Precepts concerning One’s Hometown and Occupational Travel - 29 /May/ 2018

Precepts concerning Occupational Travel

Q 1. What are the conditions under which the four-segment mandatory canonic prayers, which are usually reduced to two segments during travel, are performed in full during occupational travels? Must one go on multiple travels in order for this precept to apply to one?

A. Four-segment mandatory canonic prayers are prayed in full and fasting is permissible in travel(1) only if the travel one undertakes is generally perceived as constituting one’s occupation or as a necessary requirement of one’s occupation. This precept applies once one has embarked upon multiple travels or once one embarks on one prolonged occupational travel, such as one who spends several months traveling aboard a ship as one’s occupation. In the case in which one intends on going on multiple travels, the special precept concerning occupational travel applies as of the first occupational travel.

Q 2. What are the conditions required to identify a travel as occupational to render it subject to the special precept concerning occupational travel?

A. In order for travel to be deemed occupational, three factors must be present.
(1) One must have the intention to embark on occupational travel.
(2) One must actually set out on the intended travel.
(3) One must have plans to go on occupational travels on a regular basis, rather than as a one-off or occasional occurrence (unless one intends to go on one prolonged occupational travel spanning at least several months).

Q 3. If one is unsure whether one’s travel is commonly perceived(2) as occupational travel and thus whether the precepts governing occupational travel apply to one’s particular case, what is one’s duty? Can one fast and pray the four-segment prayers in full?

A. If one is uncertain, the special precept concerning occupational travel does not apply: four-segment prayers are reduced to two segments and fasting is invalid.

Q 4. If someone generally knows that he will have multiple occupational travels every year, is this general knowledge sufficient in allowing him to pray his four-segment prayers in full and to fast on his occupational travels, even if he ends up going only on two or three travels every year? Or is it necessary that he have plans for a specific number of occupational travels—say, ten travels—or a specific timeframe for his travels—say, one or two months—in order for the precept regarding occupational travel to apply to him?

A. There is no requirement for a specific number. What is required is that he have definitive plans for continual occupational travels to an extent that travel is commonly perceived as his occupation or as a requirement of his occupation. (That is, even if he has only three occupational travels a year, he must know that he will have multiple travels in subsequent years as well, not only in the current year.)

Q 5. Assuming that one does not have plans for continual occupational travels in the future, how many travels must one embark on in order for the precept regarding occupational travel to apply to one?

A. If one has plans for a limited number of occupational travels in a limited period of time (say, during one year), one’s four-segment prayers must be prayed in full and fasting becomes permissible if the duration of the travels is prolonged—say, at least three months. If, however, the duration is not long, the special precept governing occupational travels does not apply to one.

Q6. If a person has plans only for a limited number of occupational travels in a relatively prolonged period—say, at least three months—is there a certain requirement as to the recurrence of travel in this prolonged period? For instance, is it necessary to travel every day, every workday, three or four days out of the week, every ten days, etc.?

A. Islamic law does not express a specific number of travels but has relegated the matter to the common perception of the general public. (That is, it depends on how one’s status is commonly perceived by the general public. If common perception deems that one’s travels are so frequent in this period that travel can be considered one’s occupation or a requirement thereof, then the special precept governing occupational travel applies to one.) The general understanding, however, seems to be that only those who are regularly traveling (that is, traveling constantly except for weekends and holidays) are commonly perceived as engaged in occupational travel and so only those who travel to this extent in this limited period are definitively governed by the special precept concerning occupational travel. Otherwise, if one is uncertain as to how one’s status is commonly perceived, the special precept concerning occupational travel does not apply to one.

Q7. Does the special precept governing occupational travel apply to a person who travels once a week in relation to his occupation?

(Does he need to perform his four-segment prayers in full or, like most travelers, in the form of two segments?)

A. In the case in question, the special precept governing occupational travel does apply to him, and so he must pray his four-segment prayers in full and fasting is permissible for him.

Q8. What is the obligation of a person who goes out of town frequently for occupational matters but without exceeding the travel limit(3) specified by Islamic law should he occasionally travel beyond the travel limit?

A. In the case in question, the special precept concerning occupational travel does not apply to the person, and so he cannot fast and must pray his four-segment prayers as two segments.

Q 9. Should a person whose work involves occupational travel remain in a place (whether it be his hometown or elsewhere) for at least ten days, how must he pray once he resumes his occupational travels?

A. The application of the special precept concerning occupational travel is interrupted by a ten-day stay in any place, whether it be one's hometown or elsewhere. Once one resumes one's occupational travels, the first occupational travel is not subject to the special precept concerning occupational travel (that is, one cannot fast and must pray the four-segment prayers as two segments), but—provided that he is planning to continue going on occupational travels on a regular basis—as of the second occupational travel, the special precept does apply to him (that is, he can fast and must pray his four-segment prayers in full).

