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B – Mu'amalat

1. Interest (Riba)

Q62: What is the ruling on depositing money in banks sponsored by Muslim and non-Muslim governments, with the stipulated condition of receiving interest?

A: Depositing in banks of non-Muslim countries is permissible in every case, even if it is under the stipulated condition of obtaining interest. As for depositing in government banks of Muslim countries under the stipulated condition of obtaining interest, then it is prohibited. But, if it is without this condition, then the issue is free of interest (*riba*) but it is not permissible to spend the acquired money without referring to *al-hakim al-shar'i* or his representative. (FM, p. 405)

Q63: Is there a difference here between the principal and interest which the banks (in Muslim countries) give to the depositor?

A: No, there is no difference between them. One is not permitted to spend from anything taken from government banks in Muslim countries except by referring to *al-hakim al-shar'i* or his representative. (FM, p. 405)

Q64: If I know that the bank will give me interest even without stipulating the conditions, is it permissible for me to deposit in a savings account that takes the form of a term-deposit?

A: Yes, it is permissible, as long as you do not stipulate the conditions of interest. (FM, p. 406)

Q65: Is it permissible to take interest from unbelievers, especially for those who live in their countries?

A: Yes, apparently one is allowed to take interest from the unbelievers, whose property is not honored. God knows best. (MMS, p. 27, Q49)

Q66: A national bank (in a Muslim country) offers a project to its clients in which a person

deposits a sum of money in the order of 1,000 dirhams as a deposit which can be withdrawn at any time. It announces that after a period of time, a lottery will be drawn and the bank will grant a specific gift to the investors. Is it permissible to deposit with this intention?

A: Depositing with the condition of a gift is usury and therefore prohibited. By condition is meant to make the deposit with the requirement that the bank should give the gift. But the mere knowledge that the bank will grant it (gift) does not harm the permissibility of investing and the lawfulness of the granted gift. God knows best. (MMS, p. 36, Q76)

Q67: A person does not own a house to reside in. Is it permissible for him to borrow from government banks with interest for the purpose of building his own house?

A: It is not permissible to borrow with the condition of interest for any reason, but it is permissible to take the money from it (bank), though not with the intention of a loan, and to legitimize its spending by referring to *al-hakim al-shar'i* or his representative. (FM, pp. 406–7)

Credit Cards

Q68: Some banks distribute cards free of charge or for a defined price such that:

1. It is possible to withdraw any amount from the bank without interest except for service charges for the bank machine.

2. If he (user) delays repayment by a month, then he is charged interest under the title of "late payment" and similar items.

What is the ruling for this in the event where repayment is delayed or otherwise?

A: There is no objection to withdrawing the amount with the intention of "unknown owner" (*majhul al-malik*), and not as a loan; it can be corrected by obtaining permission as mentioned in response No. 69 (see next page). The person's knowing that the bank will demand repayment of the principal and interest does not impair this, and when the bank requests it (repayment), it should be made to it. (MMS, p. 31, Q61)

Q69: Do you not give your followers (*muqallids*) a general authorization to dispose of and deal with "unknown owner's" property, and other transactions in it, by taking possession of the money from government or jointly-owned (private and government) banks without having to refer to *al-hakim al-shar'i* or his representative to rectify it, for the ease and facility for the believers? May Allah support and honor you.

A: Yes, we have allowed the believers -- may they succeed in attaining the Exalted Allah's pleasure -- to accept, through legal means from government or jointly-owned institutions, by taking possession of it (property) on behalf of those commissioned among the poor with the intention of performing acts of

charity upon them (the poor). Then, they (the believers) can own it for themselves. This applies to salaries and the like. As for interest and the like, they are allowed to own half of it along the lines outlined, on the condition that they give in charity (*sadaqah*) the other half to the religiously-devout poor. (MMS, pp. 32–33, Q65)

Buying and Selling Shares

Q70: What about buying and selling the shares of incorporated companies or others?

A: It is permissible to buy and sell shares of any kind of corporation on the condition that the transactions of this company do not engage in prohibited activities such as dealing in intoxicants or interest (*riba*). (FM, p. 408)

Insurance Policies

Q71: What about insurance policies for people on their life or for other unforeseen events or for properties such as airplanes, cars, ships, or for fire or drowning, etc?

A: All of them are valid and there is obligation on both parties. (FM, p. 409)

Copyright

Q72: If the phrase "rights of publication are reserved to the author or publisher" is written on some publications, is it obligatory to abide by the content of this phrase? And with the supposition that it is mandatory, is it permissible to print them (publications) if public welfare or religious betterment depends on it?

A: Abiding by it (the phrase) is not obligatory, but it is preferable to seek permission, especially from the author. God knows best. (MMS, p. 28, Q55)

Found Property

Q73: Property that I find in public places like the street, market, airport, train station, harbor or taxi and whose owner I am sure there is no possibility of finding.

A: Give it to charity on his behalf. (FM, pp. 420–21)

Q74: What if a child finds a big sum of present-day currency?

A: If there is no particular description that would make it possible to find its owner and return it to him, then the guardian of the child is permitted to take it and keep it for him. Otherwise, it is obligatory to find out who (the owner) is as I mentioned to you in a previous dialogue. (FM, p. 421)

Working, Selling or Presence in Places that Sell Non-Ritually Slaughtered Meat, Alcoholic Beverages and Pork

Q75: Is it permissible for a Muslim to cook that which was not slaughtered in the Islamic manner, knowing that he has no connection to selling or serving it? What is the ruling with respect to serving food that is ritually impure [not slaughtered in the Islamic manner] or conveying it to non-Muslims? Is there a difference in this between pork and other things?

