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## Dialogue on miscellaneous issues (1)

No sooner had my father left, I gathered my notes; thus ending the last dialogue on well-defined juridical topics. Now it is time to get ready for a dialogue, the topics of which, I am going to determine.

In no time, I prepared a raft of questions. Shortly after my father had joined in, I started asking about leather products sold in, or imported from, non–Muslim countries, such as Europe.

- \* Suppose a man's wrist watch strap was made of leather and he was wearing a leather belt. Both were imported from a non-Muslim country. He has no knowledge whether the animal, whose hide was used in making the strap and the belt, was killed according to Islamic rituals. Should he take them off before starting prayer?
- His prayer is in order so long as there was a probability, that should be significant, that the animal was slaughtered according to Islamic rituals.
- \* What about a leather wallet of the same characteristics mentioned above?
- It is permissible to say prayer with it on.
- \* Suppose the person in my previous question was aware of the fact that the products were made of hide of an unslaughtered animal. Yet, he inadvertently said his prayer wearing the products. Upon remembering, he parted with them while in prayer. What would become of his prayer?
- His prayer shall be in order. However, should his forgetfulness stem from his apathy, [he must say the prayer again].
- \* An electric washing machine that dries the clothes by spinning rather than wringing. Is the process sufficient to render the garments tahir?
- Yes, it is sufficient.
- \* If I moved in to a house, whose previous owners are not bound by tahara, can I assume that everything therein is tahir?

- Yes, your assumption is right, because the truth is that everything is tahir, unless you know that it is not.
- \* If I could move to questions on prayer: What would be the ruling in the matter of a person who kept up prayer and fasting, but often conducted ghusl improperly. Although he is aware of this fact, yet he does not know the number of improper ghusls, and accordingly cannot determine how many prayers or periods of fasting he must repeat?
- His fasting shall be in order, i.e. he does not need to fast in lieu, albeit his ghusl was batil. As for prayer, he must say every prayer he conducted after each improper ghusl. If he was not sure of the number of prayers, but could estimate it within a given range, he can go for the minimum.
- \* Can I prostrate myself in prayer (do sujood) on a piece of paper?
- Yes, provided it is tahir and was made of wood or the like, which are deemed proper to do sujood on. The same goes for paper made of cotton or flax.
- \* Is it permissible to carry out sujood on a cement flooring?
- Yes, it is in order.
- \* Sometimes I listen to recitations of the Holy Qur'an, either broadcast from stations or played from tape recorders and the like. Upon hearing the recitation of certain verses which call for the listener to prostrate themselves, am I duty-bound to do so?
- You are not required to do sujood in such circumstances. It is incumbent on you to do so, if you hear such verses recited live, i.e. first hand.
- \* The hair of a woman, in prayer, was partially uncovered without her knowing that. Should I draw her attention to this, while the prayer is in progress, or should I do so after she has finished prayer?
- No, you should not advise her to that effect. Notwithstanding, even if she was unaware of the exposure of her hair throughout and she found out after she had finished prayer, it is in order. If, however, she found out during prayer and hastened to cover the exposed part of her hair, the prayer shall be in order.
- \* What is the ruling in the matter of someone who wakes up only minutes before the time of Subh prayer, yet they go back to sleep, with the slightest possibility that they may not get up in time for prayer?
- If the described attitude stems from indifference towards prayer, it is not permissible for them to do so.
- \* Suppose someone commutes daily to the place where they work, study, or go about their business; the place happens to be over 22 km. away from where they live. What form of prayer should they perform, and do they have to fast?

- The prayer shall be tamam and they should fast too.
- \* Should the journeying be irregular, say three times a week the year round, and the nature of business of the person concerned was not of that which involves travel?
- Such people should say their prayer in full and the same goes for fasting, because they fit the description of people who are "constantly on the move", or (katheeris–safar). If, however, such people make the trip twice a week, they [should combine both, praying tamam and qasr. So do their fasting, i.e. they should fast Ramadhan and fast again later].
- \* What shall become of the obligatory fasting of someone on a day when they travelled after zawal?
- [They carry on with their fast], i.e. they are not required to make up for that day.
- \* Should they make the journey before zawal, having intended to do so the night before, can they still fast?
- [No, fasting should be observed on that day]; they should, therefore, break their fast upon getting to heddet–tarakhus (the point at the periphery of a town where, for example, adhan could be heard. This concerns distances to determine whether prayer should be said tamam or qasr). They should fast later to make up for that day. The same ruling applies to such people as making the journey without niyyah the night before.
- \* Someone returning from a trip arrived in their hometown after zawal. Do they have to observe abstinence (imsak) for the rest of the day?
- Although not obligatory, it is advisable for them to abstain from food and drink for the rest of the day.
   The same applies to him who arrived before zawal and was not fasting because of travel.
- \* If such people returned to their town of domicile before zawal and were observing fast, how should they go about it?
- They should make niyyah of fasting and abstain from any acts that render fast that day invalid. They are, therefore, not required to fast in lieu.
- \* Suppose someone was observing fast for years on end, yet they were not aware of the obligation of ghusl after a sexual act (janabah); that is, they did not do it?
- Their fast is in order and they shall not be liable for kaffarah (Atonement, or expiation: making recompense for some failure to act, harm done to others, etc.).
- \* Is it all right, for asthma sufferers, to use inhalers during their fast?
- Yes, they can. And their fast shall be in order.

- \* Is it permissible to serve food and drink to certain people, who could be excused not to observe fast or otherwise, be it in restaurants or at home, without encroaching upon the sanctity of Ramadhan?
- It is permissible to serve food for those who have a valid reason not to fast and [not the others].
- \* If I was certain of the precision of astrological computations for the birth of the new moon, could this be relied on to determine the first day of Ramadhan and start fasting accordingly?
- Being certain of predicting the birth new moon, using this method or that, is of no consequence. What is of consequence, though, is the actual sighting of the crescent, whether by you or by the others. Of course, it suffices to rely on sighting in another country that shares the same horizon with your own, barring clouds, dust, mountains, and the like.
- \* Is using intravenous feeding for the sick all right for a fasting person?
- Although it is advisable to avoid, yet it can be excused.
- \* If I may move to matters pertaining to hajj, and ask about a person who had the means to make the journey to Mekkah for hajj. However, he could not finalize his travel arrangements due to not getting entry visa. In the year that ensued since he was intent on performing the hajj, he spent the money allocated for the journey. Thereafter, he could not save enough money to achieve his goal. What should he do?
- If he can afford to make the journey at any future date, he must do so. If not, he is absolved of the obligation.
- \* In our dialogue on hajj, I remember you told me that you threw stones at Jamarat al-Aqabah. You did not, though, tell me at which side of the Jamarat you carried out the stoning?
- I did the stoning from the front [for it is not permissible to do so from the back].
- \* You also said that you entered into ihram from a place called al-Juhfa after arrival at Jeddah by air. Would it be all right if a pilgrim inadvertently assumed the ihram from Jeddah itself?
- If they had done it with a vow (nadhr), it would be accepted.
- \* I remember that at the end of tawaf and sa'iy, you made taqseer (Cutting one's hair, clipping one's moustache or beard, or cutting off the nails an act that heralds the exit from the state of ihram). Can you carry out taqseer for other pilgrims before you carry it out for yourself first?
- It is not permissible to do so.
- \* Suppose a student could afford the journey to perform hajj in a given year. Yet, the time for hajj coincided with the appointed dates of his final exams. If he were to make the decision and embark on

the journey, this could prove detrimental to his chances of passing the exams, which may lead to a financial as well as moral setback. What should he do?.

- If making the journey to Mekkah for hajj could result in an untenable situation, he may abandon plans to go to hajj that year.
- \* Could I move on to another subject, and ask about issues relating to trade and business? Could you then tell of the position of a person depositing money in public banks?
- Before answering your question, could you tell me: a) whether those banks are financed by Islamic or non-Islamic states, and b) whether the depositor's intention was to earn interest for the money he keeps with the bank?
- \* Is there any difference?
- Generally speaking, depositing money with the banks of non-Islamic countries, albeit with the aim of earning interest, is allowed. Depositing money with Islamic state banks with the condition of earning interest is usury which is haraam. If it is done without such a condition, it is permitted; the interest earned on such deposits should not be dispensed with, unless with the permission of the Marji' or his representative.
- \* Is there any difference between the original sum of money deposited and the interest it earned?
- No, the owner shall have no right of disposal over any money withdrawn from state banks in Muslim countries before consulting the Marj' or his representative.
- \* Could you tell me what is meant by the "condition" for earning interest, you talked about early on?

  Does it mean that the depositor should be intent on not asking the bank for interest, if the latter did not pay it?
- No, it means that the depositor must not make the deposited money conditional on payment of interest by the bank, for the intent to demand the interest is akin to not stipulating the condition. Similarly, the intention not to demand the interest is akin to the stipulation. That is, because each of which is alien to the other.
- \* If I was aware that the bank was going to pay me interest, but I did not ask for it, can I still deposit my money in a saving account?
- Yes, you can do that so long as you do not make it conditional on getting the interest.
- \* Some people borrow money from the bank and the latter demands interest to lend them the money; on certain occasions, the bank requires the borrower to give a guarantee. How should such people go about this kind of transaction?

- It is not permissible to take a loan from the bank if it stipulates the charging of interest, for it is usury, irrespective of whether the loan was with or without surety. It is permissible, however, to receive such money not with the intention of it being a loan. Once the approval of the Marji' or his representative was obtained, the recipient can have the right of disposal over the money. Thereafter, their knowledge that the bank is going to compel them to pay the interest shall be of no consequence. Yet, when the bank does so, they should comply with its request.

Here, I would reiterate that disposing of moneys withdrawn from state banks in Muslim countries, in any transaction, can be done only with the approval of the Marji' or his representative.

- \* Is it permissible to open letters of credit, for import or export, with the banks?
- Yes, it is permissible. It is permissible for the bank, whether state owned or private, to charge the customer fees for the service it provides and interest on any payment of money it makes from its capital, not from the customer's account.
- \* What about the bank standing guarantor for the customer?
- The bank can charge a fee for this type of service.
- \* Is dealing in shares permissible?
- Yes, it is, provided the dealer avoids investing in companies involved in illicit trade, such as intoxicants or usury-based dealings.
- \* Some companies deputize the banks to deal with the transactions of selling and buying shares on their behalf. Can the banks charge commission for their intermediary role?
- Yes, they can and it is permissible.
- \* What about sale of bonds?
- It is not permissible. It is not permissible for the banks to act as intermediaries in buying and selling bonds. Accordingly, it is not permissible for them to charge commission for such transactions.
- \* What about internal and external drafts?
- It is permissible for the bank to charge commission for issuing the draft from the customer's account or for a transaction of money transfer requested by any other client.
- \* The banks deal with selling and buying foreign currency. Is it permissible for them to earn a profit?
- Yes, they are entitled to that.
- \* What about bills of exchange?

- Among banks' services is the realization of the amount of a bill of exchange for their customers. This type of service, and charging commission for it, are permissible.
- \* And life assurance and other insurance policies. Are they in order?
- Yes, the contracts thereof are binding on both the parties the insurers and the insured.
- \* Is it permissible for men to wear platinum?
- Yes, because it is a different type of metal. It is not gold that is haraam for men to wear.
- \* Is it permissible to make doles, mimicking humans, animals, or birds?
- [No, it is not permissible].
- \* Is it permissible to paint ordinary, not three-dimensional, pictures of human beings or animals?
- Yes, it is permissible.
- \* Is it permissible to trade in ornamental corporeal statues of man and animal?
- Yes, it is permissible.
- \* Is it permissible to wear garments allegedly made of pure linen, noting that I cannot say whether the fabric is linen. Do I have to investigate?
- No, there is no need for you to check their originality; thus, you can wear them.
- \* I know trading in musical instruments, meant for illicit amusement, is haraam. There are, however, certain instruments made for children to play with. Is it permissible to buy and sell them?
- It is permissible if the definition of "illicit amusement" do not cover such instruments.
- \* There are specific contracts, such as those in the building industry, whereby some sort of fine is levied on either or both parties. This is sought mainly to get the job done on time. If the contractor is proved responsible for delaying the work, he could be liable to pay the agreed penalty to the beneficiary. And if the first party could prove the failure of the second party to supply, for example, the building material on time, he could be made to pay the agreed penalty. Are these agreements in order to enter into?
- The settlement of such penalties is in order.
- \* Some publishing houses resort to republishing books without prior consent from either the original publishers or the author, although such books bear the note "all rights reserved". Is it permissible?
- Such note has no consequence, unless it comes within the context of a law that regulates the rights of

writers, publishers, and other parties who have a vested interest; such a law should be ratified by the Marji'.

- \* Is displaying stuffed animal carcasses permissible?
- Yes, it is.
- \* Is it permissible to sell and buy human blood for medical purposes?
- Yes, it is.
- \* Is it permissible to trade in meat of certain animals, such as rabbit, that are deemed haraam to consume according to the precepts of our school of thought, to the followers of other schools of thought who permit consuming it?
- Yes, it is permissible.
- \* Can I work for an owner of a shop where alcoholic drinks and unslaughtered meat are sold alongside other products that are lawful to trade in, especially if my work is confined to dealing with those items that are halal? What is the view about the wages I receive that are paid from the mixed income of the shop?
- If the contract between you and the owner restricts your work to the areas that deal with lawful merchandise, there is no harm in carrying out the work. As for your wages, they are halal to receive so long as you are not aware that such wages contain tainted money.
- \* Is it permissible to work as a cook in a restaurant, where I am required to cook unslaughtered meat; I am, though, not required to serve it?
- It is permissible.
- \* If I can move on and ask about issues pertaining to food and drink: Is it permissible to consume and trade in chicken, whose wrappings bear the note, "slaughtered according to Islamic rites": a) that which is imported from Islamic countries, and b) that which is imported from non-Islamic countries?
- As for chicken imported from Muslim countries it is permissible to consume and trade in, irrespective of whether there is a note declaring it was slaughtered pursuant to Islamic rites.

As regards that which is imported from non-Muslim countries, you are neither permitted to consume it nor trade in it, unless you are absolutely sure that it really was slaughtered according to Islamic injunctions, both in letter and spirit.

\* Is it permissible to consume cheeses imported from non-Muslim countries, especially if I do not know anything about either the method in which they were processed or the ingredients used?

- It is permissible to eat.
- \* Some kinds of fish are not wholly covered with scales. Are they halal to eat?
- Yes, they are.
- \* Is it permissible to consume tinned fish imported from non-Muslim countries?, especially if I was in the dark as to such permissibility on two counts:
- 1. I do not know whether it has scales, but the information given on the cover indicates that it is of the kind that has scales and there is no reason why I should not believe the case to be true.
- 2. I do not know how it was caught and whether it perished outside the water or inside it. However, it is common knowledge that modern fishing techniques, especially those employed by big fishing trawlers, result in big catches and the fish is often taken out of the water while still alive.
- If you have peace of mind as to the fact that the fish perished outside the water, taking into account the aforesaid remarks, it is permissible to eat. Otherwise, it is not.
- \* Restaurants in Muslim countries serve meals that contain meat. Is it permissible to eat in them without enquiring from their owners whether the meat is halal?
- Yes, you can eat such meals without asking about the meat. Neither are you required to ask about the faith of the restaurant's employees.
- \* Is it permissible to consume alcohol-free beer, and is it tahir?
- Maybe you mean the drink commonly made of fermented barely and leads to drunkenness. If so, it is haraam [and najis].
- \* Do I have to resort to scrutiny to determine whether medicines contain any ingredients that are haraam?
- No, you needn't do that.
- \* Many types of medicines and detergents contain small quantities of alcohol. Is it permissible to use?
- They are not najis. And it is permissible to use them.
- \* I have a number of questions that can not be grouped under one title. I am going to start with a question on donating human organs:

Is it permissible for a living person to donate his eye or kidney to another person?

- It is not permissible too in the case of the eye. As for the kidney, it is permissible.

- \* Some people make a will to donate certain organs after their death. Is such a will in order?
- [It is neither in order, nor executing it is permissible], if the person who made the will is Muslim. This is true, unless it was a matter of life or death for the recipient of the organ. Thereupon, the organs can be used even though there was no will. However, [compensation becomes due on the person who carried out the removal of the organ], unless there was a will.
- \* The use of the coil, a device of contraception, inside the womb of a woman is quite common nowadays. Is it permissible, especially when the pregnancy may constitute a danger to the woman's health?
- It is permissible.
- \* Is experimenting in new medicines on humans without their knowledge an acceptable practice?
- No, it is not.
- \* Is dissecting the dead body of a Muslim, for a post-mortem or for training medical students, permissible.
- It is forbidden to dissect the dead body of a Muslim. As for the dead body of an unbeliever, it is permissible.
- \* There is overwhelming evidence on the dangers to health posed by smoking. Is it permissible for a non-smoker to take up the habit and a smoker to continue?
- If smoking results in an untold damage to the health of the smoker, and that of the unborn child of a smoking woman, it is haraam. And it is so, for the beginner, as well as the compulsive smoker who might not suffer serious damage as a result of stopping smoking. As for him who may be harmed, in any way, as a result of stopping the habit, the right balance between kicking the habit and continuing it should be achieved.
- \* The presents, received by the parents of a newly born child, come in many forms and shapes. Whose ownership is it the baby's or the parents'?
- Presents differ in their significance. Some are indicative, in that they are exclusively the newly born child, such as jewellery and, evidently, any money. Other items may be intended for the benefit of other people, such as food and foodstuff; these belong to the child's parents.
- \* Do the parents have the right of disposal over the property of their minor children?
- It is permissible for the father to do so, provided it does not constitute any malicious act that may befall the minors. As for the mother, she does not have such a prerogative without the permission of the father, or paternal grandfather. With such a permission, she can then have the right of disposal over her child's

property, provided it does not entail any malice. The parents, however, have no right to take any action that could compromise their child's interests. They must spare no effort to ensure the preservation of his property until he attains adulthood.

- \* Is the practice of magic, be it white or black, permissible?
- Magic, in whatever form or guise it comes, is haraam [including that which is used to invalidate magic plots], unless more important interest was served, such as the preservation of life.
- \* Is summoning the spirits of the dead permissible?
- It is haraam to summon those spirits that may be harmed as a result of the practice?
- \* Some people claim they can manipulate the angels. Can you lend any credence to such claims?
- Such claims are baseless.
- \* Is hanging of portraits of the Prophet (s.a.w.) and the Imams (a.s.) permissible? Is it all right to believe that these paintings are true copies of them?
- It is permissible to hang such portraits. As for the belief that they resemble those huminaries, it is a mistaken one.
- \* Is it permissible for actors to play the roles of either the Prophet (s.a.w.) or the Imams (a.s.), either in a play or in a film?
- It is permissible to play their roles, with the proviso that it does not weigh adversely on the high esteem with which people hold them. It is important, therefore, that those actors who play their parts should be of unblemished character.
- \* Is it permissible to discard printed matters, that may contain the Name of God or Qur'anic verses alongside ordinary rubbish?
- It is not permissible. When found, such material should be removed and rendered tahir, if it had come into contact with najis objects.
- \* In verbal encounters, some people resort to swearing, so much so that it could amount to blaspheming Allah, the Most High, or lampooning the Infallibles (a.s.). On the whole, such people are not serious in their statements. Should punishment be administered to them?
- So long as they were not serious and they did not mean what they say, divine punishment must not be meted out to them. However, they should be reprimanded (ta'zeer).
- \* May I move on and ask about miscellaneous issues, starting with a question on the woman taking

driving lessons with a male instructor?

- She is allowed to do that so long as she is sure of immunity against any temptation of behaving contrary to the dictates of Islam and decency.
- \* Is it permissible for women to be photographed without head cover for the purpose of using such a photograph in official documents, such as passport?
- If they were obliged to do so, i.e. out of necessity, it is permissible. However, it is advisable that the person who takes the photograph be a husband or any other of her maharim. Only out necessity (dharourah), can they be photographed by others.
- \* Is it permissible to slaughter the animal from the back of its neck?
- Yes, it is permissible.
- \* Is exhuming the body of a dead person, provided that the act shall not constitute breach of the sanctity of the dead, permissible?
- No, it is not permissible, apart from certain cases, detailed in the books of jurisprudence, which include necessity.
- \* Using the known outlets, is developing camera films, featuring women without head cover, allowed?
- It is permissible so long as the person carrying out the job is unknown to the women featured in the pictures, and that the exposures themselves do not contain scenes that could be provocative.
- \* How could I dispose of money found, if there is no way I can trace its owner?
- Give it in charity on behalf of the owner.
- \* If a child finds a guite substantial amount of coins or banknotes, what would become of this find?
- If there were any distinguishing marks that may lead to tracing the owner, then be it. If not, the guardian of the child could take possession of the money on his behalf.
- \* Could I move on to ask a doctrinal question: Is it permissible to plead with the Infallibles (a.s.) for a bettering of sustenance, granting of children, or bestowing speedy recovery from illness?
- And do you intend to be seech them in the belief that they are capable of creation, granting sustenance, or preservation of life?
- \* No, only because I believe that they are a conduit (wasilah) to God Almighty.
- You mean they intercede with Allah, the Exalted to do all that which is prayed for?

- \* Precisely.
- This is permissible, because Allah, the Most High, has said,

"O you who believe! be careful of (your duty to) Allah and seek means of approach unto Him and strive hard in His way that you may be successful". (5/35).

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