Q10. Should a person whose work involves occupational travel remain in a place for ten days, then travel for non-occupational purposes, and thereafter go on an occupational travel, what is his duty on this occupational travel? (Does the special precept concerning occupational travel apply to him because it is his second travel, in spite of the fact that it is the first non-occupational travel following the ten-day hiatus?)

A. The special precept does apply to him, though as a matter of mandatory caution he must perform his four-segment prayers both ways, once in full and once as two segments.

Q 11. Not traveling for ten days is said to interrupt the sequence of occupational travels and the application of the special precept concerning occupational travel, such that if a person who travels regularly for occupational reasons remains in one place for ten days, the first occupational travel after this ten-day stay is not covered by the special precept concerning occupational travel. Now, my question is this, is this ten-day interruption caused only by staying in one place or can it also be caused by going on non-occupational travels?

A. As correctly stated in the question, staying in a place for ten days (whether it is one's hometown or not) interrupts the application of the special precept concerning occupational travel, and so one whose occupation requires frequent travel is not covered by the special precept on one's first travel following the ten-day stay; the special precept applies as of one's second occupational travel. This ten-day interruption, however, can only be caused by actually staying in one place for ten days. Going on non-occupational travels does not interrupt the sequence of occupational travels and the application of the special precept. Therefore, if one who travels regularly for occupational reasons happens to go on a personal travel for ten days, though one cannot fast on this personal travel and one's four-segment prayers are reduced to two segments, yet the first occupational travel following this non-occupational travel is (unlike the occupational travel that follows a ten-day stay in a place) subject to the special precept concerning occupational travel, and so one can fast on this travel and must perform four-segment prayers in full.

Q 12. If a person remains in a place other than his hometown for ten days or more for reasons related to his occupation, how should he pray on the return trip to his hometown?

A. The special precept concerning occupational travel does not apply to him, and so he cannot fast and must pray his four-segment prayers as two segments.

Q 13. Should a person who travels frequently for occupational reasons travel to a place for occupational reasons and then decide to remain there for several days for personal reasons, how is he to pray on his return trip?

A. If the duration of his stay is not ten days or more, on his return trip he must, as a matter of mandatory caution, pray both ways. (That is, he must pray each originally four-segment prayer twice, once as four segments and once as two segments.) If the duration of his stay is ten days or more, the special precept concerning occupational travel definitely does not apply to him, and so he cannot fast and must pray four-segment prayers as two segments.

Q 14. If someone goes on an occupational travel to a town, and for the same occupational reasons travels from that town to surrounding areas but returns to the town at night, are his daily trips out of the town considered separate occupational travels or do they constitute one prolonged occupational travel to that town?

A. If his trips exceed the travel limit as designated by Islamic law (meaning that his trips take him over 20.5 kilometers outside the town), they constitute multiple occupational travels.

Q15. Should one go to the destination of one's occupational travel a few days sooner than what is required by one's occupational commitments or remain there a few days after completing the occupational purpose for which one is primarily traveling in order to take care of personal matters, what is one's status? Does the special precept concerning occupational travel apply to one on those

days one is taking care of personal matters?

A. Whether one goes sooner or stays a few days longer does not interfere with the state of being on an occupational travel, and so even on those days one takes care of personal matters, one can fast and must pray one's four-segment prayers in full.

Q16. Someone has only recently taken up a line of work that requires regular occupational travels. Does the precept concerning occupational travel apply to him from his first travel or his second travel?

A. Provided that travel is essential to his occupation and that he will travel regularly for occupational reasons, he can fast and must pray his four-segment prayer in full as of the very first trip.

Q17. An individual has a primary occupation that requires regular travels. But additionally he goes on other occupational travels that are not related to his primary occupation. What is his status in terms of his prayers and fasting when he goes on these secondary occupational travels that are unrelated to his primary line of work?

A. As they are also occupational travels, they fall under the jurisdiction of the precept concerning occupational travel, and so even on these secondary occupational travels, he can fast and must pray his four-segment prayers in full.

Q18. If someone who goes on occupational travels on a regular basis takes his family along with him, what is their status as regards their prayers and fasting? Can they simply follow what he does, or is their status independent of him?

A. Their status is independent of him, and so they cannot fast and must pray their four-segment prayers as two segments unless they are traveling on occupational reasons of their own.

Q19. In determining the travel limit of a town or city, can we rely on the generally accepted assumption of the native population, even if it is not precise, or must we calculate it precisely on our own?

A. What matters is that one must have confidence (iṭmīnān) regarding the precise distance of the town or city's travel limit. (Absolute certainty is not necessary. If relying on the generally accepted assumption makes one confident of the precise travel limit, that is enough. If, however, one does not acquire confidence in light of the generally accepted assumption, one must find some other means, such as doing the calculation oneself, that would provide one with sufficient confidence as to the precise distance of the travel limit.)

Q20. What constitutes a traveler's arrival: Is it arriving at the most peripheral buildings of the town or city of one's destination or reaching the specific destination within the town or city that one intends to reside at or wherein one plans to take care of occupational matters?

A. If one's destination is exclusively a specific point such that the rest of the town or city does not concern one only except to serve as the way through which one passes to arrive at one's specific destination, it is reaching the specific destination within the town or city that counts, and so the distance that one traverses in the town or city must be calculated into one's travel distance. If, however, one's objective in traveling is not strictly confined to that specific point within the town or city, despite one's intention to go there, but will require going to other points in the town or city as well, such that arriving in the town or city is regarded as reaching one's destination, it is reaching the outskirts of the town or city that marks one's arrival.

Q21. A person goes on an occupational travel but for personal reasons abandons the task that defined the purpose of his occupational travel, leaving it unfinished. What is his status on his return trip?

A. In the case in question, his four-segment prayers are reduced to two segments and he cannot fast on his return trip.

Q22. Should a person who travels frequently for occupational purposes go on a personal trip, what is his status if he travels thereafter to a destination other than his hometown for occupational purposes?

A. The occupational travel described in the question, following a personal travel, is covered by the special precept concerning occupational travel, and thus he must perform his four-segment prayers in full and his fasting is valid.

Q23. Assuming that an individual was on an occupational travel and thus was supposed to pray his four-segment prayers in full but prayed them as two segments, what is his obligation regarding those prayers?

A. He must redo the prayers in the correct format (that is, as four segments). If the designated time of the prayer in question has elapsed, he must redo it with the intention of redressing an action whose designated time has passed (that is, with the intention of qaḍā'), and if the designated time has not passed, he must redo it with the intention of performing the original action over again (that is, with the intention of i'ādah).

Q24. If a person is on a non-occupational travel and thus is supposed to perform his four-segment prayers as two segments, what is his obligation should he incorrectly pray them as four segments.

If the person in question is entirely ignorant of the precept that during travel four-segment prayers are reduced to two segments, his prayer, though performed incorrectly, is valid, and so there is no need to redo it. If, however, he was not aware of the factual circumstances (that is, he was not aware that he had traveled 20.5 kilometers and was under the impression that he had traveled less than that distance) or if he was unaware of some of the details concerning the precept, though he knew the general precept that during travel four-segment prayers are reduced to two segments (that is, for instance, he did not know that traveling 20.5 kilometers suffices in halving four-segment prayers, assuming that the required distance is more than that), he must, as a matter of mandatory caution, redo the prayers as two segments, whether the designated time of the prayer has elapsed or not. (If it has elapsed, his intention must be redressing an action whose time has passed (qaḍā'), but if there is still time, his intention must be doing an incorrectly performed action over again (i'ādah).) Furthermore, if he forgot that he was traveling and thus prayed his four-segment prayers in full, if the designated time of the prayer has not elapsed, he must redo the prayer, but if the designated time has elapsed, there is no need to redo it.

Q25. If a student must travel on a regular basis for his studies, what is his duty as regards his prayers and his fasting, assuming that his studies are not required by his occupation?

A. As a matter of mandatory caution, students who must travel regularly for their studies must perform the four-segment prayers both ways (that is, as two segments and as four segments) and must fast during their travels but also make up for the days they fasted during their study-related travels as though their fasting was invalid. It must be pointed out, however, that on this matter (as on every matter whose precept is not stated definitively but as a matter of mandatory caution), the followers of Ayatuallah Khamenei may defer to the view of the other respectable authorities in deference (marji' taqlīd, those to whose opinion one is permitted by Islamic law to defer), provided that they observe the rules governing 'udūl (the act of referring to the view of an authority in deference other than the one whom one follows).

Q26. What is the status of Islamic seminary students that have to travel for their studies?

A. Travels undertaken by students of seminaries and military academies, which are considered an extension of their peculiar line of work, are deemed occupational travel (provided that they have to travel on a regular basis). As such, they can fast while traveling and must perform their four-segment prayers in full.

Precepts concerning Hometown

Q 27. What are the criteria that identify one's original hometown? Does being born in a place make it our original hometown? How about a town or city from which our parents hail? It is necessary to be raised in a place to make it our original hometown?

A. That a town or city is one's place of birth or the hometown from which one's parents hail are not in and of themselves sufficient reason to identify a place as one's hometown. The main criterion for identifying a place as one's hometown is being raised there in the early years of one's life, to have spent one's childhood and adolescence there.

Q28. If one is born in a place that serves as a temporary place of residence for one's parents, how long does one need to live there for it to be considered one's original hometown?

A. This is of the matters whose determination Islamic law has delegated to the general public ('urf), and thus it is the common perception of the general public that must be consulted. Nevertheless, we can confidently ascertain two facts in this regard. (1) Remaining in a place described in the above question for fifteen years definitely makes it one's original hometown. (2) Remaining there for only two years is definitely insufficient for rendering it one's original hometown.

Q29. What criteria need to be observed in order to identify a place as one's adopted hometown? It is necessary to have plans to reside there permanently?

A. For a place to be deemed one's adopted hometown, one must intend to remain there permanently or indefinitely. If, however, one intends to reside there for a prolonged period of time—say, ten or fifteen years—it is unclear whether this would suffice, in so far as the common perception of the general public is concerned, in identifying the place as one's hometown, unless the prolonged period one intends to stay is four or five decades or longer, in which case it would definitely be considered one's adopted hometown.

Q30. If one has decided to reside in place for the entirety of one's life as one's adopted hometown, is this decision enough or is it necessary for one to reside there for some time before it can be deemed one's adopted hometown.

A. The mere intention to reside in a place permanently is not in itself enough to identify it as one's adopted hometown. For a place to be considered one's adopted hometown, one must carry out those measures that are commonly associated with taking up permanent residence in a place (such as buying or renting a house or starting a job), in which case the place would be considered one's adopted hometown even before one has stayed there for a considerable amount of time. If, however, one does not carry out those measures commonly associated with permanent residence, one must remain there long enough that the place is seen in the common perception of the general public as one's hometown.

Q31. If a person intends to spend three or four months out of the year in a place for the remainder of his life or for a very long period time, can it be considered his hometown?

A. If his intention is to adopt the place as his hometown and provided that he undertakes measures associated with permanent residence in a place (such as building, buying, or renting a house), it will be deemed his second hometown.

Q32. If one resides in a place that is not one's original or adopted hometown but only a place of residence in which one is deemed a resident and not a traveler, what is one's status with respect to praying and fasting.

A. If one is deemed a resident in a place and not a traveler, fasting is valid and four-segment prayers must be prayed in full, even if the place is not considered one's original or adopted hometown. (What this answer means is that if one is considered to be a resident in a place and not a traveler, one can fast and must pray the four-segment prayers in full even in the absence of the intention not to leave the place for ten days. The intention not to leave a place for ten days is necessary for rendering fasting valid and four-segment prayers complete only if one is deemed a traveler in a place, not a resident.)

Q 33. How long must one remain in a place other than one's hometown in order to be considered a resident?

A. If one is planning to reside in a place for at least a year or two years, one is no longer considered a traveler but is a resident of that place, and so fasting would valid and four-segment prayers complete.

1. The four-segment mandatory canonic prayers (the noon prayer (ẓuhr), the afternoon prayer (‘aṣr), and the night prayer (‘ishā’) are usually reduced to two segments when we travel. (Travel is defined by Islamic canon as traversing a distance of at least 45 kilometers, 20.5 kilometers of which must be in the direction that takes one away from one's point of origin.) Under certain conditions, however, the original four-segment format is reinstated. The most common cause for this is that if one travels regularly as a requirement of one's line of work, such that traveling would itself be one's job (as is the case with the captain and crew of a ship or a truck driver) or a requirement of one's job (as is the case with a regional manager of a company who must travel regularly to oversee work at several locations). Under these conditions, the permissibility of fasting, which is also invalidated by travel, is also reinstated.

2. Canonic law in many instances relegates the function of defining a particular phenomenon or action to the general public, deeming the common perception as the criterion for whether a particular thing is subject to a canonic precept. In other words, Islamic law stipulates, for instance, that under certain conditions Precept A, for instance, applies to a given Subject C. The particular instances of Subject C are in many cases determined by how the general public commonly perceives it.

3. The travel limit specified by Islamic law is 41 kilometers, at least 20.5 kilometers of which must be in the outgoing direction. That is, if the road that one takes to one's destination is 20 kilometers and that which one takes on the return trip is 21 kilometers, one's fasting and prayers are not affected by this travel. The outgoing trip must be at least 20.5 kilometers and the entire trip—the outgoing and the incoming trips considered together—must amount to 41 kilometers.