A: There is no objection to cooking that which is not slaughtered in the Islamic manner or serving it to those who regard it as lawful. However, it is problematic to sell it to them. But there is no objection to taking the money in return for the Muslim seller's relinquishment of his right over it (foodstuff). Alternatively, by rescuing (*istinqadh*) it (i.e. money from a non-Muslim). As for pork, it is problematic to serve to those who regard it as lawful and without a doubt disallowed for sale. God knows best. (MMS, pp. 12–13, Q8)

Q76: Is it permissible for a Muslim to work in a restaurant that serves meat that is not slaughtered in the Islamic manner?

A: Its permissibility is not unlikely in the case where it is being served to one who considers it lawful. Rather, it is absolutely (permissible) as long as the status of the meat is made known to him, if there is a possibility of influencing him to avoid its consumption. If not, it is not obligatory. (MMS, p. 23, Q36)

Q77: Is it permissible to work in a restaurant that serves pork and alcoholic beverages? If it is not permissible, does the ruling also apply to washing dishes and similar things there?

A: Serving alcoholic beverages to others is prohibited even if the one to whom they are served considers them lawful. It is the same for washing dishes if they serve the purpose of drinking alcoholic beverages in them or serving them (the dishes) to the drinker. The permissibility of serving pork to someone who considers it lawful is not unlikely although selling it is without a doubt disallowed. And a Muslim hiring himself out for a forbidden task is rendered invalid and the taking of wages for this is prohibited. There is no objection to taking possession (of money) in return for work done as a means of rescuing it from someone whose wealth is not honored. (MMS, p. 22, Q34)

Q78: Is it permissible for a Muslim to work in shops that sell alcoholic beverages or in places of entertainment without serving alcoholic beverages or doing other forbidden things, such as cleaning dishes or arranging the chairs and similar activities?

A: This is not permissible in shops that sell alcoholic beverages and, based on obligatory precaution, he should refrain also from places of entertainment. (MMS, pp. 23–24, Q38)

Q79: Is it permissible for a Muslim to work in a grocery store that sells alcoholic beverages in one of its corners if his job is only that of a cashier?

A: It is permissible to accept the value of (commodities) other than alcoholic beverages, and likewise the value of alcoholic beverages, if both the buyer and seller are non-Muslims. (MMS, p. 25, Q44)

Q80: What is the ruling on the wages that a worker claims from these kinds of restaurants? Are they considered to be from property that is mixed with the unlawful, as it in fact is; or are they considered lawful for the worker since the wages are for lawful work?

A: With regard to wages that a Muslim receives from non-Muslims in return for work that they (non-Muslims) consider lawful, the ruling is that they are lawful even if he has acquired them through unlawful transactions according to our *shari'ah*, so long as these (transactions) are lawful for them (non-Muslims), like selling alcoholic beverages and pork to non-Muslims. And these kinds of wages are not considered to be mixed with the unlawful on which *khums* is obligatory. (MMS, p. 23, Q37)

Q81: Is it permissible for a Muslim to be present in gatherings where alcoholic beverages are served?

A: Eating and drinking in these gatherings is prohibited. As for mere presence, its prohibition is based on obligatory precaution. There is no objection to it if the aim is to prevent others from reprehensible actions, if one is able to do so. (MMS, p. 25, Q43)

Q82: Selling the meat of inedible animals like rabbit to those whose school of law (*madhhab*) permits its

consumption.

A: It is permissible. (FM, p. 412)

Shopping

Q83: Is it permissible for a person to buy from shops owned by Hindus if he knows that their owners help their community against the Muslims?

A: It is not permissible if this contributes in their aggression against the Muslims. God knows best. (MMS, p. 18, Q20)

Imported Meat, Fish, Cheese and Gelatine

Q84: Is it permissible to eat, buy and sell imported chickens from Muslim countries on which is written the phrase "slaughtered in the Islamic manner"?

A: It is permissible for you to eat, buy and sell them as long as you do not know that they were not slaughtered (in the Islamic manner), whether the previously mentioned phrase is written on them or not. (FM, p. 413)

Q85: And if these (chickens) are imported from non-Muslim countries and written on them is the phrase "slaughtered in the Islamic manner"?

A: It is not permissible for you to eat them if you are not confident that they have truly been slaughtered in the Islamic manner and not just claimed to be. (FM, p. 413)

Q86: The bodies of some types of fish are not fully covered with scales. Is it permissible to eat them?

A: Yes, it is permissible for you to eat them if they have but a single scale. (FM, p. 414)

Q87: Is it permitted for us to eat canned fish imported from some European countries and America when we are not absolutely sure of its lawfulness from two perspectives? First, we are not sure of the presence of scales, although the name of the fish indicated on the can wrapping is from those that have scales. The exporting countries for these types of canned items follow the strict laws enforcing the agreement between the item description on the packaging and the actual contents of the can. Second, we do not know about the certainty of its (fish) having been captured outside the water alive or of its having died in the fishing net. However, it is known that such fish are caught by modern fishing vessels which allow the extraction of the fish from the water in a live state, and it is very rarely mixed with any dead (fish).

A: If one can be confident as to its lawfulness -- even with the two observations above -- then one is permitted to eat it; if not, it is not permissible. (FM, p. 414)

Q88: What about imported cheese from non-Muslim countries, if I do not exactly know the way it was made and its ingredients?

A: It is permissible for you to eat it. (FM, pp. 413–14)

Q89: (In the case of) imported cheese from non-Muslim countries, if it is known to contain rennet (*anfahah*) from a calf or a young goat, or an animal enzyme, is it permissible to consume it?

A: There is no objection if it contains the first two, and likewise for the third (animal enzyme) if it is consumed; unless it is known that it was taken from one that was not slaughtered in the Islamic manner. God knows best. (MMS, p. 17, Q18)

Q90: Gelatine substance is normally made from the bones of a cow. If it is taken from animals not slaughtered in the Islamic manner, with the knowledge that it is not permissible to eat it, is it ruled to be ritually pure for external usage?

A: Yes, because the bone is from the part in which life does not dwell; therefore, it is ritually pure, even if it were from a dead (animal). God knows best. (MMS, p. 36, Q75)

Meat from Muslim Markets

Q91: Here there are many restaurants in the Muslim markets that offer meat to their customers.

