285133 - Beauty salon offers bridal makeup services that cost more than other services

the question

In my city there are beauty centres that charge higher prices for makeup for brides than for other women. In other words, if a woman goes to the centre and asks them to do makeup and hairdo for her, it will cost her 100 dinars, for example, but if another woman goes there and tells them that she is a bride, they will charge her 500 dinars. Please note that it is the same makeup and hairdo in both cases; the only difference is that she told them that she is a bride. My question is: if I go to the centre when I am a bride, but I do not tell them that I am a bride, and I ask them to do my makeup and hairdo without telling them about my situation, and they charge me 100 dinars, am I regarded as deceiving them, and am I doing something haraam? Please note that these beauty centres are for women only, and men are not allowed to enter them.

Detailed answer

Praise be to Allah.

Firstly:

This deal comes under the heading of contracts of hire (or rental). It is a contract to obtain a specific benefit or have specific work done. So the one who rents a property is entering into a contract for a specific benefit, and the one who hires a construction worker is entering into a contract for specific work.

End quote from ash-Sharh al-Mumti‘ (10/5).

The condition that is stipulated with regard to the work or benefit sought by means of the contract is that it should be known in such a manner that there will be no ambiguity and it will not lead to a dispute which is contrary to the idea of mutual consent, which is a required condition in financial transactions.

Allah, may He be exalted, says (interpretation of the meaning):

“O you who have believed, do not consume one another's wealth unjustly but only [in lawful] business by mutual consent”

[an-Nisa’ 4:29].

It says in al-Mawsoo‘ah al-Fiqhiyyah al-Kuwaitiyyah (1/260):

In order for a contract of hire or rental for a specific benefit to be valid, it is stipulated that the benefit should be known in such a way that there is no ambiguity that could lead to dispute.

This condition should be met with regard to the fee too, because ambiguity (or uncertainty) regarding either leads to conflict. This is a matter concerning which there is scholarly consensus. End quote.

Based on that, if you describe to the worker what kind of adornment you want, or the customary adornment you want, then that is enough.

The fact that you do not state that you are a bride does not affect the type of service you are getting, and it does no harm to the worker, because she is happy with the sum of money she gets in return for this specific service that is known to both of you, and that is enough.

Hence it is not stipulated that you should tell her that you are a bride, and this is not regarded as cheating or deceit.

Secondly:

So long as the fee is in return for the work, and the fee for the work is 100 dinars, and there is not more work involved in the case of a bride than for anyone else, it is not permissible for the beauty centre to exploit the bride’s need, and increase the fee by a factor of five. Rather this is wrongdoing and blatant cheating, and it comes under the heading of consuming people’s wealth unlawfully, charging a fee that is greater than what they would charge for the same work for anyone else, increasing it to this extent, just because this service is offered to a bride, and they

know that people have no choice and that a bride cannot do without such services, and that people in this situation do not have time to shop around and reject this inflated price, so they find themselves forced to accept it.

But if the price is only slightly higher, and people ordinarily overlook such an increase for such special occasions, or it is in return for extra work and is appropriate, then there is nothing wrong with it in that case.

And Allah knows best.