

SELECTED JUDGEMENTS OF IMAM ALI (as)

Acknowledgements

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Introduction

In the Name of Allah, the Beneficent, the Merciful

The need of English version of the delivered in extraordinarily complicated cases, by Amir-ul-Momineen Hazrat Ali (A) bin Abi Talib was being felt by many among the English reading public since long. The number of these judgements being very large, we have selected some very important ones for this booklet.

These selections are made from various books on the subject in Arabic and some other languages, particularly Qazae Amir-ul-Momineen compiled by the celebrated Scholar, Al-Allama Al-Shaikh Muhammed Taqi Al-Tostari published, Najaf, 1963, duly acknowledged in this compilation, and they speak by themselves of the rare wisdom, quick with marvellous power of judgement and knowledge of Hazrat Ali (A) with regards to Mathemancs, Ancient History, Geography, Chemistry, Physics, Metaphysics Astronomy, Medical Science and even some of the modern sciences unknown to mankind in those days.

If Hazrat Ali (A)'s judgements contained in the following pages are thoroughly gone through they will be sufficient to convince the readers of the claim of almost all the great scholars that his unique judgements although delivered by him long long ago are still indispensable for those courts of law that desire their judgements to be most righteous in each case.

Published at the very beginning of this book are some instructions of Hazrat Ali (A) for the judges appointed by him or by the Chief Justice (Qazi Shareh) of a particular Province in his jurisdiction.

Although the number of these instructions is small, they are self sufficient as well as self-contained inasmuch as the duties and the path to be adopted by the judges while delivering judgements in various cases even to day is concerned, and will, we believe, be appreciated not only by those who belong to the sphere of judicature but all others such as the accused, coplainants, defendants and plaintiffs as well as the general public till Qiyamat (the day of Judgement).

It is expected that this humble effort will be received with the same zeal with which it is presented and will also serve the purpose it is brought out for. It would be ingratitude on my part if I do not thank the trustees of the Peer Mahomed Ebrahim Trust, Karachi, for without their moral and material help as well as encouragement this humble efforts on the part of the writer would not have seen the light of the day. In fact they are the people under whose patronage and sincere support such publications, which are most beneficial to the generality of Allah's creatures are being presented at a definetly below the cost price (free publications being mostly wasted and lose their value.)

Kaukab Shadani
Karachi 8th July, 1969

Chapter One: Instructions to Judges

1. Oath and Evidence

The plaintiff should be first put on oath and should accept personal responsibility of the proof. This brings the case fully to light and makes the judgments easy.

2. Presentation of Evidence

Anyone who desires to present evidence in a case before you should be given opportunity and allowed sufficient time for presenting the witnesses in due course of time. If he fails to do it during the time scheduled, you are free to deal with the case according to your own power of judgement. However, the benefit of doubt and full facilities of defence should be allowed to the accused.

3. Conditions of Witnesses

May it be known to you that all the Muslims are supposed to be just. Therefore, they should be accepted as witnesses except those who are already convicted in a previous case and have not offered penitence or are accused of mischief-making and plunderism.

4. Anxiety when in the Court of Law

You should not feel pressure of anxiety under any circumstances in delivering just judgements according to your power of decision-making. Your judgements should, in all cases be the righteous one, which is a must in view of your high office and for which there is a good reward from Allah.

5. How to go to the Court of Law

You should not go to your Court when you are hungry. You must first satisfy your hunger and then take up the hearing of cases brought to your Court therefore.

6. Undue Haste in Decisions

Judges should not make haste in delivering the judgement in any case. When a case is taken up for judgement, it should never be left incomplete and should not, be delayed as according to a general saying "Justice delayed is justice denied." If there is a delay in some case, it should not be insisted upon and in case it is quite evident, no weakness should be shown in delivering the judgement according to the provision of law. Everything should be decided according to the schedule and should be kept in its proper place.

7. Judgement without emotions

You should keep control over your anger, fury and your tongue. No case should in any condition be decided under the influence of fury or anger. When you feel no iota of anger or strong emotion in your heart of hearts, you are free to decide the case according to the provision of law. This only is possible when you are sure of your return to Allah.

8. Judgement without bias

When your judgement is righteous, you should not be afraid of delivering it even against your near relatives. In such a case you should only keep the pleasure of Allah before you and should exercise your complete will power. If it goes against your relations or your companions, you shall have to bear with it. Although it would be heavy on you, but you shall have to keep only the final result in view, which will certainly be good after all.

9. Sentence to death and other deterrent punishments

Sentences to death should not be executed and other exemplary punishments should not be awarded until all such sentences are referred to and are confirmed by me.

10. The Jury

Your jury should not consist of those who are greedy, coward and paupers because such persons are not expected to arrive at a correct decision in any case or deliver a righteous judgement without being impartial.

11. Disposal of Work Without Delay

The work of a particular day should be disposed of according to the schedule at the proper time without any delay, because pressure of daily work demands it.

12. Watch and Check on the Lower Courts by Chief Justice

To keep a proper watch and checking of the work of the lower courts is one of your main responsibilities. The Qazis sitting there should be allowed freedom of decision but should in no case be allowed to remain needy so that nobody should have the courage to make them accept unlawful gratification and put any kind of pressure on them.

13. Appointment of Judges

For the propagation and maintenance of justice in the country it is imperative and essential that due care should be taken with regard to the appointment of the Judges. For this office only top class people and who are the best in your eyes should be selected. They should be only such people who may not be afraid of pressure of work, should not insist on their wrong decisions and should not stick to them after manifestation and revelation of facts in a case. They should neither be greedy and should be in the habit of pondering over all cases without any exception. They should also stop at doubtful cases and should give due consideration and attach importance to only clear proof. They should not as well feel tired of any long examinations of the plaintiffs and the defendants of going to the depth of each case and should be courageous enough to deliver the righteous judgements after coming of the facts to light. They should be only such persons who may not be swayed with flattery, although such people are rare in the society and are difficult to be found.

14. Mistakes in Judgements

In case someone is put to death as a result of a mistake in judgement which is beyond the control of the judge such as on the basis of witnesses, the compensation money would be paid from the Government Exchequer (Baitul Mal).

15. Justice and Generosity

Mercy is a good thing, but justice is, however, better and should never be given up, that is, justice should not be sacrificed for mercy.

16. The Holy Quran and the Traditions

The Quranic commandments must be followed in each case but where explanation is required, traditions of the Holy Prophet (S) should invariably be referred to, because without referring to the traditions it is at times impossible to arrive at a correct decision. Besides, the carrying out of religious obligations without referring to traditions would not be possible

through the Holy Quran only, which lays down only principles for the Holy Prophet (S). As for example, there is no mention of the number of Raka'at of the Namaz and the detailed Masails (Rules) of the performance of Haj etc. in the Holy Quran.

17. In Case of a Zindiq

The case of a Zindiq (one who argues against the Quranic commandments and the religious law) should be decided on the statements of two male prosecution witnesses who are pious and of proved good character notwithstanding a thousand defence witnesses of his class (Zindiq).

18. If a Judge Himself is an Eye-witness

Even if a judge himself is an eye-witness in a case of adultery his witness is not acceptable, because in such cases at least four witnesses are required according to the provisions of law.

19. Discretion

In case of the use of discretion (in some case) the path to be adopted should be the one which is most truthful and most just and satisfying to the general policy.

20. Orders of Punishment Should not be Executed on the Lands of the Enemy

Orders of punishment should not be executed within the boundaries of lands possessed by an enemy, lest the accused should run to the enemy's camp for shelter and then fight on his behalf against our country in any way.

Chapter Two: Rare Justice: Judgements, Decisions and Answers to Difficult Questions

2. The Case of a Slave Who Claimed to be the Master of His Master

It has been described by Kulaini and Sheikh on the authority of Imam Jafar Sadiq (A) that during the 'Khilafat' (Caliphate) of Hazrat Ali(A) two men, a slave and his master, were traveling to Kufa after performing Haj (Pilgrimage). The slave committed some mistake and the master beat him for that. The slave said to his master: "You are my slave, but still you are beating me for nothing." Some other people wanted to decide between the two, but the slave did not admit his mistake but went on repeating that he was the master of the man accompanying him till they all entered Kufa. The master then said to his slave: "Let us go to Ameer-ul-Momineen for a judgement."

To that the slave agreed and they both went to Hazrat Ali (A), but while giving their statements before him both claimed to be the master of each other. The one who was actually the master stated weeping that he was the real master and that his father had sent him on pilgrimage to Mecca. He had taken a slave with him who had committed a mistake on his way back home and he therefore beat him. By saying that he was the master he wanted to take away all his possessions wrongfully. But the slave also repeated the same story on oath. Hazrat Ali (A) after hearing both, ordered them to present themselves before him the next day. Meanwhile, he ordered two holes to be made in a wall, each one large enough for the head of a man to pass through. When the two men came to him on the following day, he ordered each of them to put his head into the two holes. This done, he ordered his personal servant "Cut off the head of the slave." No sooner the slave heard this order, he pulled out his head from the hole while the one who was the master did not move even slightly. Hazrat Ali (A) then reprimanded the slave, who went away with his master hanging his head in shame.

3. The Case of Two Women Each of Whom Claimed to be the Mother of One and the Same Child

Sarui has described in Irshad that during the caliphate of Hazrat Omar two women were produced before Hakim, the then Qazi of Medina. Both of them claimed the same child to be their own. Hakim was puzzled and did not know what to do. The case was, therefore, taken to Hazrat Omar (RA) for decision, but he also could not decide it. Hazrat Ali (A) was then requested to decide the case. Hazrat Ali (A) asked the women as to whether they had any objection if the child were cut into two and one part given to each of them. One of the woman agreed to it, but the other started crying. She said to Hazrat Ali (A): "O' Abul Hasan! I forego my claim. Give the child to this woman." Thus the child was restored to its real mother who started crying

5. A Strange Cruelty on an Orphan Girl and Hazrat Ali's Judgement Therein

It has been stated by Kulaini and Sheikh Suduq as also incorporated in Sahih Bokhari on the authority of Hazrat Imam Jafar Sadiq (A) that a slave girl was brought to the court of Hazrat Omar (RA) with the accusation that she had not proved loyal to her master. Her story is narrated thus:

A man had given shelter to an orphan girl. As he often had to go out of his home town on business trips, he had given the girl in the care of his wife. When a few years passed like this, the girl became mature and also looked extremely beautiful. The wife of the man with the aim that her husband should not marry the girl, once got her intoxicated, with the help of some woman from the neighbourhood and also got removed the sign of her chastity with the help of the same woman.

When the man returned from his business tour abroad, he asked his wife about the girl. Thereupon she replied with complete innocence:

“She has eloped with a young man in the neighbourhood.” Then the man went out in search of the girl, caught hold of her and dragged her to the court of Hazrat Omar (RA), who was then a Caliph.

Hazrat Omar (RA) finding the case to be considerably difficult, referred it to Amir ul-Momineen (A), as he had invariably done previously in such cases.

Hazrat Ali (A) sent for the man, his wife and the girl, together with the witnesses, if any. The man and his wife related the same story before Amir-ul-Momineen (A) also, which they had previously related in the court of Hazrat Omar (RA), and also produced the four women who had been named by the wife of the appellant as witnesses.

Hazrat Ali (A) called the first witness, unsheathed his sword and keeping it between the woman and himself, said to her: Do you know, I am Ali (A) Ibne Abi-Talib? Tell me the truth, the truth and nothing but the truth.” The woman who was exceedingly clever gave the same false evidence she had given in the court of Hazrat Omar (RA) and insisted thereon.

Hazrat Ali (A) seeing this, ordered her to be kept in confinement, separate from other witness. He then caned the second witness before him and pointing to his sword, said to her: “Do you see this sword? If you do not tell the truth, I shall behead you with this sword. And remember that the woman who has just gone out has told me the truth and, therefore, I have given her pardon. If you tell me the true story, the same you shall get.” Hearing this, the second woman related the true story of the case, out of fear of her life.

Having heard the truth from the second witness Amir-ul- Momenin (A) said, “After Daniel, the Prophet, I am the first man who has forced different statements from two witnesses.”

Thereafter, he ordered punishment to be accorded to the wife of the man in question. He also ordered the man to divorce his wife and marry the innocent girl. When his orders were carried out, he paid the dowry to the girl from his own pocket. He also fined the four women who had stood witnesses in the case, one hundred Dirhams each, and gave the whole amount of penalty to the girl.

After this strange but righteous judgement Hazrat Omar (RA) besought the favour of Amir-ul-Momenin (A) of telling him the story of Hazrat Daniel (A). Hazrat Ali (A) acceding to his request told him the following story:

“Hazrat Daniel (A) was an orphan, who had lost his father and mother both. At that time the ruler was one from Bani Israel and had two Qazis among his courtiers.

Both of these Qazis used to visit the court of the king accompanied by a very pious and godly man of the day. Once the king wanted to send a trustworthy person on an urgent official business outside the dominion of his empire and requested the two Qazis to help him in selecting of someone worthy for the purpose.

The Qazis advised the king to entrust the work to the same pious and godly man who used to visit his court every now and then along with themselves. Acting on their advice the king sent the pious man with necessary instructions on the fateful journey. Now per chance the pious man had a very pretty and beautiful wife who was also pious and godly like her husband. However, the man while going out of the country gave her in the care of the aforesaid Qazis, saying: I give her in your care with the will that you will treat her with virtue and will take care of her daily needs. Then he set off at his journey.

Thereafter, once the two Qazis happened to go to the house of the pious man and by chance saw his pretty wife. Seeing her they both madly felt in love with her. When they expressed their carnal desire the good woman flatly refused to fall prey to their desire. Thereupon they threatened her to complain against her to the king and say that she had committed adultery with the result that she would be stoned to death.

In reply she said: Say whatever you like, but I would not give my consent to this act of sin.”

Thereupon both the wicked Qazis went to the king and reported to him that the wife of the pious man whom he had sent on journey had committed adultery. The king was very much surprised on the report because the woman had a reputation for piety. He bent his head for a while and then lifting his head he said to them:

“I believe you and accept your witness but give me three days time for issuing orders in the matter.”

The king then consulted his Wazir in the matter and said to him:

“I don't think she is guilty of the act of adultery, what do you say about it?”

The Wazir also on hearing the report, said to the king:

“I am also surprised.”

Then, on the 3rd day the Wazir happened to pass by a lane where some children were playing, Hazrat Daniel (A) being among them.

Hazrat Daniel (A) said to one of the children:

“Let us stage the drama of the wife of the pious man and the two Qazis, you play the part of the wife of the pious man and two other of you, the part of the Qazis.”

He then turned to the two boys and said to them:

“You present the case of this woman to me as the two Qazis have presented it to the king.”

The king meanwhile had proclaimed with the beating of the drums (as was the custom those days) that the wife of the pious man had committed

adultery and the two Qazis had reported the matter to the king and, therefore, the woman was going to be stoned to death. Hazrat Daniel (A) called one of the boys who was playing the part of one of the Qazis and asked him:

“What do you say in the matter?” He also pointed to a wooden sword wrapped in a cloth, if you tell a lie I shall behead you with this sword.”

The boy replied:

“Sir, the wife of the pious man has committed adultery and I am a witness to it”

Hazrat Daniel (A) asked him: “Where and when and on which day and what time”? The boy answered all the questions of Hazrat Daniel (A). Then, Hazrat Daniel (A) called the other boy and put the same questions to him, but his answers were quite contrary to the answers of the other boy.

After hearing the second boy Hazrat Daniel (A) said:

“God is great, you have given false witness in the case.”

He then acquitted the woman honourably and sentenced the boys who were playing the role of the Qazis to death.

The Wazir who saw this play of the boys and the judgement of Hazrat Daniel (A) in the play reported the whole thing to the king who decided the case accordingly (Wafi, vol. 9, p.161; Manaqib, vol. 7, p.193; Turuq-i-Hikmia, p. 60).

6. The Case of a Man Whose Son Differed in Colour with Him

A Negro once came to Hazrat Omar (RA). His wife was also of black colour. The Negro complained to Hazrat Omar (RA) that he and his wife were both of black coloured, but his wife in contrast to their colour had given birth to a child of red colour. He also said that his wife had obviously committed adultery with some man who was of the colour of the child.

Hazrat Omar (RA) could not decide the case and referred the matter to Hazrat Ali (A) who in turn asked the Negro: “ If I ask you a question, will you answer it correctly?”

The Negro replied: “ Yes Sir, by all means and quite correctly if I could.”

Hazrat Ali (A) asked the negro:

“Did you ever go to your wife i.e., had you ever had intercourse with her during her monthly course”?

The negro replied:

“Yes, Sir, I think I have.”

Hazrat Ali (A) said to him:

“The colour of the child is the result of that very act of yours. You are, therefore, yourself at fault and not your wife.” The Negro was ashamed and went away. (Turuq-i-Hikmia by Ibne Qaiyyum: p. 47).

7. The First Case After the Demise of the Holy Prophet (S)

It has been reported by Kulaini on the authority of Hazrat Imam Jafar Sadiq (A) that a case was decided by Hazrat Ali (A) in such a way that it was never decided before and that it was the first case after the demise of the Holy Prophet (S).

“During the caliphate of Hazrat Abu Bakr (RA) a man was found drunk and brought before the Caliph, Hazrat Abu Bakr (RA). The Caliph asked

him as to whether he had drunk wine. In reply the man admitted to have drunk.

The Caliph asked him:

“Why did you drink when it has been prohibited in Islam?”

The man replied: “I am residing in the neighbourhood of some people who are habitual drinkers. Although I am a Muslim, I have never heard that wine has been prohibited in Islam.” Hearing this Hazrat Abu Bakr (RA) looked at Hazrat Omar (RA) with a question mark in his eyes. Hazrat Omar (RA) said:

“This is just one of the cases that no one else than Ali could decide.”