A: It is permissible for you to eat their meat. (FM, p. 414)

Q92: . . . even without asking the owner of the restaurant about it?

A: Yes, it is permissible for you to eat it and there is no need to ask the owner of the restaurant about it, just as there is no need to ask about the religion of the employees in the restaurant. (FM, p. 414)

2. Marriage And Divorce

Q93: Civil divorce between a man and a woman is finalized according to Western laws, but the man refuses to grant *shar'i* divorce or provide maintenance to his wife, and refuses to accept *shar'i* mediation. What is the position of the wife knowing that her patience in this situation is absolutely a cause of hardship?

A: Her case should be taken to *al-hakim al-shar'i* or his representative who would advise the husband to abide by one of the two options -- either he provide maintenance or implement the *shar'i* divorce -- even if it is through a representative other than himself. If he refuses both options and it is not possible to provide maintenance for her from his property, then the *hakim* or his representative can divorce her. (MMS, p. 26, Q47)

Q94: Is it permissible to have a sexual relationship without a *shar'i* contract with women who are unbelievers from People of the Book, or without a religion, knowing that the government and state of their country are in a state of war with the Muslims, either directly or indirectly?

A: That is not permissible. (MMS, pp. 26–27, Q48)

Masturbation

Q95: You mentioned in a previous dialogue that masturbation is forbidden. Are the male and female alike in this ruling?

A: Yes. As it is forbidden for the man to titillate his genitalia until he ejaculates, so too it is not permissible for the woman to titillate her genitalia to orgasm. (FM, p. 431)

Q96: Certain illnesses require that the doctor may request the patient's semen for examination, and discharging it by the *shar'i* way is difficult because it must be discharged in the presence of the doctor.

A: If the patient is in dire need to do so, then he is allowed. (FM, pp. 431–32)

Q97: If a person desires to test his ability to have children and the doctor asks him to discharge the semen to examine it.

A: As long as he is not obliged to do that, it is not permissible for him to masturbate. (FM, p. 432)

Q98: A man cannot impregnate [sterile] and asks the doctor to determine the reason for his sterility through an examination of his sperm. The emission (of such semen) is obtained by the use of an instrument attached to his genitals and, by its movements, causes a discharge. Is this to be considered as masturbation and thus forbidden, or is it allowed for the purpose of the examination? And does it matter whether the patient is in difficulty or is acting out of necessity?

A: Yes, it is considered as masturbation. It is not allowed unless the examination requires it. It is equally so for reliance upon that except under the previous two situations [difficulty and necessity], assuming, as does your question that some definitive result can be determined from it. God knows best. (MMS, p. 14, Q11)

Sexual Fantasy

Q99: Thinking intentionally about women other than one's wife with an image in mind of having sexual intercourse, if the penis becomes erect without discharge of semen.

A: It is not prohibited if it does not lead to a forbidden act. (FM, p. 431)

Looking at non-mahram Women

Q100: These days women go out on public streets while some parts of their body that should be covered are exposed. Is it permissible to look at them without lust and sexual pleasure?

A: Yes, this is permissible if they do not desist from exposing themselves if asked to do so. (FM, p. 430)

Mixed Swimming Pools

Q101: Is a Muslim permitted to go to mixed swimming pools [men and women] without a suspicious motive, especially when they (women) remove the dress of modesty from themselves and would not desist if asked to do so?

A: Although looking without a suspicious motive and lust at those who are scantily dressed and would not desist if asked to do so is permissible, presence in these places of moral depravity is absolutely not permissible based on precaution. (MMS, p. 25, Q45)

Statues, Portraits and Films

Q102: Is it permissible to make a statue in the shape of a human being or an animal?

A: [No, it is not permissible]. (FM, p. 410)

Q103: What about drawing of human or animal portraits that are not three-dimensional?

A: It is permissible. (FM, p. 410)

Q104: What about buying and selling statues of human beings and animals, and displaying them for decoration?

A: It is permissible as well. (FM, p. 410)

Q105: Some students of the faculty of fine arts study sculpturing and similar things relating to corporeal objects of creation that possess souls. If they refuse to participate in making them, then they will be prevented from passing and graduating from the faculty. Is it permissible for them to do that?

A: Being denied success if they abandon it (i.e. refuse to participate in this activity) is not an appropriate justification for committing this act [which is forbidden by *shari'ah*]. (FM, p. 434)

Q106: Stuffing animals and placing them in the reception area or the living room for the purpose of decoration.

A: It is permissible (FM, p. 412)

Q107: Is it permissible to hang portraits of the Prophet (S), and Imams (a.s.) in the house? Is it correct to believe that they are their (a.s.) pictures?

A: It is permissible to hang them. But to believe that they (portraits) are in accordance with them (a.s.) is certainly a wrong belief. (FM, p. 418)

Q108: Some directors release historical films about the Prophet (S) or the Imams (a.s.). Is it permissible to represent the noble Prophet (S) before the people in his role as the Prophet (S), or to represent the Imam (a.s.) in his role as the Imam (a.s.)? If the answer is in the affirmative, is it necessary for the one representing them to be a believer (*mu'min*)?

A: It is permissible to represent them (a.s.) provided that it does not impugn their noble station and sacred personalities –– be it in the future –– in the eyes of the people. It is quite likely that the attributes and characteristics of the one playing the role will have some influence in this. (FM, pp. 418–19)

Hijab

Q109: Giving a film, to a *non-mahram* man for developing and printing, that contains pictures of women who observe *hijab* but are unveiled (in the photos).

A: This is permissible if the one who will develop and print the pictures does not know the women pictured in the film, and such pictures are not suggestive or will not cause any attraction. (FM, p. 420)

Q110: Is she allowed to have a picture of herself taken without the *hijab* to place on a passport, for example?

