MONTHLY AHKAM | FEBRUARY 2019 - 12 /Feb/ 2019

Deception in the Sale of Fresh Produce

Q.1| I'm the owner of a fruit and vegetable shop. Naturally, like all sellers of fresh produce, we try to hide the flaws of our fruits and vegetables by, for instance, putting the better fruits on top and the fruits with bad spots underneath. Of course, our customers select their own fruits and vegetables, and so they can see upon close inspection which fruits are better and which have bad spots on them. Or, for instance a technique that we use to enhance the appearance of our carrots is that we place those carrots we're putting up for sale the following day in water overnight, and the next morning we dry them and then place them on the stand. Or, we sometimes mix the older fruits and vegetables from the previous day with the fresh ones we are selling the next day. Do these practices constitute deception in transaction?

A. If the seller makes the commodities he sells to appear better in the eyes of the customer than what they actually are and thereby make them seem more valuable than what they really are, he has engaged in the practice of deception (tadlees). If the customer is deceived on account of the deceptive measures implemented by the seller, he has the right to unilaterally nullify the transaction.

Performing the Prayer of the Signs for Multiple Earthquakes

Q.2| Two consecutive earthquakes that were separated by only a few seconds hit our city. Because they were so close in time, everyone thought they were one earthquake, and so we performed only one prayer of the signs (salat al-ayat). Later we learned that they were in fact two separate earthquakes. In such cases, do we need to perform the prayer of the signs twice, or does one prayer suffice?

A. If in the common perception of the general public the incident is viewed as one earthquake and the whole experience is felt as a single earthquake, it suffices to perform the prayer of the signs once.

Promoting Disregard for the Islamic Dress Code on Social Media

Q.3| Is it permissible to like images of Muslim women on social media services if they are not observing the proper Islamic dress code? What if their face is not clearly visible? And what is the rule concerning images of non-Muslim women?

A. If "liking" images of women that fail to wear the proper Islamic dress code is seen as confirming or promoting sin and unfaith, it is impermissible.

Wearing Light Makeup

Q.4| Are women allowed to wear light makeup if they make sure they are wearing the proper head and body cover as prescribed by Islamic law? And are they permitted to wear contact lenses that are not drastically different from their natural eye color?

A. It is obligatory for women to conceal from non-mahram men[1] that which is in the common perception of the general public viewed as constituting beautification and adornment.

Feigning Participation in a Congregational Prayer

Q.5| Due to certain—in my view—legitimate reasons, I attend a congregational prayer whose leader does not possess, in my estimation, the necessary quality of virtue ('idalah).[2] Therefore, I subsequently redo my prayers individually every time. As my participation in this congregational prayer is merely in appearance, do I need to inform those members of the congregation whose connection to the prayer lines is through me that I redo my prayers?

A. You have no obligation to inform the other members of the congregation.

The Legitimacy of the Wages Earned by Singers and Musicians

Q.6| Are the wages earned by a singer who sings to unlawful music in wedding ceremonies and encourages people to dance legitimate?

A. The wages that entertainers earn as the result of singing and playing music is illegitimate if the singing and music they engage in are forbidden by Islamic law.

Ownership of Intellectual Property

Q.7| Can owners of intellectual property (e.g., authors, creators of software, publishers) demand that those who buy their products refrain from sharing them with others and from disseminating their contents?

A. If these demands are made in the form of consensual conditions (shurut zimn al-'aqd) of the contracts in which the products are sold, the owners have the right to make such demands, and if those who buy their products agree to the contracts containing the

conditions in question, they are bound to comply.

Prizes Awarded for Winning in Online Games

Q.8| Is it permissible to participate in online games that award prizes to those who succeed in correctly answering certain questions?

A. If participation in the games is free of charge or if they are not group contests in which the prize given to the winner consists of the fees paid by those who lose, it is permissible to participate in such games.

Incorrect Recitation by Leader of Congregational Prayer

Q.9| Is it permissible to participate in a congregational prayer that is led by a person whose recitation of the Qur'an and the required formulas (adhkar) is not entirely correct, such as if he pronounces the vowel kasrah where the correct vowel is fathah? What is our duty in relation to those prayers that we have performed behind him[3] in the past?

A. It is impermissible to participate in a congregational prayer that is led by a person whose recitation of the Qur'an and the required formulas is erroneous, even if the errors are only minor ones concerning vowels.[4] Furthermore, the previous prayers you have prayed behind him are correct if, one, you were unaware that his recitation was incorrect or, two, you were under the impression that it was permissible to pray behind a person whose recitation was not entirely correct.

Women's Dress Code at Sports Events

Q.10| Can Muslim women participate in athletic activities that take place in the presence of non-mahram men—such as mountain climbing and certain indoor sports—while wearing the standard outfit of those activities?

A. Muslim women must wear the necessary cover prescribed by Islamic law when in the presence of non-mahram men, and in this regard there is no difference between athletic activities and other occasions. When in public, where men are present, women should not wear clothes or display behavior that would be deemed as attractive to non-mahram men and that would as a result have a corrupting moral and spiritual influence on the society.

[1] A non-mahram person is an individual from the opposite gender that is not one's mahram. Mahram in Islamic law designates one's spouse or a close unmarriageable kin (e.g., one's sister or brother, mother or father, grandmother or grandfather) from the opposite gender with whom one can have a close and affectionate (albeit non-sensual) relationship.

[2] To pray behind a congregational leader, we must first ascertain that he partakes of the necessary quality of virtue ('idalah), which in the context at hand is defined as the disposition whereby one is able to refrain from deliberately committing sin.

[3] In the parlance of Islamic ritual practice, praying behind the leader of a congregational prayer is to participate in the congregational prayer that is led by him.

[4] The impermissibility intended here is effectuational (waz'ee), not actional (takleefee); that is, praying behind a person whose recitation is erroneous does not constitute a sin and does not make one liable to divine chastisement. Rather, it simply means that such a prayer is invalid.