When the case was referred to Hazrat Ali (A), he sent the man round in the city with some persons to ask the people as to whether anyone had recited to him the verse of the holy Quran whereby wine was totally prohibited. And when it was proved that none had done so, the man was released with a warning never to drink in future. (also carried by Nasikhut Tawarikh, vol. 2, p. 731; Buharij, vol. 9, p. 483; Manaqib, vol. 2, p.178).

8. A Case Which was Decided Wrongly by Qazi (Judge)

It has been recorded in Ajaibul Ahkam that once when Hazrat Ali (A) entered the Mosque of Kufa, he saw a young man who was weeping pitifully. Hazrat Ali (A) asked him about the cause of such weeping.

The man replied:

“Ya Amir ul-Momineen, I have come to you for appeal against the decision of Qazi in my case.”

Hazrat Ali (A) asked him about the case The young man said: “My father had gone on journey with some persons. When these persons returned from the journey, I asked them about my father. They said: He died during the journey. When I asked them about the money my father had taken with him, they said he left no money, but I know for certain that he had a good amount of money with him.”

The young man further said to Hazrat Ali (A): “As I was certain about the money my father had carried with him, I reported the matter to Qazi Sharih and he sought a judgement from him in the case.”

The young man continued, “Qazi Sharih called those persons and took oath from them one by one. They all said unanimously on oath that my father had no cash at the time of his death. Therefore, Qazi Sharih ordered for their release.”

Relating the above story to Hazrat Ali (A), the young man said:

“Ya Amir ul-Momineen! I have now come to you for a righteous judgement.”

Amir ul-Momineen Hazrat Ali (A) said: “I shall deliver judgement in this case as none has ever before delivered in any case other than Hazrat Daud (David) (A).”

Hazrat Ali (A) then asked Qanbar, his personal servant, to call some men of shurtatul Khamees (a contingent of the officers in command of an Army). When these officers arrived, Amir ul-Momineen Hazrat Ali (A) ordered them to ask the young man the names of the persons who had accompanied his father on the journey and present them before him immediately. The orders of Hazrat Ali (A) were carried out forthwith.

When all those persons were brought before Hazrat Ali (A), he cast a glance over them all and ordered each to be tied with the pillars of the mosque separately and asked the people, present in the mosque to join him in Takbir (Greatest is God) loudly when he said it, Hazrat Ali (A) then called one of the persons and asked him as to what he had to say in the matter.

He said what he had said to Qazi. Qazi Sharih was also present there.

Hazrat Ali (A) said to the man:

“Don't think that I do not know any thing about this case. Go ahead now; When did you all start on the fateful journey; tell me the year, the month, the day and the exact time when you all started on your journey with the father of this young man? And when was he taken ill, where and what day and at what time? What was his disease? Who treated him and with which medicine? When did he die? Give me the date and the time. Who gave him bath after his death? Who wrapped him in the coffin? How many people attended his funeral? Name any of them, if possible. Who lowered him in his grave?”

The man was first baffled by this volley of the most relevant questions, but he tried to answer them one by one obviously at random. When he had finished, Amir ul-Momineen Hazrat Ali (A) said the Takbir aloud. All the other people present in the mosque repeated it as they were ordered before. Hazrat Ali (A) then sent the man to prison and called the second man.

The second man being now certain because of the Takbir of the people following Hazrat Ali (A) and his sending the first man to the prison that his companion had confessed, told Hazrat Ali (A) that he was from the very beginning against the murder of their companion, the father of the young man, and taking away his cash and that none of the others listened to him.

He then besought forgiveness and mercy at the hands of Amir ul-Momineen as he was only compelled to become an accomplice in the case. Thereafter, all the rest also had to confess their crime of murder and loot. Amir ul-Momineen Hazrat Ali (A) then made them to return the money of the deceased to his son, together with the penalty for the murder .

Qazi, who was called to attend the hearing of the case was reprimanded and warned to be careful in serious cases such as murder. Very politely rather humbly he asked Amir ul-Momineen Hazrat Ali (A) as to what the case decided by Hazrat Daud (David) (A) referred to by him as, a similar case was.

Hazrat Ali (A) described the case thus: “Hazrat Daud (A) was once passing through a lane when he heard some children playing & calling one of their play- mates by the name of ‘Matat Din’. The boy was also answered to this name. Hazrat Daud (A) was very much surprised at hearing this queer name which meant, “religion diedl.” Therefore, prophet David (A) called the boy and asked him as to who had given him that name.” The boy said: “My father, Sir.” “Where is your father”? asked the prophet. “He is dead”, replied the boy Hazrat Daud (A) then asked the boy to take him to his mother, which he did.

When asked about the name, the mother of the boy told the prophet that the name was given to the boy under the last will of his father . When asked

about the details, she told him that the father of the boy had gone on a journey with some persons, but he did not return from that journey which was his last. When the mother of the boy enquired about her husband, his companions told her that he had died on his way back home.

She asked: “What about the money he had taken with him”,.

“He left no money”, they replied innocently.

Relating this much Amir ul-Momineen, Hazrat Ali (A) said to Qazi Shareh and the people then present in the mosque, that Hazrat Daud (A) had decided the case as he himself had decided that day. He also told them that after delivering the judgement in that identical case Hazrat Daud (A) asked the woman to call her son by the name “Ashad Din”, which meant the “religion has survived.” According to Kafi there also started a dispute between the young man and the murderers of his father regarding the amount of the money carried by his father from home for the journey.

9. The Case of Three Dinars

It has been reported by Suduq and Sheikh on the authority of Imam Jafir Sadiq (A) who reported it on the authority of his father and forefathers that a man had deposited two Dinars with a person and another man had deposited only one Dinar with the same person. One of the Dinars was stolen. When the case was brought to Amir ul-Momineen Hazrat Ali (A), he ordered one Dinar to be given to the first person and the equal division of the second between both the depositors.

Explanation:

The first man who had deposited two Dinars had one of his two Dinars still safe whether or not one of his own Dinar was stolen, while the other one, in case his only Dinar was stolen, had none. As the theft in each case affected the second Dinar the second man had to share both the loss and the gain. (Qaza, p.29)

10. The Case of a Woman Who had Given Birth to a Child Within Six Months of Her Pregnancy and Hazrat Omar (RA) had Ordered her to be Stoned to Death

A soldier in the Army returned home. When he had stayed with his wife for only six months, his wife gave birth to a male child and claimed that it was his child. The soldier refused to accept her claim and brought her to Hazrat Omar (RA) who ordered the woman to be stoned to death. By chance Hazrat Ali (A) also happened to be there and he pointed out to Hazrat Omar (RA) that the Holy Quran had fixed the time of pregnancy and the time of nursing of a child as thirty months, and at another place the time of nursing as complete two years. These two years if deducted from the combined time of pregnancy and nursing, the time of pregnancy remained only six months, i.e., the minimum. Hearing this Hazrat Omar (RA) said: “Had not there been Ali, Omar would have gone to dust” and released the woman. (Qaza, p. 35).

Adultery

1. Adultery and its Seriousness

Hazrat Ali (A) has reported from the Holy Prophet (SA) who said, “When the crime of adultery in my followers will be appalling, the number of premature deaths will be on increase.” (Wafi, vol. 9, p. 34)

Imam Jafar Sadiq (A) has said, "A man who indulges in adultery must be ready for six things, he will face three things in this world and the other three in the world hereafter.

The three things he will face in this world are:

1. His face will become ugly
2. Will be penniless
3. Will die soon

The three things he will face in the world hereafter are:

1. The rage of Allah
 2. Very hard questioning.
 3. Will remain in the hell forever
2. Adultery by an Unmarried Person

Hazrat Ali (A) used to punish those unmarried men who committed adultery by hundred whips and exile. (Wafi, vol. 9, p. 39).

3. If a Married Man or Woman Committed Adultery

If a married man or woman committed adultery Hazrat Ali (A) awarded them the punishment of stoning to death. (Wafi, vol. 9, p. 39).

4. Rajm (Stoning to Death) Purifies the One Who Committed Adultery)

When Hazrat Ali (A) went to see Sharaha Hamadania (a woman who committed adultery) being stoned to death there was such a huge crowd that it was feared that people would be trampled by one another.

Hazrat Ali (A), therefore, ordered the closure of the City gates. When the punishment was over and the gates were reopened for the people who had accompanied Hazrat Ali (A) to the scene to come in, people started passing remarks on the deceased. Hazrat Ali (A) said to them, "Hold your tongue now, the deceased has been purified by the punishment awarded to her."

7. Adultery With a Woman Who Agrees to the Crime Under Adverse Circumstances

It has been related from Arbaeen Khateeb Baghdadi that a woman was brought to Hazrat Omar (RA). She was found committing adultery on the banks of a certain river of Arbistan. After examining the witness Hazrat Omar (RA) awarded her punishment of stoning to death.

Hearing this judgement of Hazrat Omar (RA), she uttered the following words, "O God! Thou knoweth that I am not guilty."

These words of her enraged Hazrat Omar (RA) further. He said to her, "You committed adultery and still you dare belie the witnesses."

When she was being carried to the place where she was going to be stoned to death, she met Hazrat Ali (A) who was passing by that way.

Seeing her, he asked the executioners to take her back to Hazrat Omar (RA) for further investigation. When she was taken back to Hazrat Omar (RA), Hazrat Ali (A) asked her to relate her story to him (Hazrat Ali (A)). The woman in question related her story to as follows:

"My family has some camels. Yesterday, I took them out to the desert for grazing. At about noon I felt thirsty, but I had no water with me to drink, neither there was any water in the vicinity with which I could quench my thirst."

"A little way off from there," she continued, there was another man, who had water with him. But when I asked him for a little water to drink, he

refused to give a single drop of it to me unless I agreed to commit adultery with him, but I refused.”

“When I felt very thirsty and was about to die of thirst,” further continued the woman, “I agreed, under compulsion though, to allow him to fulfil his carnal desire.

Having heard the story of the woman Hazrat Ali (A) exclaimed, “The one who is compelled by circumstances in case he or she is not disobedient and does not exceed the limits of law and go beyond the restrictions put on him or her by Allah they are not responsible for any crime committed under such circumstances.” Hearing this Hazrat Omar (RA) released the woman.

(Manaqib, vol. 2, p. 190, Biharul Anwar, vol. 9, p. 484, Riaz, vol. 2 p. 259; Zakheeratul Uqba, p. 81, Turuqi Hikmia by Ibne Qaiyum).

11. Different Punishments For One and the Same Crime

Asbagh bin Nabata has reported that five persons who were accused of adultery were once brought to Hazrat Omar (RA). He ordered for their punishment by stoning them all to death.

Hazrat Ali (A) when heard of that, said that the judgement was wrong.

He then heard them separately and awarded them different punishments as follows:

To the first he awarded the punishment of beheading, stoning to death to the second, whipping to the third and half of the full punishment to the fourth. He set free the fifth after awarding him an ordinary punishment.

When Hazrat Omar (RA) asked Hazrat Ali (A) to explain his above decision, he (Hazrat Ali AS) said to him.

“The first of them is a Zimmi (the one who pays a certain amount to an Islamic State for the safety of his life) who has committed adultery with a Muslim woman; the second is a married man whose punishment under the religious law is stoning to death; the third is an unmarried man, who stands to be punished under the same law by whipping; the fourth is a slave whose punishment in case of adultery as fixed by the religious law is half of the full punishment fixed by the religious law for that crime; the fifth of them is half-mad and has therefore, been awarded an ordinary punishment for one and the same crime committed by others as this punishment has been fixed for such men and women by the religious law.”

Hazrat Omar (RA) while accepting the above judgement of Hazrat Ali (A) said, “May I not live in the nation wherein there is no Abul Hasan for solving such problems.”

(Manaqib, vol. 2, p. 183; Nasikhut Tawarikh, vol. 2, p. 732, Biharul Anwar vol. 9, p. 478)

2. If Adultery is Committed by a Man Whose Wife is Away From Him

Hazrat Ali (A) was on pilgrimage to Mecca when a man who accused of adultery was produced before him. The judgement by Hazrat Omar (RA) who was a caliph then, was to stone the man to death. On hearing of the above judgement delivered by Hazrat Omar (RA) in the case in question, Hazrat Ali (A) said to him;

“The total punishment fixed by the religious law in such a case is whipping and not stoning to death, because the wife of the man involved in it is away from him.”

Hearing this decision by Hazrat Ali (A), Hazrat Omar (RA) said, “May not Allah allow me to survive the time when I am in a difficulty and Abul Hasan is not there to solve it.”

(Manaqib Khawarzami through Bihar vol. 9, p. 478; Manaqib Shehr Aashob vol. 2, p. 183).

13. Adultery With a Christian or a Jewish Woman

Hazrat Muhammad bin Abubakr once wrote to Hazrat Ali (A) asking him that if a male Muslim commits adultery with a Christian or a Jewish woman what punishment should be awarded to them.

Hazrat Ali (A) wrote back to him, “If the Muslim male is a married one, stone him to death, if unmarried, he should be punished by hundred whips. The Christian or Jewish woman, if involved in such a case should be deported to their people to treat her as they liked. (Wafi, vol. 9, p. 39).

20. If Adultery is Committed by Those Who are Dangerously Ill

A man was once brought to Hazrat Ali (A) who was to be punished under the religious law for committing a certain crime, but as he had several wounds on his body, Hazrat Ali (A) said that he should be spared for some time till he recovered from those wounds. when his wounds healed, Hazrat Ali(a) ordered for his total punishment. (Wafi, vol. 9, p. 45).

It has been reported by Imam Jafar Sadiq (A) that a man was suffering from dropsy was presented before the Holy Prophet (SA). He was accused of adultery. The Holy Prophet (SA) asked the woman involved in the case as to whether she had agreed to the crime to which she replied that she became aware of the fact when he had attacked her and overpowered her. Thereafter, the Holy Prophet (SA) asked the man as to whether he admitted his crime, to which he replied in the affirmative, but he was not a married man. The Holy Prophet (SA), therefore, sent for a branch of the palm tree.

Then, He (S) caught hold of a hundred thin straws from that branch and beat the man therewith. From both the above reports, if taken jointly, it would be clear that a Muslim judge has the discretion of awarding either of the two punishments in such cases, i.e., he may award the punishment there and then as was done by the Holy Prophet (SA) or he may wait till the person recovers from illness. In case the one and the only way adopted by the Holy Prophet (SA) is followed by the judges in all such cases the fear of punishment would vanish from the minds of the people. However, the judge must decide each case on individual merits and award the required punishment accordingly. In case there is no hope of the survival of the person from that disease as was surely in the case decided by the Holy Prophet (SA), he may follow the Holy Prophet (SA) in his judgement, but in case there is hope of survival of the accused from a certain disease or wounds as in the case decided by Hazrat Ali (A) wherein there was a certainty that the accused would survive his wounds which were expected to heal sooner or later, the judge may follow the latter with discretion which is allowed to him in such cases. (Note by Allama Jazairi; Abu Turab, (Urdu) vol. 2, p.88).

21. If Adultery is Committed With an Insane Woman

A question was put to Hazrat Ali (A) about an insane woman with whom adultery was committed and she had become pregnant , to which the Holy Imam (A) replied.

“An insane woman is just like an animal and is out of the control of her mind. Therefore, there is no punishment for her if she is involved in a case of adultery i.e., neither stoning to death nor even whipping or exile.” (Wafi, vol. 9, p. 46).

Allama Jazairi in his collection of judgements of Hazrat Ali (A) titled 'Abu Turab' (Urdu) vol. 2, p. 89) has added the following note to the above judgement.

“The above judgement is particularly meant for an insane woman. If an insane man who is either completely mad or his brain is slightly deranged is involved in such a case he cannot escape the punishment fixed for adultery for the reason as explained in the following tradition of Imam Jafar Sadiq (A) who has said .”

“If an insane man or a woman? whose brain is half deranged indulges in adultery, he would be stoned to death, provided he has a wife, otherwise he would be whipped.”

The person who has reported the above tradition of the Holy Imam (A) proceeding further says as under:

“When I asked the Holy Imam (A) as to why there were two different punishment for an insane man and an insane woman, he replied.”

“It is because the man involved in such a case commits the crime deliberately and sensibly i.e., with full knowledge of his sensual feelings and as to how he should do it, whereas the woman with whom the crime is committed and who is only an object in the case and has no sense at all as to what is being done with her but at times she is totally ignorant of it.” (Wafi, vol. 9, p. 46).

23. Adultery In Dream

A man brought another man, holding him by the opening in his shirt, to the first caliph, Hazrat Abu Bakr (RA), and said to the caliph, “This man says that he was discharged by dreaming adultery with my mother last night.”

The caliph wondered as to what he should say in the matter. Hazrat Ali (A) who was also present in the mosque at the time said to the caliph. “In such a case the justice is this that the man who has described his dream to the other man should be made to stand in the sun-shine and the punishment orders should be carried out on his shadow as he dreamt adultery only in a dream and the man should also be struck with one or two whips, so that he should not trouble people with such loose talk in future.”

(Manaqib Shehr Aashob vol. 2, p. 179).

Confession

1. Confession by a Man of Having Committed Adultery

It has been reported by Sheikh Sudooq (AR) that a man once came to Hazrat Ali (A) and confessed that he had committed adultery and requested him to purify him of his sin, but Hazrat Ali (A) turned his face to another direction. The man stood up again and said: “Ya Ali. ! I have committed adultery.”