A: If she is forced to place the uncovered picture on her passport or other official documents, then it is permissible. But, the one who takes her picture must be her husband or her *mahram*. However, should the need arise, it is permissible for her to have the picture taken by a *non-mahram* photographer. (FM, p. 420)

Q111: How about a woman who comes out in public and the upper part of her feet are exposed to the sight of *non-mahram*?

A: This is not permissible for her. (FM, p. 430)

Q112: Some husbands who are not religiously committed demand that their wives neglect prayers, remove the *hijab*, serve alcoholic beverages to guests, participate in gambling games, shake hands with guests, etc., forcing them (wives) to do it if they refuse. Is it permissible for the wife to leave his house in order to preserve her *shar'i* obligatory duties?

A: Yes, it is permissible for the wife to leave his house at that time to the extent required by the circumstances, and in spite of that, she is entitled to full maintenance. (FM, p. 427)

Q113: A woman faithfully observes the *hijab* but her husband prevents her from this and gives her a choice between abandoning the *hijab* and divorce.

A: It is not permissible for her to abandon her *hijab* even if the matter ends in divorce. (FM, pp. 427-28)

Q114: But divorce would entail for some of them (women) great difficulty, distress and hardship.

A: She should endure the difficulty and hardship, and recollect His saying, the Exalted: "...and whoever is careful of (his duty to) Allah, He will make for him an outlet, and give him sustenance from whence he thinks not..." (Qur'an, 65:2-3). (FM, p. 428)

Beard

Q115: Some men shave their beard and leave some hair on the chin alone. Is this sufficient by the *shari'ah*?

A: [It is not sufficient]. (FM, p. 434)

Cosmetics

Q116: It is normal these days for a woman to put on mascara and make-up, wear rings, necklaces and bracelets for beauty and then go out in front of people in the markets and streets.

A: This is not permissible for her except for mascara and rings provided that she is safe from falling into forbidden activities and does not intend by it to excite *non-mahram* men. (FM, p. 430)

Q117: Is it permissible for a woman to go out of her house for some errands perfumed, with the fragrance of her perfume reaching *non-mahram* men?

A: She ought not do that. It is not permissible if it tempts a *non-mahram* man or normally causes him excitement. (FM, p. 439)

Miscellaneous Rulings Pertaining to Women

Q118: Is it permissible for a woman to learn to drive a car with a *non-mahram* man, which necessitates being alone with him and going with him to places appropriate for practice, when these places are normally free from traffic?

A: This is permissible for her provided that she is safe from falling into a forbidden activity. (FM, pp. 419-20)

Q119: Is it permissible for a woman to look at the parts of the body of another woman between the waist and knees with the exception of the anterior and the posterior?

A: Yes this is permissible for her if there is no physical excitement. (FM, p. 428)

Q120: Embracing and kissing of women among themselves at airports, on public streets, in parks and at markets.

A: Embracing and kissing of women among themselves is permissible provided that it does not lead to a forbidden act. (FM, p. 430)

Q121: Does all fluid which issues forth from a woman during the state of passion or sexual arousal require performance of *ghusl* for her? Or are there distinguishing characteristics for it as some *ulama* have indicated? Does her *ghusl* exempt her from performing *wudu'*?

A: It is obligatory for her to perform *ghusl* when the fluid is discharged in a state of passion without regard to other characteristics -- like languor -- and it exempts her from *wudu'*. God knows best. (MMS, p. 20, Q27)

Q122: Is it permissible for a Muslim woman to display her hair in front of a non-Muslim woman?

A: That is permissible, but it is discouraged (*makruh*) if it is highly probable that she (non-Muslim) will describe the beauty of the Muslim woman to her husband. (MMS, p. 35, Q71)

Q123: Following the death of a beloved, women wear black as a sign of grief and beat their faces, chests, etc. Is that permissible?

A: Yes, that is permissible. (FM, p. 439)

3. Rights Of Parents

Q124: What is the degree to which a child is obligated to obey the orders of his parents?

A: Islam makes it incumbent on the child to deal with his parents with kindness (*husna*). (FM, p. 435)

Q125: Is it recommended (for a child) to obey his parents in everything, even in matters of daily life, as when the father says to his child "eat this fruit" or "sleep at 10 o'clock" or similar things?

A: Yes, this is recommended for him (the child). (FM, p. 435)

Q126: If the father prohibits his child from doing a certain thing that may bring harm to his child if he does it, knowing that in the opinion of his child this assessment is incorrect.

A: It is not permissible to oppose the father in such a situation because he will suffer from his opposition on account of his (the father) affection for him (the child). (FM, p. 435)

Q127: If a father says to his child: "I know that there is no danger involved in your trip, my child, but your separation from me, your absence and the distance are really hard for me to bear and cause me suffering; it is for this reason that I forbid you to travel."

Follow up: Before I respond, let me ask you this question. If the child obeys his father and does not travel, will the cancellation of such a trip hurt him in any way?

Response: Absolutely not. The child will not suffer in any way, but he will be prevented from fulfilling his wish.

A: In this case then, it is not permissible for him to go on the trip, as long as such travel causes his father suffering. (FM, pp. 435–36)

Q128: Is it permissible for the parents to utilize the wealth of their child who has not attained the age of puberty (*non-baligh*)?

A: It is permissible for the father if its utilization is not to the detriment of the child. As for the mother, she is not allowed to utilize his (her child) wealth without the permission of the father or paternal grandfather. If one of them permits her and it is not detrimental to the child, then it is permissible. But, if it brings harm

to their child, then it is not permissible; rather, it is obligatory for them to protect his wealth until he is grown up. (FM, p. 417)

Gifts for New-Born

Q129: Some gifts are offered to the family on the occasion of the birth of a child, normally in the form of gold jewelry, food, or money. Are they for the new-born or his parents?

