

NOT FOR SALE

**“Our Dialogue”
— *Seventh Edition***

the Religious Editor
Arab News
Jeddah

apkar pk

Vol. III [M-P]

Gratuitous Distribution only

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We do wish to avoid overseas mailing costs, which are very heavy indeed.

apkar pk

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Hadith —

*Indeed,
the creation of each one of you
is brought together in the mother's belly
for 40 days in the form of a drop of sperm,
then he is a germ cell for a like period,
then an embryonic lump for a like period,
then there is sent to him the angel
who blows the breath of life into him
& who is commanded about four matters:
to write down his means of livelihood,
his life span, his actions
and whether happy or unhappy*

*By Allah,
other than whom there is no God,
one of you may behave like the people of paradise
until there is but an arm's length between him and it,
and that which has been written overtakes him
and so he behaves like the people of hell fire
and thus he enters it;
and one of you behaves like the people of hell fire
until there is but an arm's length between him and it,
and that which has been written overtakes him
and so he behaves like the people of paradise
and thus he enters it."*

(Related by Al Bukhari & Muslim.)

“Our Dialogue” — advice & consent

- Publishing 'Dialogue' answers in book form

Has “Our Dialogue” been published in book form?

I have mentioned that such publication requires an extensive editing work if it is to be done properly. What I mean is that questions should be sorted out according to subject and related ones should be consolidated in a more comprehensive way. This will mean some expansion of certain answers so that they treat the subject rather than the specific case the reader puts. It will also mean grouping together various answers so that the treatment of the subject is more complete. I pray God to enable me to undertake this task at some point in the future.

Meanwhile, I do not permit any publication, which is intended to generate financial profit, without my prior agreement. Those who had produced compilations seeking no profit, but aiming only to make such answers known to people, who may need them, are generous with their effort. May God bless them and reward them. I hope that God will also grant me a share of that reward.

“Our Dialogue” was compiled and printed by some people at their own initiative. I have not had any role in that. They state that copies may be obtained from apkar pk (Muhammad Arif), 404 Qamar House, M. A. Jinnah Road, Karachi - 74000 [Telephone Work/Home 92•21•231 24 95 — Roaming].

Knowing that readers have put majorities of questions to me from the countries of the subcontinent, I realize that if “Our Dialogue” were made available in Urdu, it would serve a good purpose. Therefore, I have no objection, in principle, to its translation into Urdu. [Added: One such compilation in the form of the books called *Islami Tarze Fikr* is also being offered by apkar pk for the benefit of those who prefer that the material be presented to them in their national language. A Sindhi version of these books called *Islami Soch Jo Andaz* is also obtainable.]

[From: Adil Salahi Arab News, Saudi Arabia's First English Language Daily]

apkar pk & “*Our Dialogue*”

Let me introduce apkar pk. Well, apkar is simply an abbreviation from Allied Promoters Karachi, the company I organize, while the suffix pk stands for Pakistan. And under this brand name, we present a series of publications such as you hold in your hand.

A friend, Ateed Riaz, has been involved in copying and gratuitously circulating pages from Adil Salahi’s religious columns of the Jeddah-based paper, Arab News. I was also favored with these pages, and finding them very interesting and deeply thought provoking, decided to start compiling the columns. In 1989, and a hundred pages later, I showed the result of this exercise to some friends, who were very enthusiastic in their response.

We felt that such a compilation would serve as a useful and handy guide for anyone keen to learn more about the ways of Islam, but who could not get convincing answers from accessible Ulema. Several friends even offered to help with the printing of such a book, and the first version of this work, comprising just 125 pages, emerged under the title “A Question and Answer Session, the Religious Editor, Arab News, Jeddah.” This was our beginning.

Encouraged with the response to our first book, I continued with this compiling work and brought out an enhanced version of the same book under the title, “Our Dialogue,” named after the title of the original columns appearing in Arab News, Jeddah. (These columns are now called “Discourse.”) Yet another volume, “Our Dialogue — Volume IV,” contained further selections from the religious columns which have appeared in Arab News, Jeddah up to July 2003. A handy version based on selected quotations from these books — entitled ‘Our Dialogue in a Nutshell’ is also available for those readers who are too busy for voluminous reading. In 1996, a compilation covering ‘Pilgrimage’ was issued and since that year through fine work by Br. Abdus Salam Salami, an Urdu version is also being provided under the title of “Islami Tarze Fikr”. A second volume of “Islami Tarze Fikr” — translated by Br. Kaleem Chughtai — has since been launched in 1999. Since 1998, through initiative of Br. Noor Ahmad Memon, a Sindhi translation of ‘Islami Tarze Fikr’ has been presented under the title of ‘Islami Soch Jo Andaz’.

Alhamdulillah, the scope has been enlarged and improved since, and a consolidated, improved and revised version of all the previous issues of “Our Dialogue” is now presented to you in four Volumes under the title of “Our Dialogue — Seventh Edition”.

Much thought and effort have gone into the body of works presented in the “Our Dialogue” series. All this would come to naught except for the enlightenment provided through the original material presented by Adil Salahi under his worthy columns ‘Islam in Perspective’ in Arab News, Jeddah. We are also deeply indebted to a host of supporters from our very inception. Valued advice and kind assistance has come in varied and special ways from people who are too many to enumerate, but without whose help, this series of books could certainly not have been presented. [A list of supporters is appended on p.7, but we may have missed out to mention some.] May Allah in His Mercy accept the efforts of all of us.

Tasbahoona Alal Khair

Muhammad Arif

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November 2005

Answers to questions in
“Our Dialogue”
are provided by more than one scholar
and edited by

Adil Salahi
Arab News Jeddah, K.S.A.



***There is a main rule in Islamic Law
that a particular regulation,
which is made for a particular reason
is enforced only when that reason
is clearly in evidence***

***“Our Dialogue”
— Seventh Edition***

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AND MANY MORE WHOSE NAMES ARE NOT MENTIONED

*** They Had All Suffered Cancer And Have Preceded Us To Their Final Abode.
May Allah In His Infinite Mercy Reward Them Plentiful. Amen**

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Questions on religious matters may be sent to the following address, which will be forwarded to the appropriate channel for reply and clarification.

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M

Magic: Islamic View On

Could you please explain about the use of magic and how it is viewed in Islam? A person who resorts to black magic has been giving gifts to my father and putting him under a spell hoping to marry me. I would rather kill myself than marry a man who practices magic. Please comment.

It seems to me from the long letter this lady has written that she has been troubled so much by this problem. There is no way we can deny the existence of magic, but how far it is practiced is rather unknown. There is a great deal of trickery in this respect with some people leading simple-minded persons to believe that they can exercise great powers by means of employing creatures from a different world, particularly the jinn. All magic, however, is no more than make-believe. It has neither substance nor reality. Yet it can cause a great deal of harm, not least because of the fear magicians are keen to implant on their victims' minds.

The best method to foil the attempts of such people is to turn them away and to seek God's help, reading the Qur'an [particularly Surah Al-Falaq and Al-Nas] and relying totally on God. When one does that, one demonstrates the fallacy of the claim of such people that they have special powers. All the power they have is given them by others who believe in their claims which are certainly false. Magic flourished to an exceptional extent among the ancient Egyptians at the time of the Pharaohs, because the magicians were also the men of religion who tried to keep people's submission by raising the Pharaoh to the status of deity. When they confronted Moses with their tricks, their work was described by the Qur'an as 'great magic'. Nevertheless, God tells us that it was all a play on people's imagination, with no substance to it.

The person who practices magic is described by the Prophet, peace be upon him, as non-believer, even though he may profess to believe. Your best resort is to persuade your father that one who resorts to magic disobeys God and, as such, is no good husband for a Muslim girl. Whatever you do, you must not give in to his designs. You can easily overcome him if you rely on God, trust Him and defy the non-believer.

Magic: Seek God's Help For Driving Away A Magic Spell

A reader's comment

You have recently written a reply to Mr. S. Khan concerning his son, aged 12, who suffered a very distressing situation. The case has profoundly touched me to the point that my eyes were tearful. You have rightly replied that you have little to offer by way of advice. This was precisely the answer I received when I had a very similar case with my own son, aged 6. Here I am writing to share my experience with your readers, hoping that it could be of use since in our case, we were able to overcome the crisis eventually.

We were in Bombay 5 years ago, when my son, aged 6, stopped eating, drinking and sleeping. There were no medical reasons for his condition, and no doctor could prescribe any medication. Like Mr. Khan's son, my son also reacted angrily when we read the Qur'an, near him, and asked us to

stop immediately. I approached all sorts of people including many scholars. Nothing they suggested was of any use, but they all said that my son was suffering from a spell of black magic. They all advised to read the Qur'an, particularly the last two Surahs, Al-Falaq and An-Nas, and to trust in God's help. We were also strongly advised against resorting to any black magic devices.

Let me say here that the pain and agony that this had caused my wife and me cannot be appreciated except by those who have gone through a similar situation, giving rise to a sense of utter helplessness in the face of adversity. But then something happened to start me on the way to my son's recovery.

One day, I decided to stop going to any body for help, because they all suggested that I should seek God's help. I felt that if it the only resort open to me, then God is near and I could approach Him myself, without any intermediary. However, I started thinking deeply on how best to appeal for God's help. I looked at myself and felt that I needed to rectify certain matters in my habits and practices in order to bring them in line with Islamic teaching. My wife helped me immensely in this. Then I started to call the Azaan five times a day in all corners of my house. I began to read the Qur'an, without sound in the presence of my son. I talked to my son asking him to inform me of what he sees or feels and telling him time and again that I will drive away the illusions myself with God's help. Then my son began to tell me that he saw "illusions" in this or that direction. I would then face the "illusions" and recite Ayat Al-Kursi (Surah 2, verse 255) again and again. Suddenly, I would see relief on my son's face, proving that the "illusion" is running away. In time, this brought my son a sense of confidence, as he saw that something that was frightening him could be driven away, with the help of a Qur'anic recitation. This practice continued for many months. My wife would read the whole of Surah 2, Al-Baqarah every day, for 40 consecutive days. My wife and I would talk more frequently about Islam, trying to earn God's pleasure through words and deeds. This has given a new color to our life that has continued with us till today and we hope it will continue in the future. We feel that God has given all of us strength to face any such illusions. My son is now a normal boy of 11. He reads the Qur'an, daily and knows that strong faith in God will ensure God's help in any difficulty. They must first of all look at themselves and see how they can improve their situation so as to earn God's help they must seek to please God and fear nothing and no one other than Him. It may take a long time, but it is worth the effort.

May I comment by saying that the reader has given an example of practical effort to ensure God's help in a difficult situation? When he first sought the help of faith healers, they proved that they could give no help. However, he acted on the advice of scholars who told him to place his whole trust in God and not to seek any device of black magic. Had he done the latter, he might have been still enduring the scourge of doing so. His trust that helps from God will be forthcoming, and his efforts to mend his ways so as to deserve God's help show that his faith is pure. As God tells us in the Qur'an, it is when we truly believe that no help other than that of God is of any avail and we appeal to Him with devotion and sincerity, He will always help us. Perhaps Mr. Khan and other readers could benefit from this example.

Magic: Was the Prophet, peace be upon him, Ever Under Magic Spell?

I have read in a book that on some occasion the Prophet, peace be upon him, was afflicted by a magic spell, and that he described this to his wife. Could you please tell us whether such things are still in existence. In the Indian subcontinent people are made to pay a lot of money to those who say that they can cure people afflicted by magic. Please explain.

Magic is mentioned in the Qur'an; so, it exists. There is no doubt about this. In the past, it was closely related to pagan beliefs. The religion practiced in Egypt at the time of the Pharaoh mentioned in the Qur'an, was based on magic. Priests were sorcerers adept in magic. When Moses invited Pharaoh to believe in God's oneness, Pharaoh accused him of being a sorcerer and challenged him with a mightier sorcery. On God's instructions, Moses accepted the challenge. Pharaoh gathered all his priests and sorcerers for the challenge. When these put forward their designs, it was seen to be 'mighty magic', as God describes it in the Qur'an. [7: 116] It sent a feeling of fear even into Moses himself. But magic has no substance. God describes those sorcerers, work in the following terms:

"Said [the sorcerers]: 'Moses! Either you throw [your staff first], or we shall be the first to throw.' He answered: 'You may throw first., 'And by virtue of their sorcery, their ropes and staffs seemed to him to be moving rapidly. And in his heart Moses became apprehensive. But We said [to him]: 'Have no fear! It is you who shall certainly prevail. Now throw that which is in your right hand and it shall swallow up all that they have wrought. For, they have wrought nothing but a sorcerer's deceitful trick; and the sorcerer can never come to any good, whatever he may do'." [Ta Ha — 20: 65-69]

Note how God says about this mighty magic that all it produced was an illusion. When the sorcerers threw their ropes and staffs they only made them 'seem to him to be moving.' In other words, they were not moving although they seemed to do so.

Because magic is only a delusion, which is utilized to deceive people, it is forbidden to learn and to practice. People who claim to be able to dispel its effects are normally liars who try to defraud people of their money.

There is a report, or a Hadith, that suggests that the Prophet, peace be upon him, was under the influence of magic at one stage, and that the magic spell was cast on him by a Jew called Labeed ibn Al-A'asam. But this report should be rejected as false because God mentions twice in the Qur'an that the wrongdoers, which is a term often used to denote unbelievers, claim that the Prophet, peace be upon him, was being influenced by magic. Besides, they run contrary to the Qur'an, which says:

"The evildoers say, 'You only follow a man bewitched!' See to what they liken you, because they have gone astray and are now unable to find a way [to the truth]." [Children of Israel — "Bani Israel" 17: 46-47 & Criterion — "Al-Furqan" 25: 8-9]

The Qur'an denounces such claims and describes the people who make them as ones in blatant error. To counter the effects of magic one should read the Qur'an, particularly the last two Surahs. One must never go to fortune-tellers, or believe that they can cure him. To do so is forbidden.

In the light of this Qur'anic statement, repeated in two Surahs, we must say that any suggestion that the Prophet, peace be upon him, was for any time under a magic spell is absolutely false.

Mankind: Classification Of

In the Qur'an, human beings are divided into three groups: believers, hypocrites and non-believers. However, we find in writings about Islam further groupings under such headings as good Muslims, true believers, Sunnis, Shiites, etc. Please comment on this method of classification.

What you have said about the classification of mankind in the Qur'an, is certainly true. The second and longest Surah in the Qur'an, entitled "the Cow" or "Al-Baqarah", opens with a description of three groups of people which include all mankind. Anyone who reads this account cannot fail to note that the first five describe the main features of the believers in a few short verses. Similarly, two verses outlining the main features of non-believers. A much longer account is needed to describe the characteristics of hypocrites. This is due to the fact that a hypocrite puts on a false appearance. The hidden reality needs to be discovered in order to recognize what sort of person he is. Indeed, a hypocrite is a non-believer who tries to appear as a believer. He alleges that he belongs to the first group while he lacks its most essential quality, faith. He belongs to the second group, i.e. the non-believers, but he tries hard to hide this fact. How is his reality to be discovered? To help believers recognize those who falsely claim to belong to their community, the Qur'an outlines certain features, which all hypocrites share in common. There are certain subtleties which must be recognized if hypocrites are to be known.

It is useful to mention here that Muslims are not required to determine whether any particular person is a hypocrite or not. Their keen insight should help them determine who is making a false claim. When they doubt the sincerity of a particular person, they must not pronounce a final judgement on him. They should beware of any damage, which may be caused by him. But that is as far as they should go. They accept his claim and leave it to God to judge him as He knows his true status.

Writers on Islam often use such descriptions as good Muslims and true believers. This is however, not a sub-classification of the people whom Qur'an has included in the group of believers. It is simply a matter of style. It is just as a writer who says that if a Muslim wants to give credence to his claim to belong to the group of believers, then he should behave in a certain fashion. To a writer in Islam, the phrase, "a good Muslim", refers to a person who translates his belief in Islam into practical deeds. We must not read these descriptions as adding another quality, which distinguishes groups of Muslims as such. Otherwise, we would have to recognize another group, which may be described as false "Muslims". This is obviously a contradiction in terms. If a person is false, he cannot be a Muslim. If he is a Muslim then he belongs to the group of believers that God has described at the outset of the second Surah Al-Baqarah of the Qur'an. If we want to use the phrase "false Muslims" we can only use it as synonymous with a "hypocrite". This is not what the writers on Islam intend when they add descriptions of good and true to the class of believers. Their qualifying adjectives are simply meant for emphasis.

The division of Muslims into Sunnis and Shiites is a different matter altogether. The origin of this division dates back to the early days of Islam, when a split took place between Ali, the fourth ruler of the Muslim state after the Prophet, peace be upon him, and Mu'aweya, the governor of Syria. Subsequent events meant that this division continued into the following generations and later acquired an intellectual basis and led to the formulation of the Imamah concept among the Shiites.

It is possible to describe the Shiites as a sect of Islam, while the Sunnis represent the mainstream. As you realize, the division between Sunnis and Shiites is totally different from the classification of mankind into believers, non-believers and hypocrites. In the Qur'anic classification, the operative criterion is that of attitude to the very basic concepts of the Oneness of God and the message of Prophet

Muhammad, peace be upon him. In the second grouping, we are saying that Muslims can either belong to the mainstream of Islam whose adherents are known as Sunnis or belong to the Shiite sect.

Mankind: Is Man the Noblest Of Creatures?

We are called the noblest of all creatures, but we are the cruelest creatures on earth and we indulge in ruthless criminal activities. Indeed, the atrocities committed by man are worse than anything any animal can do. In what respect, then, are we the best creatures?

Not every human being can be included among the best of creation. Allah says in the Qur'an:

"We brought him down to the lowest of the low, except for those who believe and do righteous deeds." [Fig — "At-Teen " 95: 5-6]

These verses make it clear that human beings can rise to the highest level a creature can attain, but can also sink to the lowest depth. What determines man's elevation or fall is his response to Allah's message and his implementation of the divine law.

Yet when you look at man, you find that he has been given a noble status and a high prospect. Allah has distinguished him with the intellect. He has given him freedom of choice. He took care of him so that he is not abandoned to his own devices. Allah has sent him messengers to show him the way to the fulfillment of his potentials and the achievement of the highest level of humanity. The messengers explained divine guidance to mankind and provided a practical code of living which has been given its complete and perfect form in the message of Islam. Therefore, when human beings implement Islam, they reach their highest level. When they abandon Allah's guidance, they sink into the depth of ignorance in which Satan tries hard to keep them.

This means in effect that when a human being employs his reason to reflect and then, on reflection, he adopts the divine faith and with his own free will tries to implement the divine code of living, he certainly attains the noblest level any creature can achieve. When he chooses the opposite way, he sinks down to the level of pagan evil. There are different grades in between these two extremes. Human beings can choose any of these grades. In short there is no divine right, which gives man a highest noble status. Man can achieve that only through diligent work in the implementation of Allah's law.

Mankind: Man Tyrannizes Once He Finds Himself Self-Sufficient

A teen-aged girl wrote to her father asking why man is so unforgiving to others. When God is so beneficent and compassionate that He forgives man whatever mistakes he may do, why is man so unforgiving? Does he think himself to be greater or mightier than God? Could you please answer the question of this young woman?

There are certain attributes of God, which we are encouraged to have and implement in human life. These include generosity, compassion, forgiveness, forbearance, kindness and looking after the needy and the deprived. Other qualities we are required not to emulate. Indeed, they are to be discouraged or abandoned in human dealings altogether. This latter type includes the demonstration of mastery or dominion, and any claim, which a human being may make to suggest to others that he has control over their destiny. Certain qualities belong to God alone, such as His being independent of time and place, and His absolute control of the universe and every thing in it.

It is true that God may forgive His servants whatever offenses or crimes they may commit, short of associating partners with Him.

This takes the form of ascribing divinity to any person or thing other than Him. It may take a clear form of offering worship to such beings, or it may take a tacit form, such as claiming for those being qualities and attributes which belong solely to God.

If we were to analyze God's forgiveness by human standards, we find it most amazing and hard to believe. God gives us every thing — our lives, senses and well being. He gives us the means to survive and to develop our lives. He grants us our minds and intelligence, which enable us to improve human life and develop it. Without intellect, human life would have been extinct long time ago, prophets of doom were predicting that the earth's resources could not support a world population of two billion human beings. Now the number of human beings on earth is close to six billion human beings and still increasing, with every sign that the earth is able to support several times its present population. But nothing of this could have happened had God not given us the intellect to develop new potentials and to ensure better utilization of the resources He has placed at your disposal.

Yet we disobey God at every turn and in every moment. We turn our backs on His message and persist in offending Him. If any being had someone working for him, and to whom he gives a decent wage, been persisted in disobeying his employer, he would soon be punished, then dismissed. But instead of punishing us, God gives us every opportunity to turn back to Him. Once we genuinely repent of our disobedience to Him, He turns to us in forgiveness and rewards us for our repentance. If we make our repentance complete by stopping our disobedience, He rewards us with admittance into heaven where we lead a life of pure happiness.

Unfortunately, we do not learn from God's forgiveness to be forgiving others. We are at times too severe in inflicting punishment when we are sure that we can escape any blame for being too cruel. Indeed we may be unjust to others without justification. Look at the dictators and what they do to those who differ with them and try to exercise their right of freedom of speech and expression. Yet dictatorship is not limited to the political scene. Many people tyrannize over others when they are in a position of power.

This is seen in business, government offices, and even in private homes within the same family. Husbands may be unjust to their wives, bosses to their staff, employers to their employees, etc. In all such situations, injustice is a mark of unwillingness to overlook mistakes and forgive slips and errors. This hard attitude is described in the Qur'an:

"Indeed, man tyrannizes once he thinks himself to be self-sufficient." [the Clot — "Al-Alaq" 96: 6-7]

In all this man surely betrays an attitude in which he places himself above all others. It may be said that he even thinks himself to be above God the Almighty. Yet if this question is put to him directly, then in the majority of cases people would answer in the negative. Their behavior, however, belies their denial.

Mankind: the Great Miracle Of Life

In the name of God, the Merciful, the Beneficent

And He it is who has created man from water and established for him bonds of lineage and marriage. All-powerful is your Lord. Yet people worship, instead of God, things that can neither benefit nor harm them. An unbeliever

always gives support against his Lord. We have sent you only as a herald of good news and a warner.

[the Standard — Al-Furqan: 25: 54-56] Commentary by Sayyid Qutb —
Translated & Edited by Adil Salahi

The Surah mentions a different type of fluid, which is semen that gives rise to human life. It is from this particular fluid that a fetus takes form and becomes a male child related to its ancestors by lineage, or a female one that embodies the marriage relationship.

The human life that comes into existence through this fluid is far greater and more wonderful than life caused by rain. Just one cell, out of a countless number comprised in one drop of man's semen, fertilizes the woman's egg to initiate the formation of the greatly sophisticated creature, man, the most remarkable of all living creatures.

It is from practically identical sperms and female eggs that boys and girls come into existence, in a remarkable process that human knowledge has not yet fathomed. None of the many thousands of sperm shows any clear signs that makes it able to produce a male or a female. Similarly, no female egg shows such signs. Nevertheless, one eventually produces a man, while another produces a woman. "All powerful is your Lord." This amazing phenomenon shows just one aspect of His power.

If we were to look minutely into this fluid, we would be overawed as we look for the complete human characteristics in exceedingly minute components that carry the hereditary aspects of the human race, as also the parents and their immediate families, which are then transferred to the fetus, male or female, in accordance with God's will. Here we quote from the chapter on genes in C. Morrison's ***Man Does Not Stand Alone***:

"In every cell, male and female, are chromosomes and genes. Chromosomes form the darkened nucleus, which contains the genes. The genes are the main deciding factor as to what every living thing or a human being shall be. The cytoplasm is the extraordinary chemical combinations, which surround them both. The genes are so infinitesimal that if all of them which are responsible for all the human beings on earth today, with their individuality, psychology, color, and race, could be collected and put in one place, there would be less than a thimbleful. These ultra-microscopic genes are the absolute keys to all human, animal, and vegetable characteristics. A thimble is a small place in which to put all the individual characteristics of two billions of human beings. However, the facts are beyond question... The embryo recapitulating in its progressive development from protoplasm to racial identity indicates recorded history retained and expressed by atomic arrangement in the genes and cytoplasm...

"We have found that genes are recognized to be submicroscopic arrangements of the atoms in the sex cells of all things that have life. They hold the design, ancestral record and characteristics of each living thing. They control in detail root, trunk, leaf, flower and fruit of every plant as exactly as they determine the shape, scales, hair, wings of every animal, including man."

Such a glimpse into the marvels of life is sufficient as a pointer to the great hand of the wise Creator. "All powerful is your Lord."

In this atmosphere of careful planning of creation, and in the light of life that is produced by rain water and human sperm, given all characteristics that makes one cell a complete human male with all his individual and hereditary characteristics,

while another is a complete human female, to worship anyone other than God sounds exceedingly incompatible with nature, singular and absurd. Hence, the verses refer to the unbelievers' worship and put it in perspective: ***"Yet people worship, instead of God, things that can neither benefit nor harm them. An unbeliever always gives support against his Lord."***

Every unbeliever, including those who opposed Islam in Makkah, joins the fight against their Lord who has created him and given him his shape and form. How can it be when he is so insignificant to stand in opposition to God? In fact an unbeliever opposes God's faith and the code of living He has laid down for human life. But the verse wants to show the enormity of his offense, describing him as an opponent to God, his Lord and Master.

When a human being stands in opposition to God's Messenger and his message, he is actually fighting against God. The Prophet, peace be upon him, need not worry about him, because his opponent is God, who will certainly ensure that he cannot do the Prophet, peace be upon him, any harm.

God then reassures His Messenger, lightening his burden. He assures him that once he has discharged his duty, delivering his message, with what it brings to people of good news and warnings, striving hard against the unbelievers through the Qur'an, then the stubborn rejection by the unbelievers should not trouble him. God will take over the fight against those who oppose him. All he need to do is to place his trust in God and leave matters up to Him. ***"We have sent you only as a herald of good news and a warner."***

Martyrs: Killed By Burglars — Does That Make One A Martyr?

My daughter was killed when burglars broke into our home and made away with some of our property. Some people in my home country tell me that she is like a shaheed or martyr. Could you please confirm if this is correct? May I also ask what can I do to make her happier in the life to come?

The Prophet, peace be upon him, said: "Whoever is killed defending his property, himself, his religion or his family is a martyr." [Related by Ahmad and Al-Tirmithi] There are other Hadiths, which confirm this. Since your daughter was killed during an aggression on your family, then she is, God willing, a martyr, or to use the Islamic term, a shaheed.

What you need to know is that those mentioned in the Hadith are considered martyrs, but have different rulings from that applicable to a martyr who falls in war, defending the cause of Islam. Such a martyr is not given a bath, but he is buried in the same clothes he was wearing when he was killed. But the other martyrs, such as those mentioned in the above-quoted Hadith are given the same preparation for burial as other people: they are given a bath and wrapped in white cloth, then a special prayer for deceased people is performed for them before they are buried. In the hereafter they are given the same reward God gives to martyrs in war. They are forgiven all their sins, except those what they might owe to other people. This means that if any such person has done some injustice to another person, he will still be accountable for it. If he owes money to someone, his debt should be paid.

There is much that you can do to increase your daughter's reward with God. The best thing is to offer the pilgrimage and the Umrah on her behalf. If she could afford to do the pilgrimage but she had not, then it is a duty that you or a son of yours should do the pilgrimage on her behalf. If she could not afford that, then doing the pilgrimage on her behalf would count as a voluntary pilgrimage and she would have its full reward. You can also donate to charity and pray to God to credit the reward of such charity to her. You can also read the Qur'an, and request God to credit the reward of

your recitation to her. You should also pray for her forgiveness and ask God to bestow mercy on her. All this will increase her reward, and will also earn you a goodly reward from God.

Martyrs: Those Killed In Allah's Cause Are Alive Indeed But —

In the name of God, the Merciful, the Beneficent.

“Do not say of those who are killed in Allah's cause, ‘They are dead.’ They are alive indeed, although you do not perceive that.”

[the Cow, "Al-Baqarah": 2:154] Commentary by Sayyid Qutb — Translated & Edited by Adil Salahi

As the Muslim community in Madinah was about to start its long campaign of jihad, with the aim of establishing the divine way of life, and to fulfill its appointed role raising the banner of Allah, the Qur'an begins to mobilize the community spiritually and to formulate its correct concept of what jihad involves in terms of suffering and sacrifice. It provides the Muslim community with the correct standard with which to evaluate properly whatever may happen in this long campaign.

It is inevitable that fighters may fall as they take part in the battle of truth. They are martyrs killed in Allah's cause. They are honorable and beloved. For those who campaign for Allah's cause, risking their own lives in order to see the truth triumph are normally the most honorable and blessed of people. They have the most generous of hearts and the purest souls. If they are killed fighting for Allah's cause they are not dead. They continue to be alive. Hence, it is not proper to feel that they are dead or to say so. Since we have Allah's statement that they remain alive, the case must be so.

To all appearances, they are killed. But the truth about life and death is not determined by a superficial glance. The basic aspects of life are activity, growth and continuity. Death is conversely distinguished by inactivity, lack of growth and discontinuity. Those who are killed as they fight for Allah's cause continue to leave a vital effect in promoting the cause of the truth for which they have sacrificed their lives. The ideal for which they have fought and were killed is brought to life with their blood. Those who follow them continue to be influenced by their sacrifice. Hence, martyrs continue to act as a decisive factor in shaping life and directing it. This is a most essential feature of life. Hence, they continue to be alive from this practical point of view.

Moreover, they are alive with their Lord, whether in this sense or in a different sense which we cannot comprehend. It is sufficient for us that Allah Himself states that they are alive indeed, although you do not perceive that. The true nature of this life is beyond our limited comprehension.

Since they are alive, they are not washed as the dead are washed before burial. They are wrapped in their own clothes, which they were wearing at the time of their death. The body of a dead person is washed in order to remove impurity, but martyrs are pure because they are alive. This is also the reason for which they remain in their ordinary clothes.

Since they are alive, the sense of losing them must not be very painful for their relatives and friends. They continue to have a part in the lives of their relatives and friends. Their loss is not felt very acutely. Their sacrifice is not considered too great. Moreover, they are honored by Allah, and they receive the most generous of rewards. We read in the authentic compilation of the Prophet's traditions made by Muslim the following Hadith attributed to the Prophet, peace be upon him: "The spirits of martyrs are placed in the bodies of green birds which fly wherever they wish in Heaven and come back to rest on lamps hanging below Allah's Throne. Your Lord looks at them

and says: What do you wish for? They answer: Our Lord, what can we wish for when You have given us what You have not given to any of Your creation? He repeats the same question. When they realize that they must put their request, they say: We wish to be returned to life so that we fight for your cause and we are killed again in your cause. This they say after they have known what great reward awaits martyrs. Allah, infinite in His majesty, says: My word has passed that they [i.e. human beings] shall never return to their world."

Anas, a companion of the Prophet, peace be upon him, quotes the Prophet, peace be upon him, as saying: "No one who is admitted to Heaven wishes to return to this life even if he would have everything on the face of the earth, with the exception of a martyr. He wishes to return to life and to be killed ten times for Allah's cause because of the honor he is given." [Related by Malik, Al-Bukhari and Muslim.]

But who are those living martyrs? They are those who are killed in Allah's cause. That must be their only cause, which must not be associated with any distinctive feature, objective or aim other than Allah. They are those who fight for the cause of the truth revealed by Allah and to establish the constitution He has decreed. They fight and they are killed for the sake of this religion which Allah has chosen for man. That is their only cause. They can have no banner or objective other than that of Islam. The Qur'an and the Hadith stress this fact and reiterate it until the hearts of the believers are absolutely purged of any thing which may be falsely associated with it.

Abu Moosa, a companion of the Prophet, peace be upon him, reports that Allah's messenger was questioned about those who fight out of bravery, or in defense of their people or to impart a false impression: which of them fights for Allah's cause? The Prophet, peace be upon him, answered: "He who fights so that Allah's word may be supreme fights for Allah's cause." [Related by Malik, Al-Bukhari and Muslim.]

Abu Hurairah, a companion of the Prophet, peace be upon him, reports that a man questioned Allah's messenger about the case of a man who wanted to fight for Allah's cause but also wished to have some worldly gain. The Prophet, peace be upon him, answered: "He can have no reward." The questioner repeated his question three times, and the Prophet, peace be upon him, repeated the same answer: "He can have no reward." [Related by Abu Dawood]

Abu Hurairah also quotes the Prophet, peace be upon him, making clear Allah's guarantee [in a Qudsi Hadith] to anyone who leaves home in order to fight for Allah's cause. "If he goes out of his home motivated only by his desire to fight for My cause, his faith in Me and his belief in My messenger, he has My guarantee that I will admit him into Heaven or return him to his place from which he set off with whatever reward or gain he has made." By Him who holds Muhammad's soul in his hand, whatever wound he suffers in Allah's cause would be on the Day of Judgement exactly in the same shape as when it was suffered. Its color will be that of blood but its smell would be the smell of musk. By him who holds Muhammad's soul in his hand, if it was not for my fear that I would be placing a very heavy burden on Muslims I would have joined every single expedition going out on a mission to serve Allah's cause. I, however, do not have enough resources to provide them with transport, and they do not have the means to follow me while they would find it very hard to stay behind. By Him who holds Muhammad's soul in his hand, I would love to fight for Allah's cause and to be killed, then to fight for Allah's cause and to be killed." [Related by Malik, Al-Bukhari and Muslim.]

Such are the martyrs, they are those who join a campaign of jihad for Allah's cause, motivated only by the desire to join such a campaign and by their faith in Allah and their belief in His messengers.

The Prophet, peace be upon him, expressed his disapproval when he heard a Persian youth expressing pride in his nationality during a campaign of jihad. Abdur Rahman ibn Abu Uqbah quotes his father, who was a slave from Persia, as saying: "I took part with the Prophet, peace be upon him, in the battle of Uhud. I smote a man of the polytheists and said: Take it from me, a Persian young man. The Prophet, peace be upon him, turned toward me and said: "It would have been better for you to say: 'an Ansari young man.' The nephew of any people belongs to them and the slave of any people belongs to them." [Related by Abu Dawood]. From this report we see that the Prophet, peace be upon him, disapproved of that young man seeking pride in anything other than the fact that he was a supporter of the Prophet, peace be upon him, and to fight under any banner other than that of this religion of Islam. That is a true jihad, and in such a jihad only martyrdom is earned. Such martyrs alone are the ones who remain alive.

Martyrs: What Makes One A Martyr Or A Murderer?

If a Muslim dies during a fight with a non-Muslim for some reason or another, is he considered a Shaheed? In our part of the world, non-Muslim militants kill Muslims for no reason. Do you think those who are killed in anti-Muslim riots will be considered martyrs?

It depends on what the fight was about. If they were fighting about some article or money or because they are in competition in business or even something that involves disobedience to God, then there is no way the dead person, although he is a Muslim killed by a non-Muslim would be considered a martyr, or Shaheed.

Recall the Hadith, which says: "If two Muslims fight with swords, then both the one who is killed and the killer are in hell." When they asked the Prophet, peace be upon him, why the one who is killed will go to hell as well, he answered: "Because he was keen to kill his opponent." A fight between two people of different religions may be equally pointless. Hence, whether it ends in the death of the Muslim or the non-Muslim, it remains a crime for which the killer should be punished.

Islam does not allow the killing of non-Muslims only because they follow a religion different from ours. Indeed, those who are citizens in the Muslim State should be treated well and their beliefs and traditions respected. If one of them is killed unfairly, the killer should be punished.

On the other hand, if the Muslims are in a minority in a certain society, and they receive ill treatment because of their faith, and they remain steadfast, they are in a state of Jihad.

A person who is killed by non-Muslims in such a situation where there is no reason for him to be killed other than his being a Muslim, then we hope he will receive from God the reward of a martyr.

Martyrs: Who To Call Martyr Or Shaheed

A man was killed because he was a Muslim. He was not fighting for Islam. Does he receive any reward from Allah. Do we call him a martyr or shaheed?

It is up to Allah to decide whether he rewards such a person or not. He alone knows why that person was in that particular area at that particular time. What we can say is that if he was killed unjustly, then he stands to receive reward from Allah for what happened to him. We know that Allah is most generous and that He is absolutely just. He will give to every human being what that human being deserves. To those who continue to believe in Him throughout their lives, and associate no partners with

Him at any time, He will give generous reward. Therefore, we should not feel disheartened at the loss of some dear relatives in any circumstance if we know them to have been good believers. We should remember that death takes them to a better place than this world, where they live with people who are better than their own families.

Whether we call such a person a martyr or not is particularly important. From the Islamic point of view, we should not attach the term martyr or shaheed at will. We should use this title very sparingly because, after all, we do not know their intentions when they fought. How can we tell that they were sincere and determined to serve the cause of Allah when they fought? How can we suggest that a man caught up in the middle of disturbances was serving Allah's cause? As I said, it should be left to Allah to determine.

Matrimonial: Arranged Marriages & Personal Choices

Are only arranged marriages permissible in Islam? What does Islam say about prospective couples falling in love before they agree to marry? This is indeed what happens in most cases in my country.

When we speak of what sort of marriage is permitted in Islam, we are actually speaking of a process in which two persons are united in wedlock. This process which represents the actual marriage does not look at what has happened between the man and the woman before they come forward with their request to get married. An agreement must exist between them; otherwise no one can force them to get married. The marriage itself requires a commitment by the bride, or her guardian who acts for her, and an acceptance by the bridegroom. This is how we describe the actual marriage contract. The woman's guardian says to the bridegroom: "I am marrying you my daughter [or other woman] whose name is so and so for such and such a dower, etc." That represents the commitment. The bridegroom must accept verbally by saying: "I agree to marry your daughter, etc." This technical part has nothing to do with the relationship that may have existed between the two parties. If by "arranged" marriage you mean that the marriage happens after discussions between the two families, in which prospective partners are fully involved, then this is the sort of marriage Islam encourages. It gives marriage its serious character, which enhances its chances of success.

A marriage, which comes about after a love relationship may not be as glamorous or romantic as it, may sounds. There are two issues involved here. The first is the relationship, which exists between a man and a woman before the marriage takes place. This differs according to traditions and customs prevailing in a particular society. In Eastern societies, the love relationship most probably remains confined to an idealistic and romantic exchange of expressions of love. The girl is keenly aware that she must maintain her chastity and her lover will, in most cases, consider himself responsible to preserve the honor of the girl he loves. Nevertheless, they will try to meet, often in secret, and steal a moment of ecstasy when they express their longing for the moment when they can be united in marriage. While their feelings toward each other may not be reprehensible, if they are not involved in anything sinful, what they actually do may not be allowed in Islam. It is not permissible for a man and a woman to be alone in a closed room if they are not related. When two lovers meet, there is a burning passion within them, which may lead them to commit a sin. Hence, it is not the feeling, which may be the subject of disapproval, but what may come about as a result of such a feeling can be subject to strong censure.

In Western societies, everything is allowed between a man and a woman within marriage and before it. That is certainly unacceptable from the Islamic point of view. Islam has a highly serious moral outlook and it takes every precaution to preserve it.

The other point, which is involved, is what may be loosely termed a love marriage and its chances of success. It is a fact of life that when two people are in love, they tend to overlook each other's faults. Every one of them thinks the other to be perfect. When they are married and they have to face life together, they begin to see each other's faults. Every one of us has his weaknesses and points of strength. When we approach marriage in a careful, objective manner, we are more likely to be aware of what we are bargaining for. When our approach is that of love which blinds us to the faults of the beloved, we stand a greater chance of regretting what we are doing. In many Western societies, where love is the primary factor, which unites people in marriage, more than one third of marriages end up with divorce. A high percentage of marriages do not last more than two years. In Islamic societies, where the Islamic approach to the marriage is largely followed, the percentage of discontinued marriages is much lower. That testifies to the wisdom of the Islamic approach.

Matrimonial: Breach Of Promise To Marry Without Fair Justification

How to achieve forgiveness for unfulfilled promises? Let me give the example of a man who promises a girl to marry her but was unable to do so due to the firm opposition by his parents. How should he compensate that girl?

To start with, a Muslim should always fulfill his promises. The Prophet, peace be upon him, describes the non-fulfillment of promises as a mark of hypocrisy. This, however, applies mainly to breaches that have no reasonable justification. However, if one is unable to fulfill a promise, he should explain to the other party the reason for his inability and try to make him understand. It may be that going back on a particular promise may cause the other party some harm. In such a case, the two should try to work out some sort of arrangement, which reduces the harm as much as possible.

A promise for marriage is like all promises. It should be fulfilled unless there are compelling circumstances to go back on it. If there are good reasons for not going ahead with the marriage as in the case where the man learns that the woman has a bad nature, or that her moral standards leave much to be desired, then the non-fulfillment of the promise to marry her is justified. However, if it is likely to cause her some harm, then it will be good of the man to give her some compensation in the shape of a present. The point is that a man may divorce his wife. Hence, it is permissible not to go ahead with the marriage even after engagement, if one realizes that the marriage is likely to be an unhappy one.

If the non-fulfillment of the promise is not due to discovering any fault with the woman but is due to an unreasonable attitude by one's parents, then one should try to balance the two alternatives of going ahead with the marriage and declining to do so.

The parents do not have the authority to block a marriage of their son unreasonably. If the woman is a good person, strong of faith, with high moral values and a good nature, then there is no reason to stop the marriage simply to satisfy one's parents' whims. One should try hard to bring one's parents around to accepting this marriage by showing how good the woman is. If they continue with their unreasonable attitude, then it is not obligatory that their son should obey them, because he has made a commitment to another party and there is no reason to go back on that commitment.

Matrimonial: Breastfeeding & the Scope Of Blocked Marriages

My son was breastfed by my sister when he was young. Now he is a grown up man ready to marry. My sister has a granddaughter of marriageable age. Can she be married to my son?

Islamic ruling on breastfeeding is generally not understood. In order to make things simpler we should remember two basic facts. The first is that stated in the Qur'an, that there are 14 kinds of close relations to whom one may not be married. These include "Your sisters through breastfeeding". Here the reference is to a girl with whom one was breast-fed by the same woman as 'a sister'. No one may be married to his sister.

The other thing we have to remember in this connection is that explaining this rule, the Prophet, peace be upon him, has extended this area of prohibition to include relations through breast feeding, which are parallel to family relations through normal family ties, who are forbidden to marry.

In other words, it is not only the girl with whom one has been breast-fed who becomes his sister, all her sisters by the same mother are also elder sisters. Their daughters are not lawful for him to marry, because they are his nieces. The woman who has breast-fed him is his mother. Her sisters are his aunts whom he cannot marry. The sisters of that woman's husbands are also his aunts and he cannot marry any of them. The mother of that woman who breast-fed him is also his grandmother. These relations do not affect his brothers and sisters unless they have also been breast-fed by the same woman. Relationships through breast-feeding affect only the person who has been breast-fed and the family of the woman who breast-fed him.

In other words, if a person is breast-fed by a woman who is a total stranger to him, he becomes her own son. His brother, however, may marry that woman's daughter because he is not related to her. He himself cannot marry her, or her daughters, sisters, nieces, aunts and so on. In order to determine which of her relations he cannot marry, we have to think of him as her own son.

Matrimonial: Breastfeeding A Seven Year Old & Its Implications

What is the implication of giving A 7-year-old breast milk?

Breast-feeding that has an effect on marriage permissibility should take place before the child reaches two years of age, and should be given in at least five full feeds. When this takes place, the child is considered as a child of the woman who breast-feeds, and her children are the child's brothers and sisters. All her relations are related to him in the same way as they are related to her own offspring.

If the breast-feeding takes place after the child has passed two years of age, or if it was in a quantity less than five full feeds, then it has no effect.

Matrimonial: Bridegroom Staying In the House Of Bride

An ancient social custom in my part of the world differs from what prevails in most other places, in the sense that after marriage, it is the bridegroom who stays in the house of the bride. Some religious preachers from outside the city are now saying that this practice is contrary to the Qur'anic rulings. I heard a preacher saying in his Friday sermon that the Qur'an instructs a Muslim man who divorces his wife to keep her in his home during her waiting period. How can a man abide by this instruction if he stays in her house? Please comment.

I admit to my surprise that it is the social custom in your part of the world that after marriage the man stays in the woman's home. As you say, this is contrary to what prevails in most parts of the world. However, social traditions differ from one place to another and what is traditionally valued in one place may be horrifying to the population of another. Take for example the simple requirement of a dower made by the man to his prospective wife, as a requirement of the marriage contract. In some

places, within the Muslim world, this is reversed because it is the wife's family who pays a dowry to the prospective husband. The larger the amount of the dowry, the better the husband they may be able to secure. In the situation you describe as prevailing in your city, it is the wife's family who is responsible to provide a home for the prospective married couple.

My surprise, however, is much greater at those preachers you have described claiming that this is forbidden in Islam and giving the hollow argument of what happens in case of divorce. I am here judging by your statement. What I would have expected preachers who have had a sound Islamic education to do is to emphasize the rights and duties of each of the two marriage partners. To do so, they would need to emphasize that every Muslim must support his wife, even if she is better off than he is. He should provide her with accommodation, food, clothing and medical care according to his means. If he fails to do so, he is in breach of his duties and she may claim these by right. The best division of responsibilities in the family is that which the Prophet, peace be upon him, advised to his cousin, Ali and his daughter, Fatimah. The Prophet, peace be upon him, was the fairest of human beings. He treated all people on the basis of justice. Never did he favor any person if that meant being unfair to another. Indeed he could pay or incur a liability or responsibility, which he need not have incurred, if that meant that everyone would get his fair share. He would not be unjust to his own daughter, nor would he be unjust to his cousin who was married to her, for anything in the world. The advice he gave them was that the man was responsible for what is done outside the house and the woman was responsible for what is inside. This means that she takes care of the family home and the upbringing of children, while he works and earns the living of the family.

Having said that, I add that it is permissible for Muslims, regardless of what relationship they may have, to give each other by way of gift whatever they wish. It is not wrong of anyone to accept a gift except where it means bribery. The Prophet, peace be upon him, himself accepted gifts, although he never accepted charity. If a woman makes a gift to her husband, he is free to accept it. This applies to her dower and to anything else she may have. She may give him a house to live in, or she may gift him with the usage of the house, retaining its possession herself. What is most important to realize in this regard is that the gift should be given freely, without pressure or coercion. If a husband insists on his wife to give him a gift, large or small, then he is doing something forbidden. But if she gives him the same thing or an ever better one freely, he incurs no blame for accepting it.

In your situation, perhaps it is best to look at the tradition in your part of the world as a gift being given by the bride's family to the bridegroom. As such, he is free to accept it. It is not uncommon in parts of the world, where accommodation is scarce, for a rich father to give his daughter a flat or a house as a gift. He may have a variety of reasons for doing so, including securing his daughter's future after his death. He may think that should problems arise in her marriage and she gets divorced, she will have something to fall back on and she will not be abandoned. If the daughter gets married, she is free to make her house the family home, in which case, the husband moves into her house.

Let us now turn to the situation, which those preachers have mentioned and determine what are the responsibilities of the couple in case of divorce. When a man divorces his wife, by saying to her that he divorces her, she starts her waiting period, which lasts, until she has completed three menstrual periods or three periods of cleanliness from menstruation. If she does not menstruate, her term is three months. If she is pregnant, her waiting period lasts until she gives birth to her baby. During this time, she remains in the family home and her husband is not allowed to turn her out except in a case when she commits gross indecency. During her waiting period, the married couple may resume their marital relationship, which means the cancellation of the divorce and the reinstatement of the marriage. This does not

require a new marriage contract or a fresh dower. It only requires the agreement of both parties to the new arrangement. This system serves multiple purposes. One purpose is to allow the separating man and wife, a chance to reconsider after tempers have cooled down. They will be facing the prospects of going their separate ways and the closer the time draws for their separation, they will be thinking hard about their future. They may reflect on what has happened and determine that it may be in their best interest or in the best interest of their children to be reunited.

If the man is living in the woman's home, this obviously cannot be done because it is he who will have to leave the house. In most cases, it will be determined that practicalities require that the man should leave. This does not abrogate the waiting period, when the woman is not allowed to get married to someone else. It would only mean that they reflect on their situation when they are apart. The gift, which was given to the man in the first place, is no longer applicable. The man should still pay maintenance to his divorcee during her waiting period but it does not follow that he should take her to his own home. Perhaps we should mention here that another purpose of the waiting period is that the woman will have time to do her arrangements. She does not suddenly find herself in the street, if she has no close relatives to whom she may go. But if she is in her own home, this does not apply. In short, if the preachers have nothing more to say about the situation, I find their argument hollow and unacceptable.

Matrimonial: Calling One's Wife As Sister Or Mother

A friend of mine one-day called his wife as his sister. A friend then informed him that now his wife is no longer so, but rather he should seek a ruling on the status of his marriage. Please clarify.

It all depends on the man's intention when he said this. In pre-Islamic days, some Arabs used to punish their wives by saying to them something of similar import. An Arab would say to his wife, "You are to me the same as the back of my mother." God condemns this practice in Surah 58 and He describes it as invalid in Surah 33.

It is forbidden for any Muslim to do so, and if he does, then he incurs a punishment, which is specified in Surah 58. The punishment is to free a slave. If this is not possible because the person cannot buy a slave and free him, or because slavery is, by God's grace, eradicated, then the person concerned must fast for two months before his wife is lawful to him again. If one is physically too weak to fast, and there is no hope of his recovery in the foreseeable future, then he should feed 60 poor people.

Now, if this man who called his wife as his sister was merely joking with her, and had no intention of forbidding himself further marital relations with his wife, then nothing is required. However, he should refrain from doing so in the future. On the other hand, if his intention was to make his wife forbidden for him, then the case is the same as that of the Arabs of old. And this is known in Islamic Fiqh as Zihar, and it carries the punishment of fasting for two consecutive months before marital relations could resume between them.

Matrimonial: Children Of Second Wife

My second wife is a widow who has had two children by her first husband, a boy and a girl. I am told that when they attain the age of puberty, they are like strangers to my first wife and me. Is this correct?

Whoever told you that does not know what he is talking about. The children of your second wife have a special status in relation to you. If you read Verse 23 of Surah 4 which lists the women a man may not marry, you will find that a man may not be

married to the daughter of his wife by another marriage, once he has consummated that marriage. In other words, if you have consummated your marriage to your second wife, her daughter by her first husband will be unlawful to you to marry for the rest of your and her life. You cannot marry her if your second wife dies or is divorced.

The case of your wife's son is different because he is not related to you or to your first wife in any way. He is a stranger to your first wife and will remain so.

Matrimonial: Choosing A Husband

1. Can a Muslim girl select or choose her husband? What are her rights, duties and responsibilities? What are the duties and responsibilities of parents in respect of selecting a husband for their daughter? What should parents do if the daughter insists on her own choice?

2. I feel that what my mother and my family say about a man having a good background, family, manners, habits and education is not sufficient. I believe that it is most important that he should also be strong in faith. I am prepared to wait until I meet such a man, but I am under pressure from the family to marry a relative. My mother tells me that I must marry soon or I may remain unmarried for life. Can you please advise me about the criterion for accepting a suitor?

3. A young woman brings home a friend from abroad and tells her parents that she wants to marry him. When they tell her to wait while they check whether he is a suitable husband, she threatens them that she will marry him on her own if they do not consent. She also threatens that if they prevent her marriage, she will commit sin with the man. She argues that what she is doing is legitimate and they cannot stop her because they will be forcing her into what is forbidden. When they speak about making the proper arrangements for marriage, she forestalls them, saying that she wants only a small amount of dower, and that her intended husband will not pay for the Valima because his relatives live in a different country. The man tries to get the woman's family to pay for all the marriage expenses. May I say that this pattern of events is becoming common with the expatriate Asian community. Please comment.

1. Islam has established that every marriage must be preceded by the consent of the woman who is to be married. Whether she is a virgin or a woman, who had a previous marriage, her consent must be obtained before her father or guardian can act for her in any marriage contract. Indeed, when a marriage is conducted, the government registrar or other official must satisfy himself that it has the woman's full agreement. If someone is acting for her as her guardian, the government official will ask him to produce two witnesses who testify that she has authorized him to act for her in this marriage. Several are the Hadiths, which tell us that "a previously married woman has more authority over herself than her guardian. A virgin must be asked concerning her marriage. Her consent may be given by keeping quiet" [Related by An-Nasa'ie and Ibn Majah]. The distinction here between a previously married woman and a virgin is merely in the form of how consent is granted. A virgin may be too shy to state in words and she accepts to be married, while a previously married woman has learned practically that there is nothing to be shy about in marriage.

The idea of a woman being forced into a marriage against her own wishes is not acceptable from the Islamic point of view. A woman came to the Prophet, peace be upon him, and complained that her father had married her to his nephew without asking her consent first. She stated that the purpose of that marriage was that her

father wanted his reputation enhanced through that marriage. The Prophet, peace be upon him, annulled that marriage. When he had done, and the woman was free again, she said to the Prophet: "Now I am free. I willingly consent to this marriage. I only wanted it to be known that men have no say over women in their marriages."

It is often thought that because a father acts for his daughter in marriage, he can marry her to whomever he likes, without seeking her consent. People who suggest that make a very superficial judgment. By requiring a father or a guardian to act for the woman in her marriage, Islam emphasizes the woman's honor. Marriage in Islam is the way to establish a family, and this is conducted through families. Therefore, the woman appears to have the consent of her family to her own marriage. She does not appear as the weaker party in a civil contract.

In the light of the foregoing, we can state without equivocation that if a woman is forced into a marriage, then that is totally unacceptable from the Islamic point of view. Since her consent is a prerequisite for the validity of her marriage, therefore it is acceptable that she chooses her future husband. What we have to understand is that there is no rigid process of choosing a husband. If a man proposes to a family seeking to marry one of their daughters, then he must have based his choice on either first hand knowledge or proper investigation. Similarly, if the approach is made by the woman's family, then it must be based on a good knowledge of the man and his character.

As we all know, Islam does not allow the sort of free mixing between the sexes which is known in Western societies. If some aspects of that social mixing is practiced among certain sections of society in Muslim countries, then that is something Islam disallows. I wish it to be understood that I am not speaking of this type of free mixing when I am giving this answer. I am simply explaining that if a woman chooses a man as her future husband and the marriage is based on her choice, this is acceptable. What we are considering here is that in a certain situation, a woman is able to know the character and nature of a man and she feels, on the basis of her knowledge, that he can make her a very good husband. It is perfectly conceivable that a woman can acquire such a knowledge of a man, either because he is her colleague at work, or because she has had a chance to see him acting in different situations. Such a knowledge would enable her to understand his character and to find out that he can be a good family man.

When a woman has known such a man and wishes to marry him, she should speak to her family about it. Her father or guardian will take over and speak to the man either directly or through intermediaries. All this is appropriate. What is not appropriate from the Islamic point of view is that the woman should try to get the man into a love relationship with her as it happens in films or in Western societies. As I have emphasized on several occasions, marriage is a means to establish a family, and the family figures very prominently in any marriage right from the beginning. In cases where the admiration is mutual, as may happen if the two are colleagues at work, the man goes to the woman's father and puts his proposal. She indicates her consent to her father and the process is carried through.

If a woman selects a man as her future husband and he is considered to be good for her from the social point of view, then the father is required to facilitate her marriage. He may have to go to the extent of offering his daughter to the man as a wife. If some people find this strange, let me remind them of the Hadith which is reported by Omar Ibn Al-Khattab: "Hafsah bint Omar [Omar's daughter] became a widow when her husband, Khunais ibn Huthaifah, who was a companion of the Prophet, died in Madinah. I went to Osman ibn Affan and offered him Hafsah saying: 'If you wish, I will give you Hafsah as a wife.' He said: 'I will consider the matter.' I waited for a few days, then Osman met me and said: 'I have considered the matter and I do not wish to be married now'."

Omar goes on in his report: "I then met Abu Bakr and said: 'If you wish I will give you Hafsah in marriage.' Abu Bakr kept quiet and made no answer whatsoever. I felt more aggrieved with him than I was with Osman. After a few days, Allah's messenger proposed to marry Hafsah and I gave her away in marriage to him. I then met Abu Bakr, and he said: 'You might have felt something against me when you offered me Hafsah and I made no reply.' I answered in the affirmative. He said: 'what prevented me from answering your proposal is that I had learned that Allah's messenger had expressed his wish to marry her. I was not one to reveal the Prophet's secret.'"

All this makes absolutely clear that it is appropriate from the Islamic point of view that the marriage is initiated by the woman's family, either through her choice or that of her guardian.

2. There is no doubt that for a person of good faith, the only proper choice of husband or wife is a person of similarly strong faith. That would ensure that the family would move together in the same direction. The children will receive the same message from both parents. The Prophet, peace be upon him, advises every man to choose a wife who is strong in faith. And he tells the guardians of girls and women: "If a man whose faith and honesty you find satisfactory comes to you with a proposal of marriage [with a woman under your care], then accept his proposal. If you do not do so, there will be much strife and corruption in the land."

In the light of the Prophet's advice, which is for both men and woman, it is much better for a young lady to remain unmarried than to marry the wrong person. Hence parents and girls must be choosy. They must select only a husband who is likely to strengthen their resolve to live an Islamic life and to be good Muslims in every respect. If the parents do not pay heed to the Prophet's advice, their daughters will suffer the consequences.

3. It is very important to realize that Islam does not approve of compulsion in any situation. While compulsion in religion is prohibited in a clear Qur'anic statement, pressuring a person to comply with another's wishes is also wrong. It is not right for parents to force their adult sons and daughters to accept choices that they do not favor, even though they may feel that such choices are for their own good. Similarly, it is not acceptable that parents should be placed under pressure to accept choices that their adult sons and daughters prefer. Personal choice is the right of every individual, because ultimately we are individually responsible before God for our actions. A woman came to the Prophet, peace be upon him, complaining of her father's action: "Messenger of God! My father has married me to a cousin of his seeking to improve his own status through this marriage," she said. The Prophet, peace be upon him, ruled the marriage nullified, and gave her the right to choose. When she had regained that right, she accepted her father's choice, saying: "I only wanted women to know that men do not have control over their lives."

On the other hand, parents are given their due position of respect. Their sons and daughters must always be dutiful, giving their parents all they can to make their lives more comfortable and happy. They should know that invariably parents care for their children and hope that they will lead a happy life. When parents suggest something to their children, it is only because they feel that it is in their children's best interests. We cannot say that this applies to every individual parent in the same way. People differ, and there are always those who depart from the norm. Yet the normal situation is that parents try to help their children in every way they can, because they love them and want the best for them. Hence, God made dutifulness to parents an extremely important duty, mentioning it more than once in the Qur'an as second only to belief in His oneness:

"Worship God alone and do not associate with Him any partners. Be kind to your parents and near of kin." [Woman — "An-Nis'a" 4: 36]

"Your Lord has ordained that you shall worship none but Him, and that you must be kind to your parents." [Children of Israel — "Bani Israel" 17: 23]

It is certainly not kind or dutiful if a son or daughter says to their parents: "Unless you approve of my marriage to this person, I will have an illegitimate relationship with him or her." Those making such a statement may intend it only as a means of pressure to get their parents to approve the marriage. They may not even contemplate any illegitimate relationship with anyone, but making such a statement is unkind, as it puts the parents in a very difficult position. To start with, if the person concerned is serious and he or she may consider an illegitimate relationship, let them be honest about it by not placing the responsibility for their actions on their parents. If they are not serious, they should never utter such a threat. They should be kind to their parents and give them their dues.

What the parents in this case should do is to tell their daughter that they cannot accept rushing into a marriage without taking appropriate measures to establish whether the person concerned is a good match or not. Here we are not talking about financial status. We are talking about the man himself: Is he religious, honest, kind to his family, and will he make a good husband and a kind parent? Is he generous or stingy; considerate or selfish; etc? If the daughter does not allow her parents a chance to establish such information, then they should tell her to go away and lead the life she wants, because they do not accept responsibility for her choices. They should be firm with her, because they cannot let her dictate their own life as well as hers.

We should remember that if a woman marries someone without her father's approval, he can object to her marriage on grounds of incompatibility, and an Islamic court will nullify the marriage if incompatibility is proven. But this mechanism may not be available in many Muslim countries. What this tells us, however, is that if the principle of nullifying a marriage after it has taken place is acceptable, then objecting to it before it takes place is even more appropriate. Certainly a father can object to a marriage proposal to his daughter on several grounds, such as the prospective bridegroom's commitment to faith, character, or social status.

In this particular case, the man seems to take advantage of the girl's commitment in order to skip some or all the responsibilities that are incumbent on him. He should, for example, give his prospective wife a suitable dower, but he seems to have persuaded her to forgo this. Her parents should explain to her why Islam makes a dower necessary, and give it all to the wife to be her own property. It is not to impose hardship on the man, but rather to honor the woman. Having said that, I should add that dower should not be the criterion for accepting a husband or refusing him, so as to accept only those who can pay a large dower. It is the man that is most important. But the man seems also not to want to incur any expense, as appears from his reason not to wish to give a Valima. The Valima is a dinner offered by the husband to relatives and neighbors as a means to publicize the marriage and an occasion for the community to share in the joy of two of its families. If his relatives are living in some other country, there are neighbors and friends who should be invited. However, it should be remembered that the Valima is not obligatory, though strongly recommended.

Matrimonial: Choosing the Right Spouse

How important is it that a person who wishes to get married should have a permanent job and enough savings to have an expensive wedding? How about a person, who has enough to pay a dower and lead a decent standard of living, but cannot afford a luxurious wedding? What is needed to change the social view that only a wealthy bridegroom is worth

considering. May I also ask of a person who feels that he needs to get married but finds himself unable to arrange that? Should he resort to fasting? If so, for how long?

Islam encourages marriage and recommends early marriage for both young men and young women. It lays down a criterion for choosing the right spouse. In the case of a wife, the Prophet, peace be upon him, says: "A woman is sought in marriage for one of four things; her wealth, beauty, family and faith. Make sure to choose the one with strong faith." In this Hadith, the Prophet, peace be upon him, makes it clear that most of the considerations to which people attach great importance when choosing a wife, such as wealth, beauty and family, are of little value.

The important consideration is that she should have strong faith, because that is the one, which shapes her character and makes her a good wife.

Similarly, when a father receives a proposal of marriage for his daughter, he should consider the character of the suitor, not his wealth or family connections. The Prophet, peace be upon him, says: "Should a man whom you find satisfactory with regard to his honesty and strength of faith propose to you for marriage, then give him [your daughter] in marriage. Unless you do that, there is bound to be strife and much corruption in society." Again the Prophet, peace be upon him, does not attach any importance to the wealth or position of the man who comes with a marriage proposal. He speaks only of the man's honesty and strength of faith. The Prophet, peace be upon him, also warns that if we choose different criteria, our society will soon suffer from corruption.

Having said that, I should also explain that these criteria which the Prophet, peace be upon him, outlined are the ones to be given priority. Other considerations also have their importance, although they must never precede the ones the Prophet, peace be upon him, has outlined.

For example, if a family has to choose between two proposals from two persons who both meet the proper standard of honesty and strength of faith, then other factors such as the age of the suitor and his type of job or trade may be given their due importance. Hence, scholars have stressed compatibility as an important basis for accepting or rejecting a marriage proposal.

It is certainly against the teachings of Islam to make marriage difficult for young people by making excessive demands of dower, housing and furniture. These should always be of reasonable standard so that we do not discourage young people from marriage and cause a general delay in the marriage age in society.

This is unfortunately the case in some Muslim countries, where you find most people unable to get married before they reach their late twenties or early thirties. In some cases, people reach 40 years of age before they have a realistic chance of being married. That is a situation, which leads to much corruption.

Fasting is recommended to a young man who feels the urge to get married but is unable to marry for any reason. He is the one to decide how often to fast. There is no specific recommendation on this point. It is when a person feels that he is liable to slip into sin that he should resort to fasting. That weakens his desire and strengthens his resolve to resist any temptation he may be facing.

Matrimonial: Civil Marriages In A Registrar's Office

A marriage ceremony was conducted in a registrar's office in a European country, where the bridegroom was a Muslim and his bride a Christian.

The attending official was not a Muslim. Is this marriage valid from the Islamic point of view? If not, how will it be legalized?

From what I know about civil marriages in European countries, I tend to think that such a marriage is perfectly valid, if certain elements of Islamic marriage are observed. There are normally two witnesses in addition to the registrar and a clerk. The minimum requirement in Islam for a marriage contract is the presence of two witnesses. Any number of relatives and friends may also attend the ceremony at the registrar's office.

According to Islam, the bride's father or guardian should act for her. The civil authorities in a European country expect the bride to act for herself. If her father or guardian is present, then the marriage contract is perfectly valid. In an Islamic marriage, a dower should be mentioned as payable by the bridegroom to his bride. This is not taken into account in a civil marriage in Europe. The amount of dower can be agreed between the man and his wife either before or after the marriage. The validity is not affected.

As your questions concerns a marriage of a Muslim man to a Christian woman, the requirement of a guardian can be waived.

Some scholars are of the view that witnesses must be Muslims. But this is not a view to which all scholars subscribe. Many leading scholars do not stipulate that requirement. However, if the witnesses to that particular contract you have mentioned, or at least one of them, were Muslims, then the marriage contracts lacks nothing. Perhaps I would add there that there is no requirement that the required witnesses should sign a contract. This means that if there were a few relatives and friends, some of whom are Muslims at the time when the marriage contract was made, then the requirement of Muslim witnesses, which is stipulated by some scholars is considered to have been met. The Contract is valid from the Islamic point of view even though the witnesses who sign the contract may not be Muslims.

In short, the marriage contract you are asking about is valid from the Islamic point of view and needs no further legalization. However, to make doubly sure, the person concerned can go to the mosque or Islamic center in his country of residence, and ask the Imam or someone else there to go through the marriage contract with him. In certain European countries, you will find that the Imam will insist on having a civil marriage first before solemnizing the marriage in the Islamic way. This is in order to comply with requirements stipulated by the authorities in the country concerned.

Matrimonial: Concealing Infertility & the Ensuing Problems

At the time of her marriage, a woman's parents concealed the fact that she was unable to bear children from her husband. Now, the husband wants to treat her to see if she can conceive. She is worried, and she feels unable to reveal the situation to her husband. The same is the case with her parents. However, her brother-in-law wants this to happen, promising her parents that should she be divorced, he would marry her, because she would then be able to look after her deceased's sister's three young children. Can he do this on his own and reveal the facts to her husband?

There are two issues involved here. The first is the fact that an important matter was known and concealed from the husband at the time of the marriage. This entitles him to divorce her and not pay her dowry, because of the cheating element involved. However, it is important that the woman and her parents do not aggravate the situation by continuing to conceal the fact when he wants to seek medical advice. This will make him incur further expenses, and may expose the fact to him in a way

that is bound to create more trouble for the family. Hence, the only proper way for the woman and her parents is to come clean and explain the situation to the husband. If he is kind and loves his wife, he may decide to stick with her and forget about having children. He may, alternatively, decide to keep her but marry another woman to get children. Or he may divorce her. She and her parents should steel themselves to face the worst situation, but should come clean and tell him.

As for the brother-in-law, he should not interfere in the matter unless he is asked to do so by the woman or by her parents. Nor should he offer to marry her if she is divorced, even though he sees benefit for himself or his children in the matter. As long as she is married, he may not think of her as a future wife. Only if her marriage comes to an end, he may think of this possibility.

Matrimonial: Conducting Marriage In A Mosque

Could you please clarify whether conducting the marriage ceremony in a mosque is a Sunnah or a voluntary practice.

The important thing in marriage is publicity. One of the best forms of increasing publicity is to make the ceremony in a mosque, where not only friends and relatives are invited, but also people frequenting the mosque are in attendance. The Prophet, peace be upon him, says: "Publicize marriage, and hold it in mosques and mark it with playing the tambourine." [Related by Ahmad and Al-Tirmithi].

Needless to say, playing the tambourine is one way of showing pleasure. Similar methods, such as singing, are also encouraged. When the Prophet, peace be upon him, was told that the women in his household were attending a wedding, he said: "Why have they not taken with them a maid to sing?" He also suggested the wording of the song.

Matrimonial: Confession, Repentance, Forgiveness Or Punishment

After 12 years of marriage, a woman told her husband that over the last couple of years, she has had relations with a man, which stopped short of adultery. She pleaded for forgiveness and promised to be faithful to him. The husband felt that her repentance was sincere and that he should forgive her. They reckoned that they could continue their marriage without much difficulty. However, he has been wondering whether it was right of him to forgive his wife. Should he not punish her under Islamic law? If so, does her action deserve the punishment for adultery. If so, is he required to enforce that punishment, even though they live in a country where Islamic law is not implemented?

What I can understand from this letter and the other details is that the woman made her confession on her own accord. There was no pressure on her to do so, and there was no sudden discovery of the affair by the husband or anyone else. In other words, she could have continued with that sort of behavior feeling that she was unlikely to be exposed. Her conscience might have troubled her a great deal or her faith might have prompted her to make that confession and to repent. If that is the case, then we should remember that Islam lays much emphasis on repentance of sin. Whenever a person realizes that he has erred, he should always turn to God in sincere repentance, plead for forgiveness and resolve to maintain a path of total obedience to God in all situations. Islam does not make any great demands of a person who has slipped into error, committed one or more of the cardinal sins, if that person sincerely wants to mend his ways and seek a life of obedience. All that is required is an honest resolve not to go back to sinful ways, a declaration of repentance and a prayer for forgiveness.

It was in this spirit that the woman's husband was ready to accept her repentance. When she confessed to him that she has had an affair with a man, he recognized that she was sincere in her repentance.

That is the reason for his acceptance of her pledges. If he is sure that she can live up to her promises and lead a proper Islamic life, then God will reward him for helping her move back to the path of obeying God in all situations. It is a general requirement that Islam makes of the Muslim community to help one another stay within the framework of what is acceptable to Islam. This applies more particularly to a husband and wife. Their special and intimate relationship gives them a great opportunity to strengthen each other's resolve to be always obedient to God and avoid what incurs His anger. If this husband knows that his wife has really made a firm resolve to mend her ways, then he is strongly recommended to help her maintain that path.

What worries me is that, having chosen the right approach and having extended a helping hand to his wife to return to the path of goodness, he is now having doubts. He first asks whether it is acceptable from the Islamic point of view that he should forgive his wife. What is more acceptable than forgiving a repenting sinner? One wonders whether he doubts her sincerity in what she has declared to him. What I would like to point out to him is that he must act only on the basis of evidence. If there is no tangible evidence that she is still committing the type of error she confessed to have committed, then he has to try to dispel his doubts. One must never allow his attitude to be dictated by doubts. He should always try to be certain of his position, certain that the measures he adopts fit the situation he is dealing with and certain that he is not doing injustice to anyone. He must never act on mere suspicion.

On the other hand, if there are fair indications that she has not really mended her ways, and these indications clearly point out that her confession was merely a trick, or a device to avoid being found out, then it is time for him to take proper action. The first thing he must do is to try to be certain of his wife's position. If the evidence is clear that she is still misbehaving, then he should divorce her. But that is as far as he, as an individual, can go to remedy the situation.

The husband seems to wonder whether it is his responsibility to punish his wife for what she had done in the past. Let me tell him very clearly that Islam is not keen at all on enforcing punishment, even in a case where guilt is evident, though not properly confirmed. For example, if a person goes to a judge in a country which implements Islamic law and admits to having committed adultery, the judge will question him about his confession. It is the responsibility of the judge to establish that the man knows what he is admitting to have committed, and that he is of sound mind. When he has established that, he then orders the enforcement of the punishment. However, the person himself may withdraw his confession at any time. If he does, then no punishment is enforced.

At the time of the Prophet, a man admitted to having committed adultery. When the Prophet, peace be upon him, ascertained that the man did really commit that offense and that his confession was clear and given sincerely, he ordered that the man be stoned to death which is the punishment for adultery. When the people were stoning him, the man tried to escape.

When the Prophet, peace be upon him, was told that people chased him and continued the punishment, he said to them: "Would it not have been better for you to leave him."

The point is that Islam sees punishment as a deterrent. Its enforcement is not an objective. Therefore, the Prophet, peace be upon him, advises his followers: "Anyone

who commits something of this filth should seek the cover of secrecy extended by God. If he comes to us with a confession, we must enforce punishment."

It is clear that when the offense is established in accordance with Islamic requirements which normally has two methods — either a free confession or an appropriate testimony by a specified number of witnesses — enforcement of the punishment is not a matter of choice. A Muslim ruler must enforce it. If he does not, then he is guilty of disobeying God.

In respect of adultery, the punishment of stoning to death is applicable only to a married adulterer or an adulteress, who has committed the offense of adultery, which means sexual intercourse. Anything less than that does not incur that punishment. Moreover, any doubt about the person having committed the offense is sufficient as a reason for not enforcing the punishment. Indeed, the Prophet, peace be upon him, tells us not to enforce a specified punishment once there is a doubt concerning the evidence which seeks to prove the offense.

[Turning to God in sincere repentance, pleading for forgiveness and making a pledge not to repeat the error is required in any such situation. A good believer may opt for punishment in this world rather than suffer in the hereafter. With that objective, one may confess the offense before any Islamic law enforcing authority; such as a ruler or a judge, etc. Voluntary admission of guilt to person or persons who have no authority to enforce the punishment, is not obligatory.]

Matrimonial: Conflict Aggravated With Interference From Parents

May I put to you the case of a young married couple who is devoted to each other. However, the husband does not like his wife's parents because of their interference in his affairs, and he feels that they are unkind to him, trying to find fault with him. This has led to repeated tension and conflict between him and his wife. Despite the husband's warnings, the wife continued to listen to her parents who apparently did not do anything to defuse the situation. Rather, they let it deteriorate to the extent that after one heated argument between the couple, the wife's parents took her away and she has been with them for more than a month, making no contact with her husband. The husband has been advised by friends and others to divorce his wife, but he is unwilling to do that because he still loves her. However, he cannot bring himself down to take the blame for all the tension, which seems to be the objective of his wife's family. Please advise.

Such a situation does not happen overnight. It is the result of an accumulation of trouble. And no party is usually free of blame. Everyone makes mistakes, and unfortunately when tension rises, people tend to think of the mistakes of the other party, without giving a thought for their better deeds. The writer acknowledges that at one stage he behaved in a way so that his wife's parents would take it as an insult. Well, if he insults his parents in law, he cannot expect them to be very friendly to him. I can assure him though that both they and his wife understood why he did it, and were hurt by it. Therefore, if they and his wife are now taking a tough stand, it is because they feel that he was in the wrong. They are not likely to look at their own mistakes, in the same way that he does not give much importance to his mistakes.

In such a situation, it is always useful to resort to the method God has stated in the Qur'an:

"If you have reason to fear that a breach may occur between a [married] couple, appoint an arbiter from among his people and an arbiter from among her people. If they both want to set things aright, God will bring about their

reconciliation. God is indeed All-knowing, aware of all things.” [Woman — “An-Nis’a” 4: 35]

The important thing in all this is that the intention of both husband and wife should aim to achieve reconciliation. With such an intention, they have God’s promise of guiding them to its achievement.

People often do not give any thought to this procedure and rush instead into divorce. Divorce is a very serious step and must never be taken without careful thinking. It should be the last resort that is taken only when everything else has failed. Arbitration by two wise people, one from each family, has the advantage of making reconciliation of a family affair, with everyone trying their best to accommodate the other party. Moreover, in this way, the arbiters could easily overcome what either one of the couple will not compromise on their own. In the case of our reader, he feels that he must not make the first step, because it would end with him apologizing for something he does not feel to be wrong.

The wife’s parents may be adamant that without such apology, their daughter will never return to her husband. The arbiters could overcome all this in an amicable way that saves everyone’s face.

Matrimonial: Cultural Differences & Marital Discord

I have been married for 17 years and blessed with four children. My wife is an American with European background, but my family comes from Pakistan. When we got married, neither my wife nor myself cared much about religion. However, I have become more and more oriented toward religion in recent years. I [live in Atlanta, USA but I] have stayed for a year in a Muslim country but my wife and children stayed with me there only for two months. My purpose was that they should be exposed to Islamic culture and methods, but that did not work. Because of my increasing involvement with religious matters and the Muslim community, problems have arisen in our family life. There is much disagreement between my wife and myself concerning numerous matters, such as the schooling and hobbies of my children, how frequently they go to the mosque, etc. I have thought about divorce but it seems to create more problems than it resolves. Please comment.

When you have young children who still need long upbringing, divorce could add new problems to your life, which may be more serious than the ones it solves. My initial reaction to your problem is that divorce seems to be the wrong approach. Your children will be more influenced by their own circumstances and they may easily put the blame for all the difficulties they will face as a result on your religious attitude. Thus, they will come to view religion as divisive in family life. All this will be more pronounced if they are told which they will be, that prior to your moving to a more pronounced religious attitude, the family enjoyed a life of harmony and which made everyone happy.

You have also to remember that the change you have introduced in your life is a profound one because it affects your social leanings and outlook, as well as the type of people you associate with. Your family may not have felt any of the needs that brought you closer to your faith. Besides, as you say, she knows little about religion altogether.

How is she expected to fall in line with what you have introduced in your life when she does not really understand its importance? If you try to put yourself in her position, you will realize that she may feel that you have changed the rules in the

middle of the game. This is not an easy feeling for any one. Moreover, you are living in a non-Muslim country and your children go to school in that country. No child likes to appear different. They prefer to fall in line. Suddenly they are asked to be different and this is not a welcome change.

Having said that, I can appreciate that what is important to you is that your children receive good Islamic education to steer them away from the materialism and the permissiveness that are characteristic of life in the West. You cannot really do this unless you re-establish a proper family atmosphere in your home. To do this in your particular situation, you have to remember that Islam looks at every individual alone. You are not responsible for making your wife and children follow the Islamic faith. Nor is it sufficient for any person to follow Islam because he or she is brought up in a Muslim family. The limits of your responsibility is to teach your family about Islam, to seek for them the best understanding of its principles and beliefs so that they can make the choice of following it. But you have to remember that this is their own choice.

What I recommend you to do is that you should start by re-establishing a pressure-free atmosphere in your family. Your wife and children should feel that there is no imposition on them as a result of your change. That does not mean that you give a false impression of accepting what is unacceptable.

To continue to make your standpoint clear on every matter, but without bringing any pressure to bear on your wife and children to 'toe the line,' as it were. On the other hand, you should begin, preferably after a cooling down interval, to explain religious principles to your family. This may be done at two separate levels, one for your wife and the other for your children. Your declared purpose should be that they receive sound religious education to enable them to choose their way in future. It is good you have time for this, as your eldest daughter is 11 now. Your approach should be that of a caring farmer who provides all the necessary care for his plants during the cold winter months in order to have a splendid view of roses and flowers in the spring or a plentiful harvest yield in summer. If the farmer tries to precipitate matters, he will end up with nothing. If he is patient and caring, then the results of his efforts will make all his hard work appear well worth the while. May God enable you to do what is best for yourself and your family.

Matrimonial: Disclosing That the Suitor Is Impotent

Should one inform a family that a person who has proposed to their daughter is impotent, or he would be revealing a secret of another person?

If a man knows for certain that a suitor is hiding the fact of his impotence and trying to marry an innocent girl, he should inform her family. His intention must be to prevent cheating. If the suitor does this deliberately, knowing that he will not be able to have a normal relationship with his wife, he will have to account to God for his cheating.

God will satisfy the poor girl and her family and have their complaint redressed on the Day of Judgement. If the deliberate cheat is proven in court, the man may be punished according to Islamic law. If a third party informs the family beforehand, with the sole aim of warning them against a certain act of cheating, he is only 'enjoining what is right and helping to forbid what is wrong.' This is the duty of every Muslim.

Matrimonial: Divorce — A Detailed Review On

The Islamic Sharee'ah has placed a number of obstacles in the ways of divorce in order to confine it within the narrowest possible compass. Divorce without lawful necessity and without first exhausting all the other means mentioned earlier of

resolving the conflict is unlawful and is prohibited in Islam. Some jurists maintain it is injurious to both husband and wife, unnecessarily damaging the interests of the two, which, like the wasting of property, is Haram. "Do not harm yourself or others," the Prophet, peace be upon him, has instructed us.

People who divorce their spouses and marry others in order to enjoy a variety of sexual partners are liked neither by Allah nor by His Messenger. The Prophet, peace be upon him, called them "the tasters," saying: "I do not like the tasters, men and women," and "Allah does not like the tasters, men and women." Abdullah bin Abbas said, "Divorce is [only] in the case of necessity."

Prohibition of divorce during menstruation

When divorce becomes necessary, it is not permissible for the Muslim to implement it any time he pleases; he must wait for a suitable time. According to the Sharee'ah, this suitable time is when the woman is clean following her menstrual period or the period of perpetual discharge following childbirth and before her husband has resumed sexual relations with her, or when she is pregnant and her husband is aware of her pregnancy.

The reason for prohibiting divorce during menstruation or the period of puerperal discharge is that, since during such periods sexual intercourse is Haram, the idea of divorce may come to a man's mind because of sexual frustration and nervous tension. He is therefore advised to wait until his wife is clean and to divorce her then, if he is intent on divorce, before the resumption of marital relations.

Just as divorce during menstruation is Haram, it is likewise Haram between menstruation periods [i.e. "the period of purity"] if the husband has had intercourse with his wife following the termination of her previous period. Because it is possible that she may have become pregnant from this union, the husband may change his mind concerning divorce when he knows that his wife is carrying a child, desiring to stay married to her for the sake of the embryo in her womb. However, when the wife is in the period of purity but he has not had intercourse with her following the termination of her menses, or when she is pregnant and he is aware of it, he will be able to ascertain that his intention to divorce her is the result of deep-seated antipathy, and accordingly is permitted to carry through with the divorce. In the Sahih of Al-Bukhari, it is transmitted that 'Abdullah bin Omar mentioned [such a] matter to the Messenger of Allah, he became angry, saying: "He must take her back. If he still wishes to divorce her, he may do so when she is clean of the menstrual discharge before having intercourse with her, for that is the period of waiting which Allah has prescribed for divorce" He referred to the Ayat:

"O Prophet, when you [men] divorce women, divorce them during the prescribed periods." [Divorce — "At-Talaq" 65:1]"

Another version of this Hadith reads: "He commanded him to take her back and then divorce her when she is clean from the menstrual discharge or [otherwise] is pregnant."

A question now remains if a person does divorce his wife during these prohibited periods does the divorce become effective or not? The prevailing opinion is that it does become effective, although the husband will be considered sinful. However, some jurists hold that, it does not become effective, as Allah did not legislate it so and whatever is not legal cannot be correct or enforced. Abu Dawood, on sound authority, has transmitted that when Abdullah bin Omar was asked, "What would you say if a man were to divorce his wife during menstruation?" He related his own story of divorcing his wife during her period and the Prophet's commanding him to take her back, disregarding his pronouncement of divorce.

Taking an oath of divorce

It is not permissible for Muslims to take an oath of divorce, vowing that if particular event does not occur, his wife will be divorced, or to threaten her by saying that if she does this or that particular thing, she will be divorced. In Islam an oath may be expressed only in one specific manner, that is, in the name of Allah alone. Apart from this, no other form of oath taking is permitted. The Prophet, peace be upon him, said, "Anyone who swears by [anything] other than Allah, has committed shirk." and "Whosoever wants to take an oath should take it in the name of Allah or keep silent:

Where the Divorcee resides during the waiting period

The Islamic Sharee'ah requires that the divorced woman remains in her home, her husband's house, for the duration of her iddah [waiting period]. It is not permissible for her to move from the house, as it is likewise not permissible for her husband to evict her without a just cause. This requirement leaves the way open, during the iddah following a first or second pronouncement of divorce, for the husband to revert to his wife without the requirement of remarriage. Her presence in the same house with him makes it quite probable that the mutual sympathy and love between them may be rekindled. If she is pregnant, the passing of months will make her pregnancy obvious, which may be a further inducement to him to change his mind. In any case, ample time is at their disposal to reconsider the whole situation. With the healing effect of time, feelings of antipathy may give place to affection and reconciliation, and the revitalization of their love may occur.

"...And fear Allah, your Lord. Do not turn them out of their houses, nor shall they leave [of their own accord] unless they commit some clear immorality; and these are the limits set by Allah. And whoever transgresses Allah's limits indeed wrongs his own soul. You know not; it may be that Allah will afterwards bring some new thing to pass." [Divorce — "At-Talaq" 65: 1]

If they must separate, it should be done with dignity and kindness, without mutual abuse, injury, recrimination, or infringement of rights, Says Allah Ta'ala:

"Either retain them in kindness or part with them in kindness..." [the Cow — "Al-Baqarah" 2: 229].

"For divorced women a provision [shall be made] in kindness, a duty for those who are conscious of Allah." [the Cow — "Al-Baqarah" 2:241].

Repeated divorce

The Muslim is allowed three chances, that is to say, three pronouncements or acts of divorce on three different occasions, provided that each divorce is pronounced during the time when the wife is in the period of purity and he has had no intercourse with her.

A husband may divorce his wife once and let the iddah pass. During the period of iddah, the two have the options of being reconciled without the necessity of remarriage. If, however, this waiting period expires without reconciliation, they are now fully divorced. Each of them is free to marry someone else or to remarry each other; should they want to remarry each other, a new marriage contract is required.

If after the first divorce the husband is reconciled with his wife but later the hostility and conflict begin all over again, all efforts at reconciliation and arbitration resulting in failure, he may divorce her a second time in the same manner as described above. In this case, too, he can return to her during the iddah without remarriage, or after the iddah has expired through a new marriage contract.

But it may happen that although he is reconciled with his wife again after the second divorce, he may later divorce her for the third time. This will then be a clear proof that the hostility between the two of them runs very deep and that they are incapable of living together. If this third divorce takes place, it is not possible for the husband to return to his wife during her iddah nor may he remarry her after the iddah unless she has been married to another man, to live with him as a permanent and true wife, and he then subsequently divorces her. It is, however, totally prohibited for the other man to marry and divorce her simply in order to make her halal for her first husband.

Those Muslims who utter three divorce pronouncements at one time or in one statement are rebels against Allah's law and are deviating from the straight path of Islam. Once the Prophet, peace be upon him, was informed about a man who had pronounced three divorces at one time. He got up in anger, saying, "Is sport being made of the Book of Allah while I am [yet] among you?" As a result, a man stood up and said, "O Messenger of Allah, shall I not kill him?"

Reconcile honorably or separate with kindness

When the husband has divorced his wife and the period of iddah is passing, he has two alternatives: either to reconcile with her honorably - that is, to return to her with the intention of living in peace and harmony, and not in order to torment or harm her - or to free her and part with her in kindness by allowing the iddah to expire without arguments and harsh words, and without setting aside any of their mutual rights.

It is unlawful for him to return to her just because the iddah is due to expire in order to torment her by prolonging the waiting period, thus depriving her of the opportunity to marry someone else. This was something that was done in the period of Jahiliyyah. Allah Ta'ala then prohibited this injury to women in a very decisive manner, using a style of expression which makes the heart quake:

"And when you have divorced women and they have fulfilled the term [of their iddah], either retain them honorably or release them honorably; but do not retain them in order to injure them, for this is transgression, and whoever does this has wronged his own soul. And do not take the revelations of Allah in mockery, but remember Allah's favor upon you and what He has sent down to you of the Book and the Wisdom, to instruct you by means of it. And be conscious of Allah, and know that Allah is aware of everything."
[the Cow — "Al-Baqarah" 2:231]

A little reflection upon this noble Ayat of seven phrases, containing warning after warning, reminder after reminder, ought to be sufficient for anyone who has any feeling in his heart or any hearing when it is recited.

The woman's right to demand divorce

The woman who cannot bear to live with her husband has the right to free herself from the marriage bond by returning to her husband the mahr [required marriage gift] and gifts he has given her, or more or less than that according to their mutual agreement. It is, however, preferable that he should not ask for more than he has given her. Allah Ta'ala says:

"...And if you fear that the two may not be able to keep to the limits ordained by Allah, there is no blame on either of them if she redeems herself ..."[the Cow — "Al-Baqarah" 2:229]

The wife of Thabit bin Qais came to the Prophet, peace be upon him, and said, "O Messenger of Allah, I do not approach Thabit bin Qais in respect of character and religion, but I do not want to be guilty of showing anger to him." The Prophet, peace

be upon him, asked her about what she had received from him. She replied, "A garden". He asked, "Will you give him back his garden?" "Yes", she said. The Prophet, peace be upon him, then told Thabit, "Accept the garden and make one declaration of divorce."

It is not permissible for a woman to seek divorce from her husband unless she has borne ill treatment from him or unless she has an acceptable reason which requires their separation. Said the Prophet, "If any woman asks her husband for a divorce without some strong reason, the fragrance of the Garden will be forbidden to her."

The prohibition of ill-treatment to elicit divorce

It is Haram for the husband to torment and mistreat his wife in order to compel her to seek a divorce so that she will return to him all or part of the property he has given her. Only if the wife is guilty of clear immorality, may her husband demand the return of all or part of the mahr to him. In this regard Allah Ta'ala says:

"...Nor should you treat them with harshness in order that you may take away part of what you have given them, unless they are guilty of open lewdness." [Woman — "An-Nis'a" 4:19].

It is also Haram for a husband to take back anything from his wife because he hates her and wants to divorce her so he can marry another woman. As Almighty Allah says:

But if you decide to take one wife in place of another, even if you have given one of them a heap of gold, do not take [back] anything of it; would you take it back by slander and a manifest wrong: And could you take it back, when each of you has been privately with the other, and they [the wives] have taken a solemn covenant from you? [4:20-21]

The prohibition of the oath of desertion

One of the aspects of Islam's concern for the rights of women is that it prohibits a man to be so angry with his wife as to discontinue sexual relations with her for a period, which she cannot bear. If this abandonment of sexual relations is accompanied by an oath on his part, he is given a limit of four months in which to calm down and revert to her. If he comes to his norms and resumes sexual relations before the expiration of the four months, it is possible that Allah may forgive him for his excesses and open the door of repentance to him; however, he must still do the penance prescribed for a broken oath. If, on the other hand, this period expires and he has not returned to her, his wife is divorced from him as a just punishment for his neglect of her rights.

Some jurists hold that the divorce is automatic at the expiry of four months and no judgment from a court is needed. Others, however, require that at the end of the period the matter should be referred to the judicial authority, who will then give them the option of reconciliation or divorce. [Added: That is variable in keeping the laws of various countries, but religiously they are automatically divorced.]

Such an oath of abstention from the wife is technically known in the Sharee'ah as eela. Concerning it Allah Ta'ala says:

"For those who take an oath of abstention from their wives, a waiting period of four months [is ordained]; if they return, indeed, Allah is Forgiving, Merciful. But if their intention is firm for divorce, then, indeed, [Allah] is Hearing, Knowing." [the Cow — "Al-Baqarah" 2: 226-227]

This period of four months has been specified to give the husband ample time to calm himself and to restore the relationship of his volition. Moreover, four months is normally regarded as the maximum period a woman can endure separation from her husband. Commentators on the Qur'an narrate the following incident in support of this opinion:

Caliph Omar found that a woman's husband had been gone on a military expedition for a long time. He then asked his daughter Hafsa, the widow of the Prophet, "How long can a woman endure separation from her husband?" She replied, "Four months." Subsequently, the caliph of the Believers decided that he would not send a married man away from his wife for a period exceeding four months.

Matrimonial: Divorce — Beget Children Or Else.

I have been married for four years during which my parents-in law have put too much pressure on me to beget children, going to the extent of forcing me to have surgery and to try to conceive through the test-tube baby technique. We even have three frozen embryos waiting to be placed inside me for gestation. I went through too much stress and agony right from the beginning. However, the cause for my failure to conceive lies with my husband and this is clear from tests carried out on both of us. He had promised me never to divorce me, but now he is saying that he cannot refuse his parents' request to divorce me. He also says that he obtained a ruling from scholars in Deoband that he must obey his parents in this request. I have told him that it is better for the two of us to live in our own house, but he has not provided me with that, although it is not difficult for him to do so. He says that there is much pressure on him, with his father threatening to disinherit him. Furthermore, the father is insisting that I will have to spend my waiting period in my parents' home. It is now several months since we are separated with him living abroad, and he has not yet acted on his parents' request. I will be grateful for your advice.

I am not sure whether an outline of the Islamic view on the different aspects of this problem will go a long way in helping the parties to sort it out. It appears to me that at least some of the parties are not interested even to find out the Islamic view. The husband's father, for example, threatens to disinherit his son if he does not divorce his wife. Has he bothered to find out whether this option is open to him under the Islamic law? The fact is that no parent, or any one for that matter, may disinherit an heir for any reason. The identity of the heirs and their respective shares are a matter that God Himself has determined in a very elaborate system of inheritance which He has laid down in the Qur'an. For anyone to try to disinherit any one of his heirs is an act of aggression on God's authority. It represents a claim of equality with God, since a law can be amended only by one who is either equal or superior to the one who made the law. That is not accepted from anyone.

On the other hand, begetting children is also something that God determines in His wisdom. He says in the Qur'an:

"He grants whosoever He wills female offspring, and He gives male offspring to whomever He wills; Or He may give them both male and female, and He may leave others sterile. He is All-Knowing, Able." [Counsel — "Ash-Shura" 42: 49-50]

two verses spell out very clearly the fact that the creation of human being, or any other creatures, is a matter of God's will which is free of all restrictions and influences. If He has determined that a certain couple will not have children, there is

no way that they will get a child, no matter what medical treatment and technology is available to them. On the other hand, if He decides to give a couple a child against all indications that show that the couple could not have a child, nothing will prevent His will. There was a case of a woman in Scotland who had an operation to stop her getting pregnant. This operation is practically the total answer to unwanted pregnancies. Yet she was pregnant in a few months. I have a friend who was told by a top specialist in Britain that there was no possibility that his wife would ever get pregnant, and before the year was out she had given birth to the first of her children. With her background, my reader should fully understand this. It is certainly wrong that her husband's family is putting so much pressure on her in the matter of having a child.

I do not know whether it is wise to use the test-tube technique in this case, but then again, it was not the Islamic view that the family sought before deciding on a particular line of action. To determine whether the embryos that have been produced through this technique should be placed in the woman's womb for gestation or left to die is an intricate question that could be answered only after a thorough study of the case. However, if she conceives through this method, the child is illegitimate unless both the sperms and the egg were taken from the couple themselves. The use of a third party is not acceptable.

On the question of divorce, I think my reader should review her situation with her husband and his family very carefully. From what she writes, it appears that it may be in her interest that this marriage is dissolved. However, the way she is trying to keep her marriage suggests that she has not given up on her husband yet, and that she believes that if left to themselves, she and her husband can still make their marriage successful. That is perhaps the reason for her attempt to settle with her husband in his own home. I can tell her that this is her right if her husband can afford that. It is also her right to be given a chance to solve her problems in consultation with her husband, or through the appointment of two arbiters, one from her family and the other from her husband's family.

As for the rulings her husband claims to have had from the scholars of Deoband, I feel that, if true, the ruling does not take all factors into consideration. What we need to remember is that a scholar gives his ruling on the basis of the question, which is put to him. If he is asked whether a husband should obey his father when he tells him to divorce his wife, the scholar is likely to answer that he should, provided all other methods have been exhausted. If the question is qualified with the introduction of certain factors that affect the case, the answer is likely to differ. Therefore, our reader should request her husband to agree that the two of them should apply together for a ruling, after both of them agree on the phraseology of the question. He will be surprised that the answer is certain to be different. Hence, we should not read too much in the answer he has already got.

What I should say when a reader puts to me a general question whether he should obey his father if he asks him to divorce his wife is to tell him that his wife also has rights which he must make sure to respect and fulfill. Judging only by the information my reader has supplied; I feel that if her husband divorces her for the reason he has given, he may be guilty of injustice. God does not accept injustice, even when it is the result of a son obeying his parents.

The Prophet, peace be upon him, says: "No creature may be obeyed in what constitutes disobedience to the Creator." In a Qudsi Hadith, God is quoted as saying: "My servants, I have forbidden Myself injustice, and have made injustice forbidden among you. Do not be unjust to one another."

If her husband divorces my reader, only to please his parents, without considering her rightful claims, then he could easily be guilty of injustice. It is wrong of him to do

that. The least he is expected to do is to try to give his wife her full rights, including a fair chance to look at what is needed to make their marriage successful. That could be through proper discussion between the two of them, or through the mediation of two arbiters, or in consultation with other people who could give a neutral opinion. Whatever is decided at the end should be based on full justice on both parties.

As to what her husband tells our reader of the pressure and stress he is under, may I remind him that in Islam, a man is considered a shepherd in his own household. He should take care of his family as a shepherd takes care of his flock. He must not let that pressure produce injustice at his own hands to those who he is supposed to look after. It is he who will be asked by God on the Day of Judgement whether he has taken care of his flock or his wife in this case. As he remembers his duty toward his parents, he should also remember that the Prophet, peace be upon him, has told us all: "Take care of your women."

Is he acting on the Prophet's advice when he divorces his wife to please his parents when she has done them no wrong?

Matrimonial: Divorce — Brief Reunion & Then Divorce

A worker here went home on vacation and learnt that his wife had an extra-marital relationship with someone in his absence. He was advised by friends and scholars to divorce her. Accordingly, he wrote her a divorce note and addressed it to her at her parents' home where she was living. In the meantime, she came to him and he questioned her about her misbehavior, but she declined all knowledge of that. He did not tell her about the divorce note, because he feared that she might go to the police and he would be arrested. He sent the divorce note after he came back to Saudi Arabia. On receiving it, she went to the police and the police now want him in his home country. If he goes back, he will be arrested, and will remain behind bars until the court has decided the case. What he is worried about is the relationship between them when she came to him after he had written the divorce note. She had not yet received it and was not aware that it would be coming to her. Was this relationship between them sinful?

First of all this man should realize that he should not take such a drastic step as divorcing his wife until he is absolutely certain of her misconduct. Apparently he was not, because when she came to him and denied that, he welcomed her to stay with him and to resume their marital relationship. In that period, he was in an indeterminate relationship with her. She stayed with him as his wife, when he had already written a divorce note and dared not send it, or even say to his wife that he was divorcing her. Certainly in this case it was necessary, because doubt could easily lead to injustice. God does not approve injustice to anyone, least of all to those for whose welfare we are responsible. There is something wrong in the situation where this man lives with his wife for a couple of weeks, when he knows that he is intent on divorcing her because of her alleged misconduct.

As to the relationship between them, the man is within his rights if he divorces his wife, even though the law in his country requires the divorce to go through a certain process. However, Islam does not like its followers to fall foul of the law under which they live, provided it gives them their rights. Hence, it would have been better for this man to initiate the divorce according to the law in his country, in order not to expose him to punishment.

The question now is what relationship the couple has had since the writing of the divorce note. The answer is that, since the man is fully intent on divorcing his wife,

the divorce takes effect immediately, and the woman should observe her waiting period once she is aware of it. When she came to him and he accepted her, going back to full marital relationship, this constitutes a reunion or a remarriage, because it took place within the woman's waiting period. From that moment, she was back as his wife. However, he sent her the divorce note after leaving India and coming back to Saudi Arabia. This constitutes a second divorce, and she should again observe a waiting period lasting until she has completed her third menstruation after the divorce.

When the point is reached, the divorce process is complete and she is free to marry another man, if she wishes. As this is the second divorce, they could be reunited again in marriage but should they divorce again, that would be final and they cannot be reunited a third time. This means that the relationship between the couple, after the first divorce note was not sinful, because it constituted a remarriage. God says in the Qur'an, concerning the waiting period of a divorcee: ***"During this [waiting] period, their husbands are entitled to take them back, if they desire reconciliation."*** [The Cow – "Al-Baqarah" 2: 228]

Matrimonial: Divorce — By A Person Determined Mad

Is divorce valid when the husband is confirmed to be mad?

To be valid, divorce should be pronounced by a person who is in full control of his mental powers. When a person suffers from something that makes him lose control of his mind, his divorce, should he pronounce it, does not take place. Thus a person who is clinically mad, which means that he does not realize the significance of what he says, is not in a position to pronounce divorce. So, if he does so, his divorce is invalid.

Having said that, I should add that we must distinguish between a mad person and one who suffers some form of mental illness, such as depression, anxiety or obsession. In normal, day to day use, people may describe such a person as mad. His own family may do so. Whether such a person is really mad or not is a matter to be determined by a competent psychiatrist. What is important for action and effect is to make sure whether or not a person is in control of his mental powers.

Matrimonial: Divorce — Can Divorce Be Forbidden?

Can divorce be forbidden and if so, under what circumstances?

God has permitted divorce, because in many cases it is the only way out of a problem. Things may deteriorate within the family to the extent that the continuation of the marriage becomes a greater evil than its dissolution. For this reason, God has made it permissible for Muslims to terminate marriage with divorce and has given each of the two parties certain rights and imposed on them certain obligations. However, Islam makes it clear that marriage is meant to be permanent. The Prophet, peace be upon him, describes divorce as "the most detestable of all things permissible." This description is sufficient to make us realize that, from the Islamic viewpoint, divorce is a bitter medicine, which relieves a worse situation.

There are many situations in life, which could influence the verdict given in any particular question. Thus, something may be forbidden but rendered permissible in a particular situation. This applies when the harm, which is caused by the prohibition is greatly outweighed by the need to waive that prohibition. Take for example, the eating of pork. It is forbidden in all normal situations. However, if a Muslim finds himself without food for a couple of days and there is absolutely nothing available to him except pork and he fears for his life, then eating that pork does not only become permissible, but also obligatory.

With regard to divorce, it certainly can be forbidden. That is when a man divorces his wife, knowing that she has no one to look after her and she will come to harm as a result. He has no reason to divorce her except a desire to humiliate her or deprive her of her chance to lead a decent life. In such a situation, the divorce is made in a vengeful way, either to please a second wife, or to demonstrate one's ability to inflict harm, etc. In such a situation, divorce is certainly forbidden because of the intention behind it and its likely outcome.

Matrimonial: Divorce — Child Born In Only Six Months Of Marriage

I was married to a girl who became a Muslim a few days before our marriage. My parents sent her back when she gave birth only six months after our marriage. Doctors suggest that the baby is not mine, as it is fully matured, weighing 2.5 kg. I am told to divorce her. Should I?

The first point to be made here is that most Muslim scholars agree that the shortest possible duration of pregnancy is six months, after which a woman may give birth to a developed baby. If a woman gives birth after six months, it is not possible for anyone to accuse her of adultery. At the time of Omar [May Allah be pleased with him] a woman gave birth to a baby after six months. Ali was assigned to inflict on her the punishment for adultery. But Ali [May Allah be pleased with him] whom he had appointed judge, told him that he would be exceeding his authority if he did that. Ali referred to two verses in the Qur'an, one stating that the full period of breast-feeding extends to two years. The other mentioned that the total period of pregnancy and breast-feeding is 30 month. Simple arithmetic shows that a pregnancy for six months is possible. Omar let the woman alone.

When you married this woman, you were aware that she was not a virgin. Her past sins are overlooked because she became a Muslim a few days before your marriage. Since you accepted her as she was, then you must not go back on your word and make issue with her about what she did before she married to you or question her. For this period of time, you are able to judge whether she has the features of making of a good Muslim wife or not. Only you can answer this question. If you know her to have become a good Muslim and she has stopped un-Islamic practices since she became a Muslim, then it is probably best for you to keep her. On the other hand, if she has not taken her conversion to Islam seriously, then you should consider leaving her.

There is another highly important point to consider. Although the shortest possible duration of pregnancy is six months, she might have been pregnant when you got married to her. Only she can tell. You should, therefore, emphasize to her the importance of knowing whether she was pregnant or not at the time when the marriage contract was made. If she was pregnant, then you should have a new marriage contract, because your marriage is not valid. It is not permissible for a Muslim to marry a pregnant woman until she has given birth. The Prophet, peace be upon him, says: "Anyone who believes in Allah and the last day must not irrigate with his water a seed planted by another person."

You should appreciate the figurative method of expression here. It does not refer to true irrigation because a fetus does not need any such irrigation. It is also reported that a man discovered that the woman he had married was pregnant. He put the matter up to the Prophet, peace be upon him, who nullified the marriage, gave the woman her dower and ordered the woman to be flogged 100 lashes, which is the punishment for fornication. You have to determine the status of your marriage in the light of the foregoing, but you must not treat your wife with suspicion, particularly if you know her to be honest. If you know her not to tell lies, and she tells you that she was not pregnant at the time of your marriage, you should accept that statement from her.

Matrimonial: Divorce — Conditional

Having tried hard to discipline his wife, without much success, a man writes down what he wants her to do. He gives her that paper after he has written clearly at the bottom of it: "Disobedience of these instructions would be tantamount to divorce." She nevertheless disobeys his instructions and he immediately stops his marital relationship with her. Is she actually divorced? Do they require a remarriage, if they wish to resume their marital relationship?

Islam views marriage and divorce very seriously. The Prophet, peace be upon him, says that there are three matters which must be taken seriously, whether they are said in earnest or jest. These are: "marriage, divorce and freeing of a slave." If we reflect for a moment on this wisdom of making all talk on the freeing of slaves serious, we understand how much Islam cares for the feelings of those who are in a position which makes them vulnerable to abuse by other people. Let us imagine for a moment a slave whose master tells him that he would be free after three days or when he has completed a particular assignment, etc. Then three days later, or on the completion of the assignment, the master tells the slave that he was only joking and that he did not expect him to take his words seriously. The slave would be broken-hearted and he could easily harbor ill feelings toward his master. Now that slavery has disappeared, thanks to Allah, such a cruelty does not take place. We can appreciate, however, how Islam cares for the feelings of those who are vulnerable.

As we all know, Islam has allowed divorce because it is needed as a solution for social problems. However, a husband who wishes to divorce his wife must abide by the rules, which Allah has laid down, and the Prophet, peace be upon him, has explained and elaborated, for the divorce to be proper and valid. For example, a husband must make sure that the time is appropriate for him to divorce his wife. It is forbidden for a man to divorce his wife when she is in her menstruation period or after they had sexual intercourse during a period of cleanliness from menstruation. It is also forbidden to divorce her three times on the same occasion. But hardly any divorcing husband pauses to consider whether the time is right for him to divorce. The majority of people tend to think that unless they pronounce the word of divorce three times, the divorce is not valid. They thus hasten to utter something, which Allah has forbidden. They earn his displeasure and land themselves in trouble. When the Prophet, peace be upon him, was told that a man divorced his wife three times together, he was very angry. He said to his companions: "Is Allah's book to be taken lightly when I am still alive among you?" [Related by An-Nasa'ie]. Abdullah ibn Abbas reports that Rukana ibn Abd Yazeed divorced his wife three times on the same occasion, and he was very sad for having done so. The Prophet, peace be upon him, asked him: "How have you divorced her?" He answered: I have divorced her thrice. The Prophet, peace be upon him, asked: "On the same occasion?" When the man answered in the affirmative, the Prophet, peace be upon him, said: "That is a single divorce. You may remarry her if you wish."

The Islamic system does not allow for conditional divorce. Thus, if someone says to his wife, "you are divorced in three months time, or at the end of the year, or when I have arrived at my office, etc." she continues to be his wife at the end of the period he has specified or on his arrival at his office. This is simply unacceptable as a way of divorce. Many prominent scholars are of the view that a conditional divorce is not valid. The family law of Egypt, which has been based on the Islamic law, does not recognize such a divorce.

I am more inclined to the ruling given by Imam ibn Taimiyah that a conditional divorce is considered on the basis of the circumstances of each case. When a man tells his wife that she is divorced if she does something he specifies, then he will

have to answer a simple question: would he prefer to see his marriage terminated rather than see his wife do what he told her not to do? Or was he simply using the threat of divorce in order to frighten her into obeying his instructions? If he says that his statement was only meant as a warning, then no divorce takes place as a result of her disobedience. On the other hand, if he insists that he meant his statement as divorce, because he would rather divorce her than see her doing what she did, then that is a divorce. In this latter case, the man has clearly meant his words to be a divorce. Hence, the divorce takes place. This means that each case is treated on its merits and according to the intention of the husband.

[If we apply this rule to the case in question, the husband should judge his intentions at the time he wrote the note and come to his own conclusion.]

Matrimonial: Divorce — Conflicting Rulings

1. After being married for eighteen months, my nephew had an argument with his wife, which resulted in her departure to her parents home. Twenty-five days later, he called her by telephone to ask her to come back. However, on the phone they argued again and, in a state of extreme anger, my nephew pronounced the words " I divorce you " four times. Regretting what had happened, my nephew consulted several scholars and he came out with two different rulings. The first, according to Fiqh, says that as he divorced his wife more than twice, he cannot be reunited with her without an intervening marriage of his divorcee to another man. The other ruling, according to Qur'an and Hadith, says that all four pronouncements count as one divorce, and as such, the divorcee can be reunited in marriage. Their families are at a loss and do not know what to do in the face of these two conflicting rulings. Could you please clarify the situation? May I say that my nephew is a follower of Qur'an and Hadith.

2. I read many questions and answers regarding divorce in your paper, but unfortunately the exact process is not yet clear to me. Could you please let me know how a man can divorce his wife and what instructions he should follow, and when the process is complete, what are the duties of an ex-husband towards his divorced wife.

Let me first of all say very clearly that there is no such thing as Fiqh which can be taken as something separate from, or put in opposition to Qur'an or Hadith. Fiqh is a branch of Islamic scholarship which explains the details of Islamic legislation on the basis of commandments and instructions stated in the Qur'an and the Hadith. Different scholars may arrive at different conclusions on a particular subject, because they may not have the same statements in Hadith available to them. The Qur'an is available to all, but some of its statements may be given in general terms with Hadith explaining or qualifying them. The two rulings your nephew received from scholars in his hometown are both given by scholars of Fiqh on the basis of the Qur'an and Hadith. Wherever a person goes in the Muslim world, he is bound to be given the same two rulings by scholars. Not only so, the same scholar may explain to him both rulings. How is this possible?

The answer is the supporting evidence for each ruling. There is no doubt that both have very valid evidence. We cannot dismiss either ruling out of hand, nor can we ignore its basis. Scholars of highest repute in our history subscribed to either one or the other. How can then a layman manage his own situation and which ruling he should follow? The simple advice is that he should go to a broad-minded scholar and explain his case. He should make sure that the scholar does not strictly follow a particular school of thought but rather is one who gives a judgment on each case according to its merit, and as he deems most suitable to the people concerned, using

any judgment given by different schools of thought as long as it has sufficient supporting evidence to keep the inquirer within the boundaries of what is acceptable from the Islamic point of view.

I do not think that much purpose can be served by a detailed discussion in a newspaper like ours of the different factors relevant to each of the two rulings. However, I can say very briefly that the one which makes a divorce pronounced three times on the same occasion count as three divorces came into operation during the time of Omar without disagreement by any of the learned companions of the Prophet, peace be upon him. It was more in punishment for a degree of abuse of the Islamic process of divorce. There is no disagreement among scholars that to divorce one's wife three times or more on the same occasion is forbidden from the Islamic point of view because it is an abuse of a legitimate procedure.

When the Prophet, peace be upon him, was told by one of his companions that he divorced his wife one hundred times on the same occasion, the Prophet, peace be upon him, was very angry. He addressed his companions in such terms, "Is Allah's Book to be trifled with when I am still alive among you?"

However, the overwhelming majority of people who divorce their wives three times on the same occasion nowadays do so out of ignorance. They think that unless they pronounce the word of divorce three times, the divorce is not valid. Hence an explanation of the divorce process in Islam needs to be given time and again until people get to know how to approach divorce which is disliked by Allah, should they ever need to resort to it. Perhaps I should add that divorce in Islam is a very simple process but well entrenched misconceptions tend to obscure it. Here it is in simple terms:

Essentially marriage is a verbal contract and its dissolution is normally made verbally. When a man intends to divorce his wife, he should make sure that she is not in her menstruation period and that the two of them have not had sexual intercourse during her current period of cleanliness from menstruation. If either case is there, i.e. if the woman is in the period or if sexual intercourse had taken place, then to effect a divorce at that particular time is forbidden. They should wait until the woman has finished her period or until she has had her next period. The divorce process is started with a simple utterance of the words "I divorce you," or "I divorce _"[naming one's wife]. This should be done ONCE ONLY. This can also be done in writing and sent by post. From that moment, a woman starts her waiting period, which lasts until she has completed three menstruation periods or three periods of cleanliness from menstruation. If she does not have the period either because she is too old or too young, then her waiting term lasts three months. If she is pregnant, the waiting term continues until she has given birth. During this time, she stays in her home, i.e. her family home where she has been living with her husband. He is not allowed to turn her out. He is required to maintain her through this period but may not share the same bedroom. She is not required to do any housework. The waiting period provides both divorcees with time to reconsider their situation. If they wish to be reunited in marriage, they may do so within the waiting period without any need to have a fresh marriage contract or to pay a fresh dower. If they do not resume their marriage until the waiting period is over, then the divorce process is complete and the woman returns to her parents' home and is entitled to get any deferred portion of her dower. She is not entitled to any maintenance for herself from her ex-husband. If, however, she has the custody of any young children, they are entitled to be supported by their father. Both are also entitled to maintain their normal relationship with their children. On the other hand, if the divorcees want to be reunited in marriage after the waiting period is over, they may do so provided they have a new marriage contract and the woman receives a new dower.

This whole process may be done twice. If a man and wife go through the divorce process for a third time, whether they were reunited each time during the waiting period or after it, their divorce this time is final, in the sense that they cannot be reunited again in marriage without an intervening marriage by the woman who must be married to another man in the normal course of events. This means that to all intents and purposes the divorce is final. If the woman receives a proposal from someone else and accepts it and marries him, her marriage must be intended for life. If, however, she gets divorced after a period of time, may be a year or may be ten years, or longer or shorter, she may return after the end of her new waiting period, to her first husband if both of them think that this time their marriage may be successful. I must emphasize here that this intervening marriage must not be arranged for this purpose, as many people unfortunately do. If it is specifically arranged for this period, and the man hired for the purpose agrees to go through it for one night or a week or whatever, everyone involved is committing a serious sin. Moreover, such an arrangement has no effect whatsoever. In other words, the woman cannot return to her first husband on the basis of such an 'arranged' intervening marriage.

Having explained the process of divorce, I should say to my first reader that his nephew may consider his divorce to be a single divorce. He can be reunited with his former wife after having a new marriage contract, since her waiting period is over. He should tell his nephew that to divorce his wife three times on the same occasion is forbidden. Perhaps I should add that the family law of several Muslim states adopts this ruling as the standard one. By doing so, the scholars who have codified the family have given due consideration to what serves the interests of the Muslim community and the fact that many people pronounce three divorces at the same time out of total ignorance. His nephew should not be confused by the two rulings and let him not think that to follow Fiqh is different from following the Qur'an and the Sunnah.

Matrimonial: Divorce — Consent Of the Wife

A man in India wants to divorce his wife but she objects. He left home to work abroad and during a period of 2 years he sent no letters or money home. Will this attitude help him to get the divorce? If not, what should he do to get the divorce?

I think this man is confusing certain aspects of the Islamic method of divorce with the civil requirements for divorce. In Islam, it is not necessary for a husband to obtain his wife's consent to be able to divorce her. The Islamic law and way of life makes the husband the one to lose more as a result of divorce. Hence, he can divorce his wife without her agreement. If this man wants to divorce his wife, he may do so at any time he wants, but he must observe the Islamic legal provisions in this case, and give her whatever is due to her. It is not necessary either that a husband should disclose to his wife his reasons for divorcing her. What is most important is to deal with her fairly in all situations.

This man has not observed this last point over the last two years when he was working abroad. He did not send letters or money to his wife. He is indeed responsible for her living expenses, but he left her in a terrible position, hanging in the air without any support, not even the psychological one of writing regularly. He does all this in order to make his divorce easier. In fact he makes it harder, because by neglecting his responsibility, he generates feelings of injustice and abuse on her part. Such feelings can only cause attitudes to be hardened.

Matrimonial: Divorce — Cool, Callous & Cruel

May I ask about a man who wants to divorce his wife in six months time, but does not want to disclose the reason for that? Will this be acceptable?

I am concerned about this case where a man says that he wants to divorce his wife after six months. It seems a cool and callous decision, as if the man feels that he can make use of his wife for the time being, but will divorce her when he no longer has any use for her. That seems to be too cruel. If things are so bad between him and his wife, why wait for six months?

Matrimonial: Divorce — During Wife's Mental Illness

May I put to you the case of a woman who has been suffering from a mental disorder for several years and was on medication. She has been married for over 25 years and gave birth to three normal and healthy children. She was on psychiatrist treatment for sometime. In her condition, she had frequent disputes with her mother-in-law. She had to be admitted to hospital, but the very second day, her husband divorced her. Is this right? Is the divorce valid?

This question should be looked at from two different angles. Firstly, the validity of the divorce. The answer is that it is valid, if the husband took the proper action of divorce, which I have explained on numerous occasions. The right to divorce has been given to the husband as a means of ending the marriage, while a wife is given the right to end the marriage by khula'.

Secondly, we should look at the case from the point of view of the mutual care God requires man and wife to take of each other. The Prophet, peace be upon him, says: "Everyone of you is a shepherd and responsible for his charge. A man is a shepherd looking after his family and children, and he is responsible for them, and a woman is a shepherd in her husband's home and property, and she is responsible for her charge." Hence, the husband is responsible to provide the best care he can afford for his wife and children when they are ill. Needless to say, when he divorces his wife during her illness, his action suggests that he is abdicating his responsibility. God will certainly question him about that on the basis of His knowledge of the man's intentions.

This woman was certainly in a very difficult situation, suffering from a mental disorder over which she had no control. To find herself cast away as a result makes her feel unwanted and hard done by. Her husband would have earned a great reward from God, had he remained patient with her and provided her with the necessary care.

Matrimonial: Divorce — Equality Of Men & Women

Islam recognizes the equality of men and women. Why, then, does a man have the right to divorce his wife merely by saying three words in presence of witnesses, whereas the same right is not granted to women? Where is the equality? I know a few Muslim women who are always in fear of being divorced this way. This becomes a source of tension, particularly when it is very difficult for a woman to earn her living independently and lead the same sort of social life, while a man is totally unaffected. I do not find any apparent equality on this aspect, despite the repeated claims by scholars. To my understanding, any reasoning to prove equality on this aspect is no more than forced justification, which is so often, practiced by the legal

profession to which I belong. Would you please convince me on this aspect, or do you find my question too provoking to answer or to publish?

I am privileged to receive this letter from a lady lawyer who is genuinely interested in a very important aspect of Islamic law. I would assure my reader that I am not in business or seeking 'forced justification.' It is clear that I do not consider her question too provoking, and I would certainly not duck the issue involved. I am, however, a firm believer in the Islamic system and in the true equality it establishes between men and women.

Before answering her question, I seek to establish two points. The first is that 'true equality does not necessarily mean 'absolute equality.' There are certain differences between men and women, some of which are physical, and others psychological, while still others relate to the roles, which they play in life and society. Hence equality must take these differences into consideration. If we were to treat men and women without consideration to these differences, we may easily commit injustice to either sex.

The second point is that the Islamic system must be considered as it is applied to the Muslim community. We cannot take the Islamic system in isolation from the community in which it is meant to apply. That community is a believer community in which God-fearing is a quality of ordinary people. It affects their behavior in all situations. This is not to say that all people in a Muslim community would be role models for a perfect Muslim. It simply says that in a Muslim community an individual has certain social and legal pressures to bear on his behavior and bring it, as far as possible, within the Islamic code.

From the Islamic point of view, marriage is a contract between two parties who are considered equal. Yet men are given a point of privilege with regard to termination of this contract. This is stated clearly in Verse 228-229 of Surah 2 in the middle of a long passage on the legislation that concerns divorce.

"Divorced women must wait for three monthly courses. And it is not lawful for them to hide what Allah has created in their wombs, if they sincerely believe in Allah and the Last Day. Their husbands are best entitled to take them back as their wives during this waiting period, if they desire reconciliation. Divorce may be pronounced twice; then either keep the wife with honor or let her leave gracefully. And it is not lawful for you to take back anything out of what you have given them. There is, however, an exception to this; if you fear that they might not be able to keep within the limits imposed by Allah, there is no harm if both agree mutually that the wife should obtain divorce by giving something as compensation to the husband. These are the bounds set by Allah; therefore do not violate them, for those who violate the bounds of Allah are the transgressors." [the Cow — "Al-Baqarah" 2: 228-229]

How is this possible? The answer lies in the nature of the roles assumed by men and women in Islamic society and their respective responsibilities. In a Muslim family, the man must look after his wife. She need not provide even a very small share of the family expense, although she may be better off than her husband. He has still to maintain her, [even] if she earns an income double his own. If the marriage breaks up, he must provide for her during the waiting period, and pay her any outstanding portion of her dower. If they have young children, he must pay for their upbringing, even though they may remain with their mother. So meeting all the expenses of the family living remains his own in addition to the payments due to the divorced wife. If he is to marry another woman, he must pay her a dower. If he wishes to be reunited

with his divorced wife after her waiting period is over; he must pay her a fresh dower.

This shows that the man stands to incur a heavy financial loss if the marriage breaks up. Hence a man must think very carefully before he decides to terminate his marriage. If the woman is given the same right to terminate the marriage at any moment, she would impose on the man financial commitment which he may not be able to undertake and which are not allowed for in the marriage contract. How is it possible that action is taken by one party and the consequences are borne by the other?

When the woman is divorced, she need not worry about her living. She goes back to her family, which is responsible for her living. If her father is alive, he is responsible for her in the same way as before her marriage. If he is not alive, then her brothers or uncles assume that responsibility. If she has no relatives, the state should provide her maintenance.

Yet Islam is aware that a marriage may go wrong and there may be genuine reasons for the women to wish to terminate it. Hence, it provides a fair way for her to obtain the termination of her marriage without difficulty. She may apply for this termination known as Khula. She does not provide any justification for her request other than that she does not want to stay married to her husband. Certain rules apply in this case which require her to refund the dower she received from her husband at the time of marriage. So, it is not true that a man is the only partner to be able to terminate the marriage easily. Termination is easier in this case, but she also may obtain that result without difficulty.

Having said that, I must add that what is practiced nowadays in Muslim countries may be at variance with Islamic law. There is much abuse of the law of divorce which results from two main causes — people's life has become far removed from that envisaged by Islam, and the prevailing ignorance of their privileges and obligations under Islamic law. Hence a return to Islamic life would bring justice to all concerned.

Matrimonial: Divorce — Granted By A Non-Muslim Judge

I converted to Islam many years ago. Recently, some family problems caused me to leave my husband in order to protect my daughters. My parents, who are not Muslims, forced me to seek divorce which was granted under the American civil divorce law. Later my husband pronounced Islamic divorce, yet he told our son that I could go back to him anytime, although he has married again. At the time of my marriage, my husband agreed that he would not marry a second wife without my permission. Yet I did not agree to his second marriage. Could you please explain what is the status of my marriage, and whether my husband's words to our son constitute a revoking of the divorce he had pronounced. Suppose I was in the period when he pronounced the divorce, would the divorce still be valid?

On May 7, 2000, the Islamic European Council for Fatwa and Research issued a Fatwa, or a ruling making a divorce issued by a non-Muslim judge in a European country valid for Muslim couples. Naturally, this Fatwa applies to other countries where Muslims are a minority, such as North and South American countries, Australia, etc. The Fatwa goes as follows:

The proper thing for a Muslim is to refer any question that needs a judgment to a Muslim judge or someone deputizing for a Muslim judge. However, since there is so far no Muslim court to which Muslims can refer their disputes in non-Muslim

countries, it is imperative for a Muslim who made his marriage contract under the laws of such countries to enforce the decision or ruling of divorce taken by a non-Muslim judge. When a Muslim agrees to enter into a marriage contract under the same non-Muslim law, he implicitly accepts all the consequences of such marriage under that law. One of these consequences is that only a judge can terminate such a marriage.

This can be treated as a delegation of rights by the husband [to the judge], which is permissible according to the majority of Muslim scholars, even though the husband has not verbally made such a delegation of rights. A relevant rule of Islamic law states: "What is known by tradition has the same effect as a stated condition." Moreover, enforcing the rule of law, even though it may be a non-Muslim law, is permissible on grounds of ensuring benefits and preventing harm and chaotic conditions. Many prominent scholars have stated this, such as Al-Izz ibn Abd Al-Salam, Ibn Taimiyah and Al-Shatibi.

This ruling by the council answers numerous cases and establishes a rule that enables Muslim couples living in non-Muslim countries to settle their disputes while observing the law of the countries in which they live. On the basis of this ruling, it is clear that the divorce issued by the American court in the reader's case is valid, regardless of whether her husband was at the time willing to divorce her or not. She was the one who applied for divorce, as the American law gives her the right to do so. Besides, under Islamic law, it is open to a woman to seek the termination of her marriage in accordance of what is known as khula'.

When this is established, the whole issue of her husband's pronouncement of a divorce according to Islamic law becomes superfluous, because they were already divorced when he did so. This also makes the question of her being in the period at the time immaterial.

As for the second marriage of her former husband, it is a valid marriage. The condition she speaks about may be valid while she is married to him. Since her husband's second marriage took place after she was divorced from him, that condition was no longer valid.

The reader also asks whether her former husband's words to her son constitute a re-instatement of their marriage. The answer is definitely not. Such re-instatement requires first of all that the man should use words to that effect and intend them as revoking the divorce.

It also requires that the woman's waiting period should not have expired, which most probably it had. After the waiting period is over, re-instatement of the marriage requires a fresh marriage contract with witnesses and the stipulation of a new dower, or mahr.

Matrimonial: Divorce — Husband's Refusal To Divorce

After a few months of marriage, I realized that every thing was going wrong, and we were having serious problems. I asked my husband to divorce me, but he has not responded. We are living in two different countries: he lives in India, his country, and I live in the US where, I am a citizen. How can I ask for Khula' if he refuses to divorce me?

Islam allows the dissolution of marriage at the request of the wife in two ways: a divorce ordered by the judge if she proves that she is being subjected to harm in her marriage and Khula' which does not require any proof.

The latter does not need to have any particular reason to be freed of her marriage bond. Khula' is a termination of the marriage contract at the woman's request because she feels that her interests lie elsewhere. Since in Islamic marriage the husband bears more of the cost, the woman is required to refund to her husband all the dower he had paid her at the time of marriage.

On the other hand, divorce preserves the wife's right that she is subjected to harm in her marriage for a judge to order her divorce.

You need to study your situation carefully to determine whether you can resort to either option to terminate your marriage. If your husband has abandoned you to live in his home country, and he does not support you, you can also apply for divorce. On the other hand, you might have been the one to choose to live apart. Your husband might be willing to take you if you would agree to live with him in his own country. In this case, your living apart would not be a valid reason for divorce at your request.

Since both of you are living in countries where the law is different from Islamic law, it is much better that you come to an agreement on your future relationship. What you have to do is to try to resolve the matter amicably. You should write to your husband asking him to dissolve the marriage in a proper Islamic way.

If he refuses or turns a deaf ear, you write to him again saying that he is forcing you to resort to the American law for a termination of the marriage, and that you consider any nullification of the marriage by an American court to be a Khula'. I hope that he will save you asking this final resort by being cooperative and settling the matter in an amicable way.

Matrimonial: Divorce — Ill-treatment As the Basis For Divorce

After one and a half years of being married, a woman obtained a ruling from an Islamic court nullifying her marriage. The basis of the ruling was the ill treatment she received from her husband who used to beat her up and demand money from her. Her former husband was sent several notices with at least one of these notices published in the local paper, but he failed to appear in court. The court then granted her the nullification. The woman is now married to another man, but recently that husband was told by a scholar that such a Khula is not valid, without the consent of the first husband which means that the woman is still married to the first husband and her second marriage is null and void. That caused the couple no end of distress, particularly since they have had a child recently. Please comment.

Sometimes I get very angry when I receive a question like this. My anger is not directed at the parties concerned but at the outsider who voices an opinion which has a far-reaching effect on the lives of several people without paying due regard to the circumstances of the case or studying the problem in depth.

The reader speaks of a scholar telling him that such a Khula is not valid without the consent of the first husband. What he did was to look at the question from the specific point of view of Khula, and then he voiced his opinion on the basis of his school of thought. This means that there are two limiting factors in how he has dealt with the problem which involves the legitimacy or otherwise of a marital relationship. That is very bad indeed. I do not know the man or the country where he comes from, but I can guess his school of thought and I feel that he might not have studied anything outside it. That is not the way a good scholar should look at a problem like this with all its practical implications. This is not a case of Khula in the first place.

Khula is the nullification of the marriage at the request of a wife which may not have a reason other than the wife feeling that life with her husband does not give her the fulfillment a woman expects from a happy married life. In Khula the woman pays back her dower to her husband and her waiting period lasts only for one menstruation period, according to the weightier opinion, to ensure that she is not pregnant. When the Khula takes place, it does not count as a divorce.

Here the case is one of divorce by the judge on the basis of ill treatment. In such cases, the judge has to make sure that there is undoubtedly ill treatment, which makes life with the man intolerable. The judge determined what sort of proof to demand in order to satisfy himself that the claims of the wife are true. Here we are told that the man beats up his wife. If he acknowledges that, then that is the best proof, but this could also be proven by other means, such as witnesses who may be neighbors or relatives. We are also told the man used to demand money from his wife. He sent her to her parents frequently to get him that money. This is again another form of ill treatment, which could make life intolerable. The judge in this case has done what is required when he sent repeated notices to the husband to attend the hearing, and when he published an announcement in the local newspaper. If the husband does not attend the court after all this and the judge is satisfied that the ill treatment is a fact, then the judge is within his jurisdiction to order the nullification of the marriage. That nullification is considered a divorce by the judge, which is a single divorce. This is another difference between this sort of nullification and Khula.

The second husband of this lady may rest assured about the validity of his marriage. He need not worry or ask any one's opinion since a court of Islamic law orders the nullification. What is the purpose of asking anyone when no one would give the case the sort of in-depth study and consideration as the court would do?

Matrimonial: Divorce — In Anger

On discovering that his wife has visited her parents against his express instructions, a husband was very angry. During their subsequent quarrel he said to her "I divorce you. I divorce you. I divorce you." Later on, he repented and started asking about ways and means to reinstate his marriage. Please comment.

I invite you to reflect on the Hadith, which states: "It is not a mark of strength to be able to overcome an opponent in a physical fight. The mark of strength is to control one's anger." This man has proved himself to be too weak according to the standard set by the Prophet, peace be upon him which is the best and most accurate standard. He certainly should have known better. Why should he have allowed himself to divorce his wife in a flight of anger? Why could he not deal with the matter in a cool, deliberate way, as Islam recommends? Besides, marriage is not something to trifle with so that divorce could be brought about in the extreme circumstances of anger. That is not the way Muslims should deal with one another, let alone a Muslim man with his wife.

Besides, if this man is so furious as to divorce his wife during an angry quarrel, simply because she visited her parents, then he should re-examine his whole attitude. Unless there are very valid and compelling reasons for his attitude toward his parents-in-law, a man must not adopt the unhealthy attitude of arbitrarily ordering his wife not to visit her parents. Indeed, a Muslim is always kind to his relatives. A Muslim man should be the one who encourages his wife to maintain a good relationship with her family and facilitate her in showing her dutifulness to her parents. If he, instead, orders her to boycott them, then he is wrong and he does his wife an injustice.

Scholars mention that divorce in anger does not take effect. But that means that the divorcing man should be in a state of blind anger which does not enable him to realize what he is actually saying. To judge whether this ruling applies to any particular case, the man should be asked after he has divorced his wife. If he says no, then the divorce does not take effect. If he was aware of it, then the divorce is valid.

The fact that he has mentioned the word of divorce three times on this occasion is immaterial. This is a single-time divorce, which is revocable. The divorced wife should observe a waiting period, which is normally around three months. During that time she stays in her husband's home and they can reinstate their marriage by mutual agreement and having witnesses. If the waiting period is over, they can remarry again with a new marriage contract and a fresh dower to be paid by the husband to his wife.

Matrimonial: Divorce — Intention Counts When Pronouncing

1. After three years of marriage, during a quarrel with my husband, he said to me Talaq, when I was pregnant with our first child. However, we sorted out our quarrel and resumed our married life. A year later, the same thing happened again, but my husband says now that he does not remember it. A year ago, i.e. two years after the second incident, another quarrel took place, during which my husband said Talaq six times and then said, 'I am giving you divorce', repeating it twice. At the time I was pregnant with our second child. A few days later we made up and resumed our married life again. However, someone told us that now we are fully divorced and cannot live together. Please explain.

2. A relative of mine who has occasional disagreements with her husband allows the situation to get out of hand sometimes. On one occasion, she wrote him a note saying she wanted a divorce, and he wrote in reply OK and signed the paper. They subsequently settled their differences and started living normally. Later on, the same thing happened and she asked verbally for divorce. He said he had no objection and gave that in writing as well. Again they reconciled, but now they worry about their status. Please advise.

1. I cannot give you a valid opinion about your situation unless you confirm what was your husband's intention when he said the word Talaq, on each of the three occasions. You see, the word means 'divorce', and if it is said on its own, it could mean anything. A divorce process is set in motion when a husband says to his wife, 'I divorce you', or words to this effect. The word your husband used could mean different things, depending on his intention. It could be a threat or a warning or an actual divorce. This last possibility could be the one if both of you, or people in your community, understand it as a substitute for the sentence, 'I divorce you'. His intention at the time makes all the difference.

If it was meant as a warning or threat, then it has no effect on your marriage. If it was intended as an actual divorce, then the divorce process was started. It counts as a divorce even though you subsequently made it up and resumed your marriage. No one can tell you anything without this clarification, which must be honest and true.

The third case is perhaps a little easier. When your husband said the word of divorce six times, he seems not to mean it as an actual divorce. Rather, it sounds as someone considering the matter, repeating it time after time.

What makes me say so is the fact that he followed this with the sentence, 'I am giving you divorce'. This sounds as though a process was going through his mind, first considering the possibility and then making a decision. Now the other sentence, 'I am giving you divorce', could be interpreted as a declaration of intent or as taking an action there and then.

If it is a declaration of intent, it has no effect on your marriage until the intention is carried out. If it is an action being taken, the repeated sentence counts as one divorce. Again only you and your husband could determine this.

What you have to do is a heart-search exercise, determining the intention in each of the three cases. The fact that your husband does not remember the second case is problematic, with scholars having different opinion in such a case. Your husband should try to remember, making an honest effort, and keeping in mind all the time that it is a question of making your marriage lawful or making it a relationship of adultery.

He cannot deceive God. So, if he honestly does not remember divorcing you on the second occasion, then it did not happen. If he is in doubt and you are clear that he did, then a second divorce took place, and now you have the third one.

Assuming the worst, if he says that on each of the three occasions, his words meant 'I divorce you now', then you have exhausted all possibilities of reunion in marriage. Since you have resumed married life, this is totally invalid and you are living in sin. You must separate immediately and you cannot be re-married again, unless you first marry someone else and live with him intending that this marriage is permanent. If this other husband then dies or divorces you at a future time, then you can go back to your first husband.

But you must understand that this cannot be arranged so that this marriage is meant for a short duration, in what is known as *halalah*. *Halalah* is forbidden and cannot have any effect on whether you can return to your husband or not.

On the other hand, if your heart-search exercise indicates that on one or more of the three occasions, he did not intend his words as an actual divorce, but as a threat or a declaration of intent, then you can remain married.

The number of divorces you have had depends on which occasion was a divorce and which was not.

Having said this, I should warn you that in such a matter you and your husband have to be very honest with yourselves and with God. It is far better that you should separate, if you have had three divorces, and never reunite than to live in sin for the rest of your lives. You will be facing God on the Day of Judgment, and He knows for certain your intentions and your secret thoughts. You cannot cheat Him. Hence, be honest with yourselves, at least for the sake of your children and determine your case as it is.

2. If we assume to start with, that divorce took place on both occasions, the couple have exhausted their chances of divorce.

They are perfectly all right in their marriage status now, but if they divorce again, this would be the final. They cannot divorce and marry again. Therefore, they must be extremely careful. They should banish any thought of divorce from their minds, unless they actually want a final break without a possibility of remedy. God tells us in the Qur'an that "**divorce may take place twice.**" [2: 229] This refers to a revocable divorce where the couple wishes to be reunited in marriage. A third divorce is irrevocable and the break is final.

Now it is pertinent to ask whether the divorce actually took place or not on each of the two occasions. Let us take the first occasion: the man wrote on the note of paper requesting divorce, "OK". We need to ask him if he meant by his answer that he was actually divorcing his wife. It all depends on his intention at the time. If he was merely writing this as part of his quarrel with his wife, with no intention that he was divorcing her, then no divorce took place. The Prophet, peace be upon him, says: "Actions are but by intentions." So divorce would have taken place if it were so intended. If not, how could the divorce be initiated?

Consider for a moment how writing Ok may be interpreted. She writes to him she wants a divorce, and he writes back OK. He could have meant; "OK. What do you want me to do now?" Or, "OK. Carry on and explain your intentions." Or, "OK. Have you considered what it entails?" Or, "OK. Are you in a condition when divorce may be made?" Or, "OK. When shall we discuss the details." So, you see there could be several other interpretations of what he might have intended.

He is the only person to tell whether he meant by OK that he has divorced her. If in all sincerity he says that he did not intend it as a divorce [recognizing that God knows his intentions], or that he was simply saying to her, "I will divorce you, if you insist", then no divorce had taken place.

Nearly the same thing applies in the second case, if all his response was "I have no objection". What did he actually write and sign? Had he written, "I divorce you" or "You are hereby divorced," then that is a divorce and it is valid. But if he simply wanted to say that he had no objection and that he would divorce his wife if she really wanted a divorce, then again no divorce had taken place. [If the couple mutually agreed to live as divorced people — like using separate bedrooms or different houses, as some often do, then that in itself establishes an intention to divorce.]

The couple needs to review the matter carefully and decide whether they were actually divorced or not. If they were, then they have exhausted their chances and they must be very careful in future. If they were not divorced, then they must also be very careful, because divorce is a very serious matter and it must never be taken casually.

Matrimonial: Divorce — Laws Changed In India

Could you please comment on the attached article, which appeared in "Indian Express" on changes proposed to the Muslim personal law concerning divorce? May I say that we always welcome any amendment, which aims to safeguard the rights of divorced women? The proposed changes are based on a ruling given by the Jama'at Ahle Hadith declaring the pronouncement of divorce three times at one sitting as invalid and ineffective. Hence, supporters of this ruling want triple divorce at one sitting to be abolished. This is enthusiastically supported by the All India Muslim Women's Organization.

The newspaper article which you have sent me speaks of pressure from the All India Muslim Women's Organization to try to reform the personal law affecting divorce to bring it in line with a ruling by the Jama'at Ahle Hadith. It goes on to speak of the abolition of a triple divorce at one sitting in countries like Pakistan, Sudan, Turkey, and Egypt. It then refers to certain cases where hardship has resulted, particularly to the divorced woman and her children as a result of the enforcement of the present law, which considers a triple divorce as a third divorce. Because this is a highly important subject, I will explain the matter in detail, although I have spoken about it on more than one occasion. It is often easy to misinterpret certain aspects of the

question and then draw the wrong conclusions. In this particular instance, we have such a mistake in the newspaper article. For example, the ruling of Ahle Hadith is cited as "declaring the pronouncement of three Talaq [i.e. divorce] at one sitting as invalid and ineffective." I very much doubt that the ruling says so much. Most probably the ruling described the triple divorce as "forbidden", but certainly neither invalid nor ineffective. I will discuss this point further presently.

First, let me explain that according to the Islamic system, a divorce can be revoked and the marriage reinstated twice. In other words, a man may divorce his wife once and then be reunited with her in marriage under certain conditions. This whole process of marriage, divorce and remarriage may be done twice. If the marriage is re-established for the third time and then a third divorce takes place, then that divorce is final and no reinstatement of the marriage can be effected unless certain conditions are met. These provide for the woman to get married again first to another man. The marriage must be intended as permanent. When she has lived with her husband for some time and both of them fully intended to stay married for the rest of their lives, the woman is now in a new status. If it so happens in the normal course of life that she gets divorced by her new husband, or if he dies, then when her waiting period is completed, she may be reunited in marriage with her first husband provided that both of them think that they can make it this time. This marriage with another man is conditional after the third divorce. It must be approached as a full marriage intended to last. It cannot be arranged for the particular purpose of making that woman lawful for her first husband. If it is, then the marriage itself is not valid and it cannot produce any effect on her being unlawful to reunite with her first husband.

The process of revocable divorce is an aspect of God's grace, which He bestows on us in abundance. Problems may arise in any marriage, and if the couple are not careful, a break may take place and a divorce is initiated. When the two of them separate, they might realize that their loss by divorce is too great. They might have a special attachment to each other. They may have young children and they may realize that the divorce is going to have a highly negative effect on them. They may reflect and conclude that with an extra effort on the part of each of them, they could make their marriage successful. Hence, God has allowed a reinstatement of the marriage. This can be done without the need of a fresh marriage contract, if the reinstatement of the marriage takes place within the woman's waiting period. If the waiting period has lapsed, then a fresh marriage contract and a fresh dower are needed.

Now if a person divorces his wife three times in one sitting, or on the same occasion, then he is actually trying to override certain provisions of Islamic law which make a remarriage possible. I understand that many people do not realize that divorce is initiated by a single pronouncement of the word of divorce. They mistakenly believe that they have to say it three times. The fact is that a triple divorce on the same occasion, or in quick succession, is an affront to Allah's law. It seeks to reach the position of "no marriage" at one stroke. That is not open to anyone. A man divorced his wife three times in the same session and came to the Prophet, peace be upon him, to tell him of what he did. The Prophet, peace be upon him, was very angry. He addressed his companions saying: "Is God's book to be trifled with when I am still living among you?" He then made it clear that the triple divorce be counted as a single divorce, which meant that it was revocable. The Prophet's attitude and his description of the triple divorce as "trifling with God's book" make it clear that such an action is forbidden.

Most people in India and Pakistan, as well as in other countries, take the view of the Hanafi school of thought, which is shared by others as well. This view considers that a triple divorce in the same place and on the same occasion counts as three divorces. The scholars who share this view base their arguments on the action of

Omar ibn Al-Khattab who felt that people were increasingly resorting to a triple divorce at the same time. He said: "People are precipitating something concerning which they have been given respite. It may be wise to impose it on them." He proceeded to make that imposition. In other words, Omar wanted to punish those people who resorted to a triple divorce at the same time by making it binding. He did not initiate a new ruling. He simply committed people to what they said. He made their words binding on them. It is open to a ruler to impose such a punishment. That is the reason why the Prophet's companions who were alive at the time did not object to Omar's action. They understood it as a punishment, which would be valid for a limited period of time. It was the acquiescence by the Prophet's companion that made the scholars like Abu Hanifah adopt Omar's view as binding. They treated it as a verdict unanimously supported by the Prophet's companions.

We come now to the conclusion of this discussion by saying that if a man divorces his wife three times on the same occasion, he violates God's law and commits something that is forbidden. His words count as a single divorce. Revoking the divorce and reinstating the marriage requires a fresh marriage contract if the woman's waiting period is over. In any case, it requires a minimum of two witnesses.

Practically speaking, it is impossible to effect three divorces at the same time. A man can only divorce a woman who is his wife. When a man says to his wife, "I divorce you", once, he starts a process which gives his wife a new status. She is no longer his wife. Although the divorce process is only at the beginning, the woman is not married to him. How can he, then, divorce her a second time? That is impossible.

I need to see the ruling given by Jama'at Ahle Hadith in order to comment on it. I believe that it is given on the same lines I have mentioned in this answer. Women's organizations in India may campaign for a reform of the personal law on the basis of Islamic principles. They will find that a number of Muslim countries have adopted the view I have outlined. This is certainly a great step forward.

Matrimonial: Divorce — Laws Clashing With Qur'an & Sunnah

A tendency to reinterpret the Islamic law of divorce can be noticed in several Muslim countries. According to the personal status law of Tunisia, equality of treatment of wives is a legal condition of the right to polygamy, and since such equality of treatment is impossible to practice in modern times, polygamy is prohibited. Moreover, divorce can only be effected through a court of law, and no matter what happens between a man and wife, their marriage continues until the court issues a decree of divorce. In Indonesia, a husband is required to apply to the marriage official when he desires a divorce to be effected. In South Yemen, divorce can only be effected judicially on the basis of a petition submitted by either spouse. In Pakistan, a husband is required to give written notice of his divorce both to his wife and to the chairman of the Arbitration Council. Would you kindly comment on these provisions.

There are two sources of Islamic legislation: the Qur'an and the Sunnah. Whatever is stated in the Qur'an or by the Prophet, peace be upon him, and whatever action the Prophet, peace be upon him, did or endorsed are part of Islam. Whatever clashes with that is not Islamic. This is a simple general rule, which is both logical and reasonable. Islam is a religion revealed by Allah and conveyed to us by the Prophet, peace be upon him. We accept only what Allah has told us and what the Prophet, peace be upon him, has conveyed to us. What is in conflict with that cannot be Islamic.

This applies to every system on earth. Indeed, no regime or system of government will be willing to relinquish such an important principle. Take, for example, the British law. The legal authorities in Britain will say that every act of parliament and every judgment made by the British courts is part of the British law. What contradicts with that cannot be considered part of the law. To my mind, that is fair and reasonable. If the principle is applicable to human laws, it is more so to divine law. If countries will not accept anything which may be different to what their lawmaking institutions, be they parliaments, presidents or other legislative councils, decree, would anyone dare to place himself in an equal position to Allah and start issuing decrees which approve certain Islamic laws and abrogate others? For, to make such a judgment is to claim an equal right with Allah. Far be it from any Muslim to do so.

Islam has its own system of marriage and divorce. A Muslim government may issue certain rules to regulate how this system is implemented, but these regulations cannot withdraw a right Allah has given or allow something, which Allah has withheld. Otherwise, they would be claiming the power to legislate which, according to Islam, belongs to Allah alone.

The Islamic system of marriage and divorce allows a Muslim man to marry up to four wives at any one time. It is a requirement that he should extend equal treatment to all of them. What we must understand is that Allah does not require us to do something with which our nature cannot cope. Do we need any reminder that it is Allah who created us and He knows our ability and what lies beyond that ability? He would not have allowed us to marry four wives making this condition on equal treatment, had He known that we would not be able to fulfill that condition. It is needless to say that He knows all about His creation. He indeed makes it clear that if we fear that we cannot maintain such an equal treatment, then we must contain ourselves to marrying one wife. The matter is clearly left to us to determine.

If the law of any Muslim country forbids polygamy on the basis of man's inability to treat his wives equally, that law is making a premise about human nature which is in conflict with what Allah has said about it. We obviously take what Allah says and not what the lawmaking authorities in any country say, if the latter differ with Islam.

Again, the right to divorce is granted to a Muslim man as a step to which he may resort, within certain constraints. It is very highly regulated and once divorce is made, there are certain duties and rights, which become applicable to the separating couple. From Islamic teachings, we know that a man may divorce his wife without resort to a court, while a woman has to apply to the judge for a nullification of her marriage. To take away that right given by Islam to a man is to amend Allah's laws. Any human being or any legislative body cannot do this.

Of the examples you have mentioned, some are obviously contrary to Islamic teachings while others appear to be only procedural. For example, what you have quoted from the Pakistani Muslim family law appears to be of the latter type. It is only a requirement of the law that a man who divorces his wife should give a notice to his wife and to the authorities. Islam certainly requires a man who had divorced his wife to notify her so that she can observe her waiting period and she may claim her rights. If an additional requirement of notification to the authorities is made, this is only procedural and it is acceptable. It is within the power of a Muslim ruler to issue a regulation, if he determines that the regulation is beneficial for the Muslim community, if it is not in conflict with Islamic laws. When he makes such a regulation, it must be obeyed.

A procedural matter is different from introducing an amendment to the substance of an Islamic law. If Allah says that divorce can be effected verbally by a husband, then to say that the marriage continues after the husband makes such a verbal divorce,

and to require him to effect a divorce only through a court which may refuse him his request, is to restrict what Allah has not restricted. That is not acceptable from any legislative body or institution. The authority to legislate or amend the law belongs to Allah.

Some governments, which make such changes, argue that changes are necessary because men have abused the Islamic law over the centuries. Without trying to disprove their claim, let me say that every law is open to abuse. Can they guarantee that the law they issue will not be abused? In fact, divine law is less open to abuse because it derives its authority from believing in Allah and the Day of Judgement. A Muslim knows that he will stand alone in front of Allah to answer for his deeds. If he abuses Allah's law and denies his divorcee her rights, Allah will punish him for that. He cannot get away from Him. But he can get away from the watchful eyes of the legal authorities in his country, if he tries hard enough. It is a universal fact that religious laws have more sway on people's minds than any state law.

The fact is that amendments to Islamic law, especially in as far as it relates to the family and the status of women, have been brought about by governments which have been highly influenced by the colonial powers. In some countries, governments are composed of people who have been educated and highly influenced by the Western civilization. On the other hand, they have but scanty knowledge of Islam. They think that they are doing a service to their community. Indeed, they are doing a disservice. Only when they bring their people closer to Islam and Islamic life, they truly look after their interests.

As far as we are concerned, we take our laws from Islam, as they are stated in the Qur'an or the Sunnah. We do not take Islamic laws from any other source. That is a requirement implicit in the declaration, which we make to signify that we are Muslims. When we state that there is no deity save Allah, we acknowledge that He alone has the authority to legislate. When we declare that Muhammad is His messenger, we acknowledge that he alone conveys to us Allah's message and how He wants us to conduct our lives.

Matrimonial: Divorce — Laws Operating In Some Muslim Countries

A tendency to reinterpret the Islamic law of divorce can be noticed in several Muslim countries. According to the personal status law of Tunisia, equality of treatment of wives is a legal condition of the right to polygamy. Since such equality of treatment is impossible to practice in modern times, polygamy is prohibited. Moreover, divorce can only be effected through a court of law, and no matter what happens between a man and wife, their marriage continues until the court issues a decree of divorce. In Indonesia, a husband is required to apply to the marriage official when he desires a divorce to be effected. In South Yemen, divorce can only be effected judicially on the basis of a petition submitted by either spouse. In Pakistan, a husband is required to give written notice of his divorce both to his wife and to the chairman of the Arbitration Council. Would you kindly comment on these provisions.

There are two sources of Islamic legislation: the Qur'an, and the Sunnah. Whatever is stated in the Qur'an, or by the Prophet, peace be upon him, and whatever action the Prophet, peace be upon him, did or endorsed are part of Islam. Whatever clashes with that, cannot be Islamic. This is a simple general rule, which is both logical and reasonable. Islam is a religion revealed by God and conveyed to us by the Prophet, peace be upon him. We accept only what God has told us and what the Prophet, peace be upon him, has conveyed to us. What is in conflict with that cannot be Islamic.

This rule applies to every system on earth. Indeed, no regime or system of government will be willing to relinquish such an important principle. Take, for example, the British law. The legal authorities in Britain will say that every act of the parliament and every judgement made by the British courts is part of the British law. What contradicts with that cannot be considered part of the law. To my mind, that is fair and reasonable. If the principle is applicable to human laws, it is more so to divine law. If countries will not accept anything which may be different to what their lawmaking institutions, be they parliaments, presidents or other legislative councils, would anyone dare to place himself in an equal position to God and start issuing decrees which approve certain Islamic laws and abrogate others? Because, to make such a judgement, is to claim an equal right with God. Far be it from any Muslim to do so.

Islam has its own system of marriage and divorce. A Muslim government may issue certain rules to regulate how this system is implemented, but these regulations cannot withdraw a right God has given or allow something that God has withheld. Otherwise, they would be claiming the power to legislate which, according to Islam, belongs to God alone.

The Islamic system of marriage and divorce allows a Muslim man to marry up to four wives at any one time. It is a requirement that he should extend equal treatment to all of them. What we must understand is that God does not require us to do something with which our nature cannot cope. Do we need any reminder that it is God who created us and He knows our ability and what lies beyond that ability? He would not have allowed us to marry four wives making this conditional on equal treatment, had He known that we would not be able to fulfill that condition. It is needless to say that He knows all about His creation. He indeed makes it clear that if we fear that we cannot maintain such an equal treatment, then we must confine ourselves to marrying one wife. The matter is clearly left to us to determine.

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Again, the right of divorce is granted to a Muslim man as a step to which he may resort, within certain constraints. It is very highly regulated and once divorce is made, there are certain duties and rights that become applicable to the separating couple. From Islamic teachings, we know that a man may divorce his wife without resort to a court, while a woman has to apply to the judge for a nullification of her marriage. To take away that right given by Islam to a man is to amend God's laws. Any human being or any legislative body cannot do this.

Of the examples you have mentioned, some are obviously contrary to Islamic teachings while others appear to be only procedural. The example you have quoted from the Pakistan Muslim Family law appears to be of the latter type [i.e. only procedural]. It is only a requirement of the law that a man who divorces his wife should give a written notice of the fact to his wife and to the authorities. Islam certainly requires a man who had divorced his wife to notify her so that she can observe her waiting period and she may claim her rights. If an additional requirement of notification to the authorities is made, this is only procedural and it is acceptable. It is within the power of a Muslim ruler to issue a regulation, which is not in conflict with Islamic laws, if he determines that such action will be beneficial to the Muslim community. When he makes such a regulation, it must be obeyed.

A procedural matter is different from introducing an amendment to the substance of an Islamic law. God says that divorce can be effected verbally by a husband. Now to say that the marriage continues after the husband makes such a verbal divorce, and

to require him to effect a divorce only through a court, which may refuse him his request, is to restrict what God has not restricted. That is not acceptable from any legislative body or institution. The authority to legislate or amend the law belongs to God.

Some governments, which make such changes, argue that changes are necessary because men have abused the Islamic divorce law over the centuries. Can they guarantee that laws they issue will not be abused? In fact, divine law is less open to abuse because it derives its authority from believing in God and the Day of Judgement. A Muslim knows that he will stand alone in front of God to answer for his deeds. If he abuses God's law and denies his divorcee her rights, God will punish him from that. He cannot get away from Him. But he can get away from the watchful eyes of the legal authorities in his country, if he tries hard enough. It is a universal fact that religious laws have more sway on people's minds than any other state law.

In some countries, governments are composed of people who have been educated and highly influenced by the Western civilization. On the other hand they have very scanty knowledge of Islam. They think that they are doing a service to their community. Indeed, they are doing a disservice. Only when they bring their people closer to Islam and Islamic life, they truly look after their interests.

As far as we are concerned, we take our laws from Islam, as they are stated in the Qur'an, or the Sunnah. We do not take Islamic laws from any other source. That is a requirement implicit in the declaration, which we make to signify that we are Muslims. When we state that there is no deity save God, we acknowledge that He alone has the authority to legislate. When we declare that Muhammad is His messenger, we acknowledge that he alone conveys to us God's message and how He wants us to conduct our lives.

Matrimonial: Divorce — Maintenance Of Divorced Women

An article in magazine called "She" speaks of maintenance of divorced women being applicable in accordance with verse 242 of Surah 2. Could you please explain whether this is correct and whether it applies in the waiting period only, or for a longer time?

The article you have sent me is concerned with the lot of divorced women and the prospects they face after divorce, particularly in cases where the divorce takes place after many years of marriage, during which the woman would have helped in the establishment of the family home and in the family life generally. It argues for maintenance to be established as a rightful claim for divorced women beyond the expiration of the waiting period, which lasts, as the article claims, for 90 days. If we take this point as an example, we can have an idea of the lack of accuracy the article betrays when it speaks of Islamic law and its provisions.

The waiting period for a divorced woman is not counted by days in the first place. It also differs according to circumstances and conditions applicable to the divorced woman herself. If the woman is pregnant at the time of divorce, her waiting period lasts until she has delivered her baby, whether this takes place the following day or after nine months. If she is not pregnant, her waiting period lasts until she has completed three menstruation periods or three periods of cleanliness from menstruation. If she is too old or too young to have the period, the waiting period shall last for three lunar months. In this last case, the waiting period is close to 90 days, but not quite, because a lunar month is either 29 or 30 days, and it never happens that three consecutive lunar months are of 30 days each. If the woman has her period normally, then her waiting period may last, in average cases, for any number of days between 48 and 82, while some scholars speak of even a much

shorter period as also possible. If the article is so wrong on this very simple matter, its accuracy on more important issues is certainly called into question.

When we consider the injustice which the divorced women suffer, either at the hands of their husbands or as a result of the lack of legal provisions, we should look for ways and means to remove this injustice in accordance with Islamic provisions, rather than to try to impose something which is borrowed from other societies or other laws. The article is seeking to impose on the divorcing husband a duty to pay maintenance to his divorced wife. It cites a verse in the Qur'an in support of this claim, quoting three translations and claiming that its reference to "post-divorce maintenance is crystal clear in its meaning." Now let us look at these translations, as quoted in the article itself:

- ***"For divorced women a provision in kindness: A duty for those who ward off [evil]."*** [Pickthall];
- ***"For divorced women maintenance [should be provided] on a reasonable scale. This is a duty on the righteous."*** [Yousuf Ali];
- ***"Likewise the divorced women should also be given something in accordance with the known fair standard. This is an obligation upon the Allah-fearing people."*** [Maulana Maudoodi].

May I add here a fourth translation by N. J. Dawood, which is the only one handy to me at the moment of writing. It renders the meaning of the verse in question as follows:

- ***"Reasonable provision shall also be made for divorced women. That is incumbent on righteous men."*** [N. J. Dawood]

In four translations, only one uses the term "maintenance" to give the meaning of the verse. In fact the Qur'anic verse does not use this term at all which in Arabic is "*nafaqah*." It uses a different term, which is *mita'ah*. This is a word that has a general meaning and connotations of enjoyment, comfort and provision. Hence, the other translations have used the term "provision" or "something to be given" in order to convey its meaning. Furthermore the verse speaks that it should be given "bilma'roof," which is translated in the four quoted translations as "in accordance with the known fair standard", and "reasonable". All these translations are acceptable. Together they tell us that whatever provision or "mita'ah" is given, it should be determined in a reasonable and fair manner. Hence we conclude with Islamic scholars that this verse is not referring to a legal right of maintenance which lasts over any specified period of time. It is concerned with the alleviation of the pain of divorce by urging divorcing husbands to make a reasonable gift to their divorcees. That it refers to this as a duty shows its concern that divorce need not leave the two families of the divorcing couple in a position of hostility. In fact divorce can take place in an Islamic society with the families of the divorcing couple maintaining a good relationship. In the Islamic view, divorce may take place without aggravation or lasting hostility. Its reason may be only the incompatibility of the husband and wife, not any fault with either of them.

What the article is advocating is to impose on the divorcing husband for the rest of the woman's life, or until she married someone else. This is further demanded by a number of organizations concerned with women's rights in Muslim countries. That women should have provisions for their welfare after divorce is certainly needed. Whether this should be provided by their divorcing husbands is another matter altogether. If a man realizes that divorce should impose on him a duty of paying the living expenses of his divorcee for life, he may prefer not to divorce her, but he

would keep her, ill-treat her until she demands divorce or Khula', absolving him of all her rights, or he would marry another woman and leave his first wife uncared for. Is this what the advocates of women's rights are after? I feel if the law in Muslim countries endorses their present claims, they would soon be demanding further provisions to ensure that women are not ill-treated as a result of this endorsement. Why should her divorcing husband maintain a woman for the rest of her life when the divorce has brought their relationship to an end? Is it a punishment to be enforced on the husband for daring to divorce his wife? What if the blame for the divorce lies with wife? After all, marriage is a relationship that may be rendered unworkable by either party. Why make the blame for it lie always with the man? Moreover, if a divorced woman is given maintenance until she has married again, does not that encourage divorced women not to marry again? Does this not lead to encouraging immorality and irresponsibility? Is that what we are after?

It is often the case that people who are concerned with a single issue do not take a broad view of what it may entail. In this case, people are keen to lift injustice that is often visited on a divorced woman. However, they do not consider the injustice that may result from what they advocate. What we should fall for is the lifting of all injustice and the provision of a reasonable standard of living for divorced women. That can best be achieved through the implementation of Islamic law, which makes the family of a divorced woman, i.e. her parents, brothers or uncles, responsible for her living. If she has no family support, then the state should provide her with a decent standard of living. That this is not the case in many Muslim countries means that legislation, based on these principles, is required in these countries.

It does not call for shifting of responsibility elsewhere, i.e. to the divorcing husband. It is beneath the dignity of women to rely for her living on a man with whom she no longer has any legal relationship.

Matrimonial: Divorce — Obedience To Order Of the Parents To Divorce

Since I came to work in Saudi Arabia, my father has been writing me asking to divorce my wife on grounds that she does not obey his orders. He says that unless I obey him and divorce her, I will not be allowed to enter his home. Indeed, on my last vacation, he told me to get out of his house and never to come again to see him until I have agreed to divorce my wife. He supports his demand by saying that the Prophet Ibrahim did not like the Prophet Ismail's wife and he ordered him to divorce her, and Ismail complied. Please clarify whether this is true. Is it obligatory that I should obey my father in this particular matter when I wish to keep my wife?

The first point which I would like to make in answering this question is that every son and daughter are required to be kind to their parents and to ensure that their wishes are properly observed or complied with, as far as that is practical, useful or beneficial. Whatever a son or a daughter can do to please their parents, they should do, provided that does not involve any disobedience to God or injustice to other people. God has emphasized that kindness to parents is one of the most important qualities of believers. He says in the Qur'an:

"Your Lord has ordained that you shall worship none other than Him; and that you be kind to your parents. Should one of them, or both, attain to old age in your care, never say 'ugh' to them or scold them but always speak to them with reverence, and spread over them humbly the wings of your tenderness, and say: 'My Lord, bestow Your grace on them, even as they cherished and reared me when I was a child'." [Children of Israel — "Bani Israel" 17: 23-24].

Kindness to parents is mentioned as a duty of believers several times in the Qur'an. There are many Hadiths, which encourage us to be very kind to our parents.

However, such kindness does not require a son or a daughter to obey his parents whatever they may require of him. Suppose that a father asks his son to tell a lie, give a false testimony, or drink or do something forbidden. If the son complies with his father's wish, then he commits a sin which will not be less grave simply because he is carrying out his father's orders. The Prophet, peace be upon him, says: "No creature may be obeyed in what constitutes disobedience to the Creator." That applies even in simple matters. Suppose a father arrives from abroad, having bought a bottle of some expensive alcoholic drink and he asks his son to deliver it to a friend or a neighbor. If his son complies with his wishes and simply takes the bottle to the person concerned, he commits a sin, because carrying an intoxicating drink to someone who will drink it is forbidden. The son must refuse to obey his father in such a situation.

Parents are also responsible for what they demand of their children. It is not right of a father to require his son or daughter to do something that is contrary to Islamic principles, relying on the fact that his son or daughter should obey him. Indeed if the father does that, he fails in his duty to help his children choose only what Islam approves. Not only so, but he forfeits his rights to be obeyed by his children.

We must differentiate here between two things. Being kind to parents and total obedience to them. Obedience must be discriminating. We obey our parents only in what is right and what is calculated to please God. But we should be kind to them in all situations. God says that if parents try hard to persuade their son to associate partners with God, then he must not obey them, but he should **"bear them company in this world's life with kindness"** [Luqman 31: 115]. When the Prophet, peace be upon him, was told by one of his lady companions that her mother, a non-believer, had come to visit her, he told her: "Be kind to your mother." Such kindness may not go as far as disobeying God for a parent's sake.

In this particular case, when a father is asking his son to divorce his wife, what should the son do? The first thing to remember is that just as he has obligations toward his parents, he has obligations to his wife too. The Prophet, peace be upon him, has enjoined us to be very kind to our women. He says: "Take good care of women." Even on his deathbed, the Prophet, peace be upon him, continued to enjoin his followers to be kindly to women. He has also told us: "The best among you are the best to their wives, and I am the best of you to my wives." This statement is highly important as it sets a rule and gives it a practical application. It is not an ideal situation that the Prophet, peace be upon him, is describing, but he is telling us that when we try hard to be good to our wives, then we are following his example.

The first thing about taking good care of women and being kind to them is to ensure that we do not do them any injustice. There is no doubt that a man who divorces his wife without a valid reason may very well be guilty of doing injustice to her. Hence, he must be very careful lest he actually does her that injustice. If his father demands that he divorces her, and the divorce involves such injustice, then his father's request involves disobedience to God. Moreover, he must weigh up his duty to be kindly to his father and his other duty to be kind to his wife.

In the case of my reader, his father gives the example of the Prophet Ibrahim when he advised his son, the Prophet Ismail, to divorce his wife. I am afraid that his father is wrong when citing this example because he is implying that it is within the authority of the father to give his son such instruction and expect it to be acted upon. I have already explained that not every order by a parent need to be obeyed and I have made it clear that a son is responsible for his actions even though he is complying with a parent's order. Perhaps it is useful to remind ourselves here of the

story of Ibrahim and his daughter-in-law. According to an authentic Hadith, related by Al-Bukhari, Ibrahim visited his son, when Ismail was out on his business. He spoke to his daughter-in-law who did not know his relationship to her husband. He asked how they were and she started complaining, saying that they were going through hard times and went on complaining. Ibrahim then told her to give his greetings to her husband when he returned home and tell him to change his doorstep. Ismail understood his father's recommendation and divorced his wife. Later Ibrahim paid a second visit to Ismail and met his new wife when Ismail was away. When he asked her how they were, she praised God for His blessings and said that they were having plenty. Ibrahim asked her what they ate and drank, and she answered that they had meat to eat and water to drink. He prayed God to bless what they had and told her to greet her husband on his behalf and to tell him to retain his doorstep. In neither case was Ibrahim making his recommendation on the basis of personal like or dislike of the woman concerned.

He felt in the first case that a woman who complains to any stranger and tells him about their hardship is not a good wife. Certainly she was not the one to give support to her husband when he needed to fulfill his task as a prophet and a messenger, as Ismail was later to become. Indeed, a wife who complains to every stranger or passerby is certainly not a good wife to any husband. In short, Ibrahim was looking after his son's interest.

My reader's father has certainly different grounds for his request. He complains that his daughter-in-law does not obey him. But my reader seems very reluctant to carry out his father's request probably because he sympathizes with his wife. Maybe the father is asking too much or mistreating his daughter-in-law. My advice to my reader is that he must not divorce his wife without a valid reason. At the same time, he should try to be as kind to his father as possible and to explain to him that it is his own responsibility to be fair to his wife and to take good care of her. Breaking up a family is not a simple matter that is taken at someone else's behest, even though that someone is one's own father. If he feels or suspects that his father is unfair to his wife, then he must certainly support her, trying all the time not to offend his father.

I will conclude with this little story. Some years back, a man came to one of my teachers and put to him this very same question. His father wanted him to divorce his wife, citing the example of the Prophet Ibrahim. My teacher told him: If your father is as God-fearing as the Prophet Ibrahim and if he has attained the same knowledge of what is good and what is bad and what is likely to please God and what causes His anger, then you should comply his wishes in the same way as the Prophet Ismail complied with his father's. All our readers may learn something from this answer.

Matrimonial: Divorce — Offered For Neglect Of Prayers

I often have to force my wife to attend to her prayers, but she still neglects to do so. Will it be right if I offer her divorce?

If your wife rejects prayer altogether and denies that it is an Islamic duty, then she cannot continue to be married to you, because in this case, she will be denying a part of Islam which is essentially known to all people.

If, on the other hand, she is simply negligent of her duty, then it is your responsibility to remind her and to make her aware of the importance of attending regularly to her prayers. You should not force her to pray, because Islamic obligations cannot be discharged by force. You must not forget that prayer is her duty as much as they are your duty. You are not responsible for her, nor is she responsible for you. Everyone will be accountable to Allah for his or her actions or omissions.

Before you contemplate offering her divorce, you should try to educate her in Islamic principles and practices. Try to get her to understand how important it is for her to lead an Islamic life.

Most probably, her negligence is due to lack of such awareness. The right approach, therefore, is to strengthen her faith. Try to use different methods, and combine persuasion with a reminder of the different aspects of Allah's grace you and she enjoy. If you have children, you may remind her that they need Allah's protection and care. Like all parents, you pray Him to take care of your children. How can she or anyone else pray Allah to grant her wishes if she does not discharge the duties He has imposed on her?

Before offering her divorce, you should consider your situation from all angles. This could be the last resort for you. It may awaken her to the difficulty of her situation. It may persuade her that you view her negligence very seriously. If you do offer her divorce, you should know that if she acknowledges the duty of prayer, you need not divorce her. It is only if she denies that prayer is a duty binding on her that you cannot continue to be man and wife. In this last case, she would not be a Muslim.

Matrimonial: Divorce — Planned, Written, Witnessed & Mailed

After trying hard to repair his marriage, a friend of mine came to the conclusion that this was impossible. Therefore, he informed his wife and her family of his intention to divorce her. They wrote to him that they would not accept any divorce by mail and insisted that he should go to their place for the matter. Could you please explain whether divorce could be completed by mail?

God has granted the right of divorce to the husband. Therefore, it is not open to the wife or her family to impose any restrictions on how or where the divorce should be done. This is something that God has regulated, and once His regulations are complied with and is pronounced in accordance with them, then it is a valid divorce. They simply cannot say that they would not accept it.

Suppose that a man has a quarrel with his wife, in her own home. After reflecting on the situation, he decides to divorce his wife. He makes sure that the time is appropriate, which means that his wife can begin her waiting period immediately once the divorce is pronounced, and he tells her that he has divorced her. Can she say that she would not listen to that divorce? Can her parents tell him that since the marriage was done in their own home, the divorce must be pronounced there as well? They certainly have no right to make such a condition. This is the same thing as saying that they will not accept the divorce by mail. What he is sending by mail is not the divorce itself, but a notification of it. If they choose not to receive that notification, their refusal does not change anything of the fact that the divorce process has started and once it is completed, the divorce will be final.

A divorce is just as valid if it is written down and sent to the wife by a method that is certain to reach her. Therefore, your friend must send his letter of divorce to his wife by registered mail. If he fears that she would refuse to receive the letter, then he must ensure that she is properly notified. He may send the letter to one of his relatives with instructions to go to her house, either alone or with other people. He should inform that relative of the contents of the letter. When his relative goes to meet her parents, he should insist that she be called in. If that is not done, then he should inform her father or guardian that he has come to deliver a letter from you, and that he knows that the letter contains a notification of divorce. He should tell her father that it is his duty to inform his daughter of the new situation.

Your friend should also take the necessary steps to ensure that the divorce is registered with the appropriate authorities in his country. This he may need to do through the consulate of his country in Saudi Arabia. Once the woman or her father is notified of the divorce, she begins her waiting period. When that period is over, she is entitled to receive her outstanding dower she may have. The divorce is then complete and she may marry another man if she so wishes.

It is important to have the divorce properly witnessed. God requires us to have at least two witnesses to a divorce. Therefore, if these witnesses also sign the letter he sends to his wife, that should make it more convincing to his wife and her people. There is no necessity to attach a photocopy of any other document, but your friend should make sure that any money that may be reasonably claimed by his wife is given to her. That includes any outstanding dower and any property she may have in the home.

Matrimonial: Divorce — Regretted Before Advice Received By the Wife

Because of differences with my wife, I divorced her by letter three times, but after posting the letter I realized my mistake. I informed my brother to intercept the letter and not to disclose its contents to my wife which he did [not disclose.] However, he disclosed the matter after a few weeks. Now she is pregnant. Is she still my wife, or is she divorced?

The interception of the letter and the non-disclosure of its contents to your wife does not affect the status of your marriage one way or the other. What it does is simply to keep your wife aware of the event or ignorant of it. She should be informed. When you wrote the divorce, it actually took effect. The sending of the letter is to inform your wife of the development, which brings your marriage to a break.

When you regretted your action, you needed to reinstate your marriage by a new action. If this is the first or second time you divorce your wife, and then you are entitled to return her as your wife, with her consent. If this takes place within the waiting period which extends normally until she has had three menstruation periods, or three periods of cleanliness from menstruation, then the remarriage does not require a new marriage contract. If it takes place after the waiting period has lapsed, then you need to have a new marriage contract and you must pay her a new dower, or mahr.

May I explain here that the three times you have written the divorce in your letter count as one divorce. It is forbidden to divorce three times at the same time, but they have the effect of one divorce. What you need to do now is to actually reinstate at once. Since your wife is pregnant, her waiting period lasts until she has given birth. If she has not delivered yet, all you have to do is to declare that you are returning her as your wife after she agrees on that with you. You should have two witnesses to the reinstatement of the marriage.

May I add a little word of advice. Marriage is a very serious matter. So is divorce. Marriage must never be ended at a moment of anger. Divorce should never be pronounced on the spur of a moment. That is not how it is meant to be.

Matrimonial: Divorce — Reinstatement After Single Divorce

After arriving here to take up my job, I then wrote to my wife several letters but she did not answer. I then wrote to her informing her that I had divorced her once. Sometimes later I wrote to her again stipulating certain conditions and saying that I would withdraw the divorce if she accepted them. She wrote apologetically expressing her acceptance of my conditions. I wrote back saying that I have withdrawn the earlier divorce in the

presence of three witnesses who all signed the letter. May I ask whether my marriage to her is back in force? If not, what should I do now?

As the divorce was single, and I understand a first time one, it is revocable. This means that you can marry your former wife again if both of you agree to this marriage. However, a divorce is a complete act, which has certain effects that cannot be erased in the way you have suggested.

There are two possibilities for the reinstatement of your marriage, depending on the time when this is to take place. As you know, when a woman is divorced she has to observe a waiting period extending until she has had three menstruation periods, or three periods of cleanliness from menstruation, or until she has given if she is pregnant.

Women who do not have the period wait for three months. If the marriage is to be reinstated within the waiting period, it does not require anything more than the agreement of both parties, and witnesses to ensure publicity. No fresh marriage contract is needed, nor is there any need for a new dower to be paid. This means that what you did was sufficient to reinstate your marriage if that was within your wife's waiting period.

If the reinstatement of the marriage does not take place within the waiting period, then the divorce is complete and the woman moves out to her parents' home. If she and her former husband want to marry again, this is done in the normal way of marriage.

A new marriage contract is needed and the husband must pay her a new dower. This means that if your wife had completed her waiting period prior to your action of "withdrawing" the divorce, as you have described it, then your letter to her is of no effect and your divorce remains effective. You should arrange for a new marriage ceremony to be conducted. You can do so by giving your father or brother, or indeed any other person, power of attorney to attend to this marriage in your absence. This means that a new Nikah or marriage contract is needed. [Show of consent or authority by telephone is not the appropriate course — as discussed elsewhere.]

Matrimonial: Divorce — Remarriage After Divorce

1. I divorced my wife about seven years ago, when I sent her a letter explaining the reasons which led me to take this decision, finishing with writing the word "divorce" three times. My seven-year-old daughter still lives with her mother who did not marry anyone else in this period. Recently she wrote to me apologizing and expressing her desire for a reconciliation, which I welcome, but would like to ask whether we can be remarried again. Was our divorce a single divorce?

2. A friend of ours sent a letter to his wife divorcing her three times. The court appointed a reconciliation counsel, but no reconciliation took place and the court duly ruled the marriage to have dissolved and issued certificates to that effect. The man applied for custody of his children but the court denied him that and he married another woman. Four years later he threw his second wife out and started with his first wife anew. Is this marriage valid and legal, or is this a sinful relationship?

3. Most scholars in Pakistan argue that a divorce pronounced or written three times in succession counts as a triple divorce which means that the divorced couple cannot be reunited in marriage unless the woman marries

another man (i.e. halalah) who then divorces her, maybe after one night. Please explain.

4. I follow the Hanafi school of thought. Due to continued marital arguments I divorced my wife once only in a court in Jeddah. The judge explained to us that we had three months to reconcile, after the expiry of which the divorce would be final. Now nearly two years after that the family of my former wife insist that I should divorce their daughter once again repeating the word of divorce three times. Their argument is that the divorce ruling was given in accordance with the Hanbali school of thought, while according to the Hanafi school of thought no divorce has taken place. Please clarify.

These are some of the letters we often receive asking about divorce and concentrating on the specific point of divorce repeated three times in succession, either verbally or in writing. This indeed is a very sore question and people often have certain preconceived ideas about it. You only need to think of the last of our four letters to realize the effects of these ideas on people's lives. Here is a woman who has been divorced for two years and her family thinks that she is still married only because the divorce took place in a country where the Hanbali School [of thought] is predominant. The effects of such an error of judgment are so far-reaching as to make a divorcee a lawfully wedded wife. In order to make things clear, I will explain the process of divorce in full detail.

Let me say at the outset that there are no differences between schools of thought on the main issues in this process. Schools of thought may differ on points of detail, but not on basic issues. When a man wishes to divorce his wife, he should approach the matter with the seriousness it deserves. I often wonder why people give so much thought and time to marriage but they are often so hasty when it comes to divorce. Indeed divorce should be considered very seriously, particularly when the marriage has already produced children.

Be that as it may, a man who wishes to divorce his wife should choose the appropriate time for divorce. God commands the Prophet, peace be upon him, to make it known that divorce should take place at a time when a woman can start her waiting period which means that a divorce may not be pronounced when the woman is in her period or in a period of cleanliness from menstruation during which her husband has had sexual intercourse with her. It is indeed forbidden to start the process of divorce in either of these situations, i.e. during menstruation or a period of cleanliness in which an intercourse has taken place. The process of divorce starts with the man saying to his wife, "I divorce you." He may say this to her in her presence or absence, mentioning her name or not, verbally or in writing. Whichever way he chooses this phrase must be said or written ONCE ONLY. To say it or write it three times in succession is indeed forbidden.

A man came to the Prophet, peace be upon him, and told him that he divorced his wife. The Prophet, peace be upon him, asked him how many times and the man said, "three." The Prophet, peace be upon him, was very angry. He stood on the pulpit and, addressing his companions, he said: "Is God's Book to be trifled with when I am still alive among you?" Consider for a moment how seriously the Prophet, peace be upon him, viewed the three divorce being joined together in the same session, to the extent that he described it as trifling with God's Book. Yet so many people imagine that this is the norm! In the first letter we are told that the man wrote to his wife the word of divorce three times, when the second reader asks whether the marital reunion is sinful after such a divorce which we have clarified to be forbidden.

In the last letter, the family of the divorcee actually demands it to make sure their daughter had been duly divorced. When the husband says to his wife that he has divorced her, verbally or in writing, she starts her waiting period. This lasts for three menstruation periods or three periods of cleanliness from menstruation. However, if the woman is pregnant, her waiting period lasts until she has given birth, whether that takes place in a few days or after a few months. If the divorced wife is too old or too young to be in menstruation, then her waiting period lasts for three months. During her waiting period a divorced woman stays in her home, i.e. the home in which she usually lives with her husband. He may not force her to leave. However, the couple must use separate bedrooms. They may not have sexual intercourse unless they decide to reinstate their marriage. She is not required to do any housework, but she is entitled to full maintenance. This applies if the divorce is taking place for the first or second time. In this case, a remarriage is possible. It only requires that the couple should decide to marry again. If the remarriage takes place within the woman's waiting period, there is no need for a new marriage contract or the payment of a new dowry. It only needs to have two witnesses. However, if the waiting period has lapsed and the couple decide to be reunited in marriage, then they need to have a fresh marriage contract which should take the same form and procedure as any Islamic marriage contract. This means that the woman is entitled to have a new dowry, which she specifies. On the other hand, a woman who is being divorced for the third time does not have to stay in her husband's home during her waiting period. Here we are talking of a woman who has been divorced, then remarried her husband, and remarried him yet again, and then was divorced by him for the third time.

A marital reunion between them is no longer possible unless the woman marries another man with the marriage intended to last for life. However, if her new husband dies or divorces her in the normal course of life, she may be remarried to her former husband if the two of them feel that their marriage can be made to work this time.

The question arises here about the triple divorce people often pronounce at the same time: How many divorces it counts? We have mentioned the case of the man who reported to the Prophet, peace be upon him, that he divorced his wife three times in succession. The Prophet, peace be upon him, ordered that man to treat the divorce as a single divorce. That was a very clear and specific order by the Prophet, peace be upon him, himself. Hence, there is no way it could be otherwise. In saying so we are relying on the authority of the Prophet, peace be upon him, himself. We need no other authority after that. However, it is only logical that it should be so. When a man says to his wife: "I divorce you," she is no longer his wife although she stays during her waiting period in his home. This is evidenced by the fact that they may not sleep together, nor is the woman required to do any of the duties a husband expects his wife to do. How, then, can a man divorce a woman who is not his wife?

With some people this is a thorny question. They know that their school of thought considers this type of divorce as a triple divorce and they do not wish to budge. But the matter is not one of following a particular school of thought. In real life people seldom do that. Those who have enough knowledge to be able to distinguish the evidence supporting any particular view will always follow the view supported by the stronger evidence. Those whose knowledge is limited go to scholars to find out what Islam says about different matters. Any school worthy of the name will always look at the particular circumstances of the question and choose the view which has the stronger evidence, or the one which is particularly relevant, or the one which is most beneficial or least harmful. Hence there is no strict following of a particular school of thought, either in the case of scholars or laymen. An important point that is particularly relevant here is the one mentioned in the third letter, concerning what is known as "muhallil" or "halalah." That is the name given to a man who agrees to

marry a woman divorced three times and then divorce her after a few hours or one night.

As we have explained, a woman divorced three times in succession cannot remarry her former husband unless she is married to a different man. But this is intended as a punishment to a couple who have not taken their marriage with the seriousness Islam wants all marriages to be taken. People, however, try to circumvent this restriction by making arrangements with a man to go through a nominal marriage that has no value whatsoever. Let me make it clear that such a practice is strictly forbidden in Islam. The Prophet, peace be upon him, is quoted to have said to his companions: "Shall I tell you who is the borrowed wed bull?" They said: "Please do, messenger of God." He said: "That is the muhallil. May God curse the muhallil and the one who seeks his services."

In the light of the foregoing I say to the writer of the first letter that since he and his former wife wish to marry again, they may go ahead and get married. They were divorced once only and such a divorce does not constitute any impediment to their second marriage. However, they need to have a new marriage contract, and he should pay his wife a new dower.

To the writer of the second letter I say that his friend may have had a tumultuous time with his two marriages, but that does not make his marriage with his first wife invalid if he went through the marriage procedure.

As for the specific point raised in the third letter, I think I have given a full explanation. No muhallil may be hired in any situations. Besides if a couple hire such a person they disobey God and they do not get what they want, because when a muhallil is used, the process of using him does not achieve the result for which he is used, i.e. the couple remain unable to marry lawfully because the condition for their marriage has not been fulfilled.

To the writer of the last letter I say that he cannot divorce a woman who is not his wife. He had divorced his wife two years ago and she is no longer related to him in any way. The question of different schools of thought does not arise. The Hanafi school of thought also considers the pronouncement of divorce three times in succession to be forbidden. It requires it to be said once only in accordance with the Sunnah of the Prophet Muhammad, peace be upon him.

Matrimonial: Divorce — Rights Of the Children

I have two children, aged 6 & 1, but I am not happy with my wife due to differences of social background. I intend to marry a woman from my own small town. If my present wife asks for divorce I will grant her that, but I would like to know what are my obligations toward her and my children.

What you must do if you divorce your wife is to keep her in your home during her waiting period, when you continue to be responsible for her maintenance. During this period you can reinstate your marriage without a need for a new marriage contract or a dower, although you need to have two witnesses. If this period lapses and you have not reconciled, the divorce becomes final. Your wife will be entitled to receive any outstanding portion of her dower, as well as mita'ah which is a gift that you give her.

The husband in accordance with his means determines the amount of this gift. As for your children, your responsibility does not change toward them on account of your divorce. You remain responsible for their upbringing, maintenance and education, even though they continue to live with their mother. A child of a broken family may choose to stay with the mother after such a choice is given. The father remains

responsible for the living expenses, upbringing and education [of the child]. When the woman's waiting period is over, the man is no longer responsible for her maintenance. Her own family should look after her.

Matrimonial: Divorce — Rights To the Husband's Name & Inheritance

Does a divorced wife or her child inherit anything out of her ex-husband's property in the event of his death? Is a divorced wife entitled to the use of her ex-husband's name or must she give it up?

Children's right to inheritance of either of the parents is not affected in anyway by the severance of the marital relationship between the parents through divorce. Thus, when divorce occurs between the parents and either one of them dies, the children inherit their deceased parent in the same way as if the marriage was not dissolved. Nor are the rights of inheritance of the children affected by their being in custody of either parent. This is because the parent/child relationship is permanent and cannot be affected by the relationship between their parents.

The claim of a divorced wife to inherit her ex-husband is affected by several factors. We can say in short that if divorce takes place when the man is in sound health, and if the waiting period of the divorced wife [approximately three months] has elapsed before her ex-husband's death, she does not have claim to any share in his estate. If, on the other hand, the husband dies during the waiting period after the divorce has been pronounced by him the woman in this case has the same right as an undivorced wife, provided that the divorce is revoke-able. This means the case of divorce where the man can revoke the divorce without the need for a fresh marriage contract or dowry.

It may happen that a man divorces his wife when he is ill and suspects that he is soon to die. His purpose of this divorce is to get rid of his wife so that she does not inherit him with other heirs. If this is the case, and the man actually dies as a result of that illness, divorced wife will inherit him, whether her waiting period has lapsed or not at the actual time of his death. This is because Islam does not like injustice of any sort. The man's action in this case is an act of injustice by which he aims to disinherit his wife. Islam does not allow anyone to disinherit any of his heirs. God has made known His ruling of how inheritance should be divided among the deceased person's heirs and no one may devise any method in order to usurp the rights of any heir in favor of any other. Anyone who attempts this is guilty of a grave sin.

When a marriage takes place between a man and a woman according to the Islamic way, the woman does not adopt her husband's name. She maintains the surname of her father. Hence, the question whether she should relinquish her husband's name when she is divorced does not arise.

Matrimonial: Divorce — Shortly After Marriage

One of our friends married a girl with a university degree. They have barely lived three months together when she went back to stay in her parents' home. She has been living with them for more than a year now, stating that she wants a divorce. Her husband, who seems to us to be a good man in every respect is unwilling to give her divorce, because he wants his marriage to succeed. In our community, a stigma is cast over a divorcee, which may jeopardize her chances of marrying again, and indeed the chances of her sisters. Yet, the wife of our friend seems determined, stating that this would be her first and last marriage. We may add that her parents have given her support. Please advise.

Something must have gone drastically wrong with this marriage. It is often the case that newly married people experience some profound disappointment as they begin to discover the sort of transformation their lives are taking after marriage. Personal peculiarities may not be easy to overlook or reconcile. Sometimes quarrels may take place over small matters or for causes, which are difficult to pinpoint. It is often the case that patience and the willingness to understand the other party's likes and dislikes, prejudices and preferences, is all that is needed to bring stability to a marriage and establish a degree of mutual affection between a man and his wife which is far more important than any passionate love of the type poets and men of letters are never tired of describing.

From another point of view, when you go into a marriage, you are clear in your mind that you are establishing a relationship, which you hope, will last for the rest of the couple's life. Things must go badly wrong for a married couple to want to break their relationship three months after living together. I can only say that your friend and his wife must have made plenty of mistakes, and must have caused each other much unhappiness to make matters reach such a stage. [One of the aspects affecting may be pride; which is described by the Prophet, peace be upon him, as: "Ignoring the truth and denying people their rights."] It is also most probably true to say that the mistakes were on both sides, I do not question your testimony in favor of your friend's character, but I can say that it is impossible for anyone of us to tell how a friend of his behaves at home, or how he treats his wife. Although you have not given me details of what took place between your friend and his estranged wife, I can say that the uncompromising attitude of the woman in this case provides some indications. Those three months must have been so hard for her that she is now adamant that she would never be married again. It is quite possible that she is to blame for much of the troubles that have shaken the foundations of her marital home. Be that as it may, she must feel that her reasons for wanting to be divorced are so strong, as far as she is concerned, that she is willing to accept the social stigma that is cast over a divorcee in your society, as you say. This is further strengthened by the support she enjoys from her parents. They are more likely to take a less passionate view. They have to look after the interests of their other five daughters who, you admit, will be affected by the outcome of this case. They apparently recognize that it is hopeless to try to patch up the differences between their daughter and her husband.

My advice to your friend is to adopt a cool approach, realizing that it is no use continuing with a marriage if the other party is determined to break it. This is bound to prolong the misery. If he knows his father-in-law to be a reasonable man, he should suggest to him the process Allah has outlined to achieve reconciliation. This involves the appointment of two arbiters, one from each family, who should meet and discuss the differences and problems of this marriage and degree of reconciliation, outlining what each party must expect from the other. The arbiters should refer to the two parties concerned and determine whether they can implement the points they have agreed between them. If everyone involved approaches the matter with goodwill, then reconciliation is sure to be achieved. If not, then the arbiters, or the man and his wife should work out the terms of their separation and divorce.

If the man takes the initiative and divorces his wife, then it is a simple case of divorce and he has to give the woman all her rights, including her full dower. If he does not and feels that he would still prefer to go through with the marriage, but the woman is persistent in her demand to be divorced, then the case is one of "Khula". This is a term, which applies to a case of dissolution of the marriage at the wife's request. The husband is unwilling to divorce her because he prefers to maintain his marriage. An Islamic court could grant a wife's application for 'Khula', outlining the terms of separation. The husband is entitled to have back all the dower he has given his wife at the time of the marriage.

Whatever your friend and wife ultimately decide, each of them must remember that Allah will hold them to account for their deeds. Therefore, each one of them should be keen to treat the other fairly and to make sure that the rights of the other are absolutely respected and guaranteed.

Matrimonial: Divorce — Wear A Beard Or Else?

An expatriate who worked for several years here felt that he should wear a beard in fulfillment of the Sunnah. His wife back home was adamant that he should not. She also refused to wear the hijab. When he insisted that a beard was important, she threatened separation and filing a case for divorce, which could be granted in his home country. This placed him in a dilemma, wanting to do what is good and beautiful, which could cause divorce. Please comment, mentioning also what is required in hijab.

Both man and woman are accountable for their own deeds and they bear individual responsibility for the fulfillment of their Islamic duties. Neither can prevent the other from fulfilling a duty or a Sunnah, which is a practice recommended by the Prophet, peace be upon him. Therefore, if a man decides to wear a beard in fulfillment of the Sunnah, his wife, parents or anyone else cannot prevent him from doing so.

Having said that, I would like to emphasize that wearing a beard is a Sunnah, which means that it is strongly recommended by the Prophet, peace be upon him. It is not a duty, which means that a person who remains clean shaved does not commit a sin by so doing. He simply does not earn the reward that God grants for the fulfillment of a Sunnah. Hence a man may decide whether to wear a beard or not on the basis of his circumstances and how this will affect him in his life.

In the case put by our reader, the answer is that the man should decide for himself, after explaining to his wife the importance of acting on the Prophet's recommendation and that she is in fault if she tries to dissuade him. She is certainly wrong to insist on her attitude as the reader describes, threatening to break up the marriage.

Moreover, my advice in this case is that when the husband tells his wife to observe the Islamic dress code and wear the hijab, he should not link this to their dispute over the beard. A Muslim woman is required to observe this code and if she does not, she is failing in her duty, which means that she could be liable to God's punishment in the life to come. He should remind her of her duty every now and then. If she adamantly refuses, she bears responsibility for her action. Incidentally, the dress code requirement is that a Muslim woman should cover all her body, with the exception of her face and hands, up to her wrists.

Matrimonial: Divorce — When A Three-Time Divorce Is Binding

1. Many of us felt a great relief when we read your reply, explaining that a divorce pronounced three or more times in one session is counted as one revocable divorce. The relief comes from the fact that it is common practice in our part of the world to pronounce divorce three times together, which has resulted in many a broken homes. However, scholars mention that all four schools of thought are unanimous in considering a divorce pronounced three times as three divorces which renders the break of the marriage irreparable. Even Maulana Maudoodi mentions this in his book *Tafheemul Qur'an*. Please comment in detail.

2. It is common practice that a man casts his wife by pronouncing the word of divorce three times. It is often true that this irrevocable break up of the marriage has no reason other than the husband's desire for another

woman or some such silly thing. In this way, he uses the law of divorce to satisfy his whims. Could you please explain what sort of protection is given to the woman to guard against such abuse of the law?

Any law or regulation can be subject to abuse. Unless you appoint someone to watch over every person to ensure that he abides by the letter and spirit of the law, you cannot achieve a proper adherence to the law. But Islamic laws and regulations are given the support of the very real feeling which Islam implants in the mind of every one of its followers that Allah watches over him or her. When we realize that Allah knows our intentions and the real reasons behind our actions, we feel that we must always watch out. We must never abuse Allah's law or be guilty of any wrongdoing. As people who believe in the Oneness of Allah and in the message of the Prophet Muhammad, peace be upon him, we know that we have to face a detailed reckoning on the Day of Judgement, when we have to answer for every action that we may make in this life. It is the total sum of what we have done in life and the net result of our good actions set against our bad ones that determines our destiny in the life to come. As believers we know that heaven and hell are a reality and that we must do our best to ensure our admission into heaven. Therefore, we must always guard against doing injustice to anyone, particularly those whom we are required to look after and to whom we are supposed to bring happiness, i.e. our wives and close relatives.

The other safeguard is the fact that in a Muslim community, women are properly looked after either by their husbands or by male members of their families, such as their fathers, brothers or uncles. In addition, if we are good believers and know that following the teachings of the Prophet Muhammad, peace be upon him, brings us the greatest reward of all, namely, that Allah is pleased with us, we should work hard to implement the Prophet's teachings in our lives. The Prophet, peace be upon him, has repeatedly emphasized that we must take good care of our women. To take good care of one's wife cannot be accomplished by abusing the law of divorce in order to get rid of her, or "cast her away" as you say.

May I now turn to the other point of divorcing one's wife three times in the same session? I have explained several times that this is forbidden. When the Prophet, peace be upon him, heard that one of his companions did this, he expressed extreme anger and addressed the Muslim community, saying: "Will Allah's book be trifled with when I am still alive among you?" He described a divorce pronounced three times in the same session as "trifling with Allah's Book." There can be no greater emphasis that such an action is absolutely forbidden. Yet people do it all the time. I am afraid that many are under the false impression that unless they pronounce the word of divorce three times together, the divorce does not take effect. Therefore, this comes as a result of ignorance.

The question is whether what people do, pronouncing the word of divorce three times in quick succession, or in one session, or on the same day, counts three divorces as the four schools of thought say, or counts as one divorce, as I have explained on more than one occasion. Before answering this question let me point out three very important facts:

First, a verdict may be accepted by a large number of highly prominent scholars, including, the founders of the four schools of thought, yet it may be supported by less weighty evidence than an opposite verdict which may be advocated by a smaller number of scholars. If we find that evidence supporting the view of the minority weightier, then we do not hesitate to accept that opinion, because no one, a scholar or others, of even the highest eminence, is immune from making a mistake or giving a judgment which relies on a misunderstanding, etc. All our scholars agree that no opinion of any person is to be taken in preference to an authentic Hadith. Even the founders of the four schools of thought have expressed this view very clearly. Imam

Al-Shafie says: "If I say something and you find an authentic Hadith saying something different, then take the Hadith and leave my opinion aside."

The second point is that when there is more than one verdict in relation to a particular question, a person in my position, having to answer people's queries and explain what people should do in order to earn Allah's pleasure, should not leave his readers in a position of confusion. He must tell them the view that he believes to be the correct one, as supported by the weightier evidence. If any reader decides that he wants to take the other view, he is free to do so, but he should make his decision based on a proper understanding of the evidence relevant to the question on hand.

Thirdly, if the leader of a Muslim community chooses a verdict which is supported by good and weighty evidence and decides that this is the one to be implemented by the courts of law, he must be obeyed provided that he is only acting in the best interests of the community.

Those who consider that a divorce pronounced three times in succession, or in one session, or written down on the same piece of paper counts as three divorces rely on a ruling by Omar ibn Al-Khattab who, as a ruler of the Islamic state, enforced that piece of regulation. He justified it by saying: "People have precipitated something in which they have been given relief, it may be appropriate to enforce what they have precipitated." So he enforced it. It is clear from this statement that Omar meant this as a punishment befitting the misbehavior of people who precipitate the irrevocability of divorce by divorcing their wives three times in succession. In other words, he was saying, "People want that irrevocability to take place immediately, then let them have it." The companions of the Prophet, peace be upon him, who were alive at that time accepted Omar's view, because they felt that the punishment was appropriate. Later scholars have taken this as a unanimous verdict by the companions of the Prophet, peace be upon him, and include it in their books as the appropriate ruling. The fact that it was merely a punishment is the acknowledgment implied in Omar's own statement that people have already been granted a relief, but they still precipitate the ultimate result. It is only appropriate to ask what that relief is. The answer is contained in the authentic Hadith included in this report by Abdullah ibn Abbas: Rukana ibn Abd Yazeed divorced his wife three times in the same place, and then he was full of grief of having done so. Allah's Messenger, peace be upon him, asked him: "How did you divorce her?" Rukana said: "I have divorced her thrice." The Prophet, peace be upon him, asked him: "In one session?" He answered: "Yes." The Prophet, peace be upon him, said: "That is one divorce, and you may return to her if you wish." He revoked the divorce and remarried her." This Hadith tells us that the Prophet, peace be upon him, himself gave the ruling that a divorce pronounced three times in a succession, or in one-place counts only as one divorce. It is well known that a remarriage between a divorced couple can take place if the divorce is taking effect for the first or second time. Indeed, this was the ruling enforced by the Prophet, peace be upon him, throughout his life, and also enforced throughout the reign of Abu-Bakr and the early period of the reign of Omar. All companions of the Prophet, peace be upon him, who were alive in that period were unanimous in their acceptance of such a divorce as a single divorce.

This ruling, as I have mentioned earlier, is one adopted by a number of renowned scholars, including Imam Ibn Taimiyah and Imam Ibn Al Qayyum. Earlier in this century, when the family law in several countries was enacted, scholars who were entrusted with the task of formulating the Islamic teachings in a well coded family law chose this ruling as the correct one and incorporated in that family law. The ruler then endorsed it. As such, it takes a much stronger effect.

From a totally different point of view, it is well known that in Islam, when a person says to his wife that she is divorced, intending a termination of his marriage to her, she begins the procedure of divorce [and her waiting period] immediately. She is,

technically speaking, a divorcee, but she is observing a waiting period. When he says the same thing to her a second time, whether immediately or a short while afterwards, his statement is no more than an idle talk because she is no longer his wife.

How is it possible to divorce a woman who is not one's wife? That is certainly impossible and, therefore, the second and any subsequent utterances of the word of divorce have no significance whatsoever.

Matrimonial: Divorce — When the US Laws Contravene Islamic Laws

My daughter's husband wants to divorce her after three years of marriage. There are strong indications that he intended right from the beginning that he would use this marriage in order to secure certain benefits under US laws where my daughter is a national. Although he actually divorced her verbally on the phone, he wants a legal divorce because it would benefit him. However, he is trying to get her to forgo what she may claim from him under US law, and he says that this is not lawful in Islam. May I ask whether she may claim what the law of the country gives her? Her circumstances make it necessary for her to get all the benefits she can. May I mention in particular that he actually forced her to forgo her \$5000 dower and paid nothing of it? We do not want to get from him anything that Islam would consider unlawful. Please advise.

I cannot make a judgment on all aspects of this case without having the man's point of view. However, I will give you an opinion based on the details that you have given me. Assuming that these details are all true, as they appear to be, then I think you should not give in to his demands.

You will not be doing anything against Islam if you do so. Let me first of all assure you that if your daughter gets a judgment in an American court which gives her any amount of money in marriage settlement, then what she receives is perfectly lawful for her to take. There is a rule in Islam, which says, "a contract is binding to the parties thereof." This applies unless the contract violates any particular Islamic principle, making lawful what is forbidden or forbidding what is lawful. That man entered into a marriage contract with your daughter on the basis of American law, because he wanted the benefits that law gives him as a result. So he accepted the American law as binding on him. It is binding now when he wants to divorce her for his own convenience. Another rule of Islamic law says: "Gain goes hand in hand with responsibility." The man cannot get away with having the gains that he may claim without fulfilling his responsibility.

Another reason which should make you insist on making him pay for his attitude is that to him marriage is simply a device to serve his interests. It is not a relationship between two human beings, which creates rights and commitments. When he no longer has any use for his wife, he throws her away without any tinge of conscience. Where is his respect for his wife's and personal integrity?

These are of little concern to him. He should be made to realize that the honor of Muslim women is not something to be trifled with. Let him pay whatever the law of the country says. If it hurts him, so be it. She should stick to all her rights under the Islamic and American laws combined.

Matrimonial: Divorce — Whimsical Divorce

May I put to you the case of a husband who was sitting on his desk with pen and paper, writing all sorts of nonsense? Following a sudden whim, he

wrote on a piece of paper, "I divorce so and so (writing the name of his wife) three times." He went away, leaving the paper on the table. His wife entered the room and read the paper and immediately started crying. She informed her parents who immediately came and took her away with them. The matter still remains unsettled. Scholars in the local area give contradictory views. It should be added here that the husband had no intention whatsoever of divorcing his wife. I will be grateful for your comments.

I have often said that Islam views marriage very, very seriously. In fact, the seriousness with which Islam views this matter cannot be over exaggerated. Abu Hurairah quotes the Prophet, peace be upon him, as saying: "Three matters are taken seriously whether they are said in earnest or in jest: marriage, divorce and revoking a divorce." [Related by Ahmad, Abu Dawood, Ibn Majah, Al-Tirmithi and Al-Hakim] The point is that these matters cannot be trifled with. It is not possible for a person to go through a marriage contract, and then to claim afterward that he is joking. That is totally unacceptable. Similarly, if he divorces his wife, he cannot protest that he has meant that in jest. Again if he has divorced his wife and she is still in her waiting period and he tells her that he has revoked the divorce, as he is entitled to do without a fresh marriage contract, then he cannot go back and say that he had said it in jest. These are matters that entail rights and duties. Therefore, they cannot be taken lightly. For this reason, the overwhelming majority of scholars agree that a divorce said in jest is valid and takes effect. The same applies to marriage and to revoking a divorce.

Effecting a divorce in writing is permissible, provided that the writer intends divorce. If he writes that without intending divorce then the divorce does not take effect because what is written does not necessarily mean what is intended. A person may write something on a piece of paper, which may have no relevance to what is in his mind. He may be writing only to try a new pen or to improve his handwriting, or he may write the word of divorce in order to upset his wife, or for any other reason.

If a man writes the word of divorce intending something totally different, such as improving handwriting, then divorce does not take place. If his intention is to upset his wife, then, according to Imam Ahmad, the divorce takes effect.

If we consider the particular case cited by our reader, it is clear that the man has acted on a sudden whim. Most probably, that whim was to upset his wife. We accept as correct his statement that he had no intention whatsoever of actually divorcing her. Nevertheless, his action indicates that he wanted her to see the paper, realizing that she would be upset, as indeed has happened. That is the only explanation for his writing these words, leaving the paper on the desk and going out.

Let me say to this man that his joke or his whim is highly objectionable. It is done in bad taste. As a Muslim, he should know better than that. He knows what effect the thought of divorce has on a woman. Why should he give his life's partner an impression that their partnership is over? If the matter is only a whim and there is nothing to make his wife expect that he may divorce her, then the poor woman must have had the shock of her life when she read that piece of paper. He obviously did not consider all the possibilities when he played his joke. He is an obvious case of a divorce made in jest. I can only give him the verdict of Imam Ahmad who says that this divorce takes effect. It is true that a few scholars have a different view, but we are here applying the Hadith, which we have already quoted that divorce made in jest actually takes effect.

Perhaps it is useful to mention here that the Prophet, peace be upon him, was once told by one of his companions that he had divorced his wife a hundred times. The Prophet, peace be upon him, went up on the pulpit and spoke to his companions. He

was very angry. He said to them: "Do you take Allah's book jokingly when I am still alive among you?" That comment by the Prophet, peace be upon him, certainly applies to every case of divorce made in jest.

If the man has written on piece of paper "I divorce - three times" as our reader has quoted, then this counts as a single divorce. Many scholars count it as a three-time divorce. However, the weightier opinion is that it still counts as a single divorce.

I have explained on numerous occasions that a single divorce is revocable within the waiting period, without the need for either a fresh marriage contract or a new dower. If the waiting period has lapsed, then a marriage between the divorcees is possible with a new marriage contract and a new dower.

Perhaps the man whose case has been explained to us wishes to go back on his divorce and to tell her that he wants her as his wife again. If she agrees, he may marry her again, giving her a new dower. She may wish to exact something more from him, for giving her such pain, by asking larger dower. If he agrees to that, it is payable to her and he has no authority to claim back any part of it, unless she gives it to him willingly. A Muslim woman has complete authority and sole discretion over what to do with her dower.

[Added: Allah in His wisdom has directed in the Qur'an that the wife should remain in her [husband's] house during the waiting period. Had her parents not taken her back hastily, the situation as described above may not have arisen at all and a reconciliation/retraction of the situation would have been much simpler. Indeed, Allah is Wise and Knows all.]

Matrimonial: Divorce — Wife's Specific Authority To Divorce

1. I married a girl in my hometown about two years ago. The marriage took place only a couple of days before I left to resume my work here [in the Kingdom]. After the marriage was officially made, I stayed with my wife for a very short period in her family home, because I had no home of my own. I wrote to her father several times but I did not write to her, expecting that she should be the first to write. However, I spoke to her a few times over the phone. Recently, I received a letter from her in which she said that she is seeking a divorce, citing what I have mentioned about my lack of writing and the fact that I did not send her any money as her reasons for the divorce. She wrote the word of divorce three times in her letter and mentioned that she was sending copies to the Marriage Registry Office, Local Administration Office and my local guardian. I am rather confused about what steps should I take. Please advise.

2. It is known and accepted that the authority to divorce is vested only in man. As a Muslim I recognize that Allah has chosen this and I submit. I also understand that there is the proviso of 'Khula' for women in Islam. Is there any situation where a woman may divorce her husband? I would be grateful for your advice.

1. This is the strangest of the stories I have heard since I started editing this column nearly 14 years ago. First a man gets married but the arrangement is that his wife will stay with her family for some time. He goes back and refuses to write to her because he expects her to write first. Then when a letter arrives, the woman takes the law of divorce into her own hands and dismisses him as a divorcee. That is very strange indeed.

May I ask how seriously you looked at this marriage? I do not wish to be too hard on you, because you did not have anything more than the marriage contract followed by a short visit to your wife. It is not as if you stayed together for a month when the marriage became a reality in your life which would have given you memories to cherish in your stay abroad. Perhaps this is nobody's fault, but then you have not taken any steps to start on that road which leads to the establishment of kindness and compassion between married couples. You chose to continue to be worlds apart, not merely physically, but also in thoughts and concerns. You established a rule for yourself that you would not write to her unless she wrote first.

May I ask why? Is it male chauvinism? It is in fact your duty to take the initiative and lead your wife into her new life as a married woman. When a woman is married she moves into her husband's home. So he is duty-bound to make the transition easier for her. In your case this was delayed, so you should have taken even greater interest in order to make the change that affected both your lives a reality, at least in thoughts and feelings. Instead you were waiting for her to write to you. Since she did not, you did not either. How was she to feel that you cared for her? How would she imagine her life with you would be like?

I suppose that any woman in her place would have serious misgivings about what the future would be like when she will have moved into your home. If her impression of you, as a result of this, was one of a hard, un-budging and determined character that does not allow much room in his life for the tender feelings of love and compassion, she may have her reasons for that. If she insisted on her parents that she would like to be divorced or that she would not be forced into putting her marriage into effect, they would have a very difficult time trying to convince her otherwise, simply because, by your own admission, you have not given them any grounds for defending you. Besides, a husband should look after his wife, even when he leaves her with her parents. It is true that you told them to open a bank account for her so that you could send her some money, but no actual transfer had taken place. I do not like to blame you for this, but it remains a fact, which would not work in your favor. Had you sent her on the odd occasion some money, or some gifts over the last two years, you would have demonstrated that you cared for her. Again there is a failing on this count.

But all this does not deal with the problem that has now arisen as a result of her letter. What amazes me is that basic facts about how marriage is made and terminated under Islamic law are ignored. People tend to approach such serious matters too casually, particularly divorce. Your wife sends you a letter saying that she has divorced you and does exactly like a man who wants to divorce his wife without reference to the rules, which apply to cases of divorce, and how it should be approached. What is more, she wants to send copies of this to the government departments concerned with cases of marriage and divorce. In other words, she wants her lack of knowledge to be known to them all.

What she has called a divorce is of no value or consequence whatsoever. A woman may not approach divorce in that manner under Islamic law. She does not have the jurisdiction to initiate divorce in this way. She may start proceeding for divorce or *Khula'* in a court of Islamic or civil law, but to do the action of divorce herself is not open to her. It is like a man who never learned how to drive a car applying for participation in the world motor racing championship. His application would not be looked at the championship organizing committee.

This divorce is as valid as one, which is pronounced by someone who is unmarried. Suppose your brother does not like your wife, so he tells her: "You are divorced." Would his words have any significance? Your wife's letter is as ridiculous as that. So you need not have any worry about the status of your marriage yet.

If your wife really intends to have the marriage terminated, she has to do something quite different. She should apply to a court of law, preferably Islamic law if that is available in your country, requesting the nullification or termination of her marriage. I have no doubt that a court of Islamic law would grant her request when she states the reasons for her application as you yourself have explained them.

Alternatively, she should ask you to divorce her. If the two of you come to an agreement on that, the matter could be resolved and divorce given amicably. If she does not follow either one of these routes, then she remains married to you.

Having said that let me say a word of advice to you. When a Muslim marries, he commits himself to the fulfillment of certain duties toward his wife. In your case, these have not been done. So it is better that you attend to them without any further delay. You may start by writing her a letter saying that you now realize that you were wrong in omitting to write to her, and that you are working toward settling together soon. You should add that you understand her frustration, but you will now work on bringing about a closer relationship between the two of you. She may be happy to see such a change in you, and perhaps the relationship between the two of you will soon be on the mend.

2. Allah has given the right of divorce to the man in any marriage because it is he who bears all the financial commitments, which result from this relationship. He has to pay a dowry to his wife and provide a home for both of them and their children. He has also to support his wife financially, even if she is rich. When a man divorces his wife, he again takes upon himself certain financial commitments. Apart from the payment of her dowry or its balance, if any, he pays her maintenance during her waiting period and gives her a present.

Moreover, when a man who has divorced his wife wishes to marry another woman, he has to pay similar expenses, which make the whole idea of divorce and marriage to another woman a very costly affair. Any man would think twice before going through this process because he realizes that it constitutes a heavy burden on him.

A woman does not pay any of these expenses. If she has an income and she shares with her husband the expenses of their married life, it must be known to both of them that she has no obligation to make such a contribution. She does it voluntarily because the benefit goes to her own family. The distribution of financial responsibilities is the main reason for the fact that Islam gives the right to divorce to the man.

The wife may however, exercise this right only if it has been agreed between her and her husband that he relinquishes his right to her. In other words, an express agreement must be entered between them, which gives the wife the right to divorce if she wants to do so. If this condition is not stipulated, then the woman cannot divorce her husband either verbally or in writing, in his presence or in his absence.

Matrimonial: Divorce Or Reconciliation — A Matter Of Ego

I often quarrel with my wife, and normally she starts the quarrel and I end it by beating her. This time we have not been talking for a month. Perhaps both of us feel that the other should apologize, or at least acknowledge being in the wrong. While I do not want to divorce her and she does not want to apply for Khula', our ego prevents each one of us from being willing to compromise. How long can these situations last? Do you think that she should be the one to make the first move for Khula'? What are our obligations towards our three children?

May I first thank my reader for being candid in describing the problem. But that is all I can say to his credit in this situation.

Perhaps the operative word in whole question is “ego”, and I am most amazed how ego comes between a man and the mother of his young children. Of course things will not improve if each of the two spouses thinks of personal ego. Marriage is a life partnership. When you have married a woman, she becomes part of your life and family. There is no ego in between the two of you. Had you replaced the “I” in this equation with “my love”, you should have spared your wife, children and yourself much of the tension that must have characterized your marriage. What is more is that you would have had much more of your ego than you could conceivably obtain through such a stormy relationship. She would be the one to give you all the respect you are now seeking in vain.

What I would like to say to my reader first of all is that he is totally in the wrong for beating his wife time and again. The Prophet, peace be upon him, has spoken often against that and wanted to issue a clear injunction showing that as forbidden, but then God revealed the verse, which allowed a husband to beat his wife as a last resort. The Prophet, peace be upon him, then said clearly that he wanted something but God wanted something else. There was room for this sort of action but only as a last resort and only when one thinks that it may bring about a resolution of a long standing problem. Moreover, he made it clear that it should never be anything more than a token beating, such as with a Miswak or a napkin.

What happens, when a family with young children experience a quarrel ending in the husband beating his wife and she shouting and crying, is that the children get the worst of it. They are naturally inclined to their mother. They realize that she is the weaker party. They feel their inability to interfere or help her. They suffer as a result, and this could lead to psychological problems that may have long lasting effects. Therefore, our reader has an overriding interest in redressing the situation and trying to resolve his problem with his wife. That interest is to ensure that his children can cope with the reality and try to put the quarrels they have witnessed behind their backs.

A resolution of the problem can have only one of two ways: either reconciliation or a divorce. There is no room for ego either way. The only ego our reader should think of is that of securing a solution that may please God and safeguard the interests of all concerned. That is the ego of acting fairly and giving each party their due. If we are thinking of a final break-up of the marriage, then he should be the one to start the divorce process. He should wait until his wife has had her next period. Then he divorces her once only. She begins her waiting period, staying at their home. She is not required to do any house work duties, but she is entitled to full maintenance. They must use separate bedrooms. If the waiting period is over without reconciliation, the divorce process is completed and she rejoins her family. The children will be in her custody, since they are less than 7 years of age. He is entitled to see them as often as it is practicable. After this period, the children should be offered the choice with whom to stay, and they can change their minds after making the choice. The father must pay their maintenance in full.

Our reader speaks of Khula’ as something his wife should do as a solution. But why should she sacrifice her rights only to secure his ego, when she is the one being beaten up? Khula’ deprives her of any outstanding portion she may still have of her dower, or Maher, and requires her to refund her husband any dower he has already paid her. Does he expect her to make all this sacrifice after having beaten her? I know that some men may resort to beating their wives in order to force them to seek Khula’ so that they are repaid their dowers. But that is a grave sin to commit deliberately. A dower is the right God has given to a woman in return for being a

lawful wife to her husband. For the husband to try to take it back and force that by beating her is neither manly nor Islamic.

I should advise my reader that he has much more to do than forget his ego once and restart the relationship. He has to be determined first to make his marriage a success. That comes about by seeking to make his wife love him. That is certainly feasible because his wife will always prefer a settled home for her children.

Thus if he begins by showing love, care and compassion, the whole atmosphere in his family home will change. Before long, he and his wife will begin wondering what was their quarrelling all about. Let me add a word of caution: while this is feasible, it takes much patience and perseverance. It also takes a willingness to readily overlook mistakes, particularly in the early period. He should look at reconciliation as a new shoot, which needs extra care until it consolidates its roots.

I hope my reader is successful in his attempt to bring such reconciliation about.

Matrimonial: Divorced Women & the Problems They Encounter

In Western countries, when divorce takes place, the woman takes half the husband's property. In Islam the woman is left on her own, with nothing to survive on. If she becomes a dependent of her parents or her brothers, she is made to feel herself a burden. She is often ill-treated. Few divorcees have a chance of getting married again. Her life is ruined. How can she survive?

The entire social system is different in the West, where a woman has to work for her living, throughout her life. Thus, when she gets married, she contributes to the family finances. She shares in paying for the house she and her family live in, and she makes an equal payment to the family budget. As such, it is only fair that she takes half the family assets when the marriage breaks up.

Islamic law is made for Islamic society, and applied by a Muslim community whose members know that they are answerable to God for their deeds. In Islamic society, no woman has to work for her living. Her living expenses are the responsibility of her parents, her husband, or her brothers or other relatives. In this case, she contributes little or nothing to the family finances. How could she claim half the assets if the marriage breaks up? I realize that many Muslim women suffer a great deal as a result of being divorced. But this has nothing to do with Islam. It has much to do with the local culture or traditions. Take, for example, the case of a divorcee's second marriage. In some Muslim societies, a divorcee is presumed responsible for the collapse of her marriage. People do not inquire into the case before blaming the woman for the divorce. But this is totally un-Islamic. It is often the case that the man is more to blame for his marriage ending in divorce. Besides, divorce is made lawful by God, so that an unsuccessful marriage is terminated in a satisfactory way to both parties and to their children.

Unfortunately, circumstances and local traditions may get in the way and prevent the proper implementation of Islamic rules. In a poor family, where a man can hardly manage to look after his wife and his own children, he does not want to increase his burden by looking after a divorced sister. In communities like those of the Indo-Pak subcontinent, where traditions borrowed from non-Muslim communities, the marriage of a woman is a financial burden for her parents. When she is divorced, she gets nothing back. The financial loss to her family is huge. Hence, divorce is not looked upon as a case where two people are not compatible. It is a case of wasting life savings. Hence, a woman is expected to stick it out, whatever the situation is, in order not to be the cause of wasting such an amount of money. Hence, tradition has militated against the welfare of divorced women.

The answer to all these problems is that Islamic rules are applied in society, in all aspects of life. This ensures fairness for all.

Matrimonial: Dower — Deferred Payment

How much should a man pay in dower at the present time? When and how should it be paid? What is the result of its non-payment or delayed payment? How is a husband who refuses to pay the dower penalized?

There is no fixed amount for a woman's dower. Normally, the husband and his prospective wife's guardian agree upon its amount. Her guardian should consult her before consenting to the marriage. A dower may be in cash or kind and it may be the realization of some benefit to the prospective wife. The Prophet, peace be upon him, asked one of his companions who wanted to get married, how much he could afford in dower. When he learnt that the man did not have any money, the Prophet, peace be upon him, asked him whether he had learnt any parts of Qur'an. When the man answered that he knew certain Surahs, the Prophet, peace be upon him, sanctioned the marriage on the basis that the husband would teach his wife those Surahs. That was her dower.

In another incident, a man called Abu Talha proposed to a Muslim woman. At that time he was not a Muslim. She said to him: you are not one to be rejected, but as you are a non-believer, a marriage between us is impossible. If you accept Islam, I will take that as dower and will ask you nothing more. The man became a Muslim and the Prophet, peace be upon him, sanctioned the marriage. His companions considered that she had the best dower of all. That is certainly true because by her marriage, she won a good man to Islam.

Normally, the husband pays the dower to his prospective wife before the marriage contract is made. Its amount is specified in the contract. The payment of the whole of the dower or any part of it may be deferred. If the dower is not paid before the marriage contract is made, it remains a debt owed to the woman by her husband. It does not affect the validity of the marriage. As long as the husband acknowledges his wife's right to her dower, and is willing to pay it should she demand payment, there is nothing wrong in delaying payment. If he defaults on payment, when a demand is made, the case may be put to a court of Islamic law, which will immediately order the man to pay. In this case it is treated as a debt which is unpaid. Everything that applied to debts applies to unpaid dower. When the husband dies, his wife may claim her deferred dower from his estate and its payment is given priority since such priority is given to all debts left outstanding by the deceased.

I realize that in certain societies the dower is considered as a formality. It is specified but not paid and the bride is required to declare that she has forgone her right to it. Such a practice is unacceptable from the Islamic point of view.

[Added: The fixation as dower so high that it may be quite apparent that the prospective husband will never be able to pay such an amount, would be far from being realistic and would thus lose its sanctity. The husband knows from day one that he never will pay the dower. Such a position is not acceptable from the Islamic point of view. Likewise, a meager sum of money agreed between the parties, as is done by certain communities when they fix paltry sum of money as dower, purely as a customs, without any valid consideration, is also unrealistic and would amount to be only a formality. This is also unacceptable from the Islamic point of view. Dower is a serious matter. The fixation of dower should be realistic, meaningful and acceptable to both the parties.]

Matrimonial: Dower — Failure To Pay Dower

Is it necessary to pay the dower in full to one's bride at the time of the wedding, or can a woman waive it in full or in part? Is such a waiver enough to free the husband from paying it? If a man has not paid the dower to his wife and she has not waived it until she died, should the husband pay it to her parents?

The dower is one of the conditions of a valid marriage contract. It is money payable by the husband to his wife and it becomes her own property and she has sole discretion to dispense with it the way she likes. The amount of the dower should be specified at the time of the marriage. It becomes due and payable the moment the contract is made. If it is not mentioned or agreed at the time of the contract, it remains due. The husband and wife could agree on its amount at any time. If they do not agree, and the wife claims it, an Islamic court will judge in her favor. It will order the payment of a dower equivalent to what women in her social status normally receive.

Payment of the dower, or part of it, may be deferred if the two parties agree. In this case, it becomes a debt owed by the husband to his wife, which she may claim at any time. If it remains unpaid, the husband must pay it when she dies and it becomes part of the estate of his wife. It thus goes to her heirs according to their shares. As you know, a husband receives one quarter of the property of his deceased wife, if she has a child. If she dies childless, he inherits half of her property.

If she foregoes the dower in part or in full, the husband may accept that waiver without any hesitation. This, however, must be done of the wife's free choice. She must not be pressured into it, nor can this waiver be extracted from her in ignorance. She must be told that it belongs to her and the waiver must be by her own free will.

Matrimonial: Dower — Outstanding & the Spouse Died

Could you please explain what happens to the dower if it remains unpaid until the husband dies? In my home country, it is customary that the woman declares to the deceased husband at the time when his body is taken for burial that she forgives him and forfeits her dower. If a woman does not make this declaration, relatives and friends remind her to do so. Could you also explain what happens to the dower if the wife dies first, without the dower being paid?

The dower is an amount of money which may be in cash or kind or some other benefit which is payable to the wife by the husband at the time when they are married, i.e. when the marriage contract is made. It may be deferred until a later date or deferred indefinitely, but it remains payable if the wife demands it at any time. When it is paid, it becomes the property of the woman and she has sole discretion on how she wants to spend it. She may save, invest or spend it without interference by her husband, father or indeed anyone else. As you realize she is a complete and independent status which enables her to own and dispense of her possessions at her own discretion. A dower is made obligatory with an express order in the Qur'an. The relevant verse may be translated as follows:

"Give to women their marriage portions in the spirit of a gift: but if they, of their own accord, give up to you any portion of that, then enjoy it with pleasure." [Woman — "An-Nis'a" 4: 4]

The phrase, "in the spirit of a gift", is significant, because it means the giving of something willingly, of one's own accord, without expecting a return for it. The law has not prescribed the amount of the marriage portion or dower which the

bridegroom has to give to the bride. It depends entirely on the agreement of the two parties, and may consist of anything, even a mere token. The point is that the woman should agree, without being subjected to any pressure, to the amount offered.

If the dower is unspecified at the time of contract, it remains payable. The two parties may agree upon its amount after marriage. If they cannot agree on an amount, the matter may be referred to an Islamic court and the judge will order the husband to pay an amount, which is equivalent to the dower received by women in a similar social status. The judge will take into account the dower paid to the woman's sisters, cousins or neighbors who have similar qualities including age, education, maturity and beauty. If the husband refrains from paying it, the judge can order enforcement in the normal method of enforcing any judgment.

The full amount of the dower becomes payable in two cases. If the marriage is consummated, or if either husband or wife dies before its consummation. If consummation takes place, and the dower has not been paid, or it has been agreed to defer it, the wife may claim it at any time, and it is payable without delay.

As it is mentioned in the Qur'anic verse quoted above, it is possible for a woman to forfeit part or whole of the dower willingly. If she does that out of her own free will and without any pressure by her husband or her parents or by social traditions, then the husband may accept that gift from her and he can enjoy it as something that has been given to him freely.

As mentioned earlier, the dower becomes payable when either man or wife dies, even though no consummation of the marriage has taken place. It goes without saying that in the event of the death of either spouse after the consummation of the marriage, it becomes also payable. If the man dies first, then it is treated as a debt, which he owes to his wife. It is common knowledge that the first thing to be paid from an estate of a deceased person is his debts.

His heirs are not to claim any portion of what he has left behind until his debts are cleared and his will is executed, provided that the will does not exceed one third of his property. Hence, if a man dies with a portion of the dower he had agreed with his wife, still unpaid, that portion is to be treated as a debt. If what he has left behind is not sufficient to pay the dower, then his children and other heirs should jointly settle it.

If the woman dies first and her dower is unpaid, in full or in part, then what remains outstanding of it must be paid into her estate straight away. It may well be needed to settle an outstanding debt. If the woman does not owe anybody anything, the outstanding dower is part of the money due to her heirs. Her husband will, needless to say, be among her heirs, but he must first pay the dower into her estate. If he cannot pay, a set off against his share of inheritance from her may be made. To do so, her estate may be calculated including the dower. The portion of her husband is then calculated. As you know, a husband inherits one quarter of his wife's estate if she has any children. If she has no children, then he inherits half of it. When his share is determined, the amount of the dower is taken out of it and the balance is either paid into the estate or paid to the husband, as the case may be.

The questioner raises the point of a woman forfeiting her right to her dower at the time when her husband is about to be buried. He further says that this is customary in his part of the world. Well, the Qur'anic verse quoted above says that if they, meaning your wives, "Of their own accord, give up to you any part thereof, then enjoy it with pleasure." The operative phrase here is 'of their own accord'. Any forfeiting of any part of the dower, whether in lifetime or after his death, must be done willingly by the woman. When it is traditional for a woman to do so, when her husband dies, then a woman may think it is unbecoming of her not to forfeit her dower. What is

important here is that a widow should be properly informed before she makes her decision. She should be told that by doing so, she is actually making a gift of her dower to the other heirs. Her deceased husband does not benefit by it. It is certainly open to her to forfeit it, in the same way as anyone to whom the deceased owes some money may forfeit his debt. If a woman thinks that she has enough to live on, and she wants to increase the shares of her children in the inheritance of their father, then she does well to forfeit the outstanding dower. But she must be made aware that she is under no obligation to do so. If she does not have enough to live on, she must be further told that she may be doing herself an injury by forfeiting her dower. To my mind, a woman need not forfeit her dower unless she wants to help her children and she is well to do, or if she knows that there is not enough in her deceased husband's estate to pay her dower.

Matrimonial: Dower — Reducing the Agreed Amount Of Dower

I recently married a relative of mine secretly without the presence of our parents. I tried to fix a reasonable dower, but my relative objected to it, demanding a very high dower to which I reluctantly agreed. Is there a way to reduce the agreed amount?

If your marriage with your cousin was in the absence of her parents, then who acted as her guardian [Vakil]? It is essential for the validity of the marriage that the father or the guardian of the woman should act for her in the marriage contract. Of course he does not do anything to which she does not consent, but he should be the one to give that consent when the marriage contract is made. Most scholars would consider a marriage contract where a woman acts for herself to be invalid.

Only the Hanafi school of thought considers it to be valid because it treats it as an ordinary contract, and women have the full authority to enter into any ordinary contract or business transaction without reference to a husband, father or guardian.

Be that as it may, the immediate question you ask is about the possibility of reducing the agreed amount of dower. I am afraid that the only way to do that is to get your wife to forego part or that entire dower. You are not allowed to pressure her in any way to do so.

She has to give her consent freely. That is because the dower is a marriage apportioning to which the woman is entitled to have in return for becoming lawful to her husband. She is free to determine that portion, and once it is agreed, it becomes payable. You may not deny her what you have agreed to pay. Since she has agreed to leave that unpaid, it seems to me she is only acting reasonably, to ensure that she would be in a comfortable position should anything go wrong with her marriage.

If so, then she is sensible, and you should make sure of looking after her properly. While this is so, then you need not worry about having to pay the dower immediately. A marriage contract may be made at any time, except when either party is in the state of Ihram, or consecration during Umrah and pilgrimage.

Matrimonial: Dower — Set Too High & Then Marital Problems

When a certain person proposed marriage, he agreed under pressure to a dower, or Maher, of about \$20,000, which remained unpaid. A few years after the marriage, and the birth of a daughter, problems arose. His wife took their daughter home and requested divorce, although she was aware that he was in no position to pay the dower. She threatened to apply for khula' but she has not done so. Now he is unable to reach her as her family do not allow him access, even by letter. He is denied seeing his daughter. What solution Islam provides for such a problem.

People often abuse the dower system, which is part of Islamic marriage intended as a gesture of honor to the wife. Sometimes, the woman is pressurized to forfeit her right to it. Instead, she pays a dowry to the husband, in line with un-Islamic practices. In other situations, the dower is set too high for the husband to pay. In such cases, the woman's family defers its payment indefinitely, which means that it becomes payable if divorce takes place, or when the man dies. But in certain cases it becomes a source of hard feelings that linger on and on.

In this case, the problem between the couple might have been easy to solve without the threat of a payment that is beyond the husband's means. He should have never accepted such an amount to be entered as owing from him, since he was aware that he would never be able to pay it. However, now that the situation is thus, he should inform his wife that she is in violation of her marital duties if she remains away. He should ask her to see him to sort out their problem. When they meet, or if he meets her parents, he should tell them that he wants to sort out the problem amicably. If they have to part company, then they should do so without either party ruining the life of the other. There are three options open to them:

- 1] A reconciliation and resumption of the marriage;
- 2] Divorce in which case they should agree to forgo a portion of the dower, so as accept an amount that he can pay without too much hardship; or
- 3] Khula', which means that the marriage is terminated at the wife's request and she repays the entire amount of dower. In this third case, he will not have to pay her anything.

In such matters, it is always advisable to consider involving some wise people from the two families. These should be well placed as to look into the problem seeking an amicable solution. This is in fact required by Islam, as the Qur'an states:

"If you have reason to fear that a breach may occur between a [married] couple, appoint an arbiter from among his people and an arbiter from among her people. If they both want to set things aright, God will bring about their reconciliation." [Woman — "An-Nis'a" 4: 35]

It is because we often forget to apply Islamic rules that we land ourselves in situations that are hard to solve. This procedure of arbitration is required as a way to prevent the break up of marriage. The reader may consider offering it to his in-laws, quoting this Qur'anic verse. If they are religious, they should accept it.

Matrimonial: Dower — What Dower To Pay?

Could you please let me know what is the actual amount of dower, or mahr, prescribed by Islam?

This question has been coming up time after time. What I find strange about it is the request for an exact figure. Islam does not prescribe a particular amount, which must be paid as a dower, or mahr, to be given by the prospective husband to his prospective wife at the time when their marriage contract is made. In establishing the right of the wife to have complete say in what she may do with her dower, Allah mentions in the Qur'an

" And if you give any of them [i.e. your women] a large amount, you may not take anything out of it. Would you take it when it is an absolute injustice and a clear sin? " [Woman — "An-Nis'a" 4: 20]

Only if the wife willingly and with clear mind and free choice forgo part of her dower to her husband, he may take it. The above quoted verse, makes it clear that the dower may be a very large amount. In this connection, it is useful to quote the famous report that Omar, the second caliph, wanted dowers to be moderate, he advised people while he was addressing them, before a Friday prayer not to let dowers exceed what the Prophet, peace be upon him, paid to his wives. A woman in the mosque objected to him and quoted this verse. The caliph acknowledged that the woman was right and he was wrong. [Added: This follows, thus, that it is proper for women to attend mosques.]

Having said that, I should perhaps remind you of the Hadith, which states that the best women are the fairest looking and cheapest in dower. This Hadith is taken as an encouragement to make dowers small so that they do not represent an impediment to marriage. It is often the case that young men have to delay marriage in order to raise funds to meet the expenses of establishing a new home. When dowers are cheap, the task is made that much easier. If they are expensive, marriage maybe delayed. This is bound to lead to results, which Islam does not welcome. In short, a dower may be as little as one Riyal, or even less, provided the bride willingly accepts that. On the other hand, it may be any amount the two parties agree between them. The dower must be of benefit to the woman and this benefit may be a moral, rather than material one. One of the companions of the Prophet, peace be upon him, was married in return for teaching his wife the Surahs of the Qur'an he had learned. This is an educational benefit, which is certainly valuable. No money was paid. That represented the dower, and the Prophet, peace be upon him, approved that.

Matrimonial: Dower & Other Payments

1. You have spoken earlier on dower and dowry stating that Islam approves only of the first which means a payment by the man to his prospective wife. May I say that, contrary to what you have implied, this is the practice followed in most parts of the Indian Sub-continent. May I also ask about the practice in a number of Arab countries where the dower is used by the wife or her family to buy furniture for the man's house? How far is this in line with Islamic practice? What is its effect on encouraging or discouraging early marriages?

2. May I ask what is the purpose of paying dower to one's prospective wife? We know that since it is an order of Islam, we must fulfill it without question. However, it is far better to know the purpose of what Islam requires of us.

3. You have mentioned in the past that a lady companion of the Prophet, peace be upon him, agreed to be married to Abu Talha on the condition that he becomes a Muslim. She did not have any dower, but considered his acceptance of Islam as her dower. What I would like to know is whether people can be tempted to become Muslims just for the sake of marriage?

When a man and a woman get married, the new relationship imposes certain obligations on each one of them. When you try to evaluate these obligations against the rights that each of them will enjoy, you will find that, generally speaking, it is the man who stands to benefit more by the new relationship. Although Islam maintains equality between men and women and provides a system, which helps each of, them fulfill the roles for which they are best suited, on balance; the man has more to gain. He establishes a home and a family and is likely to have children and find a comfortable home when he comes back from work. Moreover, he has a partner with whom he may fulfill his natural desire in a legitimate way. In return for this extra benefit, he has to pay a dower to his prospective wife.

I have explained that this is a condition of Islamic marriage. The dower is payable in advance, or at the time of making the marriage contract. If it is specified at the time of the contract, then the amount mentioned is the dower, which the woman gets. If it is unspecified, the contract is valid but the wife continues to be entitled to receive a dower. The man and his wife may agree on its amount after marriage. However, if they cannot agree on a specific amount, the woman may refer the matter to an Islamic court which will give her an amount equal to that normally received by women in her social standing when they get married. In other words, the court will consider how much has been given to her sisters and cousins and will order that she be paid an amount similar to them. If a dower is still not paid, it remains due for the wife. When she is divorced, she may claim it. When her husband dies, it is payable to her as a debt. As you know, the first payment out of the estate of any deceased person is the settlement of his debts.

To sum up, dower is paid by the man in return for the benefits he receives as a result of his marriage. Therefore, the dower must be of benefit to the woman herself. She has sole discretion over its usage. She may spend it on her own needs, invest it or keep it. Nobody may harass her either to forego it or to spend it in a particular manner. The benefit, which a woman may receive as her dower, need not be financial or material. That is the case mentioned with respect to marriage of Abu Talha, the companion of the Prophet, peace be upon him.

Perhaps I should explain here that Abu Talha was a man of admirable character. This was clearly seen in the battle of Uhud as well as many other situations. In Uhud he was one of those who remained with the Prophet, peace be upon him, when the bulk of the Muslim army was in disarray. He defended the Prophet, peace be upon him, most courageously and helped protect him from the determined attack by the polytheists who had resolved to kill him. His was a shining character among the companions of the Prophet, peace be upon him. When he proposed to a Muslim lady, she realized that he would make a very good husband. However, he was not a Muslim at that time. She told him that he was not one to be refused, but since he was not a Muslim she could not marry him. If he was ready to be a Muslim, she would not require him to pay her any dower. His embracing Islam was her dower.

There is no doubt that the lady in question has made a great benefit by his marriage. She won to Islam a man of high courage and integrity that was certain to appreciate the value of Islam, once he knew enough about its principles and practices. She certainly hoped for a great reward by Allah. If any woman finds herself in a similar situation and is certain of the character of the man who wants to marry her and follow the example of this lady companion of the Prophet, then her marriage may be blessed. As for tempting a woman to become Muslim in return for marriage, this should be looked at differently. The marriage of Abu Talha ensured a benefit to the lady in the form of reward from Allah, but the benefit will be the man's when he offers marriage to a woman in return of her becoming a Muslim. The dower should be something, which gives her a personal benefit.

Another example of moral benefit, which may be considered a dower is the case provided by the Prophet, peace be upon him, when he was asked by one of his companions what to do when he had no money to give to the woman to whom he had proposed. The Prophet, peace be upon him, asked him whether he knew any Surahs of the Qur'an. When he answered in the affirmative, he made it a condition of the marriage that the man would teach his wife the same Surahs of the Qur'an. That was all the dower the man was required to pay. Again here there is a clear benefit to the woman because learning parts of the Qur'an will ensure reward from Allah.

What I mentioned about the system in the Indian sub-continent was that the dower is quite often a nominal sum or a formality, which is part of the whole ritual. On the wedding night, the bride declares to her husband that she foregoes her right to the

dower. She does this either because she is taught to do so, or as a result of the husband's pleading that he does not have the money. The first letter suggests that I have been misinformed. I might have been, but I go only by what I am told. [Added: No you are not misinformed. In some communities that is precisely the case.] I have received numerous letters from my readers over the years that for a girl to get married, her father or brother must go to the trouble of buying gold or some other stuff to tempt the bridegroom. The more she has the better her chances of marrying well. I have also heard this from friends who come from that part of the world.

Now that you are mentioning that prevalent system is more in line with Islamic teachings which makes the dower a condition of the validity of marriage and the amount is actually paid to the bride and she exercises her sole discretion over its usability, I am certainly glad to hear it. It may be the case, however, that both types exist in different parts of the subcontinent. Be that as it may, what we are concerned with here is the Islamic system, not the practice of any particular community.

What you have mentioned about the practice in some Arab countries is certainly true. The bridegroom pays a dower, but the family of the bride takes it and adds to it, probably an equivalent amount or even more and spend the money on the bride's costumes and furniture for the home of the new family. This is again something that is not encouraged by Islam. Islam promotes marriage and does not create difficulties for the prospective partners. Such financial requirements tend to discourage or delay marriages. It should be added, however, that the furniture remains the property of the woman for as long as the marriage continues. If it is dissolved, she takes it back. In certain Arab countries, when a marriage ends up in divorce, the court will assume that all the furniture in the family home belongs to the wife. The husband has to prove that he bought a certain article himself for the court to allow him to take it away. It should be stated, however, that this is not the sort of complication Islam encourages. Indeed, providing a furnished home for a family is the responsibility of the husband. When the wife refuses her dower to buy furniture, she is not making the best use of her dower, except in the sense that she is free to forgo any part of the dower for the husband. Here she is forgoing the usage of the furniture. In this case, tradition gets mixed up with Islamic teachings. I would prefer a clear-cut arrangement where the woman may get a smaller dower, but the husband provides the furniture.

Matrimonial: Early Age Marriages

I have a nine-year-old girl who is married to a person at the age of 20. The marriage contract was made a year ago but the girl is refusing to live with her husband or even to look at him. In addition to that she requires him to divorce her. Could you please advise me what to do? Should I separate them or force my daughter to live with him?

It is certainly possible for a father to get his daughter married to someone who he thinks is suitable for her. Whether he should force her into any marriage is something totally different. Let me relate this to you: A woman companion of the Prophet, peace be upon him, came to him and said: "My father has married me off to one of his relatives without asking my opinion. I do not wish to stay with this man as his wife." The Prophet, peace be upon him, ordered their separation. When she realized that she was free and that she was no longer married to the man, she said to the Prophet, peace be upon him: "I now accept what my father has done and I am marrying this man. I only did this so that women may know that it is not up to men to marry them off against their wishes."

Scholars have discussed at length the marriage of a young girl who has not attained puberty and whether her father may marry her off without her permission. If such a marriage takes place it is valid. However, it is perhaps best if the marriage is not

allowed to be consummated until the girl attains puberty, when she is given the choice whether to continue with this marriage or not. Moreover, her father may not marry her off to someone who is of a lesser status than hers. If he does and she objects, the marriage is not valid. Generally speaking, however, a girl must be asked to express her opinion in any proposed marriage. If she has been married before, then her verbal consent should be requested. If she has not been married previously, then her consent is also to be requested, but if she keeps quiet, her silence is taken as approval.

To say that marriage is valid is not to say that people should go ahead and make such marriages. There may be certain circumstances, which make it desirable or advisable that a very young girl should be married off in this manner, but this must not be taken as the normal situation. In marriage, the normal thing is that people should marry when they are of marriageable age. That should not include girls of nine or ten years of age, although some girls may attain puberty that early. Marriage involves certain responsibilities and a very young girl could not be expected to shoulder these. There are also other problems, which the girl may face, as she grows older. If things go wrong with her marriage, she will always blame her father for having messed up her life, well intentioned though he may be. If you take the example of your own daughter, and you force her to go and live with her husband despite her protestations, you will never be sure whether the marriage will work out well or not. If it does, then well and good. But there is an equal chance that a problem may arise especially with your daughter behaving like the child she is, while her husband expects from her the attitude of a married woman. How could you expect her to overcome the feeling that she has been thrown into this situation without being allowed the slightest say in the whole matter which is to affect the rest of her life?

As I see it, your choice is either to get her divorced now, before the marriage is consummated or to keep her with you until she has attained puberty and she is in a position to express her opinion about this marriage. If she still objects to it, then you let her be divorced without any compulsion to go through with it. If, on the other hand, she approves of this marriage, at that time, then you go ahead with it. Perhaps it is better for you to consult with the young man to whom you have already married her. He should be understanding and accommodating. Between the two of you, the best solution should work out which ensures that he is not lumbered with a marriage which is forced on a young girl who cannot be expected to give an opinion about such a matter.

Matrimonial: Exchange Marriages

I got married two years ago on the basis of exchange marriage. This was against the wishes of my brothers and parents. I am afraid my marriage has not gone well at all. I recently read that this type of exchange marriage is not liked by Allah. Is this true? If so, how can I rectify my mistake? The difficulty is that if I have some problem with my wife, my sister suffers as well, because she is blamed for our problems.

I have some bad news for you. Your marriage is not valid at all nor is your sister's marriage. This type of marriage is known in Islamic terminology as 'shighar'. Abu Hurairah reports that Allah's messenger, peace be upon him, has forbidden shighar which means that one man says to another: Marry me your daughter and I will marry you my daughter; or marry me your sister and I will marry you my sister." [Related by Muslim]. In another highly authentic Hadith, Abdullah ibn Amr reports that "Allah's messenger, peace be on him, has forbidden shighar which means that one marries his daughter to another on condition that the other man gives him his daughter in marriage, without mentioning any dower." [Related by Al-Bukhari and

Muslim]. These two Hadiths are perfectly clear in forbidding exchange marriages altogether.

It is not surprising that this is forbidden in Islam, because it is an exchange deal, which looks at women as though they were commodities that could be bought and sold. When a woman gets married, she is entitled to receive a dower which becomes her own property and she may dispense with it the way she likes. In such an exchange marriage, a dower is not commonly mentioned. Even if it is mentioned and specified, the condition that the marriage will only go through if the exchange deal goes through is enough reason to invalidate the two marriages altogether.

It is not surprising that you are having problems. You also mention that your sister is having problems as well. May be the reason is due to the fact that both women feel that they were treated like two inanimate objects which were exchanged.

If the marriage is invalid, then there is no way to make it valid. What you have to do is to make it clear to both families that both marriages are not valid. Each of the two women goes back to her family and the two relationships are terminated forthwith. When this has been done everyone of the four parties, meaning yourself, your sister and the other man and his sister are free to marry other people. Similarly, it is open to you to propose to the women you have described as your wife. Since you have been having problems, most probably you do not wish to do so. That is indeed better. But if you feel that you may have a chance to lead a happy life and you want to marry her, you make your proposal as if there was no relationship whatsoever between the two of you. You agree terms of the marriage without any reference to the past relationship. You agree an amount of dower, which you have to pay her and she is free to use that money in the way she likes. There must not be the slightest hint that when your marriage goes through, your sister will be married to your wife's brother in consequence. Otherwise, you would be back in the same situation and both marriages will be invalid.

Perhaps I should explain that a man may marry a woman in the normal way without any third party being involved in any way whatsoever, and the marriage goes through after payment of the dower and the contract being made as Islam describes. Sometime later, it may so happen that one of the relatives of the woman wants to marry a relative of her husband, this is permissible because the two marriages are separate and no condition was attached to the first one that the second one will follow. If there are any such conditions, then the conditions are not valid and there may be doubt about the validity of the marriage itself.

Matrimonial: Failure In Marital Duties

May I put to you the case of a married woman whose husband provides all the material needs of the family, but fails to have any conjugal relationship with his wife? She is almost certain that he gets all his needs in this area outside the family home. When she speaks to him about this, he accuses her of being ungrateful, since he provides for her and their children. What course is open to her?

There are two issues involved here: the lack of relationship and the suspected extra-marital affair. Both husband and wife are required to give each other fulfillment of their sex desire so as to help each other maintain their chastity. Failure in this area is regarded in the same way as failure in other important duties, such as the provisions of an appropriate standard of living, a home, etc. Scholars even define the minimum requirement of one sexual intercourse in every monthly cycle. Needless to say this must be outside the woman's period, because intercourse during the period is forbidden.

What this means in the case of our reader is that she has a genuine complaint, which must be redressed. It is best solved between the married couple themselves, if possible. The woman should try to get her husband round to change his attitude by any suitable means. If this proves impossible, then she may involve a close relative or friend. However, there may be reasons not to do so, if the husband takes this as an excuse to blame his wife for involving others in something that is, by nature, very private. Hence, my advice is that she should try to solve it directly with her husband, even if this requires taking a strong stand.

The fact remains that this is a serious matter, because a husband who abandons his wife, and she suspects that he has outside affairs, practically encourages her to do likewise. Let us hope that there is no question that the lady in this case would ever be tempted to sin. May she have the strength necessary to resist any such temptation.

Scholars consider such failure by the husband to be sufficient grounds for divorce, should the wife apply for it. This means that it is open to the wife to apply for divorce on grounds of lack of attention to her needs.

If she has such proof, then she has a very serious situation to consider. She may wish to discuss the matter with her family first and agree with them what to do. May God guide her to the best solution to her problem.

Matrimonial: Fiancée's Job & Covering Face At Job

I am engaged to a girl who is working in order to support her family. She is better qualified than her two brothers are, and she is the highest wage earner. I spoke to her about quitting her job after I read in a book that Verse 18 in Surah 24 requires Muslim women to cover their faces. Although she expressed her agreement to leave her job if I ask her to do so, I realize that this will put her family in great difficulty. If she covers her face at work, she is certain to lose her job. I cannot support her family through my modest earnings. How do I reconcile these requirements?

The verse you mention has nothing to do with women's dress in public. It is a short verse that says: ***"Thus God makes plain His revelations; and God is all-knowing, wise."*** It is Verse 31 of this Surah [24] that deals with how women should appear in public. The only part of this verse that relates to dress says: ***"Let them, i.e. women believers, draw their head-covering over their bosoms."*** This means that a woman should use her scarf or any similar headdress to cover the upper part of her body, which means the neck, shoulders and chest. It says nothing about covering her face. In fact, there is no statement anywhere in the Qur'an that makes such a requirement. In the Hadith, it is made absolutely clear that a woman should cover her head and her body, revealing nothing other than her face and hands.

It is indeed the standard view in all four schools of Fiqh that a woman is not required to cover her face or hands. However, some scholars, particularly in our modern times, insist that women must cover their faces. When we look at the evidence they provide in support of this view, we find that the other view is weightier. These scholars start with a certain premise and try to prove it by overstressing particular aspects.

Having said that, I appreciate the dilemma you will put yourself and your fiancée in if you were to ask her to quit her job. Since the only reason for which you want to do that is what you read about women's appearance, I advise you to stick to the standard view which I have explained. This makes it clear that a woman is not required to cover her face or hands. Indeed, she must not do so when she is offering two of the major types of Islamic worship, namely prayer and the pilgrimage.

Matrimonial: Forbidden For Marriage — Not All Uncles & Nieces

As we live in the same house with my father's sister and her husband, may I ask whether I have to cover my hair in front of him?

When there is a possibility of marriage with someone, then a woman should maintain her Islamic dress in front of that person. A woman may not be married to the same man to whom her sister or aunt, paternal or maternal, or her niece is married. But should the man's wife die or be divorced, the man may marry her sister, niece or aunt.

Therefore, a Muslim woman must maintain her normal Islamic dress, covering all her body with the exception of her face and hands, in front of him. The wisdom of this ruling is not difficult to appreciate, because if such near relatives do not maintain propriety in front of the husbands of their close relatives, there is a chance of a man wanting to marry his wife's sister or close relative at the same time, or he may divorce his wife in order to marry a relative of hers. In order to reduce the chance of such an unwelcome situation, Islam requires Muslim women to maintain their propriety in front of the husbands of their close relatives.

[The Qur'anic injunction on relatives forbidden for marriage is contained in Surah Al-Baqarah — "the Cow" 2: 22-24

"And do not marry at all those women whom your father had married — though what has happened in the past is excepted. This is an indecent and abominable thing and an evil practice.

"Forbidden to you are your mothers, daughters, sisters, paternal aunts, maternal aunts, brother's daughters, sister's daughters, your foster mothers who have given a suckle to you, your foster sisters, who have taken suckle with you, the mothers of your wives, the daughters of your wives whom you have brought up, the daughters of those wives with whom you have conjugal relations, but not of those wives with whom you have had no conjugal relations, and it is not sinful for you to marry their daughters [after you have divorced them]; — and also forbidden to you are the wives of your sons who are from your loins, and it is unlawful for you to keep two sisters as wives at one and the same time, though what happened in the past is excepted, for Allah is indeed Forgiving, Merciful.

"And forbidden to you are the wedded wives of other people except who have fallen in your hands [as prisoners of war]: this is the Law of Allah that has been prescribed for you. With the exception of the above, it has been made lawful for you to seek in marriage with your wealth any other woman provided that you keep them in honest wedlock and not debauchery. Then you should pay them their dowries as an obligation for the enjoyment of conjugal relations with them. However, there is no harm if a compromise is made in the dower by mutual consent after an agreement about it; Allah is All-Knowing, All-Wise."

Matrimonial: Foreplay — Permissible & Recommended

1. What is permissible between husband and wife in connection with the satisfaction of their desire, particularly in respect of foreplay?
2. Several readers who prefer to remain anonymous have put to me questions about sexual practice between man and wife. Some of these questions are from women who do not realize how to respond to their husbands, should they want something unusual. I hope the following answer satisfies all such readers.

1. It is one of the marital duties of both husband and wife to help each other maintain a chaste and moral life, while at the same time fulfilling their sexual desire, which God has placed in them and made closely interrelated with procreation and the preservation of mankind. However, human beings can always distort certain functions and force them out of their natural usage. This is the case with the sexual desire, which is subject to numerous types of perversion, and indulgences that take it away from its primary purposes of giving pleasure and ensure procreation.

What is permissible in Islam is whatever satisfies both purposes, without going into any excess, deviant practices or perversion. Thus, sex may take place legitimately only between man and wife, and in the proper method which leads to the birth of children. It is not necessary to make sexual relation between man and wife only conditional on having children; it is appropriate to intend it only for having pleasure and satisfying a natural urge. But it should be only in the form and place that may produce children, knowing at the same time that it is permissible to use contraceptives. What is not permissible between man and wife is anal intercourse. It is also forbidden to have intercourse with one's wife when she is in her menstruation, although sexual play, short of intercourse, is permissible at such times.

Foreplay is both permissible and encouraged. The Prophet, peace be upon him, says: "Let no one approach his wife roughly like a camel falls down on all four. Let there be a messenger between them." Someone asked, 'what sort of messenger?' He answered: "Kissing and love words." [Related by Ad-Dailami] Satisfaction of both husband and wife should be sought. The Prophet, peace be upon him, says: "If any of you has intercourse with his wife, he should be true to her. Should he be through with his desire before her, he should not hasten her until she is through." [Related by Abu Yaala and As-Sanaani].

2. Between man and wife, everything is permissible except anal sex and intercourse when the wife is in her menstruation period. The Prophet, peace be upon him, has encouraged us to have a loving and tender approach. He says: "Do not fall upon your wife like a camel; have a go-between that paves the way for the sexual act." Some of his companions asked: "What is the go-between?" The Prophet, peace be upon him, answered: "Kisses and whispers." He also says: "When you have sex with your wife, be sincere with her; if you have your orgasm, be patient with her until she can have hers too."

From these Hadiths we learn that foreplay and whatever is conducive to love, tenderness and mutual satisfaction is recommended, provided always that one remains within what is lawful and steers away from what is unlawful, which has been specified above.

Matrimonial: Four Wives — Reasons For This Permission

Islam is a very logical religion, but there are certain things that we accept without knowing the reason for which they are given. May I ask why men are allowed to marry four wives? I was told that this is because the number of women is greater as compared to the number of men. Is that so?

Where God or the Prophet, peace be upon him, states a reason for a particular ruling, then we are certain of the rationale behind that ruling. In such case, where the cause is not applicable, the ruling may not be applicable either. On the other hand, many rulings are given without any particular reason mentioned for them. In such a case, we may only assume the reason on the basis of our understanding. We say that what we come up with is a possible reason, without claiming it as a certainty.

Neither God nor the Prophet, peace be upon him, has told us the reason for permitting men to have up to four wives at the same time. Therefore we cannot attach this permission to any particular reason. We may say, however, that this ruling has certain benefits, providing solution to a number of social problems.

Take for example the case of a woman who has some chronic illness, which makes her unable to meet some of her marital duties. Her husband may not wish to divorce her, but he needs that fulfillment.

Allowing him a second wife serves the interests of both man and wife. A man may also dearly wish to have children, but his wife is incapable of giving him children. Do we insist that he divorces his wife in order to marry another woman who can bear him children, or allow him to retain his wife and marry a second one?

The reason you have been given is not a universal situation. It may happen in certain communities in different periods of time. If it does, polygamy is a good solution. If not, there is bound to be less polygamy in a society where men and women are equal in number, or where men are less than women.

Matrimonial: Husband Goes Missing

A woman's husband went to work abroad over three years ago and she has had no word from him ever since. We in fact consider him missing. She is in real financial trouble because she cannot work. Please advise.

There are two aspects to this problem: Helping the man's wife and family, and the status of the marriage. As for the woman herself, and her children, if any, they should be given whatever help available.

If the woman could be given some training so that she could work and look after herself and her family, this will be the best kindness to give her.

In this sort of thing, even Zakah money could be paid, not only to give her what meets her basic needs, but also to pay, say, for the fees of any education or training she needs in order to have a job of her own.

Her relatives should be the first to approach about helping her. If they are too poor to help, then she could be helped by Zakah and Sadaqah from anyone. The important thing is to look after her properly.

As for the status of the marriage, it depends on what the people close to the case think. Are they sure that the man is unreachable? Do they think that he might have died? There are numerous incidents of people seeking jobs abroad but meeting their end in difficult situations, such as boat people who drown, or those smuggled in lorries into European countries.

The woman and her family should try to get any information they can about the whereabouts of the husband. If they have absolutely no way of knowing, then they should apply to the authorities for a suitable ruling.

It is better to consult a lawyer on this point, because the laws of different countries look at such matters differently. It is possible from the Islamic point of view to apply for nullification of the marriage on grounds of neglect, but this is an area that should be looked into in detail by a competent lawyer.

Matrimonial: Husband Overseas & Wife To Live With In-laws

I got married last year and at present I am staying with my parents since my husband is working in the USA. But he is insisting that I go and stay with his family, which consists of his mother, father and a brother who is older than me. My parents are against this for they think it is wrong, since my brother-in-law is a non-Mahrem to me. Kindly let me know if this is true. If it is, then how should I tell my husband about it? I do not want to dishearten him or my parents for they both mean a lot to me. If I go against my husband's wish, will I be doing a sin? I am really in a fix and your help will be gratefully appreciated.

This is a case where a young wife is caught between social norms, which require her to stay with her husband's family, and Islamic requirements, which in her case make that highly reprehensible. In her part of the world, many women find themselves in a similar situation, where a husband is working abroad and his wife finds herself staying with his parents. This may be highly inconvenient, and could sometimes lead to great family troubles.

Her parents advise this lady that due to the fact that in her husband's family she will be living with her husband's parents and brother, her situation is untenable.

This is perfectly correct. Her brother-in-law is not a Mahrem to her, and she may not appear before him in the same way as she appears before her own brother. What will this entail is that she must not stay at home if she is alone with her brother-in-law. As this is bound to happen, then why should she be put to such inconvenience? Moreover, living situations are such that she will not be able to, without much inconvenience and embarrassment to both herself and her brother-in-law, avoid situation that are not appropriate from the Islamic point of view.

All this confirms her parents' view that she should not be asked to stay in the home or her husband's family while he is abroad. When he is back home, she may move in with him, but while he is away, she is better off staying with her own parents. In fact, her husband should welcome this, because it is better all round. He will know that his wife is safe and comfortable with her family. His parents will not have to cope with the embarrassment of having to ensure that their son living with them is free from temptation to be too familiar with his brother's wife.

Nevertheless, the situation is tricky because people often tend to overlook the advantages of the situation that differs from what they prefer. Hence, it may be advisable for this lady's father to talk to her father-in-law and explain the Islamic point of view to him. He should explain to him that he would not be willing to put his own daughter in a situation like this lady is asked to tolerate. If her father-in-law is cooperative, then well and good; and if not, her father may refer him to a learned scholar.

If none of this helps, then her father should write to her husband explaining the situation in a very gentle way and reassuring him that his wishes are respected, but God's orders take precedence. After all, no creature may be obeyed in what constitutes disobedience to the Creator, as the Prophet, peace be upon him, has said.

Matrimonial: Husband's Long Absence From Home

I have been working in Saudi Arabia for the last five years. According to the terms of my contract, I am entitled to a one-month vacation and a ticket every two years. My company stipulates that I cannot bring in my family.

Therefore my wife stays home. I have been told that according to Islamic rules, one must not be absent from one's wife for more than six months, otherwise, divorce takes place. I am further told that to stay away from one's wife for more than six months is forbidden. Please comment.

According to Islam, marriage establishes certain rights to and imposes duties on both man and wife. One of the rights of a wife is marital companionship. A woman needs to be looked after by her husband for the personal, physical and social, points of view. She is also entitled to sexual fulfillment. When her husband is away from home for a long period, her sense of lack of fulfillment may weigh down heavily on her.

Once Omar Ibn Al Khattab, the second caliph, was walking through the streets of Madinah to find out how the people fared, as was his habit, when he overheard a woman chanting lines of poetry which described her sense of loss as a result of her husband's absence. He went to his daughter, Hafsa, one of the Prophet's wives, and asked her how long a woman could tolerate the absence of her husband. She told him that four months were the maximum period. Since many Muslims needed to be absent from home, because they were fighting with Muslim armies against Byzantine and Persian empires, Omar sent [directive] to all his commanders that every soldier, is entitled to have a home leave every four months. On the basis of this event, scholars agree that a man may be absent from home, in connection with his work or with some other purpose, for a maximum period of four months, unless his wife freely agrees to a longer period. Many workers and employees are in the same situation as you are. They choose to travel because they get better jobs and they are able to support their families better.

If any of them makes the decision to work abroad in consultation with his wife and she willingly accepts that he may stay away for long periods, then there is nothing wrong with that. If she does not agree to his prolonged absence, he may not exceed four months. However, if he does, his marriage is not dissolved automatically, as was suggested by your friends. His wife may apply to an Islamic court to grant her divorce, and the court may rule in her favor. He does not commit a sin by being absent for a long period, but he is in breach of his duties towards his wife.

Matrimonial: Husband's Long Separation

It is ruled that a husband who leaves his wife so as she does not know his whereabouts, the marriage is terminated after 4 years. What happens in this situation, if the woman gets married to a second man, but her first husband reappears after 2 or more years? What is her status vis-à-vis both marriages? What is the situation if the wife is the one who is absent?

A long absence by itself is no ground for the dissolution of the marriage. What the Prophet's companion Omar ruled on was an absence without any trace. In old times, there was no way of knowing whether a person who traveled to a far away place was dead or alive. If he had a wife and family, he would be expected either to send word of his whereabouts, or to come and visit them. If he did neither, then there was no way of establishing whether he was still alive. Hence, Omar ruled, and none of the Prophet's companions disagreed with him, that a four-year period was enough to declare the marriage nullified. Even though the man might be alive, such an absence was deemed detrimental to his wife and her welfare. Hence, the ground for nullification of the marriage.

Whether this ruling of Omar is applicable today or not is questionable. Certainly it does not apply to any long absence, when the wife or the husband's family are aware of his whereabouts. With communication made so easy through letter, fax, telephone,

e-mail, etc., and travel being so easy, it is difficult to imagine a situation where a person is lost without trace, unless he has come to a serious misfortune. It is often the case that a person lost without trace is later found dead in an accident or a crime. Moreover, it is much easier today to establish this than it used to be at the time of Omar.

If the husband remains absent for no valid reason, the family laws of some Muslim countries permit nullification of the marriage if the wife applies for it after one year. There are certain conditions for that. This is in accordance with the Hanbali and Maliki schools of law. If the husband's place of residence abroad is known, it is necessary to notify him of his wife's application for a nullification of the marriage before the case is heard.

If the husband nullifies a marriage on grounds of a long absence, after all measures to establish his whereabouts fail, then the marriage is over.

That is a decision of an Islamic court based on the husband's failure to fulfill his marital duties, thereby causing harm to his wife. If the wife marries someone else, her marriage is valid. Should the first husband reappear after such a long absence, he has no claim over her, and he cannot seek a reunion with her merely on the basis of his reappearance.

In the case that the wife is the one who is absent, the situation is totally different. There is nothing to stop her husband from divorcing her or to marry a second wife. Should she reappear after the second marriage, she is still his wife, if he has not divorced her.

Matrimonial: Illegitimate Pregnancy & Marriage

A Pregnant woman wishes to marry the man responsible for her pregnancy. Can their marriage be sanctioned in Islam?

I understand that the pregnancy is an illegitimate one. If so, God tells us in the Qur'an, that the believers do not marry adulterers. The third verse in Surah 24 Light — "An-Noor" — may be translated as follows:

"The adulterer may not marry except an adulteress or a polytheist and an adulteress may not marry except an adulterer or a polytheist. Forbidden is that to the believers " [An-Noor — "The Light" 24: 3]

The adulterers need to repent of their sin and to resolve not to fall into such error again. God, Benevolent as He is, tells us that when we repent of our sins, he accepts our repentance provided our repentance is sincere.

If a woman becomes pregnant out of wedlock, she may marry the man responsible for her pregnancy provided that both of them have repented and intend to begin a new life, which is clean and pure. If they have no regrets about what they have done and merely want to be married in order to formalize their relationship, then such a marriage falls within the area to which reference is made in the above quoted Qur'anic verse.

If it is the woman only who has repented and wishes to marry a man who is not responsible for her pregnancy, the marriage contract may be made but the husband must not have intercourse with her until she has delivered her child. Islam views very seriously any possibility of confused parenthood. It insists that every child be affiliated to his own true parents. If it is the man responsible for her pregnancy then she marries him after their repentance and the marriage may be consummated straightaway.

Matrimonial: Incompatibility In Marriage

My marriage life, which has continued over 9 years, has been afflicted by the fact that my wife cannot bring herself to living within our means, which are much more limited than those of her own rich family. She apparently was used to spending on luxuries and even triviality sums that I simply cannot afford. This has led to much friction, arguments and quarrels. I have come to the conclusion that perhaps divorce is the only solution. We have three children, and members of my family have talked me out of going through with a divorce at least on one occasion, but I see no prospect of an improved family life. My question is whether according to Islam this constitutes proper grounds for divorce, or would God on the Day of Judgment punish me if I divorce my wife.

Divorce is a legitimate way of ending a marriage. Therefore, it carries no sin and incurs no punishment. God knows that human beings may not be happy in a marital relationship, so He has provided them with a decent way out of it. The important thing is that one does not do an injustice to one's spouse when the divorce takes place. It is unfairness that is wrong and sinful. If it is deliberate it could incur God's punishment. So, in principle, a man is free to divorce his wife when he is convinced that to continue with the marriage brings him and the family more harm than good.

Your problem is one of incompatibility. Your wife's background puts her in a financially better situation than that you can provide for her. As such, she is unable to come to terms with the lower standard of living you are able to provide, even though it may be a decent standard that many others would dearly love to have. Hence the problem.

I have no doubt that you have tried hard to come to terms with the situation. But this is something very difficult to do if the other person is unwilling or unable to assess the situation in a comprehensive way, looking at all factors and making a list of priorities according to their effect on one's family life. However, my advice is to try again, particularly seeking the help of someone in your wife's family who could be more understanding.

If your father-in-law is wise, you may be able to take him into your confidence and speak to him privately about the whole problem, stating that you are seriously considering a divorce, knowing how bad it would affect your children. He may be able to persuade his daughter to change her ways, or may be he would assist financially by giving her a regular allowance so that she may be able to buy what she wants without putting a strain on your finances. If this is not possible, then speak to your wife in a very cool way, without allowing the discussion to develop into a quarrel, stating your intention of terminating the marriage as you see no way of improving the situation. May be if she feels that you are serious, she will think again.

If neither way works, then resort to the method God has outlined, appointing two arbiters, one from her family and one from yours. If they can work out a compromise, which is satisfactory to both, that is well and good. If not, then divorce is the only way. Should you find it inevitable, beware of making a final break that cannot be mended. Divorce is done once at a time, with the husband making sure that the time is right for his wife to start her waiting period immediately, then pronouncing the divorce once only. To do it three times together is forbidden. During the waiting period, your wife stays with you in the family home, but you use separate bedrooms. You remain responsible for her living expenses and maintenance during the waiting period.

Matrimonial: Increased Wealth, Increased Problems

A married couple has experienced a marked improvement in their fortunes, earning much more than they used to. However, this led them to do things that they would not have done otherwise. They are fully aware that these practices are not permissible in Islam. But it also led to much friction between them, with either of them resorting to extreme measures, such as the wife preventing her husband from entry into their home when he was drunk. Please comment.

The couple needs to have a good look at their behavior, not only toward each other, but also toward God who has given them plenty of wealth. They should remember that whatever God gives us is a means of testing us. Some of us are tested with poverty or limited means, while others are tested with having plenty. So, using what we have in a way that pleases God is the course of action that brings us God's pleasure and His reward in the life to come. Moreover, it will bring us an increase of God's favors in this life. He says in the Qur'an: ***"If you are thankful, I will increase your blessings."*** Now, using the riches God has favored us with to commit serious sinful acts such as drinking and gambling is not a way of thanking God for His favors. If one starts to gamble because he can afford that, he will soon lose his wealth. What he will be left with is the impulse to gamble, and when he does not have the money to satisfy this impulse, he will sell even his clothes to get hold of the money.

What the couple should do is to examine their behavior and look for ways to bring it in line with Islamic values and principles. Unless they do, they will continue to have problems with their marriage in addition to problems resulting from the immediate action they take. They should also look at what happened between them as a lesson, which they will do well to heed. If it brings them to the point of one of them putting the other out of their home, then they must do something quick to stop the sinful behavior. They should start looking at their wealth as a blessing, which they should use to earn reward from God, not to incur His displeasure.

Matrimonial: Interfaith Marriages — Complications In

Some eight years ago I married a Christian woman who declared before our marriage that she has become a Muslim. Now she wants to return to her original religion. She did not at all pray according to Islamic way after our marriage. I always tried to see her as a Muslim woman, but she seems intent on reverting to Christianity. What effect would that have on our marriage? We have no children.

It is permissible for a Muslim man to marry a Christian or a Jewish woman. This means that your wife need not have changed her religion in order for your marriage to go through. She could have remained a Christian and your marriage would have been valid.

Perhaps I should add here that although an Interfaith marriage of this type is allowed, it is by no means encouraged, because Interfaith marriages often run into difficulties.

When a person, whether a man or a woman, renounces Islam, his or her marriage is automatically rendered invalid, because of the apostasy involved. In a situation like yours, where the wife became a Muslim, her apostasy invalidates your marriage and you may not be reunited in marriage any longer. It is different from a straightforward divorce, which can be revoked, and the marriage reinstated. Moreover, that woman is not permissible for any Muslim man to marry. She is not treated like an ordinary

Christian. She is treated as an apostate. Therefore, if your wife decides to revert to Christianity, you consider your marriage at an end. However, you may have to comply with certain requirements of the law of your country, such as the registration of divorce.

But then, may I ask you whether your wife was ever a Muslim? Is it you who can answer this question? She may have declared that she has converted to Islam, but how far was this genuine? Did she ever believe in the message of Prophet Muhammad, peace be upon him, and consider the Qur'an as the Divine Book which should be implemented at least in your family life? If the answer is in the negative, then the whole affair of her conversion to Islam was a joke. No one is allowed to take Islam other than seriously. If you are living in a Muslim country and your case comes before an Islamic Court and she states that she was not serious when she declared that she was a Muslim, the court will take that statement as an offense against Islam.

You should explain all this to your wife and let her decide for herself. Islam does not believe in compulsion in matters of religion. If she says that she wants to go back to Christianity, you tell her that your marriage is automatically nullified. You should leave her immediately in that case. If, after being told of the implications, she decides to remain a Muslim, you have to take positive steps in order to educate her in the principles of Islam and explain to her what duties Islam expects her to fulfill. You should try to encourage her to adopt gradually an Islamic way of life. As she gets to know more and more about Islam, I am sure she will be more and more convinced of its truth.

Matrimonial: Interfaith Marriages — Marrying A Girl Born To Hindus

Many Muslims in India marry Hindu women. I understand that such a marriage is not valid. My question is whether it is permissible for a Muslim to marry a daughter born in such a marriage.

If the Hindu woman maintains her faith and does not convert to Islam, the marriage is invalid. As for the daughter born in that marriage, she is an independent person. If she is a Muslim, then she may be married to a Muslim. Her parents' fault does not apply to her. It is what she declares to be her faith that counts. If she says that she does not know what her religion is, then a Muslim may not marry her until he has explained to her the main Islamic concepts and she declares herself a Muslim.

Matrimonial: Interfaith Marriages — Marrying A Non-Muslim Man

Some Muslim women living in Western countries sometimes find themselves attracted to the idea of marrying a non-Muslim, which is forbidden in Islam. Could you please explain the repercussions of such a marriage.

Islam allows a very limited area of interfaith marriages, sanctioning the marriage of a Muslim man to a woman who follows a divine religion, i.e. Judaism or Christianity. It does not allow Muslim men to marry a follower of any other religion, or an agnostic or atheist woman. This is clear in the Qur'anic verse that says:

"Today, all the good things of life have been made lawful to you. The food of those who were given revelations is lawful to you, and your food is lawful to them. And the virtuous women from among the believers and the virtuous women from among those who were given revelations before you [are also lawful to you] when you give them their dowers, taking them in honest wedlock, not in fornication, nor as mistresses." [Table Spread — "Al-Ma'idah" 5: 5]

Muslim women are not allowed to marry non-Muslim men, regardless of their faith or lack of it. This is also clear in the Qur'anic verse that says:

"Believers! Whenever believing women come to you, to join your community, examine them although [only] God is fully aware of their faith. If you have thus ascertained that they are believers, do not send them back to the unbelievers, since they are not lawful to them, nor those [unbelievers] are lawful to them. Nonetheless, you shall return to them whatever they have spent [on their wives by way of dower]. You may marry them if you give them their dowers." [She That Is To Be Examined — "Al-Mumtahanah" 60: 10]

Although this verse tackles a particular case of a woman who has embraced Islam while her husband remains a non-Muslim, it has a general implication that is applicable in all cases. Should such a woman emigrate to join a Muslim community, and she is proven on examination that she is a Muslim, she cannot be returned to her people who are unbelievers. Her non-Muslim husband is to be refunded any dower he had paid to her. She observes a waiting period in order to make sure whether she is pregnant or not. Once the waiting period is over, she may get married to a Muslim, because her adoption of the Islamic faith and her migration annul her earlier marriage to a non-Muslim.

We need to remember that this verse was revealed at a time when the Muslims in Madinah were bound by a peace treaty with the unbelievers, requiring the Muslims to return anyone from the Quraish tribe who joined them declaring himself a Muslim. The Qur'anic verse overrides this commitment, making it inapplicable to women, because they are not lawful to remain married to non-believers. The only thing required of the Muslims was to refund the woman's husband the dower he might have paid to his wife at the time of their marriage.

When we consider that Islam makes special allowances with regard to existing marriages, when the man and wife choose different religions, the case is stricter with regard to initiating such marriages. The verse quoted above states that ***"they [i.e. Muslim women] are not lawful to them [i.e. their erstwhile husbands], nor those [i.e. unbeliever erstwhile husbands] are lawful to them [i.e. Muslim women]."*** If on adopting Islam, a woman becomes unlawful to her husband who is not a Muslim, how can a Muslim woman imagine that she could become married to a man who is not a Muslim, even though the secular law in her country of residence sanctions such a marriage?

People may advance some arguments, or say that the man is very understanding and can give any commitment or guarantee that he would not object to his children being brought up as Muslims, or that his wife has complete freedom to practice her religion. But this is not the point. The point is that such a marriage is unlawful from the Islamic point of view. Hence, it does not take effect. The relationship would, therefore, remain one of adultery.

Matrimonial: Interfaith Marriages — Matter Of A Christian Wife

I was born in a Hindu family and I married a Christian girl. Sometime after my marriage, I embraced Islam, but my wife did not. My Muslim friends advised me that my marriage was invalid. I, therefore, married a Muslim girl and I have a son by her. I did not have any children by my first wife. Recently, I saw your answer to a question in which you confirmed that a Muslim might marry a Christian or a Jewish girl. I have not had any relationship with my first wife for the last ten years, except writing letters and sending money to her. Should I rejoin her? Or does financial help consti-

tute my only responsibility? Is it necessary to have a new marriage contract or is our marriage still valid?

Sometimes I feel very upset at what happens to well-meaning Muslim people as a result of ignorance of the correct Islamic view. It only requires that a person goes to a well-read scholar and puts his question to him in order to determine the right course of action. People may suffer a great deal as a result of ignorance. Take for example the first wife of this reader. She has been divorced or separated from her husband for ten years unnecessarily. Another woman has been involved as a result of the second marriage. Much of this suffering could have been spared had the correct information been sought.

I am not clear what happened to your first wife. Did you divorce her upon the advice of your friends? Or were you simply separated and living apart? If you were separated without you divorcing her, then your marriage is still valid. You need only speak to her and explain the situation. You then consult with her on what course of action you wish to take. If the two of you agree to rejoin each other, then there is nothing to stop you. Obviously, this step will affect your second wife. Perhaps when you tell her the position, she will be understanding. I hope the three of you can sort out an amicable arrangement.

If you have divorced your first wife, and then perhaps the best course of action is to leave things as they are. She has been divorced and she has no claim on you. The fact that you have been helping her financially is more than what could be expected of you in such a case. You have no liability towards her if you are divorced. It goes without saying that if you are still married, though separated, you continue to be responsible for her maintenance. You have been helping her financially and that is good. From now on, you have to give her adequate maintenance or let her rejoin you. If she does, then you have to treat your two wives equally, dividing your nights between them on equal basis and providing them with the same standard of living. If you have not been divorced, you need not have a new marriage contract. The first marriage contract is still valid.

Matrimonial: Interfaith Marriages — Muslim Man

Marriages between a Muslim man and a Christian or Jewish woman is allowed but not recommended. If nevertheless a Muslim man wants to marry a Christian or a Jewish woman, how is this marriage solemnized?

You have adequately expressed my view on Interfaith marriages. Perhaps it is useful to say that when a Muslim man marries a Christian or a Jewish woman, he does not commit a sin. However, it is strongly discouraged. This is certainly stating the general rule. Individual cases must be considered on their own merits. It is possible that Muslim man finds himself in a situation when marriage with a non-Muslim woman is desirable, perhaps because he has very little choice.

I know one man who had to leave his home country and live in a Western European country, where Muslims were a small minority. He spent the best of three years to marry a Muslim woman from any Muslim country. All his attempts failed. Eventually, he had no choice but to marry a woman from the place in which he lived. It is well known that of all other religions, we are allowed to marry women of the Christian or Jewish faiths.

If one finds himself in a situation where he has to marry a follower of either of these two religions, his marriage ceremony is conducted in the same way as a marriage with a Muslim woman. Why should it be otherwise? What is required in such a marriage is the same as a marriage between a Muslim man and a Muslim woman: An offer of marriage made by the woman's father or guardian and an acceptance made

by the man in the presence of two Muslim witnesses. The dower, which is a sum of money, in cash or kind, must be specified as being given by the bridegroom to his bride.

The question is whether the woman's father, who is a Christian or a Jew, may act for her in such a marriage. The answer is in the affirmative, because she is not a Muslim. But the witnesses should be Muslims because their role is different from that of the bride's father. They may be required to confirm the actual marriage in front of a judge.

In order that their testimony be binding on a Muslim party, the husband in this case, they must be Muslims. The bride's father is acting for her and since both are non-Muslims, there is no objection to him doing what a father should do for his daughter when she is married. She is entitled to receive a dower in the same way as a Muslim woman enjoys that right.

Matrimonial: Interfaith Marriages — Muslim Woman

A marriage was formed between a Muslim woman and a Hindu man. Neither of them changed faith. At present they have children. What faith should the children follow? How is that woman to be buried after her death? If this marriage is not valid, what will happen to her children? Can they be considered legitimate at all?

That marriage is simply not valid from the Islamic point of view. The woman may be a Muslim but, by accepting to be married to a Hindu, she has violated the teachings of Islam on marriage. She accepted to be wed to a man who is not lawful for her. Therefore, the marriage is null and void. In other words, her relationship with him is illegal.

As for the faith of her children, perhaps it is more pertinent to ask about her faith. The fact that she has gone ahead with this arrangement and has been maintaining it for several years, having become the mother of more than one child, suggests that she does not have much regard to Islamic teachings. Otherwise, she would have taken the necessary steps to determine whether her marriage would be legal or not. Having failed to do so, and continued with this arrangement is a strong indication that she may not really care about what Islam says. Hence the question whether she is truly a Muslim or not.

I do not suggest that by marrying this man she is to be considered a disbeliever. I am only saying that she does not seem to care whether her marriage is valid or not. If a Muslim woman goes through the process of marriage with a non-Muslim, no matter what religion he follows, she remains a Muslim although her marriage is invalid.

Her relationship with her man is one of adultery, not marriage. Her children are illegitimate in the sense that they are born outside wedlock. However, they bear no blame for the actions of their parents. They should be considered Muslims if their mother is truly a Muslim. If it is doubtful that she will be helping them grow as Muslims, someone else from her family should meet that end. When she dies, she may be buried in a graveyard of Muslims, because her action does not constitute apostasy.

Matrimonial: Interfaith Marriages — Permissible But Not Advisable

You have said in the past that a Muslim may marry a Christian or a Jewish woman. However, we read in the Qur'an the following instructions: "Do not marry unbelieving women until they have believed: a slave woman

who believes is better than an unbelieving woman" (2: 221). Please comment.

It is not I who say that; it is the Islamic ruling. I have on several occasions pointed out that for a Muslim to marry a Christian woman is permissible. However, I repeated on every occasion that although such an interfaith marriage is permissible, it is inadvisable.

The apparent contradiction between the ruling and the verse you quoted is due partly to the translation you have quoted. It is a little inaccurate. There is no contradiction, because the Qur'anic verse speaks of **"women who associate partners with Allah."** It is more accurately translated as:

"Do not marry polytheist women until they have believed. A slave woman who believes is better than a polytheist woman even though you may find her desirable." [the Cow — "Al-Baqarah" 2: 221]

All Muslim scholars are unanimous in their view that to marry a woman who follows any faith other than Islam, Christianity or Judaism, is forbidden. The concession in the case of Christian and Jewish woman is made on account that there remains a common area between Islam and these two religions which allows the children to be brought up as believers.

Matrimonial: Interfaith Marriages — the Procedure

Could you please explain the procedure of marrying a non-Muslim woman, with regard to the witnesses, the conditions and any paperwork required for the marriage to be valid?

The requirements for a marriage between a Muslim man and a woman who follows either Christianity or Judaism are the same as for any Islamic marriage. The woman does not have to change her religion, so as to convert to Islam, for such a marriage to be valid from the Islamic point of view. Marriage in Islam requires a commitment by the bride's father or guardian and an acceptance by the bridegroom. This must be in the presence of a minimum of two witnesses. The witnesses are normally Muslims.

By witnesses in a marriage we mean the people present at the time when the commitment and acceptance are made. They do not have to be official witnesses, putting their names to any document. Therefore, if you invite several friends to the marriage ceremony, whether it is made in a Registrar's office, a mosque or at home, their presence is sufficient.

The other requirements are the presence of woman's father or guardian and the agreement on a dowry to be paid by the husband to the wife.

Matrimonial: Interfaith Marriages — With Hindus

Is it permissible for a Muslim to marry a Hindu woman without her becoming a Muslim? What is the status of the children born into such a marriage?

No, it is not permissible for a Muslim man to marry a Hindu woman, or the other way round. Marriage between Muslims and Hindus is not permissible, unless the Hindu party wishes to accept Islam and become a Muslim before the marriage contract is made. Marriage with Christian and Jewish women is permissible, though not recommended. The difference is that Christianity and Judaism are Divine religions, which share with Islam the concept of God's absolute oneness. Marriage establishes a family, which is the unit of society, and for that unit to function well there must be

a common belief in God's oneness uniting all its members. That will not happen in a family where one party does not subscribe to one of the Divine religions.

If a Hindu marries a Muslim according to the law of any country, such a marriage is considered unlawful from the Islamic point of view. However, the children are deemed to be Muslim, because in any mixed marriage, children follow the higher faith of their parents. Islam is considered the first on the scale, followed by Christianity then Judaism.

Matrimonial: Interfaith Marriages & Destiny

Islam allows Muslims to marry Christian and Jewish women without making a prerequisite for such women to become Muslim. Should a Christian woman who is married to a Muslim retain her faith, believing that Christ was son of God, she is guilty of associating partners with God. How can a Muslim man live with a wife knowing what her destination in the Hereafter will be?

I wonder how a Muslim can claim to know the destination of any person in the life to come. That is a matter known to God alone. The Prophet, peace be upon him, told a lady companion of his when she commented that someone who had just died is assured of heaven: "How do you know? I am God's messenger and I do not know what will happen to me."

It is often the case that people speak of others, Muslims and non-Muslims alike, as though they are destined to heaven or hell. That sort of talk is totally unacceptable. It is a case of saying what we cannot substantiate in any way. Thus, it is a false claim and it is made against God. The fact is that the matter of the life to come, in its totality, belongs to God alone. No one has any knowledge of what may happen to any person there. Hence, it is the right course of action to pray God to accept us among His servants with whom He is pleased and never to make any claim about others.

If God has permitted something, it remains permissible. We should be grateful to Him for having made it permissible to us. Once we know that it is permissible, we may do it. We must not upbraid others for doing it, even if we feel that it is more appropriate to avoid it. As long as God has not pronounced it as forbidden, we may not make a claim to its prohibition.

Matrimonial: Interfaith Marriages & Converts Of Convenience

A married non-Muslim woman who left her husband with their two children in their home country has converted to Islam and is about to marry a new convert to Islam. Is she required to have a divorce first or not? She says that her main reason for converting to Islam is that she will have the freedom to marry a new man. Please comment.

On the basis of what you say, it seems to me that both the woman and her man have converted to Islam in order to have a certificate of marriage formalizing their relationship. It is not that they have been convinced of the truth of Islam; rather, it is a matter of convenience. It may be that no one can stop them from going ahead with their plan; but whether their marriage is valid in God's sight is another matter altogether.

There is no doubt that if a woman embraces Islam and her husband does not, they are separated. Some scholars say that the marriage becomes in a state of suspension, but the majority considers it terminated after a waiting period of about three months. This termination allows the newly Muslim woman to marry a Muslim husband, without having to obtain a divorce from her husband.

Having said that, if she declares herself a Muslim only to make such a marital arrangement possible, then she is actually violating God's law and she leaves herself open to God's punishment. She should be very careful, because when a person plays games with God's law, such a person is liable to incur God's wrath. No one should place themselves in such a serious position.

Matrimonial: Interfaith Marriages & Expedient Turn To Islam

May I ask whether Christianity and Judaism are the only religions with which Interfaith marriage is allowed in Islam? In India there are many religions, and because of proximity, many young Muslims find it sometimes suitable to marry women who may belong to these faiths. They arrange that the girl converts to Islam for the marriage. It is often the case that the girl does not know anything about Islam, and she only converts nominally to get married.

It is permissible for a Muslim man to marry a Christian or a Jewish woman without need for the woman to convert to Islam at any time. Although that is permissible, it is not to be encouraged because Interfaith marriages are likely to run into problems. A Muslim woman may not marry anyone other than a Muslim. As for other religions, it is not permissible for a Muslim man or woman to marry their followers. This applies to all religions of the Indian sub-continent.

If a follower of such religion wants to marry a Muslim, he or she must become a Muslim first. I understand that this condition is what causes women who get to know Muslim men and want to marry them to convert to Islam.

They may think that conversion to Islam is easy since it involves only the declaration that one believes in the Oneness of God and that Muhammad is His messenger. They utter this declaration without even thinking about its meaning. Such an action is not a conversion to Islam. It is mere expedience. It does not make the woman concerned a Muslim. Nor does it make her a lawfully married wife to a Muslim. She needs to understand Islam and its principles. If she is convinced that it is the religion of the truth, and she declares her belief in it, she is a Muslim. In this case, she may be married to a Muslim.

If she merely utters the declaration without conviction, she is technically a Muslim, and we must accept her word. But that does not make her a Muslim in God's sight. Her husband should know her real attitude and determine his position accordingly.

Matrimonial: Islam Treats Men & Women Equal In All Respects

Could you please explain whether a woman has the right to question her husband on certain matters after he comes home from work, or she should only keep quiet?

The Prophet, peace be upon him, provided the best example of good family relations. His directives stress most emphatically the need for kindly and caring treatment between man and wife. Such emphasis was needed for several reasons: The first was the fact that Islam establishes a norm of marital relations that is in stark contrast to the values that prevailed in Arabian society at the time, where women were treated as much inferior to men. Secondly, the Prophet, peace be upon him, realized that women were always vulnerable to ill treatment, and often unable to find help when they are ill-treated or abused by their husbands or other men folk. Thirdly, he made it clear that only a bad person is unkind to women. Fourthly, he wanted to establish the fact that good treatment of women earns good reward from God. Hence, the Prophet, peace be upon him, stressed this at every turn. Even on his deathbed, the Prophet, peace be upon him, continued to urge Muslims to treat women kindly.

Moreover, the Prophet, peace be upon him, provided a practical example. He consulted his wives on serious matters, and acted on their advice. He helped them when they needed help, and attended to all their needs. When Ayesha, his wife, described his conduct at home, she said: "He used to repair his robes, mend his shoes, and attend to all his family's needs."

Unfortunately, in some areas of the Muslim world, the status of woman is in marked contrast with Islamic teachings. Whereas Islam treats women as equal to men in every respect, some communities pay little attention to this and continue with their tradition of looking at women as inferior.

They stress that the position of a woman is to obey her husband in whatever he says and that he may not be questioned on what he does. This is totally unacceptable in Islam. Consider, if you will, how God describes Himself in the Qur'an:

"He cannot be questioned about whatever He does, whereas they shall be questioned." [Prophets — "Al-Anbiy'a" 21: 23]

When a man finds it unacceptable that his wife should ask him about what he did in his day and tells her to keep quiet, is he not behaving in a way that is appropriate only for God?

When the Prophet, peace be upon him, came home, his wives always asked him about what he did and what response he met with. Our way of looking at the husband and wife relationship needs much reform in order to bring it in line with Islamic teachings and with the example shown by the Prophet, peace be upon him. What we must always remember is that this relationship should always be built on mutual care and respect.

Matrimonial: Islamic Duties Hampered By Un-Islamic Traditions

I married against our local traditions, which are influenced by the Hindu faith. My marriage was in line with Islamic requirements. My parents, however, dislike the fact, as my marriage did not bring me the privileges expected, while my sisters have to follow the local tradition and their marriages are expected to be very costly to my parents. I have been sending my parents all the money I could save to help with the demands of our large family. Now my wife is saying that I should be attending more to my own family's needs, sending my parents what they need for their own living. Is this correct?

If you are supporting your parents with their living expenses and looking after their dependents, i.e. your sisters and young brothers, then you have fulfilled all that Islam requires of you. If you can provide for your sisters' marriages and you are willing to do so, that is very kind of you and you stand to earn great reward for it, but this is not required as a duty of yours. It is something you do out of love and dutifulness to your parents who have educated you and given you the means to have a decent job.

There is no doubt that the demands made on the bride's parents in some parts of India and Pakistan are, not only too heavy but also, un-Islamic. Islam makes it the duty of the bridegroom to look after his wife, providing her with a decent home and standard of living, according to his means. Moreover, he pays her dowry, which becomes her own property. In the Hindu tradition, which is unfortunately followed by some Muslims, it is the reverse: the bride has to pay a large dowry and provide a family home. This means that a family with a couple of daughters is at a great

disadvantage. Now if all such expenses are to be paid for by one brother and if his own means are not that good, then that is totally unfair.

Our reader should realize that what he did with his marriage is the correct Islamic practice. He should not yield to any pressure on this point. Moreover, what his parents want to do with the marriage of his sister is not Islamic, but they may have to follow the local tradition. Unfortunately people do not realize that when more and more of them rebel against un-Islamic tradition the sooner these ill-conceived and unfair traditions will collapse.

Our reader is wondering whether the fact that his parents are now suffering because he has reduced what he sends them will nullify his good deeds. The answer is that dutifulness to parents is one of the most important deeds a person does in life after believing in God and Islam. But I understand that he was in the habit of sending them every last Riyal he earns, retaining only what he needs for himself and his wife.

That is extremely dutiful. As I have already explained, his responsibility is to provide for his parents' and sisters' living expenses. Nothing nullifies his past, exemplary kindness and dutifulness.

He also asks whether he has to pay Zakah on his salary. What Zakah? According to what he says, he does not own anything. Therefore he is not liable to any Zakah. Zakah is payable only when a person owns the threshold of Zakah, which is around 4,000 riyals. If he saves this amount then when he has saved it, that date becomes his Zakah date. He should make a note of it. The following year, and every subsequent year, on the same date he calculates what he has. If it is above that amount, he pays Zakah on what he owns at the normal rate of 2.5 percent. But according to the information he has written, he is not liable to Zakah at the present moment.

Matrimonial: Khula' — Reinstating the Marriage After Khula'

Suffering many years of ill treatment by her husband, a woman was granted her request for khula' by the court. However, before the end of her waiting period, her husband's relatives tried to persuade her to return to him, saying that it was permissible during the waiting period of three months. She wants to know whether this is permissible.

The majority of scholars consider the waiting period for a woman separated from her husband by khula', which is the termination of marriage at the wife's request, to be the same as that of a divorced woman. That is to say — until she has had three menstrual periods or three periods of cleanliness from menses.

However, a highly valid ruling on the basis of the Sunnah is that it lasts only until she has had one period only. "When a woman sought khula' at the time of the Prophet, peace be upon him, he told her husband: 'Take back what you had given her and let her free.' The man agreed. The Prophet, peace be upon him, ordered her to observe a waiting period until she has had her menstrual period and then join her family." [Related by Al-Nassaie].

All scholars agree that the man cannot reinstate the marriage in any way, because she regains her independent status. Even if he gives her back her dowry or whatever she pays him to release herself, still he cannot reinstate the marriage. What can be done is that they can marry anew, with a new marriage contract. This is certainly subject to her agreement. If she refuses, he cannot pressure her in anyway.

I understand that the woman in this case suffered ill treatment for many years. As such, she could have obtained a divorce on the basis of ill treatment. A divorce is

different from khula', because a divorced woman is entitled to retain the dowry her husband had given her at the time of their marriage. In khula', she should refund him the dowry. Anyhow, many women find themselves compelled to resort to khula' because it is easier to achieve. Since this woman has been ill treated, she would be ill advised to return to her former husband. She should resist the pressure brought to bear on her so that she does not suffer more abuse.

Matrimonial: Khula' — Repayment Of Dower

It is possible for a woman to demand divorce, provided that she repays her dower or mahr, to her husband. What if she does not have the money to repay? Does this mean that she cannot be divorced? In case the divorce is granted, who has the custody of the children?

The reader is referring to what is known in Islamic terminology as "Khula' ". This is termination of the marriage at a woman's request. She does not need to provide reasons other than that she is not happy with her marriage and that she cannot or is unwilling to continue to be married to her husband. There is a reference to such a situation in the Qur'an in Verse 229 of Surah 2. A precedent took place at the time of the Prophet, peace be upon him, when Thabit ibn Qais's wife came to the Prophet, peace be upon him, complaining of her marital situation. She stated clearly that she had nothing to talk against her husband, neither in his manners nor in his religious attitude. She simply was not happy, married to him. Thabit ibn Qais had given her a garden as a dower, and the Prophet, peace be upon him, asked her whether she was willing to return it to him. She said she would and the Prophet, peace be upon him, told the man to accept the garden and divorce her.

There are differences between Khula' and divorce. One is that the waiting period of the woman lasts only until she has had one menstruation period, to make sure that she is not pregnant. Secondly, her husband does not have a right to reinstate marriage during her waiting period. Thirdly, in divorce, she is entitled to have all her dower, because the divorce is initiated by the man who had paid the dower.

Whereas in Khula' she has to pay something to her husband. This is fair because the dower, or mahr, is paid by the husband to the wife in return for a gain or benefit he receives as a result of the marriage. When the marriage is terminated at the wife's request, then that benefit or gain is no longer there. He becomes entitled to compensation. In the case mentioned in the Hadith, the compensation was a refund of the dower itself. It is open to the man and his wife to agree on a lesser compensation. Most scholars agree that the compensation may be more than the dower itself, but some scholars say that this is not permitted.

As you see, if the woman does not have something to compensate her husband for the termination of the marriage, then she is asking him to forgo the benefit he receives from the marriage for nothing. All scholars would advise such a man to look at the situation carefully. If his wife wants the termination because she is really unhappy and he can forgo his right to compensation, then he is recommended to do so. If he insists on having compensation, then no blame may be attached to him. She may be helped by her relatives or by the community. This is only fair. A man who does not have anything to give as a dower is not offended if people refuse to accept his proposals for marriage. Similarly, a woman that cannot compensate her husband for what he loses, as a result of the termination of marriage cannot feel aggrieved if he refuses. But in these matters, we are recommended to show forbearance and kindness to others. Even though we may be unhappy with termination of the marriage, as a community we should look into helping her.

Custody for the children in Islam is given to the mother when the children are very young. This is on the condition that the mother does not marry again. When the child

reaches an age when he or she no longer needs to be looked after by the mother, then he or she is given the choice to join either parent until a boy attains puberty or a girl gets married.

Matrimonial: Khula' — When A Woman Cannot Afford Khula'

An Indian Muslim woman wants to have a divorce, but the legal process could take years, if the husband is unwilling to grant her a divorce. The judge tells her that it is very difficult for her to obtain a divorce because her husband can demand compensation. She is in no position to pay him compensation. What does Islam say in such a situation?

Marriage is a partnership aimed to build a family where children can grow up in a peaceful and homely atmosphere. It is not a relationship based on tension and causing problems to one's spouse. Therefore, if things are not working well and the woman wants her release, the man should give her that release. If this means that he incurs financial loss, she should endeavor to spare him such loss.

It is often the case that when a woman prefers to have a divorce, her husband denies her that, thinking that he proves his authority by doing so. The marriage relationship must never be based on that. To provide a way out for women, Islam legislated the khula' method, which means a termination of the marriage at a wife's request. The woman files an application for khula' and the judge makes sure that this is what she wants. She is required to pay back to her husband the dowry, or mahr, he had paid her. This is not compensation, but a refund of something she had received in return for agreement to become the man's wife.

When she no longer wants to be his wife, she should refund him that. If she has no means to do so, her relatives, or the community should help her. This method may not be operative in some countries. If so, one has to resort to the legal mechanisms available.

Matrimonial: Khula' & Divorce — the Basic Differences Between

A couple of years ago, I was separated from my wife when she applied to the court for Khula'. The court ruled that I should pay a certain amount of money as maintenance of my daughter, until she is 9, when she could join me. Now my ex-wife's family have approached me for re-marriage. How far is this permissible in the circumstances?

This method of ending a marriage is acceptable in Islam. It takes place when the wife wants the termination of the marriage while the husband is keen to maintain it. There need be no special reasons other than the wife feeling that she could not continue to meet her obligations as a wife. The basis of this sort of termination is the report which mentions that Thabit's wife came to the Prophet, peace be upon him, and said: "Messenger of God, I have nothing to say against Thabit's manners or strength of faith, but I hate to be in the position of an ungrateful person when I am a Muslim." After the Prophet, peace be upon him, put the matter to her husband, he asked her whether she was prepared to return the garden she gave her as dower. When she agreed, the Prophet, peace be upon him, told her husband to accept the garden and divorce her once.

What is required in Khula' is a clear desire by the wife to terminate her marriage, and her express willingness to repay her husband what he had given her in dower. It is a procedure, which needs the agreement of both husband and wife, but if the husband will not respond, the judge may impose the termination of marriage on him. When a verdict of Khula' is granted, the woman is mistress of her own future. Her husband does not have any right to reinstate the marriage, as a divorcing husband has in the

waiting period. She has to make sure that she is not pregnant by observing a waiting period lasting until she has had one period of menstruation.

There are three basic differences between divorce and Khula' as methods of terminating a marriage. In divorce, 1] the husband has the right to reinstate the marriage, during the waiting period, if it is a first- or second-time divorce, 2] it counts toward the third divorce when there can be no remarriage between the divorcing couple unless the woman first marries someone else, and 3] the waiting period extends for three menstruation. In Khula' the husband has no right of reinstatement, and the waiting period is only for one menstruation, and it does not count as a divorce. In other words, if a man had divorced his wife twice and remarried her on both occasions, then she left him through a Khula', they can remarry without need for her to be married to someone else first.

This last point answers the question of our reader. If he feels that a remarriage with his former wife is wise, then he may go ahead and start marriage proceedings. He will have the same process as any other marriage. He needs a fresh marriage contract and will need to pay her a dower. The contract is the same as every marriage contract, consisting of a commitment and acceptance in front of a minimum of two witnesses.

It may be useful to add here that Ar-Rubayie' bint Mu'with, a lady companion of the Prophet, peace be upon him, had a Khula' during the reign of Osman ibn Affan. Her uncle came to the caliph on the same day and asked him whether she should leave her husband's home. Osman said: "Let her move out. Neither of them has any right of inheritance against the other. She has no waiting period, but she may not marry someone else until she has had one menstruation period, lest she may be pregnant." Abdullah ibn Omar, the highly renowned scholar among the Prophet's companions comments: "Osman is the best and most knowledgeable scholar among us."

Matrimonial: Lactating Wife & A Sucking Husband

What happens if a husband sucks the breast of his lactating wife and swallows some drops of her milk?

As you are well aware, breast-feeding is a cause which prevents marriages between the child who is breast-fed and the family of the woman who has breast-fed him, if she is not his own mother. There are, however, certain conditions for this rule to operate. The first is that the child should have at least five full feeds. The second is that the breast-feeding should occur when the child is less than two years of age. Anything that occurs after the child has reached his or her second birthday is of no consequence. When a child is breast-fed by a woman other than his mother, at least five full feeds, he or she is treated for marriage purposes as her own child.

Matrimonial: Late Age Marriages — Risks In Pregnancy

We got married when both of us were over 40. We have not had any children yet. Doctors have informed us that they can help us have a child, but there is a risk that the child may be mentally handicapped. Should a pregnancy take place, and test be taken within 16 weeks of conception confirm that the child is to be mentally handicapped, would it be permissible to terminate the pregnancy?

Why do you need to put yourself in such a situation in the first place? It was your choice to marry a woman who is past the age of safe pregnancy. Since she has had no children, that makes conception at this late period difficult. But you are trying to overcome this with medical help. This means you are inviting the risk of unsafe pregnancy. Not only so, but once a pregnancy takes place, you will be going through

a traumatic time, until you are certain that the fetus is healthy. That is going to cause you a great deal of worry. Should the tests confirm otherwise, you put yourselves in the position of deciding whether to have an abortion.

To my mind, that is all unnecessary. I realize that you very much love to have a child. But any couple may be without children. The Prophet, peace be upon him, has given us a very sound advise when he said: "Be satisfied with what God has assigned to you and you will be richest of people." This does not apply only to monetary matters. It applies to everything in life. If you are satisfied with your lot, you will not worry about what you have missed. This is the true meaning of self-sufficiency, which is the basis of wealth. A person may have enormous wealth, but he will not feel truly wealthy unless he is satisfied with what he has.

If you and your wife resign yourself to the fact that having married late, you may not have a child; you will be able to deal with this question in a much more satisfactory way. You can then remind yourselves that it is God only who decides what children a couple should have. You can then request Him in your supplication to give you a healthy child, if He knows that having such a child will add to your happiness in life.

Once you put the matter back to God to determine for you what He knows to be best for you, you will have a better view of the whole matter and you will be happy whether you have a child or not. You need to remind yourselves that since you have assigned the choice in the matter to God, He will give you what is best.

Abortion in the confirmed cases of serious health risks, physical or mental, should be determined individually on the merits of each particular case. I cannot give a general ruling. In your case, it is better not to invite what can only be a very difficult situation that presents you with a serious dilemma. Leave matters entirely in God's hand.

Matrimonial: Looking At A Future Wife

I have heard conflicting opinions about the permissibility or otherwise for a man to look at a woman he intends to marry. Could you please comment on this?

There is no disagreement among scholars that it is permissible for a man to look at the woman he intends to marry. I realize that in certain parts of the Muslim world, this is something that is met with disapproval. But this is more on account of the traditions of that particular society rather than the teachings of Islam. When we speak of the permissibility of something or its prohibition, we have to rely on what has been taught to us by the Prophet Muhammad, God's last messenger, peace be upon him. The traditions of any particular society cannot take precedence over Islamic rulings. Indeed, they need not be taken into consideration when we have a clear and authentic report, which is in conflict with such traditions.

On this particular question, there are numerous Hadiths, which confirm that the Prophet, peace be upon him, instructed his companions to look at their prospective wives before the marriage contract was made. Al-Mugheerah ibn Shu'bah told the Prophet, peace be upon him, that he had proposed to a woman. The Prophet, peace be upon him, said to him: "Go to look at her, because that is more conducive to your marital happiness." A man proposed to a woman from the Ansar, and the Prophet, peace be upon him, said to him: "Look at her, because some of the Ansar have something in their eyes." In this Hadith, the Prophet, peace be upon him, directs the attention of the man to a particular point, which may put a man off marrying a particular woman.

Jabir ibn Abdullah, who reported a large number of Hadiths, quotes the Prophet, peace be upon him, as saying: "If any of you proposes to a woman and he can look at what may encourage him to marry her, let him do so." Jabir acted on the Prophet's suggestion literally. This means that it is perfectly permissible for a man to look at a woman he intends to marry whether by her permission or not.

Scholars have different opinions with regard to what a suitor may look at of his intended wife. Some suggest that he may look at her face and lower part of her hands, while others hold the view that he may look at her when she has the normal dress she wears at home. This means that she may be without her head-cover or may be wearing a knee-length dress. He should observe Islamic standards of propriety when he looks at her, because this is a relaxation, which is given him for a particular purpose. He may not be alone with her; some of her relatives should be present, like her father, her brother or her mother. As you realize, for a man to be in an enclosed place with a woman who is not related to him is forbidden.

Matrimonial: Marriage — A Sunnah & Those Who Do Not Marry

I know a Hadith, which states clearly that marriage, is part of the Sunnah of the Prophet, peace be upon him, and whoever turns away from the Sunnah does not belong to him. In our country, a well-known person who works hard for the implementation of Islam has never married. How far would you say that this Hadith applies to this person?

The answer is that I do not know. Some of my readers like to put to me unanswerable questions, like this one. They may have some justification, but in this case, there seems to be a very enthusiastic desire on the part of my reader to see a conscientious implementation of the personal Islamic code by all Muslims, particularly those who stand up for the cause of Islam. What is unfortunate about such enthusiasm is that it may lead to the adoption of a very rigid interpretation of different Islamic rules.

The Hadith states very clearly that marriage is part of the Sunnah of the Prophet, peace be upon him. The term "Sunnah" in Arabic means, "method, way, practice, etc." In an Islamic context, it means the practice chosen by the Prophet, peace be upon him, and recommended by him to be followed by all Muslims, to earn additional reward by Allah. The encouragement by the Prophet, peace be upon him, may take the form of a verbal recommendation or exhortation, or setting a practical example. If it is the latter, then the more consistently the Prophet, peace be upon him, used to follow a particular practice, the stronger is the emphasis that all Muslims should follow suit. When the recommendation or encouragement takes the form of a verbal statement, then we can judge by the emphasis the Prophet, peace be upon him, places on his statement the sort of importance he attaches to it. In the case of marriage, we need only remember the Hadith you have quoted to realize that the Prophet, peace be upon him, has attached much importance to marriage.

Nevertheless, when we say that a particular practice is a Sunnah, we preclude any suggestion that it is obligatory. Let me give you a very clear example.

We know that the Prophet, peace be upon him, was very keen to offer two voluntary Rak'ahs, i.e. Sunnah, before the obligatory prayer of Fajr. Indeed, he is not known to have missed these two Rak'ahs on any occasion. There can be no stronger encouragement or recommendation for us to follow his example. Nevertheless, if we suppose that a Muslim does not offer these two voluntary rak'ahs at all, throughout his life, he does not commit a sin. Allah will not ask him why he has not offered them. Scholars say that the Prophet, peace be upon him, may remonstrate with him on the Day of Judgement, but reprehensible as his attitude is, it does not expose him to any punishment in the life to come.

Consider now the Hadith that you have quoted. The Prophet, peace be upon him, says that marriage is his chosen practice. That means that marriage is not obligatory to Muslims. The Prophet, peace be upon him, certainly emphasizes greatly the importance he attaches to this practice, but the person he describes as not belonging to him is the one who takes a deliberate choice in opposition to the Prophet's practice.

When we come to the application of this Hadith to individuals, we should know where to stop. No one can claim that he knows the full circumstances and the inner thoughts of another person, close to him as he may be. This man may have some personal or family reasons, which might have delayed his marriage when he was a young man. He may still have some personal reasons to prevent him from marriage. If he does not object to marriage as a principle, then he commits no sin. On our part, we should be careful what to say about other people and we must surely not judge them on appearances.

Matrimonial: Marriage — Age Disparity

Some old men in their seventies marry young girls who are still in their early twenties or younger. Do you think that there is some injustice done to such young women? Is there any remedy to such a situation?

There is certainly much injustice if the girl is forced to accept such a marriage. It does happen that a wealthy old man proposes to a young woman and her family review the marriage as a method, which could rid them of their poverty. They persuade or force their daughter to accept the marriage caring very little for her feelings or her future. If the case is such, then it is a case of blatant injustice and it should be stopped.

On the other hand, if the girl goes into such a marriage with open eyes and with full agreement, then the marriage is simply a contract between two competent persons. Since it is a contract to something, which is halal or permissible in Islam, it is perfectly permissible. It may be that the girl goes into such a marriage hoping to have a good share of the inheritance of her husband. This does not disallow or invalidate the marriage, because neither she nor anyone else could tell how soon the man would die. It is perfectly possible that she dies before him.

The remedy to such a situation is the full implementation of Islam, which means that no family should live in a standard of poverty, which compels it to marry away its girls to rich old people to improve their situation. In Islam, the system of social security ensures that.

Matrimonial: Marriage — Based On the Custom Of Wife Giving Dowry—

I converted to Islam a year ago, and I am planning to get married soon. If I follow the traditional marriage in my home country, my prospective wife will give me a dowry. Is this permissible?

If you are marrying a Muslim woman, you have to pay her a dower, or mahr, which is agreed between the two of you, or between your families. If you do not, then you are depriving your wife of what is rightfully due to her. If she refers her case to an Islamic court after marriage, the judge will order you to pay her a dower similar to what is paid to women in her social status.

If your prospective wife is a Christian, you need to tell her that you are a Muslim and that in Islamic marriage she is entitled to receive a dower. When she has been fully aware of this, you can make your own arrangements. If you agree the amount of the dower and then she forgoes her entitlement to it, you may accept her generous offer.

If she or her people give you a gift, financial or in kind, you may take it, but it must not be a condition of the marriage. What is important for you to do is to be clear with your wife at the beginning, informing her of her rights under Islamic law. When things are clear at the beginning, this prevents future tension or disagreement.

Matrimonial: Marriage — Consent Of the Parents & Of the Woman

I have selected a husband for my daughter, but she says she will only accept him just to please us. She prefers one of her fellow students at university. From every aspect, her choice is far inferior to the other man. She always reminds me that I cannot get her married without her consent. This situation is causing us problems because my relatives are advising me to get her married to the man I have chosen and do it without delay. May I ask whether it is appropriate for a Muslim girl to remain unmarried?

Let us clear the last point first: There is nothing wrong with a woman remaining single throughout her life. Some women simply do not like to get married, and there is no harm in that. They should be helped to lead the life of their choice, so that they are not made dependent on others throughout their lives. Such a woman may pursue her education so as to have a career as a teacher, nurse, doctor, or whatever may suit her talent and ability.

Your daughter is right when she says that you must not force her into a marriage without her consent. A woman complained to the Prophet, peace be upon him, that her father had married her to a cousin of his without her consent. The Prophet, peace be upon him, nullified the marriage. When he had done that, she said to the Prophet: "Now I accept what my father has done, but I only wanted to make it clear to women that men have no way over them."

From the Islamic point of view, you can refuse to accept the man your daughter has chosen if you have concerns about his being compatible with her, or that he is socially unacceptable. With the description you have given me, you can easily refuse him. Therefore, you should tell your daughter that while you will not force her into a marriage she does not like, you will not accept the man she suggests because he is unsuitable. In order not to aggravate things, you should tell her your grounds for refusing him.

When she realizes that your objections to him are really valid, she may well see your point. The important thing is that she should feel that she is not dragged into a tug of war, and that she is not being forced to do what she dislikes.

Matrimonial: Marriage — Dutifulness & Disobedience To Parents

I met my husband when he was studying in the United States. He gave me literature about Islam and I became convinced of its truth. Shortly afterward, I became a Muslim. However, when we got married, my father-in-law did not approve of our marriage. He continues to be angry with his son. My husband has tried hard to persuade his father to accept our marriage. Still the same attitude persists. My husband is deeply hurt because he wants to show his dutifulness to his father, but he is rebuffed every time. Do you think we have done something wrong? Is my husband in a sinful position for disobeying his father?

We have to distinguish between dutifulness and absolute obedience to one's parents. You can be highly dutiful, but you do not necessarily obey everything your parents say. After all, parents are not infallible. They are human beings who are liable to err. If you know that your father is mistaken, or in error, and you follow what he says,

then you are accountable for his bidding. He does not bear the responsibility for your action, although it is he who has ordered you to do it. He is responsible for his action, which is telling you to disobey Allah, but you are also responsible for what you do which is disobeying Allah.

Again, it is highly important from the Islamic point of view to strive to please one's parents. Kindness to parents is often mentioned in the Qur'an next to believing in the Oneness of Allah. The translation of the following verse is but one example:

"Your Lord has decreed that you worship none other than Him, and that you show kindness to your parents" [Children Of Israel — "Bani Israel" 17:23].

Unfortunately, some people interpret that as a sort of negating of a son's or daughter's character and responsibility. This is not so. Ultimately, each one of us is accountable for his or her action. Hence, we must do only what we are convinced to be right and to please Allah.

In order to be dutiful to his parents, a grown-up son must treat them with kindness and respect. If he shows disrespect to his father in public, he is guilty of grave sin. If he is disrespectful to his father at home, he incurs Allah's displeasure. Now, deference to a father's opinion and proper respect of one's father do not necessarily mean total obedience in everything he says. A father may tell his son to do something in a particular way, but the son may find that it is far more beneficial to do it differently. He knows that his father would disapprove, but he may still do it.

He can try to win his father's acceptance, expressing respect and explaining the reasons for acting against his wishes. Quite often, a father would be willing to change his views. However, some people think that they are always right and they always know better. This is just too bad. If you have to contend with a father of this sort, you have to accept that you may have to disobey him on some occasions. If you do, Allah will judge your motives not your father.

In your particular case, what you and your husband have done is right. Your husband simply married a woman of his choice, knowing that she is virtuous and a good Muslim. If his father disapproved, his father's opinion is only an advice. It is not the prerogative of a father to choose his son's wife. That prerogative belongs to the son, because he is old enough to be responsible for his actions. Moreover, marriage is a relationship for life and the view of the persons involved; i.e. the husband and wife have paramount importance. If a father is not allowed to marry his daughter away without her consent, then a father has no authority to impose his view on his son with regard to his marriage. Yet, your father-in-law's view is understandable if he simply had wanted his son to marry from his own country. Nevertheless, he should broaden his mind to accept that it is not nationality, which makes a woman more suitable as a wife. It is her character, her strength of faith and the care she takes of her husband. If your husband has no complaint on any of these counts, your father-in-law has nothing to justify his objections.

I believe that I have made it quite clear that your husband's position is not a sinful one for disobeying his father. Indeed, his father cannot order him to marry a particular woman. Moreover, now that your husband is married, his father must reconsider his position. He should realize that his son has not willfully disobeyed him but has given due importance to a certain fact, such as the position of his wife and the way he feels toward her. That is perfectly legitimate.

Matrimonial: Marriage — In God's Sight Without A Marriage Contract

A married man got involved with a girl, promising to marry her, but giving the excuse that his first wife is holding firmly against such marriage. The

girl yielded to his pressure, particularly when he told her that in front of God she is his wife. Still, time passes and no marriage contract is made. The girl later discovered that her relationship with him is sinful and this caused her much grief. The man is saying that he could marry her in secret but he does not want his first wife to know so that he can keep his family together. Please comment.

There is no relationship between man and woman that can be described as "marriage" in God's sight when no marriage contract has been made in the presence of the woman's father or guardian and a minimum of two witnesses. The man simply was lying to the girl in order to take advantage of her. The fact that she agreed and let their relationship develop in this way does not reduce her sin. This is an adulterous relationship that must be immediately terminated.

Many men who find themselves able to seduce girls in this way are reluctant to marry them. This is in the nature of their deception. From all the details you have given me, I can see how the man took advantage of the girl, playing on her ignorance. She and her family must take a firm stand with him, demanding that he marry her. If he refuses, they can resort to any measures to make him fulfill his promises. If the marriage is done in secret, this should only mean that his first wife does not know, but it should be a proper marriage with her father present as well as witnesses. And the marriage should be registered with the relevant government department.

The man is protesting that his first wife does not agree to his second marriage. Her agreement is not necessary from the Islamic point of view. God has given men the right to marry more than one wife, and every Muslim woman knows this. But this man is playing games. So he must be dealt with in a proper manner that stops him. He should be made to take the consequences of his actions.

The girl must also repent of her sin. She must make her repentance genuine, resolving that she would never commit the same sin again. This applies to the man as well. If their repentance is genuine and they seek God's forgiveness, He may accept their repentance, if He so pleases.

The girl and her family should also consider if they really want her to be the wife of such a man. It may be that the marriage will normalize a bad situation, but it could lead to much unhappiness. Besides, the man is an adulterer, and as such he is not fit to marry a Muslim woman.

Matrimonial: Marriage — In Muharram

In some parts of the world, people say that it is not permissible to arrange a marriage in the month of Muharram. Is this correct?

No, it is not correct. There is absolutely no harm in arranging marriage at any time during the year, except when one is in the state of consecration, doing the Umrah or the pilgrimage. Apart from this, marriage could be arranged and the marriage contract made at any time.

Matrimonial: Marriage — Legal Recognition

While in Turkey, my friend got married through the Mufti's office. After living with his wife for a short while, he was informed that marriages contracted through mufti's office are not recognized, Turkey being a secular state. Hence no country would recognize such a marriage. Is his marriage valid, or is it null and void, as the Turkish officials informed him? What should he do?

For a marriage to be legal and valid from the Islamic point of view, the conditions that are clearly stated by Islam must be fulfilled. These are a commitment and acceptance by the two parties, the presence of woman's guardian and two witnesses, and the payment of dower [or an agreement on such payment] by the husband. Since the marriage contract was made in the mufti's office, and that office pronounced it as valid and legal, then it certainly is.

That the government in Turkey does not recognize such type of marriage is something organizational. It is up to a government to issue orders that are meant to organize certain types of activities or events in a certain manner, if it deems that to be useful to that community, provided that such organization does not contravene any Islamic law or principle.

When such an order is made, it is the duty of Muslims to act in accordance with its provisions. Thus it is open to the government of Turkey to decide that marriage contracts should be conducted in a certain way, or at a certain office or registering marriages, births and deaths. If the order does not contravene any Islamic law, then it is valid.

Suppose a government issues an order making one witness sufficient for the validity of marriage contracts. In this case, the order should not be obeyed. In any marriage contract the two parties should ensure that another witness is present for the validity of the marriage. They should, however, get the marriage validated by the state registry office, perhaps by repeating the marriage there, to avoid any problems in future. When such conditions are introduced, they are either short of Islamic requirements or they add something extra to these. If they add something extra, then they do no harm. If they fall short of Islamic requirements, then the two parties should ensure that they comply with Islamic regulations. In a secular state, the presence of the woman's guardian may not be necessary for marriage to become valid. In this case, the woman should ask her father or guardian to attend the marriage ceremony and act for her, so that the marriage is correct and valid from the Islamic point of view.

Having said that, I would like to confirm that your friend's marriage is valid. What he should do now is to have the marriage contract repeated in the government office, which is responsible for making marriage contracts. That is very easy to do. The fact that he is already married is not affected by the new contract. It is done merely to complete formalities and ensure that the marriage is endorsed by the official authority.

Matrimonial: Marriage — Unlawful

A friend of mine is married to a Hindu woman who has given him three children. The children have Muslim names, but his wife remains a Hindu. Now he realizes that this should not continue. Can he force his wife to convert to Islam if she refuses to do so voluntarily?

Your friend certainly cannot, and must not, try to force his wife to accept Islam. Faith is the result of conviction, not coercion. God says in the Qur'an:

"No compulsion is admissible in matters of religion." [the Cow — "Al-Baqarah" 2: 256]

Besides, if he forces his wife, and she feels that she must do what he asks her to do, what will the result be? She simply will say the declaration that Muslims say, but it will be a mere verbal formality, with no conviction. Will she be a Muslim as a result? Certainly not. It is all a question of conviction. You say that his children have Muslim names. So what? Are they brought up as Muslims? One or two Christians in Arab countries have called their sons Muhammad. Does this mean that the father or the

son is a Muslim? Certainly not, unless either or both make a conscious decision to be a Muslim and acts on such a decision.

Your friend should have looked into this question long time ago, before he got married. You have not told me whether he realizes the full implication of his negligence. Well, his marriage may be approved by the civil law in his country, but it is not recognized as valid from the Islamic point of view.

What he should do now is to explain to his wife how their marriage is viewed in Islam and tell her all the implication. He should suggest to her that she should study the main principles of Islam and its basic requirements to determine whether she wishes to be a Muslim. If she decides against this, he must not force her. He should terminate his marriage. They can agree on how they look after their children. But the children must be brought up as Muslims.

Matrimonial: Marriage — Without Knowledge Of Woman's Parents

A woman married in court in Pakistan shortly after coming of age, without notifying her parents, or asking their view concerning her marriage. Her parents are upset because they would have preferred a better husband for her. Could you please explain the position of her marriage from the Islamic point of view.

The majority of scholars and schools of Islamic law consider it a condition for the validity of a marriage that the woman's father or guardian should act for her. This is based on the Hadith that states: "No marriage is valid without the presence of the woman's guardian and two witnesses." However, the Hanafi School of Islamic law does not make such a condition. It considers the marriage valid when the woman acts for herself, provided that the other conditions are met. The argument of the Hanafi school is based on the fact that when God speaks about marriage in the Qur'an, He attributes all action to the woman herself. Without wanting to go into the merits of either view, we say that both have strong basis.

As this marriage was conducted in a court in Pakistan, where the Hanafi school is predominant, it took into consideration all the legal requirements applicable in the country. Therefore, it is valid and no action needs to be taken on that count. The father may be angry with his daughter, and rightly so, but this does not invalidate the marriage. He himself would not like her marriage to be pronounced invalid, since it has taken place.

The other point raised by the family is the social status of the husband and the fact that he is rather poor. The advice I would give to the family is that since their daughter has married the man in full knowledge of his economic circumstances, they should not make it a cause of a problem. In fact, they should try to assist their daughter and her husband if they can, in order to improve their situation. Otherwise, they should place their trust in God and pray to Him to assist their daughter and her husband. They may be poor now, but better days may be in store for them.

Matrimonial: Marriage — Woman Cannot Be Married Against Her Wish

Can a woman's parents force her to marry a man of their choice, particularly when she has made it clear to them more than once that she does not agree to their choice? If the woman wants to marry a man of her choice, can she do so? What if her father objects: Can he prevent her marriage?

A woman came to the Prophet, peace be upon him, complaining that her father married her to a relative of his, because he wanted to improve his own social

standing through this marriage. The Prophet, peace be upon him, declared the marriage null and void. When the woman made sure that her marriage was no longer valid, she said to the Prophet: "Now, I agree to what my father did. I only wanted women to know that men do not have a say over their affairs."

This authentic Hadith is very clear. It is not up to the father, or any other relative, to force a woman into a marriage against her own express wishes. If she does not agree to a marriage, she should declare that, and no one will be able to go ahead and marry her against her wishes. The important thing in all this is that the woman should make her position very clear. If she does not, then her hesitation could be taken as a reluctant agreement.

A father may object to a prospective husband of his daughter on grounds of personal or social incompatibility. But he must always be reasonable and not make his objection on arbitrary basis. He must always seek what is best for his daughter, knowing that he will have to account to God on whether he has taken good care of her or not.

It is also not permissible for a father to block his daughter's marriage without good reason. What he should realize is that his authority is one of care, seeking the best interest of his daughter, not to regulate her life according to his own wishes or interests. Now, if a woman wants to marry a particular man, he should approach the matter properly, putting his proposal to her family and explaining his situation. The family should look into the matter carefully, remembering always the Prophet's advice: "If a man whom you find satisfactory with regard to his faith and honesty makes a marriage proposal, then accept him. If you do not, there will be oppression on earth and much corruption." It is easy to see what the Prophet, peace be upon him, aims at when he warns against such a practice. If people would reject those who are satisfactory with regard to faith and honesty, then they will accept ones that are unsatisfactory. This will lead to oppression and corruption. The victim is almost always the woman, and often the children. The corruption applies within the family and society at large.

The reader also asks about a court marriage. This is perfectly acceptable, provided the woman's father or guardian is present. If a woman wants to get married in court, and her father makes his objection clear to the court, there could be some requirements that differ from one country to another. But if the family law of a Muslim country sanctions a marriage, and it is not against a clear Islamic rule, the marriage is valid.

Matrimonial: Marriage & An Unusual Trade-in Kidney Transplant

I wish to donate one of my kidneys to a Muslim brother who is in bad need of a kidney transplant. However, his family insists on giving me their daughter to marry without a dower. Am I permitted to marry her on this condition?

There are several points involved in this question. I will start with the most important which is the marriage of the man to the girl the family wants to give him in marriage, in appreciation of what he wants to do. The reader appears to be willing to undertake a great sacrifice to help an ill person, and his action will not go unrewarded. However, he does not ask for anything in return. Yet the family wants that he should marry their daughter. This may be the family's way of saying 'thank you,' to him, making him feel that he now belongs to their family. All this may be commendable, but what about the girl herself? Is she willing to marry you? Is her willingness genuine, or she feels to be under much pressure because of what you are going to give in sacrifice to help her sick brother?

The pressure may be silent in this case. No words may be said in persuasion, but the girl may feel that she cannot say 'no' when the thought of marrying her to you is mentioned. She may feel that if she declines, she would appear ungrateful, and her family may think her selfish. If something happens and the prospect of donating a kidney to the patient goes wrong, then she would be blamed for it on account of her refusal to marry you. That is a very weighty pressure indeed, and it should be removed before asking her whether she consents to this marriage. I suggest that my reader should seek to speak to the girl alone [without intervening by a third person], preferably on the telephone, before doing anything concerning the marriage. He should tell her that he wants her to feel free and decide what she likes concerning the proposed marriage. He should also say that he appreciates the delicacy of the situation.

Therefore, she must speak to him frankly about her feelings in this whole affair. If she shows even a slight reluctance, or expresses fears about the marriage, then he should do the honorable thing and tell the family that he is not donating his kidney for the marriage. He is donating it because he wants to help the patient.

He will, therefore, go ahead with the donation, but he does not wish to marry their daughter. He should give some plausible excuse, such as asserting to them that he is happily married and does not want to marry again [or for reasons of compatibility.] Let him give the family the impression that the withdrawal from the marriage is his fault and not their daughter's.

On the other hand, if he feels that the girl is genuinely willing to marry him, then he may go ahead with the marriage in the proper way. He should give her some dower, even a nominal one, as one Riyal, provided that she accepts such an amount as her dower. Alternatively, he may offer a larger dower, and the girl then forgoes it as a personal gesture, which she herself is willing to make [which shall not be a precondition.]

As for donating kidney, that is also an intricate subject. We have to consider several factors. These include the patient's need to have a kidney transplant, and how much the donor's body can tolerate the removal of one kidney. Is he likely to lead a physically normal life after the donation? Furthermore, there should be a clear medical decision that the patient's body is highly unlikely to reject the transplanted kidney.

This is very important, because if the transplant operation takes place and the patient's body rejects the new kidney, the patient will remain in the same position as before the transplant and the donor will have to live with one kidney.

I know a case where a patient with complete kidney failure was given a kidney by his own brother. The transplant was successful at first, but within two weeks, the body rejected the transplanted kidney. Although this operation was carried out in one of the leading hospitals in London, by one of the best surgeons in the field, all attempts by the doctors to save the kidney and to make the body accept it failed. The patient died a few months later. I am not aware of what happened to the donor. This shows the need to be extra careful in these cases. If all these factors are positive and encourage the transplant, then the donation may be acceptable. If the case carries a substantial degree of doubt, then it is better abandoned.

Having said that, I should add that this is all-different from the situation where the transplant kidney is donated after the death of the donor. In this latter case, the transplant is permissible.

Matrimonial: Marriage Against Parents' Advice

I have always been a dutiful son, and I support my parents all the time with a portion of my salary. However, disagreement occurred between us, when I told them of my desire to marry a certain woman. They objected to this marriage after having gone to a fortune-teller who told them that this marriage would not be successful. I have known this lady for sometime and I am sure she is the right choice for me. She prayed the Istikhara and she says that the indication is very positive. In order to get my parents to agree to this marriage I have stopped telephoning them and I have not sent them money for the last couple of months. I do not want to hurt them or to stop helping them, but I wish that they agreed to my marriage.

There are several points to be highlighted in this case. The first is the parents, reliance on fortune-tellers to determine whether to sanction the marriage or not. This is a highly un-Islamic way. The Prophet, peace be upon him, has warned us very clearly against consulting fortune-tellers. He says that consulting them is tantamount to disbelief in what has been revealed to Muhammad, peace be upon him. This is very serious as it constitutes a rejection of Islam altogether.

Secondly, the lady speaks of indications she had after her Istikhara, which is a prayer to God to help her with her choice. These indications described by the reader rely on dreams, but these do not seem to be of any clear relevance. When we perform Istikhara, it is not necessary that we see an indication in a dream. This is in fact unlikely in most cases. If we see a dream that is directly relevant, well and good. But what we should understand is that the Istikhara is a request for God's help to make a choice. He responds by facilitating for us the course of action, which serves our interests best. Therefore, we rely on what He makes easy for us to do, trusting that it is the proper choice.

Thirdly, I must take issue with the reader for changing his treatment of his parents. In fact, he is doing the opposite of what he should do. He wants his parents to agree to his marriage and to do so, he withholds his help from them and stops telephoning them. This is very unkind. While he maintains that he has no intention of hurting them, he is doing just that. Had he done the opposite and been extra kind to them, putting to them the argument that fortune-tellers are no more than crooks and liars, and that a Muslim is forbidden to consult them, they may very well agree. Besides, he does not really need their agreement. He may go ahead and marry the woman he wants to marry without telling his parents. While I do not advise such course unless it is the only way, he incurs no sin by doing it.

Matrimonial: Marriage Between Cousins Permitted But Not Advocated

1. Scientifically speaking, consanguineous marriages, i.e. marriages between first cousins, tend to cause biological complications for children. How does Islam view such marriages?

2. We are three Muslim girls studying in an Embassy school in Riyadh. We are all engaged to marry our cousins, but we have no say in the matter. Our parents have arranged these engagements and marriages. We have learned that close family marriages may have adverse effects on children. Could you please comment on our situation?

1. Islam permits marriage between first cousins. If you read the Qur'anic verses which enumerate women to whom a Muslim cannot be married, you will find that this list does not include cousins. Therefore, such a marriage is permissible.

What you have mentioned about the effect of such marriages on children is quite true. Hereditary points of weakness in a family tend to be more pronounced in the children of any marriage between cousins of that family. May I say that this is not totally a new discovery? In fact, the Prophet, peace be upon him, himself touched on it when he recommended his followers to marry outside their families and indeed outside their clans. It is needless to say that when marriage of cousins is repeated over several generations, they are bound to have more effects on children.

The Islamic view is that while marriage between cousins is permissible, it is certainly preferable to choose a marriage partner from outside one's family. We have to distinguish between what is permitted and what is advocated. [Some clans restrict marriages to amongst their kin only - a practice far from what is advocated]. By permitting such marriages Islam does not encourage them. It advocates, not only for the reasons outlined above, the cementing of social relations through marriages between totally unrelated families. The Prophet, peace be upon him, once told one of his companions to choose a wife from a tribe different to his, and then to choose for his son a wife from a third tribe, and to seek for his second son a girl from yet another tribe. Preferring this course of action, Islam nevertheless permits marriage between cousins because it meets a social need.

2. I would like first of all to distinguish between a permissible marriage and a recommended one. I have noticed that in many communities, particularly in the rural and remote areas, people tend to think that Islam prefers, encourages or recommends marriage between cousins.

This is not so. Indeed, Islam makes a marriage between cousins permissible, but it leaves it to individuals to decide whether they want to marry their cousins or not. There is no recommendation or obligation that makes a cousin preferable to other suitors. Indeed, the Prophet, peace be upon him, has recommended the opposite attitude of marrying outside one's own family, clan or tribe. He is quoted to have encouraged intermarriages between different tribes, to the extent that if a man has married a woman from a different tribe, he should seek for his son a wife from a third tribe.

This encourages inter-tribal relations and makes society more cohesive. Moreover, the Prophet, peace be upon him, has pointed out that much distant marriages may be helpful in having healthy children.

Much is said about the effects of family marriages on the health of children. The only thing that has been proven is that some hereditary traits may be more pronounced in children of marriages between cousins. However, genetic scientists have spoken of some advantages, which result from marriages between cousins and relatives. The fact that such matters have not yet been irrefutably confirmed by scientists means that we should not read much into them.

There are advantages and disadvantages to every type of marriage, but, generally speaking, inter-family marriages should not be the norm so as to carry over from one generation to another. That is bound to make hereditary traits and weaknesses more pronounced among children.

What is more worrying about the case of these three girls is that their fathers have arranged these engagements without reference to the girls and without taking their views into account. It is true that scholars say that a father may arrange a marriage contract for his virgin daughter without consulting her, but this relates mainly to the validity of that marriage, not to its desirability or wisdom. The practice the Prophet, peace be upon him, laid down is that every girl should be consulted about her marriage. If she does not agree to marry a certain suitor, then she must not be forced into that marriage.

Sometimes, a marriage is arranged without consulting the girl herself because that marriage is felt to bring some benefits to the father or the family as a whole. If this is the reason, Islam views such a matter very seriously. A woman came to the Prophet, peace be upon him, and complained that her father married her to his cousin because he felt that the marriage will give him a better social status. The Prophet, peace be upon him, immediately annulled the marriage, saying that it was not valid.

The Prophet, peace be upon him, made this ruling because the marriage was totally intended to bring a benefit to the father, without any due regard to the girl's feelings or situation. She was treated as a mere commodity exchanged for a position of honor. That is totally unacceptable from the Islamic point of view. Hence, the Prophet, peace be upon him, himself declared the marriage as invalid.

In that particular case, when the girl was free to choose, she said to the Prophet, peace be upon him, "Now that I am free, I accept what my father has done. I simply wanted all girls to know that men do not have any control over their marriages." The same situation applies in the cases of the three girls who have written to me. I am told that in one case, the father is being offered a flat by his brother in exchange for the girl's marriage.

That should be the dower, which the girl should receive and it should become her own property if she accepts it as a dower and consents to the marriage. But in this case, she has not been even asked whether she agrees or not. It is clear that she does not. Moreover, the benefit is given to her father. He is actually treating her as a commodity, which he sells in return for a flat.

That is unacceptable from the Islamic point of view. In another case, the whole marriage seems to be in fulfillment of a promise. That promise should not have been given in the first place, because the father does not have the authority to make it.

In the third case, there is a different type of benefit, which the family may obtain. What I would like to say to fathers generally is that the marriages of their daughters are very serious matters.

They should listen to the Prophet's advice and choose for their daughters husbands who are religious and who can give them a good family life and treat them well, bringing their children up as good Muslims. They must not try to get any benefit for themselves as a result of the marriages of their daughters.

Matrimonial: Marriage Contract Made Verbally

When I was married all that is normally done for a marriage contract was complete except that no documents, papers, etc. were signed or exchanged. It was all verbally conducted in presence of witnesses with Maher payable upon demand. This was then usual in my place of origin. How does it affect the validity of my marriage?

The marriage contract is the same as any other contract. It is valid when done verbally in presence of witnesses. In fact, the majority of contracts in daily life are done verbally, particularly in business transactions. They are no less valid for that reason alone. As long as the two parties to a contract are making their commitment seriously, then the contract is valid.

A marriage contract is also done verbally. But parties express their commitment and acceptance verbally. They do this in presence of witnesses, who must not be less than two. The bride has her father or guardian acting for her, on the basis of a power of attorney she gives him, also verbally and in front of witnesses. He expresses his

commitment on her behalf and the bridegroom accepts that. The marriage is valid on this basis.

Whatever documentation is made on paper is merely to confirm and document the fact of the marriage that have already taken place by the verbal contract. This means that the verbal action is the basis, and the written one is merely for documentation. I reassure my reader of the validity of his marriage. However, he needs to have it registered and documented so that he does not run into trouble of proving a marriage, of which the authorities in his country have no record.

Matrimonial: Marriage Hanging In the Balance

The marriage contract of a 17-year-old girl was arranged a few years ago. Her husband was working abroad and a delay in the consummation of marriage took place. Later, the man and his family moved to a foreign country, without even communicating to the girl's family of their intentions. There have been many indications that the man's family have actually ignored the girl and do not seem keen that the marriage should go through. The man does not answer the letters sent by the girl or her father. Now she says she is not prepared to go ahead with the marriage, even if the man wants to. Could you please explain if there is a way out for the girl? On the other hand, can the man compel her to go and live with him after she has come to hate him and his family for their lack of care for her. If she gets divorced, does she have to observe a waiting period, considering that the marriage has not been consummated?

There is certainly a way out for the girl, if her feelings are truly as you describe. This is known in Islam as *Khula'* which may be resorted to by the girl, whether the marriage has been consummated or not.

In the circumstances that you have related, it is perfectly understandable that this girl should desire an end of her marriage to a man who totally neglects her. What she should do is to go to an Islamic court and apply for the nullification of her marriage. The judge will listen to her case and when he realizes the seriousness of her application, he should grant it. When she has made such an application, the judge must make a ruling before he would even consider any counter application by the husband for the marriage to be consummated, or for the girl to go and live with him. Needless to say, she should pay back to the man any dower or mahr she has received from him and preferably any gifts he had given her.

It has been observed that judges in your part of the world are reluctant to grant applications of *Khula'*. If this girl meets such an outcome, she should make her application to another judge, trying to identify one who is both broad-minded and well read. I should perhaps explain that the judge, who orders a nullification of the marriage, does not pronounce the divorce on behalf of the man. If the woman later marries again, her marriage is considered to be a second marriage, although she may still be a virgin. Since the marriage has not been consummated, the woman need not observe any waiting period after the nullification of her marriage.

From the Islamic point of view, marriage is a contractual agreement between two parties. If either party wants to withdraw from that contractual agreement, there are rules and procedures for such a withdrawal. In the case of the woman, the method of *Khula'* is the way out.

Matrimonial: Marriage In A Church

1. Our family back home is a closely-knit one. Against my normal practice, when I was on vacation this year, I refused to visit one of my sisters because her son has married a Christian woman, and the marriage was done in a church. She continues to go to church for prayer on Sundays. My family is hard on me, thinking that I am taking an intolerable attitude. I feel that unless the marriage is solemnized according to Islamic law, I should continue to boycott the family. I would like to know whether my attitude is correct. Is it permissible for a Muslim to partake of food and drink in such a house? Are the prayers and other Islamic acts of worship offered in that house by my sister and her husband — i.e. the parents of my nephew, valid and acceptable to God? Under what conditions is a Muslim permitted to marry a Christian woman?

2. A friend of mine is married to a Muslim convert who was a Christian at the time of their marriage. To satisfy her guardians, he consented to have the marriage solemnized in a church. He is now told that a Muslim may not get marriage in a church and he is at a loss on what to do now that he has six children. He believed at the time that the basic requirement of a marriage contract in Islam is the mutual acceptance by the couple in presence of two witnesses. There were a number of Muslim witnesses at the marriage ceremony. What should he do now?

1. If we start by answering the last question first, we say that the marriage of a Muslim man to a Christian or Jewish woman is permissible, as God states clearly in verse 5 of Surah 5. God has not attached any special conditions or mentioned particular circumstances to make such a marriage valid.

This means that the requirements are the same as that for any marriage, which means that it is a contract in which both parties enter freely, without pressure or compulsion. Other than that, what is required to make the marriage contract valid is the same in all situations.

Islamic marriage is completed when the contract is made. Normally it is a verbal contract, with a commitment by the woman's father or guardian acting on her behalf by a power of attorney, and an acceptance by the man. When this is done in the presence of a minimum of two witnesses, the marriage is complete. A dowry should be specified, which is payable by the man to the woman and it becomes her property in the full sense of the word.

A Christian marriage is a little different, with the priest or a person from the Registrar's office asking each of the two parties whether they take the other for their wedded spouse. If both answer in the affirmative, they are pronounced man and wife. In a church, the priest will add certain duties of loving and cherishing the other party until death.

This means that, as formalities go, there is little difference between the two types of marriage. What remains at issue is whether it is right for a Muslim to marry in a church. The answer is that it is not right, because it implies recognizing of the validity of what is said in a church about God, particularly the false claim that He has a son. Some scholars also speak of the unacceptability of non-Muslim witnesses, but they look at this from the point of view of a witness having some authority over the person he is testifying for or against. This is, however, an issue where scholars are not unanimous.

If we now consider the marriage the reader is asking about, I would say that the family should have taken the right step of consulting a scholar before making the arrangements. A scholar would have told them that they should have the marriage done according to the Islamic way, with commitment and acceptance in presence of witnesses. This they have not done. It is still preferable to do so now. But the marriage that has taken place remains valid, since both parties have declared their acceptance in presence of large number of witnesses. Everyone who knows them as well as the law of the land recognizes that they are married. Then anyone who says they are not married is accusing them of adultery, which is not the case.

Our reader has taken an attitude in support of abiding by the Islamic law, and may God reward him for that. But he has been hard, risking the alienation of his sister and her entire family. This makes his stand unacceptable to them, and would make them refuse to listen to anything he has to say. Thus rather than giving advice that might be acted upon, he would alienate himself from them.

The result is that they would go one way and he goes another way. If there were something to be corrected in this relationship, it would not be. Besides, why would he not eat in his sister's house when Muslims are encouraged to have good social relations with the followers of other religions, particularly Christians, as long as they do not adopt a hostile attitude to Islam? It is God who says:

"The food of the people who received revelations before you [i.e. Christians and Jews] is permissible to you, and your food is permissible to them." [Table Spread — "Al-Ma'idah" 5: 5]

The reader wonders whether prayers offered by his sister and her husband are acceptable to God. I find the question very strange. What would make a prayer of one person unacceptable on the basis of an action done by another? Even if the action is strictly forbidden and the other person has not expressed any objection to it, the most that can be said against that person is that he failed to counsel his friend or relative against it. This does not make his own worship invalid.

2. While a Muslim may marry a Christian woman, the marriage cannot be officiated in a church because the husband would then be acknowledging a clerical authority over his own affairs and the affairs of his family. It is in this implicit recognition of a religious authority other than that of Islam, which blocks such an option. Had your friend had his marriage officiated at an office of the registrar, which means that he would have had a civil marriage, then there would have been no argument about the validity of his marriage. Provided that the conditions imposed by Islam were met. But a religious marriage in a temple, which belongs to any faith other than Islam, is unacceptable.

It is not reasonable for a person to assume that what he knows is correct and final. Your friend should have inquired what Islam would say regarding his marriage before accepting the condition of the guardians of his wife. Had he done so, he would have worked some way to satisfy his in-laws. May be he would have arranged an Islamic marriage and invited those people to see whether it is satisfactory from their point of view. He would have then been married to his fiancée from the Islamic point of view, even though her guardians might still have wanted their plan fulfilled. It would have been up to him to find a way to satisfy them. Even if he went to church, he would be censured for being party to a marriage ceremony. The ceremony itself would have no effect since he would have been already married.

This is not to encourage anyone else to do the same. Far it is from this. I am simply trying to make a distinction between acknowledging the religious authority of a faith other than Islam over Muslims and going through the motions of marriage when the marriage is already in force.

As for your friend, he should arrange for a proper Islamic marriage to be carried out now. There is no question about the legitimacy of his children, since he is not denying his parenthood. The other thing to do is to repent and pray for forgiveness. He also needs to try to offset his mistake by doing some good actions, such as giving generously to charity, offering voluntary worship, etc.

Matrimonial: Marriage In A Simple Manner

I intend to get married and my parents are trying to arrange that for me. My desire is to have my marriage conducted in the simple Islamic way. How should I go about it?

It is highly commendable that you wish your marriage to be free from all the customs, which have been introduced in order to maintain appearances and try to preserve the position of the two families in the society. That is certainly not one of the purposes of marriage according to Islam.

The marriage contract is made simply by a commitment and an acceptance. The guardian of the bride commits himself to marrying her to the bridegroom if the agreed conditions are met, and the bridegroom accepts that commitment which means that he is prepared to honor those conditions. A certain amount of dower is fixed between the two parties and this becomes payable at the moment when the contract is made. If both parties agree, payment of the whole amount or any part of it can be deferred.

When that has taken place, the marriage is made. The wedding can take place at any time, and indeed the bride and the bridegroom can join together in their new family home without a wedding party, if they so wish. The contract, which is witnessed, at least by two persons, is sufficient. However, publicity of the marriage is desirable. This is the purpose of the wedding party, which can be as simple as one chooses.

What is recommended for the bridegroom is to arrange a dinner party for relatives, neighbors and friends. Again, this need not be a grand affair. A simple one is preferable. The idea is to allow neighbors and relatives to share in the happy occasion. Apart from this, nothing is required.

Matrimonial: Marriage In An Essentially Islamic Manner

1. Could you please explain the requirements of Islamic marriage? In my country, much of the practices associated with marriage are taken from a different culture. Hence, the need for clarification.

2. Could you please explain the relative importance of practices of marriage and which of them are essential for the marriage contract and which are only recommended or voluntary?

3. I am about to be married. Will you please tell me what is recommended of practices connected with marriage? What about the party and its timings?

4. On the day of my marriage a friend told me to offer two rak'ahs with my wife when we are left alone. We did not manage to do that. Now we have been married for more than five years without having any children. Doctors have told us that there is no medical reason to prevent our having children. We sometimes think that the cause may be our failure to offer these two rak'ahs on our wedding night. What should we do now?

1. Islamic marriage is simple and straightforward. It consists of a commitment by the bride, or whoever is acting for her, and an acceptance by the bridegroom. The commitment is made when the bride's father or guardian who has authorized me to

act for her, in marriage according to the Islamic way, says to the prospective husband: "I give you my daughter." He may specify the dowry to be paid by the bridegroom. The latter replies, saying: "I accept to marry your daughter, etc." When this is done in the presence of at least two witnesses, the marriage contract is complete.

The dowry is payable by the bridegroom, and it becomes due at the moment the contract is made, unless the two parties agree to defer part or all of it. In this case, it is considered a preferred debt, payable whenever the wife asks for it. In any case, it is paid when the marriage is terminated by divorce or death of either man or wife. It belongs to the wife and she may do with it whatever she likes. It does not go toward furnishing the house where the couple will live. It should not be used for any purpose other than what the owner, i.e. the wife, decides.

In some countries, like India, marriage involves another dowry, paid by the bride to the groom. This is un-Islamic, and some Muslim communities have this borrowed from the Hindu culture.

It is strongly recommended to give a dinner when the marriage takes effect. Neighbors, friends and relatives are invited in order to give them a chance to share in the happy occasion. Apart from that, there is nothing required in Islamic marriage, except perhaps to say that no girl or woman may be married against her will. She must be happy to authorize her marriage to the bridegroom of her choosing.

2. Marriage itself is a Sunnah, which means that it is recommended, not obligatory to us. Therefore, if a Muslim does not marry throughout his life, he commits no sin, although he has chosen a course for his life different from that recommended by the Prophet, peace be upon him. The recommendation is made in the strongest of terms, as the Prophet, peace be upon him, says: "Marriage is my way, [i.e. Sunnah] and a person who disdains to follow my way does not belong to me." Yet the emphasis put on the recommendation is only to heighten its desirability. It is not to be understood from this Hadith that a person who remains unmarried throughout his life removes himself from the fold of Islam or even commits a sin.

Divorce on the other hand is permissible but described as unsavory or distasteful. It is permitted because of the need for it. In any society, a proportion of marriages are unsuccessful, due to a variety of reasons, the most common among which is the incompatibility between the characters of the husband and his wife. Therefore, a way out is provided for them through divorce.

The most essential aspect of the marriage contract is the commitment and acceptance. One party, normally the guardian of the bride, makes the commitment by stating that he marries away the woman on whose behalf he is acting to the prospective husband according to the Islamic way and for a specific dower. The bridegroom declares then his acceptance of that commitment and that he has married the woman according to the terms specified. That constitutes the marriage contract. Both commitment and acceptance must be done in the same session, and should not be separated by other matters.

Witnesses must be present at the time of the contract and a minimum of two is required for the purpose. The important aspect is that marriage must be publicized. The minimum publicity is provided by the presence of two witnesses. The witnesses must be present at the time when the commitment and acceptance is made, and they should be sane, adults and must hear the contract being made and understand that it means marriage. Therefore, if a child or a mad or deaf or drunken person witnesses the marriage contract being made, the contract is not valid. The presence of such persons is the same as their absence.

The guardian of the woman to be married should also be present. The Prophet, peace be upon him, says: "No marriage can be made without the presence of a guardian and two proper witnesses." [Related by Ad-Daraqutni]. The woman's guardian is normally her father. If her father is present, no one other than him may act for her. If he is dead or absent, then one of her closest relatives should act as her guardian, such as her brother, grandfather or uncle.

The dower is also accessory in the marriage contract. It is a compensation paid to the bride and it becomes her own property and she disposes of it in the way she likes. Its amount is fixed by agreement between the two partners. If a marriage contract is made without the dower being specified, the contract is valid, but the woman does not forfeit her right to receive a dower. If her husband refuses to give her what she asks, then she can put the case to a Muslim judge who will rule that she must be given the equivalent of what is given by way of dower to women in her social status.

A dower can be a very little amount. At the time of the Prophet, peace be upon him, a woman accepted a pair of shoes as her dower. The Prophet, peace be upon him, asked her whether it was her decision and whether she accepts. She answered in the affirmative and he endorsed the marriage. Another woman came to the Prophet, peace be upon him, and declared that she makes a gift of that herself to the Prophet, peace be upon him. A man asked him to marry her to him. The Prophet, peace be upon him, asked him whether he had anything to give her by way of dower. The man said that he had nothing except his dress. The Prophet, peace be upon him, said that if he were to give her his dress, he will have nothing to wear. The man tried to find something to give her but could come up with nothing. The Prophet, peace be upon him, said, try to find even a ring of iron, but the man could not find anything. The Prophet, peace be upon him, asked him whether he memorized anything of the Qur'an, the man said he knew several Surahs. The Prophet, peace be upon him, allowed the marriage to go through on the condition that the man would teach his wife the parts of the Qur'an he knew.

Another story from the time of the Prophet, peace be upon him which has been reported by Anas says that Abu Talha made a proposal to marry a woman called Umm Sulaim. She said: "You are a man whom no woman would refuse, but you are a non-Muslim while I am a Muslim. It is not permissible for me to marry you. If you were to become a Muslim I will accept that as my dower and I ask you for nothing else." He declared that he has accepted the religion of Islam. That was the dower he gave to his wife. All these Hadiths show that it is permissible to give a small amount of money as a dower or even to pay it in the form of rendering a service, such as teaching one's wife some parts of the Qur'an.

Having said that, it may be made clear that there is no maximum limit to what a man may pay his wife by way of dower. The Prophet, peace be upon him, however, has strongly recommended us not to demand excessive dowers. He says: "The best of women are those with pretty faces and cheap dowers." There is a strong indication in that Hadith that the dower should never be related to looks. A woman is not a commodity, which a man buys at a price, which takes into consideration how pretty she looks. She is a life partner to him and she gives him a benefit for which she is entitled to have compensation.

When the marriage contract is made, it is recommended, [i.e. Sunnah] for someone, preferably the person who instructs the two parties what to say to make sure of the correctness of the contract, to say a few words, reminding the people who are present of Allah and the need to conduct one's life according to Islam. He may quote some verses of the Qur'an which are suitable for the occasion and remind that they should always remain God-fearing.

I have already said that it is important to publicize the marriage. The Prophet, peace be upon him, has also recommended that marriage should be celebrated with some singing. The Prophet, peace be upon him, is also quoted as saying: "The difference between what is legitimate and what is illegitimate is the sound of the tambourine." This again refers to publicity. When people arrange for singing and music they add to the publicity of the marriage which confirms that the relationship between the man and the woman is a legitimate one. On the other hand, when they are secretive about the marriage, there may be something suspicious in that relationship, which could take it into the realm of what, is forbidden.

3. It is strongly recommended that a person who has made up his mind to propose to a family to get married to its daughter should see the girl. Jabir ibn Abdullah quotes the Prophet, peace be upon him, as saying: "If anyone of you intends to propose to a woman and he can see of her what encourages him to marry her, he should do so." Jabir acted on this Hadith as he reports: "I proposed to a woman from the clan of Salamah and I used to hide in some places where I knew she would be passing until I saw of her what encouraged me to go ahead with the marriage."

Al-Mugheerah ibn Shu'bah, a companion of the Prophet, proposed to a woman and informed the Prophet, peace be upon him, of that. He asked him: "Have you seen her?" When Al-Mugheerah answered in the negative, the Prophet, peace be upon him, said: "Go and see her because that makes a more successful marriage."

Many scholars have pointed out that this concession is granted to a person who wants to propose to a woman and that he may see her when she wears the clothes she ordinarily wears in front of her father or brothers.

At the time of making the marriage contract, the person who is drawing the contract is recommended to start with a short speech pointing out the advantages of marriage and praying for the couple and those who are present. After the contract is made, supplication for blessing the marriage is recommended. It is also recommended to publicize the marriage. Lady Ayesha quotes the Prophet, peace be upon him, as saying: "Publicize the marriage and make it in mosques and play the tambourine" [Related by Ahmad and Al-Tirmithi]. It is perfectly in order to have some singing as well. There are several Hadiths that point out that the Prophet, peace be upon him, has encouraged this. Lady Ayesha went with a young bride to her husband's home. The Prophet, peace be upon him, told her: "Ayesha you did not have any singers with you. The Ansar like that." [Related by Al-Bukhari and Ahmad]. Some reports of this Hadith quote the Prophet, peace be upon him, as saying: "Why have you not sent with her a girl to play to the tambourine, and sing" Lady Ayesha asked the Prophet, peace be upon him, what should that singing girl say and he said three lines of simple poetry which is suitable for singing. Obviously, such poetry should be free from any obscenity.

It is strongly recommended, according to the majority of scholars to have a party and invite relatives, neighbors and friends. The timing of this party is shortly after making the marriage contract or at the wedding or shortly afterwards, as is the prevailing custom in one's community. Al-Bukhari mentions that the Prophet, peace be upon him, gave this party after he had consummated his marriage with Zainab. Any one who is invited to this party should attend, unless he has a compelling reason for not attending. This is due to the fact that the party is meant to add to the publicity of the marriage and to make the local community share in the happiness of one of its members.

4. The advice given to you by your friend was sound. He pointed out to you a Sunnah which you would have been well advised to follow. You would have followed that prayer with a supplication to God to bless your marriage and make it a happy one. However, the omission of this Sunnah has nothing to do with the fact that you have

no children. God does not punish anyone for omitting a Sunnah, because by definition a Sunnah is not obligatory. Therefore, omitting it does not constitute an offense. If no offense has been committed, how could punishment be inflicted? It certainly would have been better for you to have done the Sunnah, but you have not broken any rules by omitting it. The first thing I would advise you to do is to remove from your mind any thought that the omission of this Sunnah is responsible for your having had no children so far.

Secondly, being childless is no punishment to anyone. It is God who decides whom to give boys and whom to give daughters, and to whom He gives children of both sexes and who to leave without children. He does that as part of the test to which everyone of us is exposed in this life. Some are happy because they have children, and some have their greatest trouble in life resulting from having children, while others prefer life without a child. There is no fixed rule for this. How do you know that if you have a child tomorrow you will be happier?

My advice to you is that you may continue to seek medical help. If it does not work, then the best course for you is to resign yourself to accepting God's decision and realize that it is best for you.

Matrimonial: Marriage In Secrecy

1. I would like to marry a second wife, but I intend to keep this new marriage a secret, because I know that my wife will never agree to it. In order not to have much friction, I prefer to keep things quiet. Is it permissible under Islamic law to solemnize the second marriage in complete secrecy? Of course the only people who will be taken into confidence are my parents.

2. A woman and a man who work for the same establishment fell in love but could not get married because their employers prohibit any relationship between employees, even a marital one. Yielding to their passion, they decided to be married, but could not do so in public. Therefore, they declared themselves married, but had no marriage contract or witnesses. After this, the woman felt uneasy, and even removed from her faith. She used to pray, but now she does not because she feels as if she is cheating. What should she do?

3. When I was on my home leave last year, I ran away with a woman and arranged for our marriage to be performed in a friend's house, who acted as her guardian. What prompted us to do so was that she was being forced by her parents to marry someone she did not want to marry. Our marriage could not be consummated because of her illness at the time. However, we went back to her family, but her parents refused to recognize the marriage. They claimed that we cannot be considered as man and wife because they had not consented to this marriage in the first place, and because she is staying with her parents and supported by them. Perhaps I should add here that she only returned to her family's home after her parents agreed initially to celebrate our marriage. Could you please let me know whether our marriage is valid or not.

1. If your parents are the only people present at the second marriage, then it is not valid, because you must have a minimum of two male witnesses. For a marriage contract to be valid, you need to have a commitment by the woman's guardian or father and acceptable by yourself in front of at least two people. If the woman's father or guardian is not present, then the marriage is not valid. When you have met these

requirements, your marriage will be valid. If you keep things quiet, that is your own affair.

May I, however, question your intended action? If you marry secretly, then you will not be able to maintain the sort of relationship Islam envisages between a man and his wife. You will be carrying on with the second wife under a great deal of pressure lest the secrecy is uncovered. You will need to justify your prolonged absence from home, which may not all be easy. You are required to maintain fair and equal treatment of your wives. This you will not be able to do unless both of them are aware that you have another wife, who enjoys the same rights as her. This is not to mention anything about having to justify your extra expenses, which are needed for your second home. In Islam polygamy is allowed to cater for certain difficult situations. But the second marriage should be arranged in the same manner as the first one, giving it all the normal requirements of publicity.

Moreover, should you not be thinking of your wife with whom you have shared your life for so many years? How would she feel when your second marriage is discovered? Why should you expose her to such a painful experience and to the agony of feeling let down? If there is no real difficulty with your first marriage, then my strong advice to you is to think again before taking a step, which may have far-reaching consequences on your present life. [Recognize the accountability in the Hereafter for injustice if you are not able to meet the required conditions of equal treatment set out by Islam for a second marriage.]

2. The first thing to be said to this lady is that her relationship with this man is not a marriage. Deep at heart, she knows that. It has manifested itself in her drifting away from her faith. How could it be otherwise, when she is carrying on a secret relationship with a man? The first point that distinguishes lawful marriage from an unlawful relationship is that marriage is open and publicized. The minimum publicity required is the presence of two witnesses at the time when the marriage contract takes place.

What this couple should do now is to stop their relationship immediately, declaring their repentance and seeking God's forgiveness. They can then take the necessary steps to make their relationship lawful by getting married in the proper way. If they feel that their employers will be upset, they do not need to tell them. Alternatively, they should seek a special permission from their employers to be married. This is something that can be overcome through negotiation. They should then seal their repentance with doing as many good deeds as they can, including going on pilgrimage.

3. To start with, you should not have taken that woman away from her parents in order to marry her. Marriage is a relationship, which starts a family. It must, therefore, remain a family affair from the start to the finish. When a woman is living with her parents, she may not just go out and get married without their consent. She must have a guardian who acts for her in conducting her marriage. When her father is present, no one may have guardianship other than him. Moreover, the Prophet, peace be upon him, says, "No marriage may be contracted without the presence of a guardian and two witnesses."

It is true that according to the Hanafi school of thought, the marriage may be valid. However, in the face of this clear and authentic Hadith, the opinion of any scholar, which clashes with it, is not to be taken. Sometimes scholars may take a weaker opinion in preference to a better-supported one because the circumstances of the case make the application of such an opinion likely to serve a more important purpose. A case like yours where the marriage was carried out without the consent of the woman's parents may be given a ruling of valid marriage, adopting the opinion of Imam Abu Hanifah, if the circumstances required that. Suppose that the marriage

has been in effect for several years and several children were born into that marriage. The wife's parents may have already relented and accepted the marriage as an accomplished fact. When such a case is put to a scholar, he has a very strong reason to let things stand as they are, taking into consideration the interests of the young children as something of paramount importance. Any scholar who opts for this opinion will be looking at the fact that the Hanafi school of thought was implemented in the Muslim State for several hundred years.

Having said that, I must add that in your particular case the same cannot be applied. Your marriage has not been consummated and your lady is still living with her parents. Why should we overlook the express Hadith in favor of a ruling by a scholar, eminent as he certainly was? No man's opinion may be taken in preference to a clear and authentic Hadith.

You say that your friend acted as your lady's guardian. What right has he got to do so? A woman may ask someone whom she trusts to act for her in her marriage contract only if she has no Muslim relative who may undertake the task. But to ask someone to be a guardian only because he is willing to oblige in a situation, which is kept secret from the woman's family, is unacceptable. The case would have been different if the woman was living in a place very far from the rest of her family and she went to the judge of her locality and explained matters to him, and he consented to her request to be her guardian. Such an arrangement would have been acceptable. But in your case, the situation is simply a marriage undertaken without the consent of the woman's father. Therefore, its validity is strongly suspect.

Having said that, I must add that since the woman's parents promised you and their daughter to make the necessary arrangements to sanction your marriage, they should honor their promise. To start with, they should not have tried to force their daughter to marry someone she did not want. If she wanted someone else and he is acceptable on account of his faith and honesty, they should not withhold their consent. The Prophet, peace be upon him, tells all parents: "If you have a proposal by someone whose faith and honesty you find acceptable, then sanction his marriage. If you do not do so, chaos and much corruption will be the result."

What I would advise you is to adopt a wise and understanding approach to the matter. You should go to the woman's parents and try to arrive at a clear understanding with them. Try to show them that if they consent your marriage with their daughter, things will be better all round. They may find it difficult to consent to the marriage as something imposed on them