Hazrat Ali (A) again turned his face from his side to another direction and engaged himself in talking with some other people present there. But the man once again addressed Hazrat Ali (A) in the same way, confessed again before him of having committed adultery and requested Hazrat Ali (A) earnestly to purify him of his sin.

Hazrat Ali (A) asked him:

“Why are you saying this”?

“For purification of my sin”, said the man. At first Hazrat Ali (A) said without addressing any man in particular:

“Why people don't hide their own sins as Allah hides them ...from the eyes of other people?”

The second time when the man requested him again to purify him of his sin, Hazrat Ali (A) remarked:

“What else is there which is better than penitence? When the man stressed the point for the third time, Hazrat Ali (A) told him that if he repeated his words of confession once again he would have to punish him as had been ordered by Allah;

But when the man, despite the warning by Hazrat Ali (A), repeated the words of confession once again, he asked him as to whether he was physically sound and if his mind was working all right.

When the man replied in the affirmative, Hazrat Ali (A) said to him.

“All right, let me make an enquiry about the soundness of your brain at my own as you have told me now. Therefore, you better wait a bit and come to me after some time when I have completed my enquiry.”

After Amir-ul-Momineen Hazrat Ali (A) had made his private enquiry about the soundness of the man's brain and it proved to be in proper form the man appeared before him again and insisted on the punishment for his above mentioned crime and for his purification thereby.

Hazrat Ali (A) then asked the people to gather next day outside Kufa with the condition that all of them had each a veil on their faces.

On the subsequent day when most of the residents of Kufa had collected outside the city of Kufa, Hazrat Ali (A) addressed them as follows:-

“O the people of Kufa! You have all collected and come here to witness this man to be stoned to death, but I bind you in the name of Allah to do so only if none of you has committed a crime for which punishment was necessary.”

Hearing the above words of Hazrat Ali (A) most of the spectators left the scene. But according to the report of Kulaini (may the peace of Allah be on him) only three persons were left on the scene. They were Hazrat Ali (A) himself and his two sons, Hazrat Imam Hasan (A) and Hazrat Imam Husain (A). When all other people had left, Hazrat Ali (A) hit the man with a big and heavy stone first, sounding the words or 'Takbir' (God is the greatest of all). Thereafter, Hazrat Imam Hasan and Hazrat Imam Husain (A) hit him with stones turn by turn till the man was dead and his soul (in all probability) had reached paradise.

Therefore, Hazrat Ali (A) pulled the dead body of the man out of the ditch which was dug previously for the purpose of stoning him to death, brought him to the city of Kufa, led his funeral prayer and buried him.

When people asked him as to why he had not given him the last bath, Hazrat Ali (A) replied as under:

“The patience he manifested while being stoned to death gave him such a bath of purity that he did not require any bath thereafter “ (Biharul Anwar, vol. 9 p. 494 through Abu Turab (Urdu) by Allama Jazairi, vol. 2, pp. 129-132).

5. Conditions of Confession

Besides mentioning the perfect frame of mind, freedom to confess or not to confess and maturity as conditions of confession Hazrat Ali (A) has also said:

“If an accused in some case of theft admits to have committed the crime in question his hand is not to be cut off” (Wafi, vol. 9, p. 64).

Cases of Theft

Allama Jazairi (need not remove the following explanation as it does not create fiqhi complications for common man) who has rendered the above story from Arabic into Urdu has added the following explanation to it:- “In Islam the punishment for committing theft is the cutting

off the hand. This is such a nice commandment of Allah in the 'Holy Quran' that in almost all the cases the possibility of repetition of the offence ends with it. Moreover a thief is always easily recognized thereafter and wherever this practice is in force people very seldom dare commit the offence.”

“However”, says the Allama, the question which arises with regard to the punishment itself is that whether the hand of the thief should be cut off from the wrist, the elbow or the forearm? Because the 'Holy Quran' is silent after the main verse in this regard, i.e., “Cut off the hand of the thief, male or female.” “Those”, explains the Allama, “who argue in favour of cutting off the hand of the thief upto the wrist only cite the verse of the 'Holy Quran' wherein the word 'hand' applies upto that portion only, while some others cite another verse of the Holy Book regarding ablution the word hand precedes the words

“upto the elbow.”

Therefore, the second group of theologians have recommended that the hand of a thief should be cut “upto” the elbow, which in the Arabic language, at times, means “including.”

There seems some major shortfall/mistake in quoting from the Urdu book. Since, I do not have the original Urdu book with me I cannot cross check. Please compare and correct.

Proceeding further with his explanation regarding the orders of Hazrat Ali (A) for cutting off the hand of the thief by which only four fingers were cut off as in the case of the negro, Allama Jazairi of Lahore has reproduced (Abu Turab vol. 2, p. 113) the account of an incident from Muntahi-ul-Amal (vol. 2, p. 234) relating the same question, which once took place in the court of Mutasim Abbasi, the Abbasiad Caliph.

The incident described by the author of Muntahi-al-Amal and reproduced by Allama Jazairi is as follows:

Once a thief was produced in the court of Mutasim Abbasi and the thief admitted that he had committed theft.

“The Abbasiad Caliph turned to the theologians then present at the time in his court and asked them as to what portion of the thief's hand should be cut off according to the religious law.”

“One of the groups of theologians referred to the first verse of the Holy Quran mentioned above and another, to the second also cited above. Then, the Caliph consulted Imam Muhammad Taqi (A) who also happened to be present at that time in his court, and asked him as to what he had to say in the matter.”

The Holy Imam (A) exclaimed:

“You have already heard what the two opposite groups of the theologians have said about it.” But the caliph said to him: “I want your opinion, Sir”

“Thereupon, the Holy Imam (A) referred to the order of Hazrat Ali (A) in that respect i.e., if only four fingers of the culprit are cut off, the commandment of Allah in the Holy Quran is fulfilled”.

When called upon to explain his claim, the Holy Imam (A) elaborated the point as follows ;

“In so far as the comments on the two verses of the Holy Quran by the theologians present here are concerned, they are correct and quite relevant in their respective places, but the words of the Holy Quran which were kept in view by Hazrat Ali (A) while awarding punishment to a thief were neither of the first verse nor of the second but of another verse which, I submit, has escaped the sight of the honourable theologians present here.”

“The Holy Imam (A) recited the following verse of the 'Holy Quran':

“The parts (of the body) with which Sajdah (putting of head on the ground while offering prayers to Allah) is performed are all for Allah.” Explaining the above verse of the Holy Quran, Imam Muhammad Taqi (A) said to Motasim Abbasi, the then Abbasiad Caliph:

“If besides the forehead, palms of both the hands are not used while performing 'Sajdah' the 'Sajdah' would be incomplete and consequently the prayers also. This is what is meant by the verse I have just recited and followed by Hazrat Ali (A) when awarding punishment to a thief i.e., cutting off only four fingers of his or her hand”:

When enlightened by the Holy Imam (A) on the point of punishment to a thief, Motasim did not only agree with the views presented to him by the Holy Imam (A) but followed them and the thief concerned was awarded the punishment accordingly.

4. The One Whose Hand is Amputated as Punishment for Committing Theft

As reported by Imam Ja'far Sadiq (A) some thieves were brought to Hazrat Ali (A). The thieves admitted their crime and Hazrat Ali (A) ordered for cutting off their hands and when the order was carried out he said to them:

“Your hands have gone to Hell. If you offer penitence and abstain from committing theft in future, you can get them out, otherwise they will pull you all there.” (Wafi, vol.

9, p. 66).

7. Acquittal of an Accused Who Admitted His Crime of Theft.

A person came to Hazrat Ali (A) and admitted before him that he had committed a theft. Hazrat Ali (A) asked him if he could read the Holy Quran. The man said that he could read Surah Baqarah of Holy Book of Allah.

Hazrat Ali (A) said to him: "I acquit you of the crime for the sake of that part of the Holy Quran."

Hearing these words of Hazrat Ali (A), Asha's bin Qais who happened to be present there said to him:

"Ya Ali'. Do you want to suspend the order passed by Allah for this crime?"

Hazrat Ali (A) replied:

"O'ye ignorant t You do not know that an Imam who is just can acquit the accused who admit their crime themselves, but if they do not and two witnesses who are just and of good moral character are produced against each of them, he cannot.

(Wafi, vol. 9, p. 78 through Abu Turab (Urdu), vol. 2, p. 118)

10. Slave Trade

A trafficker in children i.e., a man who used to pick up children from the streets and then sell them as slaves was brought to Hazrat Ali (A). He punished that criminal by cutting off his hand. (Wafi, vol. 9, p. 67).

12. Punishment for a Pickpocket

(2) A pick-pocket was once brought to Hazrat Ali (A) with the accusation that he had picked the pocket of another person. Ali (A) said to the people present before him,:

"If he has picked the inner pocket of this man his hand should be cut off but in case he has picked the complainant's outer pocket his hand should not be cut off. (Wafi, vol. 9, p. 64).

Note:-Hazrat Ali (A) would order only beating them and sending them to prison.

Note by the Compiler

It would be interesting to note in this connection a discourse in Arabic poetry between Abulula Moarri and Syed Murtaza Ibne Huda, (brother of Syed Razi, the compiler of Nahjul Balagha,) which we have rendered in English prose for the benefit of our readers.

Abulula: How is that the hand, the penalty of which is five hundred Dinars is cut off for half Dinar only.

Syed Murtaza: The penalty has been fixed at a higher rate for the hand of an honest man, whereas a thief lowers its price by degrading it by dishonesty.

14. Committing Theft During Famine

It has been reported by Hazrat Imam Jafar Sadiq (A) that Hazrat Ali (A) did not order for cutting off the hand of thief during a famine. ((Wafi, vol. 9, p. 64).

Explanation

Allama Jazairi of Lahore has explained the above order as follows:

According to the meaning derived from reports recorded through some other Imams it has been calculated that such judgements mostly had been delivered by Hazrat Ali (A) only when somebody would have had stolen

some articles of food only and that too, under compulsion of hunger during a famine otherwise he always awarded total punishment. (Abu Turab (Urdu) vol. 2, p. 126-27).

Cheating and Forgery

4. Cheating in Marriage

A man had two daughters, one of them was from an Arab wife and the other from another wife who hailed from some country other than Arabia.

A young man contracted to marry the girl who was the daughter of the man's Arab wife. The marriage performed, he brought her to his house and paid her the dower.

The day after the night they had passed as husband and wife, he came to know that he was deceived by the father of his wife, who had married to him his other daughter instead of the one who was from his Arab wife and whom he had contracted to give to him (the young man) in wedlock.

When the case regarding this deceitful marriage was taken to Moawiya, he was unable to decide the case and, therefore referred it to Hazrat Ali (A) who was then at Kufa.

When the case was presented before Ali (A) he ordered the father of the girl to give his second daughter to the young man in marriage together with a dower equal to the dower the young man had paid to his first daughter. He also ordered the young man to divorce his first wife and live separate from her till the expiry of her probation period and then remarry her, if he liked. Besides, the father of the two girls was also ordered to pay the penalty for cheating the young man.

(Mustadrik, vol. 2, p. 603, Manaqib, vol. 2, p. 197; Nasikhut Tawarikh, vol. 3, p. 738 through Abu Turab (Urdu) vol. 2, p. 155).

1. A Clear Order Regarding Drinking Alcohol

According to an order of Hazrat Ali (A) if some one drinks once, twice or thrice he will be punished by eighty whips each time, but if he repeats the crime for the fourth time he will be beheaded. (Qaza and Teha, p. 162).

2. Deriving Wrong Meaning From the Verses of The Holy Quran with Regards to Drinking

During the Caliphate of Hazrat Omar (RA), Qudama bin Mazoon drank wine. The Caliph (Hazrat Omar (RA) wanted to punish him by whipping, but the accused Qudama recited the following verse from the Holy Quran:

“There is no harm if the believers and those who do good deeds eat and drink according to their (own) choice, provided they continue fearing Allah and doing good deeds.”

Having heard the above verse beautifully pronounced by Qudama as an argument in his favour Hazrat Omar (RA) forgave him and acquitted him of the charge of drinking.

When Hazrat Ali (A) heard of it, he said to Hazrat Omar (RA):

“Qudama does not come under the definition of those who have been mentioned in the verse in question as the very first words of the verse refers to those who do not lead a prohibited way of life and abstain from what has been forbidden by Allah. Proceeding further Hazrat Ali (A) asked Hazrat Omar (RA) as to how a person who does not care for the commandments of Allah could come under this declaration by Allah in the Holy Quran.

Therefore, Qudama must offer penitence, otherwise he does not remain a Muslim and has to be beheaded. When Qudama heard of this he came at once and offered penitence.

Hazrat Omar (RA) hearing this well argued point from Hazrat Ali (A) wanted to punish Qudama for drinking, as he had already offered penitence for deriving wrong meaning from a verse of the Holy Quran, but he did not know the number of blows of whip to be struck on the body of a person accused of drinking. He therefore, consulted Hazrat Ali (A) in the matter. Hazrat Ali (A) explained it as under:

After drinking one becomes intoxicated and under intoxication one is amiable to slandering. As the punishment for slandering is eighty strokes of a whip, the punishment for drinking if calculated in this way amounts to the same number of strokes by a whip i.e., eighty strokes.

Hazrat Omar (RA) punished Qudama accordingly. (Bihar:Vol, 9, p. 4)

3. Drinking During the Holy Month of Ramazan

It has been reported by Kulaini on the authority of Jabir that once the poet Najjashi was brought to Hazrat Ali (A) with the accusation that he was found drunk during the holy month of Ramazan.

The accusation when proved, Hazrat Ali (A) ordered for whipping the poet by eighty lashes which was carried out.

The next morning the poet was ordered for another twenty lashes. When Najjashi asked Hazrat Ali (A) the cause of the extra twenty lashes as the order of the Holy Quran in such

cases was only eighty, the holy Imam Hazrat Ali (A) replied:

“Twenty for disregarding the respect of the Holy month of Ramazan.” (Qaza, p. 140).

Murders

I. The Murder of Husband

It has been reported by Asbagh bin Nabata that a woman had an illicit relation with a man but she was married to another man. She, on the very first night of her marriage induced her lover to come stealthily into her private room. When her husband wanted to go to bed with her, her lover attacked him, but her husband did not only repulse the attack but also killed him in the fight which ensued thereafter. Seeing this the woman attacked her husband from behind and killed him. When the case was brought to Hazrat Ali (A), he gave the decision that the blood-money for the murder of the first man, that is, the lover of the woman should be paid by herself and she should be stoned to death for the murder of the second man, that is, her husband.

(Manaqib Shehr Aashob, vol. 2, p 200 Turaq-i-Hikmia p 50).

Allama Jazaeri of Lahore has added the following note to the above judgement:- “The great scholar Allama Syed Mohsin Aamli has said with regard to this Judgement that it has been reported in the same words as quoted above, but according to the religious law the compensation for the murder of the lover of the woman was not due from her, because he had come to the house of her husband, who killed him in his defence at his own will and on his own feet.”

What Allama Syed Mohsin has said may be correct, but the blood money was, as a matter of fact, due from the woman in question because it was she who had induced her lover to

enter her bed-room at the dark of night which was otherwise impossible, hence the above decision by Hazrat Ali (A). (Ref: Abu Turab, vol. 2, p. 54).

3. A Man Killed by his Step-Mother

It has been reported in Ajaaibul Ahkaam that the step-mother of a man got him murdered with the help of several other men.

When the case of the above mentioned murder was brought to Hazrat Omar (RA) who was the then Caliph, he wondered whether only one person was to be punished for that crime or all who were involved in it.

Hazrat Ali (A) who was present at that time in the court of Hazrat Omar (RA) asked him if several people had stolen a camel how many of them were to be punished by cutting their hands?

“I shall punish them all.”

“Similar is this case,” said Hazrat Ali (A)

(Kafi -Tehzib -Qaza and Teha, p. 84).

5. One Who is Saved by Allah

A man murdered the son of an Ansari. The father of the murdered boy caught hold of the murderer and brought him to Hazrat Omar (RA), who allowed the Ansari to kill the murderer by sword as his son was killed. The Ansari gave two strokes of his sword on the neck of the murderer and thinking him to be dead went away from the scene.

The relations of the murderer who wanted to take his corpse for burial found him still breathing. They took him to some surgeon who succeeded in saving his life with great efforts.

When the Ansari saw him alive , he caught hold of him again and brought him to Hazrat Omar (RA).

Hazrat Omar (RA) ordered for his punishment again till he was dead.

Hazrat Ali (A) asked Hazrat Omar, (RA) “ Had you not ordered for his punishment to death once before?.”

“Yes”, said Hazrat Omar, (RA) “but as he is still alive, he should be struck with sword again till he is dead.”

Hazrat Ali (A) said to Hazrat Omar (RA): why twice?

The Ansari who struck him before with his sword twice was satisfied with it and had left him thinking him dead. He was punished as far the punishment under law was concerned. It would be a crime to punish him for the same crime again and again:”

Hazrat Omar (RA) was thinking over what Hazrat Ali (A) had said when the Ansari said to him:

‘Ya Ali! you are allowing the blood of my son to go in vain.

How? enquired Hazrat Ali (A)

“You are allowing the murderer to go away free before I have avenged the murder of my son.”

“Alright.”, said Hazrat Ali (A) let him strike your neck twice with his sword as you struck him before as penalty, then you strike him as many times with your sword as you like till he is dead.”

The Ansari hearing this became afraid of the result, forgave the man involved in the murder of his son and went away.

Thereafter, Hazrat Omar (RA) said to Hazrat Ali (A), All praise is for God 'O Abul Hasan! you are mercy personified from Ahlul Bait. Had not there been for Ali, Omar would have been ruined.

(Naskihut Tawarikh- Manaqib vol. 00, p 187).