A: The gifts differ in these cases. Some are indicated to be for the new-born, for example, gold jewelry appropriate for the baby. These are meant for him. Others are of benefit to someone other than the baby, for example, food and similar items, which are meant for the parents. It seems apparent that money placed under the pillow of the new-born or slipped into his clothes is considered of the first category and thus belongs to the new-born himself. (FM, p. 417)

Disciplining Children

Q130: Is it permissible to beat pupils in school and is it obligatory to obtain the consent of the guardian of the pupil to be beaten?

A: It is permissible to beat pupils if they bother others or are committing forbidden acts -- but with the permission of the guardian -- three strikes [no more]. The beating must be done in a gentle manner such that it does not cause redness on the body, otherwise *diyah* will be obligatory. (FM, pp. 433-34)

4. Organ Donation

Q131: Is it permissible to donate the eye or kidney of a living human being for another?

A: It is not permissible to donate the eye. As for donating a kidney, for one who has another healthy one, it is permissible. (FM, p. 415)

Q132: Some people stipulate in their will that some organs of their body may be removed after death for the purpose of transplantation in the body of another human being in need of them. Is this kind of will correct, and is it permissible to excise those parts (of the body) in such a case?

A: [Certainly not. It is not correct and is not permissible] if the testator is a Muslim, except if the life of another Muslim depends on this, then it is permissible even if the donor has not made such a will. But [the *diyah* will be obligatory on the one who does the excision] except where it is done according to a will, in which case there is no *diyah* on him. (FM, pp. 415-16)

Post-Mortem Examination

Q133: Dissection of a corpse after death, if it is done for a reasonable purpose such as criminal investigation, teaching of medicine or similar purposes.

A: It is not permissible to dissect a Muslim corpse for these kinds of reasons. The dissecting of the body of an unbeliever whose blood is not protected during his lifetime is permissible, and likewise when the protection of his blood is doubtful, if there is no *shar'i* sign of it being so (protected). (FM, p. 416)

Artificial Insemination

Q134: Semen is taken from the husband and injected into his wife with a needle or by other means.

A: It is permissible as such. (FM, p. 432)

Q135: Is it permissible to inject it (semen) into a woman who is not his wife?

A: No, it is not permissible. (FM, p. 433)

Q136: The husband's sperm and the wife's egg are taken and fertilization is completed in a test-tube, then the egg is returned to the wife's womb.

A: This is also permissible as such. (FM, p. 433)

Q137a: The sperm of the husband and the egg of another woman who is not his wife are taken for fertilization, then are transferred to the wife's womb.

A: This is also permissible as such. (FM, p. 433)

Q137b: To whom is the child attributed in the latter case? To the provider of the egg or to the woman in whose womb it reached full-term. I mean, who would be his genealogical mother?

A: There are two possible responses to this question, and it is necessary to exercise precaution between both of them. (FM, p. 433)

Q138: An egg is taken from a woman and fertilized with the sperm of a man other than her husband, then it is returned to her womb.

A: It is necessary to avoid that. (FM, p. 433)

Q139: Sperm was taken from a man for the purpose of impregnating his wife. By coincidence, the husband died and after his death the sperm was implanted into the womb of his widow who bore a child. What is the ruling with respect to the status of the child and his entitlement to inheritance?

A: The child is to be attributed to the donor of the sperm, but based on this hypothetical question, he does not inherit from him (the father). God knows best. (MMS, p. 15, Q14)

Abortion

Q140: It is easy to abort the foetus in the early phase of pregnancy. Does the mother have a right to abort it?

A: Certainly not, this is not permissible except if she is harmed by the presence of the foetus in her womb, or if its presence causes her difficulty to a degree that is not normally tolerable. (FM, p. 430)

Q141: In recent times, due to modern scientific instruments, it has become possible to know the situation of the foetus, whether it is suffering from any physical deformity or not. If the foetus is confirmed scientifically as being deformed and afflicted with maladies or a malady, is it permissible to abort it?

A: Deformity of the foetus in itself is no justification for aborting it. Yes, if its presence in the mother's womb is harmful to her health or causes her difficulty to an extent that cannot normally be tolerated, then it is permissible for her to abort it and that is before the soul enters it. After that, it is absolutely not permissible to abort. (FM, p. 432)

Q142: In some situations, the physicians can confirm that the foetus is afflicted with serious physical deformities which will not be treatable after birth, and it may not survive after birth, except for a short while in pain (for the child), causing toil for the parents. Then he will die. Is it permissible for the mother in such a situation to terminate (the pregnancy)? Does it make any difference if it occurs before or after the soul enters? And with the supposition that it is permissible, is *diyah* obligatory and who pays for it?

A: Abortion is not permissible in situations similar to the one mentioned, even prior to the entrance of the soul. (MMS, pp. 30–31, Q60)

Contraception

Q143: Use of contraceptives is popular these days. If use of the pill and similar things causes harm or difficulty and the only remaining choice is (the insertion) of some devices -- by a male or a female doctor -- which requires exposing the local area, is it permissible for the woman, knowing that pregnancy would cause her harm or difficulty?

A: It is permissible as long as she faces, in both the pregnancy and the use of alternative contraceptive methods, such hardship and danger that cannot be normally endured. If this requires, in addition to exposing the genital organs, other parts of her body surrounding the genitalia, then she must refer to a female doctor. If this is not possible then she may refer to a male practitioner. (FM, p. 428)

Q144: Some women wish to avoid pregnancy, but their husbands want (them to get pregnant).

Follow up: How do they prevent the onset of pregnancy?

Response: By using pills, injections or the cleansing of the vagina after intercourse.

A: All of these are permissible if they do not entail substantial harm to her. (FM, pp. 428–29)

Q145: IUD?

A: If the woman knows that it will lead to the destruction of the egg after its fertilization with the husband's sperm [then it is not permissible for her to use it]. (FM, p. 429)

Q146: *Coitus interruptus* (*'azl*), by which they prevent their husbands from depositing the semen in the vagina during intercourse.

A: They do not have the right to do that. (FM, p. 429)

Q147: Is it permissible for the husband to force his wife not to get pregnant even though she wants to?

Follow up: How does he force her to do that?

