MOURNING RULES - 6 /Oct/ 2018

Q 1: Is it permissible to receive charitable donations on the days of Muharram, separate them into portions and allocate some of them to the Qur'an reciter, the elegy orator, and the preacher, and to spend the rest for holding gatherings commemorating the martyrdom of the Imam Ḥusayn (`a.s.)?

A: There is no harm in it provided that it is done with the consent and the permission of the donors.

Q 2: Is it permissible to spend the money left over from Fāṭimiyyah (the season when commemorative gatherings of Lady Fatimah's martyrdom is held) for the commemorative gatherings held in Muharram?

A: There is no problem in it on the condition that the donors of the money have not vowed to spend it just for Fāṭimiyyah commemoration gatherings, or if it is not against the donors' purpose of donation.

Q 3: In what avenues should the money left over from the donations for holding commemorative gatherings on the tenth of Muharram (Ashūrā) for the occasion of the martyrdom of the Imam Ḥusayn (`a.s.) be spent?

A: Provided that the permission of the donors is obtained, the remainder could be spent in charitable causes or saved for future commemorative functions.

Q 4: Is it permissible to use the property of Public Treasury for holding commemorative gatherings (for the martyrdom of the Infallibles)?

A: Generally speaking, such matters are subject to rules and regulations of their relevant office and should not be flouted. However, if it (using the above property) is in accordance with the rules and regulations, there is no harm in it.

Q 5: Is it makrūh (disliked) to spread out black fabrics and cover the walls of the masjids or wear in black when commemorative gatherings are held?

A: Spreading out black fabrics to cover the walls of the masjids, as well as wearing in black during commemoration days of the Pure Household of the Prophet (s.`a.w.) with the intention of venerating the divine sacraments and expressing one's sadness and grief make one gain divine rewards.

Q 6: Is there any harm in smearing one's head and forehead with some mud on the days when commemorative gatherings are held?

A: If it is that which is commonly done and considered by common people as a manifestation of grief in commemorative gatherings, there is no harm in it.

Q 7: Recitation of the Holy Qur'an and sermons emanate from the loudspeakers installed on top of masjid buildings, especially during the season of the commemoration of the martyrdom of Imam Ḥusayn (`a.s.). Although the sound is very loud, which can be a nuisance to neighbors, the people responsible for the functions are adamant to carry on. What is the ruling in this matter?

A: Although holding commemorative rituals and religious functions during the commemoration season in a ḥusayniyyah is among the best and highly mustaḥabb (recommended) practices, the people responsible for holding these gatherings should do their best to avoid all that which may cause a nuisance to neighbors. They could do this by lowering the volume of the public address system or by directing the speakers inward.

Q 8: What is the view on the traditional re-enactment of the martyrdom of Imam Ḥusayn (`a.s.) which may have some positive effect on the minds of people?

A: There is no harm in it provided that it is bereft of lies and falsehoods, does not lead to vile deeds, and does not undermine the true school of thought due to the requirements of the times. However, it is preferable that assemblies commemorating the martyrdom of Imam Ḥusayn (`a.s.) are held where preaching can be done and words of guidance imparted along with elegy recitation.

Q 9: Some religious organizations hold ceremonies commemorating the martyrdom of Imam Ḥusayn. Some of the accounts they recite about how the Imam was martyred are not quoted from reliable sources or heard from any mujtahid. When the reciters are asked about the source, the reply is that the Ahlul-Bayt (`a.s.) had taught us the same and that the account of the Battle of Karbala can be related by way of inspiration as well and not necessarily through quoting. My question is this: Can the historical events be related through inspiration? If it is not the case, what should be the position of the listeners of such accounts?

A: Recounting the events in such a way without any evidence of an authoritative account or quoting from a reliable ḥadith has no basis in Islamic law unless he says it is his perception of the story and there is no evidence against it. The audience has the duty of forbidding evil if otherwise and the conditions are available.

Q 10: Is it permissible for a woman to be an elegy reciter in commemorative gatherings if she knows that men, who are non-maḥram to her, would hear her voice?

A: If the fear of vile consequences exists, they should avoid it.

Q 11: What is the ruling in the matter of hearing the crying and wailing of a non-mahram female mourner in commemoration of the martyrdom of the Ahlul-Bayt (`a.s.) for men (considering that the men's compartment and that of the women are adjacent in the commemoration gathering)?

A: In itself, there is no objection to it, provided that it does not lead to a bad consequence.

Q 12: Is there any objection (for a man) to baring his trunk while beating his chest in commemoration with the martyrdom of Imam Husayn, in case no non-mahram is present?

A: It is advisable to hold commemoration gatherings traditionally – that is being dressed.

Q 13: Is it permissible to physically injure oneself in the commemorative gatherings?

A: It is not permissible to harm one's body in the commemorative gatherings in case it results in remarkable physical damage, or it puts our school of thought, the believers or the commemorative gatherings on the occasion of the martyrdom of the Infallibles (`a.s.), in a bad light. At any rate, the believers had better to observe the standards of commemorating the martyrdom of the Infallibles, especially the Master of the Martyrs, Imam Husayn (`a.s.)

Q 14: Is it permissible to do harwala (trotting) and utter the names of the pure Imams successively and quickly (in the commemorative gatherings)?

A: In itself, there is no objection to it provided that the proceedings do not put our school of thought or the commemorative gatherings on the occasion of the martyrdom of the Infallibles (`a.s.), in a bad light.

Q 15: Is there any problem in using certain expressions like "I am Husyan's dog" in commemoration gatherings?

A: It is not advisable to utter such expressions. At any rate, the believers had better observe the standards of commemorating the demise of the Infallibles, especially, the Master of the Martyrs, Imam Husayn (`a.s.).

Q 16: What is the ruling in the matter of using musical instruments, such as the organ, in commemorative marches?

A: Using musical instruments is inappropriate for the commemoration ceremonies of the Master of Martyrs (`a.s.). It is preferable to hold commemoration ceremonies in the same traditional way that has been handed down through the generations.

Q17: As a result of taking part in the commemorative ceremonies of Imam Ḥusayn (`a.s.), a worshipper missed out on some devotions, such as the Morning Prayer, Is it better for this worshipper to refrain from attending the commemorative ceremonies or that breaking the habit would result in alienation from the Household of the Prophet `?

A: No doubt the obligatory prayer takes precedence over the participation in the commemorative ceremonies of the Household of the Prophet (s.`a.w.). Therefore, it is not permissible to overlook an obligatory prayer under the pretext of taking part in the commemorative ceremony of the Household of the Prophet (s.`a.w.). The participation could be in a way which does not prevent one from performing prayers and it is a highly mustaḥabb practice.

Q18: During the month of the Muḥarram, commemorative processions and the sounds of drums and trumpets continue until after midnight. What is your view on such a practice?

A: Staging processions commemorating the martyrdom of Imam Ḥusayn (`a.s.) and his companions and taking part in these religious ceremonies are commendable works. Indeed, it is among the best deeds by which one can seek closeness to Allah, the Exalted. However, one must be mindful not to embark on any action which might cause distress to others or is ḥarām in itself.

Q 19: Is it permissible for women to take part in the processions where beating the chests and lashing with chains take place provided that they observe ḥijāb and wear special clothes?

A: It is not appropriate for women to take part in the processions of chest beating and lashing with chains.

Q 20: What is the ruling in the matter of people who let themselves fall onto the floor before they enter the Holy Shrines of Imams (`a.s.), rubbing their face and chest on the ground and bruising their body (and causing it to bleed)?

A: There is no evidence in Islamic Law that may lend support to such behavior that is not considered as showing empathy with the plight of the Imams (`a.s.). Moreover, it is not permissible if it causes serious bodily harm or besmirches the image of our school of thought.

Q 21: What is the ruling in the matter of using mourning standards in the rituals/processions commemorating the martyrdom of Imam Ḥusayn (`a.s.) by putting it in the masjid or carrying it along with the mourners?

A: There is no problem in so doing in itself. However, this should not be perceived as part of the religious tradition.

Q 22: What is the ruling of beating the drum and cymbal, and blowing the trumpet, in the commemoration gatherings and during the processions of the commemoration (of the martyrdom of Imam Ḥusayn (ʿa.s.))?

A: There is no harm in using the drum, cymbal, and trumpet in the traditional way. However, they should not be used in a way that poses harm and annoyance to others.

Q 23: What is the ruling in the matter of lashing oneself with chains as done by some Muslims?

A: If it is that which is commonly done and considered by common people as a manifestation of grief in commemorative gatherings, there is no harm in it.

Q 24: What is the ruling in the matter of buying and selling on the ninth and tenth of Muharram (Tāsūʾā and Ashūrā)?

A: In itself, it is not ḥarām, however, it is advisable that one attends to taking part in commemorative gatherings and does not deprive himself of the magnificent reward (promised for it).

Q 25: In commemorating the martyrdom of Imam Ḥusayn (ʿa.s.) on the tenth of Muḥarram, some people hit themselves with a machete, or walk bare-footed on fire. Such actions defame Shiʿism and put it in a bad light, if not undermine it. They cause bodily and spiritual harms on these doing it as well. What is your opinion in this matter?

A: Any practice that causes bodily harm, or leads to defaming the faith, is ḥarām. Accordingly, the believers have to steer clear of it. There is no doubt that many of these practices besmirch the image of Ahlul-Bayt's (ʿa.s.) School of Thought which is the worst damage and loss.

Q 26: What is the sharʿī criterion in determining physical or psychological damage?

A: The criterion is noticeable and considerable harm judged by common sense.