# (.The Discourses of Imam al-Jawad (A.S

The following narrations are related to Imam Abu Ja'far Mohammed bin Ali Al-Jawad (peace be upon him).

**Imam Al-Jawad's Answer about a Muhrim That Kills a game**

When the Abbasid caliph Al-Ma'mun decided to give his daughter, Ummul-Fadhl, in marriage to Abu Ja'far Mohammed bin Ali (peace be upon him), his household objected and said, "O Amirul Muminin, we beseech to you not to deprive us of the matter that we prevailed and the honor that we dressed ourselves with. You know the old and new enmity between the family of Ali (bin Abi Talib) and us." Al-Ma'mun, however, asked them not to speak of this matter any more since he would not listen to any objector.

They then said, "Will you, Amirul Muminin, marry your daughter and your eye's delight to a boy who lacks knowledge of the religious affairs and cannot distinguish between halal and haram or tell between the obligatory and the recommendable? We suggest to you to suspend this matter until the boy –who was nine year old- learns reciting the Quran and the halal and haram questions."

"He is more knowledgeable than you are in the questions of the religion," declared Al-Ma'mun, "and more educated in questions regarding God, His Messenger, the Sunna, and the rulings. Besides, he recites the Quran better than you do and has full acquaintance with the decisive, allegorical, repealing, repealed, appearing, hidden, particular, and general Quranic Verses. Moreover, he recognizes the revelation and the interpretation of the Quran better than you do. You can ask him. If it is proved that the qualities you have mentioned are true, I will comply with your suggestions. If not, I will go ahead in my decision." As soon as they left the caliph, Al-Maumun's household summoned Yahya bin Aktham, who was the chief justice, and promised precious gifts if he would set a religious question that would perplex Abu Ja'far (peace be upon him).

Abu Ja'far, as well as the others, was attendant in the appointed time when Al-Ma'mun's household sought the caliph's permitting Yahya the chief justice to put a religious question.

"Yes, Yahya," said the caliph, "you may ask Abu Ja'far a religious question so that we can test the scope of his knowledgeability in the religious questions."

"O Abu Ja'far," asked Yahya, "God guide you to virtue, what do you say about a muhrim who killed a game?"

The Imam (peace be upon him) said, “Did that muhrim kill the game in the Holy Precinct or out of it? Was he discerning or ignorant? Was he willful or unintentional? Was he slave or master? Was he a boy or a man? Was it the first time or not? Was the game a bird or not? Was the game young or old? Was the muhrim insisting –after killing the game- or regretful? Did he kill the game at night when it was in its nest or in daylight openly? Was the muhrim intending to perform the hajj or the Umrah?”

The perplexity of Yahya was too clear to be unnoticed by everybody. People also could not hide their astonishment at the details to which Abu Ja’far (peace be upon him) referred.

Then, Al-Ma’mun asked the Imam (peace be upon him) to speak –or betroth his daughter-. The Imam said:

All praise is due to God as an acknowledgement of His grace. All praise is due to God as an honor of His almightiness. God bless Mohammed and his family whenever he is mentioned. One of God’s commandments for His servants was that He presents them the lawful ways so that they will not need for the unlawful. He the Majestic says:

Marry the single people among you and the righteous slaves and slave-girls. If you are poor, God will make you rich through His favor; He is Bountiful and All-knowing.

Mohammed bin Ali betrothed Ummul-Fadhl bint Abdullah (Al-Ma’mun) and paid five hundred dirhams as dowry.

Al-Ma’mun invited people to a banquet on that occasion and presented prizes to people each according to his position—the upper class, the ordinary people, the celebrities, and the officials. He also gave awards to everyone according to his class. When most of people left, Al-Ma’mun asked Abu Ja’far (peace be upon him) to mention the ruling of each class of the muhrims who kill a game to which he had previously referred. The Imam (peace be upon him) said:

The muhrim who kills a game that is a big bird out of the Holy Precinct should undergo a sheep (as an expiation). If he kills it in the Holy Precinct with the same previous conditions, the expiation will be doubled. If the muhrim kills a young bird out of the Holy Precinct, he should undergo a lamb as expiation. Yet, he should not pay the value of the killed young bird. If the muhrim kills the young bird in the Holy Precinct, he should then undergo a lamb as expiation in addition to the value of the killed bird.

If the killed game was a zebra, the muhrim should undergo a cow as expiation and if it was an ostriches, he should undergo a camel. In case it is impossible for the muhrim to undergo such expiations, he should then serve food for sixty poor people. If this is also impossible for him, he should then fast during eighteen days. If the killed game was a cow, the muhrim should undergo a cow as expiation. If it is impossible, he should serve food for thirty poor people. If

this is also impossible, he should fast during nine days. If the killed game was an antelope, the muhrim should undergo a sheep. If it is impossible, he should serve food for ten poor men. If this is also impossible, he should fast during three days. The expiation will be doubled if the games are killed in the Holy Precinct. The expiatory animal should be obligatorily offered to Kaaba, and, for those who perform the hajj of Mina, should be slaughtered where people slaughter their sacrificial animals. If it was during the umrah, the expiatory animal should be slaughtered in Mecca in the yard of Kaaba. Moreover, the muhrim should give alms as much as the price of that animal so that the expiation will be double.