Response: He forces her to take pills, injections or use an IUD.

A: He has no right to do that. (FM, p. 429)

Q148: What about practising *coitus interruptus* during intercourse?

A: Yes he has the right to do that. (FM, p. 429)

Q149: Is he permitted to use a condom during intercourse?

A: Yes [but he must obtain her consent for that]. (FM, p. 429)

Q150: Pills that women take in order to delay the onset of their monthly menstrual cycle.

A: They are permitted to use them. (FM, p. 429)

Q151: There are pills that women take to delay the onset of their monthly cycle in the days of the month of *Ramadan* and the days of *hajj*, but sometimes intermittent blood comes out during their cycle, but it does not have the characteristics of a cycle. What is the ruling, if, knowing that if she stops taking the medication, after 3 days, she will have menstrual blood, and with the medication no menstrual blood will come out except intermittently?

A: Based on this hypothetical question, the ruling of *hayd* is not applicable to the intermittent blood. God knows best. (MMS, p. 19, Q24)

Vasectomy and Tubectomy

Q152: Is it permissible for a man or a woman to undergo an operation, after they have had enough children, that would prevent them from ever having children again? If this is not permissible, would the ruling differ if they were living in an Islamic country that encourages birth control because of public welfare?

A: It is not free from objection, although its permissibility is not unlikely if it does not entail substantial harm, such as removing certain organs like the ovaries of the woman. God knows best. (MMS, pp. 19–20, Q26)

Genetical Analysis

Q153: Lately, science has reached a stage of being able to determine the relationship of the father to his son through blood analysis where their genes match. If the husband suspects that his wife has had relations with another man and as a result has gotten pregnant, and if the blood analysis leads to genes matching with that man, knowing that this analysis is never incorrect, is it obligatory to act upon the findings or should one follow the principle "the son belongs to the marital bed," or follow the result of this proof?

A: "The son belongs to the marital bed" is a principle made for the one who is doubtful. Whoever arrives at a knowledge through blood analysis or otherwise, that goes contrary to this principle should act in accordance with his knowledge. Adultery by the wife is not confirmed by this and the penalty of adultery cannot be implemented except after establishing it through specific stipulated methods in the *shari'ah*. God knows best. (MMS, pp. 14–15, Q12)

Q154: Lately, science has reached a stage where it can identify a murderer by analysing the blood without seeking recourse to other means. It has reached a degree of precision that makes it possible to determine the instrument that was used to carry out the homicide. Is it possible to rely on this to judge a criminal and apply the penalty or not? Or does one have to act only on the well-known principles of the *shari'ah*?

A: A murder is not proven and its ruling cannot be implemented except through the methods of the *shari'ah* or through clear scientific means unmingled with personal judgment. If what has been mentioned is conducted through this established way, then it is permissible for *al-hakim al-shar'i* to give a ruling in accordance with it. God knows best. (MMS, p. 15, Q13)

Medication

Q155: Before taking medication, is it obligatory to investigate and confirm the correctness of its components to find out whether it contains any prohibited ingredients?

A: Certainly not, it is not obligatory to investigate and confirm. (FM, p. 415)

Q156: Many medications and disinfectants contain a small amount of alcohol. Is it permissible to use them, and are they ritually impure?

A: They are not ritually impure and it is permissible for you to use them. (FM, p. 415)

Q157: Some companies experiment with medication on a patient without informing him in order to see if the medication is effective and successful.

A: It is not permissible for them to do that. (FM, p. 416)

Buying and Selling Blood

Q158: Buying and selling blood for a remedy.

A: It is permissible. (FM, p. 412)

Medical Examination

Q159: In hospitals, female nurses feel the pulse, measure blood pressure, dress wounds, etc.

1. Is it obligatory for the male patient to disallow the female nurse from touching his body?

A: It is possible for him to request a male nurse for the aforementioned acts or to request the female nurse to wear gloves or place a barrier like a handkerchief to interpose without touching his body. (FM, p. 426)

2. Sometimes out of necessity, a male patient requires direct touching and there is no male nurse or to request one is difficult, or the female nurse is gentler to the patient than the male nurse.

A: If necessity requires examination or treatment, and they depend on direct touching, then this is permissible based on the question, but only to the extent necessary. (FM, p. 426)

3. If the wound is in a private area, requiring bandage, what can be done?

A: The patient must request that the nurse –– male or female –– use gloves or place a barrier to avoid touching the private area. If this is not easy, then touching is permissible to the extent necessary to apply the bandage. (FM, pp. 426–27)

Q160: If we change the previous situations from touching to seeing, what is the ruling on seeing?

A: The ruling on seeing is identical to the ruling on touching and is applied as previously covered in detail. (FM, p. 427)

Q161: In the previous situations, if the patient is a woman and the nurse is a man, is the ruling similar to what has been mentioned?

A: Yes. (FM, p. 427)

Medical Students

Q162: Some students in the physical medical science study physiotherapy which requires touching the body of a female patient and handling her (body), to the extent required by the illness. Were the student to refuse to do that, he would fail the examination. Is it permissible to study this science and specialize in it?

A: This is permissible for the student if he knows or is confident that his specialization in this (field) is something upon which the preservation of some honored lives depends, even if it be in the future. His practice of physiotherapy should be in such a way that it does not lead to any sexual excitement. (FM, pp. 425–26)

Q163: In a medical college, it is necessary for the student to examine a *non-mahram* woman and man, and it might happen that he examines their genital organs or the anus. Is this kind of examination permissible for the student of medicine? Is it permissible for a graduate doctor to do this sort of examination if the preservation of some honored lives depends on it, even if it be in the future?

A: Yes, this is permissible for both the medical student and the doctor if the preservation of some honored lives depends on it, even if it be in the future. (FM, p. 426)

Q164: You have mentioned in your practical treatise (*al-risalah al-'amaliyyah*) something which can be summarized thus -- it is not permissible for a man to look at the private parts of a woman and vice-versa, even for treatment, except when unavoidable. Is it adequate to consider it a necessity for a person in a position of practice, e.g. a medical student?