Other Punishments

2. Magic

Hazrat Ali (A) has reported from the Holy Prophet (SA) who said: If two persons stand witness to the fact that some body has indulged in magic, a judge who is just and of proved good moral character can punish him by sentencing him to death. (Wafi, vol. 9, p. 69).

3. Arson

A man was brought to Hazrat Ali (A). He had set on fire the house of another man due to malice. Hazrat Ali (A) ordered the accused to pay a fine equal to the cost of the house and the effects of the house-hold. Then he ordered that the man to be beheaded.

(Wafi, vol. 3, p. 122 through Abu Turab (Urdu) vol. 2, p./189)

4. Punishment for Several Crimes in one and the Same Case

A man was once brought to Hazrat Ali (A) who had committed three crimes successively i.e., murder, theft and drinking. Hazrat Ali (A) ordered for his punishment in the following order:

1. Eighty strokes of a whip for drinking.
2. Cutting hand for theft.
3. Beheading for murder.

(Qaza & Teha., p. 183 through Abu Turab (urdu) vol. 2, p. 189-190.)

6. Fore-Warning

According to an order of Hazrat Ali (A) If an accused involved in a case in which one or more parts of some one's body are damaged or destroyed or one is even killed, no penalty

is due from him if he has given a caution before accident, such as in games.

(Wafi, vol. 3, p. 123 through Abu Turab, vol. 2. p. 194).

7. Insanity in Crimes

Muhammad bin Abu Bakr once wrote to Hazrat Ali (AS):

“An insane man has committed murder intentionally. Please write to tell me as to what punishment should be awarded to that man?”

Hazrat Ali (A) wrote back to him:

“The responsibility for paying penalty for the murder rests with the tribe of the insane man, because the mistake and intention of a mad man are equal to each other.”

8. Punishment as Reprimand or Warning

According to a report by Asbagh bin Nobata, Hazrat Ali (A) never suspended punishment even in the cases of minor children and slaves, but the punishment varied according to the ages of children and the quality of crime in case of slaves, but that too, was awarded as a warning to save them of major punishments in future.

(Qaza & Teha, p. 164; Wafi, vol. 9, p. 66 through Abu Turab (Urdu), vol. 2, pp. 195-199).

9. Punishment of Sodomy

Once Khalid bin Valeed wrote to Hazrat Abu Bakr (RA) that there was a man who was in the habit of getting the act of Sodomy committed on him (the - man). Hazrat Abu Bakr (RA) who was the caliph then asked for Hazrat Ali (A)'s advice in the matter saying that the Arabs viewed the cutting of a person into pieces a very bad thing. Hazrat Ali (A) advised that the man in question should be burnt to death. The punishment was carried out accordingly. (Arjahul Matalib, p 126).

Similarily during the caliphate of Hazrat Omar (RA) two men were seen committing the act of sodomy. When apprehended, one of them ran away, but the other was caught and brought to the court of the caliph.

Hazrat Omar (RA) when sought advice of the people in the matter, . All proposed different punishments to be awarded to the accused. Hazrat Omar (RA) then turned to Hazrat Ali (A) and asked for his advice in deciding the case according to the divine law. Hazrat Ali (A) advised the caliph to behead the man. When the punishment was carried out according to the advice of Hazrat Ali (A) and under the orders of Hazrat Omar (RA) and the body of the accused was being carried away, Hazrat Ali (A) stopped the people and said that there was another punishment yet which was to be awarded to the man who had committed such a serious crime. He then ordered the people to collect fire-wood and burn the dead body of the man.. The orders of Hazrat Ali (A) were accordingly carried out with the consent of the then caliph, Hazrat Omar (RA). (Wafi, vol. 9, p. 51).

Hazra Imam Sadiq (A) has said:

“None from among men, who considers sodomy a correct action and having religious sanction, passes his life on earth without being hit by one of the stones from Allah by which He hit the nation of Lot, and he dies of it, but the people do not see it.”

(Qasasul Ambia, p. 162).

2. Punishment of Sahq

(Carnal Copulation between two women).

A group of people came to Hazrat Ali (A) to get an problem solved by him. As Hazrat Ali (A) was not present at the moment and they were about to go back when Hazrat Imam Hasan (A) asked them about the problem, adding that he would try to solve. In case he was correct, it would be deemed to have been solved by Allah and Amir-ul-Momineen Hazrat Ali (A) and if he went wrong the responsibility would be only his. He also said that Hazrat Ali (A) was about to reach the place, but if they narrated the problem to him, he was sure to solve it (by the Grace of Allah) correctly. The people there- upon narrated the problem to him as follows:-

“A man copulated with his wife after which she copulated with a virgin whereby the virgin girl became pregnant obviously with the creative germs of the man which were still in the womb of the wife.”

Hazrat Imam Hasan (A) said: the dower of the virgin should be exorted from the wife of the man, because no child is born unless the curtain of virginity in the uterus of a woman is already removed. Thereafter, he advised

them to wait till after the birth of the baby when her mother could be punished according to provisions of the religious law. The baby after she is born, he said, was to be handed over to her father, the husband of the woman concerned, who (the woman) would be stoned to death as provided in the religious law,

After this decision by Hazrat Imam Hasan (A) the people in question returned to their respective places, but while going back they met Hazrat Ali (A) and apprised him of the decision of Hazrat Imam Hasan (A) in their case. When Hazrat Ali (A) heard of the decision of Hazrat Imam Hasan (A) in such a difficult case he exclaimed: “ By God, had you met Abul Hasan ,(meaning himself), he would have nothing to say in the case except

what Hasan has said,” (Wafi, vol. 9, p. 52, Wasael, vol.3 p. 438, also Mustadrik, vol. 3, p. 254).

An explanation Regarding Sahq And Sodomy

Hazrat Imam Jafar Sadiq (A) has narrated that whenever two men or two women were presented before Hazrat Ali (A) with the accusation that they were found under a sheet in objectionable state, he issued orders for a part of the full punishment provided by law in such cases, if there was a doubt. (Wafi, vol. 9, p. 47).

The part of the full punishment in such cases as will appear from the following report is thirty whips to ninety-nine whips provided the crime is not actually committed and the case remains doubtful, otherwise full punishment will have to be awarded as provided in the religious law.

13. A Further Explanation

“A man requested Imam Jafar Sadiq (A) to kindly explain if there was any harm in two men sleeping together under one and the same sheet. Imam Jafar Sadiq (A) asked him to clarify as to whether they were related to each other. Getting the reply from the questioner in the negative he asked if they had slept together under the pressure of any necessity, i.e., there being only one sheet available with them and when he got the reply from the man again in the negative, he said that both of them would be punished by thirty whips each. The man then asked as to what the religious law said in the matter had they committed the crime in question. In that case,” replied Imam Jafar Sadiq (A), both of them would be struck with a sword cut on the neck to the extent it goes into the neck in one blow.” Thereupon the man exclaimed that that could result in the murder of the men in question. To that the Imam (A) replied that that was the law.

The man then asked as to what was the law if two women were involved in such a case. Hazrat Imam Jafar Sadiq (A) repeated the above two answers in this case also and when he was asked regarding the law had the women committed carnal copulation with each other, he exclaimed, “Oh! In that case both of the accused women would be stoned to death.”.

(Wafi, vol. 9, p. 48).)

Explanation

It should be realised that Sahq and sodomy are such grave and serious crimes against humanity that the Mulim law has provided equally deterrent punishment for these and has totally prohibited sleeping of two men or two

women together except in, very special cases as mentioned above (compiler).

1. Imam Jafar Sadiq (A) once ordered that two women should not sleep together unless there was a certain relation between them. If they do it they should initially be warned, but in case they insist upon it they should be punished. And if they repeat the same action for the fourth time they should be stoned to death. (Abu Turab, vol. 2,p176).

2. Imam Jafar Sadiq (A) was once asked by some women about the punishment of carnal copulation between two women. He replied that the punishment for such a crime was just the same as has been ordained by Allah in the Holy Quran for adultery i.e. one hundred whips for an unmarried woman and stoning to death for a married one. And when those women said objected that there was no mention of such a case in the Holy Quran, he exclaimed: "Why not?" The people of Ras' occurring in the Holy Quran indicated the persons were indulged in this very crime.

(Wafi, vol. 9, p. 52).

Note: 'Ras' was the name of a channel near which 'Ashab-e- Ras' mentioned in the Holy Quran were residing before their complete destruction for committing the crime

mentioned above. (Compiler.)

Compensation And Penalties

1. If a Woman Aborts After She is Beaten

A certain person beat a woman, who aborted in the shape of 'Alqa', Hazrat Ali (A) fixed its compensation at forty Dinar.

(Qaza p.163).

Explaining he said that the penalty for abortion in various forms according to the command of Allah in the Holy Quran is:

Penalty for Nutfa (time of Contact of the worms of production

20 Dinars

Penalty for Alqa 40

Penalty when it is in the shape of flesh and blood 60 "

Penalty for full structure before taking shape 80 "

Penalty after the structure takes human shape 100 "

(Qaza p. 43; Abuturab Voll p. 220-223).

2. The Loss of An Eye

A man who had lost an eye was presented before Amir-ul-Momineen Hazrat Ali (A). He had lost his second eye on being hit by another person.. The penalty for this fixed by Hazrat Ali (A) was that either the person concerned should be ready to lose one eye and pay half penalty of 500 Dinars or he should pay full penalty and save his eye, the choice being his. (Qaza P/43).

3. Penalty for a Single Part of The Human Body and Life

(1 Dinar = I £ sterling)

Life 10,000 Dinars

Sight 1000 ,.

Power of Hearing 1000 "

Nose 1000 "

Power of Talking 1000 "

Both Lips 1000 “
 Both Hands 1000 “
 Feet. 1000 “
 Backbone 1000 “
 Testicles 1000 “
 Male Organ 1000 “
 Hips, if urine or stool become 1000 “
 uncontrollable.

The penalty for parts which are in pair is 1000 Dinars and for one part of the pair is 500 Dinars, but testicles and lips are exempted from this because the penalty for the upper lip is 500 Dinar, but the penalty for the lower one is 600 Dinars. Similarly the penalty for the right testicle is 2/3 of the full penalty and for the left it is 1/3 thereof.

Explanation

1. The lower lip helps prevent the food or any liquid coming out of the mouth.

2. The right testicle helps the birth of a male child.
 (Wasael -Kitab Diyyat).

4. Compensation For Wounds On The Head

If it only bleeds 10 Dinars.

If some bone becomes visible 50 “

If bone comes out 150 “

If the attack reaches the brain. .333-1/3 “

(Wafi, and Wasael -Kitab Diyyat).

5. Penalties For The Face

If mouth becomes visible. .200 Dinars.

If the wound defaces any part of the face
 after healing 50 Dinars.

If the wound reaches the jaw, 150 “

If both the cheeks are pierced. .100 “

For an irifllable hole in one of the cheeks. . 100 “

If a bone is cracked or fractured 80 “

If some bone becomes visible by a wound. . 150 “

If flesh above one Dirham or more is
 removed 30 “

If the wound becomes a mark. . 12.5 “

For an ordinary wound 10 “

6. Penalty For a Slap

If the cheek goes black 6 Dinars.

If it goes blue 3 “

If it becomes red 1.5 “

7. Penalty For Teeth

If a tooth is completely uprooted 50 Dinars.

If it goes black and the same condition continues for one year 50 “

For shaking of a tooth 50 “

For a black (Worm-eaten)???? tooth 12.5 “

(Wasael & Wafi)

8. Lobes And Nostrils

For cutting the lobe $66\frac{2}{3}$ Dinars
 For burst in the nostril $33\frac{1}{3}$ “
 9. Collar-Bone
 For fracture 40 Dinars
 For burst 32 “
 If the bone becomes visible 25 “
 If bone comes out by fracture 20 “
 For a hole 10 “
 10. Beard
 If the beard could not grow again 1000 Dinars.
 If it grows again $33\frac{1}{3}$ “
 11. Shoulder
 If correctly fitted after fracture 100 Dinars.
 For a burst 80 “
 If the bone becomes visible 25 “
 If the bone is removed 50 “
 For a hole 25 “
 If not fitted after fracture $33\frac{1}{3}$ “
 For dislocation 30 “
 12. Arm
 For fracture 100 Dinars.
 If the bone becomes visible by a wound 25 “
 If the bone is removed 50 “
 For a hole 25 “
 13. Elbow
 If fitted after fracture 100 Dinars.
 For a burst 32
 If bone becomes visible 25
 If bone is removed 50
 For a hole 25
 If not fitted after fracture $\frac{1}{3}$ Dinars
 For dislocation only 30 Dinars.
 14. Wrist
 If fitted after fracture 100 Dinars.
 For a burst 80 ”
 If bone becomes visible 25 “
 If the bone is removed 100 “
 For a hole 25 “
 If the wound reaches the bone 50 “
 If the fore-arm is fractured 50 “
 For fracture of the wrist 100 “
 15. Hand
 For fracture 100 Dinars.
 For visibility of bone 25 “
 If the bone is removed 50 “
 For a hole 25 “
 If the wound reaches the bone 100 “
 For dislocation. $66\frac{2}{3}$ Dinars.

16. Thumb

The thumb has two parts, the upper and the lower and for each part there is a different penalty:-

If the upper part is fractured and fitted again 16-2/3 Dinars

For a burst 13-1/3 “

If the bone becomes visible 4-1/6 “

If the bone is removed 5 “

For a hole 4-1/6 “

If the lower part is fractured and fitted again 33-1/3 “

For a burst 26-2/3 “

For a hole 8-1/3 “

If the bone becomes visible 8 “

If the bone is removed 16-2/3 “

For dislocation 10 “

For cutting of the whole thumb the penalty will be 1/3 of the hand i.e. 166-1/3 “

If only a portion of the thumb is cut the penalty will have to be awarded proportionately

11. Fingers And The Nails

Every finger has three different parts and the penalty is also different for each of them:-

1. The lower part which is joined to the palm if fractured 16-2/3 Dinars.

For a burst 13-1/3 “

For visibility of the bone 4-1/6 “

If the bone is removed 8-1/3 “

For a hole 4-1/6 “

For dislocation 5 “

If the whole finger is cut, the penalty will be 1/6 of the hand, i.e. 83-2/3 “

2. The middle part if fractured. 11-1/3 Dinars.

If the bone becomes visible 2-2/3 “

If the bone is removed 5-1/3 “

For a hole 2-2/3 “

For dislocation 3-2/3 “

If the whole is cut 55-1/3 “

3. The upper part if fractured 5-4/5 Dinars.

For a burst 4-1/5 “

If the bone becomes visible 2-1/3 “

If the bone is removed 5-1/3 “

For a hole 2-2/3 “

For dislocation 3-2/3 “

If wholly cut 27 “

4. If the nails grow again the penalty for each nail will be 5 Dinars, but in case it does not grow at all or grows black the penalty will be 10 Dinars for each nail.

18. The Chest and the Back

If chest is fractured and bent both side 500 Dinars.

If fractured and bent only one side 250 “

If the ribs are also fractured together with the chest on both sides 1000 “

For one side only 500 “
 For inability in moving on any side 500 “
 For fracture of the back bone if refitted 500 “
 For male breast 125 “
 For female breast 500 “
 For both 1000 “
 For each of the ribs in the sphere of the heart 25 “
 For burst 12.5
 For visibility of the bone 6.5
 If the bone is removed 7.5
 For a hole 6.5
 For each rib in the sphere of the arms if fractured 10
 For a burst 2.5
 If the bone is removed 5 Dinars.
 For a hole 2.5 “
 If the weapon goes deep into the chest or the belly 333-1/3 Dinars.
 If it pierces through 432-1/3 “
 19. Hips
 If bone of the hip is fractured 200 Dinars.
 For a burst 160 “
 For visibility of the bone 50 “
 If the bone is removed 175 “
 For dislocation 30 “
 If bent after refitting 333-1/3 “
 20. Thighs
 If the thigh is fractured 200 Dinars.
 For a burst 160 “
 If the bone becomes visible 50 “
 If the bone is removed 100 “
 For only a hole 50 “
 If the bone is bent after fracture 333-1/3 Dinars.
 21. The Knees
 If the bone is fractured 200 Dinars.
 For a burst 160 “
 If the bone becomes visible by a wound 50 “
 If the cap is removed 50 “
 For dislocation 30 “
 For a hole 50 “
 If fractured and could not be refitted. . 333-1/3 Dinars.
 22. The Legs
 If the leg is fractured 200 Dinars.
 If the bone is burst 160 “
 If the bone becomes visible 50 “
 If the bone is removed 50 “
 For a hole 25 “
 If could not be refitted after fracture. . 333-1/3 “
 23. The Feet
 If broken. 200 Dinars.

