



MISC FATWAS OF AYATULLAH KHAMENAI

Chapter 1

PRAYING AND EATING WITH AHL AN TASANN

Question 1: What is the ruling with regards to keeping the arms crossed (eg. folded on top of each other) during prayers with Sunni brothers?

Answer: It is permitted to participate with the Sunni brothers in group prayer in order to uphold unity, and the prayer will be correct and permissible. However, it is not permissible to pray with the arms crossed.

Question 2: What is the ruling with regards to saying "ameen" aloud after the completion of Sura al-Hamd by the prayer leader during group prayers with the Sunni brothers?

Answer: It is not permissible to say "ameen".

Question 3: What is the ruling regarding prostration (sajda) [while praying with the Sunni brothers] given that they prostrate directly on the floor without placing something between their forehead and the floor.

Answer: Prostration must be performed on stone, earth (torba) or other similar items on which it is permissible.

Question 4: What is your recommendation in the matter of eating meals prepared by the Sunni brothers which they consider pure (taher) and allowable (hallal) given that they have a differing opinion with respect to (ritual) slaughter (dhabiha)? In particular, some consider the meat of the Jews and Christians (Ahl al-Kitab) as pure (taher).

Answer: What is prepared by them is necessarily to be accepted as pure and allowable unless its impurity (najasa) is proven.

Question 5: What is the ruling regarding praying with Sunni brothers who place their small toe on the foot of the neighboring suppliant during

the call to rise for prayer (qiyaam)? Is our prayer still valid [if they do that on our foot]?

Answer: It is not necessary to do so, but in the case that it happens, it is not a problem as long as it does not harm the righteousness of qiy-aam. With Allah's help you will be successful in your hard work and efforts on the path of gaining useful knowledge. You will return home with valuable learning for your Islamic nation.v

Chapter 2

FATWAS FROM LEADERS OFFICE IN QOM

Question:

Bismehi Ta'aala All praise is due to Allah, with salutations to His messenger Mohammad Mustapha and his ark of guidance, the Ahlul Bayt (AS). My deepest sorrows and condolences in this month of Moharram to you, our dear leader and descendent of that noble Imam (AS). Guidance from your eminence is requested on the following medical issues:

A. During preganacy, a fetus lives in a fluid (amniotic fluid) which contains, among other things, its urine, which is excreted, swallowed again, excreted, etc. (The fetus does not eat food, but receives simple nutrients from the mother's digestion of food, via the blood stream, during this time.)

1. When the baby is born, is he paak [tahir, pure] or najis [ritually impure]?
2. Is the amniotic fluid paak [tahir, pure] or najis [ritually impure]? Can a person who is involved in the delivery or immediate care of a baby say his prayers if his clothes come in contact with that fluid?
3. If the baby urinates afterwards, is his urine paak [tahir, pure] or najis [ritually impure]?

B. Sometimes, the infant will pass a special, thick stool called meconium, while in the mother's uterus.

1. When the baby is born, if the amniotic fluid is mixed with this stool, is the mixture najis [ritually impure] or paak [tahir, pure]?
2. Is the meconium stool alone paak [tahir, pure] or najis [ritually impure]?

(Questions asked by Fadak Foundation)

Answer: Dear Brother, Salamun `alaykum wa Rahmatullahi wa Barakatuhu. With apologies for the delay, the answer is as follows: Bismihi Ta`ala

- 1) If the urine comes into contact with the fluid or the fetus inside the body of the mother, it does not make either of them mutanajjis. Therefore when the baby is born and it is covered with the fluid which contains the liquid to which the term urine is applicable, in such case it shall become >mutanajjis. Otherwise if the urine has already been transformed into another material inside the body (and is no longer considered to be urine upon coming out), then the baby shall not be considered as mutanajjis except if another najasah comes into contact with it upon being born, for example it comes out of the body covered with blood and blood covers it after coming out.
- 2) If the fluid which is excreted at the time of delivery is not considered to be urine and this term does not apply to it, then it is tahir (clean) except if another najasah like blood comes into contact with it.
- 3) Baby's urine is najis and the only exception is with respect to the clothes of the lady who takes care of the baby (that she may pray while having them on).
- 4) As has been mentioned if any najasah comes into contact with anything inside the body it does not cause it to become mutanajjis. After it is excreted with the fluid if it is still considered to be stool, i.e. it has not been transformed into another material then the fluid shall be >mutanajjis.
- 5) If the excretion of the fetus inside the body of mother is considered to be stool then it is najis but does not cause anything to become mutanajjis if it comes into contact with it inside the body.

Wallahul`Alim.

With prayers for your success, wassalam.

Medical Istifta'aat: End of life issues 4032e
(Permissibility of withholding or withdrawing care from the terminally ill or ventilator-bound)

Question: Bismehi Ta'aala, After praise to Allah, the Wise, and His most gracious Messenger Muhammad Mustapha and his pure family, I give my greetings to the Leader of the Muslims, Seyyed Ali Khamene'i (may Allah prolong his life).

I seek guidance regarding some medical issues surrounding end of life care:

Occasionally, a patient is deemed to have an illness that is not curable by current medical practices. Sometimes, a patient has suffered such

significant damage to the brain or other organs, say, from a severe care accident or drowning, that he could not live on his own.

Let us say that a patient has terminal illness, or is severely brain damaged, is no longer conscious, is on a ventilator to breathe, is dependent on food through a tube to keep from starving, and may need antibiotics periodically for infections.

Is a distinction in Islam made between withholding care and withdrawing it IF IT IS DEEMED FUTILE CARE? For example, a patient on a ventilator will need to have food given through a tube to keep from starving. Withholding care would be to not begin to feed the patient knowing that they cannot be cured or their suffering alleviated. Withdrawing care would be to stop feeding them after you had begun it because, say, you were not certain if it would help them or not, and now you have determined that it will not.

Is either of these actions considered as euthanasia or murder? Is either one of them permissible in Islam under any circumstances? Finally, if the patient in concern is a child, may the guardian agree to stop treatments or prevent them from starting in the first place?

Answer: Bismihi Ta`ala. It is obligatory to save the life of another Muslim even if it depends upon preparing or using equipment such as ventilators, etc. or feeding and giving that person medicine - this is regardless of the fact that these things may only delay his death. Moreover, once beginning the treatment for this Muslim (i.e. using medical equipment or administering medicine, etc.), if stopping or withholding the treatment is a factor leading to his death then it is considered murder, which is prohibited by law. Hence, it is not allowed to withhold or stop treatment until it is certain that that Muslim's life has expired or that one is certain that stopping treatment will not result in the death of that Muslim. Thus, it is mandatory, based upon the obligation of saving another Muslim's life not to withhold the treatment even if the sick person himself or his guardian gave the permission to do so, because it is prohibited, since it is murder. Wallahul`Alim.

Clothing and dress while living in the West 1606

Dear Brother, Salamun `alaykum wa Rahmatullahi wa Barakatuhu. With apologies for the delay, the answer is as follows: Bismihi Ta`ala Your eminence has stated that it is not permissible to wear the clothing of the aggressors, or propagate their cultural attack against the Muslims. You have also clarified the issue in stating that for Muslims born and

who live in the West, it is permissible to wear Western clothing as long as it also doesn't actively promote cultural aggression against the Muslims. (These questions have been asked relating some other fatwas about western clothes, see: 29 Questions)

Question 1: If Muslims from several different nationalities meet for a religious gathering, what is the most appropriate way for them to dress: according to the oref of each person's country and people, or according to the oref of the Muslims of their host country? If it is not a religious gathering, does that change how they dress when they meet each other?

Answer 1) He has the choice of doing either one, rather he may wear any kind of clothes [with the condition that he preserves the mentioned condition] and does not cause mafsadah like wearing women clothes or clothes which attract attention.

Question 2: What is the best way for our Iranian women to observe hejab in the West? Some wear manteau and rusari, and some only rusari (with loose-fitting clothes). Is it obligatory for them to at least wear manteau and rusari or even chador to establish their Iranian-Islamic identity, or is any clothing which meets the criteria of modest dress sufficient?

Answer 2) Any dress covers her body and does not show its beauties, although it is preferred to wear the chador.

Question 3: Some American converts to Islam dress in a manner which they consider to be in the sunnat of hazrat Mohammad and the Imams of his household (AS): turban (ammameh), or, prayer hat (shab-kolah), cloak (aba), and baggy pants (shalvar kordi). This draws a lot of attention to them from both Muslims and non-Muslims, and sometimes prevents them from finding gainful employment. What is the ruling on this type of dress? How should we advice them?

Answer 3) Wearing shalvar is not from the sunnah. Yet, wearing (ammamah) is mustahab, but if it causes some mafsadah (like you mentioned) then there is no harm if not wearing it.

Wallahul`Alim. With prayers for your success, wassalam.

Wishing death on the enemies

All praise is due to Allah, who guided us with the babul ershad and the safinatun nejaat. May Allah prolong the life of our beloved leader, Seyyed> Ali Khamene'i.

I wish to pose a follow-up question to the answer regarding la'n and cursing on the enemies of the Ahlul Bayt (AS).

1. What is the status of wishing death (marg, mowt) on the political enemies of the Muslims, Israel and American in particular? Is this considered a form of insult (towheen), cursing (la'n), or something else? This has hurt the feelings of many Americans, despite the clarification that it is aimed at the government. Furthermore, it has harmed the reputation of the committed Muslims living abroad and has been a stumbling block to dialogue.

2. What is the status of wishing death on the Muslims who are against the current concept and application of velayat-e faqih, as is sometimes done after group prayers (namaz-e jama'at)?

The original question (#2873e) was: 1. What is the ruling on cursing (la'n) the enemies of the Ma'sumeen? Is this a sunna of our beloved Prophet (S) and Imams (AS)? (Answer was: Bismihi Ta'ala 1) It is prohibited to insult their enemies, however cursing (their enemies and Allah's) has been mentioned many times in the Qur'an. With prayers for your success)

Answer:: Bismihi Ta'ala, The expression "Death to America / Israel" is a kind of supplication or invocation against them to die and be eradicated, and is not swearing or insulting. The death of a tyrant is far better and desired than his being alive and here you will find this meaning in this part of a supplication. "Oh God grant me a life with excessive goodness, and death to comfort me from all evilness." Oppressors are thieves that block the way between mankind and their Creator, in order to take them away from their Lord, therefore they are tyrants for them. Wal-lahul`Alim.

With prayers for your success, wassalam.

Musical Education

Bismehi Ta'aala

Alhamdolilah, al-Hakim, Al-Qudus. Salavaat on His final messenger Mohammad Mustapha (S) and the Ma'sumeen of his etrat (AS). May Allah protect our beloved leader, Seyyed Ali Khamene'i, and prolong his success. With Salaams to Hazrat Ayatollah Seyyed Khamene'i, and seeking guidance:

Question 1. What is the permissibility of teaching music to one's child, for example, tar, setar, ney, or keyboard?

Answer 1): Bismihi Ta`ala

1) It is not permissible to teach beguiling music which is suitable for trifling and immoral gatherings, and thus if the music is not of this category there is no problem.

Question 2: Is it permissible if the music is not that listened to by the ahlul ghina wa fesad?

Answer 2) The criterion for composing and/or listening to music is that the music should not be suitable for trifling and immoral gatherings.

Question 3: In a prior fatwa, your eminence has said that it is not permissible to teach music during the time of schooling. What age is that?

Answer 3) The promotion of music in schools is contrary to the goals and teachings of Islam, regardless of age and level (of study).
Wallahul`Alim.

Questions about beer and non-alcoholic beer

Question 1 : Dear brothers and sisters in Islam, as-salamu-alaikum. May Allah bless you for your very valuable work and please send our greetings to our Imam Khamene'i in the hope that he will make one day shafa'a for us. We seek guidance regarding the issue of the state of purity and permissibility of alcohol produced by fermentation (i.e. beer). In Adjwiwat-ulistiftaat, Vol. 1, Question 318, your eminence states, " ... all the various kinds of alcohol which are intoxicating and originally in the liquid form are najis." We do not know how this may apply to beer. Beer is made by fermentation, whereby bacteria consume a solid product (a grain, such as barely, wheat, etc.) and through an organic process, ethyl alcohol is produced as a by-product. Therefor we have following questions: 1) Is (alcoholic) beer itself najis?

Answer 1: Dear Brother, Salamun `alaykum wa Rahmatullahi wa Barakatuhu. With apologies for the delay, the answer is as follows: Bismihi Ta`ala 1) Beer (alcoholic) is impure (najis).

Question 2: If (alcoholic) beer is najis, does the water become tahir, if the alcohol is separated from it with a simple membrane process, i.e. without chemical change (istihaleh). Is it permitted to drink this form of non-alcoholic beer if it is not an intoxicant, although it will still contain a small percentage of alcohol (<1%)?

Answer 2: It is forbidden (haram) to drink it.

Question 3: If alcoholic beer is not najis, is it permitted to drink it, granted that it is not intoxicating?

Answer 3: It was previously stated that to drink alcoholic beer is absolutely forbidden.

Question 4: What is the criterion for a drink to be considered intoxicating: the percentage of alcohol it contains, or its ability to make intoxicated at any amount great or small? If it is based on the second criterion, does it depend on the amount needed for the particular individual so that if they require a lot of it to become intoxicated then a small amount would be permissible, or does the general possibility of intoxication suffice for all?

Answer 4: It is forbidden (haram) to consume any type of intoxicant, whether it is a solid or liquid. And that substance which intoxicates when a little is consumed, then consuming a little or a lot of that substance is prohibited. If it can be assumed that the substance does not intoxicate some people or it does not cause them to become addicted, this does not remove the prohibition.

Question 5: If alcoholic beer itself is not najis, and a person is sure, that consuming one serving will have no effect on him, is he then permitted to drink it? your brothers and sisters from... .

Answer 5: It was previously stated that drinking alcoholic beer it is absolutely forbidden. Wallahul`Alim.
With prayers for your success, wassalam.

Question about Loans for Medical School 3311e = 3342e

Question: I have been born and raised in America and am currently applying to medical school in America. But, medical school is VERY EXPENSIVE. For one year, it costs about 25,000 dollars. In four years, it will be 100,000 dollars. I do not have enough money to pay for this education. So I will have to take loans. These loans will be interest free while I am in medical school. But after four years, the loans will accrue (or start asking for) interest. Is it jaiz to be taking these type of loans? If I do not take these loans I will not be able to go medical school and obtain a medical education.

Answer: Bismihi Ta`ala. Interest bearing loans are prohibited by Islamic law however correct they may be by protocol. Meaning that the beneficiary (you) will possess and have ownership of the money however in order to avoid committing an unlawful (haram) act you

should make intentions no to pay the interest even if you know that the interest will be taken from you. Wallahul`Alim

Additional Question:: So according to your answer, we may take out the interest bearing loans with the intention that we will not pay the interest. But because the banks etc. will demand interest, we can pay them interest knowing that Islamically you should not pay the interest and knowing that if you do not pay the interest they will put you in jail or take away your other financial assets etc etc? am i correct?