For the muhrims who kill a hare or a fox, they should undergo a sheep as expiation and give the price of a sheep as alms. The muhrims who kill any of the pigeons of the Holy Precinct should give a dirham as alms and should buy food for the pigeons of the Holy Precinct in the value of one dirham. Half a dirham should be undergone if a young pigeon is killed. As expiation of a pigeon's egg, a quarter of a dirham should be undergone. The muhrims are not asked to undergo anything for any act that they do ignorantly or unintentionally, except the game for which they should pay expiation whether they were ignoring the ruling or having acquaintance with it, or whether they were attentive or inattentive. The masters should undergo the whole expiations that are imposed upon their slaves. No expiation is imposed on the juveniles who kill a game, but if they repeat this act again, God will punish them. The muhrims who referred to the place of a game that, consequently, was killed should undergo a ransom. The insistent (on killing a game in ihram after undergoing a ransom) will face punishment in the world to come. The regretful (for killing a game in ihram) will be acquitted after he undergoes a ransom. If a muhrim kills a game in its nest at night inattentively, he should not undergo anything unless he was intending to hunt a game. The muhrims who intend to hunt at night or in day should undergo a ransom. The muhrim for the hajj should slaughter the expiatory animal in Mecca.

Al-Ma'mun then gave his orders to record the previous explanations of Abu Ja'far (Imam Al-Jawad, peace be upon him). He then turned his face to his household, who had criticized him for marrying his daughter to the Imam, and asked, "Can anyone of you find such answers?" "No, by God," they answered, "Even the chief justice cannot." Then they said to Al-Ma'mun, "O Amirul Muminin, you knew him so accurately while we did not. How was that?"

Al-Ma'mun answered, "Woe to you! Do you not know that he, as well as his family, is not ordinary people? Do you not know that the Prophet (peace be upon him and his family) accepted the pledge of allegiance of Al-Hasan and Al-Hussein while they were juveniles, and did not accept it from any other boy? Do you not know that the father of that household, Ali (peace be upon him), believed in the Messenger of God (peace be upon him and his family)

when he was only nine year old? However, God and the Prophet accepted his faith exclusively. Besides, the Prophet did not call any boy other than Ali to Islam. Do you not know that those are the progeny of each other and whatever is applied to the first will be applied to the last?"

## Strange Question

Al-Ma'mun asked Yahya bin Aktham to ask Abu Ja'far Mohammed bin Ali (peace be upon him) a strange question that he cannot find its answer. Hence, Yahya asked the Imam whether it is lawful for a man to marry a lady after he had committed fornication with her. The Imam (peace be upon him) answered:

He should leave her for sometime until she is cleaned from his and others' unlawful sperms. Like her committing fornication with that man, she might have committed fornications with others. After that, he can marry her. Such a lady is as same as a date palm tree that a man had eaten from its fruits unlawfully before he bought it to have its fruits lawfully.

Hence, Yahya could not say anything. The Imam (peace be upon him and his family) then asked Yahya a question:

O Abu Mohammed, A woman was unlawful for a man (to treat her as a wife) in the morning, then became lawful (for him to treat her as a wife) in the forenoon, then became unlawful in midday, then became lawful in the noon, then became unlawful in the afternoon, then became lawful in the sunset, then became unlawful in midnight, then became lawful in the dawn, then became unlawful in the daybreak, and then became lawful in midday. What can you say about this?

Yahya, as well as the other attendants, could not utter a single word out of their astonishment. "O Abu Ja'far," said Al-Ma'mun, "God boost you, solve this question." The Imam (peace be upon him) said:

That was a man who gazed at a bondmaid of another. It was unlawful for him to gaze at her. He then purchased her and it became lawful for him to treat her as a wife. He then manumitted her and she became unlawful for him. He then married her and she became lawful for him. He then renounced her by calling her mother and she became unlawful for him. He then underwent the expiation of renouncing wives by calling them as mothers and she became lawful for him. He then divorced her once and she became unlawful for him. He then revoked the divorce and she became lawful for him. He then apostatized from Islam and she became unlawful for him. He then repented and reconverted into Islam and she became lawful for him according to the previous matrimonial contract. The Prophet (peace be upon him and his family) declared the validity of the first matrimonial contract between Zainab and Abul-Aas bin Ar-Rabi' when he

reconverted into Islam.

*Source:*

*Tuhaf al-Uqoul*