If the bone becomes visible 50 “
 If the bone is removed 100 “
 For a hole 50 “
 24. Foot Fingers
 For the whole of thumb 333-1/3 Dinars.
 The part of the thumb which is joined to the foot if broken 66-2/3 “
 If burst 26-2/3 “
 If the bone becomes visible. . 8-1/3 “
 If the bone is removed 26-2/3 “
 For a hole 4-1/6 “
 For dislocation 10 “ The upper part of the thumb having the nail if
 broken 16-2/3 “
 For a burst 13-1/3 “
 If the bone becomes visible 4-1/6 “
 For a hole 4-1/6 “
 If the bone is removed 8-1/3 “
 For dislocation 5 “
 If wholly cut the penalty will be half of what is for the whole foot.
 For nail of the thumb 30 “
 For the part of each finger which is joined to the foot if broken 16-1/3 “
 For a burst 13-1/3 “
 If the bone becomes visible 4-1/6 “
 If the bone is removed 8-1/3 “
 For a hole 4-1/6 “
 Penalty for the whole finger 83-1/8 “
 For lower part of each finger if broken 16-2/3 “
 For a burst 13-1/3 “
 If the bone becomes visible 4-1/6 “
 If the bone is removed 8-1/3 “
 For a hole 4-1/6 “
 For dislocation 5 “
 The middle part of the finger if broken 11-2/3 “
 For a burst 8-4/5 “
 If the bone becomes visible 2 “
 If the bone is removed 5-2/3 “
 For a hole 2-2/3 “
 For dislocation 8 “
 If the whole finger is cut down 55-2/3 “
 The upper part which has the nail if broken 5-4/5 “
 For a burst of the same 4-1/5 “
 If the bone becomes visible 11/3 “
 If the bone is removed 2-1/5 “
 For a hole 1-1/3 “
 For dislocation 2-4/5 “
 In case it is cut down 27-4/5 “
 Penalty for each nail 10 “
 (Wafi, & Wasael -Kitab-i-Diyyat).
 25. The Tongue:

Compensation of a part of the Tongue:

It has been described in the "Majmua" by Ibn-i-Maizaban that a man came to Hazrat Omar, (RA) and complained to him that a man had cut a part of his tongue with the result that he could not speak properly.

Hazrat Omar (RA) found it difficult to fix the penalty for that crime. He, therefore, turned to Hazrat Ali (A) who was present at that time for a solution as to whether penalty for the whole tongue should be fixed or for the part which was cut and as to what should be the amount of the penalty?

Hazrat Ali.(A) advised him to let the man pronounce all the alphabets. The number of the alphabets he could not pronounce or pronounced with difficulty should be deducted from the total number of the alphabets of the Arabic language and the penalty should be fixed accordingly.

26. Penalty to the Inheritors of a Murdered Man whose one Hand was already Cut

It has been reported by Kulaini who reported it from Imam Jafar Sadiq (A) and the latter reported it from 'Kitab-i-Ali' that a man murdered another man intentionally, but one hand of the murdered man was already cut either for penalty or by some one out of enmity.

Hazrat Ali (A) said that if the hand of the murdered man was cut for penalty he still stood responsible for it, but if it was cut down by some one out of enmity and as a mark of cruelty the inheritors of the murdered man should return the amount of penalty, if already received by him as penalty, to the inheritors of the murderer before murdering him. In the former case they may not pay any thing and murder the murderer for murdering their legator or alternatively they can receive full penalty in cash from the murderer for the murder .

27. A Case of Penalty with Regard to Drunkards

Four persons drank wine, quarrelled among themselves and stabbed one another with the result that two of them died on the spot and the two other who survived were wounded in the brawl. Hazrat Ali (A) ordered for eighty whips each to the wounded and also ordered them to pay the penalty to the inheritors of the deceased after deducting the penalty for their wounds. He also added that in case any of the wounded persons or both of them died then inheritors had nothing to pay to the inheritors of the murdered.

According to another report he said that the penalty was due from all the four tribes of the persons concerned. The amount of penalty which had to be paid to the wounded would however, be deducted from the total amount of penalty to be paid to the inheritors of the murdered because it was quite possible that they might have murdered each other, (Manaqib Sher Aashob: vol. 2,p.200 through Abu Turab: p. 227).

29. The Compensation with Regard to a Drowned Man

Six persons were once swimming in the Euphrates. One of them was drowned. Two of them came to Amir-ul-Momineen Hazrat Ali (A), and complained to him that the three other had drowned him, while they complained the two who had complained to him previously had themselves drowned him and were simply accusing them to save their own skin. Hazrat Ali (A) ordered that the total amount of the penalty should be shared equally

by all the five of them and paid to the inheritors of the sixth man, who was drowned (Manaqib hehr Aashob: vol. 2, p. 200).

30. Four Persons who Fell Pray Prey to the Paws and Jaws of a Lion.

It has been reported by Ali bin Ibrahim Qurni on the authority of Imam Jafar Sadiq (AS) that when the Holy Prophet (SA) sent Hazrat Ali (AS) to Yeman a very extraordinary case was brought to him there which he decided wonderfully.

The residents of Yeman had dug a deep hole like a well in the ground in the vicinity of the town to corner a lion, who had become a danger for them and the herds of their cattle and the lion fell therein one night as was intended by them. The next morning a huge crowd gathered together near the deep hole to see the lion caught therein. The crowd was willing to have a glance of the lion before everyone else with the result that the first man who was ahead fell in the hole. He caught another man behind him to save himself from falling in the hole and escape the jaws of the lion caught therein. The second man in turn caught hold of another one behind him and similarly the 3rd one also caught hold of another for the same purpose resulting in the fall of all the four in the deep and big hole and a prey to the angry lion.

Consequently the relations of the first man demanded penalty from the relations of the second man and those of the second from those of the third and similarly those of the third man from the relations of the fourth man and all of them put the blame on the other turn by turn.

As the matter could not be decided by argument they were about to decide it by swords. Then some one among them said:

“Let us go to Hazrat Ali (A) and get the case decided by him.” So they all came to Hazrat Ali (A), who decided the case as follows:-

The relations of the first man should be paid 1/4 of the penalty from the crowd, the second 1/2, the third 3/4 and the crowd should pay full penalty to the relations of the fourth one.

A part of the crowd agreed to the decision of Hazrat Ali (A), whereas others did not. Therefore, Amir ul-Momineen Hazrat Ali (A) said to them:

If you do not accept my decision unanimously let the Holy Prophet (SA) decide the case at the time of the next pilgrimage at Mecca. To this they unanimously agreed. But when the case was presented before the Holy Prophet (SA) at Mecca, and he was about to give his judgement, one of the parties told him that it had already been decided by Hazrat Ali (A). On asking as to what decision was previously given by Hazrat Ali (A), the party informed the Holy Prophet (SA) of the decision given by Hazrat Ali (A) to which the Holy Prophet (SA) said that it was the only righteous decision which could be given in the case.

According to some other report the Holy Prophet (SA) had said that the decision given by Hazrat Ali (A) was the one commanded by Allah. (Zakhair-ul-Uqba: p. 84; Manaqib Shehr Ashob: vol. 2, p. 176).

Kulaini has also reported this with some difference.

Explanation

There were four causes of the death of the first man: The push of the pressure of the crowd and the fall of the three other persons on him, But had

he not pulled the second man, he and the other two would not have fallen on him. Thus he was himself responsible for $\frac{3}{4}$ cause of his death, hence $\frac{1}{4}$ of the penalty. Similarly the causes of the second man were three: the push of the crowd and the fall of two persons on him, hence $\frac{3}{4}$ of the penalty. The causes of the death of the third person being two, i.e. the push or pressure by the crowd and the pull by the second man, hence the amount of penalty ordered to be paid to him was fixed at $\frac{1}{2}$.

The cause of the death of the fourth and the last man was only the push or the pressure of the crowd and in view of the fact that he did not pull any body, the crowd and only the crowd was , responsible for his death. He therefore, deserved full penalty.

It may, however, be argued that the crowd was responsible for the death of all the four persons why then a part of the penalty should be deducted proportionately from the full amount of penalty due to each of them. The answer is that the first and the two other persons had on their parts created a cause for their deaths while the fourth had not. Therefore, the amount of responsibility for the cause of death rested proportionately on

their own shoulders, hence the proportionate deduction. The fourth has no such cause except the push or the pressure of the crowd. Therefore, his relations were duly ordered to be paid full amount of the penalty of his death.

31. The Three Acrobat Girls

Ali bin Ibrahim Qurni has reported in Ajaebul Ahkam that a young girl was playing with some of her play-mates. She ascended the shoulders of one of her play-mates during the play. Another girl among them pinched the girl on whose shoulders the first girl has ascended. She jumped up and threw the girl on her shoulders on the ground. Unfortunately, the girl who fell on the ground could not survive the hurt.

When the case was brought to Hazrat Ali (A), he ordered:

“The penalty should be divided into three equal parts. The first part should be paid by the one who threw the girl and the second part should be paid by the girl who pinched the girl who had the deceased on her shoulders and threw her on account of her pinch.

As for the third part none owed it to the parents of the girl, because she had herself ascended on the shoulder of her play-mate out of fondness of the acrobatic feats.”

(Irshad Mufid; Manaqib Shehr Ashob: vol. 2, p. 177; Nasikhut Tawarikh: vol. 2 p. 730).

32. Compensation for Hurt or Death by Quadrupads

Hazrat Ali (A) also declared: If some one is hurt and dies by the fore legs of a quadrupad the owner is responsible to pay the penalty, if by the hind he is not. In case the animal is teased or hit by anyone, the one who teases or hits him is responsible for the penalty.

33. Orders in Case of Dog -Bite:

Amir-ul-Momineen Ali (A) decided the cases of dog-bites as follows:-

I. The owner is responsible for paying the penalty to the person concerned if his dog bites some one during day time, if at night he is not,

because he has the right for the safety of self and the safe-guard of his property by keeping a dog and unchaining him at night. (Wafi vol.3 p. 126).

2. He (A) also declared that if anyone enters the house of the owner of the dog with his permission he is responsible for the bite and the penalty, therefore, is due from him. (Wasael: Wafi, vol. 2I, p. 125).

34. Compensation for Loss by Grazing or Trampling by the Quadrupeds

If some farmer sustained a loss by grazing or trampling of his crops by the quadrupeds of another at day he (A.S) did not hold the owner of the quadruped responsible for it and get the farmer compensated therefor. But if such a case occurred at night, he held the owner of the quadruped responsible for it, his plea being that the night is meant for rest and the owner of the crop is not responsible for keeping watch over his farms then.

He, therefore, ordered the owners of the quadruped to take care of them at night and compensate the one who had sustained any loss by his carelessness. (Wasael: vol. 3, p. 493).

35. Cases of Trampling under the Feet of a Crowd and Loss of Life Thereby

Hazrat Ali (A) declared that in case some person is trampled and killed and the one who trampled and killed him is not traceable the relations of the deceased should be compensated by the Government Treasury. (Wafi, vol. 3. p. 124).

36. Mistake in Judgement

If some one was sentenced to death by mistake and under the circumstances beyond the control of a Qazi (Judge) and it was later proved that the sentence awarded was wrong, the amount of penalty for the death of the deceased was paid to his inheritors from Govt. treasury under the orders of Hazrat Ali (A).

(Wafi, vol. 2I, p. 127).

37. Penalty for the Eye of a Horse

Some one hit the eye of a horse. Hazrat Ali (A) ordered the accused to pay 1/4 of the price of the horse to the owner. The price was calculated at the prevailing rates on the day

when the horse had lost its eye. (Wafi, vol. 2I, p. 130).

38. Compensation for a Pig

A Muslim killed the pig owned by some Christian. Hazrat Ali (A) ordered the Muslim to pay the penalty therefor to the owner of the pig.

Witnesses

1. Eye Witness of a Judge is not Sufficient for Punishing an Accused in a Case of Adultery

It has been reported by Umme Kulthoom, daughter of Hazrat Abu Bakr (RA) on the authority of Hazrat Omar (RA) who said that he was once petrolling at night in Medina when he saw a couple in a half demolished house engaged in the act of adultery. Next morning, he asked the people if the Caliph sees some body committing adultery, could he punish the culprit at his own accord, i.e., would that one eye witness of the Caliph himself be sufficient for framing the charge of adultery fagainst the culprit and punish on that account.

All the people present in the court of the Caliph including his advisers and some of the senior companions of the Holy Prophet (SA) said with one voice:

“What more witness than the eyewitness of the Caliph himself is required for punishing the culprit in a case of adultery.”

Hazrat Ali (A) when heard the above unanimous advice of all the people present in the court of Hazrat Omar, (RA) he said to him Hazrat Omar (RA) In that case you would yourself be punished for false imputation, for a full evidence required in each case of adultery under the religious law is equal to four witnesses without any exemption whatsoever.

The report adds that the same question was put to people by Hazrat Omar (RA) and they replied in the affirmative except Hazrat Ali (A) who replied in the negative (Qaza & Teha) p. 43, through Abu Turab (Urdu), vol. 2 p. 201).

2. When Witnesses Find no Way Out

Three persons once came to Hazrat Ali (A) to record their witnesses in a case of adultery. Their statements recorded, Hazrat Ali (A) asked them as to where was the fourth witness. They replied:

“He would come just now.”

Hazrat Ali (A) ordered them to be punished for false imputation saying that four witnesses were required in a case of adultery as commanded by Allah in the Holy Quran and that the punishment in a case cannot be suspended for a moment for want of a witness which is said to appear in the court later. (Qaza) p. 55, through Abu Turab vol. 2, p. 202).

3. Four Unjust Witnesses

Four persons once came to Hazrat Ali (A) to stand as witnesses and record evidence in a case of adultery. Amir-ul-Momineen Hazrat Ali (A) when made a private enquiry about them, they were found to be unjust and also not of good moral character. Hazrat Ali (A) ordered for their punishment for false accusation. (Qaza and Teha, p. 166, also Qaza, p. 55, and Abu Turab, vol. 2, page 202).

4. Cases Wherein Only One Witness is Acceptable

It has been reported by Imam Jafar Sadiq (A) that Hazrat Ali (A) used to decide the cases of loan against only one witness also as well as on taking oath by the appellant (Wafi, vol. 3, p. 148).

Explanation

About cases as the one above Hazrat Imam Muhammad Baqir (A) says as follows:

If the administration of a state is in our hands i.e., the Muslims we can decide a case even on the production of one good witness only provided the case belonged to rights of the masses, but if the case concerned the rights of Allah or the visibility of Moon, one witness would not suffice. (Wafi, vol. 3, p. 148).

5. Witness by Women

According to what Hazrat Ali (A) has said witnesses of women are acceptable in cases of marriage but not in cases of divorce.

Also said Hazrat Ali (A):

“If three men and two women are produced as witnesses they are acceptable in a case wherein the culprit has to be sentenced to death by stoning, but if the number of men in such cases is only two and that of women four they are not acceptable.”

(Wafi., vol. 3, p. 142).

6. Witnesses of Women in Cases Particular to Females

A virgin girl who was accused of having committed adultery was once brought to Hazrat Ali (A). He ordered a few women to examine her in private and say as to whether she was still virgin or the sign of her chastity was removed.

The women appointed by Hazrat Ali (A) for examination of the accused girl reported to him that the girl was still virgin. Hazrat Ali (A) then exclaimed:

“How can I punish a girl accused of adultery when she has been found still virgin according to the report of her own sex.” (Wafi vol. 3, p. 143).

7. Witness of a Women in Case of Will

In a case of a will left by some deceased person a woman was produced as witness. Hazrat Ali (A) decided that in such a case if only one woman is produced as witness, her witness will be acceptable only with regard to that part of the will concerned. (Wafi, vol. 3, p. 144).

8. Witness of Children

According to what Hazrat Ali (A) said witness of minor children is acceptable in cases concerning themselves provided they come direct to report the matter to the authorities concerned before they see their elders who are their guardian. (Wafi, vol.3, p. 145).

9. Witness of Enemy

According to what Hazrat Ali (A) said the witness of an enemy of the one accused in a case is not acceptable. (Wafi, vol.3, p. 148).

10. Witness of a Spy, Face Reader or a Thief

Said Hazrat Ali (A) “I would not accept the witness of spy, face-reader or a thief unless they stand witnesses in their own cases wherein they do admit their crimes.” (Wafi, vol. 3, p. 148).

11. Contradictory Witnesses

If two or more witnesses appeared in one and the same case and their evidences were recorded by Hazrat Ali (A) and all the witnesses appeared to be of good moral character and following justice by experience in public, but their statements were found to be contradictory to one another Hazrat Ali (A) decided the case by ballot, and also took oath from the one in whose favour the ballot was drawn (Qaza, p. 133).

12. Contradiction in Evidence

It has been reported on the authority of Imam Baqir (A) that when Qudarabin Mazoon was brought before Hazrat Omar (RA) with the accusation that the poet named above was found drunk in public and two witnesses were produced against him as evidence to his crime, one of the witnesses happened to be a castrate. Besides the statements of the two witnesses in so far as the evidence with regard to drinking of wine by the famous poet Qudama was concerned happened to be contradictory to each other.

Hazrat Omar (RA) finding it difficult to decide the case called the companions of the Holy Prophet (A) including Hazrat Ali (A) for consultation, particularly the last named person i.e. Hazrat Ali (A) and said to him.

“Ya Abul Hasan! What do you say in this case, because what you will say in the matter will be most welcome and acceptable as according to a tradition of the Holy Prophet (SA) you are the most learned among us all and your decisions are all the righteous ones I, therefore, implore you kindly to decide this case for me.”

“Hazrat Ali (A) advised Hazrat Omar (RA) as follows:

“Although apparently there is contradiction in the statement of the two witnesses with regard to the evidence to drinking by Qudama bin Mazoon i.e., according to the one he was found drinking whereas according to the other he was found vomiting Wine, but if the two things are put in proper perspective they would appear to be equal to each other because as far as the religious law about drinking is concerned, drinking of wine and vomiting it is just one and the same.”

When Hazrat Omar (RA) further asked him Hazrat Ali (A) if the witness of a castrate was acceptable under the religious and ecclesiastical law, Hazrat Ali (A) replied as follows:

“Why not? The penis (male organ) is just equal to any other part of the body. Therefore, if a man is castrated it is just as if any other part of his body was cut off. Hence the witness of a castrate is as well acceptable as that of any other man without a limb.” (Qaza p. 42, also see Kafi).