Answer: Bismihi Ta`ala, Yes, if you make intentions not to pay the interest then you have not committed any sin even if you pay the interest (out of compulsion). Wallahul`Alim.

Traveling and Mustahab Fasting during Traveling 3128e 3220e = 3312e

Question:: Firstly, I am a student at a university which is located about 60 miles away from my home. I live in an apartment next to the school. However, I return home every weekend and therefore do not stay in the university town for more than five days/week. Is this considered traveling? Must I pray qasr prayer? Can I do wajib fasts in my university town? Also, can I do mustahab fasts within the university town even though I have not completed my obligatory/wajib fasts? jazakamullah khair, May Allah (SWT) extend your life.

Answer: Bismihi Ta`ala, 1) This is considered as traveling, thus your duty is to pray qasr and (while traveling back and forth from your university to your home) fasting is not correct. 2) Recommended (mustahabb) fast are not correct if done while obligatory fasts such as qada are pending.

1st additional Question:: I am still confused about your answer. I will restate my question. I go to university and stay there from Monday-Friday. I come home on Saturdays and Sundays to my parent's house. Do I pray qasr at the university or do I pray qasr at my parents home??? Which place should i consider my watan?? Can i consider both places as my watan and then pray full?? If I prayed full prayers in the past and should have prayed qasr, do I need to make up the prayers? If I prayed qasr prayers in the past and should have prayed full prayers, must I make up those prayers?

Answer: Bismihi Ta`ala, 1) Your travels to the university (on the way and in the university itself) necessitate that you shorten your prayers (qasr) because it is not a trip you take in order to work. So, unless you

choose the city that the university is in as your second home (watan) by making the intention to remain there after you finish your studies in the university, you must shorten your prayers. 2) Concerning your parents house - if it is your original home (watan), meaning that you were born and raised in that house, or their home is your second home (watan) meaning that you intend to live there forever, then you must pray your prayers there in full; otherwise (i.e. if you were not born and raised there or if it is not your second home) you must shorten your prayers (qasr). 3) In cases where you did not pray according to that which was obligatory upon you (i.e. prayed qasr when it should have been full or vice versa) you must make up the prayers (qadha) without exceptions. Wallahul`Alim.

2nd Additional Question:: Thank you for the response. I also want to mention that I travel to the university that is far from my home almost every week out of the year. I have an apartment at the university in which I stay from Monday - Friday. I return home for Saturday and Sunday. Is this not considered kathir al safar?? Do I still have to pray Qasr there? Also, from my home to the university are many cities, houses, and buildings that are connected. The distance between my home and the university is one hour and a half by car or 55 miles. Is it still considered travelling and must I pray qasr?? Also, I followed your ruling below for four years (and prayed qasr for four years) at my university because I read the Q & A risalah from Ayatullah Khamanei about this. Do I need to repeat these prayers if I now find out that Ayatullah Khamanei's ruling has changed that if the cities are connected then it is not considered travelling?? I had heard this ruling that all the cities are connected is a new ruling. (Comment of Imaminfo: there has been no change in fatwa, but the asking person thought so).

Answer: Bismihi Ta`ala, If the cities are connected in such a manner that according to common convention (`urf) they can be considered to be one city, then passing in between those cities is not considered traveling. On the other hand, if those cities are not considered to be one city (by common convention), the passing between them is considered traveling; thus, if one passed the legal distance (for shortening the prayer) it is obligatory upon him to pray qasr on the way to and from the university and while in the university. Hence, if you have prayed contrary to the mentioned rule you must make up those prayers (qada). Wallahul`Alim.

Traveling between non-vatan residence and work 13778e

Question:: Our today's question is about the answer 654 in Vol.2 is-tiftaat. The mentioned question is about a person, who travels from his homeland (vatan) to a far away office. How is the situation for a person, who has no vatan, or does not live at his vatan? If his job situation is so, that he never can make "niyyat" for ten days, neither at the job place nor at his temporarily home, what has he to do according to prayer and fasting. It has to be mentioned, that his job is not driving or something similar. In regular he stays 5-15 days at home, working there for his engineering job, and then he has to go to the main office (far away), but the problem is, that it never is clear before, when he has to go there, and he is not living at his vatan. What can he do for praying and fasting?

Answer: Bismih Ta'ala, If he travels from his place of residency to the work place at least once every 10 days, he should pray tamaam (normal full) prayer and fast. But, if he stays for 10 days in a single place, then he would pray qasr (half prayer) only in the first work travel after the said staying.

Question about Al-Khorrosani 569=625

Question: If a muslim recognizes more and more clear signs of the awaited Imam Mahdis supporter named "al-khorrosani" on a special person, is he then allowed to ask the office of the leader about these signs? And how is the case, if these signs are recognized on the leader himself? And what is the duty of the ulama, when they face such signs and see brothers asking about it? And is it the duty of a believer, if he gets more and more "yaqin" about special events, to inform the others too through the information channels of that time? And is it true according > to the "hadeeth" that one of these signs is a green scarf of a shahid? Thank you very much for your help. And eltemasi doa

Answer: Dear Brother, Salamun `alaykum wa Rahmatullahi wa Barakatuhu. With apologies for the delay, we pray that may Allah Almighty hasten the appearance of the Awaited Saviour, Imam Mahdi (AS). With prayers for your success, wassalam.

Question about imamat of person who come to Islam born of illegitimate means

Question: One of our brothers who is born here in Europe as the son of Christian parents, has converted to Islam (like many other Europeans,

alhamdulillah). The marriage of his parents, according to their religious rules, took place after the parents observed the pregnancy of the mother. Both, father and mother have had the sincere intention and had sincerely promised each other to marry, long time before that. Anyhow the promise the intention to marry is, as far as we know, not equal to their religious marriage-ceremony. The birth of this son took place more than five months after their marriage.

1. Is this son generally allowed to be the imam of a common prayer?
2. If not, are there exceptions in this case, that enable him, for example, to pray as imam in front of his wife, his "mukallaf" children, or women in general, or other persons?
3. If someone is restricted not to pray as an imam in common prayers, does this affect other islamic fields, for example: educational branches, being a teacher in islam, or being the head of an islamic society or a member of an islamic "shura"?

After this question I have a wish, without taking much of Your time, please tell us: If You have some guidelines or "nasihat" for us, concerning the muslim youth in germany, their education and protection, here in this aggressive world, we would be very glad to receive it.

Answer: Dear Brother, Salamun `alaykum wa Rahmatullahi wa Barakatuhu. The answer is as follows:

Bismihi Ta`ala

1,2) If the pregnancy had been confirmed before the lawful marriage (according to their religion)

then the son is illegitimate. Hence his Imamatus is absolutely invalid.

3) There is no objection to it.

You are the messengers of Islam to this country so do convey the message in its best way by being faithful Muslims and by your actions and behaviours. Study about Islam as much as you can and be ready to answer any question and to refute any false accusation about our beloved Islam and Allah bless all.

Wallahul`Alim.

With prayers for your success,
wassalam.

Question about prayer (position of waiting) 3985e

Question:: We have one question about praying together with an Imam. When someone attends the prayer of an imam with one raka' delay so that the Imam is in taschahhud while the "mamum" is in his first "raka" and therefore has to stand up, but he cannot, because the

imam still sits, in this situation the "mamum" goes into a special "waiting for stand up" position. During our trips through Iran we have seen lots of different "positions" for this "waiting for stand up". Can you explain us which is the ideal form for this special position. Thank you very much in advance and peace be upon you.

Answer: The correct manner of this waiting position is to be half standing. This means that one's fingers and toes should be upon the ground, while at the same time maintaining the body in such a manner that the knees do not touch the ground. Wallahul`Alim.

Celebrating other people's holidays 4033e

Question: Bismehi Ta'aala Alhamdolillah, there are many people in the West converting to Islam these days. An issue that comes up frequently is regarding the permissibility of celebrating holidays previously observed prior to their conversion. Often times, their families who remain non-Muslim reject them and these holidays are the only way in which they can maintain contact with their family. Or, their children may are may not have converted, or ask their parents to celebrate these holidays as a matter of conformity to the popular culture in the West. Please tell us of the permissibility of observing the following holidays by Muslims:

1. CHRISTMASS: this is the day used to observe the birthday of hazrat Issa al-Masih (Jesus Christ). Within the general culture, it has a more commercial and secular message of sharing and helping the poor than its religious connotation of trinity and partners with Allah. It is also to note the day it is observed on and some of its rituals are based directly on the pagan Roman festival of the Sun God. Is it permissible for a Muslim to: a. Wish the Christians well and give them a greeting card? b. Observe the NON-religious activities such as placing a small tree in ones house with lights and decorations? c. Attend Church with a Christian as an act of da'wah or out of curiosity?
2. HALLOWEEN: This is a festival in which children dress in costume, and stop by people's houses asking for candy. Its origin lies in ancient pagan English customs regarding evil spirits and demons. The Catholic Church converted it into a holiday for the souls of the dead Christians. Currently it doesn't have a religious connotation. However, the images of black magic, witches, spirits and death are still present. Is it permissible for a Muslims to: a. Give candy to children who come to their house on this day? b. Decorate one's house according to the customs of the people? c. Dress their children in costumes and take them around to

receive candy?

3. VALENTINE'S DAY: This is festival that honors love between two people. There is no religious or pagan origin to this festival. People exchange cards, candy, flowers, and other gifts with important people in their lives. a. Is it permissible for a Muslim to celebrate this holiday if it involves their spouse or other mahram people?

Answer: Bismihi Ta`ala 1) a. There is no objection in sending them greeting cards upon the advent of this occasion. Yet, it should be done in such a fashion that you encourage them to adhere to the true teachings of the Prophet Jesus (a.s.) by helping and supporting those in need, living a righteous life, etc. b. There is no objection in celebrating the birthday of the Prophet Jesus (a.s.). But putting up and decorating a Christmas tree would promote a fallacious ideology and result in imitating their culture. c. There is no objection to that in itself as long as it does not lead to corruption. 2) If engaging in this practice results in promoting erroneous thinking (e.g. superstition) in the furthering of corruption or in the strengthening and spreading of their culture, whereby it would become desirable to adopt their culture such activity would not be permissible. 3) In general, there is no objection in participating in the mentioned celebration as long as the rules and regulations of the Islamic law are observed and the celebration does not entail any type of corruption. Wallahul`Alim.

Shar'i age of jihad 5717e

Question: There are some people in the West who are working to ban the use of combatants under the age of 18 years around the world, considering it child labor, child abuse, and a war crime. What is the your opinion regarding the minimum age at which a Muslim may go for jihad? Is there a different age for defensive versus offensive jihad (during the time of Hazrat Baqiatollah, may Allah hasten his appearance)? Could you please make reference to some historical events or sayings of his eminence, the Prophet Mohammad, Imams Ali, Hassan, or Hossein to clarify the issue and bring clarity to our hearts?

Answer: Jihad is not obligatory upon someone who has not yet reached puberty (bulugh) or upon someone who is unable to fight; and there is no difference in this between offensive or defensive war. All jurists are agreed upon this issue in their rulings. Moreover, the lives of the Imams (Peace be upon them) verify and authenticate this ruling - you can refer to history books on this topic.

Eating at Muslim restaurants 6631e

Question: In the West, there are Muslims restaurant owners who state that their some or all of their meat is halal, but also serve alcohol.

1. Is it permissible to eat the meat there and take their word, or should one doubt it because they serve alcohol?
2. If one should doubt their word, is it permissible to eat there but order a non-meat containing dish? Or should one avoid their restaurant all together as an act of nahy an al-munkar?
3. If the only other restaurants in town or owned by ahlul ketab and also serve alcohol, is it morally equivalent to eat at either the Muslim's or non-Muslim's restaurant?

Answer: 1&2) Simply serving alcohol is not a reason to assume that they are lying or that the meat they sell is haram. So if the owners are Muslims and you are confident in their word, you can use such meat. Of course, if alcoholic drinks are served there, precaution should be considered in attending such places but you can prepare the food there and eat it in some other place.

3) If it is not necessary to eat there, precaution should be considered and avoid both. Wallahul`Alim.

Latinizing names from the Quran 6874e

Question: To the office of his eminence Ayatollah Khamene'i: Is it permissible for Muslims living in the West to Latinize Muslim names when naming their children?

Some examples:

Arabic	English
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Musa	Moses
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Yusef	Joseph
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'Ozayr	Ezra
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Maryam	Mary
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Dawood	David
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An About Temporary Marriage (mutah) 8441eswer: There is no legitimate reason for this mentioned act.

Regarding marital status of those who have converted to Islam while their spouse has not 7625e

Question: Dear brothers and sisters in Islam, dear Ulama in the office of His Eminence, as-salamu-alaikum. May Allah bless you for your valuable work and save our beloved Imam Khamene'i until the return of the

12th Imam. We have the great hope that he, ensha' Allah will announce the awaited return soon.

Our question today is with regard to a problematic situation, which several new Muslim sisters in Germany (and the West in general) have to pass. Often, a Christian woman, who was married to a Christian man (by an official church ceremony), later, decides to accept Islam and become a Muslima. Unfortunately in some cases, while the wife has converted, the husband does not. What is the ruling on the validity of their marriage? What shall the woman do in this case? Is it permissible for her to remain with her husband, if he does not object to her conversion to Islam (but still doesn't convert)? How should she behave towards her husband? What has to be done if there were children? We would be thankful if you could give us some detailed explanations about this difficult situation! May Allah bless you for your valuable work.

Answer: In the given question, if her conversion to Islam was before sexual intercourse, the marriage would be void at once. While if after sexual intercourse, then the marriage would be void after the end of the waiting period (*`iddah*) during which the husband and wife in this period should have been separated. In this case, if the husband, during this period, converted to Islam, the marriage will continue again i.e. they could return to each other. Wallahul`Alim (Allah knows best). With prayers for your success, wassalam (and peace unto you).

Regarding end of praying full after work-journey 8001e

Question: What are the criteria that mark the end of a permanent travel? In question 652 (*Ajwibaat-ul-Istiftaat*, Vol.1) it is explained that permanent travel is that in which every 10 days one travels due to his profession.

Our particular questions is regarding the issue of "permanent travel" are as follows: 1. Does it end:

- a. When a person knows that the next 10 days he will not have a further trip
- b. When he has no business trip for ten days
- c. When he has no business trip for 30 days?

2. What about personl travel during that period? Let us say that a person fulfils the criteria of permanent travel due to his profession. Now, he comes home for only a few days and during these days he makes a personal trip. Does he have to pray full or qasr (shortened) prayers?

Answer: Bismihi Ta`ala

1. The ruling of praying full (tamam) prayer would cease to apply during the first work-related travel after one had stayed in one place for 10 days. Then, he should pray tamam in the 2nd work travel, 3rd, etc. as long as he does not stay 10 days in a single place.
2. In a non-work journey one should pray qasr. However, in his homeland (*watan*) he should pray tamam.