A: It is inadequate unless removing a great harm from a Muslim depends on it (the practice), even if it be in the future. (MMS, pp. 29–30, Q59a)

Smoking

Q165: Many medical bulletins clearly state the harm of smoking, among them the fact that smoking is the primary cause of heart disease, disease of the blood vessels and arteries, high blood pressure, lung cancer and ulcers, in addition to the harm brought on the family and to society.

Is it permissible for a non-smoker to begin smoking?

Is it permissible for a tobacco addict to continue?

Is it permissible for a pregnant woman to smoke while the doctors say that the foetus is affected by the smoking of its mother?

A: If smoking causes substantial harm to a male or female smoker or to the foetus, then it is prohibited, whether he/she is a beginner or is addicted, assuming that he/she would not suffer substantial harm by quitting. As for the one who would suffer harm by quitting, he/she should consider which one is less harmful: to continue smoking or to quit, and act accordingly. (FM, pp. 416–17)

5. Music

Q166: What is the limit separating lawful from unlawful music? If the criterion is its being labeled "entertainment or amusement," then this is not clear according to convention because there are differences of opinion on that.

A: The separating limit is its being of suitable quality for the gatherings of amusement and of immorality. (MMS, p. 28, Q53)

Q167: Also, regarding musical tunes, what is the criterion for their prohibition? Is the criterion their actual use in songs by people of immorality or is it enough for them to be suitable for such purposes? Is there any difference in situation if they are used during the commemoration of (Imam) Husayn or Islamic songs, for example, etc.?

A: The rule also is their being suitable for gatherings (of amusement and of immorality) and their prohibition is absolutely not lifted by using them during the commemoration or otherwise, based on precaution. (MMS, p. 28, Q54)

Q168: What is the ruling on so-called music in present customary usage?

A: It is of two kinds. One of them suits the places of amusement and entertainment and thus listening to it is prohibited. The other one is other than this and therefore is not prohibited. (FM, p. 437)

Q169: Some types of music are broadcast before the recitation of the noble Qur'an or the *adhan*, before the religious program begins or during. Is it permissible to listen to it?

A: The great majority of them are of the second type and thus are lawful. (FM, p. 437)

Q170: Musical interludes and music that precedes announcement of the news.

A: The same applies. (same answer as Q169) (FM, p. 438)

Q171: Some types of watches, in addition to specifying the time, have musical pieces for the

pleasure of the owner whenever he wishes (to hear them). Is it permissible to buy and sell them (watches), or even to listen to their music?

A: It is permissible. (FM, p. 438)

Q172: Is it permissible to listen to religious songs?

Follow up: You mean religious phrases that are composed with musical tunes that are common amongst the people of amusement and entertainment?

Response: Yes.

A: It is prohibited to listen to them. The same ruling applies to all phrases that are not for pleasure and amusement –– such as supplication or *dhikr* –– but composed with these musical tunes. (FM, p. 437)

Q173: Classical music is believed to soothe excited nerves, and is also prescribed at times for treatment of some psychological ailments. Is it permissible for me to listen to it?

A: Yes, it is permissible to listen to music which is not suited for the gatherings of amusement and entertainment. (FM, p. 438)

Q174: Music with pictures that is associated with television films, popular serial programs, the aim of which is to raise the degree of excitement of the viewers in accordance with the atmosphere of the film. For example, if the exhibited scene is frightening, then this music helps in prompting fear and its effect on the viewers.

A: The great majority of them are of the lawful type. (FM, p. 438)

Q175: . . . emotional and national poetry that are at times accompanied by music.

A: The same criterion as was previously mentioned (in Q168). (FM, p. 438)

Q176: The buying and selling of flutes, musical recordings and the like, from among the instruments of pleasure and amusement, is prohibited. However, there are instruments made for children's amusement. Is it permissible to buy and sell them?

A: It is permissible as long as they are not classified among the instruments of forbidden pleasure and amusement. (FM, p. 411)

Q177: Is it permissible for a Muslim to send his son to one of the musical institutes to study music as a profession under the condition that he will not use his profession for forbidden things?

A: There is no objection to studying lawful music in itself, but in sending children to musical institutes one

should ensure that it does not negatively affect them in their religious upbringing. God knows best. (MMS, p. 17, Q19)

Dancing

Q178: Is it permissible for a wife to dance for her husband in order to provide him happiness and to excite him?

A: This is permissible for her. (FM, p. 436)

Q179: . . . her dancing in front of others?

A: It is not permissible for her to dance in front of any other but her husband amongst the men [rather, it is not permissible for her to dance in front of women as well]. (FM, p. 436)

Q180: . . . a man dancing in front of men or women other than his wife?

A: Likewise, it is not permissible. (FM, p. 437)

Q181: Some schools in western countries force the male and the female students to study the art of dancing. This dancing is not linked with the popular music and is not for amusement, but is part of the curriculum. Is it prohibited for the parents to grant permission to attend these lessons?

A: Yes, if it contradicts religious training, rather absolutely, based on precaution, with the supposition that the student has attained the age of puberty (*bulugh*). This holds except where he has a *shar'i* justification for studying it in the case where he is following (*taqlid*) the one whose ruling is that it is permissible. In that case, there is no obstacle to permit him to do this. (MMS, pp. 25–26, Q46)

Clapping

Q182: At a wedding and other joyous occasions, men and women clap.

A: It is permissible for them, provided that it does not include other forbidden things. (FM, p. 437)

6. Lottery

Q183: [Lottery] is a well-known game in America and is the closest thing to [*yanasib*], if it is not exactly the same. Is it permissible for a Muslim to engage in the sale of lotteries with special machines with the justification that it is rescuing (*istinqadh*) wealth from the hands of the unbelievers?

