EVALUATING THE AREA OF THE ISLAMIC GOVERNMENT'S DUTIES TOWARDS FINANCIAL AND NON-FINANCIAL WORSHIP

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Abstract. It is clear by examining a collection of jurisprudential issues, that the government's lack of attention to some issues may even worship in the Islamic society can create the disturbance. For this reason, it has been tried in this paper to examine more precisely the dimensions of the duties or Shiite jurisprudence recommends about the worship from financial and non-financial perspectives for Islamic government. It can be stated by analyzing and mining the data of this issue that the necessity of worship in certain times and periods such as five prayers at certain times from the time of puberty until death or other worship, such as fasting and pilgrimage at certain times, or the necessity of khums and zakat in the specified number and one-year courses are among features of a regular and permanent program that has been set throughout human life, so prayer and worship in Islam is considered as the main component of human life and a program for human perfection. There are a lot of debates in the Shiite jurisprudence about the implementation of certain and indeterminate punishments and limitations from the government, but there is no particular discussion about worship and possible monitoring or contributing to their proper implementation, except for the Hajj, which is very limited and scattered. In the recent century, and especially in Iran after the Islamic Revolution, opportunities have been provided for discussing about Islamic governance issues and Islamic country governance for Jurisprudents.

Keywords: Islamic government, worship, Friday prayer, Hajj, Khums, Zakat.

Introduction. The duty of government and the rules of the government in the field of worship is not only that it is solely responsible for respecting these rules, but also in some cases should try to implement the essential rules of religion. If people refuse to perform the Hajj, it is the duty of the ruler to force, persuade and propagate and promote

people to do this, in order to fulfill their religious duty (Al-Nahiyat, p. 285). And the Friday prayers are administered by the ruler. Human's behavior in the worship area is imaginable in two forms: 1. Appearance behavior 2. Spiritual and mental behavior; therefore, if someone participates in jihad and performs the work that the Sharia requires him to do, then apparently the task has been removed from his duty or the apparent effects are loaded on his/her participation in Jihad: such as, the exemption from the duty of the army and the military service that is called military service under the flag. If one refuses from the military service deserves governmental punishment, but in jihad, the condition is to become closer to God, and that this duty must be done in the path of God. Matter that cannot be found out in any of the other non-religious rules (a group of authors, Bita, V. 37: 104). And it has been stated in Hadith: "Al Ahmar Al-Nabat, "If the faith of the individual and society is not in accordance with the orders of the Creator of the Almighty, how can the ruler and in what way can he discover these hidden secrets and matters in these spiritual and inner ways?

It should be examined whether the government can interfere in worship, which its main element is closeness intention, and if it can do, how will she acts. two issues are discussed in order to answer the research questions; one of them is non-financial worship and the powers and duties of the Islamic government toward non-financial worship, the creation of a platform for worship, the supervisory and supportive aspect of the government for the establishment of the Hajj, and the other one is topic of the authority and duties of the Islamic government towards to financial worship, description of Zakat based on the Islamic government and take zakat and khums from disobedience and ta'zir in case of refusal.

Non-financial worship. They have a single opinion on this matter regarding non-financial worship, and they do not know representation allowed in non-financial worship, and state that the intention of Lawyer in non-financial worship is that a person who is obliged to do an action performs it himself. The lack of permission representation in financial worship is before die because some of them said that after the death of somebody, which the jurists agree in possession of the representation.

"In fasting and prayer, our companions agree with giving permission of representation after death because there have been many narrations from the Imam (as) in this case, and even a narration has not been said about the prohibition of representation in prayer and fasting after death, and this promise is reasonably strong in regard to permission." (Fazel Moghad, v. 1: 184)

Some contemporary jurisprudents have also said that:

"The duty of stewardship is from born in worship, until the uprising of reason based on the absence of absolute or, in the event of inactivity, by virtue of the specialty of worship, as against it needs for the reason. Of course, the approaching agent's stewardship for him is a supplement to the appointment of the nominee, although he is to be reckoned with. And this utopian order does not require the validity in the obligated and not obligated worship, but the validity of the verse is from that statement, as quoted in Mesalak, the occurrence of a community of the Prophet on the establishment of the Hajj, and the other one is topic of the authority and duties of the Islamic government towards to financial worship, description of Zakat based on the Islamic government and take zakat and khums from disobedience and ta'zir in case of refusal."