13. Punishment for a False Witness

If a person accused of standing as a false witness in a case when brought to Hazrat Ali (A), he punished him by parading him as a public example through the streets of Kufa if he belonged to it otherwise in case of his being a traveller through the streets of the city to which he belonged. (Wafi, vol. 9, p. 73 through Abu Turab (Urdu) by Allama Jazaeri of Lahore, vol. 1, p. 208).

Psychological Points

1. How to Recognize the Status of a Person

It has been reported by Imam Jafar Sadiq (A) that during the caliphate of Hazrat Ali (A) a man went on pilgrimage to Mecca accompanied by his slave. During the journey the master punished his slave for some mistake on the latter's part. The slave took it so ill that he became deadly against his master so much so that he refused to be his slave. He instead claimed to be the master of his own master and the quarrel continued throughout the journey till they both reached Kufa on their way back home. On their arrival at Kufa the master said to his slave:

“O ye! the enemy of Allah. Let us go to Amir-ul-Momineen Hazrat Ali (A) and let him decide the case between the two of us.”

When Hazrat Ali (A) granted them audience the master said to Amir-ul-Momineen:

“Ya, Amir-ul-Momineen, This is my slave. I had punished him for some mistake on his part while going to Mecca on pilgrimage. Ever since he refused to be my slave and instead says that I am his slave.”

When ordered by Hazrat Ali (A) the slave took an oath to the effect that he was the master and not the slave and his father had sent him on pilgrimage to Mecca with him as a guide for performing 'Haj'.

“Now, further proceeded the slave, this man claims to be my master instead of being my slave with the intention to taking possession of my property.”

The master when ordered by Hazrat Ali (A) to tell the truth, he also said on oath that he was the master and that his companion was telling a lie.

Hearing them both, Hazrat Ali (A) ordered them to attend his court the subsequent day for a decision in the case. Meanwhile, Amir-ul-Momineen Hazrat Ali (A) ordered his orderly Qambar to make two holes in a wall of his court. People who had heard the two persons pleading their cases before Hazrat Ali (A) became very much interested to see as to what decision Hazrat Ali (A) would give the next day in such a complicated case. So, they and many others who heard of that strange case assembled and went to the court of Hazrat Ali (A) to see as to what judgement he would deliver therein.

The next day when the master and the slave went to Hazrat Ali (A) for a decision in their case as promised by him the previous day, he ordered them to put their heads across the holes in a wall Qambar had already made under his orders.

When both of them had put their heads across the holes in the wall as had been ordered by Hazrat Ali (A), he ordered Qambar dramatically as he had brought home the slave to previous day.

“Qambar! cut off the head of the slave with one stroke of your sword.”

No sooner heard, the man who actually was the slave pulled back his head from the hole in the wall.

Seeing this Hazrat Ali (A) said to him: “Were you not saying yesterday that you were the master and not the slave and had you not even taken an oath to that effect?”

The slave replied, apologetically:

“Ya Amir-ul-Momineen, I am no doubt the slave of this man, but as he had beaten me red and blue for a very slight mistake I refused to be his slave.”

(Kafi, Nasikhut Tawarikh, vol. 3, p. 738, Manaqib, vol. 2, p. 200).

3. The Refusal of a Mother to Own Her Son

Asim bin Zaura has been quoted by the author of Hadaiqi Abu Turab as follows:-

“I saw a young man at Madina making a hue and cry and saying aloud, ‘O God! You are the one who can decide between me and my mother.’” According to Asim bin Zaura Hazrat Omar (RA) was passing by the place where the above mentioned young man was addressing Allah as quoted above.

“When Hazrat Omar (RA) asked him as to why he was cursing his mother, the young man said as follows: “O the Caliph of the Muslims: My mother bore me in her womb for nine months. Then she gave me birth and nursed me for two years. But now when I have grown up a man she refuses

to be my mother. Not only that she has turned me out of her house and says tha, I am not her son.”

“On enquiry by Hazrat Omar (RA) as to where his mother lived the young man gave him the address of her house.”

“When Hazrat Omar (RA) sent for the woman in question she came to him accompanied by her four brothers and forty other persons of her tribe.”

“When she was asked by Hazrat Omar (RA) as to why she had turned out her son, she told him that the young man was a liar and that she did not even know as to who he was.”

“Proceeding further the woman told Hazrat Omar (RA) that she was a virgin haling from a tribe of Quresh and that the young man most probably desired to defame her.”

When asked by Hazrat Omar (RA) her four brothers and the forty men of her tribe who had accompanied her also confirmed on oath what she had told him. Although the young man said repeatedly and also took oath before Hazrat Omar (RA) that the woman in question was his real mother yet she denied it also on oath, that she was not. Moreover, the youngman had no evidence to prove and support his claim while the woman had not only her four brother but also the forty men who confirmed unanimously what she had said. Therefore Hazrat Omar (RA) could not but order for punishing the youngman by whipping him for false imputation against a virgin.”

When the young man was being carried for punishment under the orders of Hazrat Omar, (RA) he saw Hazrat Ali (A) who happened to pass by that way only by chance and yelled

“O the cousion of the Holy Prophet (SA) ! I am an oppressed man. Kindly help me.”

Hazrat Ali (A) asked him as to what had happened to hit and when the young man related his story to Amir-ul-Momineen. Hazrat Ali (A) he ordered the people who were taking him for whipping to take him back to Hazrat Omar (RA) and he himself also accompanied them.”

When the people took the youngman back to Hazrat Omar (RA) he asked as to why they had come back. They told him that the had done that under the orders of Hazrat Ali (A).

Hazrat Ali (A) said to Hazrat Omar (RA):-

“Could you allow me to reopen and decide the case on your behalf?”

“With pleasure, said Hazrat Omar (RA) and also added: “How could I deny you that right when I have heard the Holy Prophet (SA) saying that you were the most learned man among us all.”

“Then, Hazrat Ali (A) sent for the woman in question who came accompanied again as before by her four brothers and the same forty men of her tribe. And when ordered by Amir-ul-Momineen Hazrat Ali (A) she repeated the same statement which she had given before Hazrat Omer. (RA) Her four brothers and the forty men of her tribe also confirmed her statement, again on Oath.”

“Finding her adamant Hazrat Ali (A) said to her “Do you know who am I? and do you also know that nothing remains hidden from me when I turn to Allah to let me know it?”

“In turn the woman although affirmed that she knew Hazrat Ali (A) well and also his qualities as an Imam, yet she remained adamant in her previous statement i.e., she was a virgin and that the young man simply wanted to share her property fraudulently.

Seeing no other way out Hazrat Ali (A) asked the young man if he objected to his adopting him as his son, so that he could become and treated as his two other sons, Hasan & Husain (A). The young man did not only agree to the Proposal of Hazrat Ali (A) but also thanked him a great many times therefor. Hazrat Ali (A) then asked the four brothers of the woman, who were also her guardians as to whether they agreed to his marrying the woman whom they had stated to be a virgin to the youngman to which they agreed. Hazrat Ali (A) had already asked the woman as to who her guardians were and she had

pointed to her brothers. This done, Hazrat Ali (A) said to the people present there at that time, including Hazrat Oamar (RA):

“With the witness of Allah and all of you present here I marry this girl, with the permission of her guardians to this young man and fix four hundred Dirhams as her lower which I shall pay from my own pocket.”

“Saying this Hazrat Ali (A) ordered Qamber, his personal servant, to bring four hundred Dirhams from his (Hazrat Ali (A) house and give to the young man.”

“He then asked the young man.” to put those four hundred Dirhams in the skirt of the garment of the woman in question and take her home and pass the night with her as her husband.”

“Hazrat Ali (A) also ordered the young man to report to him the next morning that he had complied with his orders.”

Hearing all this the woman yelled:

“Fie! Ya' Ali ! fie! Do you want me to go to Hell? This young man is my real son! Allah will not forgive me ! I go with him as his wife and how on earth could I?”

“Thereafter she told Hazrat Ali (A) that her husband was a man of very ordinary means to whom her brothers had married her in order to usurp the share she had inherited from her father and then they wanted to deprive her son of whatever little property her husband who had died in some other country while on journey had left.”

“Therefore, she proceeded further,” they had forced me to state before Hazrat Omar (RA) as well as before you.”

“However” she said, I offer penitence to all for what I have wrongly stated and hope that you would also forgive me therefor.”

“Having said that she held the hand of the young man and went away”, concludes Asim bin Zaura as quoted in Hadaeqi-

Abu- Turab.

Note: Allama Majlisi has also incorporated in his records regarding the judgements of Hazrat Ali (A) a similar story on another authority with the only difference that the witnesses produced by the woman mentioned in that story were seven women and they were all bribed by that man as well as the woman examined her under the orders of Hazrat Ali (A). However, both the

above records which are most authentic ones bear a clear proof of the rare psychological wisdom possessed by Hazrat Ali (A).

Mathematical Problems

1. The Equal Division of Seventeen Camels Without Friction

Three persons had a dispute about the division of seventeen camels. The ratio of their share was $\frac{1}{2}$, $\frac{1}{3}$ & $\frac{1}{9}$ and they could not divide the figure of seventeen proportionately without friction.

Finding no way out they wanted to cut one camel into pieces for the purpose of the correct division, but before acting upon this last alternative, they took their problem to Hazrat Ali (A), for they were sure it was he who was capable of solving their problem.

Hearing their problem Hazrat Ali (A) asked them if it was agreeable to them to add one of his own camels to their seventeen camels and make the total eighteen. As they agreed to it, he gave half of the total number of the camels i.e., nine to the first man ($\frac{1}{2}$ of the total), and six to the second man making $\frac{1}{3}$ of the total, and two camels to the third man which is $\frac{1}{9}$ of the total. Thus all the three men got the camels divided according to respective shares, the total amounting to seventeen only. Thereafter he took back his own camel. Thus he solved the problem of dividing the seventeen camels proportionately according to their respective shares to their satisfaction and displeasing none of them and without cutting one of the camels into pieces. (Nasikhut Tawarikh vol. 3, p. 757).

2. The Problem of Eight Breads

Two persons while travelling on a road sat under the shade of a tree for lunch. One of them took out of his big five breads and the other took out three breads out of his bag and put them near the five breads of his companion making the total number of the breads to eight. They had not yet started eating when a third person happened to pass by them.

Invited by the first two, the third man also sat with them and shared their lunch and while departing after meal, he gave them eight Dirhams against the share of the food he had taken with them.

After he had gone, the first two travellers started quarrelling about their portions in the eight Dirhams. One of them who had five breads claimed to have five Dirhams reasoning

that it was his due, but his companion who had three breads did not agree to such a division also reasoning that the stranger who had shared their food had not given them the eight Dirhams to them to share proportionately according to the number of breads they had. Moreover, he argued that the share of the stranger was equal to each of their own. Therefore, he claimed that what the stranger had given them had to be divided equally. Finally they decided to approach Hazrat Ali (A) for a decision between the two. Having heard the case Hazrat Ali (A) first advised them for a compromise and when they did not agree, particularly the one who had three breads, he solved the problem as under:

He said to the one who had three breads and had taken the case to him with the claim that half of the eight Dirhams, i.e., Four Dirhams was his due share:

“If you want a righteous decision in the case you should have only one Dirham which is your due actually. When requested to explain he enlightened him as follows:

He asked him; “Had you not had only three breads and your companion five of them?” When he replied in the affirmative he said; “The total of the breads you both had i.e., eight divided into three bits comes to twenty four. And as you say the stranger shared your food equally he should have eaten eight bits, i.e., only one of the nine bits of your breads, seven of them eaten from other's, that is why you should have only one Dirham for only one bit of the eight bits of breads which the stranger ate.

Feeling uneasy at the above decision of Hazrat Ali (A) the claimant who had taken the case to him agreed to the compromise he had advised for and to the offer of three Dirhams made by his companion. (Zakhaerul Uqba, p. 84, also Kafi)

Physics

Following are a few cases relating to physics decided by Hazrat Ali (A):

1. Compensation Judgement in Case of the Loss of an Eye

Once a slave of Hazrat Othman (RA) hit the eye of a bedouin resulting in the loss of his eye. The bedouine took the matter to Hazrat Othman, (AR) who tried to patch up the matter by offering full penalty of the eye of the complainant, but he would not agree.

Hazrat Otman (RA) then offered him the double of the amount fixed as penalty for an eye by the religious law, but the bedouine would still not agree to the offer but insisted on taking th eye of the slave out as an exchange of his eye which was lost by the hit of the slave.

HazratOthman (RA) was confused as what to do thereafter and referred the case to Hazrat Ali (A) who first tried to make the bedouine to accept the offer, but when he would not agree despite all the possible efforts of even the Holy Imam (A), he sent for a patch of cotton put in the water and placed it in the eye of the slave, leaving the pupil open. Then, he sent for a mirror and put it in the sun and ordered the slave to see the sun therein with that eye till the sight thereof was lost, but the eye ball remained intact (Wafi, vol. 9, p. 99)

2. Medical Examination of an Eye

A man's head was hit by some body also whereafter the man who was hit claimed that his eye sight had become weak thereby.

Hazrat Ali (A) examined his eye in the following way: He held an egg in his hand and asked the man to stand at some distance and say as to whether he could se the egg. When

the man in question replied in the affirmative he made the man to get back to a certain further distance and again to a little more. Hazrat Ali (A) repeated this action till after the man said he could not see the egg. He also repeated this action keeping the egg in the circumference of a horizontal line and marking the target in each case. He then measured the various distances in each case and found all the distances i.e., right and left and up and down and announced that the claim of the man was correct otherwise, he said, there must have been a difference in the various distances measured by him.

He then repeated this action in respect of another man, who had hit the first man in question whose eye sight had become defective as a result of his hit, to pay him penalty according to the difference of his eye sight as compared with the man whose eye sight was normal. (Wasael, vol. 3, p. 405, Mustadrik, vol. 3, p. 285 through Abu Turab (Urdu) by Allama Jazaeri vol. 2, p. 308).

3. Examination of Eye Sight, the Power of Talking and that of Smelling

It has been reported in the book Ajaibul Ahkam that a man was struck on the head of by another person with something hard. The man who was struck claimed that he had lost his eye sight as well as his power of talking and that of smelling as a result of that stroke.

Hazrat Ali (A) said if the man was correct, he deserved to receive penalty on all the three counts. When asked as to how was it possible to check that the claim of the man in question was correct, Hazrat Ali (A) said as follows:-

(i) "As regards his eye sight the man will be made to stand in the open and cast his eyes on the sun. In case he could and did not shut his eyes his claim of losing his eye sight would be correct."

(ii) In the case of the power of smelling he would be made to inhale the smoke of a patch of burning cotton. If he does not make signs of feeling sensation in his nose and also does not shed tears by the effect thereof his claim of losing his power of smell would be deemed as intact.

(iii) In the case of power of talking the tip of his tongue would be pricked with a small needle. If the drop of blood which would come out of his tongue is red he would be deemed to possess power of talking and only as malingering there about. But if the drop of blood is black he would be deemed as correct in his claim. He also advised to examine all the dumbs in the same manner. (Wafi, Kafi and Turaqi Hakmia, p.49).

4. Counting of the Beats of Breathing

A man struck the chest of another man who claimed that it had affected the regularity of his breathing. Hazrat Ali (A) decided the case by counting the beats of his breath in the following manner.

According to Hazrat Ali (A), the breath of a person remains for some time in ones right nostril and sometimes in the left. In the early morning till sunrises he said it remains in the right nostril. Therefore he counted the breath of the man in question while it was in the right nostril and then the next morning that of another man supposed to be possessing regularly breathing and then made the man who had struck the complainant pay the latter a penalty therefor according to the difference between normality and irregularity of the latters breathing. (Qaza p. 150)

5. The Sign of Chastity in a Virgin

A man filed a suit against his wife in the court of Hazrat Ali (A) accusing her that she did not possess the sign of virginity.

Hazrat Ali (A) told the man that thin skin in the womb of a virgin, which is usually supposed to be the sign of her virginity some time bursts automatically in jumping and also during a play wherein jumpings is freely required and dismissed the case he had taken to his court against his wife. (Qaza-wa-Teeha, p. 165).

Cases Wherein His Knowledge of Geometry was Displayed

1. The Weight of a Fetter

Two men saw a slave walking through a street with a fetter on one of his feet. One of the men said:

“The weight of the fetter on the foot of the slave is so much and if it was not my wife stands divorced.”

The other man suggested that the weight of the fetter was different one and he also made a bet that if the weight thereof was that which was suggested by his companion his wife would stand divorced.

Agreeing to the bet they both went to the master of the slave and requested him to take out the chain from the foot of his slave so that it could be weighed. They also mentioned

to him the bet they had made.

The master of the slaves when heard of the bet he told the two men that he had taken an oath that the fetter would be removed from the foot of the slave after completion of a certain period of time and that if he removed it before the expiry of that period of time his wife would also stand divorced. Therefore, he said, he could not remove the fetter from the foot of his slave before the expiry of that period of time.

When the case was taken to Hazrat Omar (RA) he ordered the two men who had made the bet to divorce their wives, because he could not order the master of slave to remove the fetter from the foot of his slave before the expiry of the period of time in question under any rule or practice of human society or under any clause of the religious law.

When Hazrat Ali (A) heard of this decision of Hazrat Omar (RA) in the case in question by the two men who had gone to him with an appeal, he said to them that it was quite easy to take the weight of the fetter without removing it from the foot of the slave.

He then sent for a big pot open on all sides and deep enough to contain sufficient water for drowning the foot and the fetter of the slave therein.

When the slave put his foot with the fetter thereon in the pot containing the fixed quantity of water, the water rose to a certain point in the pot which was marked.

When the fetter of the slave was raised towards the knee of the slave with the help of thread tied to it, the level of water fell down to a certain point in the pot, which was also

duly marked under the orders of Hazrat Ali (A).

Then he ordered for putting iron dust in the pot slowly and gradually so that the water could rise to the first mark. There after, he ordered the slave to take out his foot from the pot to let the water fall down to its original level in the pot where after he ordered the weighing of the iron-dust saying that that was the weight of the fetter. (Tehzibul Ahkam; Biharul Anwar, vol. 9, p. 465).

2. How He Weighed An Iron Gate

Once a dispute arose between some persons who had ordered for an iron gate and the blacksmith who had made it about the weight of the iron used therein. The man who had ordered for it said it was not the weight he had ordered for whereas the blacksmith said that it was. They could not

obviously weigh such a huge gate there being no means available then to weigh such big things as there are today When the case was taken to Hazrat Ali (A) for a decision between the two opposite parties, he ordered them to place the gate on a boat and mark the point to which the water of the river rose on either side of the boat. The gate was then removed from the boat and some bags full of dates were loaded on the boat allowing the water to rise up to the point of the sides to which it had risen under the weight of the gate. He (A) then ordered them to weigh the bags of the dates in an ordinary scale and find out the weight of the gate thereby, because, he (A) said the weight of the gate would be the same as that of the weight of the total number of bags of the dates.

Finance

1. A Camel Shared by Three

Three men shared a camel equally. One of them tied his forelegs and went away for some work. In the meantime, the other two returned to their place of stay and untied one leg and

they also went away together. The camel in their absence, walked with one untied leg off the place where the first man had tied him and fell in a well and wounded himself by the fall. The two men returned again, saw the camel fallen in the well, got him out somehow or other, and butchered him and sold the meat for collecting some money in view of a little compensation for the loss.

When the first partner returned, he saw the skin of the camel. On enquiry, the two other partners told him what had happened. He took an objection to it, and rather complained against their untying the camel which resulted in the heavy loss to him.

He then took the case to Hazrat Ali (A), who ordered for payment of 1/3 of the actual price of the camel to him. When the cash which was collected by selling the meat of the camel was counted it was one third of the cost price of the camel.

This amount was paid in full to the first partner of the camel and the other two went away empty handed.

While they were about to leave, Hazrat Ali (A) told them that as they had not taken proper care for the safety of the camel and the safe-guard of their shares, whereas their first partner had by tying his two legs, hence their loss. (Manaqib, vol. 11, p. 201).

2. Decision in the Case of a Cow and a Camel

A man catching hold of the opening of the shirt of another man came to Hazrat Omar, (RA) and told him that the other man's cow had torn off the belly of the camel of the appellant which resulted in its death. Saying this he requested Hazrat Omar (RA) for ordering the accused to pay 'full penalty of his camel to him. Hazrat Omar (RA) said:

“No penalty on the quadrupeds.”

Hearing this order Hazrat Ali (A) said to Hazrat Omar (RA): “I have heard the Holy Prophet saying:

“No man can put another man to loss.” He then added:

“If the accused person had tied his cow on the way of the camel, he has to pay the penalty, otherwise not.”

On enquiry it was revealed that the owner of the cow had actually tied his cow on the way of the camel.

Hazrat Omar (RA) then ordered the accused to pay full penalty of the camel to his owner. (Qazaand Tehas: p. 80; Qaza p. 158; , Abu Turab' (Urdu translation) vol. 2. by Allama Jazaeri, p. 244).

3. Decision About a Donkey and a Cow

Once a man came to the Holy Prophet (SA) with the complaint that the cow of another man, who had also accompanied him, had killed his donkey. The Holy Prophet (SA) sent both of them to Hazrat Abu Bakr. (RA)

Hazrat Abu Bakr(RA) asked them as to why they had not gone to the Holy Prophet (SA). They replied that the Holy Prophet (SA) had himself sent them to him and that th case was in the first instance was duly taken to the Prophet of Allah (SA).

Having heard the initial reportHazrat Abu Bakr (RA) said:

“If an animal kills another animal there is no penalty on the animal or his owner.”

Saying thiso Hazrat Abu Bakr (RA) told the parties to go to the Holy Prophet (SA) again and inform him of his decision. In compliance of the orders of Hazrat Abu Bakr (RA)

both the men went back to the Holy Prophet (SA) and informed him of Hazrat Abu Bakr's (RA) decision in their case.

The Holy Prophet (A) then sent them to Hazrat Omar (RA). He also gave the same decision as was previously given by Hazrat Abu Bakr (RA). When they appraised the Holy Prophet (SA) of the decision by Hazrat Omar, (RA) the Holy Prophet (SA) finall

sent them to Hazrat Ali (A) for a decision.

When the two men went to Hazrat Ali (A), he put a few questions to them.

The first question was: “Were both the animals united at the time of occurrence of the incident?

“No”, said both of them.

Hazrat Ali (A) then put a second question to them: “Were both of them tied”?

“No”, replied they.

Then Hazrat Ali (A) put a third question to them: “Was the cow tied and the donkey untied”? “No”, replied the twb men again.

The fourth and the last question of Hazrat Ali (A) was: “Was the donkey tied and the cow untied”?

“Yes”, came the reply from both the parties.

“Then”, Hazrat Ali (A) said, “the owner of the cow has to pay the penalty to the owner of the donkey whom the cow has killed.”

When the report of the decision by Hazrat Ali (A) in the above case reached, the Holy Prophet (SA), he exclaimed: “Lo!

Ali has given the same decision as Allah Himself would have given in this case.” (Matalibus Soul: p. 85; Irshad Mufid, Manaqib, vol. 2, p. 177; Nasikhut Tawarikh: vol. 2, p.731).

4. A Game Bird

A man saw some g'dme bird and followed her till she flew from the ground and sat on a tree. Meanwhile, another hunter came on the scene and hunted the bird.

The first man protesting to his action said: As I had seen the bird first, I must get it.

the case was taken to Amir ul-Momineen Hazrat Ali (A), he said to the first man.

“It was your luck only to see the bird and you have been successful thelein in seeing. The man who has hunted it has the right to possess it. Therefore, your claim to the hunted

bird is quite invalid.”

The first man accepted this decision of Hazrat Ali (A), and went away without any grumble and even murmur. (Qaza and Teha: p. 181).

One Day a person came to Ali (A.S.), thinking that since Ali thinks he is too smart, I'll ask him such a tough question that he won't be able to answer it and I'll have the chance to embarrass him in front of all the Arabs.

He asked "Ali, tell me a number, that if we divide it by any number from 1-10 the answer will always come in the form of a whole number and not as a fraction."

Hazrat Ali Looked back at him and said, "Take the number of days in a year and multiply it with the number of days in a week and you will have your answer."

The person got astonished but as he was a Mushrik he still didn't believe Ali (A.S.). He calculated the answer Ali (AS) gave him. To his amazement he came across the following results:

The number of Days in a Year = 360 (in Arabic Calendar)

The Number of Days in a Week = 7

The product of the two numbers = 2520

Now ... $2520 \div 1 = 2520$

$2520 \div 2 = 1260$

$2520 \div 3 = 840$

$2520 \div 4 = 630$

$2520 \div 5 = 504$

$2520 \div 6 = 420$

$2520 \div 7 = 360$

$2520 \div 8 = 315$

$2520 \div 9 = 280$

$2520 \div 10 = 252$

One day a person came to Ali (A.S.). He was planning to ask Ali (A.S.) such a question which would take Ali (A.S.) a long time to answer and because of that his Maghrib Prayers would be

delayed. He asked, "Ali you say you know everything in the world, then tell me which animals

lay eggs and which animals give birth to their young ones"

Hazrat Ali (A.S.) looked back at him smiled and said, "The animals who have their 'EARS' outside their body give birth to their young ones and the animals who have their 'EARS' inside their body lay eggs."

A person was about to die, and before dying he wrote his Will which went as follows:

"I have 17 Camels, and I have three sons. Divide my Camels in such a way that My eldest son gets half of them, the second one gets 1/3rd of the total and my youngest son gets 1/9th of the total number of Camels"

After his death when the relatives read his will they got extremely perplexed and said to each other that how can we divide 17 camels like this?

So after a long hard thought they decided that there was only one man in Arabia who could help them: "Ali Ibne Abi Taalib." So they all came to the door of Ali (A.S.) and put forward their problem.

Hazrat Ali (A.S.) said, "Ok. I will divide the camels as per the man's will."

He said, "I will lend one of my camels to the total which makes it 18 (17+1=18), now lets divide as per his will"

The Eldest gets $1/2$ of 18 = 9

The second one gets $1/3$ of 18 = 6

and The Youngest gets $1/9$ of 18 = 2

Now the total number of camels = 17

Then Hazrat Ali (A.S.) said, "Now I will take my Camel back."

This was the genius that Hazrat Ali was in his time.

Inheritance

1. The Son of an Old Man

An old man married a woman and died on the very first night of his marriage with her. The woman who had become pregnant, gave birth to a male child. The sons and daughters of the old man from his first wife accused their step mother of adultery and dragged her to the court of Hazrat Omar (RA). He heard the case and ordered that the woman should be punished for the crime of adultery and stoned to death.

By chance Hazrat Ali (A) happened to pass by the place where she was being stoned. When he heard of the case, he went to Hazrat Omar (RA) and desired that the case should be reopened and heard again in his presence. Hazrat Omar (RA) gave permission therefore Hazrat Ali (A) then asked Hazrat Omar (RA) as to whether he had taken the statement of the woman regarding the date of the marriage, the time of their remaining together as man and wife and the date and time of her husband's death.

Hazrat Omar (RA) informed Hazrat Ali (A) that he had put all these questions to the woman and recorded her statement in all respects.

Thereafter, Hazrat Ali (A) sought permission of Hazrat Omar, (RA) who was the Caliph then, to order the woman to present in the court of the

Caliph, the child whom she claimed to be the old man's son born by her. Hazrat Omar (RA) ordered therefor and the child was brought before him Hazrat Ali (A) sent the child to go and play with some other children who were playing nearby. Then he said to Hazrat Omar (RA):

“Let us also go and see him play.”

Hazrat Omar (RA) followed Hazrat Ali (A) to the place with other people present in the court. When all of them had arrived, Hazrat Ali (A) asked all the children to sit down. The children sat down, the child in question also being among them. Then, Hazrat Ali (A) asked them to stand up. The children did accordingly and all of them stood up all at once, except the child in question who also stood up, but not before the support of his hands by putting them on the ground. Seeing this Hazrat Ali (A) said to Hazrat Omar (RA): “Did you observe how the child stood up? Is it not the clear proof of the fact that the child is not an illegitimate one. His weakness is sufficient proof that he is son of the dead old man.” Hazrat Omar (RA) appreciated the wisdom of Hazrat Ali(A) and acquitted the woman honourably. He also ordered for the punishment of the sons and daughters of the old man from his first wife for false accusation as was advised by Hazrat Ali (A).

(Kafi ; Ajaibul Ahkam ; Manaqib: vol. 2, p. 90)

Allama Jazairi in his Urdu translation (Abu Turab vol. II, p. 252) adds:

“Apparently Hazrat Ali (A) had decided the case with the help of his natural instinct and his particular innersight which guided him to reach the conclusion that the child was the old man's son. Therefore, this case should not be cited as an in- stance in similar cases now.”

2. The Effect of Blood

Once a lad appeared in the court of Hazrat Omar (RA) and preferred a claim that his father had died in another city and his movable and immovable property may be transferred in his name.

As the lad had no evidence to support his claim Hazrat Omar (RA) turned him out.

While going back he met Hazrat Ali (A), and related his story to him.

Hazrat Ali (A) asked te lad to accompany him to the court of Hazrat Omar, (RA) who was the Caliph then.

Reaching there Hazrat Ali (A) advised Hazrat Omar (RA) to reopen the case which the latter did. Satisfied with this, Hazrat Ali (A) asked the lad to inform him of the place where his father was burried.

When he was informed of the place, he requested Hazrat Omar (RA) to accompany him to that place together with the lad and a group of people. Reaching there Hazrat Ali (A) got the corpse of the lad's father exhumed, took out one rib and asked the boy to smell it. No sooner the boy smelt the bone his nose started bleeding.

Hazrat Ali (A) told Hazrat Omar (RA) that the statement of the boy was correct and that the property of the deceased should be transferred in his name.

Hazrat Omar (RA) asked him with some surprise: “Should I do it in view of the mere fact that the boy's nose started bleeding by smelling the dead man's bone”?

Hazrat Ali (A) said: “Wait a bit.” He then asked several other persons to smell the bone, but no one's nose bled at all.

He then asked the boy again to smell the bone. When he did this his nose started bleeding again.

Hazrat Ali (A) then turned to Hazrat Omar(RA) and said:

“Do you see? This boy is actually the son of the dead man. Otherwise his nose also would not bleed as others' did not. By God I never told a lie as Allah who gave me this knowledge did not.”

(Manaqib Shehr Ashob vol. 2, p. 182 through Abu Turab: vol. 2, p. 253).

3. Hashmia And Ansaria

A man had two wives, a Hashmia and an Ansaria. He divorced the Ansaria and died thereafter.

After some time the Ansaria came to Hazrat Osman (RA) and preferring her claim said:

“I have complied with all the restrictions placed on me by religion for the duration of probation time. I, therefore have every right to claim my share in the property of the deceased.”

Hazrat Osman (RA) was at a loss to understand as to how he should decide the case to the satisfaction of all the people involved therein. Therefore, he referred the case to Hazrat Ali (A) for a righteous judgement.

Hazrat Ali called the Ansaria and asked her to tell him on oath that the time of her three menses had not till then elapsed after the death of her deceased husband and get her claim satisfied.

At this Hazrat Osman(RA) asked the Hashmia if she agreed to the decision of Hazrat Ali (A) who happened to be her cousin by blood.

The Hashimite said:

“Let the Ansaria say on oath what Hazrat Ali (A) has asked her to say and then inherit her share in the property of the deceased as his widow .”

As the Ansaria women did not take the oath and the Hashmia inherited the whole property of the deceased as her only widow.

(Boharij: vol. IX, p. 483; Manaqib Shehr A'shob: vol.II, p. 193; Nasikhut-Tawarikh: vol. 2I, p. 737; Arjahul Matalib, p. 126, also Urdu Translation (Abu Turab, vol. 2, p. 255 55 by Allama Jazaeri).

4. A Child with Two Heads

I. Once a question was put to Hazrat Ali (A) about the inheritance of a child having two heads, two chests but only one back. Hazrat Ali (A) replied:

Let him go to sleep and then call him by name his parents have given him. If one of them wakes up, take him to be only one, otherwise two and let him inherit accordingly.

(Biharul Anwar, vol. 9, p. 486; Turuq-i-Hikamiah by Ibn-i-Qaiyyim, p. 53; also Abu Turab vol. 2, by Allama Jazaeri).

2. Once a lad was brought to Hazrat Omar. (RA) The lad has had two heads, two mouths, four eyes, four hands, four feet and two separate organs for passing urine and stool. Hazrat Omar (RA) was requested to solve the problem of his inheritance. Being puzzled he called Hazrat Ali (A) and sought for his advice in the matter.

Hazrat Ali (A) said:

Let him go to sleep. If the two heads snore simultaneously, the inheritance would be equal to one man's share, otherwise equal to two (two joined together) men's share (*). He proved to be two joined together .

After some time when the twins grew up they wanted to marry.

Hazrat Ali (A) was called again by Hazrat Omar (RA) to solve the problem. He said:

“The Cohabitation of man and wife before a human eye other than of themselves is unnatural and against the will of God.”

Proceeding further he said: As they have now come of age and possess sexual feelings, they would soon die. And after a while it happened what was prophesied by the Holy Imam.

5. The Inheritance of a Mother and Her Child

After Jang-i-Jamal (the war of the Camel) Hazrat Ali (A) was passing by a place where he saw the corpse of a woman whose new born child, also dead, was lying near her. When asked about them he was told that the woman had aborted after seeing the

Army in action.

Hazrat Ali (A) asked the people of the vicinity as to Who died first the mother or the child. He was told that the child died first.

Hazrat Ali (A) ordered for penalty for both as follows :-

(1) He divided the penalty for the child into three equal parts, kept one part for the mother and gave two of them to the father of the child.

(2) He again divided the share of the mother of the child by two and handed over the dividend equally to her husband and her near relations.

(3) He then divided the amount of penalty for the Woman also by two and handed over the dividend again equally to the husband of the Woman and her near relatives as

before.

Thus they were all compensated as commanded by Allah in the Holy Quran. The penalty was paid from Bait-ul-Mal (Public Exchequer)

(Manaqib Shehr A'shob V 01. II, p. 194; Nasikhut Tawarikh V01. III, p. 738).

The Problems of Slaves and The Slave Girls

4. Full Punishment For a Slave

A slave falsely accused a free man. Hazrat Ali (A) awarded him full punishment fixed for the crime. When requested to explain as to why he was awarded full punishment in that case while in other cases such as drinking stealing and adultery a slave is awarded only half of the punishment fixed for those crimes?

The case was explained by Hazrat Ali (A) as follows:-

“The other crimes you have just enumerated are the rights of Allah wherein He has given the rebate in question to the slaves and the slave-girls, but this case is the one wherein the rights of people are directly concerned. In such cases Allah does not want to interfere”

(Wasael;) vol. 2I, chapter Qasaf (false accusation); Wafi, vol. II, p. 57).

Kulaini (may peace be on him) has reported that a house had collapsed in Yeman and two children were picked up alive from the debris thereof. One of those children was free while the other one was a slave. When the case

was brought to Hazrat Ali (A) for a decision, he decided that case, too, by ballot. The child who was free succeeded in the balloting and the whole property was given to him. The child who was a slave was set free (Qaza, p. 133).