A: If he is authorized by an established company to offer and distribute them (lottery tickets) among non-

Muslims, then it is permitted and he should seize the wealth with the justification of rescuing (*istinqadh*) it and not with the intent of selling (the lottery tickets). Alternatively, the Muslim seller takes it (money) in return for his relinquishment of his right (over the lottery tickets), if he had any special right over them. (MMS, p. 12, Q7)

Chess, Backgammon, Wrestling and Boxing

Q184: What is the general rule for an instrument to be prohibited and to be considered an instrument of gambling. Is it making and adopting it (the instrument) for gambling or is it its conventional usage? Is there a difference between its being a convention for a particular society or its being so universally?

A: The general rule is that it is made for gambling and used for it, such that the term "gambling instrument" can be applied to it. It is enough if it is regarded as an instrument (for gambling) in one particular society. (MMS, pp. 27–28, Q52)

Q185: (Is it permissible) to play chess and backgammon without placing a bet?

A: It is not permissible to play them. (FM, p. 436)

Q186: What is the ruling on playing chess by using the customary pieces? Is the ruling any different in the case where the game is played by computer which employs symbols and shapes instead of the customary pieces?

A: Playing it (chess) is absolutely forbidden even without placing a bet. And there is no difference in this, whether it is (played) with customary pieces or by computer. (MMS, p. 27, Q51)

Q187: Some people play with gambling instruments other than chess and backgammon for enjoyment and without placing a bet.

A: [It is prohibited to play with all that is considered a gambling instrument even without placing a bet]. (FM, p. 436)

Q188: Some electronic games that appear on TV with an apparatus called "Atari" and are played with buttons for enjoyment, without placing a bet.

A: If the pictures that appear on the screen are pictures of the instruments of gambling, then it is not permissible to play with them using the "Atari" apparatus, otherwise, it is permissible. (FM, p. 436)

Q189: Wrestling and boxing matches without placing a bet?

A: They are permissible if they do not lead to substantial bodily harm. (FM, p. 434)

7. Magic

Q190: Is it permissible to use white magic which is employed for good and is the opposite of black magic which is used by evil persons?

A: Magic in all its shapes and forms is forbidden [even that which is used to undo magic] unless the matter rests upon a greater benefit such as saving the life of a respected person. (FM, pp. 417–18)

Inviting Souls

Q191: Inviting the souls in order to ask them about their state and the *barzakh* and other matters pertaining to the hereafter.

A: It is prohibited to invite a respected soul whose summoning would cause him harm. Other than these (respected souls), it is permissible. (FM, p. 418)

Exploiting the Angels

Q192: Some of them claim that they exploit the angels.

A: There is no basis to this claim. (FM, p. 418)

Asking for Intercession

Q193: Is it permissible to ask for sustenance, a child, protection or intercession directly from the infallible ones?

Follow up: Let me ask you first. Do you seek this from them because they create, or sustain, or protect?

Response: Certainly not. But rather because they are the means to Allah (s.w.t.), the intercessors with Him in the disposal of affairs, and because they cannot do anything but with the permission of Allah, the Sublime and Exalted.

Follow up: You mean that they ask Allah the Exalted and He creates, and they ask Him and He sustains, and they ask Him and He protects, and because they are intercessors, whose pleas or supplications are not rejected, because of their status with Allah, the Sublime, and for their guardianship over us?

Response: Yes, I mean that.

A: This is permissible. Allah (s.w.t.) says: "...and seek means of nearness to Him..." (Qur'an, 5:35) and they (a.s.) are your means of approach to Allah (s.w.t.). This is permissible. (FM, p. 421)

8. Slandering Allah (S.W.T.), Prophet (S) Or Imams (A.S.)

Q194: During verbal disputes, some people unfortunately employ words in a non-serious manner that imply disbelief in Allah (s.w.t.) or articulate that which is inappropriate for the infallible ones (a.s.). Is it obligatory to impose a penalty (*hadd*) on them for that?

A: As long as they are not serious and do not mean what they are saying, there is no *shar'i* penalty on them but they are deserving of *ta'zir*. (FM, p. 419)

Q195: If they are serious and intend to slander Allah (s.w.t.), the Prophet (S), the Imams (a.s.), religion or school of law (*madhhab*) and persist in this.

A: The ruling upon them is death. (FM, p. 419)

Gossip

Q196: Is it permissible to gossip about a deviant (*mukhalif*) Muslim?

A: It is preferable to refrain from gossiping about him. (MMS, p. 21, Q32)

Stealing, Cheating and Deceiving

Q197: Is it permissible for a Muslim to steal from the unbelievers in their country [Europe] or to deceive them in taking their properties by employing means that are known to them (the unbelievers)?

A: It is not permissible to steal from their private and public properties, and likewise to damage or destroy them (properties), if this tarnishes the reputation of Islam and Muslims in general. Similarly, it is not permissible even if it is not as such, but considered a deception and breach of an implied trust given to them (the unbelievers) on entry or on reception of a residency permit for their (the unbelievers) country, since the prohibition of deception and breach of trust is with regard to anyone. (MMS, p. 24, Q39)

Q198: Is it permissible for a Muslim to provide incorrect information to government agencies in Europe to obtain through legal channels privileges and financial or non-financial facilities?

A: That is not permissible for it constitutes lying and for whatever has been mentioned, there is no justification for that. (MMS, pp. 24–25, Q42)

Q199: Is it permissible to cheat on school exams if some of the teachers help the students in doing so?

A: This is not permissible. (FM, p. 434)

Greeting Non-Muslims

Q200: What is the ruling on saying "*salam*" or replying to it with respect to the People of the Book, or others amongst the unbelievers? Is it permissible to congratulate them on some of their special occasions like Christmas and the like?

A: There is no objection to commencing with "*salam*" to them, but it is discouraged (*makruh*) except when necessary, even if it is customary. Their "*salam*" should be replied by saying "*'alayk*." There is no objection to congratulating them on special occasions. (MMS, pp. 31-32, Q63)

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