"The advocacy is correct only in the case that the representation to be correct in it" (Tusi, 1407 AH: 327). And have stated the inaccuracy of representation (الوعيب: about representation of the about commends Helli Allameh and explain; about representation of the about commends Helli Allameh and explain).

Concerning advocacy, the jurists have pointed out that there is a representation in the same. the as worship non-financial the in representation: "Allameh Helli, c. 1: 415"), and have stated that Fasting and prayer are one of the cases that representation is not correct in it, and the intention of holy lawyer in this kind of worship is to carry out his duties on behalf of imposer ( Jame'a al-Khalaf, Sabzevari, 327)

"Whatever the stewardship is not right for it, representation is not also correct to it. According to this point, all physical worship and pseudo-worship such as Nazr, Lean, compurgation, and ... are out of the scope of having representative, and in none of these, having representative is not permissible in the case of being alive, but after the death, the permission of representation is granted in the physical worship." (Nazedolhavae Helli 386)

 Authorities and Duties of the Islamic Government towards non-financial worship

An important part of jurisprudential rules is worship, such as prayer, fasting, pilgrimage(Hajj) ... that is the relationship between creation with the creator, and it seems that it has no relationship with the government, but with a little precision it becomes clear that this part is also requires government for the correct implementation of supervision or support. In Hadith of Imam Reza (AS) we read:

"The sovereignty and imamate is the basis of Islam, and the prayers and zakat and fasting and pilgrimage(Hajj) and the division of the public treasury and the fulfillment of boundaries and the maintenance of the borders are completed through it."

Friday Prayer adduction. Friday prayers adduction is among the rules that require the existence of an Islamic government. Friday prayer adduction is administered by the ruler (Tusi, 1387, V. 1: 143)."
A major ethical point to consider, outside of religious laws and the best cultural and educational methods, is the use of indirect government influence. If a leader leaves the prayer and instead promotes prostitution or tolerates it, they will be punished for the sake of leaving the prayers.

In the context of the establishment of Friday prayers and its two-part philosophy, in the news of Fazl ibn Shazan of Imam Reza (AS), it has been stated such as:

"If said, why the sermon has been put on Friday prayer?" It should be said that because Friday prayer is the place of the presence of all people, God has granted the ruler to have a means and way by which he preaches the people and encourages the obedience of God and bears his disobedience and makes them aware of the expediency of their religion and their worlds and makes them aware and puts them in the course of the problems that have come to them from the cities and countries and the policies that will benefit them or harm them" (Amoli, 1409 AH: 39/5, paragraph 25 from the prayers Friday, Hadith 6).

In the narration of Abdulrahman bin Sayabeh, quoted from Imam Ja'far Sadiq (AS) that said:

"It is imperative for the Imam to release those who have been imprisoned for payment of their deviations on Friday to take part in the Friday prayers and on Eid's Day to participate in the Eid prayers and send the agents along with them, so when the Friday prayers and the Eid has come to an end, they will return them to the prison" (Amoli, 1409 AH: 36 chapters from chapters of Sala'at al-Jomeh).

It is used in this narrative that the dominant aspect in Friday prayer is its political aspect, to the extent that its prisoners and guardians (al-Kaffi fi al-Feghh, p. 448) must be present in prayer, and this power is given to someone that the authority of prison and the prisoners is with him, and this is definitely among the power and authorities of the government (Montazeri Najafabadi, 1409 AH: V 1.197).

Creating a platform for doing worship. The government cannot force the people of the community to perform worship. But in abandoning the worship action, it should be noted that in the first phase, there should be a distinction between "crime" and "sin" in religious government.

The difference between sin and crime. The sin is a Persian word and in Arabic is called a zanb, meaning the tail of the animal or anything, and it is an unpleasant act, and the crime means the cessation of the fruit and the wrong thing (Ragheb Isfahani, Majam, the words of the Qur'an (184 and 89, below the words).