Special medical problems 8186e

Question: There is a severely retarded child, 17 years old. He has a recurring problem with brain fluid building up in his head which will kill him if it is not drained off. Many drains have been put in, but they stop working after a while. There is only one more type of operation they can do to drain the fluid: by connecting a small tube from the brain to drain into the heart. The operation is very safe, and it could work for years, but, if it becomes infected, he might die. If he doesn't have the operation, he will die in a few days to a few weeks. This boy cannot speak or walk or talk. He can show emotions like happiness and anger and can drink from a cup and eat food.

His father has asked me, as his physician, on:

1. The permissibility of NOT performing any more surgeries and letting him die a natural, gradual death.
2. Can the (poor) quality of life he has now be a factor in the decision, or, is all life considered sacred?

Currently, he has a temporary drain that takes the fluid outside his head to a bag rather than one that drains the brain fluid into his abdomen.

3. If your answer is that it is permissible to NOT do the repeat surgery, is it permissible to remove the temporary drain, or must that stay in? Would it be considered killing a soul (qatl al-nafs) to remove the temporary drain, knowing that eventually, but, not immediately, he would die?

Answer: Bismihi Ta`ala

- 1) It is impermissible not to perform the operation.
- 2) As long as he is alive, it is obligatory to preserve his life.
- 3) In the given question, it is impermissible to remove the temporary drain.

1.

About Vaccination 8762e

Question: Your eminence has stated in a previous fatwa that it is obligatory for the father to seek treatment for his child if the child is ill. I seek your guidance and clarification regarding the following:

1. Is it obligatory for the guardian of a child to seek means to prevent illness? For example, physicians recommend regular visits to a physician prior to any clear illness to detect anemia, cancer, growth problems, or delayed neurologic and intellectual development when it is subtle and early and possibly reversible.

2. There are some dedicated brothers in the North America who have stated that they do not wish to have their children vaccinated. They cite concerns over safety and the quality of vaccine preparation. Furthermore, they state conspiratorial theories that Western governments are trying to spread AIDS, or, make the children of the developing world sterile and weak. Some persist in their feelings despite my pointing out the use of vaccines in all the major Islamic countries and role of the Islamic Republic in producing and disseminating quality vaccines. As a physician, I have stated that vaccinations save lives and any possible risks associated with them are less than the danger of the illnesses. It is the consensus of medical professionals that vaccinations are in general safe and prevent infectious diseases. I have also noted the principle of istislah in preventing mass outbreaks of illness. Can the guardian of a child still refuse to have their child vaccinated?

Answer: 1) If there is a probability of having a disease seeking the means to prevent it would be obligatory to the extent the disease can be prevented.

2) As long as the father is not certain that the vaccines contain the substances that would cause diseases which the father claims to be present, he is not allowed to refuse to have his child vaccinated.

About how complete the Holy Qur'an is 7912e

Question: I have heard from some Shia Ulema and some other Shia Momineens that the Quran Shareef which we have got today is not complete and a hidden part of it is in the hand of Imam Mahdi (as) who will bring it back when he appears. Is it true that Umar (LA) and Usman (LA) burnt many ayahs of Quran and Imam Ali (as), seeing this, hides a part of it? It is hard for me to understand this, because Allah (swt) himself claims in Quran, that he is the protector of it and he alone will save

it from altration. I hope to get an answer for this important question soon, if you dont mind, please give also an evidence of your answer.

Answer: Bismihi Ta`ala The present Qur'an in our hands will never be changed even in the time of Imam Zaman (aj.) reappearance (May my soul be a sacrificed to the sand under his feet).

About gelatine 8562e

Question: uestion about gelantine: I am living in an unislamic country. The gelantine which is used here is made in 95% of the cases from swine, or it is made from non-halaal-slaughtered animals (cows, >etc.). Is it better to avoid the food in which gelantine is used? Is the gelantine halaal or haraam?

Answer: f gelatin is extracted from the bones of an animal that is impure in itself (e.g. a pig), then it is unlawful to consume unless it had undergone a transformation (istihalah), which occurs when the substance disintegrates (and becomes another substance such as ashes). Moreover, if the gelatin is extracted from the bones of an animal whose meat is lawful to eat, even if the animal had not been slaughtered according to Islamic law, it is pure (tahir) and lawful (halal) to consume as long as you have no knowledge of it being tainted by another impurity.

About obligatory prayers 8562e

Question: Is it wajib to recite the Sure Al-Fatiha (in the wajib prayers, which are longer than 2 raka'ahs, like Zuhr, Asr, Maghrib and Isha) in the third and fourth raka'ah, or may one recite the Tasbihat-e-Arba (subhan allahi wal hamdulillahi wa la ilaha ilallahu wallahu akbar) instead of the Al-Fatiha?

Answer: The person has the choice.

About Jama'ah prayers with Ahl-al-Tasannun 8562e

Question: The most mosques in my country are belonging to our sunni brothers and sisters. Sometimes we go there to pray in Jama'ah with them. Sometimes I recognise, that the Imam who is leading the prayer, is reading it wrong. Mostly the Imam does not recite the 'Bismillah hir Rahman ir Raheem' before the surahs. The Imam also never recite it before the first Al-Fatiha in Namaaz. The whole namaaz is without any 'Basmallah'. Is the namaaz behind this Imam correct or may one recite his own namaaz and avoid praying behind such Imams?

Answer: What is mentioned in the question would not harm the correctness of praying behind them in congregation (jama`ah).

About Temporary Marriage (mutah) 8441e

Question: How does a person perform the temporary marriage (muttah)? When is this type of marriage legal and who has the right to do it? Is it necessary to ask the father of the bride for permission? Thank you for reading my questions and also thank you for your answer, insha Allah, may Allah grant you a long life and may (insha Allah) Imam Mahdi (as) come soon to us.

Answer: 1&2) Temporary marriage like permanent marriage, requires a marriage contract. Moreover there is no difference between permanent marriage and temporary marriage except in some aspects of the law, such as there is no divorce in temporary marriage - it terminates with the expiration of the time period. Likewise, neither spouse in a temporary marriage inherits from the other. The temporary marriage contract is as follows: The woman says: "I marry myself to you for the specified dowry (mention the amount) and for the specified time period (mention the time period)". Then the man says: "I accept".

3) According to obligatory precaution, for the marriage of a virgin girl it is a condition to obtain her guardian's (father or paternal grandfather) permission.

About Saying this word isti`adhah 8653e

Question: According to the rulings we have learned it is obligatory to start reading verses of Holy Qur'an with sayin "auzubillahi-min-ashaytanir-rajim". Is this rule also valid for the ritual paryer (salat, namaz)? And if yes, when do we have to say "auzubillahi-min-ashaytanir-rajim", before takbir-at-ul-ihram or after sayin "allahu-akbar" but befor starting reading Fatiha?

Answer: Saying this word (isti`adhah) is not obligatory before the recitation of the holy Qur'an but recommended (mustahabb) and it is also mustahabb to say it after the takbirat al-ihram (i.e. saying Allahu Akbar) and before the recitation of surah al-Fatihah.

Buying products 8822

Question: 1) Is it permissible to buy products from the United States of America or american products?

2) Is it permissible to buy goods from companies that allocate parts of their profits to support USA or support USA?

3) Is it permissible to buy goods from companies that spread immorality (unislamic atmosphere) and support immorality (unislamic atmosphere)?

Answer: 1&2) Any transaction with a company which its profit is for helping the enemies of Islam and Muslims or for supporting the Zionism regime is not permissible.

3) If buying goods from these companies would support them and assist them in spreading corruption and immorality, it is impermissible.

Civil divorce without Islamic divorce 9276e

Question: Our question today, regarding divorce, is a difficult one for us. Unfortunately, some Muslim men while living in non-Muslim countries are misusing the act of divorce. In Germany, several Muslim men have married native converts to Islam by both Islamic and civil formulas (to comply with local laws). After a while, the man decides to divorce his wife for a variety of reasons, sometimes to marry a second wife. He divorces her according to local laws so as not to practice polygamy according to secular regulations, but refuses to invoke an Islamic divorce by shar'i (Islamically legal) means. Thus, he does not free his first wife from the obligations of their marriage.

German law recognizes divorce as final if the couple lives apart for one year or more and can document their separation. In such a case, the couple would be divorced in the eyes of the local laws but still be married under Islamic law.

It is nearly impossible to find a faqih in Germany who may advocate on behalf of the woman and divorce her from her husband so that she may remarry under Islamic law.

In the absence of a faqih, can the civil divorce be considered sufficient for an Islamic divorce as well? What is the way to solve this problem? May Allah reward you with manifold spiritual rewards (thawaab) for your efforts.

Answer: Those women should refer their problem to the Supreme Muslim authority (hakim al-shar') to solve it. Unless divorce is done according to the accepted (Islamic) formula (sighah), under shar'i (legal) conditions, it would not be correct. (ed. In other words, a secular divorce does not obviate the need for an Islamic divorce).

Wa Allahu 'Alim (and Allah is the Knowing), with prayers for you success, Wa salaam (and peace unto you).

About calling "Imam" 9649e

Question: 1) Is it for a muqallid permitted to call the vali-ul-amr with the title "imam" to train himself for the return of the pure Imam (bay he return soon) and to attach himself to this vali-ul-amr as much as possible also in respect and love or does he need the special permission of the vali-ul-amr for using this title?

2) If one sees, that the true representative of the prophet's house (ahl-ul-bait) among us is called by some individuals not with the respect he should have, as he calls him "agha" or "the ayatollah" and so on, is it permitted to remind them with best words, that this person is as holy that our tongue should use better words for him?

3) If among more than 60 Million iranians there is no single one to translate every complete speech of true representative of the 12th Imam for the non-farsi speaking muslims into english and they always only were provided with incomplete summaries, is it then the duty for the others to learn farsi, because they even want to understand each breath of this great imam?

Answer: 1) There is no objection in calling wali al-amr (the Leader of Muslims) with such a name since he is the Imam of the `ummah (the Islamic nation) and there is no need for permission.

2) There is no objection in calling him with the mentioned calling names as well.

3) If the recognition of the shar`i (Islamically legal) duty of the mukallaf (the obligee) would depend on such an act, it would become a sparing obligation (wajib kifa'i) (i.e. if it would be performed by one or some of the individuals, it would cease to be obligatory upon the others.

Regarding Cats 13550e

Question: What is the ruling on cats in Islam? 1. What do the narrations say about the Prophet of Islam, Mohammad Mustapha (S) and his opinion and interaction with them? 2. Is it permissible to keep them in one's home? Is it recommended as it is for certain types of birds, or, simply permissible? 3. Is it permissible to pray with cat hair on one's clothes? What if a cat licks your hand? 4. Finally, if it is not permissible to pray with cat hair on the clothes, is it because the hair of any animal that cannot be eaten cannot be on the clothes when one prays (thus a general rule), or, is it specific to cats, while not making them najis al-'ayn. 5. When and to which animals does the principle apply that the parts of the body that have no soul are tahir (ritually clean) and to which parts of the animal does it refer?

Answer: Bismihi Ta`ala

1-4) There is no objection in keeping cats in one's house but it is impermissible to pray while cat's hair is on one's clothes or body. This ruling includes the hair of those Islamically inedible animals except those animals for which exception is mentioned in Islamic law. Saliva of cats is taahir (pure) but it is impermissible to pray with it.

5) This is mentioned in detail within the book of Practical Laws of Islam.

About halal Fish 13981

Question: Our today's question is about the definition for fish to be halal. What are the criteria for a fish, that it can be accepted as halal. Can you give us a complete definition. As we know one of the criteria is, that a fish should have fish scale. Therefor our questions in this regard:

1. Are there also other criteria as precondition, that a fish is halal for meal?
2. Is the precondition to have scale a scientific one or based on the opinion of people?
3. How many scale should a fish have, that it is accepted as halal?
4. Is it acceptable, that a fish has only scale on one body side but no one on the other side, as it is described for example for the fish called plaice We would be very happy, if you could enlighten us in this regard.

Answer: Bismihi Ta`ala

1. There is no other condition but to get it out of water alive i.e. to die outside the water.
2. The recognition of this matter is the responsibility of the mukallaf (person bound by religious obligations) even with referring to the expert people or to the `urf (common view).
3. There is no certain number for the scales. However, it should be said that it has scales according to `urf. It suffice that the fish is originally a caled one even if all its scales had disappeared later. Like a kind of fishes which rubs its body against every thing and its scales fall away and when one looks near its ears, he may see some of them.
4. The ruling is made clear in the above answer.

Haram after Zina 14372e

I have heard from different muslims, that if a muslim man and a woman (no matter what religion she has) do zinna (have unmarried sexual intercourse), they become unlawful (haraam) for each other forever and

that they even can not marry according to islamic law, if they want to do so. Is this correct?

Answer: Bismihi Ta`ala Only when a man makes zina with a married woman or an observing Raj'i' iddah (waiting period during which the husband is allowed to revoke the divorce) woman, she will become haram for him forever.

Praying Times 15181e

Question:

- 1) When does the namaaz-time for the prayers of Maghribayn (Maghrib and Isha Namaaz) end? Some brothers and sisters believe, that it ends with the Adhaan of Fajr (morning) prayer, is this correct?
- 2) Is it correct, that the time of Namaaz-e-Shab (Midnightprayer) begins approximately 11 hours and 15 minutes after the Zuhrayn (Zuhr and Asr) Adhaan? Question about some prayers:
- 3) I heard about a hadith from some momineens, which says, that a momin prays 51 rakaahs a day. Which prayers are meant by this hadith? How do one pray them and with which niyah (intention)? When are the timings of them?

Answer:

- 1) The time for prayer of `isha ends at shar`i midnight. The time for prayer of maghrib ends at a few minutes - as much as it is needed for praying `isha - before shar`i midnight.
- 2) For calculating shar`i midnight, it is a precaution to consider night as starting at disappearance of sun and finishing at the time for adhan of fajr. Accordingly, the midnight will be 11 1/4 hours after zuhr adhaan approximately. The time of namaaz-e-shab starts at shar`i midnight.
- 3) The 51 rak`ahs a day include all obligatory prayers and non obligatory prayers (nawafil). For details about how and when they are performed see Ar-risaal al-`amaliyyah.

Ali yun wali Allah in Prayer16049e

Question:

Salaam. i need help regarding ali yun wali allah in namaz. is it farz or wajib? plz also give me some references and fatwas of marjahs. www.sdol.org

Answer:

Bismihi Ta`ala To bear witness that Imam Ali (A.S.) is wali of Allah is not a part of Adaan, Iqaamah, or tashahhud. It is not permissible to say it intending as part of them, but to say it as expressing one's belief is no

problem. However, it is preferred to say your prayer including its tashahhud in accordance with what great marji's of shi'ah have written in their books of Practical Laws of Islam and not to add any phrase – even a correct and true phrase by itself- to it.

Hijab in Prison 16233e

Question:

Here in the United States, we are in correspondence with and provide guidance to people who become Muslim and are in prison. A woman, bihamdillah, has, in prison, begun to follow the noble school of Ahl al-Bayt and now teaches and has introduced many female prisoners to our school. She is strong in her faith and wears hijab in prison. She has suffered for it including solitary confinement. It is currently very hot and humid where she is (over 40 degrees Centigrade) and she has a heart condition. She fainted from the heat and wearing hejab and working in the cafeteria kitchen. The guards say that because she took off her hejab out of urgency that she won't be able to put it back on. She has for now but wishes to know what the ruling is for her situation given: 1) her imprisonment and pressure against wearing hijab 2) the intense summer heat and humidity 3) her heart condition that makes her blood pressure low and causes her to faint under certain circumstances.

Answer:

Bismihi Ta`ala, If she feels afraid of bad consequences on her health or unbearable hardship and difficulty due to observing perfect hijaab, she could suffice with the least obligatory hijaab or the minimum important amount of it.

Chapter 3

HOMELAND, BORN STATUS MEDICINE, WAR

Bismehi Ta'aala

To his holiness, the leader of the Umma and the Marja' of the Shiites, Grand Ayatollah Khamene'i (may my soul be sacrificed):

After praise and eulogy of God almighty and never-ending salutations upon the holy presence of the infallibles, and with apologies for any inconveniences, with a blessed greeting I draw your attention to the following: People from varying professions (eg professors, physicians, engineers, students) are in need of rulings from your holiness as presented below:

Determination of one's homeland

Question: In the West (in the big cities in particular), the concept of "neighborhood" does not hold much currency. In particular, a Muslim (from any ethnicity or country) for whatever time that he inhabits a place is considered to be a foreigner. If a person has unintentionally remained outside of his country (even 10 or 15 years) and lived in one place throughout this time, under what conditions, and after what period of time will that place be considered as his homeland? If his co-workers, or those Muslims with whom he associates (however many that may be) consider it to be his homeland, is that sufficient?

Answer: To live (even) permanently in a city without intention of taking up permanent residence will not make that place your homeland. The ruling of "homeland" is derived from the intention to take up permanent residence - despite the number of years a person may actually live there - and regardless of how many of his neighbors or co-workers know him.

On the status of children who come to Islam born of illegitimate means

Question: Unfortunately, the foundation of the family is steadily weakening. The concept of marital union and husband and wife according to common usage, either as defined by the Church or the State has been limited. So much so that in some Western societies the requirements of "union" (in common law) is fulfilled simply by men and women co-habiting without a proper union as recognized by the Church or the State. A fair number of German parents are married in ceremonies officiated by either the Church or the State after conception of a fetus, or even after the birth of the child. Some never bother to have enter into an official union. Which Christian ceremony—religious or secular -according to Islam is acceptable (mo'tabar)? What is the status of a person who, having been conceived prior to the binding of a marriage contract, later comes to Islam in the age of maturity? Is his birth considered legitimate (once he has converted) or not?

Answer: The legitimacy of the marital union between husband and wife is determined according to their religion. Any child born of pre-marital relations is considered to be illegitimate, no matter when his parents subsequently wed.

further question in this regard

On the consumption of medicines containing alcohol

Question: In the field of medicine, there is a therapy for certain chronic illnesses, such as those for certain allergies or skin conditions, in which a small amount of the patient's blood is used. A solution is made from one part blood to ninety-nine parts water. This is then suspended in a 30-40% alcohol solution to form a tincture. This tincture is then diluted similarly one hundred times. This dilution may occur up to 12 times. In the end, an extremely small fraction of the patient's blood is present in the tincture. Over a number of weeks, each day, several times a day, the patient ingests a few drops of the ultra-dilute tincture. Is it permissible to take such a medicine? This is in reference to the fact that the alcohol serves as a preservative, and thus, is a necessary component of the mixture (containing blood). Is it permissible to use medicines containing alcohol in general? Is such a medicine considered to be ritually clean (taher)?

Answer: A medicine, such as described above, or in fact, any medicine containing alcohol, even if it be a small amount, is not permissible. However, if its usage is necessary for the overall treatment and cure, it is not a problem.

On the purification of sewage water and the consumption of such
Question:

1. Today in the West, domestic and industrial waste may be purified by one of several methods: mechanical, physical, biological, or chemical. This process is repeated 7-8 times, after which, in certain European cities, it is reused, before reaching the sea or flowing water. For example, sewage purified by the biological method involves placing bacteria in an aquafer containing sewage. The bacteria, in the process of replication, consume the waste products, leaving a water behind which lacks any odor, taste, or color associated with sewage. This process is advantageous because it can be accomplished much faster than using the natural method. Is such water pure (taher)?
2. Some researchers use sewage water contained in containers holding no more than a few liters. If such water is purified in a test tube by the above method, with all traces of the odor, taste, or color of sewage removed, will it be considered taher?
3. What volume of treated sewage, and under what conditions, will be considered consumable and taher?
4. Is the consumption of such treated water permissible if it does not appear objectionable to the common man?

Answer: Treating water in such a manner does not make it taher. Such water becomes taher only under two circumstances:

- 1) that it become mixed with a "kor" or greater amount of water, or,
- 2) that it become mixed with rain water.

Until then, it is not permissible to consume it.

Chapter 4

PURCHASE OF ZIONIST GOOD

A: The purchase of any item which helps strengthen Zionism is not permissible unless it reaches the point of necessity.

Chapter 5

CHEATING FORIEGN GOVERNMENTS

Q: A person has been living in a Western country (Japan) for some three odd years. During this time, he has ridden the train without paying the fees, and has made over 500 US\$ in calls with forged calling cards. Now, he is regretful. However, he is indebted to no one in particular, but to the government it self. With the advent of Wilayat al-Faqih (Guardianship of the Jurisprudent) and the Islamic republic, is the burden of rectification to the Islamic republic, or to the Western government?

A: Whether or not a government is Islamic or not, it is the owner of its goods. To illegally take possession of a government's property is usurpation, and rightfully belongs to it. The amount due must be paid to the government (of that country).

Chapter 6

Pastimes for the Youth in Licentious Settings

Question: To his most honorable eminence, the Vali al-mu'mineen and pre-eminent Marja', Ayatollah al-Odhma Seyyed Ali Khamene'i (mad-dhileh al-'ala): After sending my greetings, I draw your attention to the following:

In the country of Turkey, unislamic groups, by various means and with various devices, such as the building of exercise facilities in licentious and deviant environments, entice our faithful youth. Some of the faithful, in order to protect the youth from such places, wish to build facilities such as football fields, basketball courts, ping pong and billiard tables, and the like, and rent them out with the stipulation that no betting be allowed on the grounds. In light of this, we would be most honored if you would inform us of your most excellent opinion regarding the building of such facilities for the youth to protect them from those licentious and deviant environments.

Answer: Bismehi Ta'aala (in the Name of the Transcendent):
If the facilities are only used for sports, and no gambling facilities are present, there is no problem. (Fatwa No 21876)

Chapter 7

About Meat in Europe and USA

The following questions deal with the issues surrounding the consumption of meat in Europe and North America. Some Muslims here sell meat claiming that it has been slaughtered according to Islamic rites (eg., halal). Doubt, however, has entered our minds because some of the believers say that there are butchers who sell meat not slaughtered according to Islamic rites (eg., haram) while claiming that it is. Because of this, we would like to pose the following questions:

Question 1: To what degree should one investigate (the permissibility of the meat) prior to purchasing it?

Answer: It should be ascertained that the animal had been Islamically slaughtered. However, if you take meat from a Muslim with which he deals as a halaal meat and there is a possibility that this Muslim has ascertained - through valid means - that the meat is halaal, the meat is ruled to be halaal.

Question 2: What if the seller behaves unislamically by the opinion of the believers according to precaution (ehtiyat)?

Answer: Act according to your own confidence.

Question 3: Shall we inform other Muslims in this case (that the meat is considered haram)?

Answer: Telling them is not necessary unless they are ignorant about the rule. In such a case, guiding them is a must.

Question 4: If we travel to another city where we don't know any of the believing Muslims, and a Muslim serves us a meal stating that it is halal, how should we act?

Answer: Ruling of this issue is the same of that made clear in answer no. 1.

Question 5: If we go to the home of a Muslim and he serves us a meat-containing meal, is it necessary to evaluate (the permissibility of the meat—eg., to ask him if his meat is halal)?

Answer: If there is a probability that the Muslim person has ascertained slaughtering of meat according to Islamic law, there is no need for investigation and it is halaal.

Question 6: If he is not sufficiently knowledgeable in jurisprudence (fiqh) what should we do (eg., should we accept his claim)?

Answer: The standard is what is within the previous issues.
(Note: Answers translated by the leaders office under number 16348e)

Part 1
29 Questions to the Eminent Leader
about Cultural, Art Relating and Social
Problems

Watching Muslimah Actors without Hijab

Q: On occasion, IRIB (Iranian broadcasting) shows various films from other Islamic countries in which the women featured do not wear hejab and appear like the Christians and Jews. However, we are certain that they are Muslimah (female Muslims). With respect to our certainty of them being Muslimah, what is the ruling on watching such films?

A: The opinion with regard to looking at ghairul-mahram women in film or still photos is not based on their being foreign (or non-foreign). If a person watches these programs without the intention of lust, and if it does not result in corruption for that individual, there is no prohibition.

Professional Female Photographers in Mixed Settings

Q: Occasionally, due to carelessness, during the filming and photography of weddings, the rules regarding mahram and ghairul-mahram are not observed. What is the ruling if a professional female photographer works in this environment?

A: Complete observance of Islamic dress and behavior is necessary in any place or occasion. If the photographing of women (in a segregated setting) or in mixed audience is a prelude to propagating sin, and results in corruption, it is not permissible.

Using Video Players When it Leads to Vice

Q: Lately, it has become commonplace to watch films on video of various topics. Unfortunately, this has afflicted religious families too. This has lead in time to the corruption of our youth, and the hollowing of our Islamic society from the inside out. Your blessed opinion is requested regarding the following: What is the opinion on purchasing, selling and renting this device to families who have no control over how this device is used?

A: The production and sale and use of films containing illicit material and which corrupts the morals is forbidden.

Film production and Islamic Shar'ia

Q: If a director or actress [in Iran] does not observe complete hejab—or ignores it completely—from a religious (shar'i) standpoint, what is the ruling?

A: Any film in which religious criteria are disregarded in its production, or which results in corruption and vice is problematic. Thus, the production, presentation, and viewing of such a film is not permissible.

The Permissibility of Playing Someone's Wife in a Film

Q: What is the ruling on an actress playing someone's wife?

A: As long as complete Islamic hejab is observed, it is not a problem, granted it does not lead to vice.

The Permissibility of Hair Showing Beneath one's Head Covering

Q: What is the status of letting hair fall out from underneath one's chador or maghna'eh when in view of ghairul-mahram?

A: It is not permissible. It is obligatory to cover all the hair in front of ghairul-mahram.

Wearing Colorful Clothes

Q: What is the status regarding women wearing lively, eye-catching colors in public?

A: What ever type of dress which covers a women's body and the curves and forms in front of ghairul-mahram is sufficient. However, one should show restraint in choosing colors and designs which stand out or attract attention.

Wearing Clothing with Pictures of Symbols

Q: What is your opinion on wearing clothing with pictures or symbols related to Western countries on them?

A: It is problematic to wear such clothing from those Western countries which promote the cultural aggression against Muslims.

Wearing makeup in Front of Ghairul-Mahram

Q: What is the situation regarding women wearing makeup be it while outside the house (e.g.. for shopping or social activities), working, or studying (e.g.. attending college classes)?

A: Wearing makeup itself is not problematic. However, it is obligatory that in front of ghairul-mahram it not be worn.

Wearing ties and bow ties

Q: Occasionally, the wearing of ties and bow ties is noted while attending a wedding, or, simply while walking down the street. What is the religious (shar'i) ruling on wearing such accouterments?

A: It is not permissible to wear such items on the basis that it is an imitation of and propagation for the cultural assault against Muslims.

Dealing with people who persist in imitating Western Dress and Habits

Q: With regard to the never-ending cultural aggression of the West, and the propagation of certain undesirable behaviors and customs, it seems that some men have begun to wear earrings and gold crucifixes on their necks. Some women wear brightly colored manteau (overcoats). Some men and women wear wrist bands, or smoked-lens sunglasses, or pearl-diver style watches (large, ostentatious watches with many dials) which attract attention and are unacceptable according to the opinion of the religious people ('oref). Sometimes, despite our attempt to perform amr-e b'il ma'ruf (encouraging the good) and nahy an al-munkar (dissuading from the ugly and bad), they persist. We request your advice on how to deal with such people.

A: It is absolutely forbidden (haram al-muttlaq) for men to wear gold. It is not permissible to wear clothing which in color, style, or cut imitates or propagates the cultural assault of the enemies of Islam and the Muslims. One's duty in this regard is to perform nahy an al-munkar by speech. If this is not successful, one should contact the proper security and judicial officials and give a report on the matter.

Wearing thin, shape Revealing Socks

Q: What is the status of women wearing thin, shape-revealing socks in the view of ghairul-mahram?

A: It is obligatory for women to cover their body in front of ghairul-mahram. Wearing thin socks is insufficient for proper hejab.

Propagating fashion and Fashion-Consciousness

Q: What is the ruling regarding the propagation of fashion and fashion-consciousness and wearing clothing with Western insignia and labels? We pray to Allah to extend the life of our paramount leader.

A: If it is done to propagate the empty culture of the foreigners, it is not permissible.

Shaving the Beard

Q: What is the ruling on shaving the beard completely off with a razor or electric shaver?

A: Out of obligatory precaution, it should be avoided.

The Minimum Length of a Beard

Q: What is the ruling on the shaving of the beard with a razor or similar device? In general, to what length may a beard be trimmed?

A: It is forbidden to shave off the beard with any device. It is permissible to trim it to the length that it is still considered a beard.

Clapping at Public Occassions

Q: Please give us your opinion regarding expressing joy and clapping during the celebration of the birth of the Ahl al-bayt (AS).

A: Clapping, per se, is not problematic on joyful occasions. However, on religious occasions such as the births or days of condolence of the Ahl al-bayt (AS), it is more appropriate to send salutations (salawaat) to them so as to perfume the atmosphere of the gathering.

Listening to Foreign Broadcasts and Sharing that News with Others

Q: What is the ruling on listening to , conveying the message of, and inviting others to listen to foreign news broadcasts?

A: Firstly, there are various personalities, issues, and broadcasters to consider. In any case, whatever

1) propagates lies or doubts, 2) leads to a disturbance of the public's presence of mind, or 3) lessens the trust in the Islamic government and the responsible authorities is not permissible to listen to (or to propagate).

Showing Films in the Mosque

Q: Is it, or is it not, permissible to show a film in the mosque?

A: It depends on the film, but in general, it is better to refrain from this in the mosque.

Performing Plays in the "Shabestan"

Q: What is the ruling on performing plays in the shabestan (place of night prayers or sleep, beneath the mosque)?

A: It is not proper to convert the shabestan into a playhouse.

Types of Forbidden Music

Q: What type of music is forbidden?

A: Music performed exclusively in debaucherous (lahw) circles is forbidden.

Teaching Music to the Youth

Q: What is the ruling on teaching various musical instruments to children at or near the age of puberty?

A: The matter of teaching music relates the basic ruling on music. In a general sense, the teaching of music is not compatible with the goals of an Islamic order. To teach music during the most suitable ages for learning is not devoid of corruption and sedition (mofsedeh).

A clarification of the Above Question with Regard to the Opinions of Certain "Experts"

Q: With regard to the teaching of music, I note respectfully that, replying to the above question, you stated in writing that the teaching and propagation of music is inconsistent with the goals of the blessed order of the Islamic Republic. Is the above ruling one of guidance, or an official governmental ruling? It is worth noting that some responsible parties recommend the teaching of music, especially for the youth. My humble question is: What is the consensus opinion between yourself and those who favor the teaching of music to the youth?

A: The teaching and playing of music to and by the youth causes them to deviate and results in corruption, and thus, is not permissible. In general, the propagation of music is not compatible with the goals of the Islamic order. It is not permissible for people to use their own preferences and inclinations in the name of culture and the art of teaching and training the youth.

Listening to the Music on Iranian TV and Radio:

Q: What is the situation regarding the playing of music on IRIB TV and radio? Without a doubt, may we listen to it?

A: It is not a problem if it is not exclusively the music of the people of debauchery. And the determination of the above criteria rests with the individual listener. In any event, simply because music is broadcast does not give reason to it being acceptable.

Listening to the Music on Iranian Broadcasting:

Q: Is the music broadcast from IRIB 100% permissible or does it depend on the individual?

A: A single broadcast is not proof of a particular song being religiously acceptable (shar'i). If , in the opinion of the listener (mokallef) the music belongs exclusively to the people of debauchery, luxury and drunkenness, then it is not permissible (for him).

Listening Music on Iranian Broadcasts felt to Belong to the People of Corruption

Q: Given that IRIB broadcasts a song which is of the same or similar genre or the very same music considered to be corrupt, is it permissible or not to listen to it?

A: If, in the opinion of the listener, it belongs to the people of debauchery and sin, it is not permissible.

Listening to Music from the Time of the Shah

Q: What is the shar'i ruling on listening to music with frivolous, worthless, irrelevant lyrics from the former regime of the sinister, unjust Shah—even though at its essence and at its heart, it is really "traditional" Iranian music by today's standards?

A: If it is debaucherous (lahw) music, or it is corrupting, it must be avoided. It is of no matter if the music is "traditional" or not.

Playing Rhythmic Music at a Segregated Wedding

Q: What is the ruling on playing rhythmic (motreb) music at a wedding celebration where both the men and women are separated, with separate celebrations?

A: Granted that it is rhythmic (motreb), it is not permissible.

Permissibility of Women Riding Bicycles and Motor Bikes

Q: Is it permissible for women, despite their need for proper covering, to ride bicycles and motor bikes? If so, please list the conditions.

A: A women must avoid circumstances and actions which require her to be self-conscious of her appearance in front of ghairul-mahram. Riding a bicycle or motor bike in a public place, by a pedestrian walkway, or in view of others leads to corruption (in light of fulfilling the above mentioned criteria), and thus, is not permissible.

Women Participating in Religious Processions

Q: If a woman, or group of women, take off their regular outer-coverings, but wear special clothing where the form of their body is not revealed, and their modesty is preserved, may they take part in the flagellation (zangeer-zani) and chest-tapping (seeneh-zani) [of Muharram]?

A: It is not befitting for ladies to organize such a procession.

Part 2
12 QUESTIONS - Paying Khoms on Student Loans and Scholarships

Paying Khoms on Student Loans and Scholarships

Q: College students receive financial aid, which is not considered to be a form of income. Thus, it is simply an agreement between the student and the government, a sort of financial contract in which the student agrees to pay back the money when he has matriculated and has the wherewithal to do so. Granted the above noted stipulations, is it incumbent for the student to pay khoms on his property during this period? What happens if the student occasionally engages in work such as tutoring, etc. and earns an income?

A: Bismehi Ta'aala: Financial aid granted by the government to the student is not subject to khoms. If a student earns enough money that some is left over at the end of the year from tutoring and similar activities, then khoms is due.

Paying Khoms on a Mortgage Loan

Q: To the extent that a person borrows a sum necessary to purchase a private dwelling, will khoms be incumbent on him?

A: Bismehi Ta'aala: Whether one's savings account is for living expenses or not, once the year has passed, khoms is due on it.

Physical contact with non-Muslims

Q: Studying in the West necessitates contact and association with the unbelievers (*kuffar*). For example, a professor or other people invite a person to a social gathering. To decline [on religious grounds of not mixing with the *kuffar*] will be misunderstood, with the possibility of giving a negative impression (of Islam and oneself). In such a situation, what is the ruling on consuming food that has come in contact with them (on the condition of observing and avoiding all haram ingredients, such as non-Islamically slaughtered meat, etc...)? What is the ruling if there is a possibility in coming in (physical) contact with them?

A: Bismehi Ta'aala: The mere possibility of coming in contact with the moisture of an unbeliever's hand is not sufficient to avoid them, because if you don't have certainty of having come in contact [with their moisture], the ruling is to consider them pure (*taher*). If the *kafir* is from the *ahl al-ketab* (the Jews, Christians, Zoroastrians and Sabians), then there is no ruling of inherent impurity (*nejaasa*), and to touch the moisture of their hand does not impart impurity.

Participating in university social functions where both alcohol and halal food are served

Q: In the collegiate environment [in the West], it is common practice (*'oref*) for students and professors to get together for various occasions. In these gatherings, along with alcoholic beverages, halal food and drink is also served for the Muslim students. Now, it is certainly not obligatory to attend these gatherings, but to not attend may cause misunderstanding and lead to difficulties. On the other hand, attending such gatherings may create a positive impression of Muslims when they see us not consuming alcoholic beverages. Thus, with reference to the above explanation, what is the ruling on participating in such gatherings?

A: Bismehi Ta'aala: It is not permissible to participate in gatherings in which alcohol is consumed, nor is it permissible to adopt stances and explanations of dissimulation (*taqiyyeh*) of religious beliefs and divine responsibilities (*takalif-e shar'i*). This should not lead to any difficulty, God willing.

Eating baked goods with uncertainty to the origin of the shortening

Q: Certain goods that are purchased at the store, such as sweet breads, are made with shortening which may be of vegetable or animal origin. If it is not indicated which type of shortening was used, and it is possible that either one was used, is it permissible to consume such a food?

A: Bismehi Ta'aala: Granted the above noted supposition, the ruling is that the food is pure and pardonable, and there is no problem in consuming it.

Eating fish and canned fish when the presence of scales is not known

Q: There are some fish and canned fish in which it is not precisely known [to the consumer] whether or not scales are present (and hence permissible to eat). What is the ruling on such items?

A: Bismehi Ta'aala: As supposed above, the ruling is that it is, on the surface of things, pardonable to eat it.

Permissibility of eating crab, clams, and mussels

Q: What is the ruling on the identification and permissibility of certain seafood such as crab, clam, and mussel?

A: With the exception of scale-bearing fish and shrimp, all sea creatures, what ever they may be, are haram meats.

Eating food in a restaurant prepared by non-Muslims

Q: Is it permissible to eat food prepared in a non-Muslim restaurant when it is not clear if a kafir has touched the food while preparing it? In general, what is the ruling regarding food prepared by a kafir? Is one of the necessary criteria actually seeing a kafir prepare the food?

A: Bismehi Ta'aala: Further contact of food by the hand of a kafir from the *ahl al-ketab* (i.e. the Jews and Christians) does not cause it to be *najis* (ritually impure). Preparation or contact of food by the kuffar other than the *ahl al-ketab*, until definitively proven, is also not *najis*.

Children in daycare playing with non-Muslims and eating their food

Q: If a (Muslim) child is in a (non-Muslim) daycare or kindergarten, may they eat the food that is served there if nothing in it is *haram*? Just how important is it for a child to avoid touching or coming in contact with the non-Muslim children?

A: Bismehi Ta'aala: There is no problem in eating their food if there are no *haram* components. The ruling regarding coming in contact with the kuffar was given above (ruling 9320-3).

Staying in hotels and houses used by Buddhists

Q: Where we live, the majority of people are Buddhists. What is the ruling on purifying and cleaning a house that a (Muslim) student wishes to rent (from a Buddhist)? Is it necessary to purify and clean such a place? Please note that most of the house and its furniture are made of wood and it is not possible to purify such items. What is the ruling on staying in their hotels and guesthouses and using the appliances there in.

A: Bismehi Ta'aala: Until you obtain certainty of the wet hand or body of a kafar or non-ahl al-ketab coming in contact with such things, it is not ruled as *najis* (ritually impure). In the absence of certainty, it is not necessary to purify the hotel room or guesthouse that you are staying in. Rather, in a state of having moisture on the body, it is necessary to avoid coming in contact with these things while eating, drinking, and praying.

Observing property rights of the non-Muslims in a non-Muslim city

Q: What is the ruling regarding observing the public and private property rights of the kuffar in a kafar city, by way of example, using certain facilities for educational purposes in a manner which is beyond the bounds of normal usage and permissibility?

A: Bismehi Ta'aala: It is of the utmost importance to strictly observe all public and private property rights. There is no difference between a kafar city and a Muslim one, or between kafar or Muslim possessions. In general, the usage and consumption of property in an impermissible way is a usurpation, and hence, haram.

Brothers from different schools of jurisprudence leading each other in prayer

Q: Where we are, Muslims from all the various Sunni countries of the umma meet for group and Friday prayers. It is a very effective means of fostering brotherhood and unity among the various Muslims. However, most of the time, the prayers are led by laymen, and sometimes, by brothers not known to us. What is the ruling on saying prayers behind such people (as Shiites)? Is it necessary to repeat those prayers? If a Iranian (i.e. Shiite) is asked to lead the prayer (for a majority Sunni group) may he accept?

A: Bismehi Ta'aala: It is not a problem to pray behind them. And if the group or Friday prayer is said out of a spirit of toleration, and to strengthen the ranks of the Muslims and present a front of solidarity, then that prayer is correct and permissible. There is no problem for an Iranian to accept an offer to lead the Friday prayer.

Part 3
CHILDRENS RIGHT IN ISLAM AND
MEDICAL

Introduction my greetings to the honorable marja' and most esteemed leader, your eminence Ayatollah al-Hajj Al-Seyyed Ali al-Husseini Khamene'i. I request guidance from you in illuminating the issues noted below:

NB: Each answer is preceded by the epithet, Bismehi Ta'aala, in the Name of the Most High. For the sake of simplicity, it has been omitted from the translation.

Q1: When are boys and girls considered mature (baligh)?

A: According to the well-known criteria, a girl is considered mature after the completion of nine lunar years of age, boys upon the completion of fifteen lunar years.

Q2: What are the signs and criteria for determining maturity (bulugh) in boys and girls?

A: In addition to the above noted criteria, for boys it includes the ejaculation of sperm and for boys and girls, the growth of the coarse hair beneath the umbilicus.

Q3: Until what age is decision-making of children left to the discretion of parents? Under what criteria are children released from this?

A: As long as a child has not reached the age of maturity, or is not mature, the child is under the guardianship of the father, or someone from the paternal lineage (i.e. the grandfather or uncle). After attainment of maturity, the father or paternal lineage no longer has guardianship, unless it is in regards to the marriage of a virgin girl, in which case the permission of the father or paternal lineage is required.

Q4: Is the guardianship of children exclusively with the father, or is the mother party to it as well?

A: The guardianship of a child is exclusively with the father, or the paternal lineage.

Q5: If a child's guardian fails to live up to his responsibilities or treats the child in a harmful way, can the Islamic ruler of the day revoke his guardianship? In this regard, to whom or to what institution can the guardianship of the child be granted in order of preference? If the first guardian is later deemed fit, is it necessary—is it even permissible—to

return guardianship to him? Finally, if the guardian emotionally or physically abuses the child, can he latter still be worthy of having guardianship returned to him?

A: If the ruler by way of witnesses and the child's state of appearance determines that to forcibly continue the guardianship over the child and his possessions is to the child's detriment, then the relationship must be severed. With the forcible termination of rights, the guardianship belongs to the *hakem-e shar'e* (the highest religious authority of the city). After termination, the return of guardianship is at the discretion of the religious authority.

Q6: If parents regularly slap a child in the face, or act aggressively towards any part of the body, granted that (it is forceful enough for) a red imprint of the hand to remain, can that child demand *diyyeh* (blood money)?

A: Hitting and any type of disciplinary action that leaves a red mark is forbidden, and requires *diyyeh*.

Q7: In what situations must a child (even if he is mature in body and intellect) still obey the commands of his parents?

A: It is not obligatory to obey one's parents. However, it is forbidden to annoy them, or cause them grief.

Q8: Is it obligatory for every Muslim to seek treatment for life threatening or non-life threatening illnesses?

A: It is obligatory to seek treatment for life threatening or non-life threatening illnesses if not doing so would lead to harm.

Q9: Do parents have an obligation to seek examination and treatment for their children? A: It is obligatory to seek it.

Q10: If a patient is physically mature, but has not reached the age of decision-making, and there are two treatments available, and the patient and his father are in disagreement as to which to choose, whose decision is given preference?

A: A child's guardian has a duty to follow the course that he deems best suited for his child.

Q11: If a child or teenager is suffering from a terminal illness, is it that patient's right to be informed of his diagnosis? Under which of the

following circumstances would it be obligatory to tell them: a. If the child is a minor, b. a (physically) mature adolescent, or, c. a mature and discerning adolescent?

A: It is not required that the physician inform him, unless a. not telling the patient would lead to his non-compliance with the treatment, b. in the end lead to his demise, c. result in permanent damage, or, d. if the physician was sought merely for diagnosis (and not for treatment).

Q12: If a Muslim suffers from a terminal illness, is he required to seek treatment? What if the side effects of the treatment are more painful than the illness, or may even result in death? Is it at his discretion to request pain killers (instead of treatment)? If the patient is a minor, is there a different ruling?

A: Even if there is a good possibility that his illness will result in death, it is necessary to seek treatment. In this sense, there is no difference between a minor and an adult.

Q13: Is it permissible for a Muslim physician to prescribe birth control pills for a single Muslim woman at her request, granted that she states that if she becomes pregnant (due to not having been prescribed the pills) that she will certainly undergo abortion of the fetus? Can the Muslim physician justify his prescription on the fact that he is preventing abortion (granted that he knows that in any case she will engage in illicit sexual relations [zina])? What is the ruling for the above situation if the patient is a non-Muslim woman?

A: Absolutely speaking, it is not a problem, unless it is determined that prescribing the birth control pills aids in the sexually illicit relation of zina.

Q14: If a young Muslim lady, before the age of decision making, confides to her physician that she is engaging in illicit sexual activity, should the physician keep her secret, or is he obligated to inform her parents or other responsible parties?

A: Yes, it is necessary to keep it confidential, unless he is certain that telling her parents or other parties will prevent her from this sinful behavior.

Q15: If a physician in the course of his regular examination of a girl for other reasons suspects physical and/or sexual abuse inflicted by some older people, what duty and obligation does the physician have? Is the

physician obligated to inform the appropriate Islamic or other responsible authorities, or should he confront the parents and other responsible adults?

A: If discouraging what is evil (nahy an al-munkar) stops with informing the necessary parties, and with this information the disagreeable behavior ceases, then the physician must do so. Of course, that is granted that there is good probability that this illicit behavior will no longer be repeated.

Medical Istifta'at 1553

Question: Bismehi Ta'aala All praise is due to Allah, with salutations to His messenger Mohammad Mustapha and his ark of guidance, the Ahlul Bayt (AS). My deepest sorrows and condolences in this month of Moharram to you, our dear leader and descendent of that noble Imam (AS).

Guidance from your eminence is requested on the following medical issues:

A. During preganacy, a fetus lives in a fluid (amniotic fluid) which contains, among other things, its urine, which is excreted, swallowed again, excreted, etc. (The fetus does not eat food, but receives simple nutrients from the mother's digestion of food, via the blood stream, during this time.)

1. When the baby is born, is he paak [tahir, pure] or najis [ritually impure]?

2. Is the amniotic fluid paak [tahir, pure] or najis [ritually impure]? Can a person who is involved in the delivery or immediate care of a baby say his prayers if his clothes come in contact with that fluid?

3. If the baby urinates afterwards, is his urine paak [tahir, pure] or najis [ritually impure]?

B. Sometimes, the infant will pass a special, thick stool called meconium, while in the mother's uterus.

1. When the baby is born, if the amniotic fluid is mixed with this stool, is the mixture najis [ritually impure] or paak [tahir, pure]?

2. Is the meconium stool alone paak [tahir, pure] or najis [ritually impure]?

(Questions asked by Fadak Foundation)

Answer: Dear Brother, Salamun `alaykum wa Rahmatullahi wa Barakatuhu. With apologies for the delay, the answer is as

follows: Bismihi Ta`ala

- 1) If the urine comes into contact with the fluid or the fetus inside the body of the mother, it does not make either of them mutanajjis. Therefore when the baby is born and it is covered with the fluid which contains the liquid to which the term urine is applicable, in such case it shall become >mutanajjis. Otherwise if the urine has already been transformed into another material inside the body (and is no longer considered to be urine upon coming out), then the baby shall not be considered as mutanajjis except if another najasah comes into contact with it upon being born, for example it comes out of the body covered with blood and blood covers it after coming out.
- 2) If the fluid which is excreted at the time of delivery is not considered to be urine and this term does not apply to it, then it is tahir (clean) except if another najasah like blood comes into contact with it.
- 3) Baby's urine is najis and the only exception is with respect to the clothes of the lady who takes care of the baby (that she may pray while having them on).
- 4) As has been mentioned if any najasah comes into contact with anything inside the body it does not cause it to become mutanajjis. After it is excreted with the fluid if it is still considered to be stool, i.e. it has not been transformed into another material then the fluid shall be >mutanajjis.
- 5) If the excretion of the fetus inside the body of mother is considered to be stool then it is najis but does not cause anything to become mutanajjis if it comes into contact with it inside the body.

Wallahul`Alim.

With prayers for your success, wassalam.

Medical Istifta'at: End of life issues 4032e (Permissibility of withholding or withdrawing care from the terminally ill or ventilator-bound)

Question: Bismehi Ta'aala, After praise to Allah, the Wise, and His most gracious Messenger Muhammad Mustapha and his pure family, I give my greetings to the Leader of the Muslims, Seyyed Ali Khamene'i (may Allah prolong his life).

I seek guidance regarding some medical issues surrounding end of life care:

Occasionally, a patient is deemed to have an illness that is not curable by current medical practices. Sometimes, a patient has suffered such significant damage to the brain or other organs, say, from a severe care accident or drowning, that he could not live on his own.

Let us say that a patient has terminal illness, or is severely brain damaged, is no longer conscious, is on a ventilator to breathe, is dependent on food through a tube to keep from starving, and may need antibiotics periodically for infections.

Is a distinction in Islam made between withholding care and withdrawing it IF IT IS DEEMED FUTILE CARE? For example, a patient on a ventilator will need to have food given through a tube to keep from starving. Withholding care would be to not begin to feed the patient knowing that they cannot be cured or their suffering alleviated. Withdrawing care would be to stop feeding them after you had begun it because, say, you were not certain if it would help them or not, and now you have determined that it will not.

Is either of these actions considered as euthanasia or murder? Is either one of them permissible in Islam under any circumstances? Finally, if the patient in concern is a child, may the guardian agree to stop treatments or prevent them from starting in the first place?

Answer: Bismihi Ta`ala. It is obligatory to save the life of another Muslim even if it depends upon preparing or using equipment such as ventilators, etc. or feeding and giving that person medicine - this is regardless of the fact that these things may only delay his death. Moreover, once beginning the treatment for this Muslim (i.e. using medical equipment or administering medicine, etc.), if stopping or withholding the treatment is a factor leading to his death then it is considered murder, which is prohibited by law. Hence, it is not allowed to withhold or stop treatment until it is certain that that Muslim's life has expired or that one is certain that stopping treatment will not result in the death of that Muslim. Thus, it is mandatory, based upon the obligation of saving another Muslim's life not to withhold the treatment even if the sick person himself or his guardian gave the permission to do so, because it is prohibited, since it is murder. Wallahul`Alim.

Chapter 10

Clothing and dress while living in the West 1606

Dear Brother, Salamun `alaykum wa Rahmatullahi wa Barakatuhu. With apologies for the delay, the answer is as follows: Bismihi Ta`ala Your eminence has stated that it is not permissible to wear the clothing of the aggressors, or propagate their cultural attack against the Muslims. You have also clarified the issue in stating that for Muslims born and who live in the West, it is permissible to wear Western clothing as long as it also doesn't actively promote cultural aggression against the Muslims. (These questions have been asked relating some other fatwas about western clothes, see: 29 Questions)

Question 1: If Muslims from several different nationalities meet for a religious gathering, what is the most appropriate way for them to dress: according to the oref of each person's country and people, or according to the oref of the Muslims of their host country? If it is not a religious gathering, does that change how they dress when they meet each other?

Answer 1) He has the choice of doing either one, rather he may wear any kind of clothes [with the condition that he preserves the mentioned condition] and does not cause mafsadah like wearing women clothes or clothes which attract attention.

Question 2: What is the best way for our Iranian women to observe hejab in the West? Some wear manteau and rusari, and some only rusari (with loose-fitting clothes). Is it obligatory for them to at least wear manteau and rusari or even chador to establish their Iranian-Islamic identity, or is any clothing which meets the criteria of modest dress sufficient?

Answer 2) Any dress covers her body and does not show its beauties, although it is preferred to wear the chador.

Question 3: Some American converts to Islam dress in a manner which they consider to be in the sunnat of hazrat Mohammad and the Imams of his household (AS): turban (ammameh), or, prayer hat (shab-kolah), cloak (aba), and baggy pants (shalvar kordi). This draws a lot of attention to them from both Muslims and non-Muslims, and sometimes prevents them from finding gainful employment. What is the ruling on this type of dress? How should we advice them?

Answer 3) Wearing shalvar is not from the sunnah. Yet, wearing (ammamah) is mustahab, but if it causes some mafsadah (like you mentioned) then there is no harm if not wearing it.

Wallahul`Alim. With prayers for your success, wassalam.

Chapter 1

Wishing death on the enemies

Question: Bismehi Ta'aala

All praise is due to Allah, who guided us with the babul ershad and the safinatun nejaat. May Allah prolong the life of our beloved leader, Seyyed> Ali Khamene'i.

I wish to pose a follow-up question to the answer regarding la'n and cursing on the enemies of the Ahlul Bayt (AS).

1. What is the status of wishing death (marg, mowt) on the political enemies of the Muslims, Israel and American in particular? Is this considered a form of insult (towheen), cursing (la'n), or something else? This has hurt the feelings of many Americans, despite the clarification that it is aimed at the government. Furthermore, it has harmed the reputation of the committed Muslims living abroad and has been a stumbling block to dialogue.

2. What is the status of wishing death on the Muslims who are against the current concept and application of velayat-e faqih, as is sometimes done after group prayers (namaz-e jama'at)?

The original question (#2873e) was: 1. What is the ruling on cursing (la'n) the enemies of the Ma'sumeen? Is this a sunna of our beloved Prophet (S) and Imams (AS)? (Answer was: Bismihi Ta`ala 1) It is prohibited to insult their enemies, however cursing (their enemies and Allah's) has been mentioned many times in the Qur'an. With prayers for your success)

Answer:: Bismihi Ta`ala, The expression "Death to America / Israel" is a kind of supplication or invocation against them to die and be eradicated, and is not swearing or insulting. The death of a tyrant is far better and desired than his being alive and here you will find this meaning in this part of a supplication. "Oh God grant me a life with excessive goodness, and death to comfort me from all evilness." Oppressors are thieves that block the way between mankind and their Creator, in order to take

them away from their Lord, therefore they are tyrants for them. Wal-lahul`Alim.

With prayers for your success, wassalam.

Chapter 12

Musical Education

Bismehi Ta'aala

Alhamdolilah, al-Hakim, Al-Qudus. Salavaat on His final messenger Mohammad Mustapha (S) and the Ma'sumeen of his etrat (AS). May Allah protect our beloved leader, Seyyed Ali Khamene'i, and prolong his success. With Salaams to Hazrat Ayatollah Seyyed Khamene'i, and seeking guidance:

Question 1. What is the permissibility of teaching music to one's child, for example, tar, setar, ney, or keyboard?

Answer 1): Bismihi Ta`ala

1) It is not permissible to teach beguiling music which is suitable for trifling and immoral gatherings, and thus if the music is not of this category there is no problem.

Question 2: Is it permissible if the music is not that listened to by the ahlul ghina wa fesad?

Answer 2) The criterion for composing and/or listening to music is that the music should not be suitable for trifling and immoral gatherings.

Question 3: In a prior fatwa, your eminence has said that it is not permissible to teach music during the time of schooling. What age is that?

Answer 3) The promotion of music in schools is contrary to the goals and teachings of Islam, regardless of age and level (of study).
Wallahul`Alim.

Chapter 13

Questions about beer and non-alcoholic beer

Question 1 : Dear brothers and sisters in Islam, as-salamu-alaikum. May Allah bless you for your very valuable work and please send our greetings to our Imam Khamene'i in the hope that he will make one day shafa'a for us. We seek guidance regarding the issue of the state of purity and permissibility of alcohol produced by fermentation (i.e. beer). In Adjwiwat-ulistiftaat, Vol. 1, Question 318, your eminence states, " ... all the various kinds of alcohol which are intoxicating and originally in the liquid form are najis." We do not know how this may apply to beer. Beer is made by fermentation, whereby bacteria consume a solid product (a grain, such as barely, wheat, etc.) and through an organic process, ethyl alcohol is produced as a by-product. Therefor we have following questions: 1) Is (alcoholic) beer itself najis?

Answer 1: Dear Brother, Salamun `alaykum wa Rahmatullahi wa Barakatuhu. With apologies for the delay, the answer is as follows: Bis-mihi Ta`ala 1) Beer (alcoholic) is impure (najis).

Question 2: If (alcoholic) beer is najis, does the water become tahir, if the alcohol is separated from it with a simple membrane process, i.e. without chemical change (istihaleh). Is it permitted to drink this form of non-alcoholic beer if it is not an intoxicant, although it will still contain a small percentage of alcohol (<1%)?

Answer 2: It is forbidden (haram) to drink it.

Question 3: If alcoholic beer is not najis, is it permitted to drink it, granted that it is not intoxicating?

Answer 3: It was previously stated that to drink alcoholic beer is absolutely forbidden.

Question 4: What is the criterion for a drink to be considered intoxicating: the percentage of alcohol it contains, or its ability to make intoxicated at any amount great or small? If it is based on the second criterion, does it depend on the amount needed for the particular individual so that if they require a lot of it to become intoxicated then a small amount would be permissible, or does the general possibility of intoxication suffice for all?

Answer 4: It is forbidden (haram) to consume any type of intoxicant, whether it is a solid or liquid. And that substance which intoxicates when a little is consumed, then consuming a little or a lot of that substance is prohibited. If it can be assumed that the substance does not intoxicate some people or it does not cause them to become addicted, this does not remove the prohibition.

Question 5: If alcoholic beer itself is not najis, and a person is sure, that consuming one serving will have no effect on him, is he then permitted to drink it? your brothers and sisters from... .

Answer 5: It was previously stated that drinking alcoholic beer it is absolutely forbidden. Wallahul`Alim.

Chapter 14

Question about Loans for Medical School 3311e = 3342e

Question: I have been born and raised in America and am currently applying to medical school in America. But, medical school is VERY EXPENSIVE. For one year, it costs about 25,000 dollars. In four years, it will be 100,000 dollars. I do not have enough money to pay for this education. So I will have to take loans. These loans will be interest free while I am in medical school. But after four years, the loans will accrue (or start asking for) interest. Is it jaiz to be taking these type of loans? If I do not take these loans I will not be able to go medical school and obtain a medical education.

Answer: Bismihi Ta`ala. Interest bearing loans are prohibited by Islamic law however correct they may be by protocol. Meaning that the beneficiary (you) will possess and have ownership of the money however in order to avoid committing an unlawful (haram) act you should make intentions no to pay the interest even if you know that the interest will be taken from you. Wallahul`Alim

Additional Question:: So according to your answer, we may take out the interest bearing loans with the intention that we will not pay the interest. But because the banks etc. will demand interest, we can pay them interest knowing that Islamically you should not pay the interest and knowing that if you do not pay the interest they will put you in jail or take away your other financial assets etc etc? am i correct?

Answer: Bismihi Ta`ala, Yes, if you make intentions not to pay the interest then you have not committed any sin even if you pay the interest (out of compulsion). Wallahul`Alim.

Chapter 15

Traveling and Mustahab Fasting during Traveling 3128e 3220e = 3312e

Question:: Firstly, I am a student at a university which is located about 60 miles away from my home. I live in an apartment next to the school. However, I return home every weekend and therefore do not stay in the university town for more than five days/week. Is this considered traveling? Must I pray qasr prayer? Can I do wajib fasts in my university town? Also, can I do mustahab fasts within the university town even though I have not completed my obligatory/wajib fasts? jazakamullah khair, May Allah (SWT) extend your life.

Answer: Bismihi Ta`ala, 1) This is considered as traveling, thus your duty is to pray qasr and (while traveling back and forth from your university to your home) fasting is not correct. 2) Recommended (mustahabb) fast are not correct if done while obligatory fasts such as qada are pending.

1st additional **Question::** I am still confused about your answer. I will restate my question. I go to university and stay there from Monday-Friday. I come home on Saturdays and Sundays to my parent's house. Do I pray qasr at the university or do I pray qasr at my parents home??? Which place should i consider my watan?? Can i consider both places as my watan and then pray full?? If I prayed full prayers in the past and should have prayed qasr, do I need to make up the prayers? If I prayed qasr prayers in the past and should have prayed full prayers, must I make up those prayers?