Rare Cases of Insight Regarding Ecclesiastical Law

1. A Rare Example of Insight Regarding Ecclesiastical Law

A man brought his slave to Hazrat Ali (A) and said: “Ya Amir ul-Momineen ! This slave of mine has married a woman without my permission.”

Hazrat Ali (A) said to him.

“Why don't you separate them.” Thereupon, the man ordered his slave:

“O you bad man! Divorce your wife.” When Hazrat Ali (A) heard these words, he said to the slave that he was free either to divorce or not to divorce his wife.

The master of the slave was taken aback when he heard these words of Hazrat Ali (A) and said to him.

“Ya Amir ul-Momineen! You just said to me that I can separate the two. But now you are saying to the slave that was at liberty to divorce or not divorce his wife.”

Saying this he solicited favour of the holy Imam (A) to explain to him his two different order:s in one and the same case.

Hazrat Ali (A) enlightened the man thus:-

“When you ordered your slave you admitted interalia that you had permitted him to marry otherwise the marriage would have been unlawful and in that case you need not have to order him to divorce his wife, because divorce was necessary after only a lawful marriage. The result: The marriage was lawful as you have indirectly admitted. Therefore, your slave is now at liberty to divorce his wife or not.” (Bihar, vol. 9, p. 492).

2. The Case of a Marriage Wherein a Woman had Married a Man With the Condition That the Matter of Divorce Would Remain in her Hands

It has been reported by Hazrat Imam Muhammad Baqir (A) that once a man during the period of Hazrat Ali (A) married a woman who had placed the condition of the marriage that the matter of divorce would remain in her hands in case he lived separately or married another woman.

The man when sought advice of Hazrat Ali (A) in the matter he told him that the conditions of Allah in the case of a marriage were superior over all other conditions and all other conditions become null and void in comparison with the conditions of Allah. “ Allah, he said, has put the condition on a marriage i.e., has commanded that the matter of divorce in case of each and every marriage would remain in the hands of man and not the woman.” (Wafi, vol. 2I, p. 70).

Allama Jazaeri while translating the above into urdu from Arabic vide page 272 of his book Abu Turab, vol. 2, has added a note thereto as follows:-

“The above decision of Hazrat Ali (A) throws light on the question as to whether the matter of divorce could religiously be the right of a woman or not.”

Allama Jazaeri has discussed the point at length in his book referred to above, but we leave it for want of space in this small book. (Kaukab Shadani).

3. Second Marriage During the Probation Time (Iddah) of a Woman

Qarezi Abu Yusuf and Imam Ahmad Hambal reported that a woman who had married during probation was brought to Hazrat Omar. (RA)

Hazrat Omar (RA) ordered that she should be separated from her husband and her dower be deposited in the Bait-ulmal (Public Exchequer). He added that he did not think that the dower was correctly connected with the marriage in question. "Therefore", he said, "the man and the woman have both been deprived of each other in this case."

When Haziat Ali (A) heard of the decision of Hazrat Omar (RA) in the above case, he said:

"If these people were ignorant of the religion law in this connection, none could deprive the woman of her right to the dower, because the man has already utilized his matrimonia rights."

He said further, "let them separate for the duration of th probation period, but he has the right to marry her again if he likes like others, and the marriage would then be lawful religiously."

When Hazrat Omar (RA) heard of this, he went to the pulpit and addressed the audience as follows:-

"If any of you have contracted such a marriage out of ignorance of Sunnah (religious law) he should correct it under the light of the decision of Ali."

Hazrat Omar (RA) then decided the case in question himself accordingly. (Manaqib Shehr A'shob: vol. 2, p. 183; Zakhair- ul-Uqba: p. 81; Arjhul Matalib, p. 124).

4. Coition Before and after ahe End of the Probation Period (Iddah)

If a man is charged of coition with his divorced wife after the end of the probation period he will be awarded punishment as fixed by Ecclesiastical law according to a decision of Hazrat Ali (A), but if he is charged of the same act before the end of the probation period after divorce it would be deemed to be return to the original position and no punishment will have to be awarded therefor. (Mustadrik: vol. 2I, p. 126).

5. No Pardon after an Accusation is Proved to be False

A woman accused her husband to have committed adultery. When the man was going to be punished therefor under the orders of Hazrat Ali (A). She said that she had pardoned him. Hazrat Ali (A) remarked.

"Now there is no use of your pardoning him, because the charge has been proved. He must, therefore, be punished for the crime." (Qaza and Teha: p. 165).

6. Accusing a Group of People

Said Hazrat Ali (A):

"If some one accuses a group of people and the accusation is on investigation proved to be false the number of punishment would be according to the number of persons in the group so accused, provided the

accuser has named all the persons in the group otherwise the number of the punishment would be according to the number of the people the person concerned has name .

(Qaza and Teha: p. 165).

8. A Gift for Hazrat Othman

Once, Hazrat Osman was on his way to pilgrimage to Mecca and attired in the restricted costum (Ehram) of Haj (pilgrimage to Mecca). Meanwhile a man happened to bring a roasted bird to him as a gift for him and for his friends.

Hazrat Osman did not seem to feel any restriction connect therewith, but his companions did not touch the meat. Thereupon, Hazrat Osman (RA) exclaimed: “Brothers! This meat of the bird is not prohibited for us, because we did not hunt the bird nor anyone else who is dressed in the restricted clothes of the pilgrimage. Therefore, I don't see any harm in eating this meat.” But the people present in his tent said, “You may

not, but Hazrat Ali (A) does not like it despite all the explanation you have given in this connection.

Then, Hazrat Osman called Hazrat Ali (A) through some one. Hazrat Ali (A) who was marking the camels there seemed a bit annoyed but still he accompanied the man to the tent of Hazrat Osman. (RA)

Hazrat Osman (RA) said to him: “Ya Ali (A) ! You always seem to go against me in all the religious matters.”

On this Hazrat Ali (A) said to the people present there. I ask you to tell on oath whether the Holy Prophet (SA) had not once refused the meat of a roasted wild donkey with the excuse that he and his companions were dressed in the restricted clothes of Haj and if the meat was not given to those who were not?”

About twelve persons present there said on oath that it had actually happened what had been described by Hazrat Ali (A).

Then, Hazrat Ali (A) asked the people present there again . to say on oath as to whether five eggs of the camelbird were not once brought to the Holy Prophet (SA) as a gift when he was on his way to Mecca for Haj and as to whether had he not refused to eat them on the same place.

About a dozen of people again said on oath that it had happened the same way as was described by Hazrat Ali (A). Thereupon, Hazrat Osman went inside his tent, leaving the gift with (hose who had brought it.

(Musnad Ahmad bin Hambal vol. 1, p. 100-104; Manaqib vol. 2, p. 194; Nasikhut Tawarikh vol. 3, p. 738, Kitabul Um lil Shafai Voi. 7, p. 257; Sunan-i-Baihaqi vol. V, p. 194; Kanzul Ummal Voi. III, p. 53, also Abu Turab (Urdu) by Allama Jazairi Voi. II, p. 280-281).

9. How to Put a Dumb on Oath

Hazrat Ali (A) was once requested to describe how to a dumb on Oath.

He said; “Praise is for Allah that He did not make me depart from this world before I had solved all the religious problems of the Muslim nation wherein they needed my help.”

Thereafter, he described the way of putting a dumb on oath in a case wherein he or she is a defendent in the following manner.

He said: "If a dumb person is accused of borrowing any thing from somebody and when he or she is called to a court of law and required to say on oath as to whether he or she had or had not borrowed in kind or cash from the complainant in the case in question he or she shown the Holy Quran and asked as to what it was. He would certainly raise his or her finger towards the sky, there is to say, that it was the Book of Allah."

He then asked Qambar to bring a pen and an inkpot and wrote on a piece of paper the following words:-

"I take oath of the one and only Allah there is no God except Himself; Who knows all the visible and the hidden things; He desires His creature to be true and virtuous and is the most powerful; He who has the power to benefit and harm all. He who is kind and merciful; He Who has the power to ruin and catch any body. He likes to; He Who is

aware of what is said and what is not said; I do not owe (such a such man or woman) here the person concerned has to be named any thing and he or she (name of the person concerned) has no right to ask me to refund (name the thing or the amount of cash whatever the case may be)."

He then asked Qambar to wash the words from the piece of the paper and take the water to the last drop in a tumbular. Then he said to the people who had requested him to describe the manner in which a dumb was to be put on oath to "let the dumb involved in such a case to swallow the liquid prepared like this and the oath would be over."

Proceeding further, he said: "If the dumb person refuses to drink that water the charge is proved," (Qaza p. 147).

10. The Funeral Prayer for a Deserter or a Fugitive From War not Allowed

When Hazrat Ali (A) reached the dead of his side in the wars of Jamal, Siffeen and Nehrawan, he did not allow the funeral prayers for those who were wounded on the back, but he allowed the prayer for those who were wounded on the front side of their bodies and got them burried like the dead Muslims.

(Qaza p. 179).

11. No Ransom Money for the Fugitives

It has been reported by Asbagh bin Banatah that Hazrat Ali (A) used to pay ransom money only for those prisoners of war who were wounded on the front side of their bodies and get them freed thereby, but not those who were wounded in their backs. (Qaza p. 179).

14. Punishment for the Denial of Prophethood

Kulaini has reported in 'Kafi' on the authority of Imam Jafar-e-Sadiq (A) that Hazrat Ali (A) was once sitting in the Juma Mosque of Kufa when four persons were presented to him as prisoners with the crime that they were taking food during day time although they knew it that that was the Holy month of Ramzan.

Hazrat Ali (A) talked to them as follows:

"Did you take your food during day knowing that it was the month of Ramzan?"

"Yes, Sir."

"Are You Jews?"

“No Sir”

“Christians?”

“No, Sir.”

“What religion do you, then, belong to?”

“We are Muslims, Sir.”

“Then you must be travellers?”

“No, Sir, we are the residents of this very city.”

“Then you must be suffering from certain diseases of which others might not be aware, but you might be knowing them well? as the Holy Quran says:

“A man knows about himself and when a disease befalls him he knows it.”

“Thank God, we are not suffering from any disease whatsoever,” replied the prisoners.

Hearing this Hazrat Ali (A) smiled and asked the prisoners.

“Do you believe in the Unity of God and the Prophethood of Muhammad (SA)”?

The prisoners replied “We believe in the Unity of God, but we do not believe in Muhammad (SA) as a Prophet of God; we rather believe that Muhammad (SA) was only an Arab, who had invited people to gather round him.”

Hazrat Ali (A) then said to them “If you denied the Prophethood of Muhammad (SA) after calling yourselves Muslims, I shall kill you all.”

To this they replied: “You may do whatever you like.” Thereafter, no way out was left for Hazrat Ali (A) except killing them for the crime of apostasy. But he killed them by smoke gradually i.e., putting them in a covered ditch blocked on all the four corners except a hole to a similar ditch wherein they were put and through which smoke was passing to their ditch from the adjacent one where a fire was burning and putting the question to them as to whether they agreed for penitence for their crime of apostasy. But the prisoners were adamant enough not to agree to penitence with the result that all died without a word till they breathed their last.

When the news of the above incident spread to other cities a group of Jews came from Medina to Kufa and requested for audience with Hazrat Ali (A) and it was duly granted.

When they were presented to Hazrat Ali (A), they said to him:

“Sir, we have heard that you have invented a punishment for killing people which is against all the tenets of Islam as well as those of Christianity and the religion of the Jews. We have, therefore, come to ask you, Sir, whether it is true or not.”

Thereafter, they waited for an answer from Hazrat Ali (A) and it came as follows:-

“It put you on oath by the signs which were shown to Hazrat Musa (A) (Moses) and by the one who does not need any thing but is the whole and sole monarch of the Day of Judgement i.e., Allah to say as to after departure of Moses (A) a group of people was brought to Yoosha bin Noon with the accusation that they believed in the Unity of God, but they had denied the Prophethood of Moses (A), although they had accepted him as a Prophet

earlier and to whether the latter had not awarded the same punishment to them as have awarded to these so called Muslims now?"

All the Jews then said with one voice: "We now believe that you know the Secrets of Moses (A)." Thereafter their leader took out a document from under his cloak and showed to Hazrat Ali (A).

After Hazrat Ali (A) had gone through the document he began weeping bitterly. The leader of the Jews asked him as to whether he could read Hebrew being an Arab, Hazrat Ali (A) replied in the affirmative and told his (Hazrat Ali AS) own name was written in the document and that was the reason of his shedding tears.

The Grand Jew requested Hazrat Ali (A) to show where his name was written in the document. Hazrat Ali (A) showed him his name and told him Elia stood for Ali in Hebrew language.

Thereafter, the Grand Jew together with his folks recited the Kalma and became Muslims. (Biharul Anwar, vol. 9. p. 492).

5. Decision That Penitence Purifies a Sin

It has been described by Suduq on the authority of Saad binTarif who has carried it from Asbagh that a man came to Hazrat Ali (A) and submitted to him that he had committed a crime and asked him to purify him. Hazrat Ali asked whether he was suffering from any major disease. When he replied in the affirmative, Hazrat Ali (A) asked him to go get the disease treated and then come back to him. When he came back, Hazrat Ali (A) asked him whether he repented what he had done. The man said, "Yes and wept bitterly.

Then Hazrat Ali (A) told him that repentance had purified him as sincere repentance and penitence was sufficient for purification. But it has been unanimously accepted that nobody else than an Imam can grant forgiveness like this. (Abu Turab, vol. 2, p. 118).

Hazrat Ali (A)

Ali! Thou art the rarest gem
That the world has ever seen ;
Thou art the embodiment great
of godliness, beauty and love ;
Thy spotless life so pure and good
Inspires men to tread their upward path
To the horis land of calm and bliss.
First in battle and first in truth
Thou stood's stately, sure and firm
By Muhammad's dark and sunny days,
Dined with him that Meraj night,
And slept on his hallowed bed that perilous night
From whence the Islamic age began.
Full of wisdom and full of lore art thou
As truly said the Holy Prophet great-
For at thy feet the two worlds sat
Praising thee for thy talents rare ;
Ali ! Thou shouldst be the first Caliph !
Immortal Ka'aba thy place of birth

Immortal Koofa-Mosque thy place of death ;
 Ali Thou art a blessed God's own being !
 Thou wert to thine murderer extremely kind
 Who clapped in chains was before thee brought !
 Even as the sandal tree its fragrance yields
 To the wood-cutter that strikes it hard
 Thou set him free with a glorious grace
 And offered him thy bread and milk
 These eternal charity deeds of thine
 The living world remembers and reveres sure !
 Cursed be the men that envied thee
 And those that thought and spoke low of thee,
 Despite the virtuous birth and heritage divine ;
 Aided thus by false and impure men
 Did jarring sect into Islam creep
 But thou shinest above these all
 O Lord Like a steadfast star of the skies !
 These numbers are but a frail tribute to thee
 My Lord, I implore thee--cast once thy gracious smile on tr
 One and one only, I implore thee, I am blessed.
 By the Courtesy of Mirza Ghulam Raza (Masolipatam)
You may need to use the karbala font attached to see the arabic letters

A Sermon without Dots

The knowledge, wisdom and eloquence of Imam 'Ali b. Abi Talib (a) is well known among Muslims of all schools of thought. One such example of his mastery over the Arabic language manifested itself in this extempore sermon which, in its written form, is devoid of any dots !!

All praise be to Allah: the praised King, the affectionate Owner, the Fashioner of all who are born, the Recourse for every downtrodden, the Outstretcher of lands, the Establisher of firm mountains, the Sender of rain, the Alleviator of difficulties, the Knower and Perceiver of secrets, the Destroyer of kingdoms and Perisher of possessions, the Renewer of eras and their Repetitor, the Source of all things and their Destination. Widespread is His generosity and sufficient are the layered clouds and the supply of rain. He responds to the one who asks or hopes, giving wide and with abundance.

I praise Him endlessly. I consider Him one as He is considered one by those who turn to Him. Lo ! He is Allah, there is no god for the nations except Him. No one can distort what He set upright and established. He sent Muhammad as the standard-bearer of submission (Islam), the leader for the rulers and preventer of their oppression, The crippler of the authorities of Wudd and Sawa` (two idols). He informed and educated, appointed and perfected. He founded the fundamentals and eased them in. He emphasized the appointed promise (Day of Judgment) and forewarned. Allah has linked him with honor and granted his soul the peace, and may Allah have mercy on his progeny and his venerated family; as long as the guiding stars shine, the crescent continues to rise, and the chant of the oneness (La ilaha illa Allah) is made to be heard around.

May God protect ye! Work towards the best of deeds. So tread the path seeking the lawful, and give up the forbidden and abandon it. Listen to the command of Allah and be aware of it. Maintain the ties with relations and nurture them. Disobey desires and repel them. Bond as kins with the righteous and pious, and discontinue the company of amusement and greed.

Your groom is the most impeccable of free men by birth, most generous and honorable with glories, and of the sweetest of descent. Here he came to you, took your kin with permission, in marriage, the gracious bride. Offered a dowry, just as the Messenger of Allah did to Umm Salamah. Certainly, he [s] was the most gracious son-in-law. Kind to his progeny. He gave them in marriage to whom he wanted. He was neither confused in his choice of wife nor had an oversight.

I ask Allah, on your behalf, for the lasting graciousness of His connection. And the continuation of His pleasures, and that He may inspire all: the reform of their own condition, and the preparation for their individual destiny and the hereafter. Gratitude is for Him forever and the praise for His Messenger Ahmad [s].

This sermon appears to have been delivered by Imam ‘Ali (a) on the occasion of someone’s marriage (nikah), and may well have been his own marriage. It has been quoted by several scholars such as: