوَّعَ.

And if the sacrificial animal breaks (a bone) or is destroyed, was a responsibility, upon him is to buy (another) in place of that which broke (a bone) or was destroyed, and the responsibility is the obligation upon you regarding a vow or something else, and if it does not happen to be a responsibility and rather it is something volunteered with, it isn't upon him to buy (another) in its place except if he desires to voluntarily".²⁸

3- ع، علل الشرائع أَبِي عَنْ سَعْدِ بْنِ إِسْرَاهِيمَ بْنِ هَاشِمٍ عَنِ النَّوْفَلِيِّ عَنِ السَّكُونِيِّ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ سُئِلَ مَا بَالُ الْبَدَنَةِ تُقَلَّدُ النَّعْلَ وَ تُشَعَّرُ

(The book) 'Ilal Al Sharaie' – My father, from Sa'ad, from Ibrahim Bin Hashim, from Al Nowfaly, from Al Sakuny,

'From Ja'far Bin Muhammad^{asws}, he^{asws} was asked, 'What is the matter the sacrificial animal is collared with the slipper and marked?'

قَالَ أَمَا النَّعْلُ فَتُعْرَفُ أَهْمًا بَدَنَةً وَ يَعْرِفُهَا صَاحِبُهَا بِتَعْلِهِ وَ أَمَا الْإِشْعَارُ فَإِنَّهُ يُحْرِمُ ظُهُورَهَا عَلَى صَاحِبِهَا مِنْ حَيْثُ أَشَعَرَهَا وَ لَا يَسْتَطِيعُ الشَّيْطَانُ أَنْ يَمَسَّهَا.

He^{asws} said: 'As for the sandal, it is to recognise that it is a sacrificial animal and its owner will recognise with his slipper, for its back is prohibited unto its owner from where he has marked it, and the Satan^{la} is not capable to touch it".²⁹

4- فس، تفسير القمي يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَجْلُوا شَعَائِرَ اللَّهِ وَ لَا الشَّهْرَ الْحَرَامَ هُوَ ذُو الْحِجَّةِ وَ هُوَ مِنَ الْأَشْهُرِ الْحُرْمِ وَ لَا الْهُدْيُ هُوَ الَّذِي يَسُوْفُهُ إِذَا أَحْرَمَ وَ لَا الْقَلَائِدَ قَالَ يُقَلَّدُهُ بِالنَّعْلِ الَّذِي قَدْ صَلَّى فِيهَا وَ لَا آمِينَ الْبَيْتِ الْحَرَامِ قَالَ الَّذِينَ يَحْجُونَ الْبَيْتِ.

(The book) 'Tafseer Al-Qummi' - **O you who believe! Do not violate the rituals of Allah nor the Sacred Month** – it is Zul Hijja and it is from the Sacred months - **nor the offerings** – it is which he ushers it when he dons Ihraam - **nor the sacrificial animals** - He said, 'He collars it with the slipper he had prayed Salat in - **nor ones resorting to the Sacred House [5:2]**. He said, 'Those who are performing Hajj of the House (Kabah)".³⁰

أقول: أوردنا بعض الأخبار في باب الهدى.

I say, 'We have referred some of the Ahadeeth in chapters of the sacrificial animals'.

5- ضا، فقه الرضا عليه السلام إِذَا كَانَ الرَّجُلُ حَاضِرِي الْمَسْجِدِ الْحَرَامِ أَفْرَدَ بِالْحَجِّ وَ إِنْ شَاءَ سَاقَ الْهُدْيَ وَ يَكُونُ عَلَى إِحْرَامِهِ حَتَّى يَقْضِيَ الْمَنَاسِكَ كُلَّهَا وَ لَيْسَ عَلَى الْمُفْرِدِ الْهُدْيُ وَ لَا عَلَى الْقَارِنِ إِلَّا مَا سَاقَهُ.

²⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 11 H 1

²⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 11 H 2

²⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 11 H 3

³⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 11 H 4

(The book) ‘Fiqh Al-Reza^{-asws}’, may the greeting be upon him^{-asws} – ‘When the man was present in the Sacred Masjid, he should individualise with the Hajj, and if he like he can usher the sacrificial animal and he would be upon his Ihraam until he fulfils the rituals, all of them, and the sacrificial upon the one individualising the Hajj, nor upon the pairing one except what he ushers’³¹.

6- شي، تفسير العياشي إبراهيم بن علي عن عبد العظيم الحسين عن ابن محبوب عن معاوية بن عمارة عن أبي عبد الله ع في قول الله تعالى الحج أشهر معلومات فمن فرض فيهن الحج قال الفريضة التلبية والإشعار والتقليد فأني ذلك فعل فقد فرض الحج ولا فرض إلا في هذه الشهور التي قال الله الحج أشهر معلومات.

(The book) ‘Tafseer Al Ayyashi’ – Ibrahim Bin Ali, from Abdul Azeem Al Hasany, from Ibn Mahboub, from Muawiya Bin Ammar,

‘From Abu Abdullah^{-asws} regarding Words of Allah^{-azwj} the Exalted: **The Hajj is (performed in) the well-known months; so whoever determines the performance of the Hajj therein, [2:197].** He^{-asws} said: ‘The obligation is the Talbiyya, and the marking, and the collaring (the sacrificial animal). So whichever of that he does, he has initiated the Hajj, and it is not begun except in these months which Allah^{-azwj} Said: **The Hajj is (performed in) the well-known months; [2:197]**’³².

7- شي، تفسير العياشي عن عبد الله بن فرقد عن أبي جعفر ع قال: الهدى من الإبل والبقر والغنم ولا يجب حتى تعلق عليه يعني إذا قلده فقد وجب.

(The book) ‘Tafseer Al Ayyashi’ – From Abdullah Bin Farqad,

‘From Abu Ja’far^{-asws} having said: ‘The sacrificial animal, from the camels and the cows and the sheep, and it is not obligatory until you collar upon it, meaning when it is collared, it becomes obligatory’³³.

8- ين، كتاب حسين بن سعيد و النوادر ابن أبي عمير و فضالة عن جميل عن محمد بن مسلم عن أبي جعفر ع في رجل قال عليه بدنة و لم يسّم أين ينحزها قال إنما المنحز بيئ يفسم بها بين المساكين.

The book of Haseen Bin Saeed, and ‘Al Nawadir’ – Ibn Abu Umeyr, and Fazalah, from Jameel, from Muhammad Bin Muslim,

‘From Abu Ja’far^{-asws} regarding a man who says upon him is a sacrificial animal, and he does not specify when he would be slaughtering it. He^{-asws} said: ‘The place of slaughtering is at Mina. It will be distributed at it between the poor ones’³⁴.

9- ين، كتاب حسين بن سعيد و النوادر صفوان عن معاوية بن عمارة عن أبي عبد الله ع قال: تُشعر البدنة وهي باركة و تُنحر وهي قائمة و تُشعر من شق سنّامها الأيمن.

³¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 11 H 5

³² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 11 H 6

³³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 11 H 7

³⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 11 H 8

The book of Haseen Bin Saeed, and 'Al Nawadir' – Safwan Bin Muawiya Bin Ammar,

'From Abu Abdullah^{-asws} having said: 'Mark the sacrificial animal while it is seated, and slaughter while it is standing, and the marking is from the right side of its hump''.³⁵

³⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 11 H 9

CHAPTER 12 – RULING OF THE WALKING TO THE HOUSE OF ALLAH^{-azwj}, AND RULING OF ONE WHO VOWS IT

1- مُحَمَّدُ بْنُ الْوَلِيدِ عَنِ ابْنِ بُكَيْرٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اللَّهِ ع إِنَّا نُرِيدُ الْخُرُوجَ إِلَى مَكَّةَ مُشَاءً

Muhammad Bin Al Waleed, from Ibn Bukeyr who said,

‘I said to Abu Abdullah^{-asws}, ‘We intend to go out to Makkah walking!’

قَالَ فَقَالَ لَا تَمْشُوا الْخُرُوجَ رُكْبَانًا

He (the narrator) said, ‘He^{-asws} said: ‘Do not walk, go out riding!’

قَالَ فَقُلْتُ أَصْلَحَكَ اللَّهُ إِنَّهُ بَلَغَنَا أَنَّ الْحَسَنَ بْنَ عَلِيٍّ ع حَجَّ عِشْرِينَ حَجَّةً مَاشِيًا

He (the narrator) said, ‘I said, ‘May Allah^{-azwj} Keep you well! It has reached us that Al-Hassan^{-asws} Bin Ali^{-asws} had go out to twenty Hajj walking’.

قَالَ إِنَّ الْحَسَنَ بْنَ عَلِيٍّ حَجَّ وَ سَاقَ مَعَهُ الْمَخَابِلَ وَ الرِّحَالَ.

He^{-asws} said: ‘Al-Hassan^{-asws} Bin Ali^{-asws} performed Hajj and ushered with him (as.) the camels and the saddles’.³⁶

2- ع، علل الشرائع عليُّ بنُ أحمدَ عَنِ الْأَسَدِيِّ عَنِ النَّحَعِيِّ عَنِ الْحَسَنِ بْنِ سَعِيدٍ عَنِ الْمُفَضَّلِ بْنِ بَجِيٍّ عَنِ سُلَيْمَانَ مِثْلَهُ وَ فِيهِ كَانَ يَحُجُّ وَ تُسَاقُ مَعَهُ الرِّحَالُ.

(The book) ‘Ilal Al Sharaie’ – Ali Bin Ahmad, from Al Asady, from Al Nakhaie, from Al-Hassan Bin Saeed, from Al Mufazzal Bin Yahya, from Suleyman –

‘Similar to it, and in it: ‘He^{-asws} had performed and had ushered the mounts with him^{-asws}’.³⁷

3- ب، قرب الإسناد عليُّ بنُ جَعْفَرٍ قَالَ: خَرَجْنَا مَعَ أَخِي مُوسَى ع فِي أَرْبَعِ عُمَرٍ يَمْشِي فِيهَا إِلَى مَكَّةَ بِعِيَالِهِ وَ أَهْلِهِ وَاحِدَةً مِنْهُمْ مَشَى فِيهَا سِتَّةً وَ عِشْرِينَ يَوْمًا وَ أُخْرَى خَمْسَةً وَ عِشْرِينَ يَوْمًا وَ أُخْرَى أَرْبَعَةً وَ عِشْرِينَ يَوْمًا وَ أُخْرَى أَحَدًا وَ عِشْرِينَ يَوْمًا.

(The book) Qurb Al Isnaad’ –

‘Ali son of Ja’far^{-asws} said, ‘We went out with my brother Musa^{-asws} four Umrah walking to Makkah with his^{-asws} dependants and his^{-asws} family members. One of these he^{-asws} walked in it for twenty-six days, and another twenty-five days, and another twenty-four days, and another twenty-one days’.³⁸

³⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 1

³⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 2

³⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 3

4- ل، الخصال ابنُ الوليدِ عَنِ الصَّفَّارِ عَنْ أُتُوبِ بْنِ نُوحٍ عَنِ الرَّبِيعِ بْنِ مُحَمَّدِ الْمُسَلِّيِّ عَنِ أَبِي الرَّبِيعِ الشَّامِيِّ عَنِ أَبِي عَبْدِ اللَّهِ ع قَالَ: مَا عَبْدَ اللَّهُ بِشَيْءٍ أَفْضَلَ مِنَ الصَّمْتِ وَ الْمَشْيِ إِلَى بَيْتِهِ.

(The book) 'Al Khisaal' – Ibn Al Waleed, from Al Saffar, from Ayoub Bin Nuh, from Al Rabie Bin Muhammad Al Musly, from Abu Al Rabie the Syrian,

'From Abu Abdullah^{-asws} having said: 'Allah^{-azwj} has not been worshipped with anything more superior than the silence and the walking to His^{-azwj} House (for Hajj)'.³⁹

5- ل، الخصال الأزرعُمائة قَالَ أَمِيرُ الْمُؤْمِنِينَ ع مَا عَبْدَ اللَّهُ بِشَيْءٍ أَفْضَلَ مِنَ الْمَشْيِ إِلَى بَيْتِهِ أَطْلَبُوا الْخَيْرَ فِي أَخْفَافِ الْإِبِلِ وَ أَعْنَاقِهَا صَادِرَةً وَ وَارِدَةً.

(The book) 'Al Khisaal' –

'Al-Arbamiya – Amir Al-Momineen^{-asws} said: 'Allah^{-azwj} has not been worshipped with anything more superior than the walking to His^{-azwj} House seeking the goodness among hooves of the camels and their necks, coming and going!'⁴⁰

6- ع، علل الشرائع أَبِي عَنْ عَلِيِّ عَنِ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ رِفَاعَةَ بْنِ مُوسَى النَّخَّاسِ أَنَّهُ سَأَلَ أَبَا عَبْدِ اللَّهِ ع عَنِ الْحُجِّ مَا شِئًا أَفْضَلَ أَمْ رَاكِبًا

(The book) 'Ilal Al Sharaie' – My father, from Ali, from his father, from Ibn Abu Umeyr, from Rifa'at Bin Musa Al Nakhaas,

'He asked Abu Abdullah^{-asws} about going to Hajj, 'Is walking better or riding?'

قَالَ بَلْ رَاكِبًا فَإِنَّ رَسُولَ اللَّهِ ص حَجَّ رَاكِبًا.

He^{-asws} said: 'But, riding (is better), for Rasool-Allah^{-saww} had performed Hajj riding'⁴¹

7- ع، علل الشرائع عَلِيُّ بْنُ حَاتِمٍ عَنِ الْحُسَيْنِ بْنِ عَلِيِّ بْنِ مَهْرَبَارٍ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ رِفَاعَةَ وَ ابْنِ بُكَيْرٍ عَنْ أَبِي عَبْدِ اللَّهِ ع مِثْلَهُ.

(The book) 'Ilal Al Sharaie' – Ali Bin Hatim, from Al-Hassan Bin Ali Bin Mahziyar, from his father, from Ibn Abu Umeyr, from Rifa'at, and Ibn Bukeyr, from Abu Abdullah^{-asws} – similar to it'.⁴²

8- ع، علل الشرائع عَلِيُّ بْنُ حَاتِمٍ عَنِ مُحَمَّدِ بْنِ [حَمْدَانَ] حَمَلَانَ عَنْ عُبَيْدِ اللَّهِ بْنِ أَحْمَدَ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ رِفَاعَةَ مِثْلَهُ.

(The book) 'Ilal Al Sharaie' – Ali Bin Hatim, from Muhammad Bin Hamdan from Ubeydullah Bin Ahmad, from Ibn Abu Umeyr, from Rifa'at – similar to it'.⁴³

9- ع، علل الشرائع عَلِيُّ بْنُ حَاتِمٍ عَنِ مُحَمَّدِ بْنِ [حَمْدَانَ] حَمَلَانَ عَنِ الْحُسَيْنِ بْنِ مُحَمَّدِ بْنِ سَمَاعَةَ عَنْ صَفْوَانَ بْنِ يَحْيَى عَنِ سَيْفِ النَّجَّارِ قَالَ: قُلْتُ لِأَبِي عَبْدِ اللَّهِ ع إِنَّا كُنَّا نَحُجُّ مُشَاءً فَبَلَّغْنَا عَنْكَ شَيْءٌ فَمَا تَرَى

³⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 4

⁴⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 5

⁴¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 6

⁴² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 7

⁴³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 8

(The book) 'Ilal Al Sharaie' – Ali Bin Hatim, from Muhammad Bin Hamdan, from Al-Hassan Bin Muhammad Bin Sama'at, from Safwan Bin Yahya, from Sayf Al Nahaar who said,

'I said to Abu Abdullah^{-asws}, 'We have been going to Hajj walking. Something from you^{-asws} reached us, so what is your^{-asws} view?'

قَالَ إِنَّ النَّاسَ يَخُجُونَ مُشَاءً وَ يَرْكَبُونَ

He^{-asws} said: 'The people are going to Hajj walking and riding'.

قُلْتُ لَيْسَ مِنْ ذَلِكَ أَسْأَلُكَ

I said, 'I have not asked you^{-asws} of that!'

فَقَالَ عَنْ أَيِّ شَيْءٍ تَسْأَلُنِي

He^{-asws} said: 'About which thing did you ask me?'

قُلْتُ أَيُّهُمَا أَحَبُّ إِلَيْكَ أَنْ تَصْنَعَ

I said, 'Which of the two is more beloved to you^{-asws} that we should do?'

قَالَ تَرَكِبُونَ أَحَبُّ إِلَيَّ فَإِنَّ ذَلِكَ أَقْوَى لَكُمْ عَلَى الْعِبَادَةِ وَ الدُّعَاءِ.

He^{-asws} said: 'Your riding is more beloved to me, for that is more strengthening for you upon the acts of worship and the supplication'.⁴⁴

10- ع، علل الشرائع علي بن أحمد عن الأسيدي عن سهل عن البرزطي عن البطائني عن أبي بصير قال: سألت أبا عبد الله ع عن المشي أفضل أو الركوب

(The book) 'Ilal Al Sharaie' – Ali Bin Ahmad, from Al Asady, from Sahl, from Al Bazanty, from Al Batainy, from Abu Baseer who said,

'I asked Abu Abdullah^{-asws} about the walking (to Hajj), 'Is it better or the riding?'

فَقَالَ إِذَا كَانَ الرَّجُلُ مُوسِرًا فَمَشَى لِيَكُونَ أَقْلًا مِنْ نَفَقَتِهِ فَالرُّكُوبُ أَفْضَلُ.

He^{-asws} said: 'When the man was affluent, so he walks for it to be less on his expenditure, so the riding is better'.⁴⁵

11- ب، قرب الإسناد محمد بن الوليد عن يونس بن يعقوب قال: سألت أبا عبد الله ع متى يقطع مشي المشي

(The book) 'Qurb Al Isnaad' – Muhammad Bin Al Waleed, from Yunus Bin Yaqoub who said,

⁴⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 9

⁴⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 10

'I asked Abu Abdullah^{asws}, 'When should the walker terminate his walking?'

قَالَ إِذَا أَقْضَتْ مِنْ عَرَفَاتٍ.

He^{asws} said: 'When he has departed from Arafaah''⁴⁶

12- ثَوَابُ الْأَعْمَالِ أَبِي عَنْ سَعْدِ بْنِ أَبِي أَيُّوبَ بْنِ نُوحٍ عَنِ الرَّبِيعِ بْنِ مُحَمَّدٍ عَنْ رَجُلٍ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: مَا عِبَدَ اللَّهُ بِشَيْءٍ مِثْلَ الصَّمْتِ وَالْمَشْيِ إِلَى بَيْتِ اللَّهِ.

(The book) 'Sawaab Al Amaal' – My father, from Sa'ad, from Ayoub Bin Nuh, from Al Rabie Bin Muhammad, from a man,

'From Abu Abdullah^{asws} having said: 'Allah^{azwj} has not worshipped with anything like the silence and the walking to the House of Allah^{azwj}'⁴⁷

13- سنن، المحاسن مُحَمَّدُ بْنُ بَكْرٍ عَنْ زَكْرِيَّا بْنِ مُحَمَّدٍ عَنْ عَيْسَى بْنِ سَوَادَةَ عَنِ ابْنِ الْمُثَنِّكَدِرِ عَنْ أَبِي جَعْفَرٍ ع قَالَ قَالَ ابْنُ عَبَّاسٍ مَا نَدِمْتُ عَلَى شَيْءٍ نَدِمِي عَلَى أَنْ لَمْ أُحِجَّ مَا شِئْتُ لِأَنِّي سَمِعْتُ رَسُولَ اللَّهِ ص يَقُولُ مَنْ حَجَّ بَيْتَ اللَّهِ مَا شِئْتُ كَتَبَ اللَّهُ لَهُ سَبْعَةَ آلَافٍ حَسَنَةٍ مِنْ حَسَنَاتِ الْحَرَمِ

(The book) 'Al Mahasin' – Muhammad Bin Bakr, from Zakariya Bin Muhammad, from Isa Bin Sawadah, from Ibn Al Munkadir,

'From Abu Ja'far^{asws} having said: 'Ibn Abbas said, 'I have not regretted upon anything as my regret upon that I did not perform Hajj walking because I heard Rasool-Allah^{saww} saying: 'One who perform Hajj of the House of Allah^{azwj}, Allah^{azwj} will Write for him seven thousand good deed from good deeds of the Sanctuary!'

قِيلَ يَا رَسُولَ اللَّهِ وَ مَا حَسَنَاتِ الْحَرَمِ

It was said, 'O Rasool-Allah^{saww}, and what are good deeds of the Sanctuary?'

قَالَ حَسَنَتُهُ أَلْفُ أَلْفِ حَسَنَةٍ

He^{asws} said: 'Its good deed is a million good deeds'.

و قَالَ فَضْلُ الْمُشَاةِ فِي الْحَجِّ كَفَضْلِ الْقَمَرِ لَيْلَةَ الْبَدْرِ وَ كَانَ الْحُسَيْنُ بْنُ عَلِيٍّ ع بِمَشْيِهِ إِلَى الْحَجِّ وَ دَابَّتْهُ تُقَادُ وَرَاءَهُ.

And he^{asws} said: 'Merit of the walking in the Hajj s like merit of the moon on the night of the full moon, and Al-Husayn^{asws} Bin Ali^{asws} walked to the Hajj and his^{asws} animal was being led behind him^{asws}'⁴⁸

14- سر، السرائر مِنْ كِتَابِ الْبُرْهَانِ عَنْ عَنَبَسَةَ بْنِ مُصْعَبٍ قَالَ: قُلْتُ لَهُ اسْتَكْبَى ابْنُ لِي فَجَعَلْتُ لِلَّهِ عَلَيَّ إِنْ هُوَ بَرَّأ أَنْ أُخْرَجَ إِلَى مَكَّةَ مَا شِئْتُ وَ خَرَجْتُ أَمْشِي حَتَّى انْتَهَيْتُ إِلَى الْعَقْبَةِ فَلَمْ أَسْتَطِعْ أَنْ أَحْطُو فَرَكِبْتُ تِلْكَ اللَّيْلَةَ حَتَّى إِذَا أَصْبَحْتُ مَسْتَبِيحٌ حَتَّى بَلَغْتُ فَهَلَّ عَلَيَّ شَيْءٌ

⁴⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 11

⁴⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 12

⁴⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 13

(The book) 'Al Saraair', from the book of Al Bazanty, from Anbasa Bin Mus'ab who said, '

'I said to him^{-asws}, 'A son of mine had a health complaint, so I made it for Allah^{-azwj} upon me if he recovers I shall go out to Makkah walking, and I went out walking until I ended to Al Aqaba, but I was not capable of taking a step more. So, I rode that night until when it was morning I walked until I reached, so is there anything (penalty) upon me?'

قَالَ اذْبَحْ فَهُوَ أَحَبُّ إِلَيَّ

He^{-asws} said: 'Slaughter (a sacrificial animal), for it is more beloved to me^{-asws}!'

قَالَ فَعُلْتُ لَهُ أَيُّ شَيْءٍ هُوَ لِي لَازِمٌ أَمْ لَيْسَ لِي يَلَازِمٌ

He (the narrator) said, 'I said to him^{-asws}, 'Which thing it is for me, necessary or it isn't necessary for me?'

قَالَ مَنْ جَعَلَ لِلَّهِ عَلَى نَفْسِهِ شَيْئاً فَبَلَغَ فِيهِ جُحُودَهُ فَلَا شَيْءَ عَلَيْهِ

He^{-asws} said: 'One who makes something for Allah^{-azwj} upon himself, and he reaches his maximum efforts regarding it, there is nothing upon him'.

قَالَ أَبُو بَصِيرٍ أَيْضاً سُئِلَ عَنْ ذَلِكَ فَقَالَ مَنْ جَعَلَ لِلَّهِ عَلَى نَفْسِهِ شَيْئاً فَبَلَغَ فِيهِ جُحُودَهُ فَلَا شَيْءَ عَلَيْهِ وَكَانَ اللَّهُ أَعْدَدَ لِعِبَادِهِ.

Abu Baseer said, 'He^{-asws} was also asked about that. He^{-asws} said: 'One who makes something for Allah^{-azwj} upon himself so he reaches his maximum effort, there is nothing upon him, and Allah^{-azwj} will Excuse for his servants''⁴⁹.

15- سر، السرائر من كتاب البرزخية عن الحلبي قال: سألت أبا عبد الله ع المشي أفضل أو الركوب

(The book) 'Al Saraair, from the book of Al Bazanty, from Al Halby who said,

'I asked Abu Abdullah^{-asws}, 'Is the walking better or the riding?'

فَقَالَ إِذَا كَانَ الرَّجُلُ مُوسِراً فَمَشَى لِيَكُونَ أَقْلًا لِلنَّفَقَةِ فَالرُّكُوبُ أَفْضَلُ

He^{-asws} said: 'When the man was affluent so he walks for it to be less expensive, the riding is better'.

قَالَ وَ سَأَلْتُهُ عَنِ الْمَاشِي مَتَى يَنْقُضِي مَشْيَهُ

He (the narrator) said, 'And I ask him^{-asws} about the walker, 'When has he fulfilled his walking?'

قَالَ إِذَا رَمَى الْجَمْرَةَ وَ أَرَادَ الرُّجُوعَ فَلْيَرْجِعْ رَاكِباً فَقَدْ انْقَضَى مَشْيُهُ وَ إِنْ مَشَى فَلَا بَأْسَ.

⁴⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 14

He^{-asws} said: ‘When he pelts the rocks and intends to return, so let him return riding for he was fulfilled his walking, and if he still walks, there is no problem’.⁵⁰

16- ضا، فقه الرضا عليه السلام ابنُ أبي عميرٍ وَ فَضَالَةَ عَنْ جَبِيلٍ عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي عَبْدِ اللَّهِ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ عَ عَنْ رَجُلٍ حَلَفَ أَنْ يَمْشِيَ إِلَى مَكَّةَ فِي حَجٍّ فَدَخَلَ فِي ذِي الْقَعْدَةِ قَالَ لَمْ يُوفَ حَجَّهُ.

(The book) ‘Fiqh Al-Reza^{-asws}’, may the greeting be upon him^{-asws} – Ibn Abu Umeyr and Fazalah, from Jameel,

‘From Ibrahim son of Abdullah^{-asws} said, ‘I asked Abu Abdullah^{-asws} about a man who swears on oath that he will be walking to Makkah in Hajj, so he entered during Zil Qadah. He^{-asws} said: ‘He has not fulfilled his Hajj’.⁵¹

17- ضا، فقه الرضا عليه السلام عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَحَدِهِمَا قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ جَعَلَ مَشِيًّا إِلَى بَيْتِ اللَّهِ الْحَرَامِ فَلَمْ يَسْتَطِعْ قَالَ يَحُجُّ رَاكِبًا.

(The book) ‘Fiqh Al-Reza^{-asws}’, may the greeting be upon him^{-asws} – from Muhammad Bin Muslim,

‘From one of the two (5th or 6th Imam^{-asws}), he (the narrator) said, ‘I asked him about a man who makes walking to the Sacred House of Allah^{-azwj}, but he is incapable (to walk). He^{-asws} said: ‘Go to Hajj riding’.⁵²

18- ضا، فقه الرضا عليه السلام عَنْ رِفَاعَةَ وَ حَفْصِ بْنِ قَالَا سَأَلْنَا أَبَا عَبْدِ اللَّهِ عَ عَنْ رَجُلٍ نَذَرَ أَنْ يَمْشِيَ إِلَى بَيْتِ اللَّهِ الْحَرَامِ خَافِيًا قَالَ فَلْيَمْشِ فَإِذَا تَعَبَ فَلْيَرْكَبْ.

(The book) ‘Fiqh Al-Reza^{-asws}’, may the greeting be upon him^{-asws} – from Rifa’at, from Hafs who both said,

‘We asked Abu Abdullah^{-asws} about a man who vowed that he will walk to the Sacred House of Allah^{-azwj} Barefooted. He^{-asws} said: ‘Let him walk. When he gets tires, let him ride’.⁵³

19- ضا، فقه الرضا عليه السلام عَنْ مُحَمَّدِ بْنِ قَيْسٍ عَنْ أَبِي جَعْفَرٍ عَ مِثْلَ ذَلِكَ.

(The book) ‘Fiqh Al-Reza^{-asws}’, may the greeting be upon him^{-asws} – from Muhammad Bin Qays,

‘From Abu Ja’far^{-asws} – similar to that’.⁵⁴

20- ضا، فقه الرضا عليه السلام عَنْ عَبْدِ اللَّهِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ عَ أَنَّهُ قَالَ: أَيُّمَا رَجُلٍ نَادَرَ أَنْ يَمْشِيَ إِلَى بَيْتِ اللَّهِ ثُمَّ عَجَزَ عَنِ الْمَشْيِ فَلْيَرْكَبْ وَ لَيْسُقْ بَدَنَهُ إِذَا عَرَفَ اللَّهُ مِنْهُ الْجُهْدَ.

(The book) ‘Fiqh Al-Reza^{-asws}’, may the greeting be upon him^{-asws} – from Ubeydullah Al Halby,

⁵⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 15

⁵¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 16

⁵² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 17

⁵³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 18

⁵⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 19

'From Abu Abdullah^{-asws}, he^{-asws} said: 'Whichever man vows a vow that he will walk to the House of Allah^{-azwj}, then he is unable from the walking, let him ride and let him usher a sacrificial animal, then Allah^{-azwj} will Recognise the effort from him'.⁵⁵

21- ضا، فقه الرضا عليه السلام عَنْ رِفَاعَةَ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنْ رَجُلٍ حَجَّ عَنْ عَتْرِهِ وَ لَمْ يَكُنْ لَهُ مَالٌ وَ عَلَيْهِ نَذْرٌ أَنْ يَحُجَّ مَا شِئاً يُجْزِي ذَلِكَ عَنْهُ مِنْ نَذْرِهِ قَالَ نَعَمْ.

(The book) 'Fiqh Al-Reza^{-asws}', may the greeting be upon him^{-asws} –

'He (the narrator) said, 'I asked Abu Abdullah^{-asws} about a man who performs Hajj on behalf of someone else and there does not happen to be wealth for him and upon him is a vow that he will be walking to Hajj, 'Can he extract that away from his vow?' He^{-asws} said: 'Yes'.⁵⁶

22- ضا، فقه الرضا عليه السلام عَنْ حَرِيزٍ عَمَّنْ أَخْبَرَهُ عَنْ أَبِي جَعْفَرٍ وَ أَبِي عَبْدِ اللَّهِ ع قَالَا إِذَا حَلَفَ الرَّجُلُ أَلَّا يَرْكَبَ أَوْ نَذَرَ أَلَّا يَرْكَبَ فَإِذَا بَلَغَ جَهْدَهُ رَكِبَ

(The book) 'Fiqh Al-Reza^{-asws}', may the greeting be upon him^{-asws} – from Hareez, from the one who informed him,

'From Abu Ja'far^{-asws} and Abu Abdullah^{-asws} both said, 'When the man swears an oath that he will not ride, or vows that he will not ride, but when his efforts reach (exhaustion), he can ride.

قَالَ وَ كَانَ رَسُولُ اللَّهِ ص يَحْمِلُ الْمَشَاةَ عَلَى بُدْنِهِ.

He^{-asws} said: 'And Rasool-Allah^{-saww} had carried the walker upon his^{-saww} own sacrificial animal'.⁵⁷

23- ضا، فقه الرضا عليه السلام عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ ع عَنْ رَجُلٍ عَلَيْهِ الْمَشْيُ إِلَى بَيْتِ اللَّهِ فَلَمْ يَسْتَطِعْ قَالَ فَلْيُحِجَّ رَاكِباً.

(The book) 'Fiqh Al-Reza^{-asws}', may the greeting be upon him^{-asws} – from Muhammad Bin Muslim who said,

'I asked Abu Ja'far^{-asws} about a man upon whom is the walking to the House of Allah^{-azwj} but he is no capable. He^{-asws} said: 'Let him go to Hajj riding'.⁵⁸

⁵⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 20

⁵⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 21

⁵⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 22

⁵⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 12 H 23

CHAPTER 13 – RULINGS OF THE CAPABILITY AND ITS STIPULATIONS

أقول: قد مضى بعض أخباره في باب وجوب الحج و فضله.

I say, 'Some of its Ahadeeth have passed in the chapter on obligations of the Hajj and its merits'.

الآيات البقرة وَ تَزُودُوا فَإِنَّ خَيْرَ الزَّادِ التَّقْوَى

The Verses – (Surah) Al Baqarah: **and provide (for yourselves), for the best provision is the piety, [2:197].**

آل عمران مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا.

(Surah) Aal-e-Imran^{as}: **the one who has the capacity for a way to it; [3:97].**

1- ل، الخصال فِي خَبَرِ الْأَعْمَشِ عَنِ الصَّادِقِ ع قَالَ: حَجُّ الْبَيْتِ وَاجِبٌ لِمَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا وَ هُوَ الزَّادُ وَ الرَّاحِلَةُ مَعَ صِحَّةِ الْبَدَنِ وَ أَنْ يَكُونَ لِلْإِنْسَانِ مَا يُخَلِّفُهُ عَلَى عِيَالِهِ وَ مَا يَرْجِعُ إِلَيْهِ مِنْ بَعْدِ حَجِّهِ.

(The book) 'Al Khisaal' – In a Hadeeth by Al Amsh,

'From Al-Sadiq^{asws} having said: 'Hajj of the House (Kabah) is obligatory for the one having the capacity for a way to it, and it is the provision and the ride along with health of the body, and for there to be for the person what he can leave behind upon his dependants and what he can be returning to from after (having performed) his Hajj''⁵⁹

2- ن، عيون أخبار الرضا عليه السلام فيما كتب الرضا ع للمأمون حج البيت فريضة على من استطاع إليه سبيلاً و السبيل الزاد و الراحلة مع الصحة.

(The book) 'Uyoun Akhbar Al-Reza^{asws}', may the greeting be upon him^{asws} – 'Among what Al-Reza^{asws} wrote for Al-Mamoun (the caliph): 'Hajj of the House is obligatory upon **the one who has the capacity for a way to it; [3:97]**, and the 'way' is the provision and the rider along with the health''⁶⁰

3- ع، علل الشرائع ابن المُنَوِّكِلِ عَنِ الْحَمِيرِيِّ عَنِ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ مُحَمَّدٍ عَنِ خَالِدِ بْنِ جَرِيرٍ عَنِ أَبِي الرَّبِيعِ قَالَ: سُئِلَ أَبُو عَبْدِ اللَّهِ عَلَيْهِ الصَّلَاةُ وَ السَّلَامُ عَنْ قَوْلِ اللَّهِ عَزَّ وَ جَلَّ وَ لِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا قَالَ فَمَا تَقُولُ النَّاسُ

(The book) 'Ilal Al Sharaie' – Ibn Al Mutawakkil, from Al Himeyri, from Ahmad Bin Muhammad, from Ibn Mahboub, from Khalid Bin Jareer, from Ibn Al Rabie who said,

'Abu Abdullah^{asws}, upon him^{asws} be the Salawaat and the greeting, was asked about Words of Allah^{azwj} Mighty and Majestic: **And for the Sake of Allah, Hajj of the House is incumbent**

⁵⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 1

⁶⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 2

upon the people for the one has the capacity for a way to it; [3:97]. He^{-asws} said: ‘So what are the people saying?’

قَالَ فَقِيلَ لَهُ الرَّاحِلَةُ وَ الرَّاحِلَةُ

It was said to him^{-asws}, ‘The provision and the rider’.

قَالَ فَقَالَ أَبُو عَبْدِ اللَّهِ ع عَنْ هَذَا فَقَالَ هَلَكَ النَّاسُ إِذَا لَيْنَ كَانَ لَهُ زَادٌ وَ رَاحِلَةٌ قَدَّرَ مَا يَقُوتُ وَ يَسْتَعْنِي بِهِ عَنِ النَّاسِ يَنْطَلِقُ إِلَيْهِ فَيَسْأَلُهُمْ إِنِّي لَقَدْ هَلَكْتُ إِذَا

He (the narrator) said, ‘Abu Abdullah^{-asws} said: ‘Abu Ja’far^{-asws} had been asked about this. He^{-asws} said: ‘The people are destroyed then! If there were for him provision and a ride, a measurement of what he can survive with and be needless from the people by it. He goes to it (Hajj), so they (his dependants) would ask them (the people) for it, they would be destroyed then!’

فَقِيلَ لَهُ فَمَا السَّبِيلُ

It was said to him^{-asws}, ‘So what is the ‘way’?’

قَالَ فَقَالَ السَّعَةُ فِي الْمَالِ إِذَا كَانَ يَحُجُّ بِبَعْضٍ وَ يُبْقِي بَعْضاً يَقُوتُ بِهِ عِيَالَهُ أَلَيْسَ قَدْ فَرَضَ اللَّهُ الزَّكَاةَ فَلَمْ يَجْعَلْهَا إِلَّا عَلَى مَنْ يَمْلِكُ مِائَتِي دِرْهَمٍ.

He (the narrator) said, ‘He^{-asws} said: ‘The capacity in the wealth when he can perform with a part and a part would remain to sustain his family members with. Hasn’t Allah^{-azwj} Obligated the Zakat, so He^{-azwj} did not Make it except upon the one who owns two hundred Dirhams?’⁶¹

4- شي، تفسير العياشي عن أبي الربيع مثله.

(The book) ‘Tafseer Al-Ayyashi, from Abu Al-Rabie – similar to it’.⁶²

5- ب، قرب الإسناد ابن طريف عن ابن غلوان عن جعفر عن أبيه ع أن علياً ع كان يقول لا بأس أن تحج المرأة الصويرة مع قوم صالحين إذا لم يكن لها محرم ولا زوج.

(The book) ‘Qurb Al Isnaad’ – Ibn Tareyf, from Ibn Ulwan,

‘From Ja’far^{-asws}, from his^{-asws} father^{-asws}: ‘Ali^{-asws} had said: ‘There is no problem if the woman were to perform Hajj as the first-timer with a group of righteous people when there was no sanctimonious one for her nor any husband’.⁶³

6- يد، التوحيد أبي و ابن الوليد معاً عن سعد عن ابن عيسى عن ابن فضال عن أبي جميلة عن محمد الحلبي عن أبي عبد الله ع قال: سألتُهُ عن رجلٍ مات وَ تَرَكَ مِائَةَ أَلْفٍ دِرْهَمٍ وَ لَمْ يَحُجَّ حَتَّى مَاتَ هَلْ كَانَ يَسْتَطِيعُ الْحَجَّ قَالَ نَعَمْ إِنَّمَا اسْتَعْنَى عَنْهُ بِمَالِهِ وَ صِحَّتِيهِ.

⁶¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 3

⁶² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 4

⁶³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 5

(The book) 'Al Tawheed' – My father and Ibn Al Waleed, both together from Sa'ad, from Ibn Isa, from Ibn Fazzal, from Abu Jameela, from Muhammad Al Halby,

'From Abu Abdullah^{-asws}, he (the narrator) said, 'I asked him^{-asws} about a man who dies and leaves one hundred thousand Dirhams, and he had not performed Hajj until he died. Had he had the capacity for the Hajj?'

He^{-asws} said: 'Yes! But rather, he was self-sufficient of it with his wealth and his health''.⁶⁴

7- يد، التوحيد بهذا الإسناد عن ابن عيسى عن علي بن حديد و ابن أبي نُجْرَانَ عَنْ مُحَمَّدِ بْنِ هُمْرَانَ عَنْ أَبِي بصيرٍ عَنْ أَبِي جَعْفَرٍ ع قَالَ: قُلْتُ لَهُ رَجُلٌ عَرَضَ عَلَيْهِ الْحُجُّ فَاسْتَحْيَا أَمْ هُوَ مِمَّنْ يَسْتَطِيعُ الْحُجَّ

(The book) 'Al Tawheed' – By this chain, from Ibn Isa, from Ali Bin Hadeed, and Ibn Abu Najran, from Muhammad Bin Humran, from Abu Baseer,

'From Abu Ja'far^{-asws}, he (the narrator) said, 'I said to him^{-asws}, 'The Hajj presents to a man, but he is shy (timid/weak). Is he from the ones who were capable of the Hajj?'

قَالَ نَعَمْ.

He^{-asws} said: 'Yes''.⁶⁵

8- يد، التوحيد ابنُ الْمُتَوَكِّلِ عَنِ الْحَمَيْرِيِّ وَ سَعْدِ جَمِيعاً عَنِ ابْنِ عِيْسَى عَنِ ابْنِ مُحَمَّدٍ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي قَوْلِ اللَّهِ عَزَّ وَ جَلَّ وَ لِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلاً قَالَ هَذَا لِمَنْ كَانَ عِنْدَهُ مَالٌ وَ لَهُ صِحَّةٌ.

(The book) 'Al Tawheed' – Ibn Al Mutawakkil, from Al Himeyri and Sa'ad, both together from Ibn Isa, from Ibn Mahboub, from Muawiya Bin Ammar,

'From Abu Abdullah^{-asws} regarding Words of Allah^{-azwj} Mighty and Majestic: **And for the Sake of Allah, Hajj of the House is incumbent upon the people for the one has the capacity for a way to it; [3:97]**. He^{-asws} said: 'This is for one for whom there is wealth and good health for him''.⁶⁶

9- يد، التوحيد أَبِي وَ ابْنُ الْمُتَوَكِّلِ مَعَا عَنْ سَعْدِ وَ الْحَمَيْرِيِّ مَعَا عَنْ ابْنِ عِيْسَى عَنِ ابْنِ مُحَمَّدٍ عَنْ عَلَاءِ عَنِ مُحَمَّدٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنْ قَوْلِ اللَّهِ عَزَّ وَ جَلَّ وَ لِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلاً قَالَ هَذَا لِمَنْ كَانَ عِنْدَهُ مَالٌ وَ لَهُ صِحَّةٌ.

(The book) 'Al-Tawheed' – My father and Ibn Al Mutawakkil, both together from Sa'ad and Al Himeyri, both together from Ibn Isa, from Ibn Mahboub, from Al A'la, from Muhammad who said,

'I asked Abu Abdullah^{-asws} about Words of Allah^{-azwj} Mighty and Majestic: **And for the Sake of Allah, Hajj of the House is incumbent upon the people for the one has the capacity for a way to it; [3:97]**. He^{-asws} said: 'This is for the one who has wealth with him and health for him''.⁶⁷

⁶⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 6

⁶⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 7

⁶⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 8

⁶⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 9

10- يد، التوحيد أبي و ابن المُنَوِّكِلِ مَعَا عَنْ سَعْدٍ وَ الحِمَيْرِي مَعَا عَنْ ابْنِ عِيسَى عَنْ ابْنِ مُحَمَّدٍ عَنِ الْعَلَاءِ عَنْ مُحَمَّدٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنْ قَوْلِ اللَّهِ عَزَّ وَ جَلَّ وَ لِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا قَالَ يَكُونُ لَهُ مَا يَحْجُّ بِهِ

(The book) 'Al Tawheed' – My father and Ibn Al Mutawakkil, both together from Sa'd and Al Himeyri, both together from Ibn Isa, from Ibn Mahboub, from Al A'ala, from Muhammad who said,

'I asked Abu Abdullah^{-asws} about Words of Allah^{-azwj}: **And for the Sake of Allah, Hajj of the House is incumbent upon the people for the one has the capacity for a way to it; [3:97]**. He^{-asws} said: 'There should be for him what he can perform Hajj with'.

قُلْتُ فَمَنْ غُرِضَ عَلَيْهِ الْحُجُّ فَاسْتَحْيَا

I said, '(What about) someone the Hajj presents to be but he is shy?'

قَالَ هُوَ مِمَّنْ يَسْتَطِيعُ.

He^{-asws} said: 'He is from the ones capable'.⁶⁸

11- يد، التوحيد أبي و ابن الوليد مَعَا عَنْ سَعْدٍ عَنْ ابْنِ عِيسَى عَنْ مُحَمَّدِ بْنِ أَبِي عُمَيْرٍ عَنْ هِشَامِ بْنِ سَالِمٍ عَنْ أَبِي بصيرٍ قَالَ سَمِعْتُ أَبَا عَبْدِ اللَّهِ ع يَقُولُ مَنْ غُرِضَ عَلَيْهِ الْحُجُّ وَ لَوْ عَلَى جِمَارٍ أَجْدَعَ مَقْطُوعِ الذَّنْبِ فَأَبَى فَهُوَ مِمَّنْ يَسْتَطِيعُ الْحُجَّ.

(The book) 'Al Tawheed' – My father and Ibn Al Waleed, both together from Sa'd, from Ibn Isa, from Muhammad Al Barqy, from Ibn Abu Umeyr, from Hisham Bin Salim, from Abu Baseer who said,

'I heard Abu Abdullah^{-asws} saying: 'One to whom Hajj has presented, and even if upon an earless donkey or a cut-off tail, but he refuses, he is from the ones having the capacity for the Hajj'.⁶⁹

12- يد، التوحيد أبي عَنْ عَلِيٍّ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ هِشَامِ بْنِ الْحَكَمِ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي قَوْلِ اللَّهِ عَزَّ وَ جَلَّ وَ لِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا مَا يَغْنِي بِذَلِكَ

(The book) 'Al Tawheed' – My father, from Ali, from his father, from Ibn Abu Umeyr, from Hisham Bin Al Hakam,

'From Abu Abdullah^{-asws} regarding Words of Allah^{-azwj} Mighty and Majestic: **And for the Sake of Allah, Hajj of the House is incumbent upon the people for the one has the capacity for a way to it; [3:97]**, 'What is meant by that?'

قَالَ مَنْ كَانَ صَحِيحًا فِي بَدَنِهِ مُخْلِئًا سَرِيئًا لَهُ زَادٌ وَ رَاحِلَةٌ.

He^{-asws} said: 'One who has good health in his body, free to travel to it, having provisions and a ride for him'.⁷⁰

⁶⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 10

⁶⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 11

⁷⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 12

13- سن، المحاسن علي بن الحكم عن هشام بن سالم عن أبي بصير قال: قلت لأبي عبد الله ع رجل كان له مال فذهب ثم عرض عليه الحج فاستحيا

(The book) 'Al Mahasin' – Ali Bin Al Hakam, from Hisham Bin Salim, from Abu Baseer who said,

'I said to Abu Abdullah^{asws}, 'A man had wealth for him, but it goes away. Then the Hajj presents to him, but he is shy'.

فَقَالَ مَنْ عَرَضَ عَلَيْهِ الْحَجُّ فَاسْتَحْيَا وَ لَوْ عَلَى جِمَارٍ أَجْدَعَ مَقْطُوعِ الذَّنْبِ فَهُوَ مِمَّنْ يَسْتَطِيعُ الْحَجَّ.

He^{asws} said: 'The one to whom Hajj presents but he is shy, and even if it was upon an earless donkey of tail cut off, he is from the ones having the capacity for the Hajj'.⁷¹

14- سن، المحاسن أبي عن العباس بن عامر عن محمد بن يحيى المثنعمي عن عبد الرحيم القصير عن أبي عبد الله ع قال: سأله حفص الأغرور و أنا أسمع جعلني الله فداك ما تقول في قول الله و لله على الناس حج البيت من استطاع إليه سبيلاً

(The book) 'Al Mahasin' – My father, from Al Abbas Bin Aamir, from Muhammad Bin Yahya Al Khash'amy, from Abdul Raheem Al Qaseyr,

'From Abu Abdullah^{asws}, he (the narrator) said, 'Hafs Al Awr asked him and I was listening, 'May Allah^{azwj} Make me sacrificed for you^{asws}! What are you saying regarding Words of Allah^{azwj}: **And for the Sake of Allah, Hajj of the House is incumbent upon the people for the one has the capacity for a way to it; [3:97]**'.

قَالَ ذَلِكَ الْقُوَّةُ فِي الْمَالِ وَالْيَسَارُ

He^{asws} said: 'That is the strength in the wealth and the affluence'.

قَالَ فَإِنْ كَانُوا مُوسِرِينَ فَهُمْ مِمَّنْ يَسْتَطِيعُ إِلَيْهِ السَّبِيلَ

He said, 'If they were affluent so they are from the ones having the capacity for a way to it?'

قَالَ نَعَمْ

He^{asws} said: 'Yes'.

فَقَالَ لَهُ ابْنُ سَيَابَةَ بَلَّغْنَا عَنْ أَبِي جَعْفَرٍ ع أَنَّهُ كَانَ يَقُولُ يُكْتَبُ وَفَدُ الْحَاجِّ فَقَطَعَ كَلَامَهُ

Ibn Sinan said to him^{asws}, 'It has reached us from Abu Ja'far^{asws}, he^{asws} had said the delegation of Pilgrims are Written', but his^{asws} speech was cut off!

فَقَالَ كَانَ أَبِي يَقُولُ يُكْتَبُونَ فِي اللَّيْلَةِ الَّتِي قَالَ اللَّهُ فِيهَا يُفْرَقُ كُلُّ أَمْرٍ حَكِيمٍ

He^{asws} said: 'My^{asws} father^{asws} was saying they are being Written during the night which Allah^{azwj} Said: **During it, every wise matter is made distinct [44:4]**'.

⁷¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 13

قَالَ فَإِنْ لَمْ يُكْتَبْ فِي تِلْكَ اللَّيْلَةِ يَسْتَطِيعُ الْحُجَّ

He said, 'Supposing it is not Written during that night, would he have the capacity for the Hajj?'

قَالَ لَا مَعَادَ اللَّهِ

He^{-asws} said: 'No, Allah^{-azwj} Forbid!'

فَتَكَلَّمَ حُفْصٌ فَقَالَ لَسْتُ مِنْ حُصُومَتِكُمْ فِي شَيْءٍ هَكَذَا الْأَمْرُ.

Hafs spoke. He said, 'I am not from the ones disputing with you regarding anything. This is how the matter is!'⁷²

15- شي، تفسير العياشي عن إبراهيم بن علي عن عبد العظيم الحسيني عن ابن محبوب عن معاوية بن عمارة عن أبي عبد الله ع في قول الله عز وجل
وَاللَّهُ عَلَى النَّاسِ حَجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا قَالَ هَذَا لِمَنْ كَانَ عِنْدَهُ مَالٌ وَصِحَّةٌ فَإِنْ سَوَّفَهُ لِلتَّجَارَةِ فَلَا يَسْعُهُ ذَلِكَ وَإِنْ مَاتَ عَلَى ذَلِكَ فَقَدْ
تَرَكَ شَرِيعَةً مِنْ شَرَائِعِ الْإِسْلَامِ إِذَا تَرَكَ الْحُجَّ وَهُوَ يَجِدُ مَا يَحُجُّ بِهِ

(The book) 'Tafseer Al Ayyashi' – from Ibrahim Bin Ali, from Abdul Azeem Al Hasany, from Ibn Mahboub, from Muawiya Bin Ammar,

'From Abu Abdullah^{-asws} regarding Words of Allah^{-azwj} Mighty and Majestic: **And for the Sake of Allah, Hajj of the House is incumbent upon the people for the one has the capacity for a way to it; [3:97]**. He^{-asws} said: 'This is for one with whom there is wealth and health. If he procrastinates for the trading, that will not be a leeway for him, and if he dies upon that so he has neglected a Law from the Laws of Al-Islam, when he has neglected a Hajj and he can find what he can perform Hajj with.

وَإِنْ دَعَاهُ أَحَدٌ إِلَى أَنْ يَحْمِلَهُ فَاسْتَحْيَا فَلَا يَفْعَلْ فَإِنَّهُ لَا يَسْعُهُ إِلَّا أَنْ يَخْرُجَ وَ لَوْ عَلَى جِمَارٍ أَجْدَعَ أَبْتَرَ وَ هُوَ قَوْلُ اللَّهِ وَ مَنْ كَفَرَ فَإِنَّ اللَّهَ غَنِيٌّ عَنِ الْعَالَمِينَ

And if anyone invites him to carry him, but he is shy, so he does not do it, it is not a leeway for him except if he does go out, and even if it was upon an earless donkey or a cut-off tail, and it is the Word of Allah^{-azwj}: **and the one commits Kufr, then surely Allah is needless from the worlds [3:97]**'.

قَالَ وَ مَنْ تَرَكَ فُلْتُ كَفَرٌ

He said, 'And the one who neglects, you^{-asws} say he has committed Kufr?'

قَالَ وَ لَمْ لَا يَكْفُرُ وَ قَدْ تَرَكَ شَرِيعَةً مِنْ شَرَائِعِ الْإِسْلَامِ يَقُولُ اللَّهُ الْحُجُّ أَشْهُرٌ مَعْلُومَاتٌ فَمَنْ فَرَضَ فِيهِنَّ الْحُجَّ فَلَا رَفْتٌ وَ لَا فُسُوقٌ وَ لَا جِدَالَ فِي الْحُجَّ
وَ الْفَرِيضَةُ التَّلْبِيَةُ وَ الْأَشْعَارُ وَ التَّفْلِيدُ فَأَيُّ ذَلِكَ فَعَلَ فَقَدْ فَرَضَ الْحُجَّ وَ لَا فَرَضَ إِلَّا فِي هَذِهِ الشُّهُورِ الَّتِي قَالَ اللَّهُ الْحُجُّ أَشْهُرٌ مَعْلُومَاتٌ.

He^{-asws} said: 'And why did he have to commit Kufr and neglect a Law from the Laws of Al-Islam? Allah^{-azwj} Says: **The Hajj is (performed in) the well-known months; so whoever**

⁷² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 14

determines the performance of the Hajj therein, there shall neither be marital relationship, nor immorality, nor quarrelling during the Hajj; [2:197]; and the obligatory is the Talbiyya, and the marking, and the collaring. So whichever of that is done, the Hajj is obligatory except in this month which Allah^{-azwj} Said: **The Hajj is (performed in) the well-known months; [2:197]**".⁷³

16- شي، تفسير العياشي عن عبد الرحمن بن سَيَابَةَ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي قَوْلِ اللَّهِ وَ لِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا قَالَ مَنْ كَانَ صَحِيحًا فِي بَدَنِهِ مُخْلِئًا سَرَّهُ لَهُ زَادَ وَ رَاجِلَةً فَهُوَ مُسْتَطِيعٌ لِلْحَجِّ.

(The book) 'Tafseer Al Ayyashi' – from Abdul Rahman Bin Sayaba,

'From Abu Abdullah^{-asws} regarding Words of Allah^{-azwj}: **And for the Sake of Allah, Hajj of the House is incumbent upon the people for the one has the capacity for a way to it; [3:97].** He^{-asws} said: 'One who has health in his body, free to travel for it, provision and a ride, so he has capacity for the Hajj'.⁷⁴

17- شي، تفسير العياشي فِي حَدِيثِ الْكِنَانِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: إِنْ كَانَ يَقْدِرُ أَنْ يَمْشِيَ بَعْضًا وَ يَرْكَبَ بَعْضًا فَلْيُفْعَلْ.

(The book) 'Tafseer Al Ayyashi' – In a Hadeeth by Al Kinany,

'From Abu Abdullah^{-asws} having said: 'If he could walk partly and ride partly, let him do so'.

وَ مَنْ كَفَرَ قَالَ تَرَكَ.

And **the one commits Kufr, [3:97],** he^{-asws} said: 'Neglects'.⁷⁵

18- شي، تفسير العياشي أَبُو أُسَامَةَ زَيْدُ الشَّحَامُ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي قَوْلِهِ وَ لِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا قَالَ سَأَلْتُهُ مَا السَّبِيلُ

(The book) 'Tafseer Al Ayyashi' – Abu Usama Zayd Al Shahaam,

'From Abu Abdullah^{-asws} regarding His^{-azwj} Words: **And for the Sake of Allah, Hajj of the House is incumbent upon the people for the one has the capacity for a way to it; [3:97].** He (the narrator) said, 'I asked him^{-asws}, 'What is the 'way'?'

قَالَ يَكُونُ لَهُ مَا يَحُجُّ بِهِ

He^{-asws} said: 'There should be for him that he can perform Hajj with'.

فُلْتُ أَرَأَيْتَ إِنْ عُرِضَ عَلَيْهِ مَالٌ يَحُجُّ بِهِ فَاسْتَحْيَا مِنْ ذَلِكَ

I said, 'What is your view if wealth presents to him that he can perform Hajj with, but he shies from that?'

⁷³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 15

⁷⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 16

⁷⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 17

قَالَ هُوَ مِمَّنْ اسْتَطَاعَ إِلَيْهِ سَبِيلًا

He^{-asws} said: 'He is from the ones who **has the capacity for a way to it; [3:97]**'.

قَالَ وَ إِنْ كَانَ يُطِيقُ الْمَشْيَ بَعْضًا وَ الرَّكُوبَ بَعْضًا فَلْيَفْعَلْ

He^{-asws} said: 'And even if he endures the walking partly and the riding partly, let him do so'.

قُلْتُ أَرَأَيْتَ قَوْلَ اللَّهِ وَ مَنْ كَفَرَ أَ هُوَ فِي الْحَجِّ

I said, 'What is your view of Words of Allah^{-azwj}, **the one commits Kufr, [3:97]**, is it regarding the Hajj?'

قَالَ نَعَمْ

He^{-asws} said: 'Yes'.

قَالَ هُوَ كُفْرُ النَّعْمِ

He^{-asws} said: 'It is Kufr of the bounties'.

وَ قَالَ مَنْ تَرَكَ فِي حَجْرٍ آخَرَ.

And he^{-asws} said: 'One who neglects' – in another Hadeeth".⁷⁶

19- شي، تفسير العياشي أبو بصير عن أبي عبد الله ع قال: قُلْتُ لِأبي عَبْدِ اللَّهِ قَوْلَ اللَّهِ مِنَ اسْتَطَاعَ إِلَيْهِ سَبِيلًا قَالَ يَخْرُجُ [تَخْرُجُ] إِذَا لَمْ يَكُنْ عِنْدَكَ تَمَشِّي

(The book) 'Tafseer Al Ayyashi' – Abu Baseer,

'From Abu Abdullah^{-asws}, he (the narrator) said, 'I said to Abu Abdullah^{-asws}, 'Words of Allah^{-azwj}: **'for the one has the capacity for a way to it; [3:97]**. He^{-asws} said: 'He should go out when it does not happen to be (enough wealth) with you (him), he should walk!'

قَالَ قُلْتُ لَا يَقْدِرُ عَلَى ذَلِكَ

He said, 'I said, 'He is not able upon that'.

قَالَ تَمَشِّي وَ يَرْكَبُ أَحْيَانًا

He^{-asws} said: 'He should walk and ride alternately'.

قُلْتُ لَا يَقْدِرُ عَلَى ذَلِكَ

⁷⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 18

I said, 'He is not able upon that'.

قَالَ يَخْدُمُ قَوْمًا وَ يَخْرُجُ مَعَهُمْ.

He^{-asws} said: 'He should serve a group and go out with them'.⁷⁷

20- شي، تفسير العياشي عَبْدُ الرَّحْمَنِ بْنِ الْحَجَّاجِ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ عَ عَنْ قَوْلِهِ وَ لِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنْ اسْتَطَاعَ إِلَيْهِ سَبِيلًا قَالَ الصِّحَّةُ فِي بَدَنِهِ وَ الْقُدْرَةُ فِي مَالِهِ.

(The book) 'Tafseer Al Ayyashi' – Abdul Rahman Bin Al Hajjaj who said,

'I asked Abu Abdullah^{-asws} about His^{-azwj} Words: **And for the Sake of Allah, Hajj of the House is incumbent upon the people for the one has the capacity for a way to it; [3:97]**. He^{-asws} said: 'The health in his body and the ability regarding his wealth'.⁷⁸

6 وَ فِي رِوَايَةِ حَفْصِ الْأَعْوَرِ عَنْهُ ع قَالَ: الْقُوَّةُ فِي الْبَدَنِ وَ الْيَسَارُ فِي الْمَالِ.

In a report of Hafs Al Awr,

'From him^{-asws} having said: 'The strength in the body and the affluence in the wealth'.⁷⁹

21- ضا، فقه الرضا عليه السلام ابْنُ أَبِي عُمَيْرٍ وَ فَضَالَةُ عَنْ جَمِيلٍ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ عَنْ أَبِي إِبْرَاهِيمَ قَالَ: قُلْتُ رَجُلًا كَانَتْ عَلَيْهِ حَجَّةُ الْإِسْلَامِ فَأَرَادَ أَنْ يَحُجَّ فَيَقِيلَ لَهُ تَزْوُجُ ثُمَّ حُجَّ فَقَالَ إِنْ تَزَوَّجْتُ قَبْلَ أَنْ أَحُجَّ فَعَلَامِي حُرٌّ فَتَزَوَّجَ قَبْلَ أَنْ يَحُجَّ

(The book) 'Fiqh Al-Reza^{-asws}', may the greeting be upon him^{-asws} – Ibn Abu Umeyr and Fazalah, from Jameel, from Is'haq Bin Ammar,

'From Abu Ibrahim^{-asws}, he (the narrator) said, 'I said, 'A man had a Hajj of Al-Islam upon him (to perform), so he intends to perform Hajj. It was said to him, 'Get married, then perform Hajj'. He says, 'If I get married before I perform Hajj, then my slave is free'. But he gets married before he performs Hajj.

فَقَالَ أَعْتَقَ غُلَامَهُ

He^{-asws} said: 'He should liberate his slave'.

فَقُلْتُ لَمْ يُرِدْ يَجْتَمِعِهِ وَجْهَ اللَّهِ

I said, 'He did not intend to liberate him for the Sake of Allah^{-azwj}!'

فَقَالَ إِنَّهُ نَذَرَ فِي طَاعَةِ اللَّهِ وَ الْحُجَّ أَحَقُّ مِنَ التَّزْوِيجِ وَ أَوْجِبُ عَلَيْهِ مِنَ التَّزْوِيجِ

⁷⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 19

⁷⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 20

⁷⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 21

He^{-asws} said: 'He had vowed in obedience of Allah^{-azwj}, and the Hajj is more rightful than the marriage and more obligated upon him than the marriage'.

قُلْتُ فَإِنَّ الْحَجَّ تَطَوُّعٌ لَيْسَ بِحَجَّةِ الْإِسْلَامِ

I said, 'But the voluntary Hajj isn't Hajj of Al-Islam!'

قَالَ وَ إِنْ كَانَ تَطَوُّعًا فَهِيَ طَاعَةٌ لِلَّهِ قَدْ أُعْتِقَ غُلَامُهُ.

He^{-asws} said: 'And even if it was voluntarily, it is in obedience of Allah^{-azwj}, and his slave has been liberated'.⁸⁰

22- ضا، فقه الرضا عليه السلام صَفْوَانُ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: لَا طَاعَةَ لِلزَّوْجِ فِي حَجَّةِ الْإِسْلَامِ وَ يَحُجُّ الرَّجُلُ مِنَ الزَّكَاةِ إِذَا كَانَتْ حَجَّةَ الْإِسْلَامِ.

(The book) 'Fiqh Al-Reza^{-asws}', may the greeting be upon him^{-asws} – Safwan, from Muawiya Bin Ammar,

'From Abu Abdullah^{-asws} having said: 'There is no obedience to the husband regarding Hajj of Al-Islam, and the man can perform Hajj from the Zakat when it was Hajj of Al-Islam''.⁸¹

[باب 14 شرائط صحة الحج](#)

CHAPTER 14 – CONDITIONS OF HEALTH FOR THE HAJJ

1- ب، قرب الإسناد عَنْهُمَا عَنْ حَنَانٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنْ نَصْرَانِيٍّ أَسْلَمَ وَ حَضَرَ أَيَّامَ الْحَجِّ وَ لَمْ يَكُنْ اِحْتَنَّ أَنْ يَحُجَّ قَبْلَ أَنْ يَحْتَنِنَ

(The book) 'Qurb Al Isnaad' – From them, from Hanan who said,

'I asked Abu Abdullah^{-asws} about a Christian who became a Muslim and the days of Hajj presented and he did not happen to be circumcised, 'Can he perform Hajj before he gets circumcised?'

قَالَ لَا يَبْدَأُ بِالسُّنَّةِ.

He^{-asws} said: 'No! He should begin with the Sunnah''.⁸²

أقول: و أوردنا بعض أخبار هذا الباب في باب حج المملوك و الصبي.

I say, 'And we have referred to some Ahadeeth of this chapter in the chapter on Hajj of the slaves and the young boys'.

⁸⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 22

⁸¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 13 H 23

⁸² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 14 H 1

CHAPTER 15 – REWARDS OF OFFERING FINANCIAL ASSISTANCE FOR THE HAJJ

1- ل، الخصال ن، عيون أخبار الرضا عليه السلام أبي عن أحمد بن إدريس عن الأشعري عن سلمة بن الخطاب عن أحمد بن علي عن الحسن بن علي الدبليبي مولى الرضا ع قال سمعته ع يقول من حج بثلاثة من المؤمنين فقد اشترى نفسه من الله عز وجل بالثمن ولم يسأله من أين كسب ماله من خلال أو حرام.

(The books) 'Al Khisaal', (and) 'Uyoun Akhbar Al-Reza^{-asws}', may the greeting be upon him^{-asws} – My father, from Ahmad Bin Idrees, from Al Ash'ary, from Salama Bin Al Khattab, from Ahmad Bin Ali, from Al-Hassan Bin Ali Al Daylami,

'A slave of Al-Reza^{-asws} said, 'I heard him^{-asws} saying: 'One who performs Hajj with three of the Momineen so he has bought his soul from Allah^{-azwj} Mighty and Majestic with the price and He^{-azwj} will not ask him from where he had earned his money, whether from Permissible means or Prohibited''.⁸³ – (The above Hadith is not consistent with more famous Ahadeeth, See Chapter 19)

قال الصدوق رحمه الله يعني بذلك أنه لم يسأله عما وقع في ماله من الشبهة و يرضي عنه خصماءه بالعوض.

Al-Sadouq, may Allah^{-azwj} Mercy him, said, 'It means by that He^{-azwj} will not ask him about what had fallen into his wealth, from the suspicious (part), and He^{-azwj} Please his disputants with the compensation'.

CHAPTER 16 – OBLIGATION OF THE HAJJ DURING EVERY SEASON (YEAR)

1- ع، علل الشرائع في علل ابن سنان عن الرضا ع علة فرض الحج مرة واحدة لأن الله عز وجل وضع الفرائض على أذى القوم فؤة فمن تلك الفرائض الحج المفروض واحد ثم رغب أهل القووة على قدر طاقتهم.

(The book) 'Ilal Al Sharaie', in 'Ilal' of Ibn Sinan,

'From Al-Reza^{-asws}: 'Reason for the obligation of the Hajj being one time is that Allah^{-azwj} Mighty and Majestic Placed the obligation based upon the people of the least strength. From that is the obligation of the obligatory Hajj being once. Then, He^{-azwj} Incited the people of strength according to their endurance''.⁸⁴

قال الصدوق رحمه الله جاء هذا الحديث هكذا و الذي اعتمده و أفتي به أن الحج على أهل الجدة في كل عام فريضة.

⁸³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 15 H 1

⁸⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 16 H 1

Al-Sadouq, may Allah-azwj Mercy him, said, 'This Hadeeth has come like this, and that which is relied upon and the verdict is issued with is that the Hajj is an obligation upon the people of means during every year'.

2- ع، علل الشرائع ابن الوليد عن الصغار عن ابن يزيد عن ابن أبي عمير عن أبي حريز القمي عن أبي عبد الله ع قال: الحج فرض على أهل الجدة في كل عام.

(The book) 'Ilal Al Sharaie' – Ibn Al Waleed, from Al Saffar, from Ibn Yazeed, from Ibn Abu Umeyr, from Abu Jareer Al Qummi,

'From Abu Abdullah-asws having said: 'The Hajj is an obligation upon the people of means during every year''.⁸⁵

3- ع، علل الشرائع أحمد بن محمد عن أبيه عن محمد بن أحمد عن السندي بن ربيع عن محمد بن القاسم عن أسد بن يحيى عن شيخ من أصحابنا قال: الحج واجب على من وجد السبيل إليه في كل عام.

(The book) 'Ilal Al Sharaie' – Ahmad Bin Muhammad, from his father, from Muhammad Bin Ahmad, from Al Sindy Bin Rabie, from Muhammad Bin Al Qasim, from Asad Bin Yahya, from a Sheykh from our companions who said,

'The Hajj is obligatory upon the one who can find the way to it, in every year''.⁸⁶ (Not a Hadeeth)

4- ع، علل الشرائع ابن الوليد عن أحمد بن إدريس عن محمد بن أحمد عن أحمد بن محمد عن علي بن مهزيار عن عبد الله بن الحسين الميثمي رفعه إلى أبي عبد الله ع قال: إن في كتاب الله عز وجل فيما أنزل والله على الناس حج البيت في كل عام من استطاع إليه سبيلاً.

(The book) 'Ilal Al Sharaie' – Ibn Al Waleed, from Ahmad Bin Idrees, from Muhammad Bin Ahmad, from Ahmad Bin Muhammad, from Ali Bin Haziyar, from Abdullah Bin Al-Husayn Al Mayssami, raising it to,

Abu Abdullah-asws said: 'In the Book of Allah-azwj Mighty and Majestic, among what is Revealed: **And for the Sake of Allah, Hajj of the House is incumbent** – during every year - **upon the people for the one has the capacity for a way to it; [3:97]**'.⁸⁷

[باب 17 حج الصبي و المملوك](#)

CHAPTER 17 – HAJJ OF THE YOUNG BOY AND THE SLAVE

أقول: قد مضى بعض أخباره في باب وجوب الحج و فضله.

I say, 'Some of its Ahadeeth have passed in the chapter, 'Obligation of the Hajj and its merits''.

1- ب، قرب الإسناد علي عن أخيه ع قال: سألت عن المملوك المومر أذن له مولاه في الحج هل عليه أن يتبع و هل له أجر

⁸⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 16 H 2

⁸⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 16 H 3

⁸⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 16 H 4

(The book) 'Qurb Al Isnaad' –

'Ali, from his brother (Al-Kazim^{-asws}), he said, 'I asked him^{-asws} about the affluent slave, his master permits for him regarding the Hajj, 'Is it upon him that he slaughters (an animal), and is there Recompense for him?'

قَالَ نَعَمْ فَإِنْ أُعْتِقَ أَعَادَ الْحَجَّ.

He^{-asws} said: 'Yes. If he is liberated (later on), he should repeat the Hajj'.⁸⁸

2- قَالَ: وَ سَأَلْتُهُ عَنْ تَجْرِيدِ الصَّبِيَّانِ فِي الْإِحْرَامِ مِنْ أَيْنَ هُوَ

He said, 'And I asked him^{-asws} about changing clothes of the young boys into the Ihraam, from where is it (done)?'

قَالَ كَانَ أَبِي يُجَرِّدُهُمْ مِنْ فَخٍّ.

He^{-asws} said: 'My^{-asws} father^{-asws} used to change them from Fakh'.⁸⁹

3- قَالَ: وَ سَأَلْتُهُ عَنِ الصَّبِيَّانِ هَلْ عَلَيْهِمْ إِحْرَامٌ وَ هَلْ يَتَّقُونَ مَا يَتَّقِي الرِّجَالُ

He said, 'And I asked him^{-asws} about the young boys, 'Is it upon them (to don) the Ihraam, and can they abstain what the men abstain from?'

قَالَ يُجْرَمُونَ وَ يُنْهَوْنَ عَنِ الشَّيْءِ يَصْنَعُونَهُ بِمَا لَا يَصْلُحُ لِلْمَحْرَمِ أَنْ يَصْنَعَهُ وَ لَيْسَ عَلَيْهِمْ فِيهِ شَيْءٌ.

He^{-asws} said: 'They will be donned the Ihraam and will be forbidden from the things to do, from what is not correct for the one in Ihraam to be doing, and there isn't anything (penalty) upon them in it'.⁹⁰

4- ب، قرب الإسناد أحمد بن محمد بن محمد بن ابن محبوب عن الفضل بن يونس قال: سألت أبا الحسن موسى ع قلت تكون معي الجوّاري و أنا بمكة فأمروهم أن يعقدن بالحج يوم التّروية فأخرجهم فيشهدن المناسك أو أخلفهن بمكة

(The book) 'Qurb Al Isnaad' – Ahmad Bin Muhammad, from Ibn Mahboub, from Al Fazl Bin Yunus who said,

'I asked Abu Al-Hassan Musa^{-asws}. I said, 'There happen to be slave girls with me and I am at Makkah. I order them to make the intention for the Hajj on the day of Al-Tarwiyya. Should I go out with them and they attend the rituals, or should I leave them behind at Makkah?'

قَالَ فَقَالَ لِي إِنْ خَرَجْتَ بِهِنَّ فَهِيَ أَفْضَلُ وَ إِنْ خَلَّفْتَهُنَّ عِنْدَ ثِقَةٍ فَلَا بَأْسَ فَلَيْسَ عَلَى الْمَمْلُوكِ حَجٌّ وَ لَا عُمْرَةٌ حَتَّى يُعْتَقَ.

⁸⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 17 H 1

⁸⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 17 H 2

⁹⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 17 H 3

He (the narrator) said, 'He^{-asws} said to me: 'If you go out with them, it is better, and if you leave them behind with a trusted one, there is no problem. There isn't any Hajj upon the slave nor an Umrah until he is liberated".⁹¹

5- سن، المحاسن ابن محبوب عن ابن شهاب عن أبي عبد الله ع في رجل أعتق عبده عشيبة عرفه قال يُجزى عن العبد حجة الإسلام و يُكتب للسيد أجر ثواب العتق و ثواب الحج.

(The book) 'Al Mahasin' – Ibn Mahboub, from Ibn Shihab,

'From Abu Abdullah^{-asws} regarding a man who liberates his slave in the evening of Arafaah. He^{-asws} said: 'It shall suffice for the slave the Hajj of Al-Islam, and it will be Written for the master the Recompense Rewards of the liberation and Rewards of the Hajj".⁹²

6- نَوَادِرُ الرَّوَّانِدِيِّ، بِإِسْنَادِهِ عَنْ مُوسَى بْنِ جَعْفَرٍ ع قَالَ قَالَ رَسُولُ اللَّهِ ص لَوْ أَنَّ غُلَامًا حَجَّ عَشْرَةَ حَجَجٍ ثُمَّ اخْتَلَمَ كَانَتْ عَلَيْهِ فَرِيضَةُ الْإِسْلَامِ إِذَا اسْتَطَاعَ إِلَيْهِ سَبِيلًا.

(The book) 'Nawadir' of Al Rawandy –

By a chain from Musa^{-asws} Bin Ja'far^{-asws} having said: 'Rasool-Allah^{-saww} said: 'Even if a young boy were to perform Hajj ten times, then he attains puberty, upon him would be the obligation of Al-Islam (Hajj) when he **has the capacity for a way to it [3:97]**".⁹³

باب 18 حج النائب أو المتبرع عن الغير و حكم من مات و لم يحج أو أوصى بالحج

CHAPTER 18 – HAJJ BY THE REPRESENTATIVE, OR THE DONOR FOR ANOTHER, AND RULING OF THE ONE WHO DIES AND HE DID NOT PERFORM HAJJ, OR BEQUEATHED WITH THE HAJJ

1- ج، الإحتجاج كتب الحميري إلى الناحية المقدسة يسأل عن رجل اشترى هدياً لرجل غائب عنه و سأله أن ينحر عنه هدياً يمى فلما أراد نحر الهدى نسي اسم الرجل و نحر الهدى ثم ذكره بعد ذلك أ يُجزى عن الرجل أم لا

(The book) 'Al Ihtijaj' –

'Al-Himeyri wrote to the Holy Area (Imam Al-Mahdi^{-ajfi}) asking about a man who buys a sacrificial animal for a man absent from him and asks him to slaughter a sacrificial animal on his behalf. When he intends to slaughter the animal, he forgets the name of the man and he slaughters the offering. Then he remembers it after that, 'Does it suffice for the man or not?'

فَحَرَجَ الْجَوَابَ لَا تَأْسَ بِذَلِكَ وَ قَدْ أَجَزْنَا عَنْ صَاحِبِهِ.

⁹¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 17 H 4

⁹² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 17 H 5

⁹³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 17 H 6

The answer emerged: ‘There is no problem with that, and he has sufficed for his companion’.⁹⁴

2- وَ سَأَلَ عَنِ الرَّجُلِ يَحُجُّ عَنْ أَحَدٍ هَلْ يَحْتَاجُ أَنْ يَذْكَرَ الَّذِي حَجَّ عَنْهُ عِنْدَ عَقْدِ إِحْرَامِهِ أَمْ لَا وَ هَلْ يَجِبُ أَنْ يَذْبَحَ عَمَّنْ حَجَّ عَنْهُ وَ عَنْ نَفْسِهِ أَمْ يُجْزِيهِ هَدْيٌ وَاحِدٌ

And he asked about the man who performs Hajj on behalf of someone, ‘Does he need to mention the one he is performing Hajj on his behalf, at the tying of his Ihraam or not, and is he obligated to slaughter on behalf of the one he is performing Hajj on his behalf and for himself, or does one sacrificial animal suffice him?’

فَخَرَجَ الْجَوَابُ قَدْ يُجْزِيهِ هَدْيٌ وَاحِدٌ وَ إِنْ لَمْ يَفْعَلْ فَلَا بَأْسَ.

Then answer emerged (from Imam Al-Mahdi^{-ajfj}): ‘One sacrificial animal will suffice him, and if he does not do so, there is no problem’.⁹⁵

3- ب، قرب الإسناد عليّ عن أخيه ع قال: سألتُهُ عن رجلٍ جعلَ ثلثَ حججهِ لِمَيِّتٍ وَ ثلثيها لِحَيٍّ قَالَ لِلْمَيِّتِ فَأَمَّا لِلْحَيِّ فَلَا.

(The book) ‘Qurb Al Isnaad’ –

‘Ali, from his brother (Al-Kazim^{-asws}), he said, ‘I asked him^{-asws} about a man who makes a third of his Hajj for a deceased and two-thirds for a living one. He^{-asws} said: ‘For the deceased (yes), as for the living, so no!’⁹⁶

4- قَالَ: وَ سَأَلْتُهُ عَنِ الصَّحِيحَةِ يُخْطِئُ الَّذِي يَذْبَحُهَا وَ يُسَمِّي عَيْرَ صَاحِبِهَا تُجْزِي صَاحِبَ الصَّحِيحَةِ

He said, ‘And I asked him^{-asws} about the offering whose slaughterer errs and names other than its owner, ‘Will it suffice the owner of the offering?’

قَالَ نَعَمْ إِنَّمَا هُوَ مَا نَوَى.

He^{-asws} said: ‘Yes. But rather, he is what was intended’.⁹⁷

5- ب، قرب الإسناد ابنُ رِئَابٍ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي رَجُلٍ أَوْصَى أَنْ يُحَجَّ عَنْهُ حَجَّةُ الْإِسْلَامِ فَلَمْ يَبْلُغْ جَمِيعَ مَا تَرَكَ إِلَّا خَمْسِينَ دِرْهَمًا قَالَ يُحَجُّ عَنْهُ مِنْ بَعْضِ الْأَوْقَاتِ الَّتِي وَقَّتَ رَسُولُ اللَّهِ ص مِنْ قُرْبٍ.

(The book) ‘Qurb Al Isnaad’ – Ibn Riab,

‘From Abu Abdullah^{-asws} regarding a man who bequeaths that a Hajj be performed on his behalf, the Hajj of Islam, but the entirety of what he has left behind does not reach (the

⁹⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 1

⁹⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 2

⁹⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 3

⁹⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 4

required expense) by fifty Dirhams. He^{-asws} said: ‘Hajj should be performed from one of the junctures which Rasool-Allah^{-saww} had juncture, from nearby’.⁹⁸

6- ضا، فقه الرضا عليه السلام إن أوصى بحجّ و كان صرورة حجّ عنه من جميع ماله و إن كان قد حجّ فمن الثلث فإن لم يبلغ ماله ما يحجّ عنه من بلده حجّ عنه من حيث يتهيأ

(The book) ‘Fiqh Al-Reza^{-asws}’ –

‘If someone bequeaths with a Hajj (to be performed), and he was a first-timer (not having performed Hajj before), Hajj should be performed on his behalf from the entirety of his wealth, and if had performed Hajj, then from the third. If his wealth does not reach what Hajj can be performed with, on his behalf from his city, Hajj should be performed from wherever feasible.

و إن أوصى بثلث ماله في حجّ و عتق و صدقة تمضي وصيته فإن لم يبلغ ثلث ماله ما يحجّ عنه و يعتق و يتصدق منه بديء بالحج فإنه فريضة و ما يبقى جعل في عتق أو صدقة إن شاء الله.

And if he had bequeathed one-third of his wealth regarding Hajj and liberation of a slave, and charity, his bequest should be accomplished. If a third of his wealth does not reach (the required expenditure) of a Hajj performed on his behalf, and liberation of a slave, and charity on his behalf, the Hajj should be begun with as it is an obligation, and whatever remains can be made regarding the liberation of a slave or charity, if Allah^{-azwj} Desires’.⁹⁹

7- سر، السرائر البرنطري عن جميل قال: سألت أبا عبد الله ع عند الضرورة أ يحج الرجل من الركاة

(The book) ‘Al Saraair’ – Al Bazanty, from Jameel who said,

‘I asked Abu Abdullah^{-asws} about the first-timer, ‘Can the man perform Hajj from the Zakat?’

قال نعم.

He^{-asws} said: ‘Yes’.¹⁰⁰

8- سر، السرائر من كتاب المسائل أحمد بن محمد قال حدثني عدة من أصحابنا قالوا قلنا لأبي الحسن ع في السنة الثانية من موت أبي جعفر ع إن رجلاً مات في الطريق أوصى بحجّة و ما بقي فهو لك فاختلف أصحابنا فقال بعضهم يحج من الوقت أوفر للشيء أن يبقى عليه و قال بعضهم يحج عنه من حيث مات

(The book) ‘Al Saraair’ – From ‘Kitab Al Masaail’, Ahmad Bin Muhammad said, ‘It is narrated to me by a number of our companions. They said,

‘We said to Abu Al-Hassan^{-asws} in the second year from the expiry of Abu Ja’far^{-asws}, ‘If a man dies in the road bequeathing with a Hajj (to be performed) ‘and whatever remains from it (wealth) is for you’. Our companions differed. One of them said, ‘Hajj should be performed

⁹⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 5

⁹⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 6

¹⁰⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 7

from the time more beneficial for the thing, if it remains upon him’, and one of them said, ‘Hajj should be performed from where he died!’”

قَالَ ع مُجِّجٌ عَنْهُ مِنْ حَيْثُ مَاتَ.

He^{-asws} said: ‘Hajj should be performed on his behalf from where he died’¹⁰¹ (less costly as compared to starting from his house)

9- ب، قرب الإسناد امرأة أوصت بثلثها يتصدق به عنها و يُجِّجٌ عنها و يُعْتَقُ بِهَا فَلَمْ يَسَعِ الْمَالُ ذَلِكَ

(The book) ‘Qurb Al Isnaad’ –

‘A woman bequeathed with a third of it to be donated with on her behalf, and a Hajj to be performed on her behalf, and a slave be liberated with it, but the wealth was not capacious of that.

فَسَأَلَ أَبُو حَنِيفَةَ وَ سُفْيَانُ الثَّوْرِيُّ فَقَالَ كُلُّ وَاحِدٍ مِنْهُمَا انظُرْ إِلَى رَجُلٍ قُطِعَ بِهِ فَيْمُوتَى وَ رَجُلٍ قَدْ سَعَى فِي فَكَاكِ رَقَبَةٍ [رَقَبَتِهِ] فَبَقِيَ عَلَيْهِ شَيْءٌ فَيُعْتَقُ وَ يُتَصَدَّقُ الْبَقِيَّةُ

Abu Hanifa and Sufyan Al-Sowry were both asked. Each one of them said, ‘Look at a man who has been looted, so he can be strengthened, and a man who is striving in liberating a slave but something remains upon him, so he can be liberated, and donate the remainder’.

فَسَأَلَ مُعَاوِيَةَ بْنَ عَمَّارٍ أَبَا عَبْدِ اللَّهِ ع عَنْ ذَلِكَ فَقَالَ ابْدَأْ بِالْحَجِّ فَإِنَّ الْحَجَّ فَرِيضَةٌ وَ مَا بَقِيَ فَضَعُهُ فِي النَّوَافِلِ

Muawiya Bin Ammar asked Abu Abdullah^{-asws} about that. He^{-asws} said: ‘Begin with the Hajj, for the Hajj is an obligation, and whatever remains, place it in the optional (acts)’.

فَبَلَغَ ذَلِكَ أَبَا حَنِيفَةَ فَرَجَعَ عَنْ مَقَالِهِ.

That reached Abu Hanifa, so he retracted from his word’¹⁰².

10- ني، الغيبة للنعماني القاسم بن محمد بن الحسين بن حازم من كتابه عن عيسى بن هشام عن ابن جبلة عن سلمة بن جناح عن حازم بن حبيب قال: دخلت على أبي عبد الله ع فقلت له أصلحك الله إن أبوي [أبوي] هلكتا ولم يحجوا وإن الله قد رزقنا وأحسن فما ترى في الحج عنهما

(The book) ‘Al Ghayba’ of Al Numani – Al Qasim Bin Muhammad Bin Al-Husayn Bin Hazim, from his book, from Isa Bin Hisham, from Ibn Jabalah, from Salama Bin Janah, from Hazim Bin Habeeb who said,

‘I entered to see Abu Abdullah^{-asws}. I said to him^{-asws}, ‘May Allah^{-azwj} Keep you^{-asws} well! Both my parents have died and they had not performed Hajj, and Allah^{-saww} Provided (me) and it is excellent, so what is your^{-asws} view of (my) performing Hajj on their behalf?’

فَقَالَ افْعَلْ فَإِنَّهُ يَبْرُدُ لَكُمَا.

¹⁰¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 8

¹⁰² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 9

He^{-asws} said: 'Do it, for it will be a coolness for them!'¹⁰³

11- بي، الغيبة للنعماني عَبْدُ الْوَاحِدِ بْنُ عَبْدِ اللَّهِ عَنْ أَحْمَدَ بْنِ مُحَمَّدِ بْنِ رِيَّاحِ الرَّهْرِيِّ عَنْ أَحْمَدَ بْنِ عَلِيِّ الْحَمِيرِيِّ عَنِ الْحُسَيْنِ بْنِ أَيُّوبَ عَنْ عَبْدِ الْكَرِيمِ بْنِ عَمْرٍو عَنْ أَبِي حَنِيفَةَ السَّابِقِ عَنْ حَارِمِ بْنِ حَبِيبٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اللَّهِ ع إِنَّ أَبِي هَلَكَ وَهُوَ رَجُلٌ أَعْجَبِيٌّ وَقَدْ أَرَدْتُ أَنْ أَحْجَّ عَنْهُ وَآتَصَدَّقَ فَمَا تَرَى فِي ذَلِكَ

(The book) 'Al Ghayba' of Al Numani – Abdul Wahid Bin Abdullah, from Ahmad Bin Muhammad Bin Zibah Al Zuhry, from Ahmad Bin Ali Al Himeyri, from Al-Husayn Bin Ayoub, from Abdul Kareem Bin Amro, from Abu Hanifa Al Saabiq, from Hazim Bin Habeeb who said,

'I said to Abu Abdullah^{-asws}, 'My father has died and he is a non-Arab man, and I have intended to perform Hajj on his behalf and donate charity. What is your^{-asws} view regarding that?'

فَقَالَ أَفْعَلُ فَإِنَّهُ يَصِلُ إِلَيْهِ.

He^{-asws} said: 'Do it, for it will arrive to him!'¹⁰⁴

12- كش، رجال الكشي وَجَدْتُ بِحِطِّ أَبِي عَبْدِ اللَّهِ الشَّاذَلِيِّ فِي كِتَابِهِ سَمِعْتُ الْفَضْلَ بْنَ هَاشِمٍ الْهَرَوِيَّ يَقُولُ ذَكَرْتُ لِي كَثْرَةَ مَا يَحُجُّ الْمَحْمُودِيُّ فَسَأَلْتُهُ عَنْ مَبْلَغِ حَاجَّتِهِ فَلَمْ يُجِبْنِي بِمَبْلَغِهَا وَقَالَ رَزِقْتُ خَيْرًا كَثِيرًا وَالْحَمْدُ لِلَّهِ

(The book) 'Rijal' of Al Kashi – 'I found in the handwriting of Abdullah Al Shazani in his book, 'I heard Al Fazl Bin Hashim Al Harwy saying,

'It was frequently mentioned to me what Hajj Al-Mahmoudy had performed, so I asked him about the extent of his Hajj. He did not inform me with their extent and said, 'I have been Graced a lot of good, and the Praise is for Allah^{-azwj}!'

فَقُلْتُ لَهُ فَتَحُجُّ عَنْ نَفْسِكَ أَوْ عَنْ غَيْرِكَ

I said to him, 'Are you performing Hajj for yourself or on behalf of others?'

فَقَالَ عَنْ غَيْرِي بَعْدَ حَجَّةِ الْإِسْلَامِ أَحُجُّ عَنْ رَسُولِ اللَّهِ ص وَ أَجْعَلُ مَا أَجَازَنِي اللَّهُ عَلَيْهِ لِأَوْلِيَائِهِ وَأَهْبُ بِمَا أَثَابَ عَلَيَّ ذَلِكَ لِلْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ

He said, 'On behalf of others. After performing the Hajj of Islam, I performed Hajj on behalf of Rasool-Allah^{-saww}, and I made whatever Allah^{-azwj} Rewards upon it as being for His^{-azwj} Guardians^{-asws}, and I gifted from whatever I was Rewarded upon that as being for the believing men and the believing women'.

قُلْتُ فَمَا تَقُولُ فِي حَجِّكَ

I said, 'So what are you saying during your Hajj?'

¹⁰³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 10

¹⁰⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 11

فَقَالَ أَقُولُ اللَّهُمَّ إِنِّي أَهَلَّلْتُ لِرَسُولِكَ مُحَمَّدٍ صَ وَ جَعَلْتُ جَزَائِي مِنْكَ وَ مِنْهُ لِأَوْلِيَائِكَ الطَّاهِرِينَ وَ وَهَبْتُ ثَوَابِي عَنْهُمْ لِعِبَادِكَ الْمُؤْمِنِينَ وَ الْمُؤْمِنَاتِ بِكِتَابِكَ وَ سُنَّةِ نَبِيِّكَ إِلَى آخِرِ الدُّعَاءِ.

He said, 'I say, 'O Allah^{-azwj}! I have begun for Your^{-azwj} Rasool Muhammad^{-sawww}, and have made my Reward from You^{-azwj} and from him^{-sawww} for Your^{-azwj} Guardians, the Pure (Imams^{-asws}), and have gifted my Rewards on their^{-asws} behalf for Your^{-azwj} servants, the believing men and the believing women in Your^{-azwj} Book and Sunnah of Your^{-azwj} Prophet^{-sawww}!' – up to end of the supplication".¹⁰⁵

13- وَحَدَّثَ بِحَظِّ الشَّيْخِ مُحَمَّدِ بْنِ عَلِيِّ الْجُبَيْعِيِّ نَفْلًا مِنْ حَظِّ الشَّهِيدِ رَحِمَهُ اللَّهُ عَلَيْهِمَا قَالَ الصَّادِقُ ع فِي الرَّجُلِ يُحُجُّ عَنْ آخَرَ لَهُ أَجْرٌ وَ ثَوَابٌ عَشْرٍ حِجَّجَ وَ يُعْفَرُ لَهُ وَ لِأَبِيهِ وَ لِأَبْنَيْهِ وَ لِأَبْنَيْهِ وَ لِأَخِيهِ وَ لِوَالِدَيْهِ وَ لِوَالِدَاتِهِ وَ لِجَاهِهِ وَ لِجَاهَتِهِ إِنَّ اللَّهَ وَاسِعٌ كَرِيمٌ.

I found in the handwriting of the Sheykh Muhammad Bin Ali Al-Jufy, copying from the handwriting of Al-Shaheed, may Allah^{-azwj} Mercy them, 'Al-Sadiq^{-asws} said regarding the man who performs Hajj on behalf of another: 'For him is Recompense and Rewards of ten Hajj, and (his sins) will be Forgiven for him, and for his father, and for his son, and for his daughter, and for his brother, and for his paternal aunt, and for his maternal uncle, and for his maternal aunt. Surely Allah^{-azwj} is Capacious, Benevolent!'"¹⁰⁶

14- كِتَابُ زَيْدِ النَّرْسِيِّ عَنْ عَلِيِّ بْنِ مَرْزُوقِ صَاحِبِ السَّابِرِيِّ قَالَ: أَوْصَى إِلَيَّ رَجُلٌ بِرَجُلَيْهِ وَ أَمَرَنِي أَنْ أَحُجَّ بِمَا عَنْهُ فَتَطَرْتُ ذَلِكَ فَإِذَا شَيْءٌ يَسِيرٌ لَا يَكُونُ لِلْحُجَّجِ سَأَلْتُ أَبَا حَنِيفَةَ وَ غَيْرَهُ فَقَالُوا تَصَدَّقْ بِهَا

The book of Zayd Al Narsy, from Ali Bin Mazeed, companion of Al Sabiry who said,

'A man bequeathed to me with his legacy and instructed me to perform Hajj with it on his behalf. I looked at that, and it was a little thing, cannot be (enough) for the Hajj. I asked Abu Hanifa and others. They said, 'Donate in charity with it!'

فَلَمَّا حَجَجْتُ لَقِيتُ عَبْدَ اللَّهِ بْنَ الْحَسَنِ فِي الطَّوَافِ فَقُلْتُ لَهُ ذَلِكَ فَقَالَ لِي هَذَا جَعْفَرُ بْنُ مُحَمَّدٍ فِي الْحِجْرِ فَسَلَّهُ

When I performed Hajj, I met Abdullah Bin Al-Hassan (Al-Basri) during the Tawaaf. I said that to him. He said to me, 'This here is Ja'far^{-asws} Bin Muhammad^{-asws} by the (Black) Stone. Ask him^{-asws}!'

قَالَ فَدَخَلْتُ الْحِجْرَ فَإِذَا أَبُو عَبْدِ اللَّهِ ع تَحْتَ الْمِيزَابِ مُقْبِلٌ بِوَجْهِهِ عَلَى الْبَيْتِ يَدْعُو ثُمَّ التَفَّتْ فَرَأَيْتُ فَقَالَ مَا حَاجَتُكَ

He said, 'I entered towards the (black) Stone, and there was Abu Abdullah^{-asws} beneath the spout facing with his^{-asws} face towards the House (Kabah), supplicating. Then he^{-asws} turned around and saw me. He^{-asws} said: 'What is your need?'

فَقُلْتُ جَعَلْتُ فِدَاكَ إِلَيَّ رَجُلًا مِنْ أَهْلِ الْكُوفَةِ مِنْ مَوَالِكُمْ

¹⁰⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 12

¹⁰⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 13

I said, 'May I be sacrificed for you^{-asws}! I am a man from the people of Al-Kufa, from your^{-asws} friends!'

فَقَالَ دَعِ مَا عَنْكَ حَاجَتَكَ

He^{-asws} said: 'Leave that from you! Your need?'

قَالَ قُلْتُ رَجُلٌ مَاتَ وَ أَوْصَى بِرَكْبَتِهِ إِلَيَّ وَ أَمَرَنِي أَنْ أُحْجَّ بِهَا عَنْهُ وَ نَظَرْتُ فِي ذَلِكَ فَوَجَدْتُهُ يَسِيرًا لَا يَكُونُ لِلْحَجِّ فَسَأَلْتُ مَنْ قَبَلْنَا فَقَالُوا لِي تَصَدَّقْ بِهِ

I said, 'A man died and bequeathed with his legacy to me and instructed me to perform Hajj with it on his behalf, and I looked into that and found it to be little, not being (enough) for the Hajj, so I asked the ones before us. They said to me, 'Donate with it to charity!''

فَقَالَ لِي مَا صَنَعْتَ

He^{-asws} said to me: 'What have you done?'

فَقُلْتُ تَصَدَّقْتُ بِهِ

I said, 'I have donated in charity with it!'

قَالَ ضَمِنْتَ إِلَّا أَنْ لَا يَكُونُ يَبْلُغُ أَنْ يُحْجَّ بِهِ مِنْ مَكَّةَ وَ إِنْ كَانَ يَبْلُغُ أَنْ يُحْجَّ بِهِ مِنْ مَكَّةَ فَأَنْتَ ضَامِنٌ وَ إِنْ لَمْ يَكُنْ يَبْلُغُ ذَلِكَ فَلَيْسَ عَلَيْكَ ضَمَانٌ.

He^{-asws} said: 'You are responsible, except if it cannot reach for Hajj to be performed with it from Makkah, and if would have reached for Hajj to be performed with it from Makkah, then you are responsible, and if it does not reach that, there is no responsibility upon you!'¹⁰⁷

15- دَعَائِمُ الْإِسْلَامِ، رُوَيْنَا عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّ رَجُلًا أَنَاهُ فَقَالَ إِنَّ أَبِي شَيْخٌ كَبِيرٌ لَمْ يَحْجَّ فَأَجْهَرُ رَجُلًا يُحْجُّ عَنْهُ

(The book) 'Da'aim Al-Islam' –

'We are reporting from Ja'far^{-asws} Bin Muhammad^{-asws} that a man came to him^{-asws}. He said, 'My father is an old man and he has not performed Hajj, so can I equip a man to perform Hajj on his behalf?'

قَالَ نَعَمْ إِنَّ امْرَأَةً مِنْ خَنْعَمٍ سَأَلَتْ رَسُولَ اللَّهِ ص أَنَّ تَحْجَّ عَنْ أَبِيهَا لِأَنَّهُ شَيْخٌ كَبِيرٌ فَقَالَ رَسُولُ اللَّهِ ص نَعَمْ فَأَفْعَلِي إِنَّهُ لَوْ كَانَ عَلَى أَبِيكَ دَيْنٌ فَقَضَيْتَهُ عَنْهُ أَجْرَاهُ ذَلِكَ.

He said: 'Yes! A woman from Khash'am had asked Rasool-Allah^{-saww} whether she can perform Hajj on behalf of her father because he is an old man. Rasool-Allah^{-saww} said: 'Yes', therefore do it! Even if there were debts upon your father, so you were to pay it off on his behalf, that would suffice him".¹⁰⁸

¹⁰⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 14

¹⁰⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 15

فالشيخ و العجوز إذا صاروا إلى حال الزمانة يحج عنهما بنوهما من أموالهما كما ذكرنا في كتاب الصوم أنهما إن لم يقدرنا على الصوم أفطرا و أطعما كل يوم مسكينا لأنهما في حال من لا يرجى له أن يطيق ما لم يطقه و كذلك هما في هذه الحال.

Note - As for the elderly man and woman, when they reach a state of infirmity, their children should perform Hajj on their behalf using their (the parents') wealth. This is similar to what we mentioned in the Book of Fasting, if they are unable to fast, they may break their fast and feed a needy person for each day. This is because they are in a state where it is not expected that they will regain the ability to perform what they could not. The same applies in this case.

16- وَ رُوِينَا عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ قَالَ: فِيمَنْ أَوْصَى أَنْ يُحَجَّ عَنْهُ بَعْدَ مَوْتِهِ حَجَّةَ الْإِسْلَامِ إِنْ وَقَّتَ ذَلِكَ مِنْ ثُلُثِهِ أُخْرِجَ مِنْ ثُلُثِهِ وَ إِنْ لَمْ يُوقِّتْهُ أُخْرِجَ مِنْ رَأْسِ الْمَالِ

And we are reporting from Ja'far^{asws} Bin Muhammad^{asws}, he^{asws} said regarding the one who bequeaths that Hajj should be performed after his death, the Hajj of Islam: 'If he has specified that from his third, it should be extracted from his one-third, and if he has not specified, it should be taken from the capital wealth (main estate).

فَإِنْ أَوْصَى أَنْ يُحَجَّ عَنْهُ وَ كَانَ قَدْ حَجَّ حَجَّةَ الْإِسْلَامِ فَذَلِكَ مِنْ ثُلُثِهِ وَ يُخْرَجُ عَنْهُ رَجُلٌ يُحَجُّ عَنْهُ وَ يُعْطَى أُجْرَتَهُ وَ مَا فَضَلَ مِنَ النَّقْفَةِ فَهُوَ لِلَّذِي أُخْرِجَ

If he has bequeathed that Hajj should be performed on his behalf, and he had already performed the Hajj of Al-Islam, that would be from his third, and a man would extract from it and perform Hajj on his behalf, and he would be given his wages, and whatever extra there may be left from the expenditure money, it is for the one who had gone out (performer).

وَ لَا تَأْسَ أَنْ يُخْرَجَ لِذَلِكَ مَنْ لَمْ يُحَجَّ عَنْ نَفْسِهِ فَإِنْ كَانَ قَدْ حَجَّ فَهُوَ أَفْضَلُ وَ لَا تُحَجُّ الْمَرْأَةُ عَنِ الرَّجُلِ إِلَّا أَنْ يَكُونَ لَا يُوجَدُ غَيْرُهَا أَوْ تَكُونَ أَفْضَلَ مَا وَجَدَ مِنَ الرَّجَالِ وَ أَقْوَمُهُمْ بِالْمَنَابِكِ.

And there is no problem if he goes out for that, someone who has not performed Hajj for himself. If he had performed Hajj, it is better, and the woman cannot perform Hajj on behalf of the man except if someone else could not be found, or if she happens to be better than what can be found from the men, and more capable (knowledgeable) than them with the rituals".¹⁰⁹

17- وَ عَنْهُ أَنَّهُ أَحَجَّ رَجُلًا عَنْ بَعْضِ وُلْدِهِ فَشَرَطَ عَلَيْهِ جَمِيعَ مَا يَصْنَعُهُ ثُمَّ قَالَ إِنَّكَ إِنْ قَضَيْتَ مَا شَرَطْنَا عَلَيْكَ كَانَ لِمَنْ حَجَّجْتَ عَنْهُ حَجَّةٌ وَ لَكَ بِمَا وَقَّيْتِ مِنَ الشَّرْطِ عَلَيْكَ وَ أَتَّعَبْتَ بِدَنَّاكَ أَجْرًا.

And from him, he sent a man to perform Hajj on behalf of one of his children and stipulated upon him all the actions to be performed. Then he said, 'If you fulfil what we have stipulated upon you, the Hajj will count for the one on whose behalf you are performing it, and you will also have a Reward for fulfilling the conditions and for exerting your body in the effort".¹¹⁰ (It is not a Hadeeth)

¹⁰⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 16

¹¹⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 17

18- وَ عَنْ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيٍّ صَلَوَاتُ اللَّهِ عَلَيْهِمْ أَنَّهُ قَالَ: مَنْ حَجَّ عَنْ غَيْرِهِ بِأَجْرٍ فَلَهُ إِذَا قَضَى الْحَجَّ أَنْ يَتَطَوَّعَ لِنَفْسِهِ بِمَا شَاءَ مِنْ عُمْرَةٍ أَوْ طَوَافٍ.

And from Abu Ja'far Muhammad^{-asws} Bin Ali^{-asws}, may the Salawaat of Allah^{-azwj} be upon them^{-asws}, he^{-asws} said: 'One who performs Hajj on behalf of someone else for wages, when he has fulfilled the Hajj, for him is to volunteer for himself with whatever he so desires to, whether Umrah, or Tawaaf'.¹¹¹

19- وَ عَنْهُ ص أَنَّهُ قَالَ: مَنْ حَجَّ عَنْ غَيْرِهِ فَلْيُقِلَّ عِنْدَ إِحْرَامِهِ اللَّهُمَّ إِنِّي أَحْسِبُ عَنْ فُلَانٍ فَتَقَبَّلْ مِنْهُ وَ اجْزِنِي عَلَى قَضَائِي عَنْهُ.

And from him^{-saww}, he^{-saww} said: 'One who performs Hajj on behalf of someone else, let him say at his consecration (donning Ihraam), 'O Allah^{-azwj}! I am performing Hajj on behalf of so and so, so Accept from him and Reward me upon my fulfilling on his behalf!'¹¹²

[باب 19 آداب التهيؤ للحج و آداب الخروج](#)

CHAPTER 19 – ETIQUETTES OF PREPARING FOR THE HAJJ AND ETIQUETTES OF THE GOING OUT

1- ل، الخصال الأزرعيمة، قَالَ أَمِيرُ الْمُؤْمِنِينَ ع إِذَا أَرَدْتُمْ الْحَجَّ فَتَقَدَّمُوا فِي شِرَاءِ الْحَوَائِجِ بَعْضَ مَا يُقْوِيكُمْ عَلَى السَّفَرِ فَإِنَّ اللَّهَ عَزَّ وَ جَلَّ يَقُولُ وَ نُوَ أَرَادُوا الْحُرُوجَ لِأَعْدُوا لَهُ عُدَّةً.

(The book) 'Al Khisaal' –

'Al-Arbamiya (Hadeeth), Amir Al-Momineen^{-asws} said: 'Whenever you intend the Hajj, so proceed in buying the needs (provisions) with part of what you will be subsisting upon the journey, for Allah^{-azwj} Mighty and Majestic Say: **And had they intended the going forth, they would have prepared for it with a preparation, [9:46]**'.¹¹³

2- ل، الخصال أبي وَ ابْنُ الْوَلِيدِ مَعَا عَنْ مُحَمَّدِ الْعَطَّارِ وَ أَحْمَدَ بْنِ إِدْرِيسَ مَعَا عَنْ الْأَشْعَرِيِّ عَنِ الْبُقَاطِيِّ رَفَعَهُ إِلَى أَبِي جَعْفَرٍ ع أَنَّهُ قَالَ: لَا يُمَآكَسُ فِي أَرْبَعَةِ أَشْيَاءَ فِي الْأُضْحِيَّةِ وَ الْكَفَنِ وَ تَمَنِ النَّسَمَةِ وَ الْكِرَاءِ إِلَى مَكَّةَ.

(The book) 'Al Khisaal' – My father and Ibn Al Waleed, both together from Muhammad Al Attar and Ahmad Bin Idrees, both together from Al Ash'ari raising it to,

Abu Ja'far^{-asws}, he^{-asws} said: 'There is no bargaining regarding four things – in the sacrificial animal, and the shroud, and the price of the person (freeing a slave), and the fare to Makkah'.¹¹⁴

3- ل، الخصال فيما أوصى به النبي ص علياً ع مثله.

¹¹¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 18

¹¹² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 18 H 19

¹¹³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 19 H 1

¹¹⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 19 H 2

(The book) 'Al Khisaal' –

'Among what the Prophet^{-saww} had bequeathed with to Ali^{-asws} – similar to it"¹¹⁵.

4- مَا جِئَلُوهُ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي حَبُوبٍ عَنْ أَبِي أُيُوبَ وَ مُحَمَّدِ بْنِ مُسْلِمٍ وَ مِنْهَالِ الْقَصَابِ مَعًا عَنِ الْبَاقِرِ ع قَالَ: مَنْ أَصَابَ مَالًا مِنْ أَرْبَعٍ لَمْ يُقْبَلْ مِنْهُ فِي أَرْبَعٍ مِنْ أَصَابَ مَالًا مِنْ غُلُولٍ أَوْ رِبَا أَوْ خِيَانَةٍ أَوْ سَرَقَةٍ لَمْ يُقْبَلْ مِنْهُ فِي زَكَاةٍ وَ لَا فِي صَدَقَةٍ وَ لَا فِي حَجٍّ وَ لَا فِي عُمْرَةٍ

Majaylawiya, from his father, from Al Barqy, from Ibn Mahboub, from Abu Ayoub and Muhammad Bin Muslim and Minhal Al Qassab altogether,

'From Al-Baqir^{-asws} having said: 'One who attain wealth from four, it will not be Accepted from him regarding four – One who attains wealth from 'Guloul' (stealing from war booty), or usury, or betrayal, or theft, it will not be Accepted from him in Zakat, nor in charity, nor in Hajj, nor in Umrah!'

وَ قَالَ أَبُو جَعْفَرٍ ع لَا يُقْبَلُ اللَّهُ عَزَّ وَ جَلَّ حَجًّا وَ لَا عُمْرَةً مِنْ مَالٍ حَرَامٍ.

And Abu Ja'far^{-asws} said: 'Allah^{-azwj} Mighty and Majestic neither Accepts a Hajj nor an Umrah performed from Prohibited wealth"¹¹⁶.

5- ل، الخصال أبي عن سعد بن ابن عيسى عن ابن أبي عمير و البرزطي معاً عن أنان بن عثمان عن أبي عبد الله ع قال: أَرْبَعٌ لَا يُجُزْنَ فِي أَرْبَعَةِ الْحَيَاةِ وَ الْغُلُولُ وَ السَّرِقَةُ وَ الرِّبَا لَا يُجُزُّ فِي الْحَجِّ وَ لَا فِي عُمْرَةٍ وَ لَا فِي صَدَقَةٍ.

(The book) 'Al Khisaal' – My father, from Sa'ad, from Ibn Isa, from Ibn Abu Umeyr and Al Bazanti, both together from Aban Bin Usman,

'From Abu Abdullah^{-asws} having said: 'Four are not allowed in four – the betrayal, and the 'Guloul' (stealing from the war booty), and the theft, and the usury are not allowed in the Hajj, nor in Umrah, nor Jihad, nor charity"¹¹⁷.

6- سن، المحاسن النوفلي عن السكوتي عن أبي عبد الله ع عن أبيه ع أَنَّ النَّبِيَّ ص حَمَلَ جَهَازَهُ عَلَى رَاحِلَتِهِ قَالَ هَذِهِ حَجَّةٌ لَا رِثَاءَ فِيهَا وَ لَا سُمْعَةَ

(The book) 'Al Mahasin' – Al Nowfaly, from Al Sakuni,

'From Abu Abdullah^{-asws}, from his^{-asws} father^{-asws}, 'The Prophet^{-saww} loaded his^{-as} provisions upon his mount. He^{-saww} said: 'This is a Hajj, there is neither showing off in it nor (for) reputation!'

تُمْ قَالَ مَنْ تَجَهَّرَ وَ فِي جَهَازِهِ عِلْمٌ حَرَامٌ لَمْ يُقْبَلِ اللَّهُ مِنْهُ الْحَجَّ.

Then he^{-saww} said: 'One who takes provisions and among his provision there is a Prohibited item (item acquired by Prohibited means), Allah^{-azwj} will not Accept the Hajj from him!"¹¹⁸

¹¹⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 19 H 3

¹¹⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 19 H 4

¹¹⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 19 H 5

¹¹⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 19 H 6

7- ضا، فقه الرضا عليه السلام إِذَا أَرَدْتَ الْخُرُوجَ إِلَى الْحَجِّ فَوَقِّرْ شَعْرَكَ شَهْرَ ذِي الْقَعْدَةِ وَ عَشْرَةَ مِنْ شَهْرِ ذِي الْحِجَّةِ وَ اجْمَعْ أَهْلَكَ وَ صَلِّ رَكَعَتَيْنِ وَ مَجِّدِ اللَّهَ عَزَّ وَ جَلَّ وَ صَلِّ عَلَى النَّبِيِّ ص وَ ارْفَعْ يَدَيْكَ إِلَى اللَّهِ وَ قُلْ

(The book) 'Fiqh Al-Reza^{-asws}', may the greeting be upon him^{-asws} – 'When you want to go out to Hajj, then grow your hair in the month of Zil Qadah and ten (days) from the month of Zil Hijjah, and gather your family members and pray two units Salat, and glorify Allah^{-azwj} Mighty and Majestic, and send Salawaat upon the Prophet^{-saww}, and raise your hands to Allah^{-azwj} and say: -

اللَّهُمَّ إِنِّي أَسْتَوْدِعُكَ أَيُّومَ دِينِي وَ نَفْسِي وَ مَالِي وَ أَهْلِي وَ وُلْدِي وَ جَمِيعَ جِيرَانِي وَ إِخْوَانِنَا الْمُؤْمِنِينَ وَ الشَّاهِدَ مِنَّا وَ الْعَائِبَ عَنَّا

'O Allah^{-azwj}! Today I entrust to You^{-azwj} my religion, and myself, and my wealth, and my family, and my children, and entirety of my neighbours, and our Momineen brothers, and the ones us present, and the ones absent from us'.

فَإِذَا خَرَجْتَ فَقُلْ بِحَوْلِ اللَّهِ وَ قُوَّتِهِ أَخْرُجُ

When you go out, then say, 'By the Might of Allah^{-azwj} and His^{-azwj} Strength I go out!'

فَإِذَا وَضَعْتَ رِجْلَكَ فِي الرِّكَابِ فَقُلْ بِسْمِ اللَّهِ وَ بِاللَّهِ وَ فِي سَبِيلِ اللَّهِ وَ عَلَى مِلَّةِ رَسُولِ اللَّهِ ص

When you have placed your legs in the stirrups, say, 'In the Name of Allah^{-azwj}, and by Allah^{-azwj}, and in the way of Allah^{-azwj} and upon the nation (religion) of Rasool-Allah^{-saww}!'

فَإِذَا اسْتَوَيْتَ عَلَى رَاجِلَيْكَ وَ اسْتَوَى بِكَ مَحْمَلُكَ فَقُلْ الْحَمْدُ لِلَّهِ الَّذِي هَدَانَا إِلَى الْإِسْلَامِ وَ مَنْ عَلَّمَنَا بِالْإِيمَانِ وَ عَلَّمَنَا الْقُرْآنَ وَ مَنْ عَلَّمَنَا بِحُمْدِ ص سُبْحَانَ الَّذِي سَخَّرَ لَنَا هَذَا وَ مَا كُنَّا لَهُ مُقْرِنِينَ وَ إِنَّا إِلَى رَبِّنَا لَمُنْقَلِبُونَ وَ الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ-

When you have stabilised upon your ride and your carriage is stable with you, then say, 'The Praise is for Allah^{-azwj} Who Guided us to Al-Islam, and Conferred upon us with the Eman, and Taught us the Quran, and Conferred upon us with Muhammad^{-saww}! ***'Glory be to the One Who Subjugated this one for us, and we were not capable for it [43:13] And we would be returning to our Lord' [43:14]!***

وَ عَلَيْكَ بِكَثْرَةِ الْإِسْتِغْفَارِ وَ التَّسْبِيحِ وَ التَّهْلِيلِ وَ التَّكْبِيرِ وَ الصَّلَاةِ عَلَى مُحَمَّدٍ وَ آلِهِ وَ حُسْنِ الْخُلُقِ وَ حُسْنِ الصِّحَابَةِ لِمَنْ صَحِبَكَ وَ كَطْمِ الْعَيْضِ وَ قَلْبَةِ الْكَلَامِ وَ إِتَاكَ وَ الْمُمَارَاةَ.

And upon you with frequently seeking the Forgiveness, and the glorification, and extolling the Oneness, and exclaiming the Greatness, and the Salawaat upon Muhammad^{-saww} and his^{-saww} Progeny^{-asws}, and having goodly mannerisms, and goodly accompaniment to the one accompanying you, and swallowing the rage, and less talking, and beware of the bitter arguments!¹¹⁹

¹¹⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 19 H 7

CHAPTER 20 – ETIQUETTES OF THE JOURNEY TO HAJJ IN THE SHIPS AND OTHER SUCH, AND IN IT ARE ETIQUETTES OF THE TRAVEL AS WELL

1- مع، معاني الأخبار ابْنُ الْمُتَوَكِّلِ عَنْ مُحَمَّدِ الْعَطَّارِ عَنِ ابْنِ أَبِي الْخَطَّابِ عَنْ مُحَمَّدِ بْنِ سِنَانَ عَنِ الْمُفَضَّلِ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: مَنْ رَكِبَ زَامِلَةً ثُمَّ وَقَعَ مِنْهَا فَمَاتَ دَخَلَ النَّارَ.

(The book) 'Ma'any Al Akhbar' – Ibn Al Mutawakkil, from Muhammad Al Attar, from Ibn Al Khattab, from Muhammad Bin Sinan, from Al Mufazzal,

'From Abu Abdullah^{asws} having said: 'One who rides a (water carrying) camel, then falls off from it and dies, will enter the Hellfire!''¹²⁰

قال الصدوق رحمه الله معنى ذلك أن الناس كانوا يركبون الزوامل فإذا أراد أحدهم النزول وقع من زاملته من غير أن يتعلق بشيء من الرحل فنهوا عن ذلك لئلا يسقط أحدهم متعمدا فيموت فيكون قاتل نفسه و يستوجب بذلك دخول النار

Al-Sadouq, may Allah^{azwj} Mercy him, said, 'The meaning of this is that people used to ride water-carriers, and when someone intended to dismount, they would fall from their mount without holding onto anything from the saddle. They were thus forbidden from doing so to prevent someone from deliberately falling, dying, and thereby becoming responsible for their own death, which would make them deserving of Hellfire.

و ليس هذا الحديث ينهي عن ركوب الزوامل و إنما هو نهي عن الوقوع منها من غير أن يتعلق بالرحل و الحديث الذي روي أن من ركب زاملة فليوص فليس ذلك أيضا ينهي عن ركوب الزاملة إنما هو الأمر بالوصية كما قيل من خرج في حج أو جهاد فليوص و ليس ذلك ينهي عن الحج و الجهاد و ما كان الناس يركبون إلا الزوامل و إنما المحامل محدثة لم تعرف فيما مضى.

This narration is not a Prohibition against riding water-carrier mounts, but rather a warning against falling from them without holding onto the saddle. As for the narration that states, 'Whoever rides a water-carrier mount should make a will', it is not a Prohibition against riding water carrier mounts either but rather a command to prepare a will, just as it is said, 'Whoever sets out for Hajj or Jihad should make a will'. This is not a prohibition against Hajj or Jihad, and at that time, people only used to ride mounts, as the carriages were a later invention and were not known in the past.

أقول قد مضى الأخبار في أبواب آداب الركوب و آداب السفر.

I say the related narrations have already been mentioned in the chapters on the etiquettes of riding and travel.

2- ل، الخصال أَبِي عَنْ سَعْدِ بْنِ أَبِي عَيْسَى عَنِ الْبَرْزَنْطِيِّ عَنِ الْمُفَضَّلِ بْنِ صَالِحٍ عَنْ مَيْشُورٍ عَنْ أَبِي جَعْفَرٍ ع قَالَ: مَا يُغْبَأُ بِمَنْ يَوْمَ هَذَا الْبَيْتِ إِذَا لَمْ يَكُنْ فِيهِ ثَلَاثُ خِصَالٍ وَرَعٌ يَحْجُزُهُ عَنْ مَعَاصِي اللَّهِ وَ حِلْمٌ يَمْلِكُ بِهِ غَضَبَهُ وَ حُسْنُ الصِّحَابَةِ لِمَنْ صَحِبَهُ.

(The book) 'Al Khisaal' – My father, from Sa'ad, from Ibn Isa, from Al Bazanty, from Mufazzal Bin Salih, from Maysour,

'From Abu Ja'far^{-asws} having said: 'There is no quality for the one visiting this House (Kabah) when there does not happen to be in him three characteristics – piety restraining him from disobeying Allah^{-azwj}, and forbearance to control his anger with, and goodly accompaniment to the one accompanying him".¹²¹

3- سن، المحاسن البرنطبي عن صفوان الجمال قال: قلت لأبي عبد الله ع إنَّ معي أهلي و أنا أريد الحج أشدُّ نَفَقَتِي فِي حَمَوِيَّ

(The book) 'Al Mahasin' – Al Bazanty, from Safwan Al Jammal who said,

'I said to Abu Abdullah^{-asws}, 'With me is my family and I intend the Hajj. Shall I tie my expense monies in my waistband?'

قَالَ نَعَمْ إِنَّ أَبِي كَانَ يَقُولُ مِنْ قُوَّةِ الْمَسَافِرِ حِفْظُ نَفَقَتِهِ.

He^{-asws} said: 'Yes! My^{-asws} father^{-asws} had said: 'It is from the strength of the traveller to protect his expense monies!''¹²²

4- سن، المحاسن ابن محبوب عن ابن أبي يعفور عن أبي عبد الله ع قَالَ قَالَ رَسُولُ اللَّهِ ص مَا مِنْ نَفَقَةٍ أَحَبَّ إِلَى اللَّهِ مِنْ نَفَقَةٍ فَصَدِّ وَ يُبْعَضُ الْإِسْرَافُ إِلَّا فِي حَجَّةٍ أَوْ عُمْرَةٍ.

(The book) 'Al Mahasin' – Ibn Mahboub, from Ibn Abu Yafour,

'From Abu Abdullah^{-asws} having said: 'Rasool-Allah^{-saww} said: 'There is no expenditure more beloved to Allah^{-azwj} than moderate expenditure, and He^{-azwj} Hates the extravagance except in a Hajj or Umrah".¹²³

5- سن، المحاسن ابن يزيد عن ابن أبي عمير عن عبد الله بن سنان عن أبي عبد الله ع قَالَ: حَجَّ عَلِيُّ بْنُ الْحُسَيْنِ ع عَلَى رَاحِلَةٍ عَشَرَ حِجَجٍ مَا قَرَعَهَا بِسَوْطٍ وَ لَقَدْ بَرَكْتَ بِهِ سَنَةً مِنْ سَنَوَاتِهِ فَمَا قَرَعَهَا بِسَوْطٍ.

(The book) 'Al Mahasin' – Ibn Yazeed, from Ibn Abu Umeyr, from Abdullah Bin Sinan,

'From Abu Abdullah^{-asws} having said: 'Ali Bin Al-Husayn^{-asws} performed Hajj upon a mount, ten Hajj. He^{-asws} did not knock it with a whip, and it had knelt with (under) him^{-asws} one year from his^{-asws} years but he^{-asws} still did not knock it with a whip".¹²⁴

6- سن، المحاسن مُحَمَّدُ بْنُ عَلِيٍّ عَنِ الْحَكَمِ بْنِ مَسْكِينٍ عَنْ أَيُّوبَ بْنِ أَعْيَنَ قَالَ: سَمِعْتُ الْوَلِيدَ بْنَ صَبِيحٍ يَقُولُ لِأَبِي عَبْدِ اللَّهِ ع إِنَّ أَبَا حَنِيفَةَ رَأَى هَلَالًا ذِي الْحِجَّةِ بِالْقَادِسِيَّةِ وَ شَهِدَ مَعَنَا عَرَفَةَ

(The book) 'Al Mahasin' – Muhammad Bin Ali, from Al Hakam Bin Miskeen, from Ayoub Bin Ayn who said,

¹²¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 20 H 2

¹²² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 20 H 3

¹²³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 20 H 4

¹²⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 20 H 5

'I heard Al Waleed Bin Sabeeh saying to Abu Abdullah^{-asws}, 'Abu Hanifa saw the crescent of Zil Hijjah at Al Qadisiyya and he attended Arafaah with us!'

فَقَالَ مَا لِهَذَا صَلَاةً مَا لِهَذَا صَلَاةً.

He^{-asws} said: 'There is no Salat for this one! There is no Salat for this one!'¹²⁵

7- سن، المحاسن في جامع البرزطي عن الحسين بن أبي العلاء قال: خرجنا إلى مكة نيف و عشرين رجلاً فكننت أذبح لهم في كل منزل شاء فلما دخلت على أبي عبد الله ع قال لي يا حسين و تذل المؤمن

(The book) 'Al Mahasin', in 'Jamie' of Al Bazanti, from Al-Husayn Bin Abu Al A'ala who said,

'We went out to Makkah being more than twenty men. I used to slaughter a sheep for them in every descent. When I entered to see Abu Abdullah^{-asws}, he^{-asws} said to me: 'O Abu Husayn, and you have humiliated the Momineen?'

فَقُلْتُ أَعُوذُ بِاللَّهِ مِنْ ذَلِكَ

I said, 'I seek Refuge with Allah^{-azwj} from that!'

فَقَالَ بَلَعِي أَنَّكَ كُنْتَ تَذْبَحُ لَهُمْ فِي كُلِّ مَنْزِلٍ شَاءَ

He^{-asws} said: 'It has reached me^{-asws} that you have been slaughtering a sheep for them in every descent?'

فَقُلْتُ مَا أَرَدْتُ إِلَّا اللَّهَ

I said, 'I did not intend except Allah^{-azwj}!

فَقَالَ أَمَا كُنْتَ تَرَى أَنَّ فِيهِمْ مَنْ يُحِبُّ أَنْ يَفْعَلَ فَعَلَكَ فَلَا يَتْلَعُ مَقْدَرُهُ ذَلِكَ فَتَقَاصِرُ إِلَيْهِ نَفْسُهُ

He Were you not seeing among them one who would have loved to do your deed, but his ability could not have reached that, so his soul felt despondent to it?'

فَقُلْتُ أَسْتَغْفِرُ اللَّهَ وَ لَا أَعُوذُ.

I said, 'I seek Forgiveness of Allah^{-azwj} and I will not repeat!'¹²⁶

8- كش، رجال الكشي محمد بن مسعود عن علي بن الحسين عن عمرو بن عثمان عن بعض أصحابنا عن أبي عبد الله ع قال: أتى قنبر أمير المؤمنين ع فقال هذا سائق الحج قد أتى و هو في الرحبة

(The book) 'Rijal' of Al Kashi – Muhammad Bin Masoud, from Ali Bin Al-Husayn, from Amro Bin Usman, from one of our companions,

¹²⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 20 H 6

¹²⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 20 H 7

'From Abu Abdullah^{-asws} having said: 'Qanbar came to Amir Al-Momineen^{-asws}. He said, 'This Hajj driver (in charge of Hajj) has come and he is in the courtyard!'

فَقَالَ لَا قَرَّبَ اللَّهُ دَارَهُ هَذَا حَاسِرُ الْحَاجِّ يُتَعَبُ الْبَهِيمَةَ وَ يُنْفِرُ الْحَاجَّ الْخُرُجِ إِلَيْهِ فَاطْرُدْهُ.

He^{-asws} said: 'May Allah^{-azwj} not Draw his house closer! This is a loser of the Hajj. He tires the animals and repels the Pilgrims. Go out to him and expel him!'¹²⁷

9- كَش، رجال الكشي مُحَمَّدُ بْنُ الْحُسَيْنِ وَ عُثْمَانُ بْنُ حَامِدٍ مَعَا عَنْ مُحَمَّدِ بْنِ يَزْدَادَ عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنِ الْمُزْخَرَفِ عَنْ عَبْدِ اللَّهِ بْنِ عُثْمَانَ قَالَ: دُكِرَ عِنْدَ أَبِي عَبْدِ اللَّهِ ع أَبُو حَنِيفَةَ السَّائِقِ وَ أَنَّهُ يَسِيرُ فِي أَرْبَعِ عَشْرَةَ فَقَالَ لَا صَلَاةَ لَهُ.

(The book) 'Rijal' of Al Kashi – Muhammad Bin Al-Hassan and Usman Bin Hamid, both together from Muhammad Bin Yazdad, from Muhammad Bin Al-Husayn, from Al Muzakhraf, from Abdullah Bin Usman who said,

'It was mentioned in the presence of Abu Abdullah^{-asws}, Abu Hanifa the driver (of Hajj camels), and he is travelling in fourteen (years). He^{-asws} said: 'There is no Salat for him!'¹²⁸

10- أَعْلَامُ الدِّينِ، قَالَ الْبَاقِرُ ع لِبَعْضِ شِبَعِيهِ وَ قَدْ أَرَادَ سَفَرًا فَقَالَ لَا تَسِيرَنَّ شِبْرًا وَ أَنْتَ حَافٍ وَ لَا تَنْزِلَنَّ عَنْ دَابَّتِكَ لَيْلًا إِلَّا وَ رِجْلَاكَ فِي حُفٍّ وَ لَا تَبُولَنَّ فِي نَقْفٍ وَ لَا تَذُوقَنَّ بَقْلَةً وَ لَا تَشْمَمَهَا حَتَّى تَعْلَمَ مَا هِيَ وَ لَا تَشْرَبَنَّ مِنْ سِقَاءٍ حَتَّى تَعْلَمَ مَا فِيهِ وَ لَا تَسِيرَنَّ إِلَّا مَعَ مَنْ تَعْرِفُ وَ احْذَرَنَّ مَنْ تَعْرِفُ.

(The book) 'A'lam Al Deen' –

'Al-Baqir^{-asws} said to one of his^{-asws} Shias, and he had intended a journey. He^{-asws} said: 'Do not travel a step while you are bare-footed, nor descend from your animal at night except your legs are in sandals, and do not urinate in a tunnel, and do not taste a vegetable nor smell it unless you know what it is, nor drink from a container until you know what is in it, nor travel except with the one you know, and beware of the one you know!'¹²⁹

أَقُول: قد مضى في أبواب السفر من كتاب الآداب و السنن كثير من الأخبار المناسبة لهذا فليراجع إليه.

I say, 'A lot of Ahadeeth have already passed in the chapters on the travelling from 'Kitab Al-Adaab Wal Al-Sunan' appropriate to this, so refer to it'.

¹²⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 20 H 8

¹²⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 20 H 9

¹²⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 20 H 10

CHAPTER 21 – A SUMMARY OF THE ETIQUETTES OF HAJJ

الآيات البقرة لَيْسَ الْبِرُّ بِالَّذِي تَأْتُوا الْبُيُوتَ مِنْ ظُهُورِهَا وَ لَكِنَّ الْبِرَّ مَنِ اتَّقَى وَ أْتُوا الْبُيُوتَ مِنْ أَبْوَابِهَا وَ اتَّقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ

The Verses – (Surah) Al Baqarah: **it isn't righteousness that you should be coming to the houses from its backs, but the righteous is one who fears; and come to the houses from its doors; and fear Allah, perhaps you may be successful [2:189].**

و قال تعالى وَ مَا تَفْعَلُوا مِنْ خَيْرٍ يَعْلَمُهُ اللَّهُ وَ تَزُودُوا فَإِنَّ خَيْرَ الزَّادِ التَّقْوَى

And the Exalted Said: **and whatever good you do, Allah Knows it; and provide (for yourselves), for the best provision is the piety [2:197].**

و قال تعالى لَيْسَ عَلَيْكُمْ جُنَاحٌ أَنْ تَبْتَغُوا فَضْلًا مِنْ رَبِّكُمْ

And the Exalted Said: **There isn't a crime upon you if you are seeking Grace from your Lord. [2:198].**

المائدة يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْلُوا شَعَائِرَ اللَّهِ وَ لَا الشَّهْرَ الْحَرَامَ وَ لَا الْهَدْيَ وَ لَا الْقَلَائِدَ وَ لَا آتِينَ الْبَيْتِ الْحَرَامِ يَبْتَغُونَ فَضْلًا مِنْ رَبِّهِمْ وَ رِضْوَانًا وَ إِذَا حَلَلْتُمْ فَاصْطَادُوا وَ لَا يَجْرِمَنَّكُمْ شَنَاؤُ قَوْمٍ أَنْ صَادُوا عَنْ الْمَسْجِدِ الْحَرَامِ أَنْ تَعْتَدُوا

(Surah) Al Maidah: **O you who believe! Do not violate the rituals of Allah nor the Sacred Month, nor the offerings, nor the sacrificial animals, nor ones resorting to the Sacred House seeking the Grace from their Lord and Pleasure; and when you are free (from the Ihram), then (you can) hunt, and do not let not hatred of a people – due to their hindering you from the Sacred Masjid – make you exceed the limits [5:2].**

الحج ذلك وَ مَنْ يُعْظَمَ حُرْمَاتِ اللَّهِ فَهُوَ خَيْرٌ لَهُ عِنْدَ رَبِّهِ وَ أُحِلَّتْ لَكُمْ الْأَنْعَامُ إِلَّا مَا يُنْتَلَى عَلَيْكُمْ فَاجْتَنِبُوا الرِّجْسَ مِنَ الْأَوْثَانِ وَ اجْتَنِبُوا قَوْلَ الزُّورِ

(Surah) Al Hajj: **That; and one who magnifies the Sanctities of Allah, so it would be better for him in the Presence of his Lord. And the cattle are Permissible for you except what is recited to you, therefore keep aside from the uncleanness of the idols and keep aside from the false words [22:30].**

حُنْفَاءَ لِلَّهِ غَيْرَ مُشْرِكِينَ بِهِ إِلَى قَوْلِهِ تَعَالَى وَ مَنْ يُعْظَمَ شَعَائِرَ اللَّهِ فَإِنَّهَا مِنْ تَقْوَى الْقُلُوبِ لَكُمْ فِيهَا مَنَافِعٌ إِلَى أَجَلٍ مُسَمًّى ثُمَّ حُلُّهَا إِلَى الْبَيْتِ الْعَتِيقِ.

Being upright for Allah, not associating anything with Him [22:31] – up to Words of the Exalted: and one who magnifies the rituals of Allah, so it is from the piety of the hearts [22:32] For you there are benefits therein up to a specified term, then their place (of sacrifice) is the Liberated House [22:33].

1- مص، مصباح الشريعة قَالَ الصَّادِقُ ع إِذَا أَرَدْتَ الْحَجَّ فَجَرِّدْ قَلْبَكَ لِلَّهِ مِنْ قَبْلِ عَزْمِكَ مِنْ كُلِّ شَاغِلٍ وَ حِجَابِ كُلِّ حَاجِبٍ وَ فَوْضْ أُمُورَكَ كُلَّهَا إِلَى خَالِقِكَ وَ تَوَكَّلْ عَلَيْهِ فِي جَمِيعِ مَا يَظْهَرُ مِنْ حَرَكَاتِكَ وَ سَكَنَاتِكَ

(The book) 'Misbah Al Sharia' –

'Al-Sadiq^{asws} said: 'Whenever you intend the Hajj, purify your heart for Allah^{azwj} from before your determination from every pre-occupation and veil of every veiling one, and entrust your affairs, all of them to your Creator and rely upon Him^{azwj} in the entirety of what is apparent from your movements and your stillness.

وَسَلِّمْ لِقَضَائِهِ وَحُكْمِهِ وَقَدْرِهِ وَوَدِّعِ الدُّنْيَا وَالرَّاحَةَ وَالْحَلْقَ وَالْحُرْجَ مِنْ حُقُوقِ تَلَزُّمِكَ مِنْ جِهَةِ الْمَخْلُوقِينَ وَ لَا تَعْتَمِدْ عَلَى زَادِكَ وَ رَاجِلَتِكَ وَ أَصْحَابِكَ وَ قُوَّتِكَ وَ شَبَابِكَ وَ مَالِكَ تَخَافَةَ أَنْ يَصِيرَ ذَلِكَ عَدُوًّا وَ وَبَالًا

And submit to His^{azwj} Decree and His^{azwj} Decision, and His^{azwj} Determination, and bid farewell to the world, and the comfort, and the people, and get out from rights necessitating you from the aspect of the created beings, and do not rely upon your provisions, and your mount, and your companions, and your strength, and your youthfulness, and your wealth fearing that might become an enemy and a disaster'.

قَالَ مَنْ ادَّعَى رِضَى اللَّهِ وَ اعْتَمَدَ عَلَى شَيْءٍ سِوَاهُ صَيَّرَهُ عَلَيْهِ عَدُوًّا وَ وَبَالًا لِيَعْلَمَ أَنَّهُ لَيْسَ لَهُ قُوَّةٌ وَ لَا حِيلَةٌ وَ لَا لِأَحَدٍ إِلَّا بِعِصْمَةِ اللَّهِ وَ تَوْفِيقِهِ وَ اسْتِعْدَادِ اسْتِعْدَادًا مَنْ لَا يَرْجُو الرُّجُوعَ

He^{asws} said: 'One claims (to be in) the Divine Pleasure of Allah^{azwj} and (instead) relied upon something besides Him^{azwj}, He^{azwj} will it an enemy to him and a disaster for him to know that there isn't any strength for him, nor means, nor for anyone except with Protection of Allah^{azwj} and His^{azwj} Inclination, and prepare a preparation of the one who does not hope for the returning.

وَ أَحْسِنِ الصُّحْبَةَ وَ رَاعِ أَوْقَاتَ فَرَائِضِ اللَّهِ وَ سُنَنِ نَبِيِّهِ ص وَ مَا يَجِبُ عَلَيْكَ مِنَ الْأَدَبِ وَ الْإِحْتِمَالِ وَ الصَّبْرِ وَ الشُّكْرِ وَ الشَّفَقَةِ وَ السَّخَاءِ وَ إِثَارِ الرَّادِّ عَلَى دَوَامِ الْأَوْقَاتِ

And be excellent of the companionship, and take care of timings of the obligations of Allah^{azwj} and Sunnah of His^{azwj} Prophet^{saww}, and whatever is obligated upon you from the etiquettes, and the tolerance, and the patience, and the appreciation, and the compassion, and the generosity, and preferring others for the provisions at all the times.

ثُمَّ اغْسِلْ بِمَاءِ التَّوْبَةِ الْخَالِصَةِ دُنُوبَكَ وَ الْبَسْ كِسْوَةَ الصِّدْقِ وَ الصَّفَاءِ وَ الْخُضُوعِ وَ الْخُشُوعِ وَ أَحْرِمِ عَنْ كُلِّ شَيْءٍ يَمْتَعُكَ مِنْ ذِكْرِ اللَّهِ وَ يَحْجُبُكَ عَنْ طَاعَتِهِ وَ لَبِّ بِمَعْنَى إِجَابَةِ صَافِيَةٍ خَالِصَةٍ زَاكِيَةٍ لِلَّهِ عَزَّ وَ جَلَّ فِي دَعْوَتِكَ مُتَمَسِّكًا بِالْعُرْوَةِ الْوُثْقَى

Then wash off your sins with the water of sincere repentance, and wear the clothing of truthfulness, and the purity, and the humbleness, and the fearfulness, and consecrate from all things preventing you from Zikr of Allah^{azwj} and obstructing you from obeying Him^{azwj}, and exclaim Talbiyya with the meaning of clear, sincere response, purely for Allah^{azwj} Mighty and Majestic in your supplication, holding on to the Firmest Handhold.

وَ طُفْ بِقَلْبِكَ مَعَ الْمَلَائِكَةِ حَوْلَ الْعَرْشِ كَطَوَائِفِكَ مَعَ الْمُسْلِمِينَ بِنَفْسِكَ حَوْلَ الْبَيْتِ وَ هَرُولَ هَرَبًا مِنْ هَوَاكَ وَ تَبَرِّيًّا مِنْ جَمِيعِ حَوْلِكَ وَ قُوَّتِكَ وَ الْحُرْجِ عَنْ عَقْلَتِكَ وَ زَلَّتِكَ بِخُرُوجِكَ إِلَى مَنِيٍّ وَ لَا تَتَمَسَّ مَا لَا يَحِلُّ لَكَ وَ لَا تَسْتَحِفَّهُ

And perform Tawaaf with your heart as being with the Angels around the Throne like your Tawaaf with the Muslims with yourself around the House (Kabah), and sprint fleeing from your personal desires, and disavow from the entirety of your might and your strength, and get out from your heedlessness and your slips at your exit to Mina, and do not wish for what is not Permissible for you and you are not deserving of it.

وَ اعْتَرَفَ بِالْخَطَايَا بِعَرَفَاتٍ وَ جَدَّدَ عَهْدَكَ عِنْدَ اللَّهِ بِوَحْدَانِيَّتِهِ وَ تَقَرَّبَ إِلَى اللَّهِ وَ اتَّقِهْ بِمُزْدَلِفَةَ وَ اصْعَدَ بِرُوحِكَ إِلَى الْمَلَأِ الْأَعْلَى بِصُغُودِكَ إِلَى الْجَبَلِ وَ اذْبَحْ حَنْجَرَةَ الْهُوَى وَ الطَّمَعِ عِنْدَ الدَّبِيحَةِ

And acknowledge with the misdeeds at Arafaah, and renew your pact in the Presence of Allah^{-azwj} of His^{-azwj} Oneness, and draw closer to Allah^{-azwj} and fear Him^{-azwj} at Muzdalifa, and ascend with your soul to the exalted assembly with your ascending to the mountain, and slaughter the throat of the personal desires and the greed during the slaughtering (of the sacrificial animals).

وَ اِزِمِ الشَّهَوَاتِ وَ الْحَسَّاسَةَ وَ الدَّنَاءَةَ وَ الْأَفْعَالَ الدَّمِيمَةَ عِنْدَ رَمِي الْجَمْرَاتِ وَ اِخْلِقِ الْعُيُوبَ الظَّاهِرَةَ وَ الْبَاطِنَةَ بِخَلْقِ شَعْرِكَ وَ اَدْخُلْ فِي أَمَانِ اللَّهِ وَ كَنَفِهِ وَ سِتْرِهِ وَ كِلَاءَتِهِ مِنْ مُتَابَعَةِ مُزَادِكَ بِدُخُولِكَ الْحَرَمِ

And pelt the lustful desires and the despicableness, and the lowliness, and the condemnable actions at pelting of the rocks, and shave off the faults, the apparent and the hidden, at shaving your (head) hair, and enter in the Security of Allah^{-azwj} and His^{-azwj} Canopy, and His^{-azwj} Covering, and His^{-azwj} Care from pursuing your wants at your entering the Sanctuary.

وَ زُرِ الْبَيْتَ مُتَحَقِّقًا لِتَعْظِيمِ صَاحِبِهِ وَ مَعْرِفَةِ جَلَالِهِ وَ سُلْطَانِهِ وَ اسْتَلِمِ الْحَجَرَ رِضَاءً بِقِسْمَتِهِ وَ خُضُوعًا لِعِزَّتِهِ وَ وَدِّعْ مَا سِوَاهُ بِطَوَافِ الْوَدَاعِ

And visit the House (Kabah) realising the reverence of its Owner, and recognise His^{-azwj} Majesty, and His^{-azwj} Authority, and kiss the (Black) Stone be satisfied with His^{-azwj} Decree and humbleness to His^{-azwj} Might, and bid farewell to whatever is beside Him^{-azwj} at the farewell Tawaaf.

وَ أَصْفِ رُوحَكَ وَ سِرِّكَ لِلِقَاءِ اللَّهِ يَوْمَ تَلْقَاهُ بِوُفُوفِكَ عَلَى الصَّفَا وَ كُنْ ذَا مُرُوءٍ مِنَ اللَّهِ نَقِيًّا أَوْصَافُكَ عِنْدَ الْمُرُوءِ وَ اسْتَقِمْ عَلَى شَرْطِ حَجَّتِكَ وَ وِفَاءِ عَهْدِكَ الَّذِي عَاهَدْتَ بِهِ مَعَ رَبِّكَ وَ أَوْجِبْتَ لَهُ إِلَى يَوْمِ الْقِيَامَةِ

And clean your soul and your secrets for meeting Allah^{-azwj} on the Day you meet Him^{-azwj} at your pausing upon Al Safa, and be with magnanimity from Allah^{-azwj} with your attributes being pure at Al Marwa, and be steadfast upon the conditions of your Hajj and be loyal with your pact which you had made a pact with, with your Lord^{-azwj} and obligated for it up to the Day of Qiyamah!

وَ اعْلَمْ بِأَنَّ اللَّهَ تَعَالَى لَمْ يَفْتَرِضِ الْحُجَّ وَ لَمْ يَخْصُصْهُ مِنْ جَمِيعِ الطَّاعَاتِ بِالْإِضَافَةِ إِلَى نَفْسِهِ بِقَوْلِهِ عَزَّ وَ جَلَّ وَ لِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنْ اسْتَطَاعَ إِلَيْهِ سَبِيلًا

And know that Allah^{-azwj} the Exalted did not Obligate the Hajj and did not Specialise it from the entirety of the acts of obedience with the addition to Himself^{-azwj}, due to Words of the Mighty and Majestic: **And for the Sake of Allah, Hajj of the House is incumbent** – during every year - **upon the people for the one has the capacity for a way to it; [3:97].**

وَلَا شَرَعَ نَبِيُّهُ ص سُنَّةً فِي خِلَالِ الْمَنَاسِكِ عَلَى تَرْتِيبِ مَا شَرَعَهُ إِلَّا لِإِسْتِغْدَادِ وَ الْإِشَارَةِ إِلَى الْمَوْتِ وَ الْقَبْرِ وَ الْبُعْثِ وَ الْقِيَامَةِ وَ فَصَّلَ بَيَانَ السَّابِقَةِ مِنَ الدُّخُولِ فِي الْجَنَّةِ أَهْلِهَا وَ دُخُولِ النَّارِ أَهْلِهَا بِمُشَاهَدَةِ مَنَاسِكِ الْحَجِّ مِنْ أَوَّلِهَا إِلَى آخِرِهَا لِأَوَّلِي الْأَبْتَابِ وَ أَوَّلِي النَّهْيِ.

And His^{azwj} Prophet^{saww} did not legislate any Sunnah in the midst of the rituals upon a sequence what he^{saww} had legislated it, except for the preparation and the indication to the death and the grave and the Resurrection and the Qiyamah, and he^{saww} detailed the previous explanation from entering into the Paradise of its people, and entering the Hellfire of its people, by attending the rituals of the Hajj, from its beginning to its end for the ones of understanding and ones of intellect”.¹³⁰

2- مجالس الشيخ، عن الحسين بن إبراهيم عن محمد بن وهبان عن محمد بن أحمد بن زكريا عن الحسن بن فضال عن علي بن عتبة عن علي بن موسى الحنطاط عن أبيه عن أبي جعفر ع أنه ذكر عنده رجلا فقال إن الرجل إذا أصاب مالا من حرام لم يقبل منه حج ولا عمرة ولا صلة رحم حتى أنه يفسد فيه الفرج.

(The book) ‘Majaalish’ of the sheykh – From Al-Husayn Bin Ibrahim, from Muhammad Bin Wahban, from Muhammad Bin Ahmad Bin Zakariya, from Al-Hassan Bin Fazzal, from Ali Bin Uqbah, from Ali Bin Musa Al Hannat, from his father,

‘From Abu Ja’far^{asws}, a man was mentioned in his^{asws} Presence. He^{asws} said: ‘A man, when he attains wealth from Prohibited means, neither a Hajj will be Accepted from him nor Umrah, nor connecting (helping) the kindred until he will corrupt the private parts in it’.¹³¹

[باب 22 المواقيت و حكم من آخر الإحرام عن الميقات أو قدمه عليه](#)

CHAPTER 22 – THE JUNCTURES AND RULING OF THE ONE DELAYS THE IHRAAM FROM THE JUNCTURE OR PRECEDES UPON IT

1- ج، الإحتجاج كتب الحيمري إلى القائم ع يسأله عن الرجل يكون معه بعض هؤلاء و متصلا بهم يحج و يأخذ على الجادة و لا يحرم هؤلاء من المسنخ فهنا يجوز لهذا الرجل أن يؤخر إحرامه إلى ذات عزي فيحرم معهم لما يخاف من الشهرة أم لا يجوز إلا أن يحرم من المسنخ

(The book) ‘Al Ihtijaj’ –

‘Al-Himeyri wrote to Al-Qaim^{ajfi} asking him^{ajfi} about the man, some of them happen to be with him and he travels with them to perform Hajj, and he takes upon the main road and they do not put on Ihraam from the route. Is it allowed for this man to delay putting on his Ihraam to Zat Irq so he can put on Ihraam with them when he fears from the publicity, or it is not allowed except if he puts on Ihraam from the route?’

الجواب يحرم من ميقاته ثم يلبس الثياب و يلبي في نفسه و إذا بلغ إلى ميقاتهم أظهر.

¹³⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 21 H 1

¹³¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 21 H 2

The answer: 'He should put on Ihraam from its juncture, then he should wear the clothes, and he should exclaim Talbiyya within himself, and when he reaches to their juncture, he can reveal".¹³²

2- ب، قرب الإسناد عليّ عن أخيه ع قال: سألتُه عن إحرام أهل الكوفة وأهل خراسان ومن يليهم وأهل السند ومصر من أين هو

(The book) 'Qurb Al Isnaad' –

'Ali, from his brother (Al-Kazim^{asws}), he said, 'I asked him^{asws} about Ihraam by the people of Al-Kufa and people of Khurasan and the ones following them, and the people of Sind and Egypt, 'From where is it?'

قال إحرام أهل العراق من العقيق ومن ذي الحليفة وأهل الشام من الجحفة وأهل اليمن من قرن المنازل وأهل السند من البصرة أو مع أهل البصرة.

He^{asws} said: 'Ihraam of the people of Iraq is from Al-Aqeeq, and from Zil Huleyfa, and (for) the people of Syria is from Al-Johfa, and (for) the people of Yemen is from Qarnal Manazil, and (for) the people of Sind is from Basra or with the people of Basra".¹³³

3- قال: وسألتُه عن تجريد الصبيان في الإحرام من أين هو

He said, 'And I asked him^{asws} about changing the children into Al-Ihraam, 'From where is it?'

قال كان أبي يجردهم من فخ.

He^{asws} said: 'My^{asws} father^{asws} used to change them from Fakh".¹³⁴

4- قال: وسألتُه عن رجل ترك الإحرام حتى انتهى إلى الحرم كيف يصنع

He said, 'And I asked him^{asws} about a man who neglects the Ihraam until he ends to the Sanctuary, 'How should he deal with it?'

قال يرجع إلى ميقات أهل بلده الذي يُحرمون منه فيحرم.

He^{asws} said: 'He should return to a juncture for the people of his city which they are consecrating from, so he should consecrate".¹³⁵

5- قال: وسألتُه عن رجل ترك الإحرام حتى انتهى إلى الحرم فأحرم قبل أن يدخله قال إن كان فعل ذلك جاهلاً فليبين مكانه ليقتضي فإن ذلك يجزيه إن شاء الله وإن رجع إلى الميقات الذي يُحرم منه أهل بلده فهو أفضل.

He said, 'And I asked him^{asws} about a man who neglects the Ihraam until he ends up in the Sanctuary, so he puts on Ihraam before he enters it. He^{asws} said: 'If he had done that out of ignorance, let him specify his place for him to fulfil, for that will suffice him, if Allah^{azwj} so

¹³² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 1

¹³³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 2

¹³⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 3

¹³⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 4

Desires, but if he returns to the juncture which the people of his city had consecrated from, it would be better”.¹³⁶

6- قَالَ: وَ سَأَلْتُهُ عَنِ الْمُتَنَعَةِ فِي الْحَجِّ مِنْ أَيْنَ إِحْرَامُهَا وَ إِحْرَامُ الْحَجِّ

He said, ‘And I asked him^{-asws} about the Tamatto in the Hajj, ‘From where is it’s Ihraam and the Ihraam of Hajj?’

فَقَالَ وَقَّتَ رَسُولُ اللَّهِ ص لِأَهْلِ الْعِرَاقِ مِنَ الْعَقِيقِ وَ لِأَهْلِ الْمَدِينَةِ وَ مَنْ يَلِيهَا مِنَ الشَّجَرَةِ وَ لِأَهْلِ الشَّامِ وَ مَنْ يَلِيهَا مِنَ الْجُحْفَةِ وَ لِأَهْلِ الطَّائِفِ مِنْ قَرْنِ الْمَنَازِلِ وَ لِأَهْلِ الْيَمَنِ مَنْ يَلْمَلَمُ فَلَيْسَ لِأَحَدٍ أَنْ يَغْدُوَ مِنْ هَذِهِ الْمَوَاقِيتِ إِلَى غَيْرِهَا.

He^{-asws} said: ‘Rasool-Allah^{-saww} made it a juncture for the people of Iraq from Al-Aqeeq, and for the people of Medina and the ones surrounding it from Al-Shajarah, and for the people of Syria and the ones surrounding it from Al-Johfa, and for the people of Al-Taaif from Qarn Al-Manazil, and for the people of Yemen from Yalamlam. Thus, it isn’t for anyone to exceed from these junctures to somewhere else”.¹³⁷

7- ب، قَرَبَ الْإِسْنَادَ ابْنُ رِثَابٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ عَ عَنِ الْأَوْقَاتِ الَّتِي وَقَّتَهَا رَسُولُ اللَّهِ ص لِلنَّاسِ فَقَالَ إِنَّ رَسُولَ اللَّهِ ص وَقَّتَ لِأَهْلِ الْمَدِينَةِ دَا الْحُلَيْفَةَ وَ هِيَ الشَّجَرَةُ وَ وَقَّتَ لِأَهْلِ الشَّامِ الْجُحْفَةَ وَ وَقَّتَ لِأَهْلِ الْيَمَنِ قَرْنَ الْمَنَازِلِ وَ لِأَهْلِ نَجْدِ الْعَقِيقِ.

(The book) ‘Qurb Al Isnaad’ – Ibn Riaab said,

‘I asked Abu Abdullah^{-asws} about the junctures which Rasool-Allah^{-saww} had designated for the people. He^{-asws} said: ‘Rasool-Allah^{-saww} made it a juncture for the people of Medina at Zal Huleyfa, and it is Al-Shajarah, and made it a juncture for the people of Syria at Al-Johfa, and a juncture for the people of Yemen at Qarn Al-Manazil, and for the people of Najd at Al-Aqeeq”.¹³⁸

8- ب، قَرَبَ الْإِسْنَادَ مُحَمَّدُ بْنُ الْوَلِيدِ عَنِ ابْنِ بُكَيْرٍ قَالَ: حَجَّجْتُ فِي أَنْاسٍ مِنْ أَهْلِنَا فَأَرَادُوا أَنْ يُحْرِمُوا قَبْلَ أَنْ يَبْلُغُوا الْعَقِيقَ فَأَبَيْتُ عَلَيْهِمْ وَ قُلْتُ لَيْسَ الْإِحْرَامُ إِلَّا مِنَ الْوَقْتِ فَحَثِيبُ أَنْ لَا نَجِدَ الْمَاءَ فَلَمْ أَجِدْ بُدًّا مِنْ أَنْ أُحْرِمَ مَعَهُمْ

(The book) ‘Qurb Al Isnaad’ – Muhammad Bin Al Waleed, from Ibn Bukeyr who said,

‘I performed Hajj among some of our family members. They intended to consecrate before they reached Al-Aqeeq. I refused to them and said, ‘The Ihraam isn’t except from the juncture!’ I feared that I may not find the water so I could not find any escape from putting on Ihraam with them.

قَالَ فَدَخَلْنَا عَلَى أَبِي عَبْدِ اللَّهِ ع فَقَالَ لَهُ ضُرَيْسُ بْنُ عَبْدِ الْمَلِكِ إِنَّ هَذَا زَعَمَ أَنَّهُ لَا يَنْبَغِي الْإِحْرَامُ إِلَّا مِنَ الْعَقِيقِ قَالَ صَدَقَ

¹³⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 5

¹³⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 6

¹³⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 7

He said, 'We entered to see Abu Abdullah^{-asws}. Zureys Bin Abdul Malik said to him^{-asws}, 'This one claims that Putting on Ihraam is not appropriate except from the juncture!' He^{-asws} said: 'He speaks the truth!'

ثُمَّ قَالَ إِنَّ رَسُولَ اللَّهِ ص وَقَّتْ لِأَهْلِ الْمَدِينَةِ ذَا الْحُلَيْفَةِ وَ لِأَهْلِ الشَّامِ الْجُحْفَةَ وَ لِأَهْلِ الْيَمَنِ قَرْنَ الْمَنَازِلِ وَ لِأَهْلِ نَجْدِ الْعَرَبِ.

Then he^{-asws} said: 'Rasool-Allah^{-saww} had juncture for the people of Medina at Zal Huleyfa, and for the people of Syria at Al-Johfa, and for the people of Yemen at Qarn Al-Manazil, and for the people of Najd at Al-Aqeeq'¹³⁹.

9- ل، الخصال فِي حَبْرِ الْأَعْمَشِ عَنِ الصَّادِقِ ع قَالَ: لَا يَجُوزُ الْإِحْرَامُ قَبْلَ بُلُوغِ الْمَيْقَاتِ وَ لَا يَجُوزُ تَأْخِيرُهُ عَنِ الْمَيْقَاتِ إِلَّا لِمَرَضٍ أَوْ تَقِيَّةٍ.

(The book) 'Al Khisaal' – In a Hadeeth by Al Amsh,

'From Al-Sadiq^{-asws} having said: 'The Ihraam is not allowed before reaching the junctures, and it is not allowed to delay from the juncture except for a sick person or out of dissimulation (Taqiyya)''¹⁴⁰

10- ن، عيون أخبار الرضا عليه السلام أَبِي عَنْ سَعْدِ بْنِ أَبِي عَيْسَى عَنِ الْوَشَاءِ عَنِ الرِّضَا ع قَالَ: إِذَا أَهْلٌ هَلَالٌ ذِي الْحِجَّةِ وَ نَحْنُ بِالْمَدِينَةِ لَمْ يَكُنْ لَنَا أَنْ نُحْرِمَ بِالْحُجِّ لِأَنَّا نُحْرِمُ مِنَ الشَّجَرَةِ وَ هُوَ الَّذِي وَقَّتْ رَسُولُ اللَّهِ ص وَ أَنْتُمْ إِذَا قَدِمْتُمْ مِنَ الْعِرَاقِ فَأَهْلُ الْهَلَالِ فَلَكُمْ أَنْ تَعْتَمِرُوا لِأَنَّ بَيْنَ أَيْدِيكُمْ ذَاتَ عَرَبٍ وَ غَيْرَهَا يَمَا وَقَّتْ لَكُمْ رَسُولُ اللَّهِ ص

(The book) 'Uyoun Akhbar Al-Reza^{-asws}', may the greeting be upon him – My father, from Ibn Isa, from Al Washa,

'From Al-Reza^{-asws}: 'When the crescent of Zil Hijjah appears and we are at Al-Medina, it will not be for us that we consecrate for the Hajj, because we should consecrate from Al-Shajarah, and it is which Rasool-Allah^{-saww} had designated as a juncture, and when you arrive from Al-Iraq and the crescent appears, for you is to perform Umrah because in front of you is Zar Ireq and other (junctures) from what had been designated as a juncture for you by Rasool-Allah^{-saww}'.

فَقَالَ لَهُ الْفَضْلُ فَلْيَ الْآنَ أَنْ أَمْتَعُ وَ قَدْ طُفْتُ بِالْبَيْتِ

AlFazl said to him^{-asws}, 'So for me now is to perform Tamatto, and I have already performed Tawaaf of the House (Kabah)?'

فَقَالَ لَهُ نَعَمْ

He^{-asws} said to him: 'Yes'.

فَدَهَبَ بِمَا مُحَمَّدُ بْنُ جَعْفَرٍ إِلَى سُفْيَانَ بْنِ عُيَيْنَةَ وَ أَصْحَابِ سُفْيَانَ فَقَالَ لَهُمْ إِنَّ فُلَانًا قَالَ كَذَا وَ كَذَا فَشَنَّعَ عَلَيَّ أَبِي الْحَسَنِ ع.

¹³⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 8

¹⁴⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 9

Muhammad Bin Ja'far went with it to Sufyan Bin Uyayna and companions of Sufyan. He said to them, 'So and so has said such and such!' He uglified upon Abu Al-Hassan^{-asws}.¹⁴¹

11- ن، عيون أخبار الرضا عليه السلام فيما كتبت الرضا ع للمأمون و لا يجوز الإحرام دون الميقات.

(The book) 'Uyoun Akhbar Al-Reza^{-asws}', may the greeting be upon him – 'Among what Al-Reza^{-asws} wrote for Al-Mamoun: 'And the Ihraam is not allowed other than (from) the juncture''.¹⁴²

12- ع، علل الشرائع علي بن حاتم عن القاسم بن محمد عن حماد بن الحسين بن الحسين بن الوليد عن عمه ذكره قال: قلت لأبي عبد الله ع لأي علة أخرم رسول الله ص من الشجرة و لم يحرم من موضع دونه

(The book) 'Ilal Al Sharaie' – Ali Bin Hatim, from Al Qasim Bin Muhammad, from Hamdan Bin Al Husayn, from Al Husayn Bin Al Waleed, from the one who mentioned I t, said,

'I said to Abu Abdullah^{-asws}, 'For which reason did Rasool-Allah^{-saww} consecrate from Al-Shajarah and did not consecrate from a place other than it?'

قال لأنه لما أشرى به إلى السماء و صار بجذء الشجرة و كانت الملائكة تأتي إلى البيت المعمور بجذء المواضع التي هي مواقيت سوى الشجرة فلما كان في الموضع الذي بجذء الشجرة نودي يا محمد

He^{-asws} said: 'Because when he^{-saww} was ascended with to the sky and came to parallel to Al-Shajarah, and the Angels were coming to Al-Bayt Al-Mamour to parallel places which were junctures besides Al-Shajarah. When he^{-saww} was in the place which is parallel to Al-Shajarah, he^{-saww} was called out to: "O Muhammad^{-saww}!"

قال ص لبيك

He^{-saww} said: 'Here I^{-saww} am!'

قال ألم أجذك تيمماً فأويت و وجدتك ضالاً فهديت

He^{-azwj} Said: "Did I^{-azwj} not Find you^{-saww} an orphan so I^{-azwj} Sheltered, and Found you^{-saww} (among) the lost so I^{-azwj} Guided (them)?'

قال النبي ص إن الحمد و النعمة لك و الملك لا شريك لك لبيك

The Prophet^{-saww} said: 'The Praise and the bounties are Yours^{-azwj} and so is the Kingdom. There is no associate for You^{-azwj}! Here I^{-saww} am!'

فذلك أكرم من الشجرة دون المواضع كلها.

¹⁴¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 10

¹⁴² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 11

For that (reason) he^{-saww} consecrated from Al-Shajarah, rather than all the (other) places”.¹⁴³

13- ع، علل الشرائع أَبِي عَنْ سَعْدِ عَنْ أُيُوبَ بْنِ نُوحٍ عَنْ صَفْوَانَ بْنِ بَحْجَى عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ قَالَ قَالَ أَبُو عَبْدِ اللَّهِ عِ اعْلَمُوا أَنَّ مِنْ تَمَامِ الْحَجِّ وَالْعُمْرَةِ أَنَّ مُحْرَمًا مِنَ الْوَقْتِ الَّذِي وَقَّتَهُ رَسُولُ اللَّهِ ص لَا تَتَجَاوَزُهُ إِلَّا وَأَنْتَ مُحْرَمٌ فَإِنَّهُ وَقَّتَ لِأَهْلِ الْعِرَاقِ وَلَمْ يَكُنْ يَوْمَئِذٍ عِرَاقٌ بَطْنُ الْعَقِيقِ مِنْ قِبَلِ الْعِرَاقِ

(The book) 'Ilal Al Sharaie' – My father, from Sa'ad, from Ayoub Bin Nuh, from Safwan Bin Yahya, from Muawiya Bin Ammar who said,

'Abu Abdullah^{-asws} said: 'Know that from completion of the Hajj and the Umrah is that you should consecrate from the juncture which Rasool-Allah^{-saww} had designated as a juncture, not exceeding it except and you are in Ihraam, for he^{-saww} had designated a juncture for the people of Iraq, and on that that Batn Al Aqeeq did not happen to be (included in) Iraq, from the direction of Iraq.

وَقَّتَ لِأَهْلِ الطَّائِفِ قَرْنَ الْمَنَازِلِ وَ وَقَّتَ لِأَهْلِ الْمَغْرِبِ الْجُحْفَةَ وَ هِيَ عِنْدَنَا مَكْتُوبَةٌ مَهْبِغَةٌ وَ وَقَّتَ لِأَهْلِ الْمَدِينَةِ ذَا الْحُلَيْفَةِ وَ وَقَّتَ لِأَهْلِ الْيَمَنِ يَلْمَلَمَ وَ مَنْ كَانَ مَنْزِلُهُ بِخَلْفِ هَذِهِ الْمَوَاقِيتِ بِمَا بَلَى مَكَّةَ فَوَقَّتَهُ مَنْزِلُهُ.

And he^{-saww} designated a juncture for the people of Al Taaif at Qarn Al Manazil, and juncture for the people of Al Maghrib at Al Johfa, and it is written with us as 'Mahya', and he^{-saww} juncture for the people of Medina at Zal Huleyfa, and juncture for the people of Yemen at Yalamlam, and the one whose house was behind these junctures from what follows Makkah, his juncture is his house”.¹⁴⁴

14- ع، علل الشرائع أَبِي عَنْ عَلِيِّ بْنِ أَبِيهِ عَنْ صَفْوَانَ بْنِ بَحْجَى عَنْ أَبِي أُيُوبَ الْحُرَّازِيِّ قَالَ: قُلْتُ لِأَبِي عَبْدِ اللَّهِ عِ حَدِّثْنِي عَنِ الْعَقِيقِ وَقَّتَ وَقَّتَهُ رَسُولُ اللَّهِ ص أَوْ شَيْءٌ صَنَعَهُ النَّاسُ

(The book) 'Ilal Al Sharaie' – My father, from Ali, from his father, from Safwan Bin Yahya, from Abu Ayoun Al Khazzaz who said,

'I said to Abu Abdullah^{-asws}, 'Narrate to me about Al Aqeeq as a juncture which Rasool-Allah^{-saww} had made it a juncture, or it is something the people have done?'

فَقَالَ إِنَّ رَسُولَ اللَّهِ ص وَقَّتَ لِأَهْلِ الْمَدِينَةِ ذَا الْحُلَيْفَةِ وَ وَقَّتَ لِأَهْلِ الْمَغْرِبِ الْجُحْفَةَ وَ هِيَ عِنْدَنَا مَكْتُوبَةٌ مَهْبِغَةٌ وَ وَقَّتَ لِأَهْلِ الْيَمَنِ يَلْمَلَمَ وَ وَقَّتَ لِأَهْلِ الطَّائِفِ قَرْنَ الْمَنَازِلِ وَ وَقَّتَ لِأَهْلِ نَجْدِ الْعَقِيقِ وَ مَا أُجِدَّتْ.

He^{-asws} said: 'Rasool-Allah^{-saww} made a juncture for the people of Medina at Zal Huleyfa, and juncture for the people of Maghrib at Al Johfa, and with us it is written as 'Mahya', and a juncture for the people of Yemen at Yalamlam, and juncture at Al Taaif at Qarn Al Manazil, and juncture for the people of Najd at Al Aqeeq and whatever lies within it”.¹⁴⁵

15- ع، علل الشرائع ابْنُ الْوَلِيدِ عَنِ ابْنِ أَبِيهِ عَنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنْ حَمَّادِ بْنِ عِيسَى وَ فَضَّالَةَ عَنْ مُعَاوِيَةَ قَالَ: قُلْتُ لِأَبِي عَبْدِ اللَّهِ عِ إِنَّ مَعِيَ وَالِدِي وَ هِيَ وَجِعَةٌ

¹⁴³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 12

¹⁴⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 13

¹⁴⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 14

(The book) 'Ilal Al Sharaie' – Ibn Al Waleed, from Ibn Aban, from Al Husayn Bin Saeed, from Hammad Bin Isa and Fazalah, from Muawiya who said,

'I said to Abu Abdullah^{-asws}, 'With me are my mother and she is in pain'.

فَقَالَ قُلْنَا لَهَا فَلْتَنْحَرِمِ مِنْ آخِرِ الْوَقْتِ فَإِنَّ رَسُولَ اللَّهِ ص وَقَّتْ لِأَهْلِ الْمَدِينَةِ ذَا الْحُلَيْفَةِ وَ لِأَهْلِ الْمَغْرِبِ الْجُحْفَةَ

He^{-asws} said: 'Say to her to don Ihraam from the last juncture, for Rasool-Allah^{-saww} had made a juncture for the people of Medina at Zal Huleyfa, and the people of Al Maghrib at Al Johfa'.

قَالَ فَأَحْرَمْتُ مِنَ الْجُحْفَةِ.

He said, 'So I consecrated from Al Johfa'¹⁴⁶

16- ع، علل الشرائع ابنُ الْمُتَوَكَّلِ عَنْ مُحَمَّدِ الْحَمِيرِيِّ عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ مَجْبُوبٍ عَنْ إِبْرَاهِيمَ الْكَرْخِيِّ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنْ رَجُلٍ أَحْرَمَ بِحُجَّةٍ فِي غَيْرِ أَشْهُرِ الْحَجِّ مِنْ دُونِ الْوَقْتِ الَّذِي وَقَّتَ رَسُولُ اللَّهِ ص

(The book) 'Ilal Al Sharaie' – Ibn Al Mutawakkil, from Muhammad Al Himeyri, from Ahmad Bin Muhammad, from Ibn Mahboub, from Ibrahim Al Karkhy who said,

'I asked Abu Abdullah^{-asws} about a man who consecrates for Hajj in other than the months of Hajj, from other than the juncture which Rasool-Allah^{-saww} had designated as juncture.

فَقَالَ لَيْسَ إِحْرَامُهُ بِشَيْءٍ إِنْ أَحَبَّ أَنْ يَرْجِعَ إِلَى مَنْزِلِهِ فَلْيَرْجِعْ وَ لَا أَرَى عَلَيْهِ شَيْئاً وَ إِنْ أَحَبَّ أَنْ يَمْضِيَ فَلْيَمْضِ فَإِذَا انْتَهَى إِلَى الْوَقْتِ فَلْيُحْرِمِ مِنْهُ وَ يَجْعَلْهَا عُمْرَةً فَإِنَّ ذَلِكَ أَفْضَلُ مِنْ رُجُوعِهِ لِأَنَّهُ أَعْلَنَ الْإِحْرَامَ بِالْحَجِّ.

He^{-asws} said: 'His Ihraam isn't with anything (of consequence), and if he loves to return to his house, let him return and I don't see anything (penalty) upon him, and if he loves he can continue. When he ends to the juncture, let him consecrate from it and make it an Umrah, for that is better than his returning, because he had announced the Ihraam for the Hajj'¹⁴⁷.

17- مع، معاني الأخبار أَبِي عَنْ سَعْدِ بْنِ الرَّبِيعِ عَنْ يَحْيَى بْنِ إِبْرَاهِيمَ بْنِ أَبِي الْبَلَادِ عَنْ أَبِيهِ عَنْ عَبْدِ اللَّهِ بْنِ عَطَاءٍ قَالَ: قُلْتُ لِأَبِي جَعْفَرٍ ع إِنَّ النَّاسَ يَقُولُونَ إِنَّ عَلِيَّ بْنَ أَبِي طَالِبٍ ع قَالَ إِنَّ أَفْضَلَ الْإِحْرَامِ أَنْ تُحْرِمَ مِنْ دُوَيْرَةِ أَهْلِكَ

(The book) 'Ma'any Al Akhbaar' – My father, from Sa'ad, from Al Barqy, from Yahya Bin Ibrahim Bin Abu Al Bilaad, from his father, from Abdullah Bin Ata'a. He said,

'I said to Abu Ja'far^{-asws}, 'The people are saying that Ali^{-asws} Bin Abu Talib^{-asws} said: 'The best of the Ihraam is that one should consecrate from houses of your families!'

قَالَ فَأَنْكَرَ ذَلِكَ أَبُو جَعْفَرٍ فَقَالَ إِنَّ رَسُولَ اللَّهِ ص كَانَ مِنْ أَهْلِ الْمَدِينَةِ وَ وَقَّتَهُ مِنْ ذِي الْحُلَيْفَةِ وَ إِذَا كَانَ بَيْنَهُمَا سِتَّةَ أَفْيَالٍ وَ لَوْ كَانَ فَضْلاً لِأَحْرَمِ رَسُولُ اللَّهِ ص مِنَ الْمَدِينَةِ وَ لَكِنَّ عَلِيّاً صَلَّى صَلَوَاتُ اللَّهِ عَلَيْهِ كَانَ يَقُولُ تَمَتُّعُوا مِنْ تِيَابِكُمْ إِلَى وَقْتِكُمْ.

¹⁴⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 15

¹⁴⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 16

He said, 'Abu Ja'far^{-asws} denied that. He^{-asws} said: 'Rasool-Allah^{-saww} was from the people of Al-Medina, and he^{-saww} designated a juncture from Zil Huleyfa, and rather between the two are six miles, and had there been any merit, Rasool-Allah^{-saww} would have consecrated from Al-Medina, but Ali^{-asws}, may the Salawaat of Allah^{-azwj} be upon him^{-asws} had said: 'Enjoy from your clothes up to your junctures!''¹⁴⁸

18- سن، المحاسن ابن فضال عن علي بن عتبة عن ميسر قال: دخلت على أبي عبد الله ع و أنا متعير اللون فقال من أين أحرمت

(The book) 'Al Mahasin' – Ibn Fazzal, from Ali Bin Uqba, from Muyassir who said,

'I entered to see Abu Abdullah^{-asws} and I was of changed colour (complexion). He^{-asws} said: 'From where did you consecrate?'

قلت من موضع كذا وكذا ليس من المواقيت المعروفة

I said, 'From such and such place. It isn't from the well-known junctures'.

قال رب طالب خير تزل قدمه

He^{-asws} said: 'Sometimes a seeker of goodness, his foot slips'.

ثم قال أيسرك أنك صليت الظهر في السفر أربعاً

Then he^{-asws} said: 'Would I t cheer you to pray Al Zohr Salat during the journey as four units?'

قلت لا

I said, 'No'.

قال فهو ذلك.

He^{-asws} said: 'It is that!''¹⁴⁹

19- ضا، فقه الرضا عليه السلام إن رسول الله ص وقت لأهل العراق العتيق وأوله المسلخ و وسطه عمرة و آخره ذات عرق وأوله أفضل

(The book) 'Fiqh Al-Reza^{-asws}' – Rasool-Allah^{-saww} designated a juncture for the people of Al-Iraq at Al-Aqeeq, and its beginning is Al-Maslakh, and its middle is Gamra, and its end is Zat Irq, and its beginning is better.

و وقت لأهل الطائف قرن المنارل و وقت لأهل المدينة ذا الحليفة و هي مسجد الشجرة و وقت لأهل اليمن يللمم و وقت لأهل الشام المهيعة و هي الجحفة

¹⁴⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 17

¹⁴⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 18

And he^{-saww} designated a juncture for the people of Al-Taaif at Qarn Al-Manazil, and a juncture for the people of Al-Medina at Zal Huleyfa, and it is Masjid Al-Shajarah, and a juncture for the people of Yemen at Yalamlam, and a juncture for the people of Syria at Al-Mahiya, and it is Al-Johfa.

وَمَنْ كَانَ مَنْزِلُهُ دُونَ هَذِهِ الْمَوَاقِيتِ مَا بَيْنَهَا وَ بَيْنَ مَكَّةَ فَعَلَيْهِ أَنْ يُحْرِمَ مِنْ مَنْزِلِهِ وَ لَا يُجُوزُ الْإِحْرَامُ قَبْلَ بُلُوغِ الْمِيقَاتِ وَ لَا يُجُوزُ تَأْخِيرُهُ عَنِ الْمِيقَاتِ إِلَّا لِعَلَلٍ أَوْ تَقْيَةٍ فَإِذَا كَانَ الرَّجُلُ عَلِيلاً أَوْ اتَّقَى فَلَا بَأْسَ بِأَنْ يُؤَخِّرَ الْإِحْرَامَ إِلَى ذَاتِ عَرْقٍ.

And one whose house was less than these junctures, what is between it and Makkah, upon him is to consecrate from his house, and the Ihraam is not allowed before reaching the juncture, and it is not allowed to delay it except due to an illness or out of dissimulation (Taqiyya). If the man was sick or in Taqiyya, there is no problem if he delayed the Ihraam up to Zat Irq".¹⁵⁰

20- دَعَائِمُ الْإِسْلَامِ، رُوِيَ عَنِ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ قَالَ: وَ الْإِحْرَامُ مِنْ مَوَاقِيتِ حَمْسَةٍ وَقَتَّهَا رَسُولُ اللَّهِ ص

(The book) 'Da'aim Al Islam' –

'We are reporting from Ja'far^{-asws} Bin Muhammad^{-asws}, he^{-asws} said: 'And the Ihraam is from five junctures. Rasool-Allah^{-saww} had designated these as junctures!

فَوَقَّتْ لِأَهْلِ الْمَدِينَةِ ذَا الْحُلَيْفَةِ وَ هُوَ مَسْجِدُ الشَّجَرَةِ وَ لِأَهْلِ الشَّامِ الْحُحْفَةَ وَ لِأَهْلِ الْيَمَنِ يَلْمَلَمَ وَ لِأَهْلِ الطَّائِفِ قَرْنَ الْمَنَازِلِ وَ لِأَهْلِ نَجْدِ الْعَقِيقِ فَهَذِهِ الْمَوَاقِيتُ لِأَهْلِ هَذِهِ الْمَوَاضِعِ وَ لِمَنْ جَاءَ مِنْ جِهَاتِهَا مِنْ أَهْلِ الْبُلْدَانِ.

He^{-saww} made it a juncture for the people of Al-Medina at Za Al-Huleyfa, and it is Masjid Al-Shajarah, and for the people of Syria at AlJohfa, and for the people of Yemen at Yalamlam, and for the people of Al-Taif at Qarn Al-Manazil, and for the people of Najd at Al-Aqeeq. So, these are the junctures for the people of these places and for the one who comes from their directions from the people of the (other) cities".¹⁵¹

21- وَ عَنْهُ ع أَنَّهُ قَالَ: مِنْ تَمَامِ الْحَجِّ وَ الْعُمْرَةِ أَنْ يُحْرِمَ مِنَ الْمَوَاقِيتِ الَّتِي وَقَّتَّهَا رَسُولُ اللَّهِ ص وَ لَيْسَ لِأَحَدٍ أَنْ يُحْرِمَ قَبْلَ الْوَقْتِ وَ مَنْ أَحْرَمَ قَبْلَ الْوَقْتِ وَ أَصَابَ مَا يُفْسِدُ إِحْرَامَهُ لَمْ يَكُنْ عَلَيْهِ شَيْءٌ حَتَّى يَبْلُغَ الْمِيقَاتِ وَ يُحْرِمَ مِنْهُ.

And from him^{-asws}, he^{-asws} said: 'From completion of the Hajj and the Umrah is that one should consecrate from the junctures which Rasool-Allah^{-saww} had designated it as a juncture, and it isn't for anyone to don Ihraam before the juncture, and the one who does don an Ihraam before the juncture and is hit by what would spoil his Ihraam, there would not be anything upon him until he reaches the juncture and wears Ihraam from it".¹⁵²

22- وَ عَنْهُ ع أَنَّهُ قَالَ: مَنْ خَافَ فَوَاتِ الشَّهْرِ فِي الْعُمْرَةِ فَلَهُ أَنْ يُحْرِمَ دُونَ الْمَوَاقِيتِ إِذَا خَرَجَ فِي رَجَبٍ يُرِيدُ الْعُمْرَةَ فَعَلِمَ أَنَّهُ لَا يَبْلُغُ الْمِيقَاتِ حَتَّى يُهَلَ فَمَا يَدَعِ الْإِحْرَامَ حَتَّى يَبْلُغَ فَبَصِيرَةُ عُمْرَتِهِ شَعْبَانِيَّةٌ وَ لَكِنْ يُحْرِمُ قَبْلَ الْمِيقَاتِ فَتَكُونُ لِرَجَبٍ لِأَنَّ الرَّجَبِيَّةَ أَفْضَلُ وَ هُوَ الَّذِي نَوَى.

¹⁵⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 19

¹⁵¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 20

¹⁵² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 21

And from him^{-asws}, he^{-asws} said: ‘The one who fears missing the month regarding the Umrah, for him is to consecrate before the junctures when he goes out during Rajab intending the Umrah so he knows that he will not reach the juncture until the crescent, so he does not leave the Ihraam until he reaches, so it would become Umrah of Shaban, but he should consecrate before the juncture for it to be for Rajab, because the Rajab Umrah is better and it is which he had intended’.¹⁵³

23- وَ عَنْهُ ع أَنَّهُ قَالَ: فِيمَنْ أَخَذَ مِنْ وَرَاءِ الشَّجَرَةِ قَالَ يُحْرِمُ مَا بَيْنَهُ وَ بَيْنَ الْجُحْفَةِ.

And from him^{-asws}, he^{-asws} said regarding the one who takes from behind Al-Shajarah. He^{-asws} said: ‘He should consecrate what is between it and AlJohfa’.¹⁵⁴

24- وَ عَنْهُ ع أَنَّهُ قَالَ: مَنْ أَتَى الْمَيْمَاتِ فَتَسَبَّى أَوْ جَهِلَ أَنْ يُحْرِمَ مِنْهُ حَتَّى جَاوَزَهُ وَ صَارَ إِلَى مَكَّةَ ثُمَّ عَلِمَ فَإِنْ كَانَ عَلَيْهِ مُهْلَةٌ وَ قَدَرَ عَلَى الرُّجُوعِ إِلَى الْمَيْمَاتِ رَجَعَ وَ أَحْرَمَ مِنْهُ وَ إِنْ خَافَ فَوَاتَ الْحَجَّ وَ لَمْ يَسْتَطِعِ الرُّجُوعَ مِنْ مَكَانِهِ فَإِنْ كَانَ بِمَكَّةَ فَأَمَّا كُنْهُ أَنْ يَخْرُجَ مِنَ الْحَرَمِ فَيُحْرِمَ مِنَ الْحِلِّ وَ يَدْخُلَ الْحَرَمَ مُحْرِمًا فَلْيُتَعَلَّ وَ إِلَّا أَحْرَمَ مِنْ مَكَانِهِ.

And from him^{-asws}, he^{-asws} said: ‘One who comes to the juncture, so he either forgets or is ignorant from consecrating from it until he exceeds it and comes to Makkah, then he comes to know. If there is opportunity and he is able upon returning to the juncture, he should return and wear Ihraam from it, and if he fears missing the Hajj and is not capable of returning from his place, if he was at Makkah and it is not possible for him to go out from the Sanctuary, let him wear Ihraam from the outside and enter the Sanctuary as one in Ihraam, let him do so, or else he should wear Ihraam from his place’.¹⁵⁵

25- وَ عَنْهُ أَنَّهُ قَالَ: مَنْ كَانَ مَنْزِلُهُ أَقْرَبَ إِلَى مَكَّةَ مِنَ الْمَوَاقِبِ فَلْيُحْرِمَ مِنْ مَنْزِلِهِ وَ لَيْسَ عَلَيْهِ أَنْ يَمْضِيَ إِلَى الْمَيْمَاتِ.

And from him^{-asws}, he^{-asws} said: ‘One whose house was closer to Makkah than the junctures, let him wear Ihraam from his house, and it isn’t upon him to go to the juncture’.¹⁵⁶

26- قَالَ عَلِيُّ صَلَوَاتُ اللَّهِ عَلَيْهِ مِنْ تَمَامِ الْحَجِّ أَنْ تُحْرَمَ مِنْ دُورَةِ أَهْلِكَ هَذَا لِمَنْ كَانَ دُونَ الْمَيْمَاتِ إِلَى مَكَّةَ.

Ali^{-asws}, may the Salawaat of Allah^{-azwj} be upon him^{-asws}, said: ‘From the completion of the Hajj is that you should wear Ihraam from houses of your family. This is for the one who was of less (distance) than the juncture to Makkah’.¹⁵⁷

27- الْهِدَايَةُ، فَإِذَا بَلَغْتَ أَحَدَ الْمَوَاقِبِ الَّتِي وَقَّتَهَا رَسُولُ اللَّهِ ص فَإِنَّهُ وَقَّتَ لِأَهْلِ الطَّائِفِ قَرْنَ الْمَنَازِلِ وَ لِأَهْلِ الْبَيْتِ يَلْمَلَمَ وَ لِأَهْلِ الشَّامِ الْجُحْفَةَ وَ لِأَهْلِ الْمَدِينَةِ دَا الْحُلَيْمَةَ وَ هِيَ مَسْجِدُ الشَّجَرَةِ وَ لِأَهْلِ الْعِرَاقِ الْعَقِيقَ وَ أَوَّلَ الْعَقِيقِ الْمَسْلُوحَ وَ وَسَطُهُ عَمْرَةَ وَ آخِرُهُ دَاثَ عَزِيقَ وَ لَا يُؤَخَّرُ الْإِحْرَامُ إِلَى آخِرِ الْوَقْتِ إِلَّا مِنْ عِلَّةٍ وَ أَوْلَاهُ أَفْضَلُ.

(The book) ‘Al Hidaya’ –

¹⁵³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 22

¹⁵⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 23

¹⁵⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 24

¹⁵⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 25

¹⁵⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 26

‘When you reach one of the junctures which Rasool-Allah^{-saww} had designated it as a juncture, (he should consecrate), for he^{-saww} had designated a juncture for the people of Al Taaif at Qarn Al-Manazil, and for the people of Al-Yemen at Yalamlam, and for the people of Syria at Al-Johfa, and for the people of Medina at Zal Huleyfa, and it is Masjid Al-Shajarah, and for the people of Iraq at Al-Aqeeq at Al-Maslakh, and its middle is Gamrah, and its end is Zat Irq, and he should not delay the Ihraam up to end of the juncture except from an illness, and its beginning is better’^{.158}

باب 23 أشهر الحج و توفير الشعر للحج

CHAPTER 23 – THE MONTHS OF HAJJ AND GROWING THE HAIR FOR THE HAJJ

الآيات البقرة الْحَجُّ أَشْهُرٌ مَعْلُومَاتٌ.

The Verses – (Surah) Al Baqarah: ***The Hajj is (performed in) the well-known months [2:197].***

1- ل، الخصال ابنُ إدريس عن أبيه عن الأشعري عن أبي عبد الله الرزقي عن ابن أبي عثمان عن موسى بن بكر عن أبي الحسن الأول ع قال قال رسول الله ص [إن الله] اختار من الأشهر أربعة رجب و شوال و ذا القعدة و ذا الحجة الحبر.

(The book) ‘Al Khisaal’ – Ibn Idrees, from his father, from Al Ash’ary, from Abu Abdullah Al Razy, from Ibn Abu Usman, from Musa Bin Bakr,

‘From Abu Al-Hassan^{-asws} having said: ‘Rasool-Allah^{-saww} said: ‘Allah^{-azwj} has Chosen from the months, four – Rajab, and Shawwal, and Zul Qadah, and Zul Hijjah’ – the Hadeeth’^{.159}

2- مع، معاني الأخبار أبي عن سعد بن ابن عيسى عن البرنطي عن المثنى عن زارة عن أبي جعفر ع في قول الله عز و جل الْحَجُّ أَشْهُرٌ مَعْلُومَاتٌ قَالَ شَوْل و ذو القعدة و ذو الحجة و في خبر آخر و شهر مُفَرَّدٌ لِلْعُمْرَةِ رَجَبٌ.

(The book) ‘Ma’any Al Akhbaar’ – My father, from Sa’ad, from Ibn Isa, from Al Bazanty, from Al Musanna, from Zurara,

‘From Abu Ja’far^{-asws} regarding Words of Allah^{-azwj} Mighty and Majestic: ***The Hajj is (performed in) the well-known months [2:197].*** He^{-asws} said: ‘Shawwal, and Zul Qadah, and Zul Hijjah’, and in a Hadeeth, ‘And a month individualised for the Umrah, Rajab’^{.160}

3- ب، قرب الإسناد علي عن أخيه ع قال: مَنْ أَرَادَ الْحَجَّ فَلَا يَأْخُذُ مِنْ شَعْرِهِ إِذَا مَضَتْ عَشْرَةٌ مِنْ شَوْلٍ.

(The book) ‘Qurb Al Isnaad’ –

Ali, from his brother (Al-Kazim^{-asws}): ‘The one who intends the Hajj, he should not take from his hair when twenty (days) have passed from Shawwal’^{.161}

¹⁵⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 22 H 27

¹⁵⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 23 H 1

¹⁶⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 23 H 2

¹⁶¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 23 H 3

4- ضا، فقه الرضا عليه السلام إِذْ أَرَدْتَ الْخُرُوجَ إِلَى الْحَجِّ فَوَفِّرْ شَعْرَكَ شَهْرَ ذِي الْقَعْدَةِ وَ عَشْرَةَ مِنْ شَهْرِ ذِي الْحِجَّةِ.

(The book) ‘Fiqh Al-Reza^{-asws}’, may the greeting be upon him^{-asws}: ‘When you intent to go out to the Hajj, grow your hair in the month of Zil Qadah and twenty (days) from the month of Zil Hijjah’.¹⁶²

5- شي، تفسير العياشي عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي قَوْلِهِ الْحُجُّ أَشْهُرٌ مَعْلُومَاتٌ قَالَ سَوَّالٌ وَ ذُو الْقَعْدَةِ وَ ذُو الْحِجَّةِ.

(The book) ‘Tafseer Al Ayyashi’ – from Muawiya Bin Ammar,

‘From Abu Abdullah^{-asws} regarding His^{-azwj} Words: **The Hajj is (performed in) the well-known months [2:197].** He^{-asws} said: ‘Shawwal, and Zul Qadah, and Zul Hijjah’.¹⁶³

6- شي، تفسير العياشي عَنْ زُرَّارَةَ عَنْ أَبِي جَعْفَرٍ ع قَالَ: الْحُجُّ أَشْهُرٌ مَعْلُومَاتٌ قَالَ سَوَّالٌ وَ ذُو الْقَعْدَةِ وَ ذُو الْحِجَّةِ وَ لَيْسَ لِأَحَدٍ أَنْ يُحْرِمَ بِالْحَجِّ فِيمَا سِوَاهُنَّ.

(The book) ‘Tafseer Al Ayyashi’ – from Zurara,

‘From Abu Ja’far^{-asws}, he (the narrator) said, ‘**The Hajj is (performed in) the well-known months [2:197].** He^{-asws} said: ‘Shawwal, and Zul Qadah, and Zul Hijjah, and it isn’t for anyone that he consecrates for the Hajj in what is besides these’.¹⁶⁴

7- شي، تفسير العياشي عَنِ الْمُخَلَّبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي قَوْلِهِ الْحُجُّ أَشْهُرٌ مَعْلُومَاتٌ فَمَنْ فَرَضَ فِيهِنَّ الْحَجَّ قَالَ الْأَهْلَةُ.

(The book) ‘Tafseer Al Ayyashi’ – from Al Halby,

‘From Abu Abdullah^{-asws} regarding His^{-azwj} Words: **The Hajj is (performed in) the well-known months; so whoever is obligated the performance of the Hajj therein, [2:197].** He^{-asws} said: ‘The crescents’.¹⁶⁵

8- شي، تفسير العياشي عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: فِي قَوْلِ اللَّهِ الْحُجُّ أَشْهُرٌ مَعْلُومَاتٌ فَمَنْ فَرَضَ فِيهِنَّ الْحَجَّ وَ الْقَرَضُ فَرَضُ الْحَجِّ التَّلْبِيَّةُ وَ الْأَشْعَارُ وَ التَّقْلِيدُ فَأَيُّ ذَلِكَ فَعَلَ فَقَدْ فَرَضَ الْحَجَّ وَ لَا يُفْرَضُ الْحَجُّ إِلَّا فِي هَذِهِ الشُّهُورِ الَّتِي قَالَ اللَّهُ الْحُجُّ أَشْهُرٌ مَعْلُومَاتٌ وَ هُوَ سَوَّالٌ وَ ذُو الْقَعْدَةِ وَ ذُو الْحِجَّةِ.

(The book) ‘Tafseer Al Ayyashi’ – from Muawiya Bin Ammar,

‘From Abu Abdullah^{-asws} having said: ‘**The Hajj is (performed in) the well-known months; so whoever is obligated the performance of the Hajj therein, [2:197],** and the obligation are the obligations of the Hajj – the Talbiyya, and the (shaving) the hair, and the collaring (the sacrificial animal). So whichever of these is done, the Hajj is obligated, and the Hajj is no

¹⁶² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 23 H 4

¹⁶³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 23 H 5

¹⁶⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 23 H 6

¹⁶⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 23 H 7

obligated except in these months which Allah^{-azwj} Said: **The Hajj is (performed in) the well-known months [2:197]**, and these are Shawwal, and Zul Qadah and Zul Hijjah”.¹⁶⁶

باب 24 الإحرام و مقدماته من الغسل و الصلاة و غيرها

CHAPTER 24 – THE IHRAAM (CONSECRATION) AND ITS PRECEDING ACTS, FROM THE WASHING, AND THE SALAT AND OTHER SUCH

1- ل، الخصال أبي عن سعد عن ابن عيسى عن البرزطي عن عبد الله بن سنان عن أبي عبد الله ع قال: إِنَّ الْغُسْلَ فِي أَرْبَعَةِ عَشَرَ مَوْطِنًا غُسْلُ الْمَيِّتِ وَ غُسْلُ الْجُنُبِ وَ غُسْلُ مَنْ غَسَلَ الْمَيِّتَ وَ غُسْلُ الْجُمُعَةِ وَ الْعِيدَيْنِ وَ يَوْمَ عَرَفَةَ وَ غُسْلُ الْإِحْرَامِ وَ دُخُولِ الْكَعْبَةِ وَ دُخُولِ الْمَدِينَةِ وَ دُخُولِ الْحَرَمِ وَ الزِّيَارَةِ وَ لَيْلَةَ تِسْعِ عَشْرَةَ وَ إِحْدَى وَ عَشْرِينَ وَ ثَلَاثَ وَ عَشْرِينَ مِنْ شَهْرِ رَمَضَانَ.

(The book) ‘Al Khisaal’ – My father, from Sa’ad, from Ibn Isa, from Al Bazanty, from Abdullah Bin Sinan,

‘From Abu Abdullah^{-asws} having said: ‘The (ritual) washing is in fourteen places – washing the deceased, and washing the sexual impurity, and washing by the one who washes the deceased, and washing on the Friday and the two Eid(s), and the day of Arafah, and washing for the Ihraam, and entering the Kabah, and entering Al-Medina, and entering the Sanctuary. and the visitation (Ziyarah), and night of 19th and 21st and 23rd of a month of Ramazan’.¹⁶⁷

2- ل، الخصال أبي عن علي عن أبيه عن حماد عن حريز عن محمد بن مسلم عن أبي جعفر ع قال: الْغُسْلُ فِي سَبْعَةِ عَشَرَ مَوْطِنًا إِلَى أَنْ قَالَ وَ إِذَا دَخَلْتَ الْحَرَمَيْنِ وَ يَوْمَ تَحْرِمُ وَ يَوْمَ الزِّيَارَةِ وَ يَوْمَ تَدْخُلُ النَّبْتَ وَ يَوْمَ التَّوْبَةِ وَ يَوْمَ عَرَفَةَ.

(The book) ‘Al Khisaal’ – My father, from Ali, from his father, from Hamad, from Hareez, from Muhammad Bin Muslim,

‘From Abu Ja’far^{-asws} having said: ‘The (ritual) washing is in seventeen places’ – up to he^{-asws} said: ‘And when you enter the two Sanctuaries, and the day of consecration, and the day of visitation, and the day you enter the House, and the day of Al-Tarwiyya and the day of Arafah’.¹⁶⁸

أقول: تمامه في باب الأغسال من الطهارة.

I say, ‘Its complete (version) is in the chapter on the washing from the cleansing’.

3- ل، الخصال في خبر الأعمش عن الصادق ع وَ الْأَغْسَالُ مِنْهَا غُسْلُ الْجَنَابَةِ وَ الْحَيْضِ وَ غُسْلُ الْمَيِّتِ وَ غُسْلُ دُخُولِ مَكَّةَ وَ غُسْلُ دُخُولِ الْمَدِينَةِ وَ غُسْلُ الزِّيَارَةِ وَ غُسْلُ الْإِحْرَامِ وَ غُسْلُ يَوْمِ عَرَفَةَ.

(The book) ‘Al Khisaal’ –

‘In a Hadeeth by Al-Amsh from Al-Sadiq^{-asws}: ‘And the washing, from these is washing the sexual impurity and the menstruation, and washing the deceased, and washing for entering

¹⁶⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 23 H 8

¹⁶⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 1

¹⁶⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 2

Makkah, and washing for entering Al-Medina, and washing for the Ziyarah, and washing for the Ihraam, and washing on the day of Arafah".¹⁶⁹

4- ب، قرب الإسناد عنهما عن حنان قال سمعتُ أبا عبد الله ع يقول إذا أتيتَ مسجدَ الشَّجَرَةِ فأفرض

(The book) 'Qurb Al Isnaad' – From them both, from Hanan who said,

'I heard Abu Abdullah^{asws} saying: 'When you go to Masjid Al-Shajarah, perform the obligation!'

قَالَ قُلْتُ وَ أَيُّ شَيْءٍ الْفَرْضُ

He said, 'I said, 'And which thing is the 'obligation'?''

قَالَ تُصَلِّي رَكَعَتَيْنِ ثُمَّ تَقُولُ اللَّهُمَّ إِنِّي أُرِيدُ أَنْ أَمْتَمَعَ بِالْعُمْرَةِ إِلَى الْحَجِّ فَإِنْ أَصَابَنِي قَدْرُكَ فَخُلِّي حَيْثُ يَجِئُنِي قَدْرُكَ فَإِنْ أَتَيْتَ الْمَيْلَ فَلَبَّ.

He^{asws} said: 'You should pray two units Salat, then say, 'O Allah^{azwj}! I intend to combine the Umrah to the Hajj. If Your^{azwj} Pre-determination hits me, then Release me where Your^{azwj} Pre-determination had Withheld me!' Then when you come to the mile, exclaim Talbiyya".¹⁷⁰

أقول: قد مضى بعض الأخبار في باب أنواع الحج و فرائضها.

I say, 'Some Ahadeeth have passed in the chapter on the type of Hajj and their obligations'.

5- ع، علل الشرائع أبي عن سعد بن أبي اليقطين عن ابن مغروف عن بعض أصحابنا عن أبي عبد الله ع قال: حُرِّمَ الْمَسْجِدُ لِعَلَّةِ الْكَعْبَةِ وَ حُرِّمَ الْحُرْمُ لِعَلَّةِ الْمَسْجِدِ وَ وَجِبَ الْإِحْرَامُ لِعَلَّةِ الْحُرْمِ.

(The book) 'Ilal Al Sharaie' – my father, from Sa'ad, from Al Bazanty, from Ibn Marouf, from one of our companions,

'From Abu Abdullah^{asws} having said: 'The Masjid is sacred for the reason of the Kabah, and the Sanctuary is sacred for the reason of the Masjid, and the Ihram is obligated for the reason of the Sanctuary".¹⁷¹

6- ع، علل الشرائع أبي عن سعد بن ابن أبي الخطاب عن عثمان بن عيسى عن أبي المغراء عن أبي عبد الله ع قال: كَانَتْ بَنُو إِسْرَائِيلَ إِذَا قَرَّبَتْ الْقُرْبَانَ تَخْرُجُ نَارٌ فَتَأْكُلُ قُرْبَانَ مَنْ قُبِلَ مِنْهُ وَ إِنَّ اللَّهَ تَبَارَكَ وَ تَعَالَى جَعَلَ الْإِحْرَامَ مَكَانَ الْقُرْبَانِ.

(The book) 'Ilal Al Sharaie' – My father, from Sa'ad, from Ibn Abu Al Khattab, from Usman Bin Isa, from Abu Al Magra'a,

¹⁶⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 3

¹⁷⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 4

¹⁷¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 5

‘From Abu Abdullah^{-asws} having said: ‘It was so that whenever the children of Israel offered an offering, a fire (flame) would emerge and devour the offering of the one it is Accepted from, and Allah^{-azwj} Blessed and Exalted has Made the Ihraam in place of the offering’^{.172}

أقول: قد مضى بعض ما يتعلق بالإحرام من الاشتراط وغيره في باب أنواع الحج.

I say, ‘It has passed, some of what is related with the Ihraam, from the conditions and others in the chapter on the types of Hajj’.

7- ضاً، فقه الرضا عليه السلام إذا بلغت الميقات فاعْتَسِلْ أَوْ تَوَضَّأْ وَ الْبَسْ ثِيَابَكَ وَ صَلِّ سِتَّ رَكَعَاتٍ تَقْرَأُ فِيهَا فَاتِحَةَ الْكِتَابِ وَ قُلْ هُوَ اللَّهُ أَحَدٌ وَ قُلْ يَا أَيُّهَا الْكَافِرُونَ فَإِنْ كَانَ وَقْتُ صَلَاةِ الْفَرِيضَةِ فَصَلِّ هَذِهِ الرَكَعَاتِ قَبْلَ الْفَرِيضَةِ ثُمَّ صَلِّ الْفَرِيضَةَ.

(The book) ‘Fiqh Al-Reza^{-asws}’, may the greeting be upon him^{-asws}: ‘When you reach the juncture, then either bathe or perform Wud’u and wear your clothes, and pray six units of Salat reading in it Surah Al Fatiha, and Surah Al Tawheed, and Surah Al Kafiroun. If it was the time of the Prescribed Salat, then pray these unit before the obligatory, then pray the obligatory Salat’^{.173}

8- وَ رُوِيَ أَنَّ أَفْضَلَ مَا يُجْرِمُ الْإِنْسَانَ فِي دُبُرِ الصَّلَاةِ الْفَرِيضَةِ ثُمَّ أُخْرِمَ فِي دُبُرِهَا لِيَكُونَ أَفْضَلَ وَ تَوَجَّهَ فِي الرُّكْعَةِ الْأُولَى مِنْهَا فَإِذَا فَرَضْتَ فَارْفَعْ يَدَيْكَ وَ مَجِّدِ اللَّهَ كَثِيرًا وَ صَلِّ عَلَى مُحَمَّدٍ وَ آلِهِ كَثِيرًا وَ قُلْ

And it is reported that the best of what the person can wear the Ihraam is at the end of the obligated Salat. Then he should wear Ihraam in its end for it to be the best, and concentrate in the first unit from these. When you have performed the obligations, then raise your hands in glorifying Allah^{-azwj} abundantly and send Salawaat upon Muhammad^{-saww} and his^{-saww} Progeny^{-asws} a lot, and say:

اللَّهُمَّ إِنِّي أُرِيدُ مَا أَمَرْتَ بِهِ مِنْ التَّمَتُّعِ بِالْعُمْرَةِ إِلَى الْحَجِّ عَلَى كِتَابِكَ وَ سُنَّةِ نَبِيِّكَ ص فَإِنْ عَرَضَ لِي عَرَضٌ يَجْسِي فُحْلِي حَيْثُ حَبَسْتَنِي لِقَدْرِكَ الَّذِي قَدَّرْتَ عَلَيَّ اللَّهُمَّ إِنْ لَمْ يَكُنْ حَجَّةً فَعُمْرَةً-

‘O Allah^{-azwj}! I intend what You^{-azwj} have Commanded with of combining the Umrah to the Hajj upon Your^{-azwj} Book and Sunnah of Your^{-azwj} Prophet^{-saww}. If an obstructer were to obstruct me withholding me, Release me where You^{-azwj} had Withheld me for Your^{-azwj} Pre-determination which You^{-azwj} have Pre-determined upon me! O Allah^{-azwj}! If it does not happen to be Hajj, then Umrah!’

ثُمَّ ثَلَاثِي سِرًّا بِالتَّلْبِيَّاتِ الْأَرْبَعِ وَ هِيَ الْمُفْتَرَضَاتُ.

Then you should exclaim the four Talbiyya secretly and these are the obligatory’^{.174}

9- سر، السرائر جميل عن حُسنين الخراساني عن أحدهما ع أَنَّهُ سَمِعَهُ يَقُولُ غَسَلُ يَوْمِكَ يُجْزِيكَ لِلتَّلْبِيكَ وَ غَسَلُ لَيْلَتِكَ يُجْزِيكَ لِيَوْمِكَ.

¹⁷² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 6

¹⁷³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 7

¹⁷⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 8

(The book) 'Al Saraair' – Jameel, from Husayn Al Khurasani,

'From one of the two (5th or 6th Imam^{-asws}), he heard him^{-asws} saying: 'Washing of your day will suffice you for your night, and washing of your night will suffice you for your day'.¹⁷⁵

10- **الهِدَايَةُ**، فَإِذَا بَلَغْتَ فَأَغْتَسِلِي وَ الْبَسْنِ ثَوْبِي الْإِحْرَامِ وَ لَا تُقَتِّعِي رَأْسَكَ بَعْدَ الْغُسْلِ وَ لَا تَأْكُلِي طَعَاماً فِيهِ طَيْبٌ وَ لَا تَأْسِي أَنْ تُحْرِمِي فِي أَيِّ وَقْتٍ بَلَغْتَ الْمَيْمَاتِ وَ إِنَّ أَحْرَمْتَ فِي ذُبُرِ الْمَكْتُوبَةِ فَهُوَ أَفْضَلُ

(The book) 'Hidayah' –

'When you reach (the juncture), wash and wear clothes of the Ihraam and do not cover your head after the washing, and do not eat good food in it, and there is no problem if you were consecrate in whichever time you reach the juncture, and if you were to wear Ihraam in the end of the Prescribed (Salat), it is better.

وَ إِنْ لَمْ يَكُنْ وَقْتُ صَلَّيْتَ رَكَعَتِي الْإِحْرَامِ وَ قَرَأْتَ فِي الْأُولَى الْفَاتِحَةَ وَ قُلْنَ هُوَ اللَّهُ أَحَدٌ وَ فِي الثَّانِيَةِ الْفَاتِحَةَ وَ قُلْنَ يَا أَيُّهَا الْكَافِرُونَ وَ إِنْ كَانَ وَقْتُ صَلَاةِ الْمَكْتُوبَةِ فَصَلِّ رَكَعَتِي الْإِحْرَامِ ثُمَّ صَلِّ الْمَكْتُوبَةَ وَ أَحْرِمِي فِي ذُبُرِهَا فَإِذَا فَرَّغْتَ مِنْ صَلَاتِكَ فَاحْمَدِي اللَّهَ وَ أَثْنِي عَلَيْهِ وَ صَلِّ عَلَى النَّبِيِّ ص

And it does not happen to be time (for Prescribed Salat), then pray two units Salat of the Ihraam and read in the first Surah Al Fatiha and Surah Al Tawheed, and in the second Surah Al Fatiha and Surah Al Kafiroun; and if it was the time for the Prescribed Salat, pray two units of the Ihraam, then pray the Prescribed, and wear the Ihraam in its end. When you are free from your Salat, then praise Allah^{-azwj} and laud upon Him^{-azwj} and send Salawaat upon the Prophet^{-saww}, then say:

تُمْ تَقُولُ اللَّهُمَّ إِنِّي أُرِيدُ مَا أَمَرْتَ بِهِ مِنْ التَّمَتُّعِ بِالْعُمْرَةِ إِلَى الْحَجِّ عَلَى كِتَابِكَ وَ سُنَّةِ نَبِيِّكَ صَلَّى اللَّهُ عَلَيْهِ وَ آلِهِ فَإِنْ عَرَضَ لِي عَارِضٌ يَحْسِبُنِي فَحُلِّي حَيْثُ حَبَسْتَنِي لِقَدْرِكَ الَّذِي قَدَّرْتَ عَلَيَّ

'Then you should say, 'O Allah^{-azwj}! I intend what You^{-azwj} have Commanded with, from combining the Umrah to the Hajj based upon Your^{-azwj} Book and Sunnah of Your^{-azwj} Prophet^{-saww}, may Your^{-azwj} Salawaat be upon him^{-as} and his^{-saww} Progeny^{-asws}. If an obstructer were to obstruct me, the Release me where You^{-azwj} had Withheld me for Your^{-azwj} Pre-determination which You^{-azwj} had Pre-determined upon me!

اللَّهُمَّ إِنْ لَمْ تَكُنْ حَجَّةً فَعُمْرَةً أَحْرَمْ لَكَ شَعْرِي وَ بَشْرِي وَ لَحْمِي وَ دَمِي وَ عَظْمِي وَ عَصَبِي مِنَ التَّبَسُّؤِ وَ النَّيَابِ وَ الطَّيْبِ أَنْتَعِي بِذَلِكَ وَجْهَكَ الْكَرِيمَ وَ الدَّارَ الْآخِرَةَ- وَ يُجْرُئُكَ أَنْ تَقُولَ هَذَا مَرَّةً وَاحِدَةً حِينَ تُحْرَمُ التَّلْبِيَةَ

O Allah^{-azwj}! If it does not happen to be Hajj, then Umrah. I have consecrated for you my hair, and my skin, and my flesh, and my blood, and my brain, and my nerves from the women, and the clothes, and the perfume seeking by that Your^{-azwj} Honourable Face and the House of the Hereafter!' – and it will suffice you if you were to say this one time when you wear Ihraam for the Talbiyya.

¹⁷⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 9

ثُمَّ قُمْ فَاَمْضِ هُنَيْمَةً فَإِذَا اسْتَوَتْ بِكَ الْأَرْضُ مَا شِئْتَ أَوْ رَاكِبًا فَقُلْ لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ لَبَّيْكَ لَا شَرِيكَ لَكَ لَبَّيْكَ إِنَّ الْحَمْدَ وَالنِّعْمَةَ لَكَ وَالْمُلْكَ لَا شَرِيكَ لَكَ لَبَّيْكَ - هَذِهِ الْأَرْبَعَةُ مَفْرُوضَاتٌ

Then stand up and continue for a while. When the ground is even with you, whether you were walking or riding, then say, 'Here I am, O Allah^{-azwj}, here I am, here I am, there is no associate for You^{-azwj}, here I am! Surely the Praise and the bounties are Yours^{-azwj} and so is the Kingdom, there is no associate for You^{-azwj}, here I am!' – These are the four obligatory Talbiyya.

تَلْبِيٍّ بِيْنَ سِرًّا وَ تَقُولُ لَبَّيْكَ ذَا الْمَعَارِجِ لَبَّيْكَ لَبَّيْكَ دَاعِيًا إِلَى دَارِ السَّلَامِ لَبَّيْكَ لَبَّيْكَ غَقَّارَ الذُّنُوبِ لَبَّيْكَ لَبَّيْكَ مَرْهُوبًا مَرْغُوبًا إِلَيْكَ لَبَّيْكَ لَبَّيْكَ تُبْدِيٌّ وَ الْمَعَادُ إِلَيْكَ لَبَّيْكَ لَبَّيْكَ أَنْتَ الْعَنِيُّ وَ نَحْنُ الْفُقَرَاءُ إِلَيْكَ

Exclaim Talbiyya with these secretly and you should say, 'Here I am, Possessor of the ways of ascent! Here I am, here I am Caller to the House of Peace! Here I am, here I am Forgiven of the sins! Here I am, here I am awed, desiring to You^{-azwj}! Here I am, here I am, You^{-azwj} Begin and the return is to You^{-azwj}! Here I am, here I am, You^{-azwj} are the Rich and we are the poor (needy) to You^{-azwj}!

لَبَّيْكَ لَبَّيْكَ أَهْلَ التَّلِيمَةِ لَبَّيْكَ لَبَّيْكَ ذَا الْجَلَالِ وَ الْإِكْرَامِ لَبَّيْكَ لَبَّيْكَ إِلَهَ الْخَلْقِ لَبَّيْكَ لَبَّيْكَ ذَا النُّعْمَاءِ وَ الْفَضْلِ الْحَسَنِ الْجَمِيلِ لَبَّيْكَ لَبَّيْكَ كَشَّافَ الْكُرْبِ الْعِظَامِ لَبَّيْكَ لَبَّيْكَ عَبْدُكَ وَ ابْنُ عَبْدِكَ

Here I am, here I am, O Rightful of the Talbiyya! Here I am, here I am Possessor of the Majesty and the Benevolence! Here I am, here I am God^{-azwj} of the creation! Here I am, here I am O Possessor of the bounties and the excellent Grace, the beautiful! Here I am, here I am O Remover of the mighty distress! Here I am, here I am Your^{-azwj} servant and son of Your^{-azwj} servant!

لَبَّيْكَ لَبَّيْكَ يَا كَرِيمَ لَبَّيْكَ لَبَّيْكَ أَتَقَرَّبُ إِلَيْكَ بِمُحَمَّدٍ وَ آلِ مُحَمَّدٍ صَلَوَاتِ اللَّهِ عَلَيْهِ وَ عَلَيْهِمْ لَبَّيْكَ لَبَّيْكَ بِحِجَّةٍ وَ عُمْرَةٍ مَعًا لَبَّيْكَ لَبَّيْكَ هَذِهِ مُتَعَةٌ عُمْرَةٍ إِلَى الْحَجِّ لَبَّيْكَ لَبَّيْكَ تَمَامُهَا وَ بِلَاغُهَا عَلَيْكَ لَبَّيْكَ

Here I am, here I am, O Benevolent! Here I am, here I am! I draw closer to You^{-azwj} through Muhammad^{-saww} and Progeny^{-asws} of Muhammad^{-saww}, may the Salawaat of Allah^{-azwj} be upon him^{-saww} and upon them^{-asws}! Here I am, here I am for a Hajj and an Umrah both together! Here I am, here I am for combining an Umrah to the Hajj! Here I am, here I am, its complete and its extensive upon You^{-azwj}, here I am!'

تَقُولُ هَذَا فِي دُبُرِ كُلِّ صَلَاةٍ مَكْتُوبَةٍ أَوْ نَافِلَةٍ وَ حِينَ يَنْهَضُ بِكَ بَعِيرُكَ أَوْ عَلَوْتَ شَرْفًا أَوْ هَبَطْتَ وَادِيًا أَوْ لَقِيتَ رَاكِبًا أَوْ اسْتَيْقَظْتَ مِنْ مَنَامِكَ أَوْ رَكِبْتَ أَوْ نَزَلْتَ وَ بِالْأَسْحَارِ وَ أَكْثَرُ مَا اسْتَطَعْتَ مِنْهَا وَ اجْهَرَ بِهَا وَ إِنْ تَرَكْتَ بَعْضَ التَّلْبِيَةِ فَلَا يَضُرُّكَ غَيْرَ أَنَّهُمْ أَفْضَلُ

You should say this, in the end of a Prescribed Salat, of an optional, and when your camel gets up with you, or you ascend a hill or go down a valley, or you meet a rider, or you awaken from your dream, or you ride, or descend, and at pre-dawn, and frequent whatever you can from it and be loud with it. If you neglect some of the Talbiyya it will not harm you apart from that it is better (not to neglect).

وَاعْلَمَ أَنَّهُ لَا بُدَّ لَكَ مِنَ التَّلْبِيَةِ الْأَرْبَعِ الَّتِي فِي أَوَّلِ الْكِتَابِ وَ هِيَ الْفَرِيضَةُ وَ هِيَ التَّوْحِيدُ وَ بِهَا لَبَّى الْمُرْسَلُونَ وَ أَكْثَرُ مِنْ ذِي الْمَعَارِجِ فَإِنَّ رَسُولَ اللَّهِ ص كَانَ يُكْتَرُ مِنْهَا

And know that there is no escape for you from the four Talbiyya which is in the beginning of the letter, and it is the obligatory, and it is the Tawheed, and it has been exclaimed with by the Messengers^{-as}, and frequent from (saying) ‘Possessor of the ways of ascent’, for Rasool-Allah^{-saww} used to frequent from it.

فَإِذَا بَلَغْتَ الْحَرَمَ فَاعْتَسِلْ مِنْ بئرِ مَيْمُونٍ أَوْ مِنْ فَحٍّ - وَ إِنْ اغْتَسَلْتَ مِنْ مَنْزِلِكَ بِمَكَّةَ فَلَا بَأْسَ.

When you reach the Sanctuary, was from the well ‘Maymoun’ (Three miles or more from Makkah) or from Fakh, and if you have washed from your house at Makkah, there is no problem”.¹⁷⁶

دخول مكة. اجهد أن تدخلها على غسل فإذا نظرت إلى بيوت مكة فأقطع التلبية و حدها عقبة المديين أو جدائها و من أخذ على طريق المدينة قطع التلبية إذا نظر إلى عريش مكة و هي عقبة ذي طوى.

Entering Makkah – ‘Make effort in entering it upon a washing. When you look at the houses of Makkah, terminate the Talbiyya and its boundary is the slope of the Madiniyeen or its vicinity. Whoever takes the route through Medina should stop reciting the Talbiyya upon seeing the canopy of Mecca, which is the slope of Zi Tuwa”.¹⁷⁷

11- دَعَائِمُ الْإِسْلَامِ، عَنْ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيٍّ صَلَوَاتُ اللَّهِ عَلَيْهِمَا أَنَّهُ قَالَ فِي قَوْلِ اللَّهِ عَزَّ وَ جَلَّ الْحَجُّ أَشْهُرٌ مَعْلُومَاتٌ فَمَنْ فَرَضَ فِيهِنَّ الْحَجَّ فَلَا رَفَثَ وَ لَا فُسُوقَ وَ لَا جِدَالَ فِي الْحَجِّ-

(The book) ‘Da’aim Al Islam’ –

‘From Abu Ja’far Muhammad^{-asws} Bin Ali^{-asws}, may the Salawaat of Allah^{-azwj} be upon them^{-asws} both, he^{-asws} said regarding Words of Allah^{-azwj} Mighty and Majestic: ***The Hajj is (performed in) the well-known months; so whoever determines the performance of the Hajj therein, there shall neither be marital relationship, nor immorality, nor quarrelling during the Hajj; [2:197].***

قَالَ الْأَشْهُرُ الْمَعْلُومَاتُ سُؤَالَ وَ دُو الْقَعْدَةِ وَ دُو الْحِجَّةِ وَ لَا يُفْرَضُ الْحَجُّ فِي غَيْرِهَا وَ فَرَضُ الْحَجِّ التَّلْبِيَةُ وَ الْإِشْعَارُ وَ التَّقْلِيدُ فَأَيُّ ذَلِكَ فَعَلَهُ مَنْ أَرَادَ الْحَجَّ فَقَدْ فَرَضَ الْحَجَّ وَ الرَّفَثُ الْجِمَاعُ وَ الْفُسُوقُ السَّبَابُ وَ الْجِدَالُ لَا وَ اللَّهِ وَ بَلَى وَ اللَّهِ وَ الْمُفَاخَرَةُ.

He^{-asws} said: ‘The well-known months are Shawwal, and Zul Qadah, and Zul Hijjah, and the Hajj is not obligated in others, and the obligations of Hajj are – the Talbiyya, and the hair (shaving), and the collaring (the sacrificial animal), so whichever of that he does, one who intends the Hajj, so the Hajj is obligated, and the ‘Rafas’ is the marital relationship, and the immorality is

¹⁷⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 10 a

¹⁷⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 10 b

the reviling, and the quarrelling is (saying), ‘No, by Allah^{-azwj}, and yes by Allah^{-azwj}’, and the priding”¹⁷⁸

12- دَعَائِمِ الْإِسْلَامِ، رُوَيْنَا عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ أَبِيهِ عَلَيْهِمَا السَّلَامُ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خَرَجَ حَجَّةَ الْوَدَاعِ خَرَجَ فَلَمَّا انْتَهَى إِلَى الشَّجَرَةِ أَمَرَ النَّاسَ بِتَنْفِيفِ الْإِبْطِ وَحَلْقِ الْعَانَةِ وَالْغُسْلِ وَالتَّجَرُّدِ مِنَ الثِّيَابِ فِي رِدَاءٍ وَ إِزَارٍ أَوْ ثَوْبَيْنِ مَا كَانَ يَشُدُّ أَحَدَهُمَا عَلَى وَسَطِهِ وَيُلْقِي الْأُخْرَى عَلَى ظَهْرِهِ.

(The book) ‘Da’aim Al Islam’ –

‘We are reporting from Ja’far^{-asws} Bin Muhammad^{-asws}, from his^{-asws} father^{-asws}, upon them^{-asws} be the greeting: ‘When Rasool-Allah^{-sawww} performed Hajj, the farewell Hajj, he^{-sawww} went out. When he^{-sawww} ended to Al-Shajarah, he^{-sawww} instructed the people to pluck the armpits and shave the private parts, and the washing, and the changing from the clothes into a cloak and a waist cloth, or two clothes whatever they were. He should tie one of them upon his waist and cast the other upon his back”¹⁷⁹.

13- قَالَ جَعْفَرُ بْنُ مُحَمَّدٍ ع وَ يَأْخُذُ مَنْ أَرَادَ الْإِحْرَامَ مِنْ شَارِبِهِ وَ يُقَلِّمُ أَطْفَارَهُ وَ لَا يَصْرُهُ بِأَيِّ ذَلِكَ بَدَأَ وَ لَيْكُنْ فَرَاغُهُ مِنْ ذَلِكَ عِنْدَ زَوَالِ الشَّمْسِ إِنْ أَمَكَّنَهُ ذَلِكَ فَهُوَ أَفْضَلُ الْأَوْقَاتِ لِلْإِحْرَامِ وَ لَا يَصْرُهُ أَيِّ وَقْتٍ أَحْرَمَ مِنْ لَيْلٍ أَوْ نَهَارٍ.

(Imam) Ja’far^{-asws} Bin Muhammad^{-asws} Said: ‘And the one who intends the Ihraam should take from his moustache, and clip his nails, and it will not harm him whichever of that he begins with, and let him be free from that at the decline of the sun (midday) if that is possible for him. It is the best of the timings for the Ihraam, and it does not harm him whichever time he wears Ihraam, from night or day”¹⁸⁰.

14- وَ عَنْهُ ع فِي الْحَائِضِ وَ النُّفْسَاءِ تَغْتَسِلُ وَ تُحْرِمُ كَمَا يُحْرِمُ النَّاسُ وَ مَنْ اغْتَسَلَ دُونَ الْمَبِيعَاتِ أَحْزَأَهُ مِنْ غُسْلِ الْإِحْرَامِ.

And from him^{-asws} regarding the menstruating woman and the woman with post-childbirth bleeding: ‘And she should consecrate just as the people consecrate, and the one who washes before the juncture, it would suffice him from washing for the Ihraam”¹⁸¹.

15- وَ عَنْهُ ع أَنَّهُ هَيَّ أَنْ يَنْتَضِبَّ مَنْ أَرَادَ الْإِحْرَامَ بِطَبِيبٍ تَبَيَّ رَائِحَتُهُ عَلَيْهِ بَعْدَ الْإِحْرَامِ وَ أَنْ يَمَسَّ الْمُحْرِمُ طَبِيباً أَوْ يَلْبَسَ قَمِيصاً أَوْ سَرَاوِيلاً أَوْ عِمَامَةً أَوْ قَلَنْسُوَةً أَوْ خُفّاً أَوْ حُورِيّاً أَوْ قُفَّاراً- أَوْ بُرْفَعاً أَوْ ثَوْباً مَخِيطاً مَا كَانَ وَ لَا يُعْطِي رَأْسَهُ

And from him^{-asws}, he^{-asws} forbade from applying perfume by the one intending the Ihraam, with such perfume its aroma will remain upon him after the Ihraam, and if the one in Ihraam were to touch perfume or wears a shirt, or a trouser, or a turban, or a cap, or sandals, or socks, or gloves, or a face veil, or sewn clothes, whatever it may be, and he should not cover his head.

¹⁷⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 11

¹⁷⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 12

¹⁸⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 13

¹⁸¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 14

وَالْمَرْأَةُ تَلْبَسُ الثِّيَابَ وَ تُعْطَى رَأْسَهَا وَ إِحْرَامُهَا فِي وَجْهِهَا وَ تُرْجَى عَلَيْهَا الرِّدَاءُ شَيْئاً مِنْ فَوْقِ رَأْسِهَا وَ يَحْرُمُ عَلَى الْمُحْرِمِ النَّسَاءُ وَ الصَّيْدُ وَ أَنْ يَخْلُقَ شَعراً أَوْ يَلْبِسَ ظُفراً أَوْ يَنْفَلِيَ.

And the woman can wear the clothes, and cover her head, and her Ihram in her face, and drop the cloak upon her something from above her head, and prohibited unto the one in Ihraam are the women, and the hunting, and shaving hair, or clipping nails, or remove lice".¹⁸²

و سنذكر ما يحرم عليه بتمامه و ما يجب عليه إذا أتى شيئاً مما يحرم عليه في حال إحرامه إن شاء الله.

And we shall mentioned what is prohibited unto him, in its complete version, and what is obligated upon him when he comes to something from what is prohibited unto him in the state of his Ihraam, if Allah^{-azwj} so Desires.

16- وَ عَنْهُ ع أَنَّهُ قَالَ: مَنْ أَرَادَ الْإِحْرَامَ فَلْيُصَلِّ وَ يُحْرِمَ بِعَقِبِ صَلَاتِهِ إِنْ كَانَ فِي وَقْتِ مَكْتُوبَةٍ صَلَاحاً وَ تَنْفَلِ مَا شَاءَ بَعْدَهَا إِنْ كَانَتْ صَلَاةً يُتَنَفَّلُ بَعْدَهَا وَ أَحْرَمَ وَ إِنْ لَمْ يَكُنْ فِي وَقْتِ صَلَاةٍ صَلَّى تَطَوُّعاً وَ أَحْرَمَ

And from him^{-asws}, he^{-asws} said: 'One who intends the consecration, let him pray Salat and wear Ihraam as a follow-up of his Salat. If it is the time for an obligatory Salat, they should perform it, then offer any optional Salat they wish afterwards, if it is a time when optional Salat(s) are Permissible, and then enter ihram. If it is not the time for an obligatory Salat, they should perform an optional Salat and then enter Ihraam.

وَ لَا يَنْبَغِي أَنْ يُحْرِمَ بِغَيْرِ صَلَاةٍ إِلَّا أَنْ يَجْهَلَ ذَلِكَ أَوْ يَكُونَ لَهُ عُدْرٌ وَ لَا شَيْءَ عَلَى مَنْ أَحْرَمَ وَ لَمْ يُصَلِّ إِلَّا أَنَّهُ قَدْ تَرَكَ الْفَضْلَ.

And it is not befitting to enter Ihraam without praying Salat unless they are unaware of this or have a valid excuse. There is no penalty for one who enters Ihraam without praying Salat, but they have neglect the merit".¹⁸³

17- وَ عَنْهُ ع أَنَّهُ قَالَ: وَ إِذَا أَرَادَ الْمُحْرِمُ الْإِحْرَامَ عَقَدَ نِيَّتَهُ وَ تَكَلَّمَ بِمَا يُحْرِمُ لَهُ مِنْ حَجٍّ وَ عُمْرَةٍ أَوْ حَجٍّ مُفْرَدٍ أَوْ عُمْرَةٍ مُفْرَدَةٍ يَقُولُ

And from him^{-asws}, he^{-asws} said: 'And when consecrator intends the Ihraam, he should make his intention and speak with what he is consecrating for, whether Hajj and Umrah, or individual Hajj, or individual Umrah. He should say,

اللَّهُمَّ إِنِّي أُرِيدُ أَنْ أَمْتَعَ بِالْعُمْرَةِ إِلَى الْحَجِّ أَوْ يَقُولُ اللَّهُمَّ إِنِّي أُرِيدُ أَنْ أَقْرَنَ الْحَجَّ بِالْعُمْرَةِ إِنْ كَانَ مَعَهُ هَدْيٌ أَوْ يَقُولُ إِنِّي أُرِيدُ الْحَجَّ إِنْ كَانَ يُفْرِدُ الْحَجَّ وَ يَقُولُ اللَّهُمَّ إِنِّي أُرِيدُ الْعُمْرَةَ إِنْ كَانَ مُعْتَمِراً عَلَى كِتَابِكَ وَ سُنَّةِ نَبِيِّكَ

'O Allah^{-azwj}! I intend to combine the Umrah to the Hajj', or say, 'O Allah^{-azwj}! I intend to pair the Hajj with the Umrah!' - If there was a sacrificial animal with him. Or he should say, 'I intend the Hajj' if he was performing an individual Hajj, and he should say, 'O Allah^{-azwj}! I intend the Umrah', if he was an Umrah performer – 'Upon Your^{-azwj} Book and Sunnah of Your^{-azwj} Prophet^{-saww}!

¹⁸² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 15

¹⁸³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 16

اللَّهُمَّ وَحَلِي [فَحْلِي] حَيْثُ حَبَسْتَنِي لِقَدْرِكَ الَّذِي قَدَّرْتَ عَلَيَّ اللَّهُمَّ فَأَعِنِّي عَلَى ذَلِكَ وَتَقَبَّلْهُ مِنِّي

O Allah^{-azwj}, and Release me where You^{-azwj} have Withheld me for Your^{-azwj} Pre-determination which You^{-azwj} have Pre-determined upon me! O Allah^{-azwj}! Assist me upon that and Ease it and Accept it from me!

ثُمَّ يَدْعُو بِمَا يُحِبُّ مِنَ الدُّعَاءِ وَإِنْ نَوَى مَا يُرِيدُ أَنْ يَفْعَلَهُ مِنْ حَجٍّ أَوْ عُمْرَةٍ دُونَ أَنْ يَلْفِظَ بِهِ أَجْزَاءَهُ ذَلِكَ.

Then he should supplicate with whatever he loves from the supplication, and intend whatever he wants to do, whether a Hajj or an Umrah, without uttering it, that will suffice him".¹⁸⁴

18- وَ عَنْهُ ع أَنَّهُ قَالَ: أَفْضَلُ الْحَجِّ التَّمَتُّعُ بِالْعُمْرَةِ إِلَى الْحَجِّ وَ هُوَ الَّذِي نَزَلَ بِهِ الْقُرْآنُ

And from him^{-asws}, he^{-asws} said: 'The best Hajj is the combining the Umrah to the Hajj, and it is which the Quran has Revealed with'.

وَ قَالَ بِفَضْلِهِ رَسُولُ اللَّهِ ص وَ كَانَ قَدْ سَاقَ الْهُدْيَ فِي حَجَّةِ الْوَدَاعِ فَلَمَّا انْتَهَى إِلَى مَكَّةَ وَ طَافَ بِالْبَيْتِ وَ سَعَى بَيْنَ الصَّفَا وَ الْمَرْوَةِ نَزَلَ عَلَيْهِ مَا يَنْزِلُ عَلَيْهِ

And Rasool-Allah^{-saww} spoke of its merits, and he^{-saww} had ushered a sacrificial animal during the farewell Hajj. When he^{-saww} ended to Makkah and performed Tawaaf of the House (Kabah) and performed Sa'ee between Al-Safa and Al-Marwa, it was Revealed to him what was Revealed to him^{-saww}.

فَقَالَ لَوْ اسْتَقْبَلْتُ مِنْ أَمْرِي مَا اسْتَدْبَرْتُ لَمْ أَسُقِ الْهُدْيَ وَ جَعَلْتُهَا عُمْرَةً فَمَنْ لَمْ يَكُنْ مَعَهُ هَدْيٌ فَلْيَحِلَّلْ

He^{-saww} said: 'Had I^{-saww} known from my^{-saww} affairs what I^{-saww} know now, I^{-saww} would not have ushered the sacrificial animal and would have made it an Umrah. So, the one who does not happen to have a sacrificial animal, let him deconsecrate!'

فَحَلَّ النَّاسُ وَ جَعَلُوهَا عُمْرَةً إِلَّا مَنْ كَانَ مَعَهُ هَدْيٌ ثُمَّ أَحْرَمُوا لِلْحَجِّ مِنَ الْمَسْجِدِ الْحَرَامِ يَوْمَ النَّوِيَّةِ

The people deconsecrated and made it an Umrah except for the one who had a sacrificial animal with him. Then they consecrated for the Hajj from the Sacred Masjid on the day of Al-Tarwiyya (8th Zul Hijjah).

فَهَذَا وَجْهٌ التَّمَتُّعُ بِالْعُمْرَةِ إِلَى الْحَجِّ لِمَنْ لَمْ يَكُنْ مِنْ أَهْلِ الْحَرَمِ كَمَا قَالَ اللَّهُ عَزَّ وَ جَلَّ لِأَنَّ أَهْلَ الْحَرَمِ يَفْعَلُونَ عَلَى الْعُمْرَةِ مَتَى أَحْبَبُوا وَ إِنَّمَا وَسَّعَ اللَّهُ فِي ذَلِكَ لِمَنْ أَتَى مِنَ الْبُلْدَانِ فَجَعَلَ لَهُمْ فِي سَفَرِهِ وَاحِدَةَ حَجَّةً وَ عُمْرَةً رَحْمَةً مِنَ اللَّهِ يَخْلُقُهُ وَ مَنَّا عَلَيْهِمْ وَ إِحْسَانًا إِلَيْهِمْ.

So, this is an aspect of combining the Umrah to the Hajj for the one who does not happen to be from the people of the Sanctuary just as Allah^{-azwj} Mighty and Majestic Said, because people of the Sanctuary are able to perform the Umrah whenever they like to, and rather Allah^{-azwj} has Expanded in that for the one who comes from the cities, so He^{-azwj} Made for

¹⁸⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 17

them in one journey, a Hajj and an Umrah, as a Mercy from Allah^{-azwj} for His^{-azwj} creatures, and as Conferment upon them and a Favour to them!"¹⁸⁵

19- وَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ صَلَوَاتُ اللَّهِ عَلَيْهِمَا أَنَّهُ قَالَ: مَنْ تَمَنَّعَ بِالْعُمْرَةِ إِلَى الْحَجِّ فَطَافَ بِالْبَيْتِ سَبْعَةَ أَشْوَاطٍ وَ صَلَّى رَكَعَتَيْنِ وَ سَعَى بَيْنَ الصَّفَا وَ الْمَرْوَةِ سَبْعَةَ أَشْوَاطٍ يَبْتَدِئُ بِالصَّفَا وَ يَخْتِمُ بِالْمَرْوَةِ فَقَدْ قَضَى الْعُمْرَةَ

And from Ja'far^{-asws} Bin Muhammad^{-asws}, may the Salawaat of Allah^{-azwj} be upon them^{-asws} both, he^{-asws} said: 'One who combines the Umrah to the Hajj, so he performs Tawaaf of the House (Kabah) seven circuits and prays two units Salat, and performs Sae between Al-Safa and Al-Marwa seven circuits, beginning with Al-Safa and ending with Al-Marwa, so he has fulfilled the Umrah.

فَلْيَخْلَعْ مِنْ إِحْرَامِهِ يَأْخُذُ مِنْ أَطْرَافِ شَعْرِهِ وَ أَطْفَارِهِ وَ يُتْقِي مِنْ ذَلِكَ لِمَا يَأْخُذُ يَوْمَ بَحْلِ مِنْ الْحَجِّ وَ يُقِيمُ مُحَلًّا إِلَّا أَنَّهُ يُنْبَغِي أَنْ يَكُونَ أَشَعَثَ شَبِيهًا بِالْمُحْرَمِ إِذَا كَانَ بِقُرْبٍ وَفَتِ الْحَجِّ

Let him release from his Ihraam, take from ends of his hair and his nails, and he should let remain from that when he takes, releasing from the Hajj, and he should stay deconsecrated except it is befitting if happens to be unkempt, resembling with the consecrated one, when it was near to the time of Hajj.

فَإِذَا كَانَ يَوْمَ التَّوْبَةِ أَحْرَمَ مِنَ الْمَسْجِدِ الْحَرَامِ كَمَا فَعَلَ حِينَ أَحْرَمَ مِنَ الْمَيْمَنَاتِ وَ مِنْ سَاقِ الْهَدْيِ وَ قَرَنَ بَيْنَ الْعُمْرَةِ وَ الْحَجِّ لَمْ يَخْلَعْ لِقَوْلِ اللَّهِ عَزَّ وَ جَلَّ وَ لَا تَخْلِفُوا رُؤُسَكُمْ حَتَّى يَبْلُغَ الْهَدْيُ مَحَلَّهُ وَ مَنْ أَرَادَ أَنْ يُفْرِدَ الْحَجَّ لَمْ يَكُنْ عَلَيْهِ طَوَافٌ قَبْلَ الْحَجِّ.

When it will be the day of Al-Tarwiyya (8th Zilhajj), he should consecrate from the Sacred Masjid from the juncture, and one who ushers the sacrificial animal and pairs between the Umrah and the Hajj should not deconsecrate due to Words of Allah^{-azwj} Mighty and Majestic: **and do not shave your heads until the offering reaches its place; [2:196]**, and the one who intends to individualise the Hajj, there would not be performance of a Tawaaf upon him, before the Hajj".¹⁸⁶

20- وَ رُوِيَ عَنْ عَلِيِّ بْنِ الْحُسَيْنِ ع أَنَّهُ أَفْرَدَ الْحَجَّ فَلَمَّا نَزَلَ بِذِي طُوًى أَخَذَ طَرِيقَ النَّبِيِّ إِلَى مِئْبَى وَ لَمْ يَدْخُلْ مَكَّةَ وَ مَنْ أَرَادَ الْعُمْرَةَ طَافَ وَ سَعَى كَمَا ذَكَرْنَا وَ حَلَّ وَ انْصَرَفَ مَتَى شَاءَ.

And it is reported from Ali Bin Al Husayn^{-asws}, he^{-asws} had individualised the Hajj. When he^{-asws} descended at Zi Tuwa, he^{-asws} took the road of the House to Mina and did not enter Makkah, and the one who intends the Umrah should perform Tawaaf and Sa'ee just as we mentioned, and he should de consecrate and leave whenever he desires to".¹⁸⁷

21- وَ رُوِينَا عَنْ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيٍّ صَلَوَاتُ اللَّهِ عَلَيْهِ أَنَّهُ قَالَ: كَانَ النَّاسُ يُقْلِدُونَ الْإِبِلَ وَ الْبَقَرَ وَ الْعَنَمَ وَ إِنَّمَا تَرَكُوا تَقْلِيدَ الْبَقَرِ وَ الْعَنَمِ حَدِيثًا

¹⁸⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 18

¹⁸⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 19

¹⁸⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 20

And we are reporting from Abu Ja'far Muhammad Bin Ali^{-asws}, may the Salawaat of Allah^{-azwj} be upon him^{-asws}, he^{-asws} said: 'The used to collar the camels, and the cows, and the sheep, and rather they neglected the collaring of the cows and the sheep recently'.

وَقَالَ يُقَلَّدُ بِسَبْرٍ أَوْ خَيْطٍ وَ الْبُدْنُ تُقَلَّدُ وَ يُعَلَّقُ فِي قِلَادَتِهَا نَعْلٌ خَلَقَهُ قَدْ صُلِّيَ فِيهَا فَإِنْ ضَلَّتْ عَنْ صَاحِبِهَا عَرَفَهَا بِنَعْلِهِ وَ إِنْ وُجِدَتْ ضَالَّةً عَرَفَتْ أَهْمًا هَدِيًّا.

And he^{-asws} said: 'A collar is with a rope or a string, and the sacrificial animal is collared a worn-out slipper having been prayed Salat in. If it gets lost from its owner, he can recognise it with his slipper, and if a lost one is found, it would be recognised that it is a sacrificial animal'¹⁸⁸

22- وَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ سُئِلَ عَمَّنْ سَاقَ بَدَنَةً كَيْفَ يَصْنَعُ

And from Ja'far^{-asws} Bin Muhammad^{-asws}, he^{-asws} was asked about the one who ushers a sacrificial animal, 'How should he deal with it?'

قَالَ إِذَا انْصَرَفَ مِنَ الْمَكَانِ الَّذِي يَتَعَقَّدُ فِيهِ إِحْرَامَهُ فِي الْمَيْقَاتِ فَلْيُشْعِرْهَا يَطْعُنْ فِي سَنَامِهَا مِنَ الْجَانِبِ الْأَيْمَنِ بِحَدِيدَةٍ حَتَّى يَسِيلَ دُمُهَا وَ تُقَلَّدُ وَ تُجَلَّلُ وَ يُشَوِّفُهَا فَإِذَا صَارَ إِلَى الْبَيْدَاءِ إِنْ أَحْرَمَ مِنَ الشَّجَرَةِ أَهْلًا بِالتَّلْبِيَةِ.

He^{-asws} said: 'When he leaves from the place which he had tied his Ihraam at the juncture, let him mark pricking in its hump from the right side with an iron until its blood flows, and it should be collared, and draped, and he should usher it. When it comes to Al-Bayda'a, he should consecrate from Al-Shajara beginning with the Talbiyya'¹⁸⁹

23- وَ كَانَ عَلِيُّ ع يُجَلِّلُ بَدَنَهُ وَ يَتَصَدَّقُ بِجِلَالِهَا.

And Ali^{-asws} used to drape his^{-asws} sacrificial animal and donate to charity with its drapes'¹⁹⁰

24- وَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ أَنَّهُ قَالَ فِي قَوْلِ اللَّهِ عَزَّ وَ جَلَّ ذَلِكَ وَ مَنْ يُعْظِمَ شَعَائِرَ اللَّهِ فَإِنَّهَا مِنْ تَقْوَى الْقُلُوبِ لَكُمْ فِيهَا مَنَافِعُ إِلَى أَجَلٍ مُسَمًّى ثُمَّ مَحَلُّهَا إِلَى الْبَيْتِ الْعَتِيقِ

And from Ja'far^{-asws} Bin Muhammad^{-asws}, he^{-asws} said regarding Words of Allah^{-azwj} Mighty and Majestic: **That; and one who magnifies the rituals of Allah, so it is from the piety of the hearts [22:32] For you there are benefits therein up to a specified term, then their place (of sacrifice) is the Liberated House [22:33].**

قَالَ هِيَ الْهُدْيُ يُعْظَمُهَا فَإِنْ احتَاجَ إِلَى طَهْرِهَا رَكِبَهَا مِنْ عَيْرٍ أَنْ يَغْتَفَ عَلَيْهَا وَ إِنْ كَانَ لَهَا لَبَنٌ حَلَبَهَا جَلَابًا لَا يَنْكِي بِهِ فِيهَا.

He^{-asws} said: 'It is the sacrificial animal to be revered. If there is a need to its back, ride it from without roughness upon it, and if there was milk for it, milk it a milking not hurting it'¹⁹¹

¹⁸⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 21

¹⁸⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 22

¹⁹⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 23

¹⁹¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 24

25- وَ عَنْهُ ع أَنَّهُ قَالَ فِي الْهُدْيِ يَعْطَبُ أَوْ يَنْكَسِرُ قَالَ مَا كَانَ فِي نَدْرٍ أَوْ جَزَاءٍ فَهُوَ مَضْمُونٌ عَلَيْهِ فِدَاؤُهُ وَ إِنْ كَانَ تَطَوُّعاً فَلَا شَيْءَ عَلَيْهِ وَ مَا كَانَ مَضْمُوناً لَمْ يَأْكُلْ مِنْهُ إِذَا نَحَرَهُ وَ تَصَدَّقَ بِهِ كُلِّهِ وَ مَا كَانَ تَطَوُّعاً أَكَلَ مِنْهُ وَ أَطْعَمَ وَ تَصَدَّقَ.

And from him^{-asws}, he^{-asws} said regarding the sacrificial animal damaged or broken. He^{-asws} said: 'Whatever was regarding a vow or a reward, so its ransom is guaranteed upon it, and if it was an option, there is nothing upon him, and whatever was guaranteed it will be not eaten from when he slaughters it, and he should donate charity with it, all of it, and whatever was voluntarily it can be eaten from and fed, and donated'.¹⁹²

26- وَ عَنْهُ ع عَنْ أَبِيهِ أَنَّ رَسُولَ اللَّهِ ص لَمَّا أَشْرَفَ عَلَى الْبَيْدَاءِ أَهَلَ بِالتَّلْبِيَةِ وَ الْإِهْلَالِ رَفَعُ الصَّوْتِ فَقَالَ لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ لَبَّيْكَ لَا شَرِيكَ لَكَ لَبَّيْكَ إِنَّ الْحَمْدَ وَ النِّعْمَةَ لَكَ وَ الْمُلْكَ لَا شَرِيكَ لَكَ لَمْ يَزِدْ عَلَى هَذَا.

And from him^{-asws}, from his^{-asws} father^{-asws}: 'When Rasool-Allah^{-saww} overlooked upon Al-Bayda, he began with the Talbiyya, and the 'beginning' is raising the voice. He^{-saww} said: 'Here I am, O Allah^{-azwj}, here I am! Here I am, there is no associate for You^{-azwj}, here I am! Surely the Praise and the bounties are yours^{-azwj}, and so is the Kingdom! There is no associate for You^{-azwj}!' – not increasing upon this'.¹⁹³

27- وَ قَدْ رُوِيَ عَنْ أَهْلِ الْبَيْتِ ع أَنَّهُمْ زَادُوا عَلَى هَذَا فَقَالَ بَعْضُهُمْ بَعْدَ ذَلِكَ لَبَّيْكَ ذَا الْمَعَارِجِ لَبَّيْكَ دَاعِيَا إِلَى دَارِ السَّلَامِ لَبَّيْكَ عَقَّارَ الدُّنُوبِ لَبَّيْكَ مَرْهُوباً وَ مَرْغُوباً لَبَّيْكَ لَبَّيْكَ ذَا الْجَلَالِ وَ الْإِكْرَامِ لَبَّيْكَ إِلَهَ الْخَلْقِ لَبَّيْكَ كَاشِفَ الْكَرْبِ.

And we are reporting from People^{-asws} of the Household, they^{-asws} had increased upon this. One of them^{-asws} said after that: 'Here I am O Possessor of the ways of ascent! Here I am Caller to the House of Peace! Here I am O Forgiver of the sins! Here I am, O feared and desired to! Here I am O Possessor of the Majesty and the Benevolence! Here I am O God^{-azwj} of the creation! Here I am O Remover of the distress!'¹⁹⁴

و مثل هذا من الكلام كثير و لكن لا بد من الأربع و هي السنة و من زاد من ذكر الله و عظم الله و لباه بما قدر عليه و ذكره بما هو أهله فذلك فضل و بر و خير.

And the likes of this speech are many, but there is not escape from the four, and it is the Sunnah, and the one who increases from the Zikr of Allah^{-azwj}, and Reverence of Allah^{-azwj}, and exclaiming it with whatever he is able upon, and mentions it with what He^{-azwj} is Rightful of, so that is a merit, and righteousness, and goodness.

28- وَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ صَلَوَاتُ اللَّهِ عَلَيْهِمَا أَنَّهُ قَالَ: وَ أَكْثَرُوا مِنَ التَّلْبِيَةِ فِي دُبُرِ كُلِّ صَلَاةٍ مَكْتُوبَةٍ أَوْ نَافِلَةٍ وَ حِينَ يَنْهَضُ بِكَ بَعِيرُكَ وَ إِذَا عَلَوْتَ شَرَفاً وَ إِذَا هَبَطْتَ وَادِيّاً أَوْ لَقِيتَ رَاكِباً أَوْ اسْتَيْقَظْتَ مِنْ نَوْمِكَ وَ بِالْأَسْحَارِ عَلَى طَهْرٍ كُنْتَ أَوْ عَلَى غَيْرِ طَهْرٍ مِنْ بَعْدِ أَنْ تُحْرِمَ.

And from Ja'far^{-asws} Bin Muhammad^{-asws}, may the Salawaat of Allah^{-azwj} be upon them^{-asws} both, he^{-asws} said: 'And frequent from the Talbiyya at the end of every Prescribed Salat or optional, and when your camel gets up with you, and when you are upon an elevation, and when you descend into a valley, or you meet a rider, or you wake up from your sleep, and at the Pre-

¹⁹² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 25

¹⁹³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 26

¹⁹⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 27

dawn, whether you were upon cleanliness or not upon cleanliness, from after having consecrated”¹⁹⁵

باب 25 ما يجوز الإحرام فيه من الثياب و ما لا يجوز و ما لا يجوز

CHAPTER 25 – WHAT CLOTHES THE IHRAAM IS ALLOWED IN AND WHAT IS NO ALLOWED, AND WHAT CLOTHES ARE ALLOWED FOR THE ONE IN IHRAAM TO WEAR AND WHAT IS NO ALLOWED

1- يج، الخرائج و الخرائج روى محمد بن عيسى عن الحسن بن علي بن يحيى قال: رَوَدْتَنِي جَارِيَةٌ لِي تُؤَبِّئُ مُلْحَمَيْنِ وَ سَأَلْتَنِي أَنْ أُحْرِمَ فِيهِمَا فَأَمَرْتُ الْعَلَامَ فَوَضَعَهَا فِي الْعَيْبَةِ فَلَمَّا انْتَهَيْتُ إِلَى الْوَقْتِ الَّذِي يُنْبَغِي أَنْ أُحْرِمَ فِيهِ دَعَوْتُ بِالتَّؤَبِّئِينَ لِأَلْبَسَهُمَا

(The book) ‘Al Kharaij’ – It is reported by Muhammad Bin Isa, from Al-Hassan Bin Ali Bin Yahya who said,

‘A slave girl provided to me two ‘Mulham’ clothes and asked me to consecrate in these. I ordered the slave and he placed it in the container. When I ended to the juncture which is befitting to wear Ihraam in, I called for the two clothes to wear these.

ثُمَّ احْتَلَجَ فِي صَدْرِي فَقُلْتُ مَا أَظُنُّهُ يُنْبَغِي لِي أَنْ أَلْبَسَ مُلْحَمًا وَ أَنَا مُحْرِمٌ فَتَرَكْتُهُمَا وَ لَبِسْتُ غَيْرَهُمَا فَلَمَّا صِرْتُ بِمَكَّةَ كَتَبْتُ كِتَابًا إِلَى أَبِي الْحَسَنِ ع وَ بَعَثْتُ إِلَيْهِ بِأَشْيَاءَ كَانَتْ عِنْدِي وَ نَسِيتُ أَنْ أَكْتُبَ إِلَيْهِ أَسْأَلُهُ عَنِ الْمُحْرِمِ هَلْ يُجُوزُ لَهُ لُبْسُ الْمُلْحَمِ

Then there was disturbance in my chest. I said, ‘It don’t think it is befitting for me to wear ‘Mulham’ and I am consecrated, so I neglected these and wore something else. When I came to Makkah I wrote a letter to Abu Al-Hassan^{asws} and dispatched to him^{asws} with things which were in my possession and I forgot to write to him^{asws} asking him^{asws} about the one in Ihraam, ‘Is it allowed for him to wear the ‘Mulham’?’

فَلَمَّ أَلْبِثُ أَنْ جَاءَ الْجَوَابُ بِكُلِّ مَا سَأَلْتُهُ عَنْهُ فِي أَسْفَلِ الْكِتَابِ لَا بَأْسَ بِالْمُلْحَمِ أَنْ يَلْبَسَهُ الْمُحْرِمُ.

It was not long before the answer came with all what I had asked him^{asws} in the bottom of the letter: ‘There is no problem with the ‘Mulham’ for the consecrated one to wear”¹⁹⁶

الملحم: ما كان سداه ابريسم و لحمته غير ابريسم.

Al Mulham - What had its warp as silk and its weft as something other than silk.

2- سر، السرائر البرنطبي عن جميل عن أبي عبد الله ع قال: من اضطرَّ إلى ثوبٍ و هو مُحْرِمٌ وَ لَيْسَ مَعَهُ إِلَّا قَبَاءٌ فَلْيَنْكُسْهُ وَ لِيَجْعَلْ أَعْلَاهُ أَسْفَلَهُ وَ يَلْبَسْهُ

(The book) ‘Al Saraair’ – Al Bazanty, from Jameel,

¹⁹⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 24 H 28

¹⁹⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 1

‘From Abu Abdullah^{-asws} having said: ‘One who is desperate to a cloth while he is consecrated, and there isn’t with him except a cloak, let him overturn it and let him make its top as its bottom and wear it’.

وَ سَأَلْتُهُ عَنِ الْمَرْأَةِ تَلْبَسُ الْحَرِيرَ قَالَ لَا.

And I asked him^{-asws} about the woman wearing the silk. He^{-asws} said: ‘No!’¹⁹⁷

3- شي، تفسير العباسي عن عبيد الله بن علي الحلبي عن أبي جعفر وأبي عبد الله ع قال حجاج عمر أول سنة حجاج وهو خليفة فحج تلك السنة المهاجرون والأنصار وكان علي ع قد حج تلك السنة بالحسن والحسين ع وبعبد الله بن جعفر

(The book) ‘Tafseer Al Ayyashi’ – from Ubeydullah Bin Ali Al Halby,

‘From Abu Ja’far^{-asws} and Abu Abdullah^{-asws} both said: ‘Umar performed Hajj in the first year of Hajj while he was Caliph. In that year the Emigrants and the Helpers performed Hajj, and Ali^{-asws} performed Hajj that year with Al-Hassan^{-asws} and Al-Husayn^{-asws} and with Abdullah son of Ja’far^{-ra}’.

قَالَ فَلَمَّا أَحْرَمَ عَبْدُ اللَّهِ لَيْسَ إِزَارًا وَرِدَاءٌ مُشَقَّقَيْنِ مَصْبُوعَيْنِ بِطِينِ الْمَشَقِّ ثُمَّ أَتَى فَنَظَرَ إِلَيْهِ عُمَرُ وَهُوَ بُلْبُي وَ عَلَيْهِ الْإِزَارُ وَ الرِّدَاءُ وَ هُوَ يَسِيرُ إِلَى جَنْبِ عَلِيٍّ ع فَقَالَ عُمَرُ مِنْ خَلْفِهِمْ مَا هَذِهِ الْبِدْعَةُ الَّتِي فِي الْحَرَمِ

He^{-asws} said: ‘When Abdullah^{-ra} consecrated he^{-ra} wore a waist cloth and a cloak (upper garment) which were patterned, dyed with the clay of Al-Mishq. Then he^{-ra}. Came. Umar looked at him^{-ra} while he^{-ra} was exclaiming Talbiyya and upon him^{-ra} was the waist cloth and the cloak and he^{-ra} was travelling to a side of Ali^{-asws}. Umar said from behind them, ‘What is this innovation which is Sanctuary?’

فَأَلْتَفَتَ إِلَيْهِ عَلِيٌّ ع فَقَالَ يَا عُمَرُ لَا تَبْغِي لِأَحَدٍ أَنْ يُعَلِّمَنَا السُّنَّةَ

Ali^{-asws} turned towards him. He^{-asws} said: ‘O Umar! It is not befitting for anyone that he teaches us the Sunnah!’

فَقَالَ عُمَرُ صَدَقْتَ يَا أَبَا الْحَسَنِ لَا وَ اللَّهُ مَا عَلِمْتُ أَنَّكُمْ هُمْ.

Umar said, ‘You^{-asws} speak the truth, O Abu Al-Hassan^{-asws}! No, by Allah^{-azwj} I did not know you all were with them!’¹⁹⁸

4- كشف، كشف الغمة من دلائل الحميري عن جعفر بن محمد بن يونس قال: كتب رجل إلى الرضا ع يسأله مسائل و أراد أن يسأله عن التَّوْبِ الْمُلْحَمِ يَلْبَسُهُ الْمُحْرِمُ وَ عَنْ سِلَاحِ رَسُولِ اللَّهِ ص فَتَسْبِي ذَلِكَ وَ تَلْهَفَ عَلَيْهِ

(The book) ‘Kashaf Al Ghumma’, from ‘Dalail’ of Al Himeyri, from Ja’far Bin Muhammad Bin Yunus who said,

¹⁹⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 2

¹⁹⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 3

‘A man wrote to Al-Reza^{-asws} asking him^{-asws} questions and he wanted to ask him^{-asws} about the cloth ‘Al-Mulham’ the consecrated one wears, and about weapons of Rasool-Allah^{-saww}. He forgot that and deeply regretted it.

فَجَاءَ جَوَابُ الْمَسْأَلِ وَ فِيهِ لَا بَأْسَ بِالْإِحْرَامِ بِالتَّوْبِ الْمَلْحَمِ وَ اعْلَمْ أَنَّ سِلَاحَ رَسُولِ اللَّهِ ص فِيْنَا بِمَنْزِلَةِ التَّابُوتِ فِي بَنِي إِسْرَائِيلَ يَدُورُ مَعَ كُلِّ عَالِمٍ حَيْثُ دَارَ.

The answer to the questions and in it was: ‘There is no problem with the consecrating with the cloth ‘Al-Mulham’, and know that weapons of Rasool-Allah^{-saww} among us^{-asws} are at the status of the box (Tabout) was among the children of Israel rotating with every scholar wherever he went’¹⁹⁹.

5- كَش، رجال الكشي علي بن محمد الفتيبي عن أبي عبد الله الشاذلي قال: سألت الريان بن الصلت فقلت أنا محرمٌ و ربما اختلعت فاعتسلت و ليس معي الثياب ما أستدفئ به إلا الثياب المخاطة

(The book) ‘Rijal’ of Al Kashi – Ali Bin Muhammad Al Quteybi, from Abu Abdullah Al Shazani who said,

‘I asked Al-Rayyan Bin Al-Salt. I said, ‘I am consecrated and sometimes I bed-wet, so I wash and there aren’t any clothes with me what I can keep warm with except the sewn clothes’.

فَقَالَ لِي سَأَلْتُ هَذِهِ الْمَشِيخَةَ الَّذِينَ مَعَنَا فِي الْقَافِلَةِ عَنْ هَذِهِ الْمَسْأَلَةِ يَعْنِي أَبَا عَبْدِ اللَّهِ الْجُرْجَانِيَّ وَ يَحْيَى بْنَ حَمَّادٍ وَ غَيْرَهُمَا

He said to me: ‘Did you asked these Sheykhs, those who are with us in the caravan, about this issue, meaning Abu Abdullah Al-Jurjany, and Yahya Bin Hammad and others?’

فَقُلْتُ بَلَى قَدْ سَأَلْتُ

I said, ‘Yes, I have asked’.

قَالَ فَمَا وَجَدْتَ عِنْدَهُمْ

He said, ‘So what did you find with them?’

قُلْتُ لَا شَيْءَ

I said, ‘Nothing!’

قَالَ الرِّيَّانُ لِابْنِهِ مُحَمَّدٍ لَوْ شُغِلُوا بِطَلَبِ الْعِلْمِ كَانَ خَيْرًا لَهُمْ مِنْ اِشْتِغَالِهِمْ بِمَا لَا يَغْنِيهِمْ يَعْني مِنْ طَرِيقِ الْعُلُوِّ

Al Rayyan said to his son Muhammad, ‘If they were to pre-occupy with seeking the knowledge it would have been better for them, from their pre-occupation with what does not concern them, meaning from the path of exaggeration’.

¹⁹⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 4

ثُمَّ قَالَ لِابْنِهِ قَدْ حَدَّثَ بِهَذَا مَا حَدَّثَ وَ هُمْ يُسَلِّمُونَهُ إِلَى الْقَبِيلِ وَ لَيْسَ عِنْدَهُمْ مَا يَرشُدُونَهُ [يَرشُدُونَ بِهِ] إِلَى الْحَقِّ يَا بُنَيَّ إِذَا أَصَابَكَ مَا ذَكَرْتُ فَأَلْبَسْ ثِيَابَ إِحْرَامِكَ فَإِنْ لَمْ تَسْتَدْفِئْهُ فَعَبِّرْ ثِيَابَكَ الْمَخِيطةَ وَ تَدَثِّرْ

Then he said to his son, 'It has occurred with this one what has occurred, and they are submitting him to the hearsay, and there isn't anything with them what they can guide him to the truth. O my Son! When it hits you what I have mentioned, wear the clothes of your Ihraam. If they do not keep you warm, then change your stitched clothes and cover yourself'.

فَقُلْتُ كَيْفَ أُغَيِّرُ

I said, 'How can I change?'

قَالَ أَلْقِ ثِيَابَكَ عَلَى نَفْسِكَ وَ اجْعَلْ جِلْبَابَهُ مِنْ نَاحِيَةِ ذَيْلِكَ وَ ذَيْلَهُ مِنْ نَاحِيَةِ وَجْهِكَ.

He said, 'Cast your clothes upon yourself making its upper part from the side of its hem and its hem from the side of your face'.²⁰⁰ (Not a Hadeeth)

6- ب، قرب الإسناد عَنْهُمَا عَنْ حَنَانٍ قَالَ: كُنْتُ جَالِسًا عِنْدَ أَبِي عَبْدِ اللَّهِ ع إِذْ جَاءَهُ رَجُلٌ فَسَأَلَهُ أَمْ يُحْرِمُ الرَّجُلُ فِي ثَوْبٍ فِيهِ حَرِيرٌ

(The book) 'Qurb Al Isnaad' – From them both, from Hanan who said,

'I was seated in the presence of Abu Abdullah^{-asws} when a man came to him^{-asws}. He asked him^{-asws}, 'Can the man consecrate in a cloth having silk in it?'

قَالَ فَدَعَا بِثَوْبٍ قُرْقُبِي فَقَالَ أَنَا أُحْرِمُ فِي هَذَا وَ فِيهِ حَرِيرٌ.

He (the narrator) said, 'He^{-asws} called for a 'Qurquby' cloth. He^{-asws} said: 'I^{-asws} consecrate in this, and there is silk in it'.²⁰¹

القرقبي: بقافين ثوب أبيض مصرى من كتان منسوب الى قرقوب

Al Qurquby – with two (letters) 'Qaf' – a white Egyptian cloth of cotton attributed to 'Qurwoub'.

7- ل، الخصال الفطآن عن السكوبي عن الجوهري عن ابن عمارة عن أبيه عن جابر الجعفي عن أبي جعفر ع قال: يجوز للمرأة لبس الديباج و الحرير في غير صلاة و إحرام.

(The book) 'Al Khisaal' – Al Qattan, from Al Sakuni, from Al Jowhari, from Ibn Umarah, from his father, from Jabir Al Jufy,

'From Abu Ja'far^{-asws} having said: 'It is allowed for the woman to wear the brocade and the silk in other than Salat and Ihraam?'²⁰²

²⁰⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 5

²⁰¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 6

²⁰² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 7

8- ج، الإحتجاج كَتَبَ الْمُحَمَّرِيُّ إِلَى الْقَائِمِ ع يسأله هل يجوز للرجل أن يُحَرِّمَ فِي كِسَاءِ خَيْرٍ

(The book) 'Al Ihtijaj' –

'Al-Himeyri wrote to Al-Qaim^{-ajfi} asking him^{-ajfi}, 'Is it allowed for the man to consecrate in a covering of 'Khazz'?'

فَخَرَجَ الْجَوَابُ لَا تَأْسَ بِذَلِكَ وَ قَدْ فَعَلَهُ قَوْمٌ صَالِحُونَ.

The answer emerged: 'There is no problem with that, and a group of righteous people have done that'.²⁰³

9- وَ سَأَلَهُ عَنِ الْمُحَرِّمِ يَجُوزُ أَنْ يَشُدَّ الْمُئْتَزِرَ مِنْ خَلْفِهِ إِلَى عُنُقِهِ بِالطُّوْلِ وَ يَرْفَعَ طَرْفَيْهِ إِلَى حَقْوَيْهِ وَ يَجْمَعُهُمَا فِي حَاصِرَتِهِ وَ يَغْقِدُهُمَا وَ يُخْرِجَ الطَّرْفَيْنِ الْأَخْرَيْنِ مِنْ بَيْنِ رِجْلَيْهِ وَ يَرْفَعُهُمَا إِلَى حَاصِرَتِهِ وَ يَشُدَّ طَرْفَيْهِ إِلَى وَرْكَيْهِ فَيَكُونُ مِثْلَ السَّرَاوِيلِ يَسْتُرُ مَا هُنَاكَ فَإِنَّ الْمُئْتَزِرَ الْأَوَّلَ كُنَّا نَتَرْتَرُ بِهِ إِذَا رَكِبَ الرَّجُلُ جَمَلَهُ يُكْشَفُ مَا هُنَاكَ وَ هَذَا أَسْتُرٌ

And he asked him^{-ajfi} about the consecrating one, 'Is it allowed that he ties the waistcloth from behind him to his neck lengthwise, raise its two ends to his hips, tie them at his waist, bring the other two ends between his legs, raise them to his waist, and secure them to his hips, so it becomes like a trouser covering what is over there. The former waist cloth we used to wear would reveal that area when a man rode his camel, but this method is more concealing'.

فَأَجَابَ عَ جَائِزٌ أَنْ يَتَرْتَرُ الْإِنْسَانُ كَيْفَ شَاءَ إِذَا لَمْ يُحْدِثْ فِي الْمُئْتَزِرِ حَدَثًا يَمْرَاضِي وَ لَا إِنْبِرَةَ يُخْرِجُهُ بِهِ عَنِ حَدِّ الْمُئْتَزِرِ وَ عَزْرَهُ عَزْرًا وَ لَمْ يَغْقِدْهُ وَ لَمْ يَشُدَّ بَعْضُهُ بَبَعْضٍ فَإِذَا غَطَّى سُرْتَهُ وَ رُكْبَتَيْهِ كِلَاهِمَا [كِلَيْهِمَا] فَإِنَّ السُّنَّةَ الْمُجْمَعَةَ عَلَيْهَا بَعْدَ جَلَافِ تَغْطِيَةِ السُّرَّةِ وَ الرُّكْبَتَيْنِ وَ الْأَحْبَبُ إِلَيْنَا وَ الْأَفْضَلُ لِكُلِّ أَحَدٍ شُدُّهُ عَلَى السَّبِيلِ الْمَعْرُوفَةِ لِلنَّاسِ جَمِيعًا إِنْ شَاءَ اللَّهُ.

He^{-ajfi} answered: 'It is allowed for the person to trouser however he so desires provided he does not alter the waist cloth with scissors or a needle, changing it from its original state, nor sew it, tie it, or fasten its parts together. If it covers both the navel and the knees, as both are to be covered, then the agreed-upon Sunnah, without any dispute, is the covering of the navel and the knees. However, what we^{-ajfi} prefer and consider better for everyone is to fasten it in the customary manner known to all people, if Allah^{-azwj} so Desires!'²⁰⁴

10- وَ سَأَلَ رَه هَلْ يَجُوزُ أَنْ يَشُدَّ عَلَيْهِ مَكَانَ الْعُقْدِ نَكَّةً

And he asked, 'It is allowed to fasten a waistband (belt) in place of tying a knot?'

فَأَجَابَ عَ لَا يَجُوزُ شُدُّ الْمُئْتَزِرِ بِشَيْءٍ سِوَاءَ مِنْ نَكَّةٍ وَ لَا عَيْرِهَا.

He (peace be upon him) replied: 'It is not allowed to fasten the waist cloth with anything. It is the same where it is a belt or anything else'.²⁰⁵

²⁰³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 8

²⁰⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 9

²⁰⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 10

11- ب، قرب الإسناد عليّ عن أخيه ع قَالَ قَالَ: سَأَلْتُهُ عَنِ الْمُحْرِمِ أ يَصْلُحُ لَهُ أَنْ يَلْبَسَ التَّوْبَ الْمُسْبَعِ بِالْغُصْفُرِ

(The book) 'Qurb Al Isnaad' –

'Ali, from his brother (Musa Al-Kazim^{asws}). He said, 'I asked him^{asws} about the consecrating one, 'Is it correct for him to wear the cloth dyed with the Safflower?'

قَالَ إِذَا لَمْ يَكُنْ فِيهِ طِيبٌ فَلَا بَأْسَ.

He^{asws} said: 'When there does not happen to be any perfume (aroma) in it, there is no problem'.²⁰⁶

12- قَالَ وَقَالَ: الْمُحْرِمُ لَا يَصْلُحُ لَهُ أَنْ يَعْقِدَ إِزَارَهُ عَلَى رَقَبَتِهِ وَ لَكِنْ يَنْبَغِي عَلَيْهِ عَلَى عُنُقِهِ وَ لَا يَعْقُدُهُ.

He said, 'And he^{asws} said: 'The consecrated one, it is not correct for him^{asws} that he ties his waist cloth upon his neck, be he should fold it upon his neck and not tie it!'²⁰⁷

13- ع، علل الشرائع أَبِي عَنْ سَعْدِ بْنِ أَحْمَدَ وَ عَبْدِ اللَّهِ ابْنِ مُحَمَّدِ بْنِ عَيْسَى عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادِ بْنِ عُمَانَ عَنْ عَبْدِ اللَّهِ الْحَلَبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: وَجَدْنَا فِي كِتَابِ جَدِّي ع لَا يَلْبَسُ الْمُحْرِمُ طَيْلَسَانًا مُزْرَرًا فَذَكَرْتُ ذَلِكَ لِأَبِي ع فَقَالَ إِنَّمَا فَعَلَ ذَلِكَ كِرَاهَةً أَنْ يُرْزَهُ عَلَيْهِ الْجَاهِلُ فَأَمَّا الْمُقْبِيهِ فَلَا بَأْسَ بِهِ أَنْ يَلْبَسَهُ.

(The book) 'Ilal Al Sharaie' – My father, from Sa'ad, from Ahmad and Abdullah, two sons of Muhammad Bin Isa, from Ibn Abu Umeyr, from Hammad Bin Usman, from Ubeydullah Al Halby,

'From Abu Abdullah^{asws} having said: 'We^{asws} found in the book of my^{asws} grandfather^{asws}: 'The consecrated one cannot wear a buttoned pallium'. I^{asws} mentioned that to my^{asws} father^{asws}. He^{asws} said: 'But rather, that is done abhorrently that the ignorant one buttons upon it. As for the jurists, there is no problem with it if he wears it''²⁰⁸

14- ع، علل الشرائع ابْنُ الْوَلِيدِ عَنِ الصَّفَّارِ عَنِ ابْنِ مَعْرُوفٍ عَنِ ابْنِ مَهْرِيَّارَ عَنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنِ النَّضْرِ عَنِ عَاصِمٍ عَنِ أَبِي بَصِيرٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنِ الْمُحْرِمِ يَشُدُّ عَلَى بَطْنِهِ الْمِنْطَقَةَ الَّتِي فِيهَا نَفَقَتُهُ قَالَ يَسْتَوْتِي مِنْهَا فَإِنَّمَا تَمَامُ الْحُجَّةِ.

(The book) 'Ilal Al Sharaie' – Ibn Al Waleed, from Al Saffar, from Ibn Marouf, from Ibn Mahziyar, from Al Husayn Bin Saeed, from Al Nazar, from Aasim, from Abu Baseer who said,

'I asked Abu Abdullah^{asws} about the consecrated one tying the belt upon his belly in which is his expenditure money. He^{asws} said: 'He is safeguarding from it, for it is completion of the Hajj''²⁰⁹

15- سن، المحاسن بَعْضُ أَصْحَابِهِ عَنِ ابْنِ أَسْبَاطٍ عَنِ عَمِّهِ عَنِ يَعْقُوبَ بْنِ سَالِمٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اللَّهِ ع يَكُونُ مَعِيَ الدَّرَاهِمُ فِيهَا تَمَائِلٌ وَ أَنَا مُحْرِمٌ فَأَجْعَلُهَا فِي هَيْبَانِي وَ أَشُدُّهُ فِي وَسْطِي

²⁰⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 11

²⁰⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 12

²⁰⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 13

²⁰⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 14

(The book) 'Al Mahasin' – One of his companions, from Ibn Asbaat, from his uncle, from Yaqoub Bin Salim who said,

'I said to Abu Abdullah^{-asws}, 'There happen to be Dirhams (coins) with me in which are pictures, and I am consecrated, so I make it to be in my wallet and I tie I upon my waist'.

قَالَ لَا تَأْسَ أَوْ لَيْسَ هِيَ نَفَقَتِكَ تُعِينُكَ بِعَمَلِ اللَّهِ.

He^{-asws} said: 'There is no problem, and isn't it your expense money assisting you with working for Allah^{-azwj}'²¹⁰

[باب 26 الصيد و أحكامه](#)

CHATER 26 – THE HUNTING AND ITS RULINGS

الآيات المائدة عَنِ مُحَلِّي الصَّيْدِ وَأَنْتُمْ حُرْمٌ

The Verses – (Surah) Al Maidah: **other than the hunting of domesticated (animals) while you are in Ihram; [5:1].**

و قال تعالى وَإِذَا خَلْتُمْ فَاصْطَادُوا

And the Exalted Said: **and when you are free (from the Ihram), then (you can) hunt [5:2].**

و قال تعالى يَا أَيُّهَا الَّذِينَ آمَنُوا لِيَتْلُوَنَّكُمْ اللَّهُ بِشَيْءٍ مِنَ الصَّيْدِ تَنَالَهُ أَيْدِيكُمْ وَ رِمَاحُكُمْ لِيَعْلَمَ اللَّهُ مَنْ يَخَافُهُ بِالْغَيْبِ فَمَنْ اعْتَدَى بَعْدَ ذَلِكَ فَلَهُ عَذَابٌ أَلِيمٌ

And the Exalted Said: **O you who believe! Allah will Try you with something from the hunting your hands and your spears can attain, so Allah can Know the one who fears Him in private. But the one who exceeds after that, for him would be a painful Punishment [5:94].**

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْتُلُوا الصَّيْدَ وَأَنْتُمْ حُرْمٌ وَ مَنْ قَتَلَهُ مِنْكُمْ مُتَعَمِّدًا فَجَزَاءٌ مِثْلُ مَا قَتَلَ مِنَ النَّعْمِ بِحُكْمِ بِهِ دُوا عَدْلٍ مِنْكُمْ هَدِيًّا بِالْبَيْتِ الْحَرَامِ أَوْ كَفَّارَةً طَعَامًا مَسَاكِينَ أَوْ عَدْلٌ ذَلِكَ صِيَامًا لِيَذُوقَ وَبَالَ أَمْرِ عَفَا اللَّهُ عَمَّا سَلَفَ وَ مَنْ عَادَ فَيَنْتَقِمِ اللَّهُ مِنْهُ وَ اللَّهُ عَزِيزٌ ذُو انْتِقَامٍ

O you who believe! Do not kill the prey while you are in Ihram; and the one from you who kills it deliberately, so his recompense would be like what he killed from the cattle. The possessor of justice from you would judge with it, (either) a sacrificial animal reaching the Kaaba, or a expiation of feeding the poor, or equivalent of that in Fasting in order for him to taste the scourge of his matter. Allah Pardons from what is past; and (as for) the one who repeats, then Allah will Take Revenge from him, and Allah is Mighty with the Revenge [5:95].

أَجَلٌ لَكُمْ صَيْدُ الْبَحْرِ وَ طَعَامُهُ مَتَاعًا لَكُمْ وَ لِلسِّيَّارَةِ وَ حُرْمٌ عَلَيْكُمْ صَيْدُ الْبَرِّ مَا دُمْتُمْ حُرْمًا وَ اتَّقُوا اللَّهَ الَّذِي إِلَيْهِ تُحْشَرُونَ.

²¹⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 25 H 15

Permissible for you is the prey of the sea and its food, being a provision for you and for the sea-farers; and Prohibited upon you is the prey of the sea for as long as you are in Ihram; and fear Allah to Whom you would be gathering [5:96].

1- ضا، فقه الرضا عليه السلام كُلُّ شَيْءٍ أَنْتَبَهُ فِي الْحَرَمِ بِجَهَالَةٍ وَ أَنْتَ مُجَلِّئٌ أَوْ مُحْرِمٌ أَوْ أَنْتَبْتَ فِي الْحِلِّ وَ أَنْتَ مُحْرِمٌ فَلَيْسَ عَلَيْكَ شَيْءٌ إِلَّا الصَّيْدَ فَإِنَّ عَلَيْكَ فِدَاهُ فَإِنْ تَعَمَّدْتَهُ كَانَ عَلَيْكَ فِدَاؤُهُ وَ إِثْمُهُ وَ إِنْ عَلِمْتَ أَوْ لَمْ تَعْلَمْ فَعَلَيْكَ فِدَاهُ

(The book) 'Fiqh Al-Reza'-asws' –

'All things you commit in the Sanctuary out of ignorance while you are either de-consecrated or consecrated, or you commit in the de-consecrated area while you are in Ihraam, there isn't anything upon you except the hunting, for upon you is its ransom. If you have deliberated it upon you, it would be its ransom and its price, and if you knew or did not know, upon you is its ransom.

فَإِنْ كَانَ الصَّيْدُ نَعَامَةً فَعَلَيْكَ بَدَنَةٌ فَإِنْ لَمْ تَقْدِرْ عَلَيْهَا أَطَعَمْتَ سِتِّينَ مَسْكِينًا لِكُلِّ مَسْكِينٍ مُدٌّ فَإِنْ لَمْ تَقْدِرْ صُمْتَ ثَمَانِيَةَ عَشَرَ يَوْمًا فَإِنْ أَكَلْتَ بَيْضَهَا فَعَلَيْكَ دَمٌّ وَ كَذَلِكَ إِنْ وَطِئْتَهَا وَ كَانَ فِيهَا أَفْرَاحٌ تَتَحَرَّكُ فَعَلَيْكَ أَنْ تُرْسِلَ فُحُولَهُ مِنَ الْبُذُنِ عَلَى عَدَدِهَا مِنَ الْإِنَاثِ بِعَدْرِ الْبَيْضِ فَمَا نَبِحَ مِنْهَا فَهُوَ هَدْيٌ لِيَبْتَ اللَّهُ

If the hunted animal is an ostrich, you must offer a camel. If you cannot afford it, you must feed sixty needy people, giving each person a measure (Mudd) of food. If you are unable to do that, you must fast for eighteen days. If you eat its eggs, you must offer a blood sacrifice. Similarly, if you step on its eggs and they contain moving embryos, you are required to release an equal number of male camels to the number of female ostriches, corresponding to the number of eggs. Whatever is born from them must be offered as a sacrificial offering to the House of Allah^{-azwj}.

وَ إِنْ كَانَ الصَّيْدُ بَقَرَةً أَوْ حِمَارًا وَحْشٍ فَعَلَيْكَ بَقَرَةٌ فَإِنْ لَمْ تَقْدِرْ أَطَعَمْتَ ثَلَاثِينَ مَسْكِينًا فَإِنْ لَمْ تَقْدِرْ صُمْتَ تِسْعَةَ أَيَّامٍ وَ إِنْ كَانَ الصَّيْدُ ظَبْيًا فَعَلَيْكَ دَمٌّ شَاةً فَإِنْ لَمْ تَقْدِرْ أَطَعَمْتَ عَشْرَةَ مَسَاكِينَ فَإِنْ لَمْ تَقْدِرْ صُمْتَ ثَلَاثَةَ أَيَّامٍ

If the hunted animal is a wild cow or a wild donkey, you must offer a cow. If you cannot afford it, you must feed thirty needy people. If you are unable to do that, you must fast for nine days. If the hunted animal is a gazelle, you must offer the blood of a sheep. If you cannot afford it, you must feed ten needy people. If you are unable to do that, you must fast for three days.

فَإِنْ رَمَيْتَ ظَبْيًا فَكَسَرْتَ يَدَهُ أَوْ رِجْلَهُ فَذَهَبَ عَلَى وَجْهِهِ لَا تَدْرِي مَا صَنَعَ فَعَلَيْكَ فِدَاهُ فَإِنْ رَأَيْتَ بَعْدَ ذَلِكَ تَرَعَى وَ تَمْشِي فَعَلَيْكَ رُبْعُ قِيَمَتِهِ فَإِنْ كَسَرْتَ قَرْنَهُ أَوْ جَرَحْتَهُ نَصَدَقْتَ بِشَيْءٍ مِنَ الطَّعَامِ فَإِنْ قَتَلْتَ جَرَادَةً نَصَدَقْتَ بِثَمِيرَاتٍ وَ ثَمِيرَاتٌ خَيْرٌ مِنْ جَرَادَةٍ

If you shoot a gazelle and break its leg or arm, and it escapes without you knowing what happened to it, you must offer its compensation. If you see it grazing and walking later, you must pay a quarter of its value. If you break its horn or injure it, you must give some food in charity. If you kill a locust, you should give a few dates to charity, as a few dates are better than a locust.

فَإِنْ كَانَ الْجَرَادُ كَثِيراً دَبَّحَتِ الشَّاةَ وَ الْيَعْقُوبَ الدَّكَرَ وَ الْحَجَلَةَ الْأُنْثَى فِي الدَّكَرِ شَاةٌ وَ إِنْ قَتَلْتَ زُبُوراً تَصَدَّقْتَ بِكَفِّ طَعَامٍ وَ الْحَجَلَةَ أَوْ بُلْبُلًا أَوْ عُصْفُوراً وَ أَصْنَافَهُ دَمٌ شَاةٍ وَ إِنْ أَكَلْتَ جَرَادَةً وَاحِدَةً فَعَلَيْكَ دَمٌ شَاةٍ

If the locusts are numerous, you must slaughter a sheep. For a male partridge or a quail, the compensation is a sheep. If you kill a wasp, you should give a handful of food in charity. For a female partridge, a hoopoe, or a sparrow and similar birds, the compensation is the blood of a sheep. If you eat a single locust, you are required to offer the blood of a sheep.

وَ فِي الثَّعْلَبِ وَ الْأَرْزَبِ دَمٌ شَاةٍ وَ فِي الْقَطَاةِ حَمَلٌ قَدْ فُطِمَ مِنَ اللَّبَنِ وَ رَعَى مِنَ الشَّجَرِ وَ فِي بَيْضِهِ إِذَا أَصَبْتَهُ قِيَمَةٌ [قِيَمَتُهُ] فَإِنْ وَطِئْتَهَا وَ فِيهَا فِرَاحٌ تَتَحَرَّكُ فَعَلَيْكَ أَنْ تُرْسِلَ الدُّكْرَانَ مِنَ الْمَعْرِ عَلَى عَدَدِهَا مِنَ الْإِنَاثِ عَلَى قَدْرِ عَدَدِ الْبَيْضِ

For a fox or a rabbit, the compensation is the blood of a sheep. For a sandgrouse, the compensation is a lamb that has been weaned from milk and has grazed on shrubs. For its eggs, if you damage them, you must pay their value. If you step on them and they contain moving embryos, you are required to release an equal number of male goats to the number of eggs, matched by an equivalent number of females as the eggs.

فَمَا تُبِخَ فَهُوَ هَدْيٌ لَيْتَ اللَّهُ وَ فِي الْبُرْبُوعِ وَ الْفَنْفَذِ وَ الضَّبِّ جَدْيٍ وَ الْجَدْيِ خَيْرٌ مِنْهُ وَ لَا بَأْسَ لِلْمُحْرِمِ أَنْ يَقْتُلَ الْحَيَّةَ وَ الْعُقْرَبَ وَ الْفَأْرَةَ وَ لَا بَأْسَ بِرَمِيِ الْجِدَاةِ وَ إِنْ كَانَ الصَّيْدُ أَسَدًا دَبَّحَتْ كَبْشاً وَ مَتَى أَصَبْتَ شَيْئاً مِنَ الصَّيْدِ فِي الْحِلِّ وَ أَنْتَ مُحْرِمٌ فَعَلَيْكَ دَمٌ عَلَى مَا وَصَفْنَاهُ

Whatever is born from them is an offering for the House of Allah^{azwj}. For a Jerboa, a hedgehog, or a lizard, the compensation is a young goat, and the goat is better than them. There is no harm for a person in the state of Ihram to kill a snake, scorpion, or mouse, and it is Permissible to shoot a kite. If the game is a lion, you must slaughter a ram. Whenever you harm any game outside the Sanctuary while in the state of Ihram, you are required to offer the blood of a sacrifice according to the descriptions we have outlined.

وَ مَتَى مَا أَصَبْتَ فِي الْحَرَمِ وَ أَنْتَ مُحِلٌّ فَعَلَيْكَ قِيَمَةُ الصَّيْدِ فَإِنْ أَصَبْتَهُ وَ أَنْتَ مُحْرِمٌ فِي الْحَرَمِ فَعَلَيْكَ الْفِدَاءُ وَ الْقِيَمَةُ فَإِنْ كَانَ الصَّيْدُ طَيْرًا اشْتَرَيْتَ بِقِيَمَتِهِ عِلْفًا عَلَّمْتَ بِهِ حَمَامَ الْحَرَمِ وَ إِنْ كُنْتَ مُحْرِمًا وَ أَصَبْتَهُ وَ أَنْتَ مُحْرِمٌ فِي الْحَرَمِ فَعَلَيْكَ دَمٌ

Whenever game you harm within the Sanctuary while you are not in the state of Ihraam, you must pay the value of the game. If you harm it while you are in the state of Ihraam within the Sanctuary, you are required to offer both compensation and value. If the game is a bird, you must buy feed with its value and use it to feed the pigeons of the Sanctuary. If you are in the state of Ihraam and the game is within the Sanctuary, you must offer a blood sacrifice.

وَ قِيَمَةُ الطَّيْرِ دِرْهَمٌ فَإِنْ كَانَ فَرِحاً فَعَلَيْكَ دَمٌ وَ نِصْفُ دِرْهَمٍ فَإِنْ كَانَ أَكَلْتَ بَيْضَهُ تَصَدَّقْتَ بِرُبْعِ دِرْهَمٍ وَ إِنْ كَانَ بَيْضَ حَمَامٍ فَرُبْعِ دِرْهَمٍ وَ إِنْ كَانَ الصَّيْدُ قَطَاةً فَعَلَيْكَ حَمَلٌ قَدْ رَضَعَ وَ فُطِمَ مِنَ اللَّبَنِ وَ رَعَى الشَّجَرَ وَ إِنْ كَانَ غَيْرَ طَائِرٍ تَصَدَّقْتَ بِقِيَمَتِهِ وَ إِنْ كَانَ فَرِحاً تَصَدَّقْتَ بِنِصْفِ دِرْهَمٍ

The value of a bird is one Dirham. If it is a chick, you are required to offer a blood sacrifice and half a Dirham. If you eat its eggs, you must give a quarter Dirham in charity. If it is a pigeon's egg, the compensation is also a quarter Dirham. If the game is a sandgrouse, you must offer a lamb that has nursed, been weaned from milk, and grazed on vegetation. If the game is not a bird, you should give its value in charity. You must give half a Dirham in charity if it is a chick.

فَإِنْ أَكَلْتَ بَيْضاً تَصَدَّقْتَ بِرُبْعِ دِرْهَمٍ وَ إِنْ نَفَرْتَ حَمَامَ الْحَرَمِ فَرَجَعْتَ فَعَلَيْكَ فِي كُلِّهَا شَاةٌ وَ إِنْ لَمْ تَرَهَا رَجَعْتَ فَعَلَيْكَ لِكُلِّ طَيْرٍ دَمٌ شَاةٌ وَ إِذَا فَرَعْتَ مِنَ الْمَنَاسِكِ كُلِّهَا وَ أَرَدْتَ الْخُرُوجَ تَصَدَّقْتَ بِدِرْهَمٍ تَمْرًا حَتَّى يَكُونَ كَفَّارَةً لِمَا دَخَلَ عَلَيْكَ فِي إِحْرَامِكَ مِنَ الْحَلَالِ وَ النَّفْصَانِ وَ أَنْتَ لَا تَعْلَمُ.

If you eat eggs, you must give a quarter of a Dirham to charity. If you disturb the pigeons of the Sanctuary and they return, you are required to offer one sheep for all of them. If you do not see them return, you must offer a sheep for each bird. After completing all the rites and intending to leave, you should give a dirham's worth of dates in charity as atonement for any shortcomings or lapses that may have occurred in your state of Ihraam without your knowledge".²¹¹

2- ضا، فقه الرضا عليه السلام إِنْ أَصَابَ صَيْدًا فَعَلَيْهِ الْجَزَاءُ مِثْلُ مَا قَتَلَ مِنَ النَّعَمِ يَحْكُمُ بِهِ ذَوَا عَدْلٍ مِنْكُمْ هَدْيًا بَالِغَ الْكَعْبَةِ إِنْ كَانَ صَيْدُهُ نَعَامَةً فَعَلَيْهِ بَدَنَةٌ فَمَنْ لَمْ يَجِدْ فِإِطْعَامَ سِتِّينَ مِسْكِينًا فَإِنْ لَمْ يَجِدْ فَصِيَامًا ثَمَانِيَةَ عَشَرَ يَوْمًا

(The book) 'Fiqh Al-Reza^{-asws}', may the greeting be upon him^{-asws} – 'If he attains the prey, **so his recompense would be like what he killed from the cattle. The possessor of justice from you would judge with it, (either) a sacrificial animal reaching the Kaaba, [5:95]**. If the hunted animal is an ostrich, the penalty is a sacrificial camel. If one cannot provide this, they must feed sixty needy people. If this is also not possible, they must fast for eighteen days.

وَ إِنْ كَانَ حِمَارٌ وَخَشِي أَوْ بَقَرَةٌ وَخَشِي فَعَلَيْهِ بَقَرَةٌ فَإِنْ لَمْ يَجِدْ فِإِطْعَامَ ثَلَاثِينَ مِسْكِينًا فَإِنْ لَمْ يَجِدْ فَصِيَامًا تِسْعَةَ أَيَّامٍ فَإِنْ كَانَ الصَّيْدُ مِنَ الطَّيْرِ فَعَلَيْهِ شَاةٌ فَإِنْ لَمْ يَجِدْ فِإِطْعَامَ عَشْرَةَ مَسَاكِينَ فَإِنْ لَمْ يَسْتَطِعْ فَصِيَامًا ثَلَاثَةَ أَيَّامٍ وَ إِنْ كَانَ الصَّيْدُ طَائِرًا فَعَلَيْهِ دِرْهَمٌ وَ إِنْ كَانَ فَرَحًا فَعَلَيْهِ نِصْفُ دِرْهَمٍ وَ إِنْ كَانَتْ بَيْضَةً أَوْ [وَ] كَسَرَهَا أَوْ أَكَلَ فَعَلَيْهِ رُبْعُ دِرْهَمٍ.

The penalty is a sacrificial cow if the hunted animal is a wild donkey or a wild cow. If one cannot provide this, they must feed thirty needy people. If unable to do this, he must fast for nine days. If the hunted animal is a bird, the penalty is a sheep. If one cannot provide this, they must feed ten needy people. If this is not possible, they must fast for three days. If the hunted animal is a smaller bird, the penalty is one Dirham. If it is a chick, the penalty is half a Dirham. If it is an egg and it is broken or eaten, the penalty is a quarter of a Dirham".²¹²

3- وَ الْمُحْرَمُ فِي الْحَرَمِ إِذَا فَعَلَ شَيْئًا مِنْ ذَلِكَ تَضَاعَفَ عَلَيْهِ الْفِدَاءُ مَرَّتَيْنِ أَوْ عَدَلَ الْفِدَاءِ الثَّانِي صِيَامًا.

And the consecrated one in the Sanctuary, when he does something from that, the ransom is doubled upon him twice, or an equivalent ransom secondly of fasting".²¹³

4- سر، السرائر البرنطبي عَنْ أَبِي عُبَيْدِ اللَّهِ ع أَنَّهُ سُئِلَ عَنِ الدَّجَاجِ الْبِنْدِيِّ أَمْ يُخْرِجُ مِنَ الْحَرَمِ قَالَ نَعَمْ إِنَّمَا لَا يَسْتَقِيلُ بِالطَّيْرِ إِنْهَا تَدْفُ دَفِيغًا

(The book) 'Al Saraair' of Al Bazanty –

'From Abu Abdullah^{-asws}, he^{-asws} was asked about the Sindi chicken, 'Will it be expelled from the Sanctuary?' He^{-asws} said: 'Yes, it lacks the flying, it flutters slightly'.

²¹¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 1

²¹² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 2

²¹³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 3

وَسَأَلْتُهُ عَنِ الْمُحْرِمِ يَقْتُلُ الْبَقَّةَ وَالْبَرَاغِيثَ إِذَا آذَنَهُ قَالَ نَعَمْ.

And I asked him^{-asws} about the consecrated one killing flies and lice if they bother him. He^{-asws} said: 'Yes'.²¹⁴

5- قب، المناقب لابن شهر آشوب في أحاديث البصريين عن أحمد قال معاوية بن قرة عن رجل من الأنصار إن رجلاً أوطأ بغيره أذحي نعام فكسر بيضها فانطلق إلى علي ع فسأله عن ذلك فقال له علي ع عليك بكل بيضة جنيب ناقة أو ضراب ناقة

(The book) 'Al Manaqib' of Ibn Shehr Ashub, is Ahadeeth of the people of Basra from Ahmad. Muawiya Bin Qurra said about a man from the Helpers,

'A man with a camel trampled an Ostrich nest and broke its eggs. He went to Ali^{-asws} and asked him^{-asws} about that. Ali^{-asws} said to him: 'Upon you, for each egg is a foetus of a she-camel or value of a she-camel!'

فَانْطَلَقَ إِلَى رَسُولِ اللَّهِ ص فَذَكَرَ ذَلِكَ لَهُ فَقَالَ رَسُولُ اللَّهِ ص قَدْ قَالَ عَلِيٌّ بِمَا سَمِعْتَ وَ لَكِنَّ هَلُمَّ إِلَى الرَّحْصَةِ عَلَيْكَ بِكُلِّ بَيْضَةٍ صَوْمٌ يَوْمٍ أَوْ إِطْعَامٌ مِسْكِينٍ.

He went to Rasool-Allah^{-saww} and mentioned that to him^{-saww}. Rasool-Allah^{-saww} said: 'Ali^{-asws} has said what you have heard, but come to the allowance. Upon you, for each egg is to fast a day or feeding a needy one'.²¹⁵

6- فس، تفسير القمي محمد بن الحسن عن محمد بن عون النصيب عن أبي جعفر الثاني ع أنه قال: لَمَّا أَرَادَ الْمَأْمُونُ تَزْوِيجَ ابْنَتِهِ إِيَّاهُ وَ جَمَعَ الْعُلَمَاءَ لِذَلِكَ-

(The book) 'Tafseer Al Qummi' – Muhammad Bin Al-Hassan, from Muhammad Bin Awn Al Naseybi,

'From Abu Ja'far^{-asws} the 2nd, he^{-asws} said: 'When Al-Mamoun (the caliph) wanted to get his daughter married to him^{-asws} and he gathered the scholars for that . . .

و في المصدر كلام طويل جرى في تلك المناسبة الى ان تقدم يحيى بن أكثم القاضي بمسألته من الإمام الجواد عليه السلام فقال له: ما تقول في محرم قتل صيدا؟

(And in the source the speech is lengthy flowing in that appropriate up to when Yahya Bin Aksam the judge proceeded with questions to the Imam Al Jawad^{-asws}, may the greeting be upon him^{-asws}. He said to him^{-asws}, 'What are you^{-asws} saying regarding the consecrated one killing a game (prey)?'

فقال له الامام: قتله في حل او في حرم؟ علما او جاهلا؟ عمدا او خطأ، عبدا أو حرا؟ صغيرا أو كبيرا؟ مبدءا أو معيدا؟ من ذوات الطير أو من غيرها؟ من صغار الصيد أو من كبارها؟ مصرا عليها أو نادما؟ بالليل في وكرها أو بالنهار عيانا؟ محرما لعمرة أو للحج؟

The Imam^{-asws} said to him: 'Did he kill it in the de-consecrated area or in the Sanctuary?' Did he know was he ignorant? Was it deliberate or a mistake? Was he a slave or a free man? Was he young or old? Was it a first time or a repeat offence? Was it from the bird species or others?

²¹⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 4

²¹⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 5

From a small prey or a big one? Was he persistent upon it or remorseful? Was it a night it its nest or at daytime in plain sight? Was he consecrated for an Umrah or for the Hajj?'

فانقطع يحيى بن أكنم انقطاعاً لم يخف على من في المجلس وبقى متحيراً، و بعد أن تمّ للمأمون ما أراد من اجراء الخطبة لتزويج الإمام الجواد عليه السلام من ابنته أم الفضل. طلب من الإمام عليه السلام بيان أحكام تلك الوجوه في قتل الصيد فقال عليه السلام: ان المحرم إلخ.

Yahya Bin Aksam was cut off with such termination, it was not hidden from the ones in the gathering, and he remained bewildered, and afterwards it was complete for Al Mamoun what he had intended from flowing the address for the marriage of the Imam Al Jawad^{asws}, may the greeting be upon him^{asws} to his daughter Umm Al Fazl. He sought from the Imam^{asws}, may the greeting be upon him^{asws}, the explanatory rulings of those aspects regarding killing the prey. The Imam^{asws}, may the greeting be upon him^{asws} said: 'The consecrated one' Etc.)

إِنَّ الْمُحْرِمَ إِذَا قَتَلَ صَيْدًا فِي الْحِلِّ وَالصَّيْدُ مِنْ ذَوَاتِ الطَّيْرِ مِنْ كِبَارِهَا فَعَلَيْهِ شَاةٌ وَإِنْ أَصَابَهُ فِي الْحَرَمِ فَعَلَيْهِ الْجَزَاءُ مُضَاعَفًا وَإِذَا قَتَلَ فَرْحًا فِي الْحِلِّ فَعَلَيْهِ حَمَلٌ قَدْ فُطِمَ وَلَيْسَ عَلَيْهِ قِيمَتُهُ لِأَنَّهُ لَيْسَ فِي الْحَرَمِ وَإِذَا قَتَلَهُ فِي الْحَرَمِ فَعَلَيْهِ الْحَمَلُ وَقِيمَتُهُ لِأَنَّهُ فِي الْحَرَمِ

'The consecrated one when he kills a prey in the de-consecrated area, and the prey is from the bird species, it is from its larger species, he must offer a sheep. If the game was killed in the Sanctuary, the penalty is doubled. If he kills a chick in the open, he must offer a lamb that has been weaned, and there is no value for it, as it is outside the Sanctuary. However, if the chick is killed in the Sanctuary, he must offer the lamb along with its value, as it is within the Sanctuary.

وَإِذَا كَانَ مِنَ الْوُحُوشِ فَعَلَيْهِ فِي حِمَارٍ وَخَشِي بَدَنَةً وَكَذَلِكَ فِي النَّعَامَةِ فَإِنْ لَمْ يَقْدِرْ فِإِطْعَامُ سِتِّينَ مِسْكِينًا فَإِنْ لَمْ يَقْدِرْ فَصِيَامُ ثَمَانِيَةِ عَشْرٍ يَوْمًا وَإِنْ كَانَتْ بَقْرَةً فَعَلَيْهِ بَقْرَةٌ فَإِنْ لَمْ يَقْدِرْ فَعَلَيْهِ إِطْعَامُ ثَلَاثِينَ مِسْكِينًا فَإِنْ لَمْ يَقْدِرْ فَلْيَصُمْ تِسْعَةَ أَيَّامٍ

If the game is from wild animals, such as a wild donkey, the penalty is a camel. The same applies to an ostrich. If he is unable to afford this, he must feed sixty poor people. If he cannot do this, he must fast for eighteen days. If the game is a cow, the penalty is a cow. If he cannot afford this, he must feed thirty poor people. If he cannot do this, he must fast for nine days.

وَإِنْ كَانَ ظَبْيًا فَعَلَيْهِ شَاةٌ فَإِنْ لَمْ يَقْدِرْ فِإِطْعَامُ عَشْرَةِ مَسَاكِينٍ فَإِنْ لَمْ يَقْدِرْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ وَإِنْ كَانَ فِي الْحَرَمِ فَعَلَيْهِ الْجَزَاءُ مُضَاعَفًا هَدْيًا بِالِغِ الْكَعْبَةِ حَقًّا وَاجِبًا عَلَيْهِ أَنْ يُنَحِّرَهُ إِنْ كَانَ فِي حَجٍّ يَمِيَّ حَيْثُ يُنَحِّرُ النَّاسُ

If the game is a gazelle, the penalty is a sheep. If he cannot afford this, he must feed ten poor people. If he cannot do this, he must fast for three days. If the game is within the Sanctuary, the penalty is doubled, and he must offer a sacrificial animal to be sent to the Kaaba as a rightful obligation. If he is performing Hajj, he must slaughter it at Mina, where people tend to slaughter their sacrificial animals.

وَإِنْ كَانَ فِي عُثْرَةٍ يُنَحِّرُهُ بِمَكَّةَ وَ يَتَصَدَّقُ بِمِثْلِ ثَمَنِهِ حَتَّى يَكُونَ مُضَاعَفًا وَكَذَلِكَ إِذَا أَصَابَ أَرْبَابًا فَعَلَيْهِ شَاةٌ وَإِذَا قَتَلَ الْحَمَامَةَ تَصَدَّقَ بِدِرْهَمٍ أَوْ يَشْتَرِي بِهِ طَعَامًا لِحَمَامِ الْحَرَمِ وَ فِي الْفَرَخِ نِصْفُ دِرْهَمٍ وَ فِي الْبَيْضَةِ رُبْعُ دِرْهَمٍ

If it is during the Umrah, he must slaughter the animal in Makkah and give away the equivalent of its price as charity, ensuring the Reward is doubled. Similarly, if he kills a rabbit, the penalty is a sheep. If he kills a dove, he must give a Dirham in charity or use it to buy food for the

pigeons of the Sanctuary, and regarding the chicks is half a Dirham, and regarding the egg is a quarter Dirham.

وَكُلُّ مَا أَتَى بِهِ الْمُحْرِمُ بِجَهَالَةٍ فَلَا شَيْءَ عَلَيْهِ فِيهِ إِلَّا الصَّيْدَ فَإِنَّ عَلَيْهِ الْفِدَاءَ بِجَهَالَةٍ كَانَ أَوْ يَعْلَمُ بِحَطَايَا كَانَ أَوْ يَعْتَدِ وَكُلُّ مَا أَتَى [بِهِ] الْعَبْدُ فَكَفَّارَتُهُ عَلَى صَاحِبِهِ بِمِثْلِ مَا يَلْزَمُ صَاحِبَهُ وَكُلُّ مَا أَتَى بِهِ الصَّغِيرُ الَّذِي لَيْسَ يَبَالِغُ فَلَا شَيْءَ عَلَيْهِ فِيهِ

Whatever the consecrated one does out of ignorance, there is no penalty for it, except for hunting, for which the expiation is required, whether done in ignorance, by mistake, or intentionally. Anything done by a servant, its expiation falls upon the owner, similar to what is required of the owner. Similarly, anything done by a child who has not yet reached maturity, there is no penalty for it upon him.

وَإِنْ كَانَ مِمَّنْ عَادَ فَهُوَ مِمَّنْ يَنْتَقِمُ اللَّهُ مِنْهُ لَيْسَ عَلَيْهِ كَفَّارَةٌ وَالتَّقِيمَةُ فِي الْأَخِرَةِ وَإِنْ دَلَّ عَلَى الصَّيْدِ وَهُوَ مُحْرِمٌ فَقَتَلَ فَعَلَيْهِ الْفِدَاءُ وَ الْمُصْرُ عَلَيْهِ يَلْزَمُهُ بَعْدَ الْفِدَاءِ عُقُوبَةٌ فِي الْأَخِرَةِ وَ التَّادِيمُ عَلَيْهِ لَا شَيْءَ عَلَيْهِ بَعْدَ الْفِدَاءِ

If someone has returned, they are among those whom Allah^{-azwj} will Punish. There is no expiation upon them, and the Punishment is in the Hereafter. If he guides someone to hunt while in a state of Ihraam and the person kills, the expiation is upon him. The one who persists in this after the expiation will face a Punishment in the Hereafter. However, the one who regrets his actions will have no penalty after (paying) the expiation.

وَإِذَا أَصَابَ لَيْلًا فِي وَكْرَهَا حَطَايَا فَلَا شَيْءَ عَلَيْهِ إِلَّا أَنْ يَتَعَمَّدهُ فَإِنْ تَعَمَّدَ بِلَيْلٍ أَوْ نَهَارٍ فَعَلَيْهِ الْفِدَاءُ وَ الْمُحْرِمُ بِالْحَجِّ يَنْحُرُ الْفِدَاءَ يَمِينِي حَيْثُ يَنْحُرُ النَّاسُ وَ الْمُحْرِمُ لِلْعُمْرَةِ يَنْحُرُ بِمَكَّةَ.

If someone unintentionally catches it at night in its nest, there is no penalty upon him, except if he intentionally targets it. If he intentionally targets it, whether during the night or day, he must offer an expiation. The person in a state of Ihraam for Hajj must offer the expiation by slaughtering it at Mina, where people slaughter their sacrifices, and the person in a state of Ihraam for Umrah must offer the expiation by slaughtering it in Makkah".²¹⁶

7- ج، الإحتجاج عَنِ الرَّيَّانِ بْنِ شَيْبَةَ عَنْ أَبِي جَعْفَرٍ النَّبِيِّ ع قَالَ: إِنَّ الْمُحْرِمَ إِذَا قَتَلَ صَيْدًا فِي الْحِلِّ وَ كَانَ الصَّيْدُ مِنْ دَوَابِّ الطَّيْرِ وَ كَانَ مِنْ كِبَارِهَا فَعَلَيْهِ شَاةٌ وَ إِنْ أَصَابَهُ فِي الْحَرَمِ فَعَلَيْهِ الْجَزَاءُ مُضَاعَفًا وَ إِذَا قَتَلَ فَرْخًا فِي الْحِلِّ فَعَلَيْهِ حَمَلٌ قَدْ فُطِمَ مِنَ اللَّبَنِ فَإِذَا قَتَلَهُ فِي الْحَرَمِ فَعَلَيْهِ الْحَمَلُ وَ قِيمَةُ الْفَرْخِ

(The book) 'Al Ihtijaj' – From Al Rayyan Bin Shabeeb,

'From Abu Ja'far^{-asws} the 2nd said: 'The consecrated one when he kills a prey in the de-consecrated area, and the prey was from the bird species, and it was from its big ones, upon him is a sheep, and if he attains it in the Sanctuary, upon him is double Recompense; and when he kills a chick in the de-consecrated area, upon him is a lamb weaned from the milk. When he kills it in the Sanctuary, upon him is a lamb and value of the chick.

وَ إِذَا كَانَ مِنَ الْوَحْشِ وَ كَانَ جَمَارٌ وَ حَشٍ فَعَلَيْهِ بَقْرَةٌ وَ إِنْ كَانَ نَعَامَةً فَعَلَيْهِ بَدَنَةٌ وَ إِنْ كَانَ طَيْرًا فَعَلَيْهِ شَاةٌ وَ إِنْ كَانَ قَتَلَ شَيْئًا مِنْ ذَلِكَ فِي الْحَرَمِ فَعَلَيْهِ الْجَزَاءُ مُضَاعَفًا هَدْيًا بِالْعُكْبَةِ

²¹⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 6

And when it was from the wild animals, and a wild donkey, upon him is a cow, and if it was an Ostrich, upon his camel, and if it was a gazelle upon him is a sheep, and if he had killed something from that in the Sanctuary, upon him is the double recompense of a sacrificial animal reaching the Kaaba.

وَ إِذَا أَصَابَ الْمُخْرَمُ مَا يَجِبُ عَلَيْهِ الْهُدْيُ فِيهِ وَ كَانَ إِخْرَامُهُ لِلْحَجِّ نَحْرَهُ يَمْنَى وَ إِنْ كَانَ إِخْرَامُهُ بِالْعُمْرَةِ نَحْرَهُ بِمَكَّةَ وَ جَزَاءُ الصَّيْدِ عَلَى الْعَالِمِ وَ الْجَاهِلِ سَوَاءً

And if the consecrated one attains what the sacrificial animal is obligated upon him regarding it, and his Ihraam was for the Hajj he should slaughter it at Mina, and if his Ihraam was for the Umrah he should slaughter it at Makkah, and recompense of the prey is upon the knower and the ignorant one, same.

وَ فِي الْعَمْدِ عَلَيْهِ الْمَأْتَمُ وَ هُوَ مَوْضِعٌ عَنْهُ فِي الْخَطَاةِ وَ الْكَفَّارَةُ عَلَى الْحُرِّ فِي نَفْسِهِ وَ عَلَى السَّيِّدِ فِي عَبْدِهِ وَ الصَّغِيرُ لَا كَفَّارَةَ عَلَيْهِ وَ هِيَ عَلَى الْكَبِيرِ وَاجِبَةٌ وَ النَّادِمُ يُسْقِطُ نَدْمَهُ عَنْهُ عِقَابَ الْآخِرَةِ وَ الْمُصِرُّ يَجِبُ عَلَيْهِ الْعِقَابُ فِي الْآخِرَةِ.

And regarding the one being deliberate upon it is the sinner, and it is removed from him in the case of error. The atonement is required for the free person in his own case, and for the master in the case of his servant. There is no atonement for the minor, but for the adult, it is obligatory. The remorseful person's regret removes the Punishment of the Hereafter from him, while the one who persists will face Punishment in the Hereafter".²¹⁷

أقول: قد أوردنا الخبرين بطولهما في أبواب أحوال الجواد ع.

I say, 'We have referred to two Ahadeeth with their full length in chapters on the situations of Al Jawad^{asws}'.

8- فس، تفسير القمي أبي عن القاسم بن محمد عن المنقرري عن سفيان بن عيينة عن الزهري عن علي بن الحسين ع قال: صَوْمُ جَزَاءِ الصَّيْدِ وَاجِبٌ قَالَ اللَّهُ وَ مَنْ قَتَلَهُ مِنْكُمْ مُتَعِدًّا فَجَزَاءٌ مِثْلُ مَا قَتَلَ مِنَ النَّعَمِ يَحْكُمُ بِهِ ذَوَا عَدْلٍ مِنْكُمْ هَدِيًّا بِالْبَالِغِ الْكَعْبَةِ أَوْ كَفَّارَةٌ طَعَامُ مَسَاكِينَ أَوْ عَدْلُ ذَلِكَ صِيَامًا أَوْ تَدْرِي كَيْفَ يَكُونُ عَدْلُ ذَلِكَ صِيَامًا يَا زُهْرِيُّ

(The book) 'Tafseer Al Qummi' – My father, from Al Qasim Bin Muhammad, from Al Minqary, from Sufyan Bin Uyayna, from Al Zuhry,

'From Ali^{asws} Bin Al-Husayn^{asws} having said: 'Fasting as recompense of the hunting is obligatory. Allah^{azwj} Said: **'and the one from you who kills it deliberately, so his recompense would be like what he killed from the cattle. The possessor of justice from you would judge with it, (either) a sacrificial animal reaching the Kaaba, or an expiation of feeding the poor, or equivalent of that in Fasting [5:95].** And do you know how to fast equivalent of that, O Zuhry?'

قُلْتُ لَا

I said, 'No!'

²¹⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 7

قَالَ يُفَوِّمُ الصَّيْدَ قِيمَةً ثُمَّ تُفَضُّ تِلْكَ الْقِيَمَةُ عَلَى الْبُرِّ ثُمَّ يُكَالُ ذَلِكَ الْبُرُّ أَصْوَاعاً فَيَصُومُ لِكُلِّ نَصْفِ صَاعٍ يَوْمَ الْخَيْرِ.

He^{-asws} said: 'The prey would be evaluated, then that value would be converted to the wheat. Then that wheat is measured into Sa'a (unit of measurement), so he would fast one day for every half Sa'a – the Hadeeth'.²¹⁸

9- ب، قرب الإسناد عليّ عن أخيه ع قال: سألتُه عن الرجل يكسِرُ بيضة الحمام و البيضة فيه فراخ تتحرك ما عليه

(The book) 'Qurb Al Isnaad' –

'Ali, from his brother (Al-Kazim^{-asws}), he said, 'I asked him^{-asws} about the man who broke an egg of the pigeon, and the egg had a chick moving it, 'What is upon it?'

قَالَ يَتَصَدَّقُ عَنْ كُلِّ مَا تَحْرَكَ مِنْهُ شَاةٌ وَ يَتَصَدَّقُ بِلَحْمِهَا إِذَا كَانَ مُحْرَمًا وَ إِنْ لَمْ يَتَحْرَكَ الْفَرُخُ فِيهَا يَتَصَدَّقُ بِقِيَمَةِ الْفَرُخِ وَرِقاً أَوْ شِبْهُهُ أَوْ يَشْتَرِي بِهِ عِلْفاً وَ يَطْرُقُهُ لِحْمِ الْحُرْمِ.

He^{-asws} said: 'He should donate a sheep in charity for all what moves from it, and he should donate its meat when he was consecrated, and if the chick does not move, he should donate with the value of the chick in silver or resembling it, or he should buy feed with it and throws it to the pigeons of the Sanctuary'.²¹⁹

10- وَ سَأَلْتُهُ عَنْ مُحْرِمٍ أَصَابَ بَيْضَ نَعَامٍ فِيهِ فِرَاحٌ قَدْ تَحْرَكَ فَقَالَ لِكُلِّ فَرِخٍ بَعِيرٌ يَنْخُرُهُ بِالْمَنْحَرِ.

And I asked him^{-asws} about a consecrated one attaining an egg of an Ostrich having a chick moving in it. He^{-asws} said: 'For each chick, there is a camel (as a penalty). He should slaughter it at the slaughtering place'.²²⁰

11- قَالَ: وَ سَأَلْتُهُ عَنْ نِسَاءٍ وَ رِجَالٍ مُحْرَمِينَ اشْتَرَوْا ظَنِيًّا فَأَكَلُوا مِنْهُ جَمِيعاً مَا عَلَيْهِمْ

He said, 'And I asked him^{-asws} about a woman and a man in Ihraam buying a gazelle, so they both eat from it, 'What is (the penalty) upon them?'

قَالَ عَلَى كُلِّ مَنْ أَكَلَ مِنْهُ فِدَاءُ الصَّيْدِ كُلِّ إِنْسَانٍ عَلَى حَدِّتِهِ فِدَاءُ صَيْدٍ كَامِلاً.

He^{-asws} said: 'Upon each one who had eaten from him is ransom of the hunting. Each person is upon its penalty is the ransom of a whole prey'.²²¹

12- قَالَ: وَ سَأَلْتُهُ عَنْ رَجُلٍ رَمَى صَيْدًا وَ هُوَ مُحْرِمٌ فَكَسَرَ يَدَهُ أَوْ رِجْلَهُ فَمَضَى الصَّيْدَ عَلَى وَجْهِهِ وَ لَمْ يَدْرِ الرَّجُلُ مَا صَنَعَ قَالَ عَلَيْهِ الْفِدَاءُ كَامِلاً إِذَا مَضَى الصَّيْدَ عَلَى وَجْهِهِ وَ لَمْ يَدْرِ الرَّجُلُ مَا صَنَعَ.

He said, 'And I asked him^{-asws} about a man who pelts a prey while he is consecrated, so he breaks its hand or its leg, and the prey continues upon its direction, and the man does not

²¹⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 8

²¹⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 9

²²⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 10

²²¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 11

know what happened. He^{-asws} said: 'Upon him is the whole ransom if the prey continues upon its direction and the man does not know what happened'.²²²

13- قَالَ: وَ سَأَلْتُهُ عَنْ رَجُلٍ رَمَى صَيْدًا وَ هُوَ مُحْرَمٌ فَكَسَرَ يَدَهُ أَوْ رِجْلَهُ ثُمَّ تَرَكَهُ يَرْعَى وَ مَضَى مَا عَلَيْهِ

He said, 'And I asked him^{-asws} about a man who pelts a prey while he is consecrated, so he breaks its hand or its leg, then he leaves it to graze and continue, 'What (penalty) is upon him?'

قَالَ عَلَيْهِ دَفْعُ الْفِدَاءِ.

He^{-asws} said: 'Upon him is to hand over the ransom'.²²³

14- قَالَ: وَ سَأَلْتُهُ عَنْ رَجُلٍ أَخْرَجَ طَيْرًا مِنْ مَكَّةَ حَتَّى وَرَدَ بِهِ الْكُوفَةَ قَالَ يَرْدُهُ إِلَى مَكَّةَ فَإِنْ مَاتَ تَصَدَّقَ بِثَمَنِهِ.

He said, 'And I asked him^{-asws} about a man who extracts a bird from Makkah until he arrives with it to Al-Kufa. He^{-asws} said: 'He should return it to Makkah. If it dies, he should donate its price in charity'.²²⁴

15- قَالَ: وَ سَأَلْتُهُ عَنِ الرَّجُلِ هَلْ يَصْلُحُ لَهُ أَنْ يَصِيدَ حَمَامَ الْحَرَمِ فِي الْحِلِّ فَيُدْخِلُهُ الْحَرَمَ فَيَأْكُلَهُ

He said, 'And I asked him about the man, 'Is it correct for him if he hunts pigeons of the Sanctuary in the de-consecrated area, so he slaughters it and enters it into the Sanctuary and eats it?'

قَالَ لَا يَصْلُحُ أَكْلُ حَمَامِ الْحَرَمِ عَلَى حَالٍ.

He^{-asws} said: 'It is not correct to eat pigeons of the Sanctuary upon all situations'.²²⁵

16- قَالَ: وَ سَأَلْتُهُ عَمَّا يُؤْكَلُ مِنَ اللَّحْمِ فِي الْحَرَمِ قَالَ كَانَ رَسُولُ اللَّهِ ص لَا يُحْرِمُ الْإِبِلَ وَ الْبَقَرَ وَ الْعِزَّةَ وَ الدَّجَاجَ.

He said, 'And I asked him^{-asws} about what can be eaten from the meats in the Sanctuary. He^{-asws} said: 'Rasool-Allah^{-saww} did not prohibit the camels, and the cows, and the sheep, and the chicken'.²²⁶

17- ب، قرب الإسناد السندي بن محمد عن يونس بن يعقوب قال: أرسلت إلى أبي الحسن موسى ع إن أخي اشترى حماماً من المدينة فذهبنا بها معنا إلى مكة فاعتنمنا وأقمنا ثم أخرجنا الحمام معنا من مكة إلى الكوفة علينا في ذلك شيء

(The book) 'Qurb Al Isnaad' – Al Sindy Bin Muhammad, from Yunus Bin Yaquob who said,

²²² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 12

²²³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 13

²²⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 14

²²⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 15

²²⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 16

'I sent a messenger to Abu Al-Hassan Musa^{-asws} (to say), 'My brother bought a pigeon from Al-Medina. We went to Makkah with it. We performed Umrah, and we stayed. Then extracted the pigeons with us from Makkah to Al-Kufa. Is there anything (penalty) upon us?'

فَقَالَ لِلرَّسُولِ أَطْنُوهَنِّ فِرطَ [فُرْهَةً] فُلُّهُ يَدْبِيحُ مَكَانَ كُلِّ طَيْرٍ شَاءَ.

He said to the messengers, 'I^{-asws} think these are excessive. Tell him to slaughter a sheep in place of every bird'.²²⁷

18- ب، قرب الإسناد ابن أبي الخطاب عن البرزطي قال: سألت أبا الحسن الرضا ع عن المتعمد في الصيد والجاهل والخطاء سواء فيه قال لا

(The book) 'Qurb Al Isnaad' – Ibn Abu Al Khattab, from Al Bazanty who said,

'I asked Abu Al-Hassan Al-Reza^{-asws} about the deliberate one in the hunting and the ignorant one and mistaken one, 'Are they the same in it?' He^{-asws} said: 'No'.

فَقُلْتُ لَهُ الْجَاهِلُ عَلَيْهِ شَيْءٌ فَقَالَ نَعَمْ

I said to him^{-asws}, 'The ignorant one, is there anything upon him?' He^{-asws} said: 'Yes'.

فَقُلْتُ لَهُ جُعِلْتُ فِدَاكَ فَالْعَمْدُ بِأَيِّ شَيْءٍ يُفْضَلُ صَاحِبَ الْجَهَالَةِ

I said to him^{-asws}, 'May I be sacrificed for you^{-asws}! The deliberate one, with which thing is he distinguished from the ignorant one?'

قَالَ بِالْإِثْمِ وَهُوَ لَاعِبٌ بِدِينِهِ.

He^{-asws} said: 'With the sin, and he is playing with his religion'.²²⁸

19- ع، علل الشرائع أبي عن محمد الطار عن العزمي عن علي بن جعفر عن أخيه موسى ع قال: سألته عن المحرم إذا اضطر إلى أكل صيد و ميتة و قلت إن الله عز وجل حرم الصيد و أكل الميتة

(The book) 'Ilal Al Sharaie' – My father, from Muhammad Al Attar, from Al Amraky,

'From Ali son of Ja'far^{-asws}, from his brother Musa^{-asws}, he said, 'I asked him^{-asws} about the consecrated one when he is desperate to eat the prey and dead (animal), and I said, 'Allah^{-azwj} Mighty and Majestic has Prohibited the hunting and has Permitted the dead (at desperation)'.²²⁷

قَالَ يَأْكُلُ وَ يَفْدِيهِ فَإِنَّمَا يَأْكُلُ مَا لَهُ.

²²⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 17

²²⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 18

He^{-asws} said: 'He can eat and ransom it, for rather he is eating his own wealth'.²²⁹ (This contradicts the one below)

20- ع، علل الشرائع ابنُ الوليدِ عن الصَّفَّارِ عن ابْنِ مَعْرُوفٍ عن ابْنِ مَهْرِيَّارَ عن فَضَّالَةَ عن أَبَانَ عن أَبِي أَيُّوبَ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ عَ عَنْ رَجُلٍ اضْطُرَّ وَ هُوَ مُحْرَمٌ إِلَى صَيْدٍ وَ مَيْتَةٍ مِنْ أَيَّهِمَا يَأْكُلُ

(The book) 'Ilal Al Sharaie' – Ibn Al Waleed, from Al Saffar, from Ibn Marouf, from Ibn Mahziyar, from Fazalah, from Aban, from Abu Ayoun who said, '

'I asked Abu Abdullah^{-asws} about a man who is consecrated is desperate to hunt and dead (animal), 'From which of the two should he eat?'

قَالَ يَأْكُلُ مِنَ الصَّيْدِ

He^{-asws} said: 'He should eat from the hunt'.

قُلْتُ فَإِنَّ اللَّهَ قَدْ حَرَّمَ عَلَيْهِ وَ أَحَلَّ لَهُ الْمَيْتَةَ

I said, 'But Allah^{-azwj} has Prohibited it upon him and has Permitted the dead for him!'

قَالَ يَأْكُلُ وَ يَفْدِي فَإِنَّمَا يَأْكُلُ مِنْ مَالِهِ.

He^{-asws} said: 'He can eat and (pay the) ransom, for rather he is eating his own wealth'.²³⁰ (This contradicts the one above)

21- ع، علل الشرائع أَبِي عَنْ سَعْدِ بْنِ مُحَمَّدٍ عَنْ عَبْدِ الْحَمِيدِ عَنْ يُونُسَ بْنِ يَعْقُوبَ عَنْ مَنْصُورِ بْنِ حَارِثٍ قَالَ: قُلْتُ لِأَبِي عَبْدِ اللَّهِ عَ مُحْرَمٌ اضْطُرَّ إِلَى صَيْدٍ وَ إِلَى مَيْتَةٍ مِنْ أَيَّهِمَا يَأْكُلُ

(The book) 'Ilal Al Sharaie' – My father, from Sa'ad, from Muhammad Bin Abdul Hameed, from Yunus Bin Yaquob, from Mansour Bin Hazim who said,

'I said to Abu Abdullah^{-asws}, 'A consecrated one is desperate to hunt and to (eat) the dead, from which of the two can he eat?'

قَالَ يَأْكُلُ مِنَ الصَّيْدِ

He^{-asws} said: 'He can eat from the hunt'.

قُلْتُ أَلَيْسَ قَدْ أَحَلَّ اللَّهُ الْمَيْتَةَ لِمَنْ اضْطُرَّ إِلَيْهَا

I said, 'Hasn't Allah^{-azwj} Permitted the dead for the one who is desperate to it?'

قَالَ بَلَى وَ لَكِنْ أَلَا تَرَى أَنَّهُ إِذَا يَأْكُلُ مِنْ مَالِهِ فَيَأْكُلُ الصَّيْدَ وَ عَلَيْهِ فِدَاؤُهُ

²²⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 19

²³⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 20

He^{-asws} said: ‘Yes, but don’t you see that rather he is eating his own wealth? He eats the pre and upon him is its ransom!’

وَرُوِيَ أَنَّهُ يَأْكُلُ الْمَيْتَةَ لِأَنَّهَا أَحَلَّتْ لَهُ وَ لَمْ يُحَلَّ لَهُ الصَّيْدُ.

And it is reported that he should eat the dead because it is Permissible for him and the hunting is not Permissible for him”.²³¹

22- شي، تفسير العياشي عن ابن حازم مثله.

(The book) ‘Tafseer Al Ayyashi’ – From Ibn Hazim, similar to it’.²³²

23- ب، قرب الإسناد أبو البختري عن جعفر عن أبيه عن علي ع قال: يُقْتَلُ الْمُحْرَمُ مَا عَدَا عَلَيْهِ مِنْ سَبْعٍ أَوْ غَيْرِهِ وَ يُقْتَلُ الزُّبُورَ وَ الْعُقْرَبَ وَ الْحَيَّةَ وَ النَّسْرَ وَ الْأَسَدَ وَ الدَّبَّ وَ مَا خَافَ أَنْ يَعْدُوَ عَلَيْهِ مِنَ السَّبَاعِ وَ الْكَلْبِ الْعُقُورِ.

(The book) ‘Qurb Al Isnaad’ – Abu Al Bakhtari,

‘From Ja’far^{-asws}, from his^{-asws} father^{-asws}, from Ali^{-asws} having said: ‘The consecrated one can kill whatever attacks upon him, from a wild animal or other such, and he can kill the wasp, and the scorpion, and the snake, and the eagle, and the lion, and the wolf, and whatever from the wild animals he fears might attack upon him, and the rabid dog’.²³³

24- ع، علل الشرائع أبي عن سعد عن أيوب بن نوح عن صفوان بن يحيى عن معاوية بن عمارة عن أبي عبد الله ع أنه سئل عن طير أهلي فدخل الحرم قال لا يمسه لأن الله عز وجل يقول ومن دخله كان آمناً.

(The book) ‘Ilal Al Sharaie’ – My father, from Sa’ad, from Ayoub Bin Nuh, from Safwan Bin Yahya, from Muawiya Bin Ammar,

‘From Abu Abdullah^{-asws}, he^{-asws} was asked about a bird in the de-consecrated area and it enters the Sanctuary. He^{-asws} said: ‘It should not be touched because Allah^{-azwj} Mighty and Majestic Said: **and the one who enters it would be secure [3:97]**’.²³⁴

25- ع، علل الشرائع ابن الوليد عن الصفار عن ابن أبان عن الحسين بن سعيد عن فضالة و حماد عن معاوية مثله.

(The book) ‘Ilal Al Sharaie’ – Ibn Al Waleed, from Al Saffar, from Ibn Aban, from Al-Husayn Bin Saeed, from Fazalah and Hammad, from Muawiya – similar to it’.²³⁵

26- ع، علل الشرائع ابن الوليد عن الصفار عن ابن أبان عن الحسين بن سعيد عن حماد بن عثمان و معاوية بن خنص عن منصور جميعاً عن أبي عبد الله ع قال: كَانَ أَبُو عَبْدِ اللَّهِ ع فِي الْمَسْجِدِ الْحَرَامِ فَقِيلَ لَهُ إِنَّ سَبْعًا مِنْ سَبَاعِ الطَّيْرِ عَلَى الْكَعْبَةِ وَ لَيْسَ يَمُرُّ بِهِ شَيْءٌ مِنْ حَمَامِ الْحَرَمِ إِلَّا ضَرَبَهُ

²³¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 21

²³² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 22

²³³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 23

²³⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 24

²³⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 25

(The book) 'Ilal Al Sharaie' – Ibn Al Waleed, from Al Saffar, from Ibn Aban, from Al-Husayn Bin Saeed, from Ibn Abu Umeyr, from Hammad Bin Usman and Muawiya Bin Hafs, from Mansour, altogether,

'From Abu Abdullah^{-asws} having said: 'Abu Abdullah^{-asws} was in the Sacred Masjid. It was said to him^{-asws}, 'A predator from the predatory birds is perched upon the Kaaba and nothing from the pigeons of the Sanctuary pass by it except it strikes it!'

فَقَالَ انصَبُوا لَهُ وَ افْتُلُوهُ فَإِنَّهُ قَدْ أَخَذَ فِي الْحَرَمِ.

He^{-asws} said: 'Set a trap for it and kill it, for it has apostatised in the Sanctuary (i.e. violated its sanctity)'.²³⁶

27- ع، علل الشرائع بهذا الإسناد عن ابن أبي عمير و فضالة قال: قُلْتُ لِأبي عَبْدِ اللَّهِ ع شَجَرَةٌ أَصْلُهَا فِي الْحَرَمِ وَ فَرْعُهَا فِي الْحِلِّ

(The book) 'Ilal Al Sharaie' – By this chain, from Ibn Abu Umeyr and Fazalah who said,

'I said to Abu Abdullah^{-asws}, 'A tree, its roots are in the Sanctuary and its branches are in the de-consecrated area'.

فَقَالَ حُرِّمَ فَرْعُهَا لِمَكَانِ أَصْلِهَا.

He^{-asws} said: 'Its branches are prohibited due to the place of its roots'.²³⁷

28- ع، علل الشرائع بالإسناد عن الحسين بن سعيد عن صفوان بن يحيى عن ابن مسكان عن إبراهيم بن ميمون قال: قُلْتُ لِأبي عَبْدِ اللَّهِ ع رَجُلٌ نَتَفَ رِيَشَ حَمَامَةٍ مِنْ حَمَامِ الْحَرَمِ

(The book) 'Ilal Al Sharaie' – By the chain from Al-Husayn Bin Saeed, from Safwan Bin Yahya, from Ibn Muskaan, from Ibrahim Bin Maymoun who said,

'I said to Abu Abdullah^{-asws}, 'A man plucks a feather from the pigeons of the Sanctuary!'

قَالَ يَتَصَدَّقُ بِصَدَقَةٍ عَلَى مَسْكِينٍ وَ يُعْطِي بِالْيَدِ الَّتِي نَتَفَ بِهَا فَإِنَّهُ قَدْ أَوْجَعَهُ بِهَا.

He^{-asws} said: 'He should donate in charity upon the needy and give with the very hand with which he had plucked it, for he has pained it with it'.²³⁸

29- ع، علل الشرائع ابن الوليد عن الصفار عن ابن معروف عن ابن مهران عن الحسين بن سعيد عن صفوان عن عبد الرحمن بن الحجاج قال: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنْ رَجُلٍ رَمَى صَيْدًا فِي الْحِلِّ وَ هُوَ يُؤْمُ الْحَرَمَ فِيمَا بَيْنَ الْبَرِيدِ وَ الْمَسْجِدِ فَأَصَابَهُ فِي الْحِلِّ فَمَضَى بِرُمِيهِ حَتَّى دَخَلَ الْحَرَمَ فَمَاتَ مِنْ رُمِيهِ فَهَلْ عَلَيْهِ جَزَاءٌ

(The book) 'Ilal Al Sharaie' – Ibn Al Waleed, from Al Saffar, from Ibn Marouf, from Ibn Mahziyar, from Al-Husayn Bin Saeed, from Safwan, from Abdul Rahman Bin Al Hajjaj who said,

²³⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 26

²³⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 27

²³⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 28

'I asked Abu Abdullah^{-asws} about a man who shoots at a prey in the de-consecrated area and it had been heading to the Sanctuary, in what is between some miles and the Masjid. He hits it in the de-consecrated area. It continues with his arrow until it enters the Sanctuary and dies from his arrow. Is there recompense upon him (to pay)?'

فَقَالَ لَيْسَ عَلَيْهِ جَزَاءٌ إِذَا مَثَلُ ذَلِكَ مَثَلُ رَجُلٍ نَصَبَ شَرَكًا فِي الْحِلِّ إِلَى جَانِبِ الْحَرَمِ فَوَقَعَ فِيهِ صَيْدٌ فَاضْطَرَبَ حَتَّى دَخَلَ الْحَرَمَ فَمَاتَ فَلَيْسَ عَلَيْهِ جَزَاءٌ لِأَنَّهُ نَصَبَ وَهُوَ حَلَالٌ وَ رَمَى حَيْثُ رَمَى وَ هُوَ حَلَالٌ فَلَيْسَ عَلَيْهِ فِيمَا كَانَ بَعْدَ ذَلِكَ شَيْءٌ

He^{-asws} said: 'There isn't any recompense upon him (to pay). But rather, and example of that is a man who installs a trap in the de-consecrated area to a side of the Sanctuary, and a prey falls into it. It gets restless until it enters the Sanctuary and dies. There isn't any recompense upon him (to pay) because he had installed the trap and it was Permissible, and he shot where he shot and it was Permissible, so there isn't anything upon him regarding what happens afterwards'.

فَقُلْتُ هَذَا عِنْدَ النَّاسِ الْقِيَاسُ

I said, 'This is an analogy in the view of the people'.

فَقَالَ إِنَّمَا شَبَّهْتُ لَكَ شَيْئًا بِشَيْءٍ لِتَعْرِفَهُ.

He^{-asws} said: 'But rather I^{-asws} have resembled something for you with something, so you will recognise it'.²³⁹

30- ع، علل الشرائع أَبِي عَنْ عَلِيٍّ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ خَلَادٍ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي رَجُلٍ ذَبَحَ حَمَامَةً مِنْ حَمَامِ الْحَرَمِ قَالَ عَلَيْهِ الْفِدَاءُ

(The book) 'Ilal Al Sharaie' – My father, from Ali, from his father, from Ibn Abu Umeyr, from Khallad,

'From Abu Abdullah^{-asws} regarding a man who slaughters a pigeon from pigeons of the Sanctuary. He^{-asws} said: 'Upon him is (to pay) the ransom!'

قَالَ فَيَأْكُلُهُ

He said, 'So can he eat it?'

قَالَ لَا

He^{-asws} said: 'No!'

قَالَ فَيَطْرُقُهُ

He said, 'He should throw it?'

²³⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 29

قَالَ إِذْ يُكُونُ عَلَيْهِ فِدَاءٌ آخِرٌ

He^{-asws} said: 'Then there would be another ransom upon him (to pay)'.

قَالَ فَمَا يَصْنَعُ بِهِ

He said, 'So what should be do with it?'

قَالَ فَيَدْفِنُهُ.

He^{-asws} said: 'He should bury it'.²⁴⁰

31- ع، علل الشرائع أَبِي عَنْ سَعْدِ بْنِ أَحْمَدَ وَ عَبْدِ اللَّهِ ابْنِ مُحَمَّدِ بْنِ عَيْسَى عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنْ قَوْلِ اللَّهِ عَزَّ وَ جَلَّ يَا أَيُّهَا الَّذِينَ آمَنُوا لِيَبْلُغَنَّكُمْ اللَّهُ بِشَيْءٍ مِّنَ الصَّيِّدِ تَنَالَهُ أَيْدِيكُمْ وَ رِمَاحُكُمْ قَالَ حُشِرَ عَلَيْهِمُ الصَّيِّدُ مِنْ كُلِّ مَكَانٍ حَتَّى دَنَا مِنْهُمْ لِيَبْلُغَهُمُ اللَّهُ.

(The book) 'Ilal Al Sharaie' – My father, from Ahmad and Abdullah, two sons of Muhammad Bin Isa, from Ibn Abu Umeyr, from Hammad, from Al Halby who said,

'U asked Abu Abdullah^{-asws} about Words of Allah^{-azwj} Mighty and Majestic: ***O you who believe! Allah will Try you with something from the hunting your hands and your spears can attain, [5:94].*** He^{-asws} said: 'The prey will be gathered towards them from every place until they are close to them for Allah^{-azwj} to Try them'.²⁴¹

32- ع، علل الشرائع ماجيلويه عَنْ عَمِّهِ عَنِ الْكُوفِيِّ عَنْ خَالِدِ بْنِ إِسْمَاعِيلَ عَمَّنْ ذَكَرَهُ عَنْ أَبِي بَصِيرٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنْ مُحْرِمٍ رَمَى طَبْيَا فَأَصَابَ يَدَهُ فَعَرَجَ مِنْهَا قَالَ إِنْ كَانَ الطَّبْيُ مَشَى عَلَيْهَا وَ رَعَى فَلَيْسَ عَلَيْهِ شَيْءٌ وَ إِنْ كَانَ ذَهَبَ عَلَى وَجْهِهِ وَ لَمْ يَدْرِ مَا يَصْنَعُ فَعَلَيْهِ الْفِدَاءُ لِأَنَّهُ لَا يَدْرِي لَعَلَّهُ هَلَكٌ.

(The book) 'Ilal Al Sharaie' – Majaylawiya, from his uncle, from Al Kufi, from Khalid Bin Ismail, from the one who mentioned it from Abu Baseer who said,

'I asked Abu Abdullah^{-asws} about a consecrated one shooting at a gazelle so he hits its foreleg so it becomes lame from it. He^{-asws} said: 'If the gazelle can walk upon it and grazes, there isn't anything upon it, and if it goes upon its direction and he does not know what happen, upon him is the ransom, because he does not, perhaps it perished'.²⁴²

33- ع، علل الشرائع ابْنُ الْوَلِيدِ عَنِ الصَّفَّارِ عَنِ ابْنِ أَبِي عَمْرٍاءَ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ مُعَاوِيَةَ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: إِذَا أَحْرَمْتَ فَاتَّقِ قَتْلَ الدَّوَابِّ كُلِّهَا إِلَّا الْأَفْعَى وَ الْعَقْرَبَ وَ الْفَأْرَةَ فَأَمَّا الْفَأْرَةُ فِيمَا

Ilal Al Sharaie – Ibn Al Waleed, from Al Saffar, from Ibn Aban, from Al-Husayn Bin Saeed, and from Fazalah and Hammad, and Ibn Abu Umeyr, from Muawiya,

²⁴⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 30

²⁴¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 31

²⁴² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 32

‘From Abu Abdullah^{-asws} having said: ‘When you have consecrated, then fear killing the animals, all of them except the snake and the scorpion and the mouse!

تُوهِى السِّقَاءَ وَ تُحْرِقُ عَلَى أَهْلِ الْبَيْتِ وَ أَمَّا الْعُقْرُبُ فَإِنَّ نَبِيَّ اللَّهِ ص مَدَّ يَدَهُ إِلَى الْحَجْرِ فَلَسَعَتْهُ عُقْرُبٌ فَقَالَ لَعْنَتِكَ اللَّهُ لَا بَرًّا تَدْعِينَهُ وَ لَا فَاجِرًا وَ الْحَيْثُ إِذَا أَرَادَتْكَ فَاقْتُلْهَا وَ إِنْ لَمْ تُرِدْكَ فَلَا تُرِدْهَا

As for the mouse, it punctures the waterskin and burns (the house down) upon the people of the house; and as for the scorpion, the Prophet^{-saww} of Allah^{-azwj} had extended his^{-saww} hand to the (Black) Stone and a scorpion had stung him^{-saww}. He^{-saww} said: ‘May Allah^{-azwj} Curse you! You neither leave a righteous one nor an immoral!’, and the snake, when it intends you, kill it, and if it leaves you, do not intend it.

وَ الْكَلْبُ الْعُقُورُ وَ السَّبُعُ إِذَا أَرَادَكَ وَ إِنْ لَمْ يَرِدَكَ [يُرِيدُكَ] فَلَا تُرِدْهُمَا وَ الْأَسْوَدُ الْعُدَّارُ فَاقْتُلْهُ عَلَى كُلِّ حَالٍ وَ اِزِمِ الْفَرَادَ رَمِيًّا عَنْ ظَهْرِ بَعِيرِكَ

And the rabid dog, and the wild animal when they intend you, and if they do not intend you, do not intend it; and the treacherous black snake, kill it upon all situations, and throw the ticks away from the back of your camel’.

وَ قَالَ إِنَّ الْفَرَادَ لَيْسَ مِنَ الْبَعِيرِ وَ الْحَلْمَةَ مِنَ الْبَعِيرِ.

And he^{-asws} said: ‘The ticks aren’t from the camel, and the mites are from the camel’^{.243}

34- ع، علل الشرائع أَبِي عَنْ سَعْدٍ عَنْ أُتُوبِ بْنِ نُوحٍ عَنْ صَفْوَانَ عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ قَالَ قَالَ أَبُو عَبْدِ اللَّهِ ع الصَّاعِقَةُ لَا تُصِيبُ الْمُؤْمِنَ

(The book) ‘Ilal Al Sharaie’ – My father, from Sa’ad, from Ayoub Bin Nuh, from Safwan, from Muawiya Bin Ammar who said,

‘Abu Abdullah^{-asws} said: ‘The thunderbolt does not hit the Momin’.

فَقَالَ لَهُ رَجُلٌ فَإِنَّا قَدْ رَأَيْنَا فَلَانًا يُصَلِّي فِي الْمَسْجِدِ الْحَرَامِ فَأَصَابَتْهُ

A man said to him^{-asws}, ‘But we have seen so and so praying Salat in the Sacred Masjid, and it hit him!’

فَقَالَ أَبُو عَبْدِ اللَّهِ ع إِنَّهُ كَانَ يَرْمِي حَمَامَ الْحَرَمِ.

Abu Abdullah^{-asws} said: ‘He had shot at a pigeon of the Sanctuary’^{.244}

35- ب، قرب الإسناد ابْنُ طَرِيفٍ عَنِ ابْنِ عُلْوَانَ عَنْ جَعْفَرٍ عَنْ أَبِيهِ ع أَنَّ عَلِيًّا ع كَانَ يَقُولُ فِي الْمُحْرِمِ الَّذِي يَنْزِعُ عَنْ بَعِيرِهِ الْفُؤْدَانَ وَ الْحَلْمَ إِنَّ عَلَيْهِ الْفِدْيَةَ.

(The book) ‘Qurb Al Isnaad’ – Ibn Tareyf, from Ibn Ulwan,

²⁴³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 33

²⁴⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 34

'From Ulwan son of Ja'far^{-asws}, from his father^{-asws}: 'Ali^{-asws} had said regarding the consecrated one who removes the ticks and mites from his camel: 'Upon him is the ransom''.²⁴⁵

36- ع، علل الشرائع أبي عن علي عن ابن أبي عمير عن حماد عن الحلبي عن أبي عبد الله ع قال: سأله رجل فقال أ رأيت إن كان علي فراد أو حلماً أطرخهما عتي

(The book) 'Ilal Al Sharaie' – My father, from Ali, from Ibn Abu Umeyr, from Hammad, from Al Halby,

'From Abu Abdullah^{-asws}, he (the narrator) said, 'A man asked him. He said, 'What is your^{-asws} view if there were ticks upon me or mites, should I throw these away from me?'

قَالَ نَعَمْ وَ صَعَاراً لَّهُمَا لِأَنَّمَا رَقِيَا فِي غَيْرِ مَرْتَعَاهُمَا.

He^{-asws} said: 'Yes, and their young ones, for these two have climbed into a place other than is their to climb''.²⁴⁶

37- سن، المحاسن أبي عن صفوان عن ابن حازم قال: سألت أبا عبد الله ع عن المضطر إلى الميتة وهو يجد الصيد فقال الصيد

(The book) 'Al Mahasin' – My father, from Safwan, from Ibn Hazim who said,

'I asked Abu Abdullah^{-asws} about the one desperate to (eat) the dead and (although) he can find the prey to hunt (while consecrated). He^{-asws} said: 'The prey'.

قَالَ قُلْتُ إِنَّ اللَّهَ قَدْ أَحَلَّ الْمَيْتَةَ إِذَا اضْطُرَّ إِلَيْهَا وَ لَمْ يَجِدْ لَهُ الصَّيْدَ

He (the narrator) said, 'I said, 'Allah^{-azwj} has Permitted the dead when one is desperate to it, and He^{-azwj} did not Make the hunting Permissible for him (when consecrated)!'

قَالَ تَأْكُلُ مِنْ مَالِكَ أَحَبُّ إِلَيْكَ أَوْ مَيْتَةٍ

He^{-asws} said: 'Is your eating from your own wealth more beloved to you or (eating) a dead (animal)?'

قُلْتُ مِنْ مَالِي

I said, 'From my own wealth'.

قَالَ هُوَ مَالِكَ لِأَنَّ عَلَيْكَ الْفِدْيَةَ مِنْ مَالِكَ

He^{-asws} said: 'It your wealth because upon you is the ransom from your wealth'.

قَالَ قُلْتُ فَإِنْ لَمْ يَكُنْ عِنْدِي مَالٌ

²⁴⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 35

²⁴⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 36

He (the narrator) said, 'I said, 'Supposing there does not happen any wealth with me?'

قَالَ تَفْضِيهِ إِذَا رَجَعْتَ إِلَى مَالِكَ.

He^{-asws} said: 'You can fulfil it when you return to your wealth'.²⁴⁷

38- شي، تفسير العياشي قَالَ عَبْدُ اللَّهِ بْنُ سِنَانٍَ سَمِعْتُهُ يَقُولُ فِيمَا أُذْخِلَ الْحَرَمَ مِمَّا صِيدَ فِي الْحِلِّ قَالَ إِذَا دَخَلَ الْحَرَمَ فَلَا يُدْبِخُ إِنَّ اللَّهَ عَزَّ وَجَلَّ يَقُولُ وَمَنْ دَخَلَهُ كَانَ آمِنًا.

(The book) 'Tafseer Al Ayyashi – Abdullah Bin Sinan said,

'I heard him^{-asws} saying regarding what enters the Sanctuary, from what is hunted in the de-consecrated area. He^{-asws} said: 'When he enters the Sanctuary, he should not slaughter. Allah^{-azwj} Mighty and Majestic Says: **and the one who enters it would be secure [3:97]**'.²⁴⁸

39- شي، تفسير العياشي عَنْ حَرِيْزٍ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: إِذَا قَتَلَ الرَّجُلُ الْمُحْرِمُ حَمَامَةً فَمِنْهَا شَاةٌ فَإِنْ قَتَلَ فَرَخًا فَفِيهِ حَمَلٌ فَإِنْ وَطِئَ بَيْضَةً فَكَسْرَهَا فَعَلَيْهِ دِرْهَمٌ كُلُّ هَذَا يَتَصَدَّقُ بِمَكَّةَ وَبِمِئَةٍ وَهُوَ قَوْلُ اللَّهِ فِي كِتَابِهِ لِيَبْلُغَنَّكُمْ اللَّهُ بِشَيْءٍ مِّنَ الصَّيْدِ تَنَالَهُ أَيْدِيكُمْ الْبَيْضِ وَالْفَرَاحِ وَرِمَاحِكُمُ الْأَمَهَاتِ الْكِبَارِ.

(The book) 'Tafseer Al Ayyashi – From Jareer,

'From Abu Abdullah^{-asws} having said: 'When the consecrated man killed a pigeon, regarding it is a sheep (as ransom). If he kills a chick, in it is a lamb. If he treads on an egg and breaks it, upon him is a Dirham. All this is to be donated in charity at Makkah and Mina, and it is Words of Allah^{-azwj} in His^{-azwj} Book: **Allah will Try you with something from the hunting your hands and your spears can attain, [5:94]** – the eggs and the chicks (by your hands), and the big mothers (by your spears)'.²⁴⁹

40- شي، تفسير العياشي عَنْ سَمَاعَةَ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي قَوْلِ اللَّهِ لِيَبْلُغَنَّكُمْ اللَّهُ بِشَيْءٍ مِّنَ الصَّيْدِ قَالَ ابْتَلَاهُمْ اللَّهُ بِالْوَحْشِ فَرَكِبْتُهُمْ مِنْ كُلِّ مَكَانٍ.

(The book) 'Tafseer Al Ayyashi' – from Sama'at,

'From Abu Abdullah^{-asws} regarding Words of Allah^{-azwj}: **Allah will Try you with something from the hunting [5:94]**. He^{-asws} said: 'Allah^{-azwj} will Try you with the beast so you will ride them from every place'.²⁵⁰

41- شي، تفسير العياشي مُعَاوِيَةُ بْنُ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي قَوْلِ اللَّهِ لِيَبْلُغَنَّكُمْ اللَّهُ بِشَيْءٍ مِّنَ الصَّيْدِ تَنَالَهُ أَيْدِيكُمْ وَرِمَاحِكُمْ قَالَ حُسَيْنٌ لِرَسُولِ اللَّهِ ص الْوُحُوشُ حَتَّى نَالَتَهَا أَيْدِيهِمْ وَرِمَاحُهُمْ فِي عُمْرَةِ الْحَدِيثِ لِيَبْلُغَهُمُ اللَّهُ بِهِ.

(The book) 'Tafseer Al Ayyashi' – Muawiya Bin Ammar,

'From Abu Abdullah^{-asws} regarding Words of Allah^{-azwj}: **O you who believe! Allah will Try you with something from the hunting your hands and your spears can attain, [5:94]**. He^{-asws} said:

²⁴⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 37

²⁴⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 38

²⁴⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 39

²⁵⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 40

‘Allah^{-azwj} Gathered the wild animals for the Rasool^{-saww} until their hands and their spears could reach them during Umrah of Al-Hudaybiyya for Allah^{-azwj} to Try them with it’.²⁵¹

42- وَ فِي رِوَايَةِ الْحَلْبِيِّ عَنْهُ عَ حُشِرَ عَلَيْهِمُ الصَّيْدُ مِنْ كُلِّ مَكَانٍ حَتَّى دَنَا مِنْهُمْ فَتَالَتْهُ أَيْدِيهِمْ وَ رَمَاخُهُمْ لِيَبْلُغَهُمُ اللَّهُ بِهِ.

And in a report by Al Halby,

‘From him^{-asws}: ‘The prey was gathered for them from every place until they were close from them, so their hand and their spears could reach them of Allah^{-azwj} to Try them by it’.²⁵²

43- شي، تفسير العياشي عن زُرَّارَةَ عَنْ أَبِي جَعْفَرٍ عَ فِي قَوْلِهِ لَا تَقْتُلُوا الصَّيْدَ وَ أَنْتُمْ حُرْمٌ وَ مَنْ قَتَلَهُ مِنْكُمْ مُتَعَمِّدًا فَجَزَاءُ مِثْلُ مَا قَتَلَ مِنَ النَّعْمِ

(The book) ‘Tafseer Al Ayyashi’ – From Zurara,

‘From Abu Ja’far^{-asws} regarding His^{-azwj} Words: **Do not kill the prey while you are in Ihram; and the one from you who kills it deliberately, so his recompense would be like what he killed from the cattle [5:95].**

قَالَ مَنْ أَصَابَ نَعَامَةً فَبَدَنَتْهُ وَ مَنْ أَصَابَ جِمَارًا أَوْ شِبْهَهُ فَعَلَيْهِ بَقْرَةٌ وَ مَنْ أَصَابَ ظَبْيًا فَعَلَيْهِ شَاةٌ بَالِغَ الْكَعْبَةِ حَقًّا وَاجِبًا عَلَيْهِ أَنْ يُنْحَرَ إِنْ كَانَ فِي حَجٍّ فِيمَا يُنْحَرُهُ النَّاسُ وَ إِنْ كَانَ فِي عُمْرَةٍ نَحَرَ بِمَكَّةَ وَ إِنْ شَاءَ تَرَكَهُ حَتَّى يَشْتَرِيَهُ بَعْدَ مَا يَقْدَمُ فَيُنْحَرُهُ فَإِنَّهُ يُجْزِي عَنْهُ.

He^{-asws} said: ‘One who catches (kills) a wild camel, then the expiation is a camel. Whoever catches a donkey or something similar, then the expiation is a cow. Whoever catches a gazelle, then the expiation is a sheep. It is obligatory for him to slaughter it by the Kaaba, and if he is in Hajj, he must slaughter it at Mina, where people slaughter their animals. If he is in Umrah, he should slaughter it in Mecca. If he wishes, he may delay it until after returning and buy it to slaughter it, and that will suffice as an expiation’.²⁵³

(The book) ‘Tafseer Al Ayyashi – From Abu Al Sabbah Al Kinani,

‘From Abu Abdullah^{-asws} regarding Words of Allah^{-azwj}: **and the one from you who kills it deliberately, so his recompense would be like what he killed from the cattle [5:95].**

44- شي، تفسير العياشي عن أَبِي الصَّبَّاحِ الْكِنَانِيِّ عَنْ أَبِي عَبْدِ اللَّهِ عَ فِي قَوْلِ اللَّهِ وَ مَنْ قَتَلَهُ مِنْكُمْ مُتَعَمِّدًا فَجَزَاءُ مِثْلُ مَا قَتَلَ مِنَ النَّعْمِ قَالَ فِي الظَّنِّي شَاةٌ وَ فِي الْحَمَامَةِ وَ أَشْبَاهِهَا وَ إِنْ كَانَتْ فِرَاحًا فَعِدَّتُهَا مِنَ الْحُمَلَانِ وَ فِي جِمَارٍ وَحَشٍ بَقْرَةٌ وَ فِي النَّعَامَةِ جَزُورٌ.

He^{-asws} said: ‘For a gazelle, the expiation is a sheep. For a pigeon and similar birds, even if they are chicks, the expiation is their equivalent number in lambs. For a wild donkey, the expiation is a cow, and for an ostrich, the expiation is a camel’.²⁵⁴

45- شي، تفسير العياشي عن أُبَيِّ بْنِ نُوحٍ وَ فِي النَّعَامَةِ بَدَنَةٌ وَ فِي الْبَقْرَةِ بَقْرَةٌ.

²⁵¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 41

²⁵² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 42

²⁵³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 43

²⁵⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 44

(The book) 'Tafseer Al Ayyashi' – From Ayoub Bin Nuh,

'Regarding the ostrich is a camel, and regarding the cow is a cow'.²⁵⁵

46- وَ فِي رِوَايَةِ حَرِيْزٍ عَنِ زُرَّارَةَ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ عَ عَنْ قَوْلِ اللَّهِ يَحْكُمُ بِهِ ذَوَا عَدْلٍ مِّنكُمْ قَالَ الْعَدْلُ رَسُولُ اللَّهِ صَ وَ الْإِمَامُ مِنْ بَعْدِهِ

And in a report by Hareez, from Zurarah who said,

'I asked Abu Ja'far^{-asws} about Words of Allah^{-azwj}: **The possessor of justice from you would judge with it, [5:95]**. He^{-asws} said: 'The 'just' is Rasool-Allah^{-saww} and the Imam^{-asws} from after him^{-saww}'.

ثُمَّ قَالَ وَ هَذَا بِمَا أَحْطَأْتُ بِهِ الْكُتَابُ.

Then he^{-asws} said: 'And this is from what the scribes have erred with'.²⁵⁶

47- شي، تفسير العياشي عن محمد بن مسلم عن أبي جعفر ع في قول الله يَحْكُمُ بِهِ ذَوَا عَدْلٍ مِّنكُمْ يَعْنِي رَجُلًا وَاحِدًا يَعْنِي الْإِمَامَ ع.

(The book) 'Tafseer Al Ayyashi' – from Muhammad Bin Muslim,

'From Abu Ja'far^{-asws} regarding Words of Allah^{-azwj}: **The possessor of justice from you would judge with it, [5:95]**: 'Meaning one man, meaning the Imam^{-asws}'.²⁵⁷

48- شي، تفسير العياشي عن زُرَّارَةَ قَالَ سَمِعْتُ أَبَا جَعْفَرٍ ع يَقُولُ يَحْكُمُ بِهِ ذَوَا عَدْلٍ مِّنكُمْ قَالَ ذَلِكَ رَسُولُ اللَّهِ صَ وَ الْإِمَامُ مِنْ بَعْدِهِ فَإِذَا حَكَمَ بِهِ الْإِمَامُ فَحَسْبُكَ.

(The book) 'Tafseer Al Ayyashi' – From Zurara who said,

'I heard Abu Ja'far^{-asws} saying: **The possessor of justice from you would judge with it, [5:95]**. He^{-asws} said: 'That is Rasool-Allah^{-saww} and the Imam^{-asws} from after him^{-saww}. When the Imam^{-asws} judges with it, it suffices you'.²⁵⁸

49- شي، تفسير العياشي عن الزُّهْرِيِّ عَنِ عَلِيِّ بْنِ الْحُسَيْنِ ع قَالَ: صَوْمُ جَزَاءِ الصَّيْدِ وَاجِبٌ قَالَ اللَّهُ تَبَارَكَ وَ تَعَالَى وَ مَنْ قَتَلَهُ مِنْكُمْ مُتَعَمِّدًا فَجَزَاءٌ مِّثْلُ مَا قَتَلَ مِنَ النَّعَمِ يَحْكُمُ بِهِ ذَوَا عَدْلٍ مِّنكُمْ هَدِيًّا بَالِغَ الْكَعْبَةِ أَوْ كَفَّارَةٌ طَعَامُ مَسَاكِينَ أَوْ عَدْلٌ ذَلِكَ صِيَامًا أَوْ تَدْرِي كَيْفَ يَكُونُ عَدْلٌ ذَلِكَ صِيَامًا يَا زُهْرِيُّ

(The book) 'Tafseer Al Ayyashi' – From Al Zuhry,

'From Ali Bin Al-Husayn^{-asws} having said: **and the one from you who kills it deliberately, so his recompense would be like what he killed from the cattle. The possessor of justice from you would judge with it, (either) a sacrificial animal reaching the Kaaba, or a expiation of**

²⁵⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 45

²⁵⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 46

²⁵⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 47

²⁵⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 48

feeding the poor, or equivalent of that in Fasting [5:95], and do you know the equivalent of that in Fasting comes to be, O Zuhry?’

فَقُلْتُ لَا

I said, ‘No’.

قَالَ يُعَوِّمُ الصَّيْدُ ثُمَّ يُفَضُّ الْقِيَمَةَ عَلَى الْبُرِّ ثُمَّ يُكَالُ ذَلِكَ الْبُرُّ أَصْوَاعاً فَيَصُومُ لِكُلِّ نَصْفِ صَاعٍ يَوْماً.

He^{-asws} said: ‘The prey would be evaluated, then the valued would be converted to the wheat. Then that wheat would be measured into ‘Sa’a’(s), so he would fast a day for every half a Sa’a’’.²⁵⁹

50- شي، تفسير العياشي عن داود بن سيرحان عن أبي عبد الله ع قال: من قتل من النعم وهو محرم نعمة فعليه بدنة أو من حمار وحشي بقرة أو من الطيبي شاة يحكم به ذوا عدل منكم

(The book) ‘Tafseer Al Ayyashi’ – From Dawood Bin Sirhan,

‘From Abu Abdullah^{-asws} having said: ‘One who kills from the livestock while he is in Ihraam, upon him is a camel (penalty), and for wild donkey is a cow, and for a gazelle is a sheep. **The possessor of justice from you would judge with it, [5:95]**’.

وَقَالَ عَدْلُهُ أَنْ يَحْكُمَ بِمَا رَأَى مِنَ الْحُكْمِ أَوْ صِيَامٌ يُقُولُ اللَّهُ تَعَالَى هَدِيًّا بِالْغِ كَعَبِيَّةٍ وَ الصَّيَّامُ لِمَنْ لَمْ يَجِدِ الْهَدْيَ فَصِيَامٌ ثَلَاثَةَ أَيَّامٍ قَبْلَ النَّوِيَّةِ يَوْمَ وَ يَوْمَ النَّوِيَّةِ وَ يَوْمَ عَرَفَةَ.

And he^{-asws} said: ‘His justice is that he would judge with whatever he views from the judgment, or fasting. Allah^{-azwj} the Exalted Says: **(either) a sacrificial animal reaching the Kaaba, [5:95]**, and the fasting is for the one who cannot find the sacrificial animal, so he should fast for three days – one day before Al-Tarwiyya (8th Zil Hajj), and the day of Al-Tarwiyya, and the day of Arafah’’.²⁶⁰

51 شي، تفسير العياشي عن عبد الله بن سينان عن أبي عبد الله ع قال: سأله عن قول الله تعالى فيمن قتل صيداً متعمداً وهو محرم فجزاءه مثل ما قتل من النعم يحكم به ذوا عدل منكم هدياً بالغ الكعبة أو كفارة طعام مساكين أو عدل ذلك صياماً ما هو

(The book) ‘Tafseer Al Ayyashi’ – From Abdullah Bin Sinan,

‘From Abu Abdullah^{-asws}, he (the narrator) said, ‘I asked him^{-asws} about Words of Allah^{-azwj} the Exalted regarding the one who kills a prey deliberately while he is consecrated: **so his recompense would be like what he killed from the cattle. The possessor of justice from you would judge with it, (either) a sacrificial animal reaching the Kaaba, or an expiation of feeding the poor, or equivalent of that in Fasting [5:95]**, what is it?’

²⁵⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 49

²⁶⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 50

فَقَالَ يَنْظُرُ إِلَى الَّذِي عَلَيْهِ بِجْزَاءِ مَا قُتِلَ فَإِمَّا أَنْ يُهْدِيَهُ وَ إِمَّا أَنْ يُقَوِّمَ فَيَشْتَرِي بِهِ طَعَاماً فَيُطْعِمُهُ الْمَسَاكِينَ يُطْعِمُ كُلَّ مِسْكِينٍ مُدّاً وَ إِمَّا أَنْ يَنْظُرَ كَمْ يَبْلُغُ عَدَدُ ذَلِكَ إِلَى الْمَسَاكِينِ فَيَصُومُ مَكَانَ كُلِّ مِسْكِينٍ يَوْماً.

He^{-asws} said: ‘He should assess the compensation for what was killed, either offer it as a sacrifice, or estimate its value, buy food with it, and distribute it among the needy, giving each needy person a measure (mudd). Alternatively, calculate the number of needy persons it would suffice and fast a day in place of each needy person’.²⁶¹

52 شي، تفسير العياشي عَنْ عَبْدِ اللَّهِ بْنِ بُكَيْرٍ عَنْ بَعْضِ أَصْحَابِهِ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي قَوْلِ اللَّهِ عَزَّ وَ جَلَّ أَوْ عَدْلُ ذَلِكَ صِياماً قَالَ يُقَوِّمُ ثَمَّنِ الْهُدْيِ طَعَامٌ ثُمَّ يَصُومُ بِكُلِّ مُدٍّ يَوْماً فَإِنْ زَادَتْ الْأَمْدَادُ عَلَى شَهْرَيْنِ فَلَيْسَ عَلَيْهِ أَكْثَرُ مِنْ ذَلِكَ.

(The book) ‘Tafseer Al Ayyashi’ – From Abdullah Bin Bukeyr, from one of his companions,

‘From Abu Abdullah^{-asws} regarding Words of Allah^{-azwj} Mighty and Majestic: **or equivalent of that in Fasting [5:95]**. He^{-asws} said: ‘He should evaluate the price of the sacrificial animal into food, then fast one day for every ‘Mudd’. If the ‘Mudd(s)’ exceed upon two months, there would be upon him more than that’.²⁶²

53 وَ فِي رِوَايَةِ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَحَدِهِمَا أَوْ عَدْلُ ذَلِكَ صِياماً قَالَ عَدْلُ الْهُدْيِ مَا بَلَغَ يَتَصَدَّقُ بِهِ فَإِنْ لَمْ يَكُنْ عِنْدَهُ فَلْيَصُمْ بِقَدْرِ مَا بَلَغَ لِكُلِّ طَعَامٍ مِسْكِينٍ يَوْماً.

And in a report by Muhammad Bin Muslim,

‘From one of the two (5th or 6th Imam^{-asws}): **or equivalent of that in Fasting [5:95]**. He^{-asws} said: ‘The equivalent of the sacrificial animal is what its value reaches, to be given in charity. If he does not have the means, then he should fast according to the value, fasting one day for each portion of food sufficient for a needy person’.²⁶³

54 شي، تفسير العياشي عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَحَدِهِمَا قَالَ: سَأَلْتُهُ عَنْ قَوْلِ اللَّهِ وَ مَنْ عَادَ فَيَنْتَقِمُ اللَّهُ مِنْهُ قَالَ إِنَّ رَجُلًا أَحَدَ ثَعْلَبًا وَ هُوَ مُحْرِمٌ فَجَعَلَ يُقَدِّمُ النَّارَ إِلَى أَنْفِ الثَّعْلَبِ وَ جَعَلَ الثَّعْلَبُ يَصْبِحُ وَ يُحَدِّثُ مِنْ اسْتِهِ وَ جَعَلَ أَصْحَابُهُ يَنْهَوْنَهُ عَمَّا يَصْنَعُ ثُمَّ أَرْسَلَهُ بَعْدَ ذَلِكَ فَبَيَّنَا الرَّجُلَ نَائِمًا إِذْ جَاءَتْ حَيَّةٌ فَدَخَلَتْ فِي ذُبُرِهِ فَجَعَلَ يُحَدِّثُ مِنْ اسْتِهِ كَمَا عَدَبَ الثَّعْلَبُ ثُمَّ خَلَّتْهُ بَعْدَ فَاَنْطَلَقَ

(The book) ‘Tafseer Al Ayyashi’ – from Muhammad Bin Muslim,

‘From one of the two (5th or 6th Imam^{-asws}) he (the narrator) said: ‘I asked him^{-asws} about Words of Allah^{-azwj}: **‘and (as for) the one who repeats, then Allah will Take Revenge from him, [5:95]**. He^{-asws} said: ‘A man, while in a state of ihram, captured a fox and held its nose close to the fire, causing the fox to cry out and defecate out of fear. His companions kept admonishing him for what he was doing. After some time, he released the fox. While the man was asleep, a snake came and entered his rectum. He then began defecating uncontrollably, just as he had tormented the fox. Eventually, the snake left him and departed.

²⁶¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 51

²⁶² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 52

²⁶³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 53

وَ فِي رَوَايَةٍ أُخْرَى تُمَّ خَلَّتْ عَنْهُ.

And in another report, ‘Then it left from him’²⁶⁴.

55 شي، تفسير العياشي عن الحلبي عن أبي عبد الله ع قال: الْمُحْرِمُ إِذَا قَتَلَ الصَّيْدَ فِي الْحِلِّ فَعَلَيْهِ جَزَاؤُهُ وَ يَتَصَدَّقُ بِالصَّيْدِ عَلَى مِسْكِينٍ فَإِنْ عَادَ وَ قَتَلَ صَيْدًا لَمْ يَكُنْ عَلَيْهِ جَزَاؤُهُ فَيَنْتَقِمُ اللَّهُ مِنْهُ.

(The book) ‘Tafseer Al Ayyashi’ – From Al Halby,

‘From Abu Abdullah^{-asws} having said: ‘The consecrated one, when he kills the prey in the de-consecrated area, upon him is its compensation, and he should donate with the prey upon poor ones. If he repeats and kills a prey, its compensation will not be upon him, for Allah^{-azwj} will Avenge from him’²⁶⁵.

56 وَ فِي رَوَايَةٍ أُخْرَى عَنِ الْحَلْبِيِّ ع فِي مُحْرِمٍ أَصَابَ صَيْدًا قَالَ عَلَيْهِ الْكَفَّارَةُ فَإِنْ عَادَ فَهُوَ بِمَنْ قَالَ اللَّهُ فَيَنْتَقِمُ اللَّهُ مِنْهُ وَ لَيْسَ عَلَيْهِ كَفَّارَةٌ.

And in another report from Al Halby –

‘(He^{-asws} said regarding a consecrated one catching (killing) a prey. He^{-asws} said: ‘Upon him is the expiation. If he repeats, he is from the ones Allah^{-azwj} Said: **Allah will Take Revenge from him, [5:95]**, and there is no expiation upon him’²⁶⁶.

57 شي، تفسير العياشي عن حرير عن أبي عبد الله ع قال: أَجَلَ لَكُمْ صَيْدُ الْبَحْرِ وَ طَعَامُهُ مَتَاعًا لَكُمْ قَالَ مَلِيحُهُ الَّذِي يَأْكُلُونَ

(The book) ‘Tafseer Al Ayyashi’ – from Hareez,

‘From Abu Abdullah^{-asws}, he (the narrator) said: ‘**Permissible for you is the prey of the sea and its food, being a provision for you [5:96]**. He^{-asws} said: ‘The salt-water fish they eat’.

وَ قَالَ فَصْلٌ مَا بَيْنَهُمَا كُلُّ طَيْرٍ يَكُونُ فِي الْأَجَامِ يَبْيَضُ فِي الْبَرِّ وَ يُفْرَخُ فِي الْبَرِّ فَهُوَ مِنْ صَيْدِ الْبَرِّ وَ مَا كَانَ مِنْ طَيْرٍ يَكُونُ فِي الْبَرِّ وَ يَبْيَضُ فِي الْبَحْرِ وَ يُفْرَخُ فِي الْبَرِّ فَهُوَ مِنْ صَيْدِ الْبَرِّ وَ مَا كَانَ مِنْ طَيْرٍ يَكُونُ فِي الْبَحْرِ وَ يَبْيَضُ فِي الْبَحْرِ وَ يُفْرَخُ فِي الْبَحْرِ فَهُوَ مِنْ صَيْدِ الْبَحْرِ.

And he said, ‘The distinction between them is, any bird that lives in the woods, lays its eggs on land, and hatches its young on land is considered land game. Any bird that lives on land, lays its eggs in the sea, and hatches its young on land is also considered land game. However, any bird that lives on land, lays its eggs in the sea, and hatches its young in the sea is considered sea game’²⁶⁷.

58 شي، تفسير العياشي عن زيد الشحام عن أبي عبد الله ع قال: سَأَلْتُهُ عَنْ قَوْلِ اللَّهِ أَجَلَ لَكُمْ صَيْدُ الْبَحْرِ وَ طَعَامُهُ مَتَاعًا لَكُمْ وَ لِلْسِّيَّارَةِ قَالَ هِيَ الْحَيْثَانُ الْمَالِحُ وَ مَا تُزْوَدُ مِنْهُ أَيْضًا وَ إِنْ لَمْ يَكُنْ مَالِحًا فَهُوَ مَتَاعٌ.

²⁶⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 54

²⁶⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 55

²⁶⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 56

²⁶⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 57

(The book) 'Tafseer Al Ayyashi' – from Zayd Al Shahham,

'From Abu Abdullah^{-asws}, he (the narrator) said, 'I asked him^{-asws} about Words of Allah^{-azwj}: **Permissible for you is the prey of the sea and its food, being a provision for you and for the sea-farers; [5:96]**. He^{-asws} said: 'It is the salt-water fishes what you have been provided from as well, and if it does not happen to be salt-water, it is 'food''^{.268}

59 قب، المناقب لابن شهر آشوب أبو القاسم الكوفي و القاضي الثعماني في كتابيهما عن عمر بن حماد بإسناده عن عبادة بن الصامت قال: قديم قوم من الشام حجاجاً فأصابوا أذحي نعاماً فيه خمس بيضات و هم محرمون فشؤوهن و أكلوهن ثم قالوا ما أَرَانَا إِلَّا وَ قَدْ أَحْطَأْنَا وَ أَصَبْنَا الصَّيْدَ وَ نَحْنُ مُحْرَمُونَ

(The book) 'Al Manaqib' of Ibn Shehr Ashub – Abu Al Qasim Al Kufi, and the judge Al Numan in their books, from Umar Bin Hammad by his chain, from Ubadah Bin Al Samit who said,

'A group arrived from Surya as Pilgrims. They attained an Ostrich wherein there were five eggs, and they were in Ihraam. They grilled and ate these, then they said, 'We do not see except and we have erred and we have attained the prey and we are in Ihraam!'

فَأْتَرُوا الْمَدِينَةَ وَ قَصُّوا عَلَى عُمَرَ الْقِصَّةَ فَقَالَ انظُرُوا إِلَى قَوْمٍ مِنْ أَصْحَابِ رَسُولِ اللَّهِ ص فَاسْأَلُوهُمْ عَنْ ذَلِكَ لِيَحْكُمُوا فِيهِ

They came to Al-Medina and narrated the story to Umar. He^{-asws} said: 'Look among a group from companions of Rasool-Allah^{-saww} and ask them about that for them to be judging regarding it'.

فَسَأَلُوا جَمَاعَةً مِنَ الصَّحَابَةِ فَاحْتَلَفُوا فِي الْحُكْمِ فِي ذَلِكَ فَقَالَ عُمَرُ إِذَا اِخْتَلَفْتُمْ فَهَاهُنَا رَجُلٌ سَأَلْنَا أَمْرَنَا إِذَا اِخْتَلَفْنَا فِي شَيْءٍ فَيَحْكُمُ فِيهِ

They asked a group of companions. They differed regarding the judgment regarding that. Umar said, 'When you are differing, then over here is a man we have been Commanded whenever we differ regarding something, so he would be judging regarding it!'

فَأَرْسَلَ إِلَى امْرَأَةٍ يُقَالُ لَهَا عَطِيَّةٌ فَاسْتَعَارَ مِنْهَا أَتَانًا فَرَكِبَهَا وَ انْطَلَقَ بِالْقَوْمِ مَعَهُ حَتَّى أَتَى عَلِيًّا ع وَ هُوَ يَبْنِعُ فَخَرَجَ إِلَيْهِ عَلِيٌّ فَتَلَقَّاهُ ثُمَّ قَالَ لَهُ هَلَّا أَرْسَلْتَ إِلَيْنَا فَنَأْتِيكَ

He sent a message to a woman called Atiya and hired an ass from her and rode it, and the group went with him until he came to Ali^{-asws}, and he was at Yanbu. Ali^{-asws} emerged to him and they met. Then he^{-asws} said: 'Had you sent a message to us^{-asws}, we^{-asws} would have come to you!'

فَقَالَ عُمَرُ الْحُكْمُ يُؤْتَى فِي بَيْتِهِ

Umar said, 'The judgment (case) should be brought to its house!'

فَقَصَّ عَلَيْهِ الْقَوْمُ فَقَالَ عَلِيٌّ لِعُمَرَ مُرْتَمٍ فَلْيَعْمِدُوا إِلَى حَمْسٍ فَلَا تَصَ مِنْ الْإِبِلِ فَلْيَطْرِفُوهَا لِلْفَحْلِ فَإِذَا نَبَجَتْ أَهْدُوا مَا نَبَجَتْ مِنْهَا جِزَاءً عَمَّا أَصَابُوا

The group narrated to him^{-asws}. Ali^{-asws} said to Umar: 'Order them to deliberate to five young she-camels and keep them for the stallion. When they give birth, they should gift what is born from these as compensation of what they had attained'.

فَقَالَ عُمَرُ يَا أَبَا الْحَسَنِ إِنَّ النَّاقَةَ قَدْ تَجُوهَضُ

Umar said, 'O Abu Al-Hassan^{-asws}! But the she-camels may miscarry!'

فَقَالَ عَلِيٌّ ع وَكَذَلِكَ الْبَيْضَةُ قَدْ تَمَرَّقُ

Ali^{-asws} said: 'And like that are the eggs, they could have been spoilt'.

فَقَالَ عُمَرُ فَلِهَذَا أَمَرْنَا أَنْ نَسْأَلَكَ.

Umar said, 'For this (reason) we have been Commanded to ask you^{-asws}!'²⁶⁹

60 مِنْهُ، أَحْمَدُ وَ أَبِي يَعْلَى رَوَى عَبْدُ اللَّهِ بْنُ الْحَارِثِ بْنِ تَوْفَلِ الْهَاشِمِيِّ أَنَّهُ اصْطَادَ أَهْلُ الْمَاءِ حَجَلًا فَطَبَّخُوهُ وَ قَدَّمُوا إِلَى عُثْمَانَ وَ أَصْحَابِهِ فَأَمْسَكُوا
فَقَالَ عُثْمَانُ صَيْدٌ لَمْ نَصِدْهُ وَ لَمْ نَأْمُرْ بِصَيْدِهِ اصْطَادَهُ قَوْمٌ جَلٌّ فَأَطَعُمُونَاهُ فَمَا بِهِ بَأْسٌ

From him, Ahmad and Abu Ya'la reported, Abdullah Bin Al Haris Bin Nowfal Al Hashimy (said),

'People of the water caught a partridge, cooked it, and presented it to Uthman and his companions. They refrained from eating it, and Uthman said, 'This is game that we did not hunt, nor did we command its hunting. It was caught by some people who are permitted, and they have fed us, so there is no problem with it!'

فَقَالَ رَجُلٌ إِنَّ عَلِيًّا ع يَكْرَهُ هَذَا

A man said, 'Ali^{-asws} dislikes this!'

فَبَعَثَ إِلَى عَلِيٍّ ع فَجَاءَ وَ هُوَ غَضَبَانٌ مُلَطَّخٌ بَدَنُهُ بِالْحَبْطِ - فَقَالَ لَهُ إِنَّكَ لَكثيرُ الخِلافِ عَلَيْنَا

He sent (a summons) to Ali^{-asws}. He^{-asws} came and he^{-asws} was angry, his^{-asws} body was covered in dust. He said to him^{-asws}, 'You^{-asws} frequently opposed against us!'

فَقَالَ ع أَذَكَّرُ اللَّهَ مَنْ شَهِدَ النَّبِيَّ ص أَبِي بَعْجَرَ حِمَارٍ وَحَشِيٍّ وَ هُوَ مُحْرَمٌ فَقَالَ إِنَّا مُحْرَمُونَ فَأَطَعِمُوهُ أَهْلَ الْحِلِّ فَشَهِدَ اثْنَا عَشَرَ رَجُلًا مِنَ الصَّحَابَةِ

He^{-asws} said: 'I^{-asws} remind of Allah^{-azwj} the one who had witnessed the Prophet^{-saww} when he^{-asws} was brought the hind-legs of a wild donkey and he^{-saww} was consecrated! He^{-saww} said: 'We are consecrated, so feed it to the de-consecrated people!' Twelve men from the companions testified.

ثُمَّ قَالَ قَالَ اللَّهُ رَجُلًا شَهِدَ النَّبِيَّ ص أَبِي بَعْجَرَ حِمَارٍ وَحَشِيٍّ مِنْ بَيْضِ النَّعَامِ فَقَالَ إِنَّا مُحْرَمُونَ فَأَطَعِمُوهُ أَهْلَ الْحِلِّ فَشَهِدَ اثْنَا عَشَرَ رَجُلًا مِنَ الصَّحَابَةِ

Then he^{-asws} said: 'I^{-asws} remind of Allah^{-azwj} a man who had witnessed the Prophet^{-saww} having been brought five eggs from the Ostrich eggs, so he^{-saww} said: 'We are consecrated, so feed it to the de-consecrated people!' Twelve men from the companions testified.

فَقَامَ عُثْمَانُ وَ دَخَلَ فُسْطَاطَهُ وَ تَرَكَ الطَّعَامَ عَلَى أَهْلِ الْمَاءِ.

Usman stood up and entered his tent and left the food for the water people".²⁷⁰

61 ين، كتاب حسين بن سعيد و النوادر صفوان عَنْ مُعَاوِيَةَ بْنِ عَمَّارٍ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي قَوْلِ اللَّهِ عَزَّ وَ جَلَّ لَيَبْلُغَنَّكُمْ اللَّهُ بِشَيْءٍ مِّنَ الصَّيْدِ تَنَالُهُ أَيْدِيكُمْ وَ رِمَاحُكُمْ قَالَ كَانَ ذَلِكَ فِي عُمْرَةِ الْحُدَيْبِيَّةِ.

The book of Haseen Bin Saeed, and 'Al Nawadir' – Safwan, from Muawiya Bin Ammar,

'From Abu Abdullah^{-asws} regarding Words of Allah^{-azwj} Mighty and Majestic: ***O you who believe! Allah will Try you with something from the hunting your hands and your spears can attain, [5:94].*** He^{-asws} said: 'That was regarding Umrah of Al-Hudaybiyya".²⁷¹

62 وَ قَالَ الْمُخْرِمُ مَتَى قَتَلَ جَرَادَةً فَعَلَيْهِ كَفٌّ مِّنْ طَعَامٍ وَ إِنْ كَانَ كَبِيرًا فَعَلَيْهِ شَاةٌ.

And he^{-asws} said: 'When the consecrated one kills a locust, upon him is a handful of food, and if it was big, upon him is a sheep".²⁷²

63 دَعَائِمُ الْإِسْلَامِ، رُوِيَ أَنَّ رَجُلًا مِّنْ أَصْحَابِ أَبِي عَبْدِ اللَّهِ جَعْفَرَ بْنِ مُحَمَّدٍ ع وَقَفَ عَلَى أَبِي حَنِيفَةَ وَ هُوَ فِي حَلْقَتِهِ يُفْتِي النَّاسَ وَ حَوْلَهُ أَصْحَابُهُ فَقَالَ يَا أَبَا حَنِيفَةَ مَا تَعُولُ فِي مُحْرِمٍ أَصَابَ صَبْدًا

(The book) 'Da'aim Al Islam' –

We are reporting that a man from the companions of Abu Abdullah Ja'far^{-asws} Bin Muhammad^{-asws} paused by Abu Hanifa while he was in his circle issuing verdicts to the people, and his companions were around him. He said, 'O Abu Hanifa! What are you saying regarding a consecrated on attaining a prey?'

قَالَ عَلَيْهِ الْكَفَّارَةُ

He said, 'Upon him is the expiation!'

قَالَ وَ مَنْ يَحْكُمُ بِهِ عَلَيْهِ

He said, 'And who will be the judge upon him?'

قَالَ أَبُو حَنِيفَةَ ذُوَا عَدْلٍ كَمَا قَالَ اللَّهُ

²⁷⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 60

²⁷¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 61

²⁷² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 62

Abu Hanifa said, 'The possessor of justice just as Allah^{-azwj} has Said'.

قَالَ الرَّجُلُ فَإِنْ اِخْتَلَفَا

The man said, 'Supposing they differ?'

قَالَ أَبُو حَنِيفَةَ يُتَوَقَّفُ عَنِ الْحُكْمِ حَتَّى يَتَّفِقَا

Abu Hanifa said, 'They would pause from giving the judgment until they concur'.

قَالَ الرَّجُلُ فَأَنْتَ لَا تَرَى أَنَّ تَحْكُمَ فِي صَيْدٍ قِيمَتُهُ دِرْهَمٌ وَحَدَّكَ حَتَّى يَتَّفِقَ مَعَكَ آخَرٌ وَ تَحْكُمَ فِي الدِّمَاءِ وَ الْفُرُوجِ وَ الْأَمْوَالِ بِرَأْيِكَ

The man said, 'So you don't see that if you alone should give judgment regarding a prey whose value is one Dirham until another one concurs with you, and you are giving judgment regarding the bloods (murder), and the private parts (adultery) and the wealth with your opinions?'

قَالَ يَجِدُ أَبُو حَنِيفَةَ جَوَابًا غَيْرَ أَنْ نَظَرَ إِلَى أَصْحَابِهِ فَقَالَ مَسْأَلَةٌ رَافِضِيَّةٍ.

Abu Hanifa could not find an answer apart from looking at his companions. He said, 'A Rafizi question (from a Shia)'.²⁷³ (Not a Hadeeth)

و فِي قَوْلِهِ يَتَوَقَّفُ عَنِ الْحُكْمِ حَتَّى يَتَّفِقَا إِبْطَالٌ لِلْحُكْمِ لِأَنَّا لَمْ نَجِدْهُمْ اتَّفَقُوا عَلَى شَيْءٍ مِنَ الْفِتْيَا إِلَّا وَ قَدْ خَالَفَهُمْ فِيهِ آخَرُونَ

And regarding his (Abu Hanifa's) words, 'The judgment would be paused until they concur' invalidates the judgment, because we have not found them agreeing on any matter of legal opinion without others disagreeing with them.

و لما علم أصحاب أبي حنيفة بفساد هذا القول قالوا يؤخذ بحكم أقلهما قيمة لأنهما قد اتفقا على الأقل و هذا قول يفسد عند الاعتبار و إنما يكون ما قالوه على قياسهم لو كانت القيمة بدنانير أو بدراهم أو ما هو في معناهما فيقول أحدهما قيمته خمسة دراهم و يقول الآخر عشرة فكأنما اتفقا على خمسة عندهم و ليس ذلك باتفاق في الحقيقة لأنه إن جرى بخمسة لم يكن عند من قال بالعشرة

When the companions of Abu Hanifa realised the flaw in this statement, they said that the ruling should be based on the lower value, as they had agreed on the lesser amount. This opinion becomes invalid when considered carefully. It would only be applicable according to their reasoning if the value were in Dinars, Dirhams, or something similar. One might say its value is five Dirhams, while another says ten. In their reasoning, it would be as if they agreed on five Dirhams, but this is not true agreement in reality because if the game is compensated with five, it would not suffice according to the one who said it should be ten.

قد جرى مع أن جزء الصيد بأعيان متفرقة من النعم و يكون بإطعام مساكين و يكون بصوم و ليس من هذا شيء يتفق فيه على الأقل و لا يكون قد جرى عند كل واحد إلا أن يجزي بما أمره به و إن اتفق فيه قوم خالفهم آخرون و هذا بين لمن تدبره و وفق لفهمه.

²⁷³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 63

Moreover, the compensation for hunting is given in specific animals, through feeding the poor, or by fasting, and none of these methods allow for an agreement on the lesser amount. It would only be valid if one compensates according to what he was instructed, and even if a group agrees on something, others may disagree. This is clear to those who reflect and are guided in their understanding.

64 وَعَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ قَالَ: فِي قَوْلِ اللَّهِ وَ مَنْ عَادَ فَيَنْتَقِمُ اللَّهُ مِنْهُ قَالَ مَنْ قَتَلَ صَيْدًا وَ هُوَ مُحْرِمٌ حُكِمَ عَلَيْهِ أَنْ يَجْزِيَ بِمِثْلِهِ وَ إِنْ عَادَ فَعَتَلْ آخَرَ لَمْ يُحْكَمْ عَلَيْهِ فَيَنْتَقِمُ اللَّهُ مِنْهُ.

And from Ja'far^{-asws} Bin Muhammad^{-asws} having said regarding Words of Allah^{-azwj}: **and (as for) the one who repeats, then Allah will Take Revenge from him, [5:95]**. He^{-asws} said: 'One who kills a prey while he is consecrated, there will be a judgment upon him to compensate with similar to it, and if he repeats so he kills another he will not be judged upon, **then Allah will Take Revenge from him, [5:95]**'.²⁷⁴

65 وَ عَنْهُ أَنَّهُ قَالَ فِي قَوْلِ اللَّهِ يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْتُلُوا الصَّيْدَ وَ أَنْتُمْ حُرْمٌ إِلَى قَوْلِهِ صِيَامًا قَالَ مَنْ أَصَابَ صَيْدًا وَ هُوَ مُحْرِمٌ فَأَصَابَ جِزَاءً مِثْلَهُ مِنْ النَّعْمِ أَهْدَاهُ وَ إِنْ لَمْ يَجِدْ هَدْيًا كَانَ عَلَيْهِ أَنْ يَتَصَدَّقَ بِتَمَنِيهِ

And from him^{-asws}, he^{-asws} said regarding Words of Allah^{-azwj}: **O you who believe! Do not kill the prey while you are in Ihram**; - up to His^{-azwj} Words: **Fasting [5:95]**. He^{-asws} said: 'One who attains a prey while he is consecrated, so he has hit a compensation like it from the livestock to sacrifice, and if cannot find a sacrificial animal, upon him is to donate its price.

وَ أَمَّا قَوْلُهُ أَوْ عَدْلٌ ذَلِكَ صِيَامًا يَعْنِي عَدْلَ الْكَفَّارَةِ إِذَا لَمْ يَجِدِ الْفِدْيَةَ وَ لَمْ يَجِدِ النَّعْمَ.

And as for His^{-azwj} Words: **or equivalent of that in Fasting [5:95]**, meaning equivalent expiation when he cannot find the ransom and cannot find the price".²⁷⁵

66 وَ عَنْهُ ع أَنَّهُ قَالَ: مَنْ أَصَابَ الصَّيْدَ وَ هُوَ مُحْرِمٌ أَوْ مُتَمَتِّعٌ وَ لَمْ يَجِدْ جِزَاءً فَصَامَ ثُمَّ أَيْسَرَ وَ هُوَ فِي الصِّيَامِ لَمْ يَفْرُغْ مِنْ صِيَامِهِ فَلَا شَيْءَ عَلَيْهِ وَ قَدْ تَمَّتْ كَفَّارَتُهُ.

And from him^{-asws} having said: 'One who attains a prey while he is consecrated, and he cannot find compensation, so he fasts. Then he becomes affluent while he is fasting, not being free from his fasts, so there is nothing upon him, and his expiation is completed.'²⁷⁶

67 وَعَنْ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيٍّ ع أَنَّهُ قَالَ فِي الْمُحْرِمِ يُصِيبُ نِعَامَةً عَلَيْهِ بَدَنَةً هَدْيًا بِالِغِ الْكَعْبَةِ فَإِنْ لَمْ يَجِدْ بَدَنَةً أَطْعَمَ سِتِّينَ مَسْكِينًا فَإِنْ لَمْ يَقْدِرْ عَلَى ذَلِكَ صَامَ ثَمَانِيَةَ عَشَرَ يَوْمًا.

And from Abu Ja'far Muhammad Bin Ali^{-asws} having said: 'Regarding the consecrated one attaining an ostrich upon him is **a sacrificial animal reaching the Kaaba, [5:95]**. If he cannot

²⁷⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 64

²⁷⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 65

²⁷⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 66

find a sacrificial animal, he should feed sixty needy ones. If he is not able upon that, he should fast eighteen days”.²⁷⁷

68 وَعَنْهُ ع أَنَّهُ سُئِلَ عَنْ فِرَاحِ النَّعَامَةِ أَصَابَهَا قَوْمٌ مُحْرَمُونَ

And from him^{-asws}, he^{-asws} was asked about the chick of an ostrich attained by a group of consecrated one’.

قَالَ عَلَيْهِمْ مَكَانَ كُلِّ فِرَاحٍ أَكَلُوهُ بَدَنَةً.

He^{-asws} said: ‘Upon them in place of each chick they have eaten, is a sacrificial animal’.²⁷⁸

69 وَعَنْ عَلِيِّ ع أَنَّهُ قَالَ: فِي مُحْرَمٍ أَصَابَ بَيْضَ النَّعَامَةِ قَالَ يُرْسَلُ الْفَحْلُ مِنَ الْإِبِلِ فِي أَبْكَارٍ مِنْهَا بَعْدَةَ الْبَيْضِ فَمَا تُبْحِ بِمَا أَصَابَ مِنْهَا كَانَ هَدِيًّا وَ مَا لَمْ يُنْتَجِ فَلَيْسَ عَلَيْهِ فِيهِ شَيْءٌ لِأَنَّ الْبَيْضَ كَذَلِكَ مِنْهُ مَا يَصِحُّ وَ مِنْهُ مَا يَفْسُدُ

And from Ali^{-asws} having said regarding a consecrated one attaining the egg of an ostrich. He^{-asws} said: ‘A stallion from the camels would be sent among she-camels from them of the number of the eggs. Whatever is born from what he attains from them would be a gift, and for as long as there is no offspring, there isn’t anything upon him because the eggs like that. From it is what is healthy and from is what is spoilt.

فَإِنْ أَصَابُوا فِي الْبَيْضِ فِرَاحاً لَمْ تُنْشَأْ فِيهَا الْأَرْوَاحُ فَعَلَيْهِمْ أَنْ يُرْسَلُوا الْفَحْلَ فِي الْإِبِلِ حَتَّى يَعْلَمُوا أَنَّهَا لَقِيَتْهَا فَمَا تُبْحِ مِنْهَا بَعْدَ أَنْ عَلِمُوا أَنَّهَا قَدْ لَقِيَتْهَا كَانَ هَدِيًّا وَ مَا أَسْقَطَتْ بَعْدَ اللَّقَاحِ فَلَا شَيْءَ فِيهِ لِأَنَّ الْفِرَاحَ فِي الْبَيْضِ كَذَلِكَ مِنْهَا مَا يَبْقَى وَ مِنْهَا مَا لَا يَبْقَى

If they damage eggs containing unhatched chicks in which life has not yet developed, they must release a male camel among the she-camels until it is confirmed that they have conceived. Whatever is born from them after it is known they have conceived shall be considered a sacrificial offering. However, any offspring lost after conception carries no obligation, as the unhatched chicks in the eggs are like that, some develop fully, and others do not develop.

وَ إِنْ أَصَابُوا فِرَاحاً قَدْ أَنْشَأَتْ فِيهَا الْأَرْوَاحُ أُرْسَلُوا الْفَحْلَ فِي الْإِبِلِ بَعْدَتَهَا حَتَّى تَلْفَحَ التَّوْقُ وَ تَنْحَرِكَ أَجِنَّتَهَا فِي بُطُونِهَا فَمَا تُبْحِ مِنْهَا كَانَ هَدِيًّا وَ مَا مَاتَ بَعْدَ ذَلِكَ فَلَا شَيْءَ فِيهِ لِأَنَّ الْفِرَاحَ فِي الْبَيْضِ كَذَلِكَ مِنْهَا مَا يَنْشَقُّ عَنْهُ فَيُخْرِجُ حَيًّا وَ مِنْهَا مَا يَمُوتُ فِي الْبَيْضِ.

If they damage chicks within eggs in which life has already developed, they must release a male camel among the she-camels equal in number to the chicks until the camels conceive and their foetuses begin to move in their wombs. Whatever offspring is born from them shall be considered a sacrificial offering, and any offspring that dies after that carries no obligation. This is because the chicks within the eggs are similar, some hatch and emerge alive, while others die within the eggs”.²⁷⁹

²⁷⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 67

²⁷⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 68

²⁷⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 69

70 وَ عَنْ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيٍّ ع أَنَّهُ قَالَ: فِي مُحْرِمٍ أَصَابَ حِمَارٌ وَخَشِي قَالَ يَجْزِي عَنْهُ بَدَنَةٌ فَإِنْ لَمْ يَقْدِرْ عَلَيْهَا أَطْعَمَ سِتِّينَ مِسْكِينًا فَإِنْ لَمْ يَجِدْ صَامَ ثَمَانِيَةَ عَشَرَ يَوْمًا.

And from Abu Ja'far Muhammad^{-asws} Bin Ali^{-asws}, he^{-asws} said that a consecrated one attains a wild donkey. He^{-asws} said: 'He must offer a camel as compensation. If he cannot do so, he must feed sixty needy people. If he cannot do that, he must fast for eighteen days'.²⁸⁰

71 وَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ قَالَ: فِي مُحْرِمٍ أَصَابَ بَقْرَةً وَخَشِيَةً قَالَ عَلَيْهِ بَقْرَةٌ أَهْلِيَّةٌ فَإِنْ لَمْ يَقْدِرْ عَلَيْهَا أَطْعَمَ ثَلَاثِينَ مِسْكِينًا فَإِنْ لَمْ يَجِدْ صَامَ تِسْعَةَ أَيَّامٍ.

And from Ja'far^{-asws} Bin Muhammad^{-asws}, he^{-asws} said regarding a consecrated one attaining a wild cow. He^{-asws} said: 'He must offer a domestic cow as compensation. If he cannot afford it, he should feed thirty needy individuals. If he cannot do that, he must fast for nine days'.²⁸¹

72 وَ عَنْهُ ع أَنَّهُ قَالَ: فِي الْمُحْرِمِ يُصِيبُ ظَبْيًا إِنْ عَلَيْهِ شَاةٌ فَإِنْ لَمْ يَجِدْ تَصَدَّقَ عَلَى عَشْرَةِ مَسَاكِينٍ وَ إِنْ لَمْ يَجِدْ صَامَ ثَلَاثَةَ أَيَّامٍ.

And him^{-asws} having said regarding the consecrated one attains a gazelle: 'Upon him is a sheep (compensation). If he cannot find, he should donate upon their needy ones, and if he cannot find, he should fast for three days'.²⁸²

73 وَ عَنْهُ ع أَنَّهُ قَالَ: فِي الصَّبْعِ شَاةٌ وَ فِي الْأَرْزَبِ شَاةٌ وَ فِي الْحَمَامَةِ وَ أَشْبَاهِهَا مِنَ الطَّيْرِ شَاةٌ وَ فِي الضَّبِّ جَدْيٌ وَ فِي الْبُرْبُوعِ جَدْيٌ وَ فِي الْفُنْفُنِ جَدْيٌ وَ فِي التَّغْلِبِ دَمٌ.

And from him^{-asws} having said: 'Regarding the hyena, there is a compensation of one sheep; in the rabbit, one sheep; in the dove and similar birds, one sheep; in the lizard, one young goat; in the jerboa, one young goat; in the hedgehog, one young goat; and for the fox, blood recompense'.²⁸³

74 وَ عَنْهُ ع أَنَّهُ قَالَ: يَصْنَعُ فِي بَيْضِ الْحَمَامِ وَ أَشْبَاهِهِ مِنَ الطَّيْرِ فِي الْغَنَمِ مِثْلَ مَا يَصْنَعُ فِي بَيْضِ النَّعَامِ فِي الْإِبِلِ.

And from him^{-asws} having said: 'Regarding the eggs of doves and similar birds, the same is done with sheep as is done with ostrich eggs with the camels'.²⁸⁴

75 وَ قَالَ ع فِي فِرَاحِهَا فِي كُلِّ فَرِيحٍ حَمَلٌ.

And he^{-asws} said: 'Regarding its chicks, regarding every chick is a lamb'.²⁸⁵

76 وَ عَنْهُ ع أَنَّهُ قَالَ فِي الصَّيْدِ يُصِيبُهُ الْجَمَاعَةُ عَلَى كُلِّ وَاحِدٍ مِنْهُمْ الْجَزَاءُ مُنْفَرِدًا.

²⁸⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 70

²⁸¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 71

²⁸² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 72

²⁸³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 73

²⁸⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 74

²⁸⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 75

And from him^{-asws} having said: ‘Regarding the prey attained by the group, upon each one of them is an individual compensation’.²⁸⁶

77 وَ عَنْهُ أَنَّهُ قَالَ: لَا يَتَّبِعِي لِلْمُحْرَمِ أَنْ يَسْتَحِلَّ الصَّيْدَ فِي الْحِلِّ وَلَا فِي الْحَرَمِ وَلَا يُشِيرَ إِلَيْهِ فَيَسْتَحِلَّ مِنْ أَجْلِهِ.

And from him^{-asws} having said: ‘It is not befitting for the consecrated one to legalise the hunting, neither in the de-consecrated area nor in the Sanctuary, nor indicate to it, so it would be legalised from its reason’.²⁸⁷

78 وَ عَنْهُ أَنَّهُ سُئِلَ عَنِ الْمُحْرَمِ يُضْطَرُّ فَيَجِدُ الصَّيْدَ وَالْمَيْتَةَ أَيُّهُمَا يَأْكُلُ

And from him^{-asws}, he^{-asws} was asked about the consecrated one who is desperate, and he finds the prey and the dead, which of the two should he eat?’

قَالَ يَأْكُلُ الصَّيْدَ وَيَجْزِي عَنْهُ إِذَا قَدَرَ.

He^{-asws} said: ‘He should eat the prey, and it will suffice (compensation) for it when he is able’.²⁸⁸

79 وَ عَنْهُ ع أَنَّهُ قَالَ: إِذَا رَمَى الْمُحْرَمُ الصَّيْدَ فَكَسَرَ يَدَهُ أَوْ رِجْلَهُ فَإِنْ تَرَكَهَ قَائِماً يَرَعَى فَعَلَيْهِ رُبُعُ الْجَزَاءِ وَإِنْ مَضَى عَلَى وَجْهِهِ فَلَمْ يَدْرِ مَا فَعَلَ فَعَلَيْهِ الْجَزَاءُ كَامِلاً.

And from him^{-asws} having said: ‘When the consecrated one shoots at the prey so breaks its hand or its leg, if he leaves it standing to graze, upon him is a quarter of the compensation, and if it continues upon its direction so he does not know what it did, upon him is the whole compensation’.²⁸⁹

80 وَ عَنْ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيٍّ ع أَنَّهُ قَالَ: لَا يَأْكُلُ الْمُحْرَمُ شَيْئاً مِنَ الصَّيْدِ رَطْباً وَ لَا يَابِساً.

And from Ja’far^{-asws} Bin Muhammad Bin Ali^{-asws}, he^{-asws} said: ‘The consecrated one cannot eat anything from the prey, neither wet nor dry’.²⁹⁰

81 وَ عَنْهُ ع أَنَّهُ قَالَ: الْمُحْرَمُ إِذَا أَصَابَ الصَّيْدَ جَزَى عَنْهُ وَ لَمْ يَأْكُلْهُ وَ لَمْ يُطْعِمْهُ وَ لَكِنَّهُ يَدْفِنُهُ.

And from him^{-asws}, he^{-asws} said: ‘The consecrated one, when he attains the prey should compensate for it, and he should not eat it, and not feed it, but he should bury it’.²⁹¹

وَ عَنْ عَلِيٍّ ع أَنَّهُ قَالَ: مَنْ حَجَّ بِصَيٍّ فَأَصَابَ الصَّيِّ صَيْداً فَعَلَى الَّذِي أَحَجَّهُ الْجَزَاءُ.

²⁸⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 76

²⁸⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 77

²⁸⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 78

²⁸⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 79

²⁹⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 80

²⁹¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 81 a

And from Ali^{-asws}, he^{-asws} said: ‘One who performs Hajj with a young boy, and the young boy attains the prey, the compensation is upon the one who made him perform the Hajj’.²⁹²

82 وَعَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ قَالَ: إِذَا أَصَابَ الْعَبْدُ الْمُحْرِمَ صَيْدًا وَكَانَ مَوْلَاهُ الَّذِي أَحْبَبَهُ فَعَلَيْهِ الْجَزَاءُ وَإِنْ لَمْ يَكُنِ الْعَبْدُ مُحْرِمًا وَ لَمْ يَأْمُرْهُ مَوْلَاهُ بِهِ فَلَيْسَ عَلَيْهِ شَيْءٌ.

And from Ja’far^{-asws} Bin Muhammad^{-asws} having said: ‘If the consecrated slate attains a prey and his master was the one who made him perform the Hajj, the compensation is upon him, and if the slave did not happen to be consecrated and his master had not ordered him with (performing it), there isn’t anything upon him (the master)’.²⁹³

83 وَعَنْ عَلِيِّ ع أَنَّهُ قَالَ: إِذَا جَزَى الْمُحْرِمُ عَمَّا أَصَابَ مِنَ الصَّيْدِ لَمْ يَأْكُلْ مِنَ الْجَزَاءِ شَيْئًا.

And from Ali^{-asws}, he^{-asws} said: ‘When the consecrated one compensates of what he had attained from the prey, he should not eat anything from the compensation’.²⁹⁴

84 وَعَنْهُ ع أَنَّهُ قَالَ: يُحْكَمُ عَلَى الْمُحْرِمِ إِذَا قَتَلَ الصَّيْدَ كَانَ قَتْلُهُ إِيَّاهُ عَنْ عَمْدٍ أَوْ حَطِّئًا.

And from him^{-asws}, he^{-asws} said: ‘It should be judged upon the consecrated one when he kills the prey, whether his killing it was deliberate or an error’.²⁹⁵

85 وَعَنْهُ ع أَنَّهُ سُئِلَ عَنِ الْمُحْرِمِ يُحْرِمُ وَ عِنْدَهُ فِي مَنْزِلِهِ صَيْدٌ قَالَ لَا يَصْرُهُ ذَلِكَ.

And from him^{-asws}, he^{-asws} was asked about the consecrated one, and in his possession in his house was a prey. He^{-asws} said: ‘That does not harm him’.²⁹⁶

86 وَعَنْ عَلِيِّ ع أَنَّهُ حَدَّثَ فِي صِغَارِ الطَّيْرِ الْعَصَائِيرِ وَالْقَنَابِرِ وَ أَشْبَاهِ ذَلِكَ إِذَا أَصَابَ الْمُحْرِمُ مِنْهَا شَيْئًا فَفِيهِ مَدٌّ مِنْ طَعَامٍ.

And from Ali^{-asws}, he^{-asws} applied the legal penalty regarding the small birds, the sparrows and the larks and resembling what: ‘When the consecrated one attains something from these, regarding it is a Mudd (handful) of food’.²⁹⁷

87 وَعَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ هَمَى الْمُحْرِمَ عَنْ صَيْدِ الْجُرَادِ وَ أَكَلَهُ فِي خَالَ إِخْرَامِهِ وَإِنْ قَتَلَهُ حَطَاءً أَوْ وَطِئْتَهُ دَابَّتُهُ فَلَيْسَ عَلَيْهِ شَيْءٌ وَ مَا تَعَمَّدَ قَتْلَهُ مِنْهُ جَزَى عَنْهُ بِكَفِّ مِنْ طَعَامٍ.

And from Ja’far^{-asws} Bin Muhammad^{-asws}, he^{-asws} forbade the consecrated one from hunting the locust and eating it in the state of his Ihraam, and if he kills it erroneously, or treads it

²⁹² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 81 b

²⁹³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 82

²⁹⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 83

²⁹⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 84

²⁹⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 85

²⁹⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 86

with his animal, there isn't anything upon him, and whatever he deliberately kills from it, he should compensate for it with a handful of food".²⁹⁸

88 وَعَنْهُ أَنَّهُ قَالَ: مَنْ قَتَلَ عِظَايَةً أَوْ زُبُورًا وَهُوَ مُحْرِمٌ فَإِنْ لَمْ يَتَعَمَّدْ ذَلِكَ فَلَا شَيْءَ عَلَيْهِ وَإِنْ تَعَمَّدَهُ أَطْعَمَ كَفًّا مِنْ طَعَامٍ وَكَذَلِكَ النَّمْلُ وَالذَّرُّ وَالْبُغُوضُ وَالْفَرَّادُ وَالْقُمَّلُ.

And from him^{-asws}, he^{-asws} said: 'One who kills a lizard or a wasp while in the state of Ihraam, if it was unintentional, there is nothing upon him, but if it was intentional, he must feed a handful of food as expiation. The same applies to ants, and tiny insects, and mosquitoes, and ticks, and lice'.²⁹⁹

89 وَعَنْ عَلِيٍّ ع أَنَّ رَسُولَ اللَّهِ ص أَبَاحَ قَتْلَ الْفَأْرَةِ فِي الْحَرَمِ وَالْإِحْرَامِ.

And from Ali^{-asws}: 'Rasool-Allah^{-saww} legalised killing the mouse in the Sanctuary and the de-consecrated area'.³⁰⁰

90 وَعَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ قَالَ: لَا بَأْسَ بِقَتْلِ الْمُحْرِمِ الذُّبَابَ وَ النَّسْرَ وَ الْحِدَاةَ وَ الْفَأْرَةَ وَ الْحَيَّةَ وَ الْعُقْرَبَ وَ كُلَّ مَا يَخَافُ أَنْ يَغْدُوَ عَلَيْهِ وَ يَحْشَاهُ عَلَى نَفْسِهِ وَ يُؤْذِيهِ مِثْلَ الْكَلْبِ الْعُقُورِ وَ السَّبُعِ وَ كُلِّ مَا يَخَافُ أَنْ يَغْدُوَ عَلَيْهِ.

And from Ja'far^{-asws} Bin Muhammad^{-asws} having said: 'There is no problem with the consecrated one killing the flies, and the vultures, and the kites, and the rats, and the snakes, and the scorpions, and all what he fears that might attack upon him, and he fears it upon himself and bothers him, like the rabid dog, and all what he fears that might attack upon him'.³⁰¹

91 وَعَنْهُ ع أَنَّهُ قَالَ: صَيْدُ الْبَحْرِ كُلُّهُ مُبَاحٌ لِلْمُحْرِمِ وَ الْمُحِلِّ وَ يَأْكُلُ الْمُحْرِمُ وَ يَتَزَوَّدُ مِنْهُ.

And from him^{-asws}, he^{-asws} said: 'Prey of the seal, all of it is legalised for the consecrated one and the de-consecrated one, and the consecrated one can eat and provide from it'.³⁰²

92 وَعَنْهُ ع أَنَّهُ سُئِلَ عَنْ طَيْرِ الْمَاءِ فَقَالَ كُلُّ طَيْرٍ يَكُونُ فِي الْأَحْيَامِ يَبِيضُ فِي الْبَرِّ وَ يُفْرَحُ فَهُوَ مِنْ صَيْدِ الْبَرِّ وَ مَا كَانَ مِنْ صَيْدِ الْبَرِّ يَكُونُ فِي الْبَرِّ وَ يَبِيضُ وَ يُفْرَحُ فِي الْبَحْرِ فَهُوَ مِنْ صَيْدِ الْبَحْرِ.

And him^{-asws}, he^{-asws} was asked about the water birds. He^{-asws} said: 'Every bird being in the thickets, lays its eggs on land and nests there is considered land prey; and any game from the land that resides on land but lays its eggs and nests in the sea is considered sea prey'.³⁰³

93 وَعَنْهُ ع أَنَّهُ سُئِلَ عَنِ الدَّجَاجِ السِّنْدِيَّةِ قَالَ لَيْسَتْ مِنَ الصَّيْدِ إِذَا الصَّيْدُ مِنَ الطَّيْرِ مَا اسْتَقَلَّ بِالطَّيْرَانِ.

²⁹⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 87

²⁹⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 88

³⁰⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 89

³⁰¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 90

³⁰² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 91

³⁰³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 92

And from him^{-asws}, he^{-asws} was asked about the Sindy chicken. He^{-asws} said: 'Is isn't from the prey, but rather the prey is from the birds what is independent with the flying'.³⁰⁴

94 وَ عَنْهُ ع أَنَّهُ مَنْ جَزَى عَنِ الصَّيْدِ إِنْ كَانَ حَاجِبًا نَحَرَ الْجَزَاءِ بِمِئَى وَإِنْ كَانَ مُعْتَمِرًا نَحَرَهُ بِمَكَّةَ.

And from him^{-asws}: 'The one who compensates for the prey, if he was a pilgrim of Hajj, he should slaughter the compensatory animal at Mina, and if he was performing Umrah, he should slaughter it at Makkah'.³⁰⁵

95 دَعَائِمُ الْإِسْلَامِ، رُوِيَ عَنِ جَعْفَرِ بْنِ مُحَمَّدٍ عَنْ آبَائِهِ عَنْ عَلِيِّ ع أَنَّ رَسُولَ اللَّهِ ص هَمَى أَنْ يُنْفَرَ صَيْدُ مَكَّةَ وَأَنْ يُفْطَعَ شَجَرُهَا وَأَنْ يُحْتَلَى خَلَاهَا وَ رَحَّصَ فِي الْإِدْحَرِ وَ عَصَا الرَّاعِي وَ قَالَ مَنْ أَصَبْتُمُوهُ احْتَلَى أَوْ عَضَدَ الشَّجَرَ أَوْ نَفَرَ الصَّيْدَ يَغْنِي فِي الْحَرَمِ فَقَدْ حَلَّ لَكُمْ سَلْبُهُ وَ أُوجِعُوا ظَهْرَهُ بِمَا اسْتَحَلَّ فِي الْحَرَمِ.

(The book) 'Da'aim Al Islam' –

'We are reporting from Ja'far^{-asws} Bin Muhammad^{-asws}, from his^{-asws} forefathers^{-asws}, from Ali^{-asws}: 'Rasool-Allah^{-saww} prohibited from disturbing the prey (birds) of Mecca, cutting its trees, or removing its vegetation. However, he permitted the use of *Izkeer* (a type of grass) and a shepherd's staff. He^{-saww} said: 'Whoever you find removing vegetation, cutting trees, or disturbing game within the Sanctuary, it is permissible for you to take his belongings, and you should strike his back as a penalty for what he has violated in the Sanctuary!'³⁰⁶

96 وَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ قَالَ: وَ يَتَصَدَّقُ مَنْ عَضَدَ الشَّجَرَ أَوْ احْتَلَى شَيْئاً مِنَ الْحَرَمِ بِقِيَمَتِهِ.

And from Ja'far^{-asws} Bin Muhammad^{-asws}, he^{-asws} said: 'And the one who cuts down a tree or cuts anything from the Sanctuary should donate in charity with its value'.³⁰⁷

97 وَ عَنْهُ أَنَّهُ قَالَ: إِذَا أَصَابَ الْحَلَالَ صَيْدًا فِي الْحَرَمِ فَعَلَيْهِ قِيَمَتُهُ.

And from him^{-asws}, he^{-asws} said: 'When the de-consecrated one attains a prey in the Sanctuary, upon him it its value (to compensate)'.³⁰⁸

98 وَ عَنْهُ أَنَّهُ قَالَ: مَنْ رَمَى صَيْدًا فِي الْحِلِّ فَأَصَابَهُ فِيهِ فَتَحَامَلَ الصَّيْدُ حَتَّى دَخَلَ فِي الْحَرَمِ فَمَاتَ فِيهِ مِنْ رَمِيهِ فَلَا شَيْءَ عَلَيْهِ فِيهِ.

And from him^{-asws}, he^{-asws} said: 'One who shoots at a prey in the de-consecrated area and injures it in it, so the prey wanders until it enters into the Sanctuary and dies in it from his arrow, there is nothing upon him regarding it'.³⁰⁹

³⁰⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 93

³⁰⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 94

³⁰⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 95

³⁰⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 96

³⁰⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 97

³⁰⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 98

99 وَ عَنْهُ أَنَّهُ قَالَ: مَنْ صَادَ صَيْدًا فَدَخَلَ بِهِ الْحَرَمَ وَ هُوَ حَيٌّ فَقَدْ حُرِّمَ عَلَيْهِ إِمْسَاكُهُ وَ عَلَيْهِ أَنْ يُرْسِلَهُ فَإِنْ دَبَّحَهُ فِي الْحِلِّ فَدَخَلَ بِهِ الْحَرَمَ مَذْبُوحًا فَلَا شَيْءَ عَلَيْهِ.

And from him^{-asws}, he^{-asws} said: ‘One who hunts a prey and enters the Sanctuary with it while it is alive, withholding it is prohibited unto him, and upon him is to release it. If he slaughters it in the de-consecrated area and enters the Sanctuary with it as slaughtered, there is nothing upon him’.³¹⁰

100 وَ عَنْ أَبِي جَعْفَرٍ ع أَنَّهُ قَالَ فِيمَنْ حَرَجَ بَطِيرٍ مِنْ مَكَّةَ فَانْتَهَى إِلَى الْكُوفَةِ عَلَيْهِ أَنْ يَرُدَّهُ إِلَى الْحَرَمِ.

And from Abu Ja’far^{-asws} having said regarding the one who goes out with a bird from Makkah and ends to Al Kufa: ‘Upon him is to return it to the Sanctuary’.³¹¹

101 وَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ سئِلَ عَنْ رَجُلٍ دَخَلَ إِلَى الْحَرَمِ وَ مَعَهُ صَيْدٌ أَلَهُ أَنْ يُخْرِجَ بِهِ

And from Ja’far^{-asws} Bin Muhammad^{-asws}, he^{-asws} was asked about a man who entered into the Sanctuary and with him is a prey, ‘Is it for him to go out with it?’

قَالَ لَا حُرْمَ عَلَيْهِ إِمْسَاكُهُ إِذَا دَخَلَ بِهِ الْحَرَمَ.

He^{-asws} said: ‘There is no prohibition upon him to withhold it since he had entered the Sanctuary with it’.³¹²

102 وَ عَنْهُ أَنَّهُ قَالَ: لَا تُلْتَقَطُ لُقْطَةُ الْحَرَمِ وَ تُتْرَكُ مَكَانَهَا حَتَّى يَأْتِيَ مَنْ هِيَ لَهُ فَيَأْخُذَهَا.

And from him^{-asws}, he^{-asws} said: ‘A lost property of the Sanctuary should not be picked up, and it should be left in its place until one to whom it belongs, comes and takes it’.³¹³

103 وَ عَنْ عَلِيِّ صَلَوَاتُ اللَّهِ عَلَيْهِ أَنَّهُ كَانَ إِذَا أَرَادَ الدُّخُولَ فِي الْحَرَمِ اغْتَسَلَ.

And from Ali^{-asws}, may the Salawaat of Allah^{-azwj} be upon him^{-asws}, whenever he^{-asws} intended to enter into the Sanctuary, he bathed’.³¹⁴

104 وَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ قَالَ: وَ الْمُتَمَتِّعُ بِالْعُمْرَةِ إِلَى الْحَجِّ إِذَا دَخَلَ الْحَرَمَ قَطَعَ التَّلْبِيَةَ وَ أَخَذَ فِي التَّكْبِيرِ وَ التَّهْلِيلِ.

And from Ja’far Bin Muhammad^{-asws}, he^{-asws} said: ‘And the combiner of the Umrah to the Hajj, when he enters the Sanctuary he should terminate the Talbiyya and take in exclaiming the Takbeer and the Oneness!’³¹⁵

³¹⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 99

³¹¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 100

³¹² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 101

³¹³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 102

³¹⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 103

³¹⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 104

105 وَ عَنْهُ أَنَّهُ قَالَ: إِذَا دَخَلَ الْحَاجُّ أَوْ الْمُعْتَمِرُ مَكَّةَ بَدَأَ بِحَوْطَةِ رَحْلِهِ ثُمَّ فَصَدَ الْمَسْجِدَ الْحَرَامَ وَ يُسْتَحَبُّ أَنْ يَأْتِيَ الْمَسْجِدَ خَافِئاً وَ عَلَيْهِ السَّكِينَةُ وَ الْوَقَارُ وَ يَدْخُلُ مِنْ بَابِ بَنِي شَيْبَةَ وَ هُوَ بَابُ الْعِرَاقِيِّينَ وَ يَدْعُو بِمَا قَدَرَ عَلَيْهِ مِنَ الدُّعَاءِ.

And from him^{-asws}, he^{-asws} said: ‘When the Pilgrim of Hajj or Umrah enters Makkah, he should begin with the place of his belongings, then he should aim for the Sacred Masjid, and it is recommended that he goes to the Masjid bare-footed, and upon him should be the calmness and the dignity, and he should enter from the door of the clan of Sheyba, and it is the door of the Iraqis, and he should supplicated with whatever he is able upon from the supplications’.³¹⁶

106 وَ قَدْ رَوَيْنَا عَنْ أَهْلِ الْبَيْتِ ع فِي ذَلِكَ مِنَ الدُّعَاءِ وَجُوهًا يَطُولُ ذِكْرُهَا وَ لَيْسَ مِنْهَا شَيْءٌ مُؤَقَّتٌ.

And we are reporting from People^{-asws} of the Household regarding that from the supplication, aspects of its lengthy Zikr and there isn’t anything specific from it’.³¹⁷

107 وَ عَنْ عَلِيٍّ ع أَنَّ رَسُولَ اللَّهِ ص لَمَّا دَخَلَ الْمَسْجِدَ الْحَرَامَ فِي حَجَّةِ الْوَدَاعِ بَدَأَ بِالرُّكْنِ الْأَسْوَدِ فَاسْتَلَمَهُ ثُمَّ أَخَذَ فِي الطَّوَافِ.

And from Ali^{-asws}: ‘When Rasool-Allah^{-saww} entered the Sacred Masjid during the farewell Hajj, he^{-saww} began with the corner of the Black (Stone) and kissed it. Then he^{-saww} took in performing the Tawaaf’.³¹⁸

باب 27 الطيب و الدهن و الاكتحال و التزين و التختيم و الاستحمام و غسل الرأس و البدن و الدلك للمحرم

CHAPTER 27 – THE PERFUME, AND THE OIL, AND THE KOHL, AND THE ADORNMENTS, AND THE RINGS, AND THE BATHING, AND WASHING THE HEAD AND THE BODY, AND MASSAGING FOR THE CONSECRATED ONE

1- ب، قرب الإسناد عليٍّ ع عَنْ أَخِيهِ ع قَالَ: سَأَلْتُهُ عَنِ الْمُحْرَمِ أَيْضُلُحُ لَهُ أَنْ يَلْبَسَ الثَّوْبَ الْمَشْبَعِ بِالْعَصْفُرِ

(The book) ‘Qurb Al Isnaad’ –

‘Ali, from his brother (Musa Al-Kazim^{-asws}), he said, ‘I asked him^{-asws} about the consecrated one, ‘Is it correct for him to wear the cloth dyed with the saffron?’

قَالَ إِذَا لَمْ يَكُنْ فِيهِ طِيبٌ فَلَا بَأْسَ.

He^{-asws} said: ‘When there does not happen to be any perfume (aroma) in it, there is no problem’.³¹⁹

2- قَالَ: وَ سَأَلْتُهُ عَنِ الرَّجُلِ هَلْ يَصْلُحُ لَهُ أَنْ يَغْسِلَ رَأْسَهُ يَوْمَ التَّحْرِيرِ بِخَطْمِيٍّ قَبْلَ أَنْ يَحْلِقَهُ

³¹⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 105

³¹⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 106

³¹⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 26 H 107

³¹⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 27 H 1

He said, 'And I asked him^{-asws} about the man, 'Is it correct for him to wash his head on the day of the Sacrifice with 'Khatmy' (a herb) before he shaves it?'

قَالَ كَانَ أَبِي يَنْهَى وُلْدَهُ عَنْ ذَلِكَ.

He^{-asws} said: 'My^{-asws} father^{-asws} had forbidden his^{-asws} children from that''³²⁰

3- ب، قرب الإسناد مُحَمَّدُ بْنُ الْحَمِيدِ عَنْ يُونُسَ بْنِ يَعْقُوبَ قَالَ: قُلْتُ لِأَبِي الْحَسَنِ مُوسَى ع لَجَعَلْتُ فِدَاكَ رَجُلًا أَكَلَ فَاوْدَجًا فِيهِ زَعْفَرَانٌ بَعْدَ مَا زَمَى الْجُمُرَةَ وَ لَمْ يَحْلِقْ

(The book) 'Qurb Al Isnaad' – Muhamad Bin Al Hameed, from Yunus Bin Yaqoub who said,

'I said to Abu Al-Hassan Musa^{-asws}, 'May I be sacrificed for you^{-asws}! A man eats 'Falouzja' (a sweet dish) wherein is Saffron after having pelted the rocks and had not shaved (his head)?'

قَالَ لَا بَأْسَ.

He^{-asws} said: 'There is no problem''³²¹

4- ع، علل الشرائع أَبِي عَنْ سَعْدِ بْنِ أَحْمَدَ وَ عَبْدِ اللَّهِ ابْنَيْ مُحَمَّدِ بْنِ عَيْسَى عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادِ بْنِ عَثْمَانَ عَنْ عُبَيْدِ اللَّهِ الْحَلَبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: لَا تَدْهِنُ حِينَ تُرِيدُ أَنْ تُحْرِمَ بِدُهْنٍ فِيهِ مِسْكٌ وَ لَا عَثْبَرٌ مِنْ أَجْلِ أَنَّ رِيحَهُ يَبْقَى فِي رَأْسِكَ مِنْ بَعْدِ مَا تُحْرِمُ وَ ادَّهِنُ بِمَا شِئْتَ حِينَ تُرِيدُ أَنْ تُحْرِمَ فَإِذَا أُحْرِمْتَ فَقَدْ حَرَّمَ عَلَيْكَ الدَّهْنُ حَتَّى تُحْلِقَ.

(The book) 'Ilal Al Sharaie' – My father, from Sa'ad, from Ahmad and Abdullah, two sons of Muhammad Bin Isa, from Ibn Abu Umeyr, from Hammad Bin Usman, from Ubeydullah Al Halby,

'From Abu Abdullah^{-asws} having said: 'Do not apply oil when you intend to consecrate with any oil having Musk in it, nor ambergris due to the reason that aroma will remain in your head from after having donned Ihraam, and oil with whatever you desire to whenever you want to don Ihraam. When you have consecrated, the oiling is prohibited upon you until you de-consecrate''³²²

5- ع، علل الشرائع بِحَدِّثِ الْإِسْنَادِ عَنِ الْحَلَبِيِّ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنِ الْمَرْأَةِ تَكْتَحِلُ وَ هِيَ مُحْرِمَةٌ قَالَ لَا تَكْتَحِلُنِ

(The book) 'Ilal Al Sharaie' – By this chain from Al Halby who said,

'I asked Abu Abdullah^{-asws} about the women applying Kohl while she is consecrated. He^{-asws} said: 'She cannot apply Kohl'.

قُلْتُ بِسَوَادٍ لَيْسَ فِيهِ طِيبٌ

I said, 'With black (substance) not having any perfume in it?'

³²⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 27 H 2

³²¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 27 H 3

³²² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 27 H 4

قَالَ فَكَرِهَهُ مِنْ أَجْلِ أَنَّهُ زِينَةٌ وَ قَالَ إِذَا اضْطَرَّتْ إِلَيْهِ فَلْتَكْتَجِلْ.

He (the narrator) said, 'He^{-asws} disliked it for reason of it being an adornment and said: 'When she is desperate to it, let her apply Kohl''.³²³

6- ع، علل الشرائع ابن الوليد عن الصَّفَّارِ عَنِ ابْنِ أَبِي بَانَ عَنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنْ حَمَّادٍ عَنْ حَرِيزٍ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: لَا تَكْتَجِلِ الْمَرْأَةُ بِالسَّوَادِ إِلَّا السَّوَادَ مِنَ الزَّيْنَةِ.

(The book) 'Ilal Al Sharaie' – Ibn Al Waleed, from Al Saffar, from Ibn Aban, from Al-Husayn Bin Saeed, from Hammad, from Hareez,

'From Abu Abdullah^{-asws} having said: 'The woman cannot apply Kohl with the black (substance). The black is from the adornments''.³²⁴

7- ع، علل الشرائع أَبِي عَنْ سَعْدٍ عَنْ ابْنِ عَيْسَى عَنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنْ حَمَّادٍ عَنْ حَرِيزٍ عَنْ أَبِي عَبْدِ اللَّهِ ع قَالَ: لَا تَنْظُرِي فِي الْمِرْآةِ وَ أَنْتِ مُحْرِمٌ لِأَنَّه مِنَ الزَّيْنَةِ.

(The book) 'Ilal Al Sharaie' – My father, from Sa'ad, from Ibn Isa, from Al-Husayn Bin Saeed, from Hammad, from Hareez,

'From Abu Abdullah^{-asws} having said: 'Do not look into the mirror while you are in Ihraam because it is from the adornments''.³²⁵

8- ج، الإحتجاج كَتَبَ الْحِمَيْرِيُّ إِلَى الْقَائِمِ ع هَلْ يَجُوزُ لِلْمُحْرِمِ أَنْ يُصَيِّرَ عَلَى إِنْطِهِ الْمَرْتَكَ أَوْ التُّوتِيَاءَ لِرِيحِ الْعَرَقِ أَمْ لَا يَجُوزُ

(The book) 'Al Ihtijaj' –

'Al-Himeyri wrote to Al-Qaim^{-ajfj}, 'Is it allowed for the consecrated one to apply *Murtakka* or *Tutiyya* (a type of stone or powder) on his armpit to counter the odour of sweat, or is it not allowed?'

فَكَتَبَ ع يَجُوزُ ذَلِكَ وَ بِاللَّهِ التَّوْفِيقُ.

He^{-ajfj} wrote: 'That is allowed, and with Allah^{-azwj} is the Inclination!''³²⁶

9- ن، عيون أخبار الرضا عليه السلام أَبِي عَنْ أَحْمَدَ بْنِ إِدْرِيسَ عَنِ الْأَشْعَرِيِّ عَنِ مُوسَى بْنِ عُمَرَ عَنِ ابْنِ بَرِيْعٍ قَالَ: رَأَيْتُ عَلَى أَبِي الْحَسَنِ الرِّضَا ع وَ هُوَ مُحْرِمٌ خَائِماً.

(The book) 'Uyoun Akhbar Al-Reza^{-asws}', may the greeting be upon him^{-asws} – My father, from Ahmad Bin Idrees, from Al Ash'ary, from Musa Bin Umar, from Ibn Bazier who said,

³²³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 27 H 5

³²⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 27 H 6

³²⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 27 H 7

³²⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 27 H 8

'I saw a ring upon Abu Al-Hassan Al-Reza^{-asws} while he^{-asws} was in Ihraam'.³²⁷

10- ع، علل الشرائع أَبِي عَنِ السَّعْدِآبَادِيِّ عَنِ الْبَرْقِيِّ رَفَعَهُ إِلَى حَرِيزٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ عَنِ الْمُحْرِمِ أَيْسَمُّ الرَّيْحَانِ

(The book) 'Ilal Al Sharaie' – My father, from Al Sa'dabady, from Al Barqy, raising it to Hareez who said,

'I asked Abu Abdullah^{-asws} about the consecrated one, 'Can he smell the basil?'

قَالَ لَا.

He^{-asws} said: 'No!'³²⁸

[باب 28 اجتناب النساء للمحرم وفيه ذكر الفسوق و الجدال و إفساد الحج](#)

CHAPTER 28 – SHUNNING THE WOMEN FOR THE CONSECRATED ONE, AND IN IT IS MENTION OF THE IMMORALITY, AND THE QUARRELLING AND SPOILING OF THE HAJJ

الآيات البقرة الْحَجُّ أَشْهُرٌ مَعْلُومَاتٌ فَمَنْ فَرَضَ فِيهِنَّ الْحَجَّ فَلَا رَفَثَ وَ لَا فُسُوقَ وَ لَا جِدَالَ فِي الْحَجِّ

The Verses – (Surah) Al Baqarah: ***The Hajj is (performed in) the well-known months; so whoever determines the performance of the Hajj therein, there shall neither be marital relationship, nor immorality, nor quarrelling during the Hajj; [2:197].***

المائدة يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْلُوا شَعَائِرَ اللَّهِ.

(Surah) Al Maaidah: ***O you who believe! Do not violate the rituals of Allah [5:2].***

1- ب، قرب الإسناد عَلِيِّ عَنِ أَخِيهِ ع قَالَ: سَأَلْتُهُ عَنِ الرَّفَثِ وَ الْفُسُوقِ وَ الْجِدَالِ مَا هُوَ وَ مَا عَلَى مَنْ فَعَلَهُ

(The book) 'Qurb Al Isnaad' –

'Ali, from his brother (Musa Al-Kazim^{-asws}), said, 'I asked him^{-asws} about the 'Rafas' and the immoralities and the quarrelling, 'What is it and what is upon the one does it?'

قَالَ الرَّفَثُ جَمَاعُ التِّسَاءِ وَ الْفُسُوقُ الْكُذِبُ وَ الْمَفَاخِرَةُ وَ الْجِدَالَ قَوْلُ الرَّجُلِ لَا وَ اللَّهُ وَ بَلَى وَ اللَّهُ

He^{-asws} said: 'The 'Rafas' is union with the women, and the immorality is the lying and the priding, and the quarrelling is words of the man, 'No by Allah^{-azwj}', and 'Yes, by Allah^{-azwj}'.

فَمَنْ رَفَثَ فَعَلَيْهِ بَدَنَةٌ يَنْحَرُهَا وَ إِنْ لَمْ يَجِدْ فَتَسَاءُ وَ كَفَّارَةُ الْجِدَالِ وَ الْفُسُوقُ شَيْءٌ يَتَصَدَّقُ بِهِ إِذَا فَعَلَهُ وَ هُوَ مُحْرَمٌ.

³²⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 27 H 9

³²⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 27 H 10

The man who has marital relations, upon him is a camel, and if he cannot find, then a sheep, and an expiation of the quarrelling and the immorality is something one can donate in charity with when he does it while he is in Ihraam".³²⁹

2- قَالَ: وَ سَأَلْتُهُ عَنْ رَجُلٍ وَقَعَ امْرَأَتَهُ قَبْلَ أَنْ يَطُوفَ طَوَافَ النَّسَاءِ مُتَعَمِّدًا مَا عَلَيْهِ

He said, 'And I asked him^{-asws} about a man who has marital relations deliberately with his wife before he performs Tawaaf, Tawaaf Al-Nisaa, 'What is upon him?'

قَالَ يَطُوفُ وَ عَلَيْهِ بَدَنَةٌ.

He^{-asws} said: 'He should perform Tawaaf, and upon him is a camel".³³⁰

3- ل، الخصال فِي خَبَرِ الْأَعْمَشِ عَنِ الصَّادِقِ ع قَالَ اللَّهُ عَزَّ وَ جَلَّ وَ أَنْمُوا الْحَجَّ وَ الْعُمْرَةَ لِلَّهِ وَ تَمَامُهَا اجْتِنَابُ الرَّفَثِ وَ الْفُسُوقِ وَ الْجِدَالِ فِي الْحَجِّ.

(The book) 'Al Khisaal' – In a Hadeeth by Al Amsh,

'From Al-Sadiq^{-asws}: 'Allah^{-azwj} Mighty and Majestic Said: '**And complete the Hajj and the Umrah [2:196]**, and completing it is shunning the marital relations, and the immoralities, and the quarrelling during the Hajj".³³¹

4- ع، علل الشرائع ماجيلويه عَنْ عَمِّهِ عَنِ الْكُوفِيِّ عَنْ خَالِدِ بْنِ إِسْمَاعِيلَ عَمَّنْ ذَكَرَهُ عَنْ أَبِي بَصِيرٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنْ مُحْرِمٍ نَظَرَ إِلَى سَاقِ امْرَأَةٍ أَوْ إِلَى فَرْجِهَا حَتَّى أَمْنَى قَالَ عَلَيْهِ بَدَنَةٌ أَمَا إِنِّي لَمْ أَجْعَلْهَا عَلَيْهِ لِمَنْبِيهِ إِلَّا لِنَظَرِهِ إِلَى مَا لَا يَحِلُّ النَّظَرُ إِلَيْهِ.

(The book) 'Ilal Al Sharaie' – Majilawayh, from his uncle, from Al Kufy, from Khalid Bin Ismail, from the one who mentioned it, from Abu Baseer who said,

'I asked Abu Abdullah^{-asws} about a consecrated one looking at a leg of a woman or to her private parts until he discharges. He^{-asws} said: 'Upon him is a camel. But, I^{-asws} am not making it upon him for his needing ceremonial bath rather/but for looking at what is not Permissible to look at!"³³²

5- ع، علل الشرائع بِهَذَا الْإِسْنَادِ عَنْ أَبِي بَصِيرٍ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنِ الْمُحْرِمِ يُرِيدُ أَنْ يَعْمَلَ الْعَمَلَ فَيَقُولُ لَهُ صَاحِبُهُ وَ اللَّهُ لَا تَعْمَلْهُ فَيَقُولُ وَ اللَّهُ لَأَعْمَلَنَّهُ فَيُحَالِفُهُ مِرَارًا مَا يَلْتَمُ مَا يَلْتَمُ صَاحِبَ الْجِدَالِ

(The book) 'Ilal Al Sharaie' – By this chain from Abu Baseer who said,

'I asked Abu Abdullah^{-asws} about the consecrated one intending to do the deeds, so his companion says to him, 'By Allah^{-azwj}, do not do it!' He says, 'By Allah^{-azwj}, I will do it!' He opposes him repeatedly. Does it necessitate what necessitates the owner of the quarrelling?'

³²⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 1

³³⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 2

³³¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 3

³³² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 4

قَالَ فَقَالَ لَا لِأَنَّهُ أَرَادَ بَحْدًا إِكْرَامَ أَخِيهِ إِنَّمَا ذَلِكَ مَا كَانَ لِلَّهِ مَعْصِيَةً

He (the narrator) said, 'He^{-asws} said: 'No, because this one intended with this to honour his brother, and rather that did not happen in disobedience to Allah^{-azwj}!'

قَالَ وَ سَأَلْتُهُ عَنْ مُحْرِمٍ رَمَى ظَبْيًا فَأَصَابَ يَدَهُ فَعَرَجَ مِنْهَا قَالَ إِنْ كَانَ الظَّبْيُ مَشَى عَلَيْهَا وَ رَعَى فَلَيْسَ عَلَيْهِ شَيْءٌ وَ إِنْ كَانَ ذَهَبَ عَلَى وَجْهِهِ فَلَمْ يَدْرِ مَا يَصْنَعُ فَعَلَيْهِ الْفِدَاءُ لِأَنَّهُ لَا يَدْرِي لَعَلَّهُ هَلَكَ.

He (the narrator) said, 'And I asked him^{-asws} about a consecrated one shooting a gazelle, so it hits its hand (foreleg), so it limped from it. He^{-asws} said: 'If the gazelle had walked upon it and grazed, there isn't anything upon him, and if it had gone upon its direction and he did not know what happened, upon him is the ransom, because he does not know perhaps it perished''³³³

6- ع، علل الشرائع ابنُ الوليد عن الصَّمَّارِ عن ابنِ أبانٍ عن الحُسَيْنِ بنِ سعيدٍ عن صفوانَ عن إسحاقَ بنِ عمارةٍ عن أبي بصيرٍ قال: قُلْتُ لِأبي عبدِ الله ع رَجُلٌ نَظَرَ إِلَى سَاقِ امْرَأَةٍ فَأَفْتَى

(The book) 'Ilal Al Sharaie' – Ibn Al Waleed, from Al Saffar, from Ibn Aban, from Al-Husayn Bin Saeed, from Safwan, from Is'haq Bin Ammar, from Abu Baseer who said,

'I said to Abu Abdullah^{-asws}, 'A man looks at a leg of a woman, so he discharges!'

فَقَالَ إِنْ كَانَ مُوسِرًا فَعَلَيْهِ بَدَنَةٌ وَ إِنْ كَانَ وَسَطًا فَعَلَيْهِ بَقْرَةٌ وَ إِنْ كَانَ فَقِيرًا فَشَاةٌ

He^{-asws} said: 'If he was affluent, upon him is a camel, and if he was moderate, upon him is a cow, and if he was poor, so a sheep'.

ثُمَّ قَالَ إِنِّي لَمْ أَجْعَلْ عَلَيْهِ لِأَنَّهُ أَمْنَى وَ لَكِنَّهُ إِنَّمَا أَجْعَلُهُ عَلَيْهِ لِأَنَّهُ نَظَرَ إِلَى مَا لَا يَحِلُّ لَهُ.

Then he^{-asws} said: 'I did not make (it) upon him because he discharged, but rather I^{-asws} made it upon him because he looked at what is not Permissible for him!''³³⁴

7- سن، المحاسن عن يونس عن إسحاق مثله.

(The book) 'Al-Mahasin' – Yunus, from Is'haq, a similar to it'³³⁵

8- مع، معاني الأخبار أبي عن سعدٍ عن ابنِ عيسى عن ابنِ فضالٍ عن أبي جميلةٍ عن الشَّحَامِ قال: سَأَلْتُ أَبَا عَبْدِ اللَّهِ ع عَنِ الرَّفَثِ وَ الْفُسُوقِ وَ الْجِدَالِ قَالَ أَمَّا الرَّفَثُ فَالْجِمَاعُ وَ أَمَّا الْفُسُوقُ فَهُوَ الْكَذِبُ أَلَا تَسْمَعُ قَوْلَ اللَّهِ عَزَّ وَ جَلَّ يَا أَيُّهَا الَّذِينَ آمَنُوا إِنْ جَاءَكُمْ فَاسِقٌ بِنَبَأٍ فَتَبَيَّنُوا أَنْ تُصِيبُوا قَوْمًا بِجَهَالَةٍ- وَ الْجِدَالُ هُوَ قَوْلُ الرَّجُلِ لَأَ وَ اللَّهِ وَ بَلَى وَ اللَّهِ وَ سَبَابُ الرَّجُلِ الرَّجُلِ.

(The book) 'Ma'any Al Akhbaar' – My father, from Sa'ad, from Ibn Isa, from Ibn Fazzal, from Abu Jameela, from Al Shahham who said,

³³³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 5

³³⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 6

³³⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 7

'I asked Abu Abdullah^{-asws} about the 'Rafas', and the immoralities and the quarrelling. He^{-asws} said: 'As for the 'Rafas', it is the marital relations, and as for the immoralities, it is the lying. Have you not heard the Words of Allah^{-azwj} Mighty and Majestic: **O you who believe! If a transgressor comes to you with news, then investigate, lest you harm a people in ignorance, [49:6]**; and the quarrelling, it is a word of the man, 'No, by Allah^{-azwj}', and, 'Yes, by Allah^{-azwj}', and the man reviling the man".³³⁶

9- مع، معاني الأخبار أبي عني الحسين بن محمد بن عامر عن عبد الله بن عامر عن ابن أبي عمير عن حماد بن عثمان عن عبد الله الخليلي عن أبي عبد الله ع قال في الحج إن الله اشتراط على الناس شرطاً و شرطاً لهم شرطاً فمن وفى وفى الله له

(The book) 'Ma'any Al Akhbaar' – My father, from Al-Husayn Bin Muhammad Bin Aamir, from Abdullah Bin Aamir, from Ibn Abu Umeyr, from Hammad Bin Usman, from Abdullah Al Halby,

'From Abu Abdullah^{-asws} having said regarding the Hajj: 'Allah^{-azwj} has Stipulated a condition against the people and Stipulated a condition for them. The one who fulfils, Allah^{-azwj} will Fulfil for him!'

فُلْتُ فَمَا الَّذِي اشْتَرَطَ عَلَيْهِمْ وَ مَا الَّذِي شَرَطَ لَهُمْ

I said, 'So what is that which He^{-azwj} has Stipulated against them, and what is that which He^{-azwj} has Stipulated for them?'

فَقَالَ أَمَّا الَّذِي اشْتَرَطَ عَلَيْهِمْ فَإِنَّهُ قَالَ فَمَنْ فَرَضَ فِيهِنَّ الْحَجَّ فَلَا رَفْتٌ وَ لَا فُسُوقٌ وَ لَا جِدَالَ فِي الْحَجِّ وَ أَمَّا الَّذِي شَرَطَ لَهُمْ قَالَ فَمَنْ تَعَجَّلَ فِي يَوْمَيْنِ فَلَا إِثْمَ عَلَيْهِ وَ مَنْ تَأَخَّرَ فَلَا إِثْمَ عَلَيْهِ لِمَنْ اتَّقَى -

He^{-asws} said: 'As for that which He^{-azwj} has Stipulated against them, He^{-azwj} Said: **'The Hajj is (performed in) the well-known months; so whoever determines the performance of the Hajj therein, there shall neither be marital relationship, nor immorality, nor quarrelling during the Hajj; [2:197]**; and as for which He^{-azwj} has Stipulated for them: **And mention Allah during the numbered days; so the one who hastens off in two days, there would be no sin on him, and the one who delays, there would be no sin on him, (this is) for the one who fears; [2:203]**'.

قَالَ يَرْجِعُ وَ لَا ذَنْبَ لَهُ

He^{-asws} said: 'He will return (from the Hajj), and there will not be a sin for him'.

فُلْتُ أَرَأَيْتَ مَنْ ابْتُلِيَ بِالْجَمَاعِ مَا عَلَيْهِ

I said, 'What is your^{-asws} view of the one involved in marital relation, what is upon him?'

قَالَ عَلَيْهِ بَدَنَةٌ فَإِنْ كَانَتْ الْمَرْأَةُ أَعَانَتْ بِشَهْوَةٍ مَعَ شَهْوَةِ الرَّجُلِ فَعَلَيْهِمَا بَدَنَتَانِ يَنْحَرَاهُمَا وَ إِنْ كَانَتْ اسْتَكْرَهَهَا وَ لَيْسَ بِهَوَى مِنْهَا فَلَيْسَ عَلَيْهَا شَيْءٌ وَ يُفَرِّقُ بَيْنَهُمَا حَتَّى يَنْفِرَ النَّاسُ وَ حَتَّى يَرْجِعَا إِلَى الْمَكَانِ الَّذِي أَصَابَا فِيهِ مَا أَصَابَا

³³⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 8

He^{-asws} said: ‘Upon him is a camel. If the woman had assisted with lust with lust of the man, upon them both are two camels. They will have to slaughter these, and if she had been unwilling and there wasn’t any personal desire from her, there isn’t anything upon her, and there will be a separation between the two until the people had left, and until they return to the place in which they had attained in it what they had attained’.

فُلْتُ أَرَأَيْتَ إِنْ أَخَذَا فِي عَيْرِ ذَلِكَ الطَّرِيقِ إِلَى أَرْضٍ أُخْرَى أَيْتَمَعَانِ

I said, ‘What is your view if they had taken in other than that road to another land, will they be gathered?’

قَالَ نَعَمْ

He^{-asws} said: ‘Yes’.

فُلْتُ أَرَأَيْتَ إِنْ ابْتُلِيَ بِالْفُسُوقِ فَأَعْظَمَ ذَلِكَ وَ لَمْ يَجْعَلْ لَهُ حَدًّا

I said, ‘What is your^{-asws} view if he gets involved in the immoralities so that is grievous, and no legal penalty has been made for it?’

قَالَ يَسْتَغْفِرُ اللَّهَ وَ يُلْبِي

He^{-asws} said: ‘He should seek Forgiveness of Allah^{-azwj} and exclaim Talbiyya’.

فُلْتُ أَرَأَيْتَ إِنْ ابْتُلِيَ بِالْجِدَالِ

I said, ‘What is your view if he is involved in the quarrelling?’

قَالَ فَإِذَا جَادَلَ فَوْقَ مَرْتَبَيْنِ فَعَلَى الْمُصِيبِ دَمٌ يُهْرِيهِ دَمٌ شَاةٍ وَ عَلَى الْمُخْطِئِ أَيْضاً دَمٌ يُهْرِيهِ دَمٌ بَقَرَةٍ.

He^{-asws} said: ‘When he quarrels more than twice, upon the rightful ones is blood he should spill, the blood of a sheep, and upon the wrongful also is blood he should spill, the blood of a cow’³³⁷.

10- سن، المحاسن البرزخية عن عبد الكريم عن محمد بن مسلم عن أبي جعفر ع مثله.

(The book) ‘Al Mahasin’ – Al Bazanty, from Abdul Kareem, from Muhammad Bin Muslim, ‘From Abu Ja’far^{-asws}, similar to it’³³⁸

11- ع، علل الشرائع أبي عن سعد عن ابن يزيد عن حماد عن حريز عن زرارة عن أبي جعفر ع في المخرم يأتي أهله ناسياً قال لا شيء عليه إنما هو بمنزلة من أكل في شهر رمضان و هو ناس.

³³⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 9

³³⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 10

(The book) 'Ilal Al Sharaie' – My father, from Sa'ad, from Ibn Yazeed, from Hammad, from Hareez, from Zurarah,

'From Abu Ja'far^{asws} regarding the consecrated one going to his wife out of forgetfulness. He^{asws} said: 'There is nothing upon him. But rather, he is at the status of the one who eats in a month of Ramazan while he is forgetful'.³³⁹

12- سن، المحاسن مُحَمَّدُ بْنُ عَلِيٍّ أَبُو سُمَيْنَةَ عَنْ مُحَمَّدِ بْنِ أَسْلَمَ عَنْ صَبَّاحِ الْحَدَّادِ عَنْ إِسْحَاقَ بْنِ عَمَّارٍ قَالَ: قُلْتُ لِأَبِي الْحُسَيْنِ عَ مَا تَقُولُ فِي رَجُلٍ مَحِلٍّ وَقَعَ عَلَى أَمْتِهِ مُحْرَمَةً

(The book) 'Al Mahasin' – Muhammad Bin Ali Abu Sumeyna, from Muhammad Bin Aslam, from Sabbah Al Haza'a, from Is'haq Bin Ammar who said,

'I said to Abu Al-Hassan^{asws}, 'What are you^{asws} saying regarding a de-consecrated man approaching his slave girl (for marital relations)?'

قَالَ أَحَبُّرِي مُوسِرٌ هُوَ أَوْ مُعْسِرٌ

He^{asws} said: 'Inform me, is he affluent or impoverished?'

قُلْتُ أَجِبْنِي فِيهِمَا جَمِيعاً

I said, 'Answer me regarding both of them together'.

قَالَ هُوَ عَالِمٌ أَمْ جَاهِلٌ

He^{asws} said: 'Is he a knower or an ignorant one?'

قُلْتُ أَجِبْنِي فِيهِمَا جَمِيعاً

I said, 'Inform me regarding both of them together'.

قَالَ هُوَ أَمْرًا بِالْإِحْرَامِ أَمْ هِيَ أَحْرَمَتْ مِنْ قَبْلِ نَفْسِهَا بِغَيْرِ إِذْنِهِ

He^{asws} said: 'Did he order here with wearing the Ihraam or had she worn Ihraam from before by herself without his permission?'

قُلْتُ أَجِبْنِي فِيهِمَا جَمِيعاً

I said, 'Answer me regarding both of them together'.

قَالَ إِنْ كَانَ مُوسِراً وَ كَانَ عَالِماً فَإِنَّهُ لَا يَنْبَغِي لَهُ أَنْ يَفْعَلَ فَإِنْ كَانَ هُوَ أَمْرًا بِالْإِحْرَامِ فَإِنَّ عَلَيْهِ بَدَنَةً وَ إِنْ شَاءَ بَقَرَةً وَ إِنْ شَاءَ شَاةً

³³⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 11

He^{-asws} said: 'If he was affluent and was a knower, it is not befitting for him to do so. If he was the one who had ordered her with wearing the Ihraam, upon him is a camel, and if he likes, a cow, and if he likes, a sheep.

فَإِنْ لَمْ يَكُنْ أَمْرَهَا بِالْإِحْرَامِ فَلَا شَيْءَ عَلَيْهِ مُوسِرًا كَانَ أَوْ مُعْسِرًا فَإِنْ كَانَ مُعْسِرًا وَكَانَ أَمْرَهَا فَعَلَيْهِ شَاةٌ أَوْ صِيئَامٌ أَوْ صَدَقَةٌ.

If he did not happen to have ordered her to wear the Ihraam, there is nothing upon him, whether he was affluent or impoverished. If he was impoverished and he had ordered her, upon him is a sheep, or fasting, or charity".³⁴⁰

13- ضا، فقه الرضا عليه السلام الَّذِي يُفْسِدُ الْحَجَّ وَ يُوجِبُ الْحَجَّ مِنْ قَابِلِ الْجَمَاعِ لِلْمُحْرَمِ فِي الْحَرَمِ وَ مَا سِوَى ذَلِكَ فَيَقْبِلُ الْكُفَّارَاتِ -

(The book) 'Fiqh Al-Reza^{-asws}', greeting be upon him^{-asws} – 'That which spoils the Hajj and obligates the Hajj the following year is the marital relations of the consecrated one in the Sanctuary, and what is besides that, in it are the expiations.

وَ اتَّقِ فِي إِحْرَامِكَ الْكُذِبَ وَ الْيَمِينَ الْكَاذِبَةَ وَ الصَّادِقَةَ وَ هُوَ الْجِدَالُ الَّذِي تَمَاهُ اللَّهُ وَ اتَّقِ الصَّيْدَ وَ الْجِدَالَ قَوْلَ الرَّجُلِ لَا وَ اللَّهُ وَ بَلَى وَ اللَّهُ فَإِنْ جَادَلْتَ مَرَّةً أَوْ مَرَّتَيْنِ وَ أَنْتَ صَادِقٌ فَلَا شَيْءَ عَلَيْكَ فَإِنْ جَادَلْتَ ثَلَاثًا وَ أَنْتَ صَادِقٌ فَعَلَيْكَ دَمٌ شَاةٍ

And fear in your consecration, the lies, and the oath, the false or the truthful one, and it is the quarrelling which Allah^{-azwj} has Prohibited, and fear the hunting; and the quarrelling is words of the man, 'No by Allah^{-azwj}', and 'Yes by Allah^{-azwj}'. If you quarrel once or twice, and you are truthful, there is nothing upon you. If you quarrel thrice and you are truthful, upon you is blood of a sheep.

فَإِنْ جَادَلْتَ مَرَّةً كَاذِبًا فَعَلَيْكَ دَمٌ شَاةٍ وَ إِنْ جَادَلْتَ مَرَّتَيْنِ كَاذِبًا فَعَلَيْكَ دَمٌ بَقَرَةٍ وَ إِنْ جَادَلْتَ ثَلَاثًا وَ أَنْتَ كَاذِبٌ فَعَلَيْكَ بَدَنَةٌ

If you quarrel once falsely, upon you is blood of a sheep, and if you quarrel twice falsely, upon you is blood of a cow, and if you quarrel thrice and you are lying, upon you is a camel.

وَ الْفُسُوقُ الْكُذِبُ فَاسْتَغْفِرِ اللَّهُ مِنْهُ وَ تَصَدَّقْ بِكَفِّ طَعِيمٍ

And the 'immoralities' is the lying, so seek Forgiveness of Allah^{-azwj} from him, and donate charity with a handful of food.

وَ الرَّفَثُ الْجَمَاعُ فَإِنْ جَامَعْتَ وَ أَنْتَ مُحْرَمٌ فِي الْفَرْجِ فَعَلَيْكَ بَدَنَةٌ وَ الْحُجُّ مِنْ قَابِلٍ وَ يَجِبُ أَنْ يُفَرَّقَ بَيْنَكَ وَ بَيْنَ أَهْلِكَ حَتَّى تُؤَدِّيَ الْمَنَاسِكَ ثُمَّ تَجْتَمِعَا

And the 'Rafas' is the marital relationship. If you engage in marital relations while in the state of Ihraam with your spouse, you must offer a camel as expiation, and you must perform Hajj the following year. It is required to separate from your spouse until you have completed the rituals of Hajj, and then you may reunite.

³⁴⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 12

فَإِذَا حَجَّجْتُمَا مِنْ قَابِلٍ وَ بَلَغْتُمَا الْمَوْضِعَ الَّذِي وَاقَعْتُمَا فُرْقَ بَيْنِكُمَا حَتَّى تَقْضِيَا الْمَنَاسِكَ ثُمَّ تَجْتَمِعَا فَإِنْ أَخَذْتُمَا عَلَى غَيْرِ الطَّرِيقِ الَّذِي كُنْتُمَا أَخَذْتُمَا فِيهِ الْعَامَ الْأَوَّلَ لَمْ يَفْرَقْ بَيْنِكُمَا وَ يَلْزِمُ الْمَرْأَةَ بَدَنَةَ إِذَا جَامَعَهَا الرَّجُلُ

If you both perform Hajj the next year and reach the location where the act of intimacy occurred, you must again be separated until the rituals of Hajj are complete, after which you may reunite. If you both take a different path than the one you took the first time, you will not be separated, and the woman must offer a camel as expiation if the man had marital relations with her.

فَإِنْ أَكْرَهَهَا لَزِمَهُ بَدَتَانِ وَ لَمْ يَلْزِمِ الْمَرْأَةَ شَيْءٌ فَإِنْ كَانَ الرَّجُلُ جَامَعَهَا دُونَ الْفَرْجِ فَعَلَيْهِ بَدَنَةٌ وَ لَيْسَ عَلَيْهِ الْحُجُّ مِنْ قَابِلٍ فَإِنْ كَانَ الرَّجُلُ جَامَعَهَا بَعْدَ وَفُوفِهِ بِالْمَشْعَرِ فَعَلَيْهِ بَدَنَةٌ وَ لَيْسَ عَلَيْهِ الْحُجُّ مِنْ قَابِلٍ.

If the woman was coerced, the man must offer two camels as expiation, and the woman is not required to offer anything. If the man had superficial union with her, he must offer a camel, but there is no obligation for him to perform Hajj the following year. If the man had marital relations with her after standing at the Monuments, he must offer a camel as expiation, and there is no obligation for him to perform Hajj the following year”³⁴¹.

14- ضا، فقه الرضا عليه السلام أَمَا الْكُفَّارَةُ عَلَى مَنْ وَاقَعَ جَارِيَتَهُ أَوْ أَهْلَهُ وَ هُوَ مُحْرَمٌ فَعَلَيْهِ بَدَنَةٌ قَبْلَ أَنْ يَشْهَدَ الْمُؤَقِّفَيْنِ وَ لَيْسَ عَلَيْهِ الْحُجُّ مِنْ قَابِلٍ.

(The book) ‘Fiqh Al-Reza^{-asws}, the greeting be upon him^{-asws} – ‘As for the expiation upon the one who has marital relation with his slave girl, or his wife while he is consecrated, upon him is a camel before he attends the two pausing stations, and there isn’t upon him to perform the Hajj the following year”³⁴².

15- سر، السرائر البرنطبي عَنْ عَبْدِ الْكَرِيمِ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ قَالَ: سَأَلْتُ أَبَا جَعْفَرٍ عَ عَنِ الرَّجُلِ الْمُحْرَمِ يُرِيدُ أَنْ يَعْمَلَ الْعَمَلَ فَيَقُولُ لَهُ صَاحِبُهُ وَ اللَّهُ لَا تَعْمَلْهُ فَيَقُولُ وَ اللَّهُ لَاَعْمَلْتَهُ فَيُخَالِفُهُ مَرَارًا هَلْ عَلَى صَاحِبِ الْجِدَالِ شَيْءٌ

(The book) ‘Al Saraair’ – Al Bazanty, from Abdul Kareem, from Muhammad Bin Muslim who said,

‘I asked Abu Ja’far^{-asws} about the consecrated man intending to do the deed. His companions says to him, ‘By Allah^{-azwj}, you will not do it!’ He says, ‘By Allah^{-azwj}, I will do it!’ He opposes him repeatedly. Is there anything upon owner of the quarrel?’

قَالَ لَا إِذَا أَرَادَ بِهَذَا إِحْرَامَ أَخِيهِ إِذَا كَانَ ذَلِكَ مَا كَانَ لِلَّهِ مَعْصِيَةً.

He^{-asws} said: ‘No he wanted to honour his brother. But rather that did not happen as disobedience for Allah^{-azwj}’³⁴³.

16- شي، تفسير العياشي عَنْ زُرَّارَةَ وَ مُحَمَّدَانَ وَ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ عَ وَ أَبِي عَبْدِ اللَّهِ عَ قَالُوا سَأَلْنَا هُمَا عَنْ قَوْلِهِ وَ أَمَّنُوا الْحُجَّ وَ الْعُمْرَةَ لِلَّهِ قَالَا فَإِنَّ تَمَامَ الْحُجِّ وَ الْعُمْرَةَ أَلَّا يَرْفُتَ وَ لَا يَفْسُقَ وَ لَا يُجَادِلَ.

³⁴¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 13

³⁴² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 14

³⁴³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 15

(The book) 'Tafseer Al Ayyashi' – From Zurara and Humran and Muhammad Bin Muslim,

'From Abu Ja'far^{-asws} and Abu Abdullah^{-asws}, he (the narrator) said, 'We asked them both about His^{-azwj} Words: **And complete the Hajj and the Umrah for Allah; [2:196]**, both said: 'The completion of Hajj and the Umrah is there will neither be marital relations, nor immoralities, nor quarrelling''³⁴⁴

17- شي، تفسير العياشي عن إبراهيم بن عبد الحميد عن أبي الحسن الأول ع قال: من جدال في الحج فعليه إطعام ستة مساكين لكل مسكين نصف صاع إن كان صادقاً أو كاذباً فإن عاد مرتين فعلى الصادق شاة وعلى الكاذب بقرة لأن الله عز وجل يقول فلا رفث ولا فسوق ولا جدال في الحج-

(The book) 'Tafseer Al Ayyashi' – From Ibrahim Bin Abdul Hameed,

'From Abu Al-Hassan^{-asws} the 1st having said: 'One who quarrels during the Hajj upon him is feeding six needy ones, to each needy one being half a Sa'a (unit of measurement) whether he is truthful or liar. If he repeats twice, upon the truthful is a sheep and upon the liar is a cow because Allah^{-azwj} Mighty and Majestic Saying: **there shall neither be marital relationship, nor immorality, nor quarrelling during the Hajj; [2:197]**.

و الرفث الجماع و الفسوق الكذب و الجدال قول الرجل لا والله و بلى والله و المفاخرة.

And the 'Rafs' is the marital relationship, and the immorality is the lying, and the quarrel is words of the man, 'No, by Allah^{-azwj}', and 'Yes, by Allah^{-azwj}', and the priding''³⁴⁵

18- شي، تفسير العياشي عن معاوية بن عمارة عن أبي عبد الله ع قال: قول الله الحج أشهر معلومات فمن فرض فيهن الحج فلا رفث ولا فسوق ولا جدال في الحج و الرفث الجماع و الفسوق الكذب و السبب و الجدال قول الرجل لا والله و بلى والله.

(The book) 'Tafseer Al Ayyashi' – from Muawiya Bin Ammar,

'From Abu Abdullah^{-asws} having said: 'Words of Allah^{-azwj}: **The Hajj is (performed in) the well-known months; so whoever determines the performance of the Hajj therein, there shall neither be marital relationship, nor immorality, nor quarrelling during the Hajj; [2:197]**: 'And the 'Rafas' is the marital relationship, and the immorality is the lying and the reviling, and the quarrelling is words of the man, 'No by Allah^{-azwj}', and 'Yes by Allah^{-azwj}'³⁴⁶

19- شي، تفسير العياشي عن محمد بن مسلم قال: سألت أبا جعفر ع عن قول الله فمن فرض فيهن الحج فلا رفث ولا فسوق ولا جدال في الحج

(The book) 'Tafseer Al Ayyashi' – from Muhammad Bin Muslim who said,

'I asked Abu Ja'far^{-asws} about Words of Allah^{-azwj}: **so whoever determines the performance of the Hajj therein, there shall neither be marital relationship, nor immorality, nor quarrelling during the Hajj; [2:197]**.

³⁴⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 16

³⁴⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 17

³⁴⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 18

قَالَ يَا مُحَمَّدُ إِنَّ اللَّهَ اشْتَرَطَ عَلَى النَّاسِ شَرْطًا وَ شَرَطَ لَهُمْ شَرْطًا فَمَنْ وَفَى لِلَّهِ وَفَى اللَّهُ لَهُ

He^{-asws} said: ‘O Muhammad^{-saww}! Allah^{-azwj} has Stipulated a condition against the people, and Stipulated a condition for them. The one who fulfils for Allah^{-azwj}, Allah^{-azwj} will Fulfil for him!’

قُلْتُ فَمَا الَّذِي اشْتَرَطَ عَلَيْهِمْ وَ مَا الَّذِي شَرَطَ لَهُمْ

I said, ‘What is that which He^{-azwj} has Stipulated against them, and what is that which Stipulated for them?’

قَالَ أَمَّا الَّذِي اشْتَرَطَ عَلَيْهِمْ فَإِنَّهُ قَالَ الْحُجُّ أَشْهُرٌ مَعْلُومَاتٌ فَمَنْ فَرَضَ فِيهِنَّ الْحُجَّ فَلَا رَفَثَ وَ لَا فُسُوقَ وَ لَا جِدَالَ فِي الْحُجِّ

He^{-asws} said: ‘As for which He^{-azwj} has Stipulated against them, He^{-azwj} Said: ***‘The Hajj is (performed in) the well-known months; so whoever determines the performance of the Hajj therein, there shall neither be marital relationship, nor immorality, nor quarrelling during the Hajj; [2:197].***

وَ أَمَّا مَا شَرَطَ لَهُمْ فَإِنَّهُ قَالَ فَمَنْ تَعَجَّلَ فِي يَوْمَيْنِ فَلَا إِثْمَ عَلَيْهِ وَ مَنْ تَأَخَّرَ فَلَا إِثْمَ عَلَيْهِ لِمَنْ اتَّقَى قَالَ يَرْجِعُ لَا ذَنْبَ لَهُ.

And as for He^{-azwj} has Stipulated for them, He^{-azwj} Said: ***‘so the one who hastens off in two days, there would be no sin on him, and the one who delays, there would be no sin on him, (this is) for the one who fears; [2:203].*** He will return and there will be no sin for him’^{.347}

20- شي، تفسير العياشي عن أبي بصير عن أبي عبد الله ع قال: إِذَا حَلَفَ ثَلَاثَ أَيْمَانٍ مُتَّابِعَاتٍ صَادِقًا فَقَدْ جَادَلَ فَعَلَيْهِ دَمٌ وَ إِذَا حَلَفَ بِوَاحِدَةٍ كَاذِبًا فَقَدْ جَادَلَ فَعَلَيْهِ دَمٌ.

(The book) ‘Tafseer Al Ayyashi’ – from Abu Baseer,

‘From Abu Abdullah^{-asws} having said: ‘When he swears three oaths consecutively, so he has quarrelled, so upon him is blood, and when he swears one oath falsely, so he has quarrelled, upon him is blood (sacrificial animal)’^{.348}

21- شي، تفسير العياشي عن مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَحَدِهِمَا عَنْ رَجُلٍ مُحْرِمٍ قَالَ لِرَجُلٍ لَا لَعْمَرِي

(The book) ‘Tafseer Al Ayyashi’ – from Muhammad Bin Muslim,

‘From one of the two (5th or 6th Imam^{-asws}) about a consecrated man who says to a man, ‘By my life!’

قَالَ لَيْسَ ذَلِكَ بِجِدَالٍ إِنَّمَا الْجِدَالُ لَا وَ اللَّهُ وَ بَلَى وَ اللَّهُ.

³⁴⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 19

³⁴⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 20

He^{-asws} said: 'That isn't a quarrel. But rather the quarrel is, 'No by Allah^{-azwj}', and 'Yes by Allah^{-azwj}''.³⁴⁹

22- دَعَائِمُ الْإِسْلَامِ، رُوِيَ عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ وَ الْحَسَنِ وَ الْحُسَيْنِ وَ عَلِيِّ بْنِ الْحُسَيْنِ وَ مُحَمَّدِ بْنِ عَلِيٍّ بْنِ الْحُسَيْنِ وَ جَعْفَرِ بْنِ مُحَمَّدٍ صَلَوَاتُ اللَّهِ عَلَيْهِمْ أَنَّ الْمُحْرَمَ مَنُوعٌ مِنَ الصَّيْدِ وَ الْجَمَاعِ وَ الطَّيِّبِ وَ لُبْسِ الثِّيَابِ الْمَخِيطَةِ وَ حَلْقِ الرَّأْسِ وَ تَقْلِيمِ الْأُظْفَارِ وَ أَنَّهُ إِنْ جَامَعَ مُتَعَمِّدًا بَعْدَ أَنْ أُحْرِمَ وَ قَبْلَ أَنْ يَقِفَ بِعَرَفَةَ فَقَدْ أَفْسَدَ حَجَّهُ فَعَلَيْهِ الْمُدْيُ وَ الْحُجُّ مِنْ قَابِلٍ

(The book) 'Da'aim Al-Islam' – We are reporting from Ali^{-asws} Bin Abu Talib^{-asws}, and Al-Hassan^{-asws}, and Al-Husayn^{-asws}, and Ali^{-asws} Bin Al-Husayn^{-asws}, and Muhammad Bin Ali^{-asws} Bin Al-Husayn^{-asws}, and Ja'far^{-asws} Bin Muhammad^{-asws}, may the Salawaat of Allah^{-azwj} be upon them^{-asws}: 'The consecrated one is forbidden from the hunting, and the marital relations, and the perfume, and from wearing the sewn clothes, and shaving the head, and clipping the nails, and if he has marital relations deliberated after having consecrated and before he pauses at Arafah, so he has spoilt his Hajj, upon him is a sacrificial animal and performing the Hajj the following year.

وَ إِنْ كَانَتْ الْمَرْأَةُ مُحْرَمَةً وَ طَاوَعْتُهُ فَعَلَيْهِمَا [فَعَلَيْهَا] مِثْلُ ذَلِكَ وَ إِنْ اسْتَكْرَهَهَا أَوْ أَتَاهَا نَائِمَةً أَوْ لَمْ تَكُنْ مُحْرَمَةً فَلَا شَيْءَ عَلَيْهَا.

And if the woman was consecrated and she had willingly obeyed him, upon them both is similar to that, and if she had been coerced or he had come to her while she was sleeping, or did not happen to be consecrated, there is nothing upon her".³⁵⁰

23- وَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ قَالَ: مَنْ وَقَعَ امْرَأَتَهُ فِي الْحُجِّ وَ لَمْ يَعْلَمْ أَنَّ ذَلِكَ لَا يُجُوزُ أَوْ كَانَا نَاسِيَيْنِ فَلَا شَيْءَ عَلَيْهِمَا.

And from Ja'far^{-asws} Bin Muhammad^{-asws} he^{-asws} said: 'One who has marital relation with his wife during the Hajj and he does not know that is not allowed, or they had both been forgetful, there is nothing upon them".³⁵¹

24- وَ عَنْهُ ع أَنَّهُ قَالَ: إِذَا وَطِئَ الرَّجُلُ الْمُحْرَمُ امْرَأَتَهُ دُونَ الْفَرْجِ فَعَلَيْهِ بَدَنَةٌ وَ لَيْسَ عَلَيْهِ الْحُجُّ مِنْ قَابِلٍ.

And from him^{-asws}, he^{-asws} said: 'When the consecrated man has superficial marital relations with his wife without union, upon him is a camel, and it isn't upon him to perform the Hajj the following year".³⁵²

25- وَ عَنْ عَلِيٍّ ع أَنَّهُ قَالَ: الْمُحْرَمُ لَا يَنْكِحُ وَ لَا يُنْكَحُ فَإِنْ نَكَحَ فَبِكَأْحُهُ بَاطِلٌ.

And from Ali^{-asws}, he^{-asws} said: 'The consecrated one can neither marry nor get someone married. If he marries, his marriage is invalid".³⁵³

³⁴⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 21

³⁵⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 22

³⁵¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 23

³⁵² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 24

³⁵³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 25

26- وَ عَنْهُ ع أَنَّهُ قَالَ: إِذَا بَاسَرَ الْمُحْرِمُ امْرَأَتَهُ فَأَمْنَى فَعَلَيْهِ دَمٌ وَ إِنْ لَمْ يَتَعَمَّدِ الشَّهْوَةَ فَلَا شَيْءَ عَلَيْهِ وَ إِنْ قَبَّلَهَا فَأَمْنَى فَعَلَيْهِ جُرُورٌ وَ إِنْ نَظَرَ إِلَيْهَا بِشَهْوَةٍ وَ أَدَامَ النَّظَرَ إِلَيْهَا حَتَّى أَمْنَى فَعَلَيْهِ دَمٌ.

And from him^{-asws}, he^{-asws} said: ‘When the consecrated man embraces his wife so he discharges, upon him is blood (of a sacrificial animal), and if he did not deliberate the lust, there is nothing upon him, and if he kisses it and discharges, upon him is a sacrificial animal, and if he had manifested to her with lust and constantly looked at her until he needs a ceremonial bath, upon him is blood’.³⁵⁴

27- وَ عَنْهُ ع أَنَّهُ قَالَ: فِي الْمُحْرِمِ يُحَدِّثُ نَفْسَهُ بِالشَّهْوَةِ مِنَ النِّسَاءِ فَيَمْنَى قَالَ لَا شَيْءَ عَلَيْهِ

And from him^{-asws}, he^{-asws} said regarding the consecrated one who imagines himself with the lust from the women so he needs a ceremonial bath. He^{-asws} said: ‘There is nothing upon him’.

قَالَ فَإِنْ عَيْتَ بِدَكَرِهِ فَأَنْعَظَ فَأَمْنَى

He said, ‘Supposing he plays with the lustfully plays and ends up needing ceremonial bath?’

قَالَ عَلَيْهِ مِثْلُ مَا عَلَى مَنْ وَطِئَ.

He^{-asws} said: ‘Upon him is similar to what is upon the one who has marital relations’.³⁵⁵

28- وَ عَنْهُ ع أَنَّهُ قَالَ: يَزْنَعُ الْمُحْرِمُ امْرَأَتَهُ عَلَى الدَّابَّةِ وَ يَعْدِلُ عَلَيْهَا تِيَابِحًا وَ يَمَسُّهَا مِنْ فَوْقِ الثَّوْبِ فِيمَا يَصْلُحُ لَهُ مِنْ أَمْرِهَا وَ إِنْ فَعَلَ ذَلِكَ مِنْ شَهْوَةٍ فَعَلَيْهِ دَمٌ.

And from him^{-asws}, he^{-asws} said: ‘The consecrated man may raise his wife upon the animal and adjust her clothes upon her and touch her from above the clothes in what is correct for him, and if he does that from lust, upon him is blood’.³⁵⁶

29- وَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ قَالَ: الْجِدَالُ لَا وَاللَّهِ وَ بَلَى وَاللَّهِ فَإِذَا جَادَلَ الْمُحْرِمُ فَقَالَ ذَلِكَ ثَلَاثًا فَعَلَيْهِ دَمٌ.

And from Ja’far^{-asws} Bin Muhammad^{-asws}, he^{-asws} said: ‘The quarrel is (saying), ‘No, by Allah^{-azwj}’, and ‘Yes, by Allah^{-azwj}’. When the consecrated quarrels so he says that thrice, upon him is blood’.³⁵⁷

30- وَ عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ ع أَنَّهُ قَالَ فِي قَوْلِ اللَّهِ عَزَّ وَ جَلَّ وَ لَا تَخْلِفُوا رُؤُوسَكُمْ حَتَّى يَبْلُغَ الْهَدْيُ مَحَلَّهُ فَمَنْ كَانَ مِنْكُمْ مَرِيضًا أَوْ بِهِ أَذًى مِنْ رَأْسِهِ فَفَدِيَةٌ مِنْ صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ

³⁵⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 26

³⁵⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 27

³⁵⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 28

³⁵⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 29

And from Ja'far Bin Muhammad^{-asws}, he^{-asws} said: ***'and do not shave your heads until the offering reaches its place; but the one from you who was sick or with an ailment of his head, so an expiation from Fasting of either charity or an offering; [2:196].***

قَالَ إِذَا حَلَقَ الْمُحْرِمُ رَأْسَهُ جَزَى بِأَيِّ ذَلِكَ شَاءَ هُوَ مُحْتَرِفٌ فَالصَّيَامُ ثَلَاثَةَ أَيَّامٍ وَ الصَّدَقَةُ عَلَى سِتَّةِ مَسَاكِينَ لِكُلِّ مَسْكِينٍ نِصْفُ صَاعٍ وَ التُّسْلُكُ شَاءَ.

He^{-asws} said: 'When the consecrated shaves his head, he can compensate with whichever of that he desires. He has a choice. He can fast three days, and donate the charity to six needy ones, for each needy one half a Sa'a, and the offering is a sheep'.³⁵⁸

31- وَ عَنْهُ ع أَنَّهُ قَالَ: إِنْ مَسَحَ الْمُحْرِمُ رَأْسَهُ أَوْ لِحْيَتَهُ فَسَقَطَ مِنْ ذَلِكَ شَعْرٌ كَثِيرٌ فَلَا شَيْءَ عَلَيْهِ فِيهِ.

And from him^{-asws}, he^{-asws} said: 'If the consecrated one touches his head or his beard, so a lot of hair falls off, there is nothing upon him regarding it'.³⁵⁹

32- وَ عَنْهُ ع أَنَّهُ قَالَ: إِذَا اِخْتَجَّ الْمُحْرِمُ إِلَى الْحِجَامَةِ فَلْيُحْجَمْ وَ لَا يَخْلُقْ مَوَاضِعَ الْمَحَاجِمِ.

And from him^{-asws}, he^{-asws} said: 'When the consecrated one needs to the cupping, let him get cupping done and not shave the place of the cupping'.³⁶⁰

33- وَ عَنْهُ ع أَنَّهُ قَالَ: إِنْ قَلَّمَ الْمُحْرِمُ ظُفْرًا وَاحِدًا فَعَلَيْهِ أَنْ يَتَصَدَّقَ بِكَفِّ مِنْ طَعَامٍ وَ إِنْ قَلَّمَ أَظْفَارَهُ كُلَّهَا فَعَلَيْهِ دَمٌ.

And from him^{-asws}, he^{-asws} said: 'If the consecrated one clips one nail, upon him is to donate in charity with a handful of food, and if he clips all his nails, upon him his blood'.³⁶¹

34- وَ عَنْهُ ع أَنَّهُ قَالَ: إِذَا مَسَّ الْمُحْرِمُ الطِّيبَ فَعَلَيْهِ أَنْ يَتَصَدَّقَ بِصَدَقَةٍ.

And from him^{-asws}, he^{-asws} said: 'When the consecrated one touches the perfume, upon him is to donate charity'.³⁶²

35- وَ عَنْهُ ع أَنَّهُ رَخَّصَ لِلْمُحْرِمِ فِي الْكُحْلِ غَيْرِ الْأَسْوَدِ وَ مَا لَمْ يَكُنْ فِيهِ طِيبٌ إِذَا اِخْتَجَّ إِلَيْهِ وَ رَخَّصَ لَهُ فِي السِّنَاكِ وَ التَّدَاوِي بِكُلِّ مَا يَحِلُّ لَهُ أَكْلُهُ مَا لَمْ يَكُنْ فِيهِ طِيبٌ.

And from him^{-asws}, 'It is an allowance for the consecrated one regarding the Kohl other than the black, and for as long as there does not happen to be in it when he is needy to it, and there is an allowance for him regarding brushing of the teeth, and the medication with all what is Permissible for him, he can eat it for as long there does not happen to be any perfume in it'.³⁶³

³⁵⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 30

³⁵⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 31

³⁶⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 32

³⁶¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 33

³⁶² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 34

³⁶³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 35

36- **وَعَنْهُ أَنَّهُ كَرِهَ فِي الْمُحْرِمِ أَنْ يَسْتَقِيلَ فِي الْمَحْمِلِ إِذَا سَارَ إِلَّا مِنْ عِلَّةٍ وَرَخَّصَ لَهُ فِي الْإِسْتِظْلَالِ إِذَا نَزَلَ.**

And from him^{-asws}, he^{-asws} disliked regarding the consecrated one to shade in the carriage when he travels, except from illness, and it is allowed for him in seeking (take) the shade when he descends”.³⁶⁴

37- **وَعَنْ عَلِيٍّ ع أَنَّهُ قَالَ فِي الْمُحْرِمِ تَكُونُ لَهُ عِلَّةٌ يَخَافُ أَنْ يَتَجَرَّدَ قَالَ يُحْرِمُ فِي ثِيَابِهِ وَ يَفْتَدِي بِمَا قَالَ اللَّهُ مِنْ صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسْكِ.**

And from Ali^{-asws}, he^{-asws} said regarding the consecrated one, there happens to be an illness for him he fears to bear himself. He should consecrate in his own clothes and ransom with what Allah^{-azwj} Said: **‘so an expiation from Fasting of either charity or an offering; [2:196]’**.³⁶⁵

38- **وَعَنْ أَبِي جَعْفَرٍ مُحَمَّدِ بْنِ عَلِيٍّ ع أَنَّهُ قَالَ: إِذَا لَبَسَ الْمُحْرِمُ جَاهِلًا أَوْ نَاسِيًا فَلَا شَيْءَ عَلَيْهِ.**

And from Abu Ja’far^{-asws} Bin Muhammad^{-asws} Bin Ali^{-asws}, he^{-asws} said: If a pilgrim wears it out of ignorance or forgetfulness, then nothing is required of him”.³⁶⁶

39- **وَعَنْهُ أَنَّهُ قَالَ: يَتَجَرَّدُ الْمُحْرِمُ فِي ثَوْبَيْنِ نَقِيَيْنِ أَبْيَضَيْنِ فَإِنْ لَمْ يَجِدْ فَلَا نَأْسَ بِالصَّبِغِ مَا لَمْ يَكُنْ زَعْفَرَانًا أَوْ وَرْسًا أَوْ طَيْبًا وَكَذَلِكَ الْمُحْرِمَةُ لَا تَلْبَسُ مِثْلَ هَذَا مِنَ الصَّبِغِ وَلَا نَأْسَ أَنْ تَلْبَسَ الْحُلِيَّ مَا لَمْ تُظْهِرْ بِهِ لِلرَّجُلِ وَ هِيَ مُحْرَمَةٌ.**

And from him^{-asws}, he^{-asws} said: ‘The person in Ihram should wear two clean, white garments. If such garments are unavailable, there is no harm in wearing dyed clothes, provided they are not dyed with saffron of ‘wars’ (a type of plant), or any fragrance. Similarly, a woman in Ihraam should not wear such dyed garments. However, there is no harm in her wearing jewellery, as long as she does not display it to men while in the state of Ihraam”.³⁶⁷

40- **قَالَ: وَ إِذَا احتَاجَ الْمُحْرِمُ إِلَى لُبْسِ السِّلَاحِ لَبَسَهُ.**

He^{-asws} said: ‘And when the consecrated one is needy to wear the weapons, he can wear it”.³⁶⁸

41- **وَعَنْهُ ع أَنَّهُ قَالَ: لَا نَأْسَ لِلْمُحْرِمِ إِذَا لَمْ يَجِدْ نَعْلًا وَ احتَاجَ إِلَى الحُفِّ أَنْ يَلْبَسَ حُفًّا دُونَ الكَعْبِيِّينَ.**

And from him^{-asws}, he^{-asws} said: ‘There is no problem for the consecrated one, if he cannot find slippers and is needy to the footwear, he can wear socks below the two ankles”.³⁶⁹

³⁶⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 36

³⁶⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 37

³⁶⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 38

³⁶⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 39

³⁶⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 40

³⁶⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 28 H 41

CHAPTER 29 – COVERING THE HEAD AND THE FACE, AND THE SHADE, AND THE IMMERSION FOR THE CONSECRATED ONE

1- شاء، الإرشاد ج، الإحتجاج سأل مُحَمَّدُ بْنُ الْحَسَنِ أَبَا الْحَسَنِ مُوسَى ع بِمَحْضَرٍ مِنَ الرَّشِيدِ وَ هُمْ بِمَكَّةَ فَقَالَ لَهُ أَيْجُوزُ لِلْمُحْرِمِ أَنْ يُظَلَّلَ عَلَيْهِ حَمَلُهُ

(The book) 'Al Irshad', (and) 'Al Ihtijaz' –

'Muhammad Bin Al-Hassan asked Abu Al-Hassan Musa^{-asws} in the presence of (the caliph) A; Rasheed while they were at Makkah. He said to him^{-asws}, 'It is allowed for the consecrated one for his carriage shade upon him?'

فَقَالَ لَهُ مُوسَى ع لَا يَجُوزُ لَهُ ذَلِكَ مَعَ الْإِحْتِيَارِ

Musa^{-asws} said to him: 'That is not allowed for him with the choice'.

فَقَالَ لَهُ مُحَمَّدُ بْنُ الْحَسَنِ أَيْجُوزُ أَنْ يَمْشِيَ تَحْتَ الظَّلَالِ مُخْتَارًا

Muhammad Bin Al-Hassan said to him^{-asws}, 'Is it allowed to walk under the shade out of choice?'

فَقَالَ لَهُ نَعَمْ

He^{-asws} said to him: 'Yes'.

فَتَصَاحَكَ مُحَمَّدُ بْنُ الْحَسَنِ مِنْ ذَلِكَ فَقَالَ لَهُ أَبُو الْحَسَنِ مُوسَى ع أ تَعْجَبُ مِنْ سُنَّةِ النَّبِيِّ ص وَ تَسْتَهْزِئُ بِهَا إِنَّ رَسُولَ اللَّهِ ص كَشَفَ ظِلَالَهُ فِي إِحْرَامِهِ وَ مَشَى تَحْتَ الظَّلَالِ وَ هُوَ مُحْرِمٌ إِنْ أَحْكَمَ اللَّهُ تَعَالَى يَا مُحَمَّدُ لَا تُقَاسُ فَمَنْ قَاسَ بَعْضَهَا عَلَى بَعْضٍ فَقَدْ ضَلَّ عَنِ السَّبِيلِ

Muhammad Bin Al-Hassan laughed from that. Abu Al-Hassan Musa^{-asws} said to him: 'Are you surprised from the Sunnah of the Prophet^{-saww} and you are mocking at it? Rasool-Allah^{-saww} removed his^{-saww} shade in his^{-saww} Ihraam and he^{-saww} walked under the shade while he^{-asws} was in Ihraam. The Rulings of Allah^{-azwj} the Exalted, O Muhammad^{-saww}, cannot be analogised! The one who analogises part of it with part he has strayed from the way!'

فَسَكَتَ مُحَمَّدُ بْنُ الْحَسَنِ لَا يُرْجِعُ جَوَابًا.

Muhammad Bin Al-Hassan was silent, not returning an answer".³⁷⁰

2- وَ قَدْ جَرَى لِأَبِي يُوسُفَ مَعَ أَبِي الْحَسَنِ مُوسَى صَلَوَاتُ اللَّهِ عَلَيْهِ بِحَضْرَةِ الْمُهَدَّبِيِّ مَا يَتَقَرَّبُ مِنْ ذَلِكَ وَ هُوَ أَنَّ مُوسَى سَأَلَ أَبَا يُوسُفَ عَنْ مَسْأَلَةٍ لَيْسَ عِنْدَهُ فِيهَا شَيْءٌ فَقَالَ لِأَبِي الْحَسَنِ مُوسَى ع إِنِّي أُرِيدُ أَنْ أَسْأَلَكَ عَنْ شَيْءٍ

And for Abu Yusuf with Abu Al-Hassan Musa^{-asws}, may the Salawaat upon him^{-asws} in the presence of (the caliph) Al-Mahdy, flowed what is near to that, and it is that Musa^{-asws} asked

³⁷⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 1

Abu Yusuf about an issue, there wasn't anything with him regarding it. He said to Abu Al-Hassan Musa^{-asws}, 'I want to ask you^{-asws} about something!'

قَالَ هَاتِ

He^{-asws} said: 'Give it!'

قَالَ مَا تَقُولُ فِي التَّظْلِيلِ لِلْمَحْرَمِ

He said, 'What are you^{-asws} saying regarding the shading for the consecrated one?'

قَالَ لَا يَصْلُحُ

He^{-asws} said: 'It is not correct'.

قَالَ فَبِضْرَبِ الْحِجَاءِ فِي الْأَرْضِ فَيَدْخُلُ فِيهِ

He said, 'Can he strike the tent in the ground and enter into it?'

قَالَ نَعَمْ

He^{-asws} said: 'Yes'.

قَالَ فَمَا فَرْقُ بَيْنَ هَذَا وَ ذَلِكَ

He said, 'So what is the difference between this and that?'

قَالَ أَبُو الْحُسَيْنِ مُوسَى ع مَا تَقُولُ فِي الطَّامِثِ تَقْضِي الصَّلَاةَ قَالَ لَا قَالَ تَقْضِي الصَّوْمَ

Abu Al-Hassan Musa^{-asws} said: 'What are you saying regarding the regarding the menstruating woman, does she have to fulfil the (missed) Salat?'

قَالَ نَعَمْ

He said, 'Yes'.

قَالَ وَلَمْ

He^{-asws} said: 'And why?'

قَالَ إِنَّ هَذَا كَذَا جَاءَ

He said, 'This has come like this!'

قَالَ أَبُو الْحُسَيْنِ ع وَكَذَلِكَ هَذَا

Abu Al-Hassan^{asws} said: 'And this is (also) like that!'

قَالَ الْمَهْدِيُّ لِأَبِي يُوسُفَ مَا أَرَاكَ صَنَعْتَ شَيْئاً

Al Mahdi of Abu Yusuf, 'I don't see you doing (responding) anything'.

قَالَ يَا أَمِيرَ الْمُؤْمِنِينَ زَمَانِي بِحُجَّةٍ.

He said, 'O commander of the faithful, he^{asws} has shot at me with a (valid) argument"³⁷¹.

3- ج، الإحتجاج كَتَبَ الْحِمَيْرِيُّ إِلَى الْحُجَّةِ صَلَوَاتُ اللَّهِ عَلَيْهِ يَسْأَلُ عَنِ الْمُحْرِمِ يَرْفَعُ الظَّلَالَ هَلْ يَرْفَعُ حَسَبَ الْعَمَارِيَّةِ - أَوْ الْكَيْبَسَةِ وَ يَرْفَعُ الْجُنَاحِينَ أَمْ لَا

(The book) 'Al Ihtijaj' –

'Al-Himeyri wrote to Al-Hujjah (Al Mahdi^{ajfj}), may the Salawaat be upon him^{ajfj}, asking about the consecrated one raising the shade, to remove the poles of a canopy or shelter (such as those of a domed structure or a portable tent) and whether they should lift the wings (of the structure) or no?'

فَخَرَجَ الْجَوَابُ لَا شَيْءَ عَلَيْهِ فِي تَرْكِهِ رَفْعِ الْحَشْبِ

The answer emerged: 'There is nothing upon him in his leaving raising the poles'.

وَ عَنِ الْمُحْرِمِ يَسْتَنْظِلُ مِنَ الْمَطَرِ يَنْطَعُ أَوْ غَيْرِهِ حَدَرًا عَلَى ثِيَابِهِ وَ مَا فِي مَحْمِلِهِ أَنْ يَبْتَلَّ فَهَلْ يَجُوزُ ذَلِكَ

And about the consecrated on taking shade from the rain or with leather sheet or something else be cautious upon his clothes and what is in his carriage to be wet. Is that allowed?'

فَخَرَجَ الْجَوَابُ إِذَا فَعَلَ ذَلِكَ فِي الْمَحْمِلِ فِي طَرِيقِهِ فَعَلَيْهِ دَمٌ.

The answer came: 'When he does that in his carriage in his road, upon him is blood"³⁷².

4- ب، قرب الإسناد مُحَمَّدُ بْنُ خَالِدِ الطَّيَالِسِيِّ عَنْ إِسْمَاعِيلَ بْنِ عَبْدِ خَالِقِ قَالَ: سَأَلْتُ أَبَا عَبْدِ اللَّهِ عَ هَلْ يُدْخِلُ الصَّائِمُ رَأْسَهُ فِي الْمَاءِ

(The book) 'Qurb Al Isnaad' – Muhammad Bin Khalid Al Tayalisi, from Ismail Bin Abdul Khaliq who said,

'I asked Abu Abdullah^{asws}, 'Can the fasting one inserting his head in the water?'

قَالَ لَا وَ لَا الْمُحْرِمُ

He^{asws} said: 'No, and nor can the consecrated one'.

³⁷¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 2

³⁷² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 3

قَالَ مَرَرْتُ بِبِرْكَةِ بَنِي فُلَانٍ وَ فِيهَا قَوْمٌ مُحْرِمُونَ يَتَرَامِسُونَ فَوَقَفْتُ عَلَيْهِمْ فَقُلْتُ لَهُمْ إِنَّكُمْ تَصْنَعُونَ مَا لَا يَحِلُّ لَكُمْ

He said, 'I passed by a pool of the clan of so and so, and therein was a group of consecrated ones splashing at each other. I passed by them. I said to them, 'You are doing what is not Permissible for you!'

قَالَ وَ سَأَلْتُهُ هَلْ يَسْتَتِرُ الْمُحْرِمُ مِنَ الشَّمْسِ

He said, 'And I asked him^{-asws}, 'Can the consecrated one cover from the sun?'

قَالَ لَا إِلَّا أَنْ يَكُونَ شَيْخًا قَانِيًا أَوْ دَا عِلَّةً.

He^{-asws} said: 'No, except he happens to be an old man, near to die (weak) or with an illness'.³⁷³

5- ب، قرب الإسناد أبو البختري عن جعفر عن أبيه عن علي ع قال: المحرم يعطي وجهه عند النوم والغبار إلى طرار شعره.

(The book) 'Qurb Al Isnaad' – Abu Al Bakhtari,

'From Ja'far^{-asws}, from his^{-asws} father^{-asws}, from Ali^{-asws} having said: 'The consecrated one can cover his face during the sleep, and (from) the dust up to his hairline''.³⁷⁴

6- ب، قرب الإسناد ابن عيسى عن البرنطي قال الرضا ع قال أبو حنيفة للصادق ع أيش فرق ما بين ظلال المحرم والخياء

(The book) 'Qurb Al Isnaad' – From Al Bazanty,

'Al-Reza^{-asws} said: 'Abu Hanifa said to Al-Sadiq^{-asws}, 'Which thing is the difference between the consecrated one shading, and (being in) the tent?'

فقال ع له إن السننة لا تقاس.

He^{-asws} said to him: 'The Sunnah cannot be analogised!'³⁷⁵

7- ع، علل الشرائع ابن الوليد عن الصغار عن ابن أبان عن الحسين بن سعيد عن حماد عن ابن المغيرة قال: قلت لأبي الحسن الأول ع أظلل وأنا محرم

(The book) 'Ilal Al Sharaie' – Ibn Al Waleed, from Al Saffar, from Ibn Aban, from Al-Husayn Bin Saeed, from Hammad, from Ibn Al Mugheira who said,

'I said to Abu Al-Hassan^{-asws} the 1st, 'Can I shade while I am in Ihraam?'

قال لا

³⁷³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 4

³⁷⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 5

³⁷⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 6

He^{-asws} said: 'No'.

قُلْتُ فَأُظِلُّ وَ أُكْفَرُ

I said, 'Can I shade and expiate?'

قَالَ لَا

He^{-asws} said: 'No'.

قُلْتُ فَإِنْ مَرِضْتُ

I said, 'Supposing he is sick?'

قَالَ ظِلُّ وَ كَفْرُ

He^{-asws} said: 'He shades and expiates'.

ثُمَّ قَالَ أَمَا عَلِمْتُمْ أَنَّ رَسُولَ اللَّهِ ع قَالَ مَا مِنْ حَاجٍ يُضْحِي مُلَبِّياً حَتَّى تَغِيْبَ الشَّمْسُ إِلَّا غَابَتْ ذُنُوبُهُ مَعَهَا.

Then he^{-asws} said: 'Don't you know that Rasool-Allah^{-saww} had said: 'There is no pilgrim exclaims Talbiyya at noon until the sun disappears (sets), except his sins would disappear (set) with it'.³⁷⁶

8- ب، قرب الإسناد عليّ عن أخيه ع قال: سألتُه عن المُحْرِمِ هلْ يَصْلُحُ لَهُ أَنْ يَطْرَحَ الثَّوْبَ عَلَى وَجْهِهِ مِنَ الذُّبَابِ وَ يَنَامَ

(The book) 'Qurb Al Isnaad' –

'Ali, from his brother (Musa^{-asws}), he said, 'I asked him^{-asws} about the consecrated one, 'Is it correct for him to drop the cloth upon his face from the flies and sleep?'

قَالَ لَا بَأْسَ.

He^{-asws} said: 'There is no problem'.³⁷⁷

9- ب، قرب الإسناد ابنُ عيسى عن البرنظي عن الرضا ع قال: إنَّ أبا جعفرٍ ع مرَّ بامرأةٍ مُحْرَمَةٍ وَ قَدْ اسْتَتَرَتْ بِمِرْوَحَةٍ عَلَى وَجْهِهَا فَأَمَاطَ المِرْوَحَةَ بِفَضِيهِ عَنْ وَجْهِهَا.

(The book) 'Qurb Al Isnaad' – Ibn Isa, from Al Bazanty,

'From Al-Reza^{-asws} having said: 'Abu Ja'far^{-asws} passed by a consecrated woman and she had covered with a fan upon her face. He^{-asws} removed the fan from her face'.³⁷⁸

³⁷⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 7

³⁷⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 8

³⁷⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 9

10- ضا، فقه الرضا عليه السلام مَنْ ظَلَّلَ عَلَى نَفْسِهِ وَ هُوَ مُحْرِمٌ فَعَلَيْهِ شَاةٌ أَوْ عَدْلُ ذَلِكَ صِيَاماً وَ هُوَ ثَلَاثَةُ أَيَّامٍ.

(The book) 'Fiqh Al-Reza^{-asws}', the greeting be upon him^{-asws}: 'One who shades upon himself while he is in Ihraam, upon him is a sheep, or equivalent of that in fasting, and it is three days'.³⁷⁹

11- ضا، فقه الرضا عليه السلام ابْنُ بَزِيْعٍ عَنْ أَبِي الْحَسَنِ ع قَالَ: سَأَلَهُ رَجُلٌ وَ أَنَا حَاضِرٌ عَنِ الْمُحْرِمِ يُظِلُّ مِنْ عِلَّةٍ قَالَ يُظِلُّ وَ يَغْدِي

(The book) 'Fiqh Al-Reza^{-asws}', the greeting be upon him^{-asws} – Ibn Bazie, from Abu Al-Hassan^{-asws}, he (the narrator) said, 'A man said to him^{-asws} while I was present about the consecrated one shading due to illness. He^{-asws} said: 'He can shade and expiate!'

ثُمَّ قَالَ مُوسَى إِذَا أَرَدْنَا ذَلِكَ ظَلَّلْنَا وَ فَدَيْنَا

Then Musa^{-asws} said: 'When we^{-asws} intend that, we^{-asws} shad and we^{-asws} go ahead'.

فَقُلْتُ بِأَيِّ شَيْءٍ

I said, 'With which thing?'

قَالَ بِشَاةٍ

He^{-asws} said: 'With a sheep'.

فَقُلْتُ أَيْنَ نَذِيحَتُهَا

I said, 'Where should be slaughter it?'

قَالَ بِمِنَى.

He^{-asws} said: 'At Mina'.³⁸⁰

12- ضا، فقه الرضا عليه السلام عَنْ أَبِي بَصِيرٍ قَالَ: سَأَلْتُهُ عَنِ الْمَرْأَةِ تَضْرِبُ عَلَيْهَا الظَّلَالَ وَ هِيَ مُحْرِمَةٌ

(The book) 'Fiqh Al-Reza^{-asws}', may the greeting be upon him^{-asws}, from Abu Baseer who said, 'I asked him^{-asws} about the woman who strikes the shad upon her while she was consecrated'.

قَالَ نَعَمْ

He^{-asws} said: 'Yes'.

قُلْتُ فَالرَّجُلُ يَضْرِبُ عَلَيْهِ الظَّلَالَ وَ هُوَ مُحْرِمٌ

³⁷⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 10

³⁸⁰ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 11

I said, 'Can the man strikes the shade upon him while he is consecrated'.

قَالَ نَعَمْ إِذَا كَانَتْ بِهِ شَقِيقَةٌ وَ يَتَصَدَّقُ بِمُدِّ لِكُلِّ يَوْمٍ.

He^{-asws} said: 'Yes when there was migraine (headache) with him, and he should donate charity with a 'Mudd' (unit of measurement) for each day'.³⁸¹

13- ضا، فقه الرضا عليه السلام صفوان عن معاوية بن عمارة عن أبي عبد الله ع قال: لا يتركب المحرم في الثبابة و تتركب المحرمة.

(The book) 'Fiqh Al-Reza^{-asws}', the greeting be upon him^{-asws} – Safwan, from Muawiya Bin Ammar,

'From Abu Abdullah^{-asws} having said: 'The consecrated man cannot ride in the dome (carriage), and the consecrated woman can ride as such''.³⁸²

باب 30 الحجامة و إخراج الدم و إزالة الشعر و بط الجرح و الاستنك

CHAPTER 30 – THE CUPPING, AND EXTRACTING THE BLOOD, AND REMOVAL OF THE HAIR, AND TREATING THE INJURY, AND BRUSHING THE TEETH

الآيات البقرة فَمَنْ كَانَ مِنْكُمْ مَرِيضًا أَوْ بِهِ أَذًى مِنْ رَأْسِهِ فَفِدْيَةٌ مِنْ صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ.

The Verses – (Surah) Al Baqarah: **but the one from you who was sick or with an ailment of his head, so an expiation from Fasting of either charity or an offering [2:196].**

1- ب، قرب الإسناد علي عن أخيه ع قال: سألته عن المحرم هل يصلح له أن يتحنم

(The book) 'Qurb Al Isnaad' –

'Ali, from his brother (Musa Al-Kazim^{-asws}), he said, 'I asked him^{-asws} about the consecrated one, 'Is it correct for him to get cupping done?'

قَالَ نَعَمْ وَ لَكِنْ لَا يَجْلُقُ مَكَانَ الْمَحَاجِمِ وَ لَا يَجْرَهُ-

He^{-asws} said: 'Yes, but he should not shave the place of the cupping, not cut it'.

قَالَ وَ سَأَلْتُهُ عَنِ الْمُحْرِمِ تَكُونُ بِهِ الْبُتْرَةُ تُؤْذِيهِ هَلْ يَصْلُحُ لَهُ أَنْ يَقْطَعَ رَأْسَهَا

He said, 'And I asked him^{-asws} about the consecrated one, there happens to be a pimple with him, bothering him, 'Is it correct for him to cut its head?'

قَالَ لَا بَأْسَ.

³⁸¹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 12

³⁸² Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 29 H 13

He^{-asws} said: ‘There is no problem’³⁸³.

2- ع، علل الشرائع أبي عن سعد بن ابن يزيد عن ابن أبي عمير عن معاوية عن أبي عبد الله ع قال: قُلْتُ الْمُحْرَمُ يَسْتَأْذِنُ

(The book) ‘Ilal Al Sharaie’ – My father, from Sa’ad, from Ibn Yazeed, from Ibn Abu Umeyr, from Muawiya,

‘From Abu Abdullah^{-asws}, he (the narrator) said, ‘I said: ‘Can the consecrated one pick his teeth?’

قَالَ نَعَمْ

He^{-asws} said: ‘Yes’.

قُلْتُ فَإِنْ أَدَمَى يَسْتَأْذِنُ

I said, ‘Supposing he bleeds using the toothpick?’

قَالَ نَعَمْ هُوَ مِنَ السُّنَّةِ.

He^{-asws} said: ‘Yes, it is from the Sunnah’³⁸⁴.

3- ضا، فقه الرضا عليه السلام و إن كان به أذى من رأسه ففديته من صيام أو صدقة أو نُسكٍ و النُسكُ شاةٌ و إطعامُ سِتَّةِ مَسَاكِينَ لِكُلِّ مِسْكِينٍ نِصْفُ صَاعٍ أَوْ صَوْمٌ ثَلَاثَةَ أَيَّامٍ.

(The book) ‘Fiqh Al-Reza^{-asws}’, may the greeting be upon him^{-asws}: ‘And if there happens to be harm from his head, then ransom from fasting, or charity, or an offering, and the offering is a sheep, and feeding six poor ones, half a Sa’a (unit of measurement) for each needy one, or fasting for three days’³⁸⁵.

4- شي، تفسير العياشي عن خريز عمَّن رَوَاهُ عَنْ أَبِي عَبْدِ اللَّهِ ع فِي قَوْلِ اللَّهِ فَمَنْ كَانَ مِنْكُمْ مَرِيضاً أَوْ بِهِ أذىٌ مِنْ رَأْسِهِ قَالَ مَرَّ رَسُولُ اللَّهِ ص عَلَى كَعْبِ بْنِ عُجْرَةَ وَ الْقُمَّلُ يَتَنَائَرُ مِنْ رَأْسِهِ وَ هُوَ مُحْرَمٌ فَقَالَ لَهُ أ تُؤْذِيكَ هَوَامُّكَ قَالَ نَعَمْ

(The book) ‘Tafseer Al Ayyashi’ – from Hareez reporting it,

‘From Abu Abdullah^{-asws} regarding Words of Allah^{-azwj}: **but the one from you who was sick or with an ailment of his head, [2:196]**. He^{-asws} said: ‘Rasool-Allah^{-saww} passed by Ka’ab Bin Ujrah and the lice were scattering from his head, and he was in Ihraam. He^{-saww} said to him: ‘Are your pests bothering you?’ He said, ‘Yes’.

فَأَنْزَلَتْ هَذِهِ الْآيَةُ فَمَنْ كَانَ مِنْكُمْ مَرِيضاً أَوْ بِهِ أذىٌ مِنْ رَأْسِهِ ففديته من صيام أو صدقة أو نُسكٍ فأمَرَهُ رَسُولُ اللَّهِ ص أَنْ يَجْلِقَ رَأْسَهُ وَ جَعَلَ الصِّيَامَ ثَلَاثَةَ أَيَّامٍ وَ الصَّدَقَةَ عَلَى سِتَّةِ مَسَاكِينَ مُدَّيْنِ لِكُلِّ مِسْكِينٍ وَ النُّسْكَ شاةً.

³⁸³ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 30 H 1

³⁸⁴ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 30 H 2

³⁸⁵ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 30 H 3

So, this Verse was Revealed: **but the one from you who was sick or with an ailment of his head, so an expiation from Fasting of either charity or an offering; [2:196]**. Rasool-Allah^{-saww} instructed him to shave his head and make the fasting for three days, and the charity upon six needy ones, two 'Mudds' to each needy one, and the offering is a sheep".³⁸⁶

5- قَالَ وَ قَالَ أَبُو عَبْدِ اللَّهِ ع كُلُّ شَيْءٍ فِي الْقُرْآنِ أَوْ فَصَاحِبُهُ بِالْخِيَارِ يَخْتَارُ مَا يَشَاءُ وَ كُلُّ شَيْءٍ فِي الْقُرْآنِ فَإِنْ لَمْ يَجِدْ فَعَلَيْهِ ذَلِكَ.

He said, 'And Abu Abdullah^{-asws} said: 'All things in the Quran, 'Or', its companion is with the choice, he can choose whatever he desires, and all things in the Quran 'If he cannot find', upon him is that (what he finds)".³⁸⁷

6- ضا، فقه الرضا عليه السلام حماد عن حريز مثله.

(The book) 'Fiqh Al-Reza^{-asws}' – Hammad, from Hareez, similar to it'.³⁸⁸

7- مكا، مكارم الأخلاق عن أبي جعفر ع قال: لا بأس بالسواك للمُحْرَمِ.

(The book) 'Makarim Al Akhlaq' –

'From Abu Ja'far^{-asws} having said: 'There is no problem with brushing the teeth for the consecrated one".³⁸⁹

³⁸⁶ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 30 H 4

³⁸⁷ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 30 H 5

³⁸⁸ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 30 H 6

³⁸⁹ Bihar Al-Anwaar V 96 – The Book of Hajj – Ch 30 H 7