MONTHLY AHKAM | JANUARY 2021 - 1 /Jan/ 2021

Marriage in 'Iddah

Question1: A woman has been living away from her husband for more than a year after marriage due to a dispute with her husband and will soon be divorced, can she marry another man in the current situation or immediately after the divorce by reciting the special formula of temporary or permanent marriage?

Answer: The marriage contract with another person is void unless the formula of divorce is read observing its terms and the woman has completed the 'iddah of divorce. The period of 'iddah is calculated from the time the formula of divorce is recited, even though the man and woman have been away from each other for one year.

To Use Others' Property Left in a Dormitory

Question2: What is the ruling on using the property left by unknown owners in hotels, university dormitories, etc.?

Answer: If you know that the owner has given up that property or is satisfied with your using it, there is no problem in doing so. Otherwise, it is not permissible to take that property unless you intend to take it to its owner, in which case you must keep the property, search for the owner, and give the property to its owner after finding him. However, if you are disappointed with finding the owner or it is not possible to reach him, you should give the property or its price to the poor.

To Use Others' Wireless Internet Connection

Question3: Is it permissible to use others' wireless internet connection? Noting that the owner, although he can encrypt it, has not done so and we can use it without any trouble.

Answer: Unless you know or are confident about his consent, it is not allowed. Mere the fact that he did not encrypt it does not justify using it.

Personal Use of the Internet at Work

Question4: Is it permissible to use the company's internet for personal use?

Answer: Personal use is not permissible and should be compensated for. Unless it is with the permission of an official with such an authority.

To Play Gambling Games on a Computer

Question5: Is it ḥarām to play gambling games (such as cards) by computer or the like on the net?

Answer: Games that are forbidden due to gambling between the two parties are permissible if one plays through a computer alone when no betting is involved.

Doubt in Wuḍū' after Prayer

Question6: If a person doubts after performing prayers whether he had performed wuḍū' or not, what is his duty?

Answer: The prayer offered is correct, but he must perform wuḍū' for next prayers.

The right of Passenger

Question7: What is "the right of passenger", what are its conditions?

Answer: A person who reaches a fruit tree while passing by - on the following conditions - can eat its fruit:
1. As a precaution, not to be sure of the owner's dissatisfaction.
2. To pass by accidentally not with the intention to eat fruit.
3. Not to damage the tree nor waste the fruits.
4. To eat the fruit there and not to take it with himself.
5. Not to enter the property - such as a garden.

Not Specifying the Dowry in the Marriage Contract

Question8: What is the ruling on not mentioning the dowry - intentionally or due to forgetfulness - in a permanent or temporary marriage contract?

Answer: In a permanent marriage, mentioning the dowry is not necessary. Therefore, if the dowry is not determined, the marriage is valid, and if they have sexual intercourse, the woman is entitled to the dowry equal to dowry for similar women. However, in a temporary marriage contract, determining and mentioning the dowry is one of the pillars of the contract and without it, the contract is void.

Ishā' Prayer's Time

Question9: When does the time for 'ishā' prayer end? If someone does not say it before shar'ī midnight, how should he intend offering 'ishā' prayer?

Answer: The time for 'ishā' prayer starts a few minutes – enough to say maghrib prayer – after maghrib adhān until shar'ī midnight; And it is not permissible to delay maghrib and 'ishā' prayers untill midnight. However, if the maghrib and 'ishā' prayers are not said before shar'ī midnight due to an excuse or due to a sin, they should, as a precaution, be performed until the morning adhān without the intention of saying them as adā' or qaḍā' (i.e. to intend saying them as our duty in general).

To Calculate the Shar'ī Midnight

Question10: How is the shar'ī midnight calculated for maghrib and 'ishā' prayers?

Answer: Midnight for maghrib and 'ishā' prayers is the middle time between sunset and fajr (time for morning adhān).
There are two fajrs: true fajr and false fajr. False fajr is when a ray appears in the sky which is reflected vertically upwards instead of spreading on the horizon. Fajr sādiq (true fajr) is when the white light attached to the surface of the horizon appears with low intensity and spreads on the horizon, and over time, its light intensity increases. Due to the weakness of fajr sādiq, observing it requires a completely clear and dark eastern horizon and it is very difficult to see it in cities like Tehran. Due to the fact that it is difficult to accurately detect the true fajr, the morning prayer should be performed as a precaution, later than abstinence from fast invalidators by a person who wants to fast.

Saying Dhikr of Rukū' instead of Dhikr of Prostration and vice versa

Question11: Is it wrong to say the dhikrs of rukū' and prostration instead of each other?

Answer: If it is done inadvertently, there is no problem. Also, if he does so intentionally but with the intention of mentioning God (the Exalted) in general, the prayer is valid. However, he must also say the special dhikr of rukū' or prostration.

To Answer Salām When Praying

Question12: If a person says the word "salām" instead of "salāmun 'alaykum" addressing a worshiper, is it obligatory for the latter to Answer? What should be the Answer?

Answer: If people consider it as greetings, it is obligatory to Answer, and as a precaution, the Answer should be in such a way that the word "salām" precedes; For example, to say: "salāmun 'alaykum" or "as- salāmu 'alaykum". He should not Answer like 'alaykumus salām.

Performing 'Ishā' Prayer before Maghrib Prayer

Question13: If the worshiper inadvertently engages in 'ishā' prayer before performing the maghrib prayer and realizes in the middle of the prayer that he has made a mistake, what is his duty?

Answer: If he is still before rukū' of the fourth rak'ah, he should return the intention to the maghrib prayer and finish the maghrib prayer and then offer the 'ishā' prayer. But if he is in, or has performed, rukū' of the fourth rak'ah, he should complete the 'ishā' prayer as a precaution, and then offer both maghrib and 'ishā' prayers.