Answer: Bismihi Ta`ala, 1) Your travels to the university (on the way and in the university itself) necessitate that you shorten your prayers (qasr) because it is not a trip you take in order to work. So, unless you

choose the city that the university is in as your second home (watan) by making the intention to remain there after you finish your studies in the university, you must shorten your prayers. 2) Concerning your parents house - if it is your original home (watan), meaning that you were born and raised in that house, or their home is your second home (watan) meaning that you intend to live there forever, then you must pray your prayers there in full; otherwise (i.e. if you were not born and raised there or if it is not your second home) you must shorten your prayers (qasr). 3) In cases where you did not pray according to that which was obligatory upon you (i.e. prayed qasr when it should have been full or vice versa) you must make up the prayers (qadha) without exceptions. Wallahul`Alim.

2nd Additional Question:: Thank you for the response. I also want to mention that I travel to the university that is far from my home almost every week out of the year. I have an apartment at the university in which I stay from Monday - Friday. I return home for Saturday and Sunday. Is this not considered kathir al safar?? Do I still have to pray Qasr there? Also, from my home to the university are many cities, houses, and buildings that are connected. The distance between my home and the university is one hour and a half by car or 55 miles. Is it still considered travelling and must I pray qasr?? Also, I followed your ruling below for four years (and prayed qasr for four years) at my university because I read the Q & A risalah from Ayatullah Khamanei about this. Do I need to repeat these prayers if I now find out that Ayatullah Khamanei's ruling has changed that if the cities are connected then it is not considered travelling?? I had heard this ruling that all the cities are connected is a new ruling. (Comment of Imaminfo: there has been no change in fatwa, but the asking person thought so).

Answer: Bismihi Ta`ala, If the cities are connected in such a manner that according to common convention (`urf) they can be considered to be one city, then passing in between those cities is not considered traveling. On the other hand, if those cities are not considered to be one city (by common convention), the passing between them is considered traveling; thus, if one passed the legal distance (for shortening the prayer) it is obligatory upon him to pray qasr on the way to and from the university and while in the university. Hence, if you have prayed contrary to the mentioned rule you must make up those prayers (qada). Wallahul`Alim.

Chapter 16

Traveling between non-vatan residence and work 13778e

Question:: Our today's question is about the answer 654 in Vol.2 is-tiftaat. The mentioned question is about a person, who travels from his homeland (vatan) to a far away office. How is the situation for a person, who has no vatan, or does not live at his vatan? If his job's situation is so, that he never can make "niyyat" for ten days, neither at the job's place nor at his temporarily home, what has he to do according to prayer and fasting. It has to be mentioned, that his job is not driving or something similar. In regular he stays 5-15 days at home, working there for his engineering job, and then he has to go to the main office (far away), but the problem is, that it never is clear before, when he has to go there, and he is not living at his vatan. What can he do for praying and fasting?

Answer: Bismih Ta`ala, If he travels from his place of residency to the work place at least once every 10 days, he should pray tamaam (normal full) prayer and fast. But, if he stays for 10 days in a single place, then he would pray qasr (half prayer) only in the first work travel after the said staying.

Chapter 17

Question about Al-Khorrosani 569=625

Question: If a muslim recognizes more and more clear signs of the awaited Imam Mahdis supporter named "al-khorrosani" on a special person, is he than allowed to ask the office of the leader about these signs? And how ist the case, if theses signs are recognized on the leader himself? And what is the duty of the ulama, when they face such signs and see brothes asking about it? And is it the duty of a believer, if he gets more and more "yaqin" about special events, to inform the others too through the information chanel of that time? And is it true according > to the "hadeeth" that one of theses signs is a green scarf of a shahid? Thank you very much for your help. And eltemasi doa

Answer: Dear Brother, Salamun `alaykum wa Rahmatullahi wa Barakatuhu. With apologies for the delay, we pray that may Allah Almighty hasten the appearance of the Awaited Saviour, Imam Mahdi (AS). With prayers for your success, wassalam.

Chapter 18

Question about imamat of person who come to Islam born of illegitimate means

Question: One of our brothers who is born here in europe as the son of christian parents, has converted to islam (like many other europeans, al-hamdulill.h). The marriage of his parents, according to their religious rules, took place after the parents observed the pregnancy of the mother. Both, father and mother have had the sincere intention and had sincerely promised each other to marry, long time before that. Anyhow the promise the intention to marry is, as far as we know, not equal to their religious marriage-ceremony. The birth of this son took place more than five months after their marriage.

1. Is this son generally allowed to be the imam of a common prayer?
2. If not, are there exceptions in this case, that enable him, for example, to pray as imam in front of his wife, his "mukallaf" children, or women in general, or other persons?
3. If someone is restricted not to pray as an imam in common prayers, does this affect other islamic fields, for example: educational branches, beeing a teacher in islam, or beeing the head of an islamic society or a member of an islamic "shura"?

After this question II have a wish, without taking much of Your time, please tell us: If You have some guidelines or "nasihat" for us, concerning the muslim youth in germany, their education and protection, here in this aggressive world, we would be very glad to receive it.

Answer: Dear Brother, Salamun `alaykum wa Rahmatullahi wa Barakatuhu. The answer is as follows:

Bismihi Ta`ala

1,2) If the pregnancy had been confirmed before the lawful marriage (according to their religion)

then the son is illigitemate. Hence his Imamat is absolutely invalid.

3) There is no objection to it.

You are the messengers of Islam to this country so do convey the message in its best way by being faithful Muslims and by your actions and behaviours. Study about Islam as much as you can and be ready to answer any question and to refute any false accusation about our beloved Islam and Allah bless all.

Wallahul`Alim.

With prayers for your success,
wassalam.

Chapter 19

Question about prayer (position of waiting) 3985e

Question:: We have one question about praying together with an Imam. When someone attends the prayer of an imam with one raka' delay so that the Imam is in taschahhud while the "mamum" is in his first "raka" and therefor has to stand up, but he cannot, because the imam still sits, in this situation the "mamum" goes into a special "waiting for stand up" position. During our trips through Iran we have seen lots of different "positions" for this "waiting for stand up". Can you explain us which is the ideal form for this special position. Thank you very much in advance and peace be upon you.

Answer: The correct manner of this waiting position is to be half standing. This means that one's fingers and toes should be upon the ground, while at the same time maintaining the body in such a manner that the knees do not touch the ground. Wallahul`Alim.

Chapter 20

Celebrating other people's holidays 4033e

Question: Bismehi Ta'aala Alhamdolillah, there are many people in the West converting to Islam these days. An issue that comes up frequently is regarding the permissibility of celebrating holidays previously observed prior to their conversion. Often times, their families who remain non-Muslim reject them and these holidays are the only way in which they can maintain contact with their family. Or, their children may are may not have converted, or ask their parents to celebrate these holidays as a matter of conformity to the popular culture in the West. Please tell us of the permissibility of observing the following holidays by Muslims:

1. CHRISTMASS: this is the day used to observe the birthday of hazrat Issa al-Massih (Jesus Christ). Within the general culture, it has a more commercial and secular message of sharing and helping the poor than its religious connotation of trinity and partners with Allah. It is also to note the day it is observed on and some of its rituals are based directly on the pagan Roman festival of the Sun God. Is it permissible for a Muslim to: a. Wish the Christians well and give them a greeting card? b. Observe the NON-religious activities such as placing a small tree in ones house with lights and decorations? c. Attend Church with a Christian as an act of da'wah or out of curiosity?

2. HALLOWEEN: This is a festival in which children dress in costume, and stop by people's houses asking for candy. Its origin lies in ancient pagan English customs regarding evil spirits and demons. The Catholic Church converted it into a holiday for the souls of the dead Christians. Currently it doesn't have a religious connotation. However, the images of black magic, witches, spirits and death are still present. Is it permissible for a Muslims to: a. Give candy to children who come to their house on this day? b. Decorate one's house according to the customs of the people? c. Dress their children in costumes and take them around to

receive candy?

3. VALENTINE'S DAY: This is festival that honors love between two people. There is no religious or pagan origin to this festival. People exchange cards, candy, flowers, and other gifts with important people in their lives. a. Is it permissible for a Muslim to celebrate this holiday if it involves their spouse or other mahram people?

Answer: Bismihi Ta`ala 1) a. There is no objection in sending them greeting cards upon the advent of this occasion. Yet, it should be done in such a fashion that you encourage them to adhere to the true teachings of the Prophet Jesus (a.s.) by helping and supporting those in need, living a righteous life, etc. b. There is no objection in celebrating the birthday of the Prophet Jesus (a.s.). But putting up and decorating a Christmas tree would promote a fallacious ideology and result in imitating their culture. c. There is no objection to that in itself as long as it does not lead to corruption. 2) If engaging in this practice results in promoting erroneous thinking (e.g. superstition) in the furthering of corruption or in the strengthening and spreading of their culture, whereby it would become desirable to adopt their culture such activity would not be permissible. 3) In general, there is no objection in participating in the mentioned celebration as long as the rules and regulations of the Islamic law are observed and the celebration does not entail any type of corruption. Wallahul`Alim.

Chapter 21

Shar'i age of jihad 5717e

Question: There are some people in the West who are working to ban the use of combatants under the age of 18 years around the world, considering it child labor, child abuse, and a war crime. What is the your opinion regarding the minimum age at which a Muslim may go for jihad? Is there a different age for defensive versus offensive jihad (during the time of Hazrat Baqiatollah, may Allah hasten his appearance)? Could you please make reference to some historical events or sayings of his eminence, the Prophet Mohammad, Imams Ali, Hassan, or Hossein to clarify the issue and bring clarity to our hearts?

Answer: Jihad is not obligatory upon someone who has not yet reached puberty (bulugh) or upon someone who is unable to fight; and there is no difference in this between offensive or defensive war. All jurists are agreed upon this issue in their rulings. Moreover, the lives of the Imams (Peace be upon them) verify and authenticate this ruling - you can refer to history books on this topic.

Chapter 22

Eating at Muslim restaurants 6631e

Question: In the West, there are Muslims restaurant owners who state that their some or all of their meat is halal, but also serve alcohol.

1. Is it permissible to eat the meat there and take their word, or should one doubt it because they serve alcohol?
2. If one should doubt their word, is it permissible to eat there but order a non-meat containing dish? Or should one avoid their restaurant all together as an act of nahy an al-munkar?
3. If the only other restaurants in town or owned by ahlul ketab and also serve alcohol, is it morally equivalent to eat at either the Muslim's or non-Muslim's restaurant?

Answer: 1&2) Simply serving alcohol is not a reason to assume that they are lying or that the meat they sell is haram. So if the owners are Muslims and you are confident in their word, you can use such meat. Of course, if alcoholic drinks are served there, precaution should be considered in attending such places but you can prepare the food there and eat it in some other place.

3) If it is not necessary to eat there, precaution should be considered and avoid both. Wallahul`Alim.

Chapter 23

Latinizing names from the Quran 6874e

Question: To the office of his eminence Ayatollah Khamene'i:
Is it permissible for Muslims living in the West to Latinize Muslim names when naming their children?

Some examples:

Arabic	English
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Musa	Moses
------	-------

Yusef	Joseph
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'Ozayr	Ezra
--------	------

Maryam	Mary
--------	------

Dawood	David
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Answer: There is no legitimate reason for this mentioned act.

Regarding marital status of those who have converted to Islam while their spouse has not 7625e

Question: Dear brothers and sisters in Islam, dear Ulama in the office of His Eminence, as-salamu-alaikum. May Allah bless you for your valuable work and save our beloved Imam Khamene'i until the return of the 12th Imam. We have the great hope that he, ensha' Allah will announce the awaited return soon.

Our question today is with regard to a problematic situation, which several new Muslim sisters in Germany (and the West in general) have to pass. Often, a Christian woman, who was married to a Christian man (by an official church ceremony), later, decides to accept Islam and become a Muslima. Unfortunately in some cases, while the wife has converted, the husband does not. What is the ruling on the validity of their marriage? What shall the woman do in this case? Is it permissible for her to remain with her husband, if he does not object to her conversion to Islam (but still doesn't convert)? How should she behave towards her husband? What has to be done if there were children? We would be thankful if you could give us some detailed explanations about this difficult situation! May Allah bless you for your valuable work.

Answer: In the given question, if her conversion to Islam was before sexual intercourse, the marriage would be void at once. While if after sexual intercourse, then the marriage would be void after the end of the waiting period (*`iddah*) during which the husband and wife in this period should have been separated. In this case, if the husband, during this period, converted to Islam, the marriage will continue again i.e. they could return to each other. Wallahul`Alim (Allah knows best). With prayers for your success, wassalam (and peace unto you).

Chapter 25

Regarding end of praying full after work-journey 8001e

Question: What are the criteria that mark the end of a permanent travel? In question 652 (Ajwibaat-ul-Istiftaat, Vol.1) it is explained that permanent travel is that in which every 10 days one travels due to his profession.

Our particular questions is regarding the issue of "permanent travel" are as follows: 1. Does it end:

- a. When a person knows that the next 10 days he will not have a further trip
- b. When he has no business trip for ten days
- c. When he has no business trip for 30 days?

2. What about personl travel during that period? Let us say that a person fulfils the criteria of permanent travel due to his profession. Now, he comes home for only a few days and during these days he makes a personal trip. Does he have to pray full or qasr (shortened) prayers?

Answer: Bismihi Ta`ala

1. The ruling of praying full (tamam) prayer would cease to apply during the first work-related travel after one had stayed in one place for 10 days. Then, he should pray tamam in the 2nd work travel, 3rd, etc. as long as he does not stay 10 days in a single place.
2. In a non-work journey one should pray qasr. However, in his homeland (*watan*) he should pray tamam.

Chapter 26

Special medical problems 8186e

Question: There is a severely retarded child, 17 years old. He has a recurring problem with brain fluid building up in his head which will kill him if it is not drained off. Many drains have been put in, but they stop working after a while. There is only one more type of operation they can do to drain the fluid: by connecting a small tube from the brain to drain into the heart. The operation is very safe, and it could work for years, but, if it becomes infected, he might die. If he doesn't have the operation, he will die in a few days to a few weeks. This boy cannot speak or walk or talk. He can show emotions like happiness and anger and can drink from a cup and eat food.

His father has asked me, as his physician, on:

1. The permissibility of NOT performing any more surgeries and letting him die a natural, gradual death.
2. Can the (poor) quality of life he has now be a factor in the decision, or, is all life considered sacred?

Currently, he has a temporary drain that takes the fluid outside his head to a bag rather than one that drains the brain fluid into his abdomen.

3. If your answer is that it is permissible to NOT do the repeat surgery, is it permissible to remove the temporary drain, or must that stay in? Would it be considered killing a soul (qatl al-nafs) to remove the temporary drain, knowing that eventually, but, not immediately, he would die?

Answer: Bismihi Ta`ala

- 1) It is impermissible not to perform the operation.
- 2) As long as he is alive, it is obligatory to preserve his life.
- 3) In the given question, it is impermissible to remove the temporary drain.

About Vaccination 8762e

Question: Your eminence has stated in a previous fatwa that it is obligatory for the father to seek treatment for his child if the child is ill. I seek your guidance and clarification regarding the following:

1. Is it obligatory for the guardian of a child to seek means to prevent illness? For example, physicians recommend regular visits to a physician prior to any clear illness to detect anemia, cancer, growth problems, or delayed neurologic and intellectual development when it is subtle and early and possibly reversible.

2. There are some dedicated brothers in the North America who have stated that they do not wish to have their children vaccinated. They cite concerns over safety and the quality of vaccine preparation. Furthermore, they state conspiratorial theories that Western governments are trying to spread AIDS, or, make the children of the developing world sterile and weak. Some persist in their feelings despite my pointing out the use of vaccines in all the major Islamic countries and role of the Islamic Republic in producing and disseminating quality vaccines. As a physician, I have stated that vaccinations save lives and any possible risks associated with them are less than the danger of the illnesses. It is the consensus of medical professionals that vaccinations are in general safe and prevent infectious diseases. I have also noted the principle of *istislah* in preventing mass outbreaks of illness. Can the guardian of a child still refuse to have their child vaccinated?

Answer: 1) If there is a probability of having a disease seeking the means to prevent it would be obligatory to the extent the disease can be prevented.

2) As long as the father is not certain that the vaccines contain the substances that would cause diseases which the father claims to be present, he is not allowed to refuse to have his child vaccinated.

Chapter 28

About how complete the Holy Qur'an is 7912e

Question: I have heard from some Shia Ulema and some other Shia Momineens that the Quran Shareef which we have got today is not complete and a hidden part of it is in the hand of Imam Mahdi (as) who will bring it back when he appears. Is it true that Umar (LA) and Usman (LA) burnt many ayahs of Quran and Imam Ali (as), seeing this, hides a part of it? It is hard for me to understand this, because Allah (swt) himself claims in Quran, that he is the protector of it and he alone will save it from altration. I hope to get an answer for this important question soon, if you dont mind, please give also an evidence of your answer.

Answer: Bismihi Ta`ala The present Qur'an in our hands will never be changed even in the time of Imam Zaman (aj.) reappearance (May my soul be a sacrificed to the sand under his feet).

Chapter 29

About gelatine 8562e

Question: uestion about gelantine: I am living in an unislamic country. The gelantine which is used here is made in 95% of the cases from swine, or it is made from non-halaal-slaughtered animals (cows, >etc.). Is it better to avoid the food in which gelantine is used? Is the gelantine halaal or haraam?

Answer: f gelatin is extracted from the bones of an animal that is impure in itself (e.g. a pig), then it is unlawful to consume unless it had undergone a transformation (istihalah), which occurs when the substance disintegrates (and becomes another substance such as ashes). Moreover, if the gelatin is extracted from the bones of an animal whose meat is lawful to eat, even if the animal had not been slaughtered according to Islamic law, it is pure (tahir) and lawful (halal) to consume as long as you have no knowledge of it being tainted by another impurity.

Chapter 30

About obligatory prayers 8562e

Question: Is it wajib to recite the Sure Al-Fatiha (in the wajib prayers, which are longer than 2 raka'ahs, like Zuhr, Asr, Maghrib and Isha) in the third and fourth raka'ah, or may one recite the Tasbihat-e-Arba (subhan allahi wal hamdulillahi wa la ilaha ilallahu wallahu akbar) instead of the Al-Fatiha?

Answer: The person has the choice.

Chapter 31

About Jama'ah prayers with Ahl-al-Tasannun 8562e

Question: The most mosques in my country are belonging to our sunni brothers and sisters. Sometimes we go there to pray in Jama'ah with them. Sometimes I recognise, that the Imam who is leading the prayer, is reading it wrong. Mostly the Imam does not recite the 'Bismillah hir Rahman ir Raheem' before the surahs. The Imam also never recite it before the first Al-Fatiha in Namaaz. The whole namaaz is without any 'Basmallah'. Is the namaaz behind this Imam correct or may one recite his own namaaz and avoid praying behind such Imams?

Answer: What is mentioned in the question would not harm the correctness of praying behind them in congregation (jama`ah).

About Temporary Marriage (mutah) 8441e

Question: How does a person perform the temporary marriage (muttah)? When is this type of marriage legal and who has the right to do it? Is it necessary to ask the father of the bride for permission? Thank you for reading my questions and also thank you for your answer, insha Allah, may Allah grant you a long life and may (insha Allah) Imam Mahdi (as) come soon to us.

Answer: 1&2) Temporary marriage like permanent marriage, requires a marriage contract. Moreover there is no difference between permanent marriage and temporary marriage except in some aspects of the law, such as there is no divorce in temporary marriage - it terminates with the expiration of the time period. Likewise, neither spouse in a temporary marriage inherits from the other. The temporary marriage contract is as follows: The woman says: " I marry myself to you for the specified dowry (mention the amount) and for the specified time period (mention the time period)". Then the man says: "I accept".

3) According to obligatory precaution, for the marriage of a virgin girl it is a condition to obtain her guardian's (father or paternal grandfather) permission.

Chapter 33

About Saying this word isti`adhah 8653e

Question: According to the rulings we have learned it is obligatory to start reading verses of Holy Qur'an with sayin "auzubillahi-min-ashaytanir-rajim". Is this rule also valid for the ritual paryer (salat, namaz)? And if yes, when do we have to say "auzubillahi-min-ashaytanir-rajim", before takbir-at-ul-ihram or after sayin "allahu-akbar" but befor starting reading Fatiha?

Answer: Saying this word (isti`adhah) is not obligatory before the recitation of the holy Qur'an but recommended (mustahabb) and it is also mustahabb to say it after the takbirat al-ihram (i.e. saying Allahu Akbar) and before the recitation of surah al-Fatihah.

Chapter 34

Buying products 8822

Question: 1) Is it permissible to buy products from the United States of America or american products?
2) Is it permissible to buy goods from companies that allocate parts of their profits to support USA or support USA?
3) Is it permissible to buy goods from companies that spread immorality (unislamic atmosphere) and support immorality (unislamic atmosphere)?

Answer: 1&2) Any transaction with a company which ist profit is for helping the enemies of Islam and Muslims or for supporting the Zionism regime is not permissible.
3) If buying goods from these companies would support them and assist them in spreading corruption and immorality, it is impermissible.

Civil divorce without Islamic divorce 9276e

Question: Our question today, regarding divorce, is a difficult one for us. Unfortunately, some Muslim men while living in non-Muslim countries are misusing the act of divorce. In Germany, several Muslim men have married native converts to Islam by both Islamic and civil formulas (to comply with local laws). After a while, the man decides to divorce his wife for a variety of reasons, sometimes to marry a second wife. He divorces her according to local laws so as not to practice polygamy according to secular regulations, but refuses to invoke an Islamic divorce by shar'i (Islamically legal) means. Thus, he does not free his first wife from the obligations of their marriage.

German law recognizes divorce as final if the couple lives apart for one year or more and can document their separation. In such a case, the couple would be divorced in the eyes of the local laws but still be married under Islamic law.

It is nearly impossible to find a faqih in Germany who may advocate on behalf of the woman and divorce her from her husband so that she may remarry under Islamic law.

In the absence of a faqih, can the civil divorce be considered sufficient for an Islamic divorce as well? What is the way to solve this problem? May Allah reward you with manifold spiritual rewards (thawaab) for your efforts.

Answer: Those women should refer their problem to the Supreme Muslim authority (hakim al-shar') to solve it. Unless divorce is done according to the accepted (Islamic) formula (sighah), under shar'i (legal) conditions, it would not be correct. (ed. In other words, a secular divorce does not obviate the need for an Islamic divorce).

Wa Allahu 'Alim (and Allah is the Knowing), with prayers for you success, Wa salaam (and peace unto you).

Chapter 36

About calling "Imam" 9649e

Question: 1) Is it for a muqallid permitted to call the vali-ul-amr with the title "imam" to train himself for the return of the pure Imam (bay he return soon) and to attach himself to this vali-ul-amr as much as possible also in respect and love or does he need the special permission of the vali-ul-amr for using this title?

2) If one sees, that the true representative of the prophet's house (ahl-ul-bait) among us is called by some individuals not with the respect he should have, as he calls him "agha" or "the ayatollah" and so on, is it permitted to remind them with best words, that this person is as holy that our tongue should use better words for him?

3) If among more than 60 Million iranians there is no single one to translate every complete speech of true representative of the 12th Imam for the non-farsi speaking muslims into english and they always only were provided with incomplete summaries, is it then the duty for the others to learn farsi, because they even want to understand each breath of this great imam?

Answer: 1) There is no objection in calling wali al-amr (the Leader of Muslims) with such a name since he is the Imam of the `ummah (the Islamic nation) and there is no need for permission.

2) There is no objection in calling him with the mentioned calling names as well.

3) If the recognition of the shar`i (Islamically legal) duty of the mukallaf (the obligee) would depend on such an act, it would become a sparing obligation (wajib kifa'i) (i.e. if it would be performed by one or some of the individuals, it would cease to be obligatory upon the others.

Regarding Cats 13550e

Question: What is the ruling on cats in Islam? 1. What do the narrations say about the Prophet of Islam, Mohammad Mustapha (S) and his opinion and interaction with them? 2. Is it permissible to keep them in one's home? Is it recommended as it is for certain types of birds, or, simply permissible? 3. Is it permissible to pray with cat hair on one's clothes? What if a cat licks your hand? 4. Finally, if it is not permissible to pray with cat hair on the clothes, is it because the hair of any animal that cannot be eaten cannot be on the clothes when one prays (thus a general rule), or, is it specific to cats, while not making them najis al-'ayn. 5. When and to which animals does the principle apply that the parts of the body that have no soul are tahir (ritually clean) and to which parts of the animal does it refer?

Answer: Bismihi Ta`ala

1-4) There is no objection in keeping cats in one's house but it is impermissible to pray while cat's hair is on one's clothes or body. This ruling includes the hair of those Islamically inedible animals except those animals for which exception is mentioned in Islamic law. Saliva of cats is taahir (pure) but it is impermissible to pray with it.

5) This is mentioned in detail within the book of Practical Laws of Islam.

About halal Fish 13981

Question: Our today's question is about the definition for fish to be halal. What are the criteria for a fish, that it can be accepted as halal. Can you give us a complete definition. As we know one of the criteria is, that a fish should have fish scale. Therefor our questions in this regard:

1. Are there also other criteria as precondition, that a fish is halal for meal?
2. Is the precondition to have scale a scientific one or based on the opinion of people?
3. How many scale should a fish have, that it is accepted as halal?
4. Is it acceptable, that a fish has only scale on one body side but no one on the other side, as it is described for example for the fish called plaice We would be very happy, if you could enlighten us in this regard.

Answer: Bismihi Ta`ala

1. There is no other condition but to get it out of water alive i.e. to die outside the water.
2. The recognition of this matter is the responsibility of the mukallaf (person bound by religious obligations) even with referring to the expert people or to the `urf (common view).
3. There is no certain number for the scales. However, it should be said that it has scales according to `urf. It suffice that the fish is originally a caled one even if all its scales had disappeared later. Like a kind of fishes which rubs its body against every thing and its scales fall away and when one looks near its ears, he may see some of them.
4. The ruling is made clear in the above answer.

Chapter 39

Haram after Zina 14372e

Question: I have heard from different muslims, that if a muslim man and a woman (no matter what religion she has) do zinna (have unmarried sexual intercourse), they become unlawful (haraam) for each other forever and that they even can not marry according to islamic law, if they want to do so. Is this correct?

Answer: Bismihi Ta`ala Only when a man makes zina with a married woman or an observing Raj'i' iddah (waiting period during which the husband is allowed to revoke the divorce) woman, she will become haram for him forever.

Chapter 40

Praying Times 15181e

Question:

- 1) When does the namaaz-time for the prayers of Maghribayn (Maghrib and Isha Namaaz) end? Some brothers and sisters believe, that it ends with the Adhaan of Fajr (morning) prayer, is this correct?
- 2) Is it correct, that the time of Namaaz-e-Shab (Midnightprayer) begins approximately 11 hours and 15 minutes after the Zuhrayn (Zuhr and Asr) Adhaan? Question about some prayers:
- 3) I heard about a hadith from some momineens, which says, that a mo-min prays 51 rakaahs a day. Which prayers are meant by this hadith? How do one pray them and whith which niyah (intention)? When are the timings of them?

Answer:

- 1) The time for prayer of `isha ends at shar`i midnight. The time for pray-er of maghrib ends at a few minutes - as much as it is needed for praying `isha - before shar`i midnight.
- 2) For calculating shar`i midnight, it is a precaution to consider night as starting at disappearance of sun and finishing at the time for adhan of fajr. Accordingly, the midnight will be 11 1/4 hours after zuhr adhaan approximately. The time of namaaz-e- shab starts at shar`i midnight.
- 3) The 51 rak`ahs a day include all obligatory prayers and non obligatory prayers (nawafil). For details about how and when they are performed see Ar-risaal al-`amaliyyah.

Chapter 41

Ali yun wali Allah in Prayer

Question:

Salaam. i need help regarding ali yun wali allah in namaz. is it farz or wajib? plz also give me some references and fatwas of marjahs. www.sdol.org

Answer:

Bismihi Ta`ala To bear witness that Imam Ali (A.S.) is wali of Allah is not a part of Adaan, Iqaamah, or tashahhud. It is not permissible to say it intending as part of them, but to say it as expressing one's belief is no problem. However, it is preferred to say your prayer including its tashahhud in accordance with what great marji's of shi'ah have written in their books of Practical Laws of Islam and not to add any phrase – even a correct and true phrase by itself- to it.

Chapter 42

Hijab in Prison 16233e

Here in the United States, we are in correspondence with and provide guidance to people who become Muslim and are in prison. A woman, bihamdillah, has, in prison, begun to follow the noble school of Ahl al-Bayt and now teaches and has introduced many female prisoners to our school. She is strong in her faith and wears hijab in prison. She has suffered for it including solitary confinement. It is currently very hot and humid where she is (over 40 degrees Centigrade) and she has a heart condition. She fainted from the heat and wearing hejab and working in the cafeteria kitchen. The guards say that because she took off her hejab out of urgency that she won't be able to put it back on. She has for now but wishes to know what the ruling is for her situation given: 1) her imprisonment and pressure against wearing hijab 2) the intense summer heat and humidity 3) her heart condition that makes her blood pressure low and causes her to faint under certain circumstances.

Answer:

Bismihi Ta`ala, If she feels afraid of bad consequences on her health or unbearable hardship and difficulty due to observing perfect hijaab, she could suffice with the least obligatory hijaab or the minimum important amount of it.

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IN THE AGE OF INFORMATION

IGNORANCE IS A CHOICE

*"Wisdom is the lost property of the Believer,
let him claim it wherever he finds it"*

Imam Ali (as)