Constructing the government for doing worship. Among the verses that can be cited in this regard is verse 41 of the Hajj Surah: "Those who, if we give them power and strength on the earth, will establish prayers and pay Zakat, and will command people to do good deeds and to forbid evil deeds."

It is not understood obligation and compulsion from this verse in the performance of duties, but it is used when this group, which took power, tries to provide the basis for spirituality and justice;

Also, if it is related to social issues, that is to say, in a place that damages the rights of the community and leads to prostitution and the promotion of public disobedience in the case of fasting, pilgrimage (Hajj) and other acts of worship, it is considered, of course, as a second type, but permission of obligation and force on people - if it does not observe that does not cause violation of the rights of the majority of people, or is not the basis for corruption and the spread of prostitution - is not religious in nature, and the best cultural and educational way and the use of indirect methods for encouragement is the best way.

God says in the holy verse of 25 of Surah Hadid, in the context of the purpose of sending prophets and books: "As people they lead justice through the guidance of the Prophets and their cultural and thoughtful work" (Hadid, 25). The Qur'an has not said: so that the prophets establish the justice, so that the law of justice not to be by force. And the continuation of the verse that says:

"..." is related to defend Islam against the invaders and the fight with the infidels, as is used in some of the traditions, and according to other verses and first of same verse never implies the coercion of individual beliefs or duties (Montazeri Najafabadi, 1429 AH: 144).

It should also be noted that the first principle of the rational and religious, the lack of authority of authority, is to the other, except for the case that comes out of reason, so wherever there is doubt about the authenticity of the province of someone else, the principle is based on the lack of authority. Or wherever undoubtedly province arises in the quality and quality, the principle is based on the lack of certainty of the province in a more than reasonable amount.

Therefore, in the discussion of the actions of the Province Government in the area of religious rule, if there is doubt about the authenticity of the province in the private sphere of the life of individuals that is- the magnitude of the belief that is general area of the life of individuals is the subject of the realization and actions of the province (Montazeri Najafabadi, 1429 AH: 155).

In addition, the discussion of the government is based on necessity and urgency (نecessity and urgency stipulates that it must be constrained to such an extent (Montazeri Najafabadi, 1429 AH: 155).

Amir al-Mo'menin Ali (AS) has mentioned education from the people's rights to the ruler:

"Verily, it is not on Imam except that which has been assigned to him by the Lord: not giving up in preaching and practicing in the advice" (Nahj al-Balagheh, sermon 105.)

The Prophet (pbuh) said about the hands of the Muslims who had left the congregational prayer : "If you perform a prayer, it is as long as praying (ني، نه، نه: Almaizan, V4, 127).

The fidelity and development of frontiers and the preservation of pure habits are not only the duties of the government of Islam, but the propagation of the land and the ground for worship are among the duties of the Islamic government.
3- Supervisory and supportive aspect of government for Establishment the Hajj
In the decree of Hajji, it had been undoubtedly meant the political, social, and even economic direction.
The philosophy of Hajj has been expressed in many ways, including:
The narration of Fazl ibn Shahzad, quoted by Imam Reza (AS), said:
“The people were tasked with pilgrimage (Hajji) to all the surrender come to God … In addition to this, there are many benefits to all people for those who live in the east and west of the earth and for those who live in the land and the seas and for those who have participated in the Hajj ceremony or not, for the merchant and the business man and the buyer and the poor, and, the attacker and the driver, and to meet the needs of those around them, that can participate in the ceremony, as well as It has other interests such as learning the religious issues and transferring the news of the Imams to all the tribes and the cities and regions of the different counties” (Amoli, 1409 AH: chapter 1 from chapters of Vojob Al Hajj, Hadith 15).

It has mentioned about philosophy of Hajj In the news of Hisham ibn Hakam, from Imam Ja’far Sadiq:
“... The God ordered the people to perform the Hajj. Because of obedience to religion in order to satisfy them in their worldly works, God placed the community of people from the east to the west to recognize each other, and every tribe and race of property carry their activities from city to city in order to benefit the a person who carries some thing and the camel’s owner in this regard (improves transportation, and trade), as well as for this reason that the people know and understand the works of the Prophet (p.b.u.h) and his news and He always stay in memory and do not forget. If any people remain in their city and their land, and they only talk about them, people die, cities are ruined, and business will not flourish and the news will not be heard by the people and the Muslims will remain inaccessible ... Therefore, this is the reason for the Hajj that is obliged (Amoli, 1409 AH: 8/8 chapter 1 from chapters of Vojob al-Hajj, Hadith 18).

The above-mentioned narrations are used in which the Hajj has economic and political interests for the whole of society, is the congresses in which Muslims participate in the whole Islamic world and raise their political issues and problems with each other and bring news from the center of the Islamic government of the Imams- At the time of the Imams (as), they gain from them and at other times from the other leaders of Islam, and they pass on their own countries and to other Muslims and decide (Montazeri Najaf Abadi, 1409 AH: 214 Jurisprudence foundations).

Complimentary to participate in Hajj by the governor. In the news of Abdullah bin Senan from Imam Ja’far Sadiq (as) quoted that the holy prophet said:

“أي بدع مجهول يدعى عيسى يزعم أن يرافق أهل النجاح، فأنا يا مهاجر يا عبد الله”

“"If people have failed to take part in the pilgrimage (Hajj) ceremony” (Mohaddes Noori Tabaresi, Bita, 8/15, 5th chapter of chapters of Vojob al Hajj, Hadith 1).

The owner of Javafer states on the quest for the pilgrimage of the Prophet Mohammad (PBUH) that if the people leave the pilgrimage of grave of the Prophet (p.b.u.h), they will be forced to do so. He considers this sentence documented in a narration from Imam Sadiq (AS) that the Prophet (p.b.u.h) said:

نَفَّذَ الْمَجْرِيجَةَ لَامِنَاءٍ يَطَفَّأُ لَامِنَاءٍ يُقَطِّعُ أَوْلَادَهُ وَمَهَماً يُقَطِّعُ أَوْلَادَهُ وَلَيْسَ يَطَفَّأُ لَامِنَاهُ وَلَيْسَ يُقَطِّعُ أَوْلَادَهُ

In addition, he states from the appearance of narration in addition to coercion on the grave of the Prophet, also obligation on the Hajj also as obliged matter (Najafi, 1404 AH, V 20: 51) It should be said in total, worship needs, as in other affairs, a supportive support for the better performing. One of the roles that the government can play in worship is afterwards. Since the wisdom of the expenses of the Muslim nation is on the responsibility of the government and the ruler and the person appointed, worship is one of the things to be financed from the budget, therefore, the government is considered as the best and most qualified supporter and institution of worship.

Shahid Sani says about the salary of muezzin:
“It is forbidden to receive an allowance for Azan, and it is forbidden to do so, but the use of Money of treasure has no problem for muezzin. The difference between paying salary and alimment is that the salary requires the determination of the amount of specific action, change, term and sentence, but the alimment is subject to the ruler’s opinion.” (Amoli, Bita: V 3, 217).

Ibn Idris Helli also writes: "إِذَا الْيَدُ الْأُمْرَى عَلَى الْخَلْقِ صُوْبُرَ" (Helli, 1410 AH: V 1,215).

Perhaps, if this support is not done of worship, Muslims will be loose in worship, and sometimes they will not be able to worship due to lack of financial reward. The Islamic ruler has a responsibility to arbitrarily rule the law; especially if social worship is considered as "the slogan of religion" so that it’s the duty on the Islamic government if shows Muslims' disregard the Islamic Government weakness, and reduces its grace, and the Islamic government has a duty to maintain its duty to maintain and restore this divine duty.

The ruler can, as a matter of necessity, demand Zakat, but Khums. Obviously, getting income from high income levels and paying off to lower income levels means pushing the community toward balance. The Holy Qur'an and many traditions are used. Zakat is one of the taxes of the Islamic government, and the ruling Islamic society and its agents are the organizer of gathering and preserving and dividing it.

God bless and excellence in the Surah Tobah says:
"مَعَ رَبِّكَ رَبِّيْنِيْنَ: مَجِيبُ لَيْسَ عِنْدَٰهُ وَأَمَامُ: مَهَارِقُ وَمَحْرُوطُ فَقَادْسٌ مِّنَ ذَٰلِكَ"
In Zakat consumption, a contribution has been allocated to the Zakat collectors and a contribution to attract the hearts of the unbelievers to Islam, which is why Zakat is used by the Islamic government, and if, according to the first sentencing, if it was for owner and owner of the property, then it was no longer required to collect and keep Zakat for division
(Montazeri Najafabadi, 1409 AH: 199).

The Holy Prophet (peace be upon him) sent special agents to collect the Zakat around and at the same time by the Special Agent, and the caliphs did so after him. The way of Ali (AS) was this during the caliphate period. There were several Provinces that Zakat was given to the ruler in accordance with the first sentence that a sample of it is mentioned.

The correct narration of Zarrareh and Mohammad ibn Muslim has been quoted that they asked of the interpretation of the verse “إِذَا أُنكِنَى الْقَاتِلُ عَلَى الْمُتَعَفِّن وَالْمُتَعَفِّن عَلَى الْمُتَعَفِّن، وَاتَّبَعَهُ الْمُتَعَفِّن وَاتَّبَعَهُ الْمُتَعَفِّن، وَاتَّبَعَهُ الْمُتَعَفِّن وَاتَّبَعَهُ الْمُتَعَفِّن” of Imam Ja’far Sadiq (AS) that if Zakat was also given to the poor and non-Shiite people? The Prophet (pbuh) said: Imam will pay "Zakat” to all of them because all have accepted obedience and following of him.

Zarrareh said: I said to him: though they are not the (Shiite) people? The Prophet (pbuh) said: "If a Imam wishes only to give the right to the followers and not to others, there may not be a place for a Zakat, the Imam will have to pay those who are not entitled to the right, so that they will have a desire for religion." and stay in obedience to the Imam, but in this time you and your companions do not give Zakat to the non-believers and the knowledge, you among your Muslims pay the Zakat to all who are the true Mystic, not all the people (Amoli, 1409 AH: v 6.143, Chapter 1).

This is well used that Zakat is given to the Imam on the basis of the first law, and the Imam thereby eliminates the problems of those who are under his guardianship, whether the mystic to right or not. But since the usurpers people took possession of the state and used the public property and the Zakat at their non-domicile, and the people of the right remained without a guardian or deprived, then the Imam ordered that the followers of the Truth (Shi’a) give their zakat between the poor people that government did not pay attention to them.

In the narration of Halabi’s Coronation, that he said: "I said to Imam Ja’far Sadiq (AS): How much zakat can be paid to those who are appointed to determine the amount of Zakat? He (AS) said: No amount has been specified, any amount that the Imam knows. (Amoli, 1409 AH: v 6, 144, chapter 1).

These narratives and other narratives, like them, are used, where Zakat has been based on Islamic rule and is one of the government taxes, and this is an Islamic government that collects it by appointing people, and expediting them for needed cases.

Take zakat and khums of the people who can pay it and ta’zir in case of refusal. Ta’zir barrier the Zakat.

The jurists agree on the blaming of denial of Zakat, and according to some of the traditions that have considered Zakat as necessities of religion and barrier of Zakat as a disbeliever (Najafi, 1404 AH: V 15, 13), and know the ta’zir of Zakat barrier as the lowest sentence for them. It can be said that the use of paganism does not imply an idiom, but because Zakat is a religious obligation in the line of prayer and fasting, if someone leaves it, it will be considered as infidels and polytheists.

It has been stated in Tazkarah book that it is not an obstacle to the apostasy, and it is obligatory that fights him/her to pay Zakat of his property and if he pays out Zakat, he will be left otherwise will be killed and, if he refuses to pay, he will be killed and in the event of refusing to pay and believing in its supremacy, then they are considered apostate. They also mention in following that some Sunni scholars have prevented Zakat, even if they are Muslims, who know that there is no basis for it (Allameh Helli, 2009 AH: V 1, 457).

Allameh also repeated at the end this matter that the ruler of the Muslims should punish him, but he should not receive him more than the amount of zakat that was obligatory upon him. Scholar Ardeibli also confirmed this and stated that the aim is to take Zakat, even if necessary, should be made war with him and take the Zakat, and in the event of the death of a barrier to Zakat, his blood is ok. (Majmaol Faedeh, scholar Ardeibli, 7, 526-529)

Therefore, it can be said that in addition to the crimes perpetrated against qisas and diya, the famous promise of the Imams’ jurists is that every sin which is not subject to punishment can be done in Ta’zir. Sheikh Tusi says:

“Everyone commits a sin that has not been determined the limit for it, it is ta’zir ... Such as to insult someone or punish anyone” (Sarakhsh, V 8, 66-68).

The scholar Helli says about the limits of the Sharaye book:

"Anyone who commits an act of haram, or abandons the obligatory verb, will be entitled to imam, his ta’zir to such an extent that it does not reach the limit, and to determine the amount of ta’zir is with the Imam (Ashrafi, 1314 AH: V 4: 1873).

The owner of the book, Takmaleh Al-Man haj’i’s, says: "من نيل محرم أو ترتك واجب آخرا غلبه عالم غلبه غلبه غلبه أعلم حسب محرم هو من محرم."

A person who performs him/herself from knowledge a bad verb and abandons the divine obligatory, then the ruler punished him to the extent that he knows fit “(Khoie, vol. 1, 337-347).

In sum, it can be said that Islamic taxes (khums and zakat) are among the duties of the Islamic government, the establishment of brokers who collect zakat from the people and rule out that Islamic justice is in this direction. Drawing up the mechanism and method of obtaining zakat should be in a way that all those who are obligated to pay this duty take this task into actuality. In the case of people can pay Zakat and those who refuse to do so, they should be treated in such a way that they are required to pay if necessary, so that the ruler and the Islamic government can use the method of deflation for the payment of Zakat.

The scholar points out in a Sharaye text about the necessity of intention in Zakat, as worship is financial:
"If Zakat has been taken from a person by force, the intention of it should be done by the Imam (as) or the cause of Zakat must be done it" (Najafi, 1404 AH, V. 15,472).

However, in the Islamic government, which has the power to demand Zakat and receive it from the persons who pay Zakat, the Islamic state and government can take Zakat from the people, although in the ordinary state, one has no right to demand from the people. In the era of Islamic governance, taking into account the necessity of identifying the expediency that reaches the required level, it is not prohibited to take Zakat with the power of unlimited punishment for the titles of the second one and the "(a group of authors, Bita ,V 10,9).

Conclusion. After examining the arguments of the Adale Arbaeh (book, tradition, reason, and consensus) and the opinion of the jurists, especially the famous comment that the author believes in the authority, it is possible to understand the limits of the powers and duties of the Islamic government in the worship of God and to what extent it can be stated with certainty that no one, even the Prophet (s) and the infallibles (Imams), cannot be obliged to do so in prayers and fasting. Based on the examination of the opinions of the jurists on the basis of the cases, representation of the person in charge of other worshipers who have searched a systematic and logical solutions, it seems that Imam Khomeini's strategy of adapting narratives based on discounting is more workable (Imam Khomeini, 1415, 2, 325-324 ) And about khums and zakat, which is a proof of worship and that it is equal to Allah, is one of the cases where, based on the discounting of the act, it would be possible for the Islamic government to act on behalf of the payer of Zakat and Khums, or forced payer to pay otherwise, worship in the intention of closeness is not compatible with compulsion. In particular, Zakat and Khums are important economic resources of the Islamic society, which can be fostered by Islamic jurisprudence and secondary laws, which can boost the livelihood / financial status of the Islamic society. However, the most important way of creating an atmosphere of propaganda and encouraging people to pay these two important economic and financial resources of Islamic community is responsibility of the Islamic government. Also, the Hajj, with the materials that were stated based on the arguments of the jurists and the opinions expressed by the jurisprudents, in this worship matter, the government should, in addition to propagating and propagating the Hajj, send people to the pilgrimage by the cost of treasure so in cases where people cannot afford worship. The announcement of the people to carry out the Hajj is by the Islamic ruler and can be closed down against this ruling where the expediency of the ruling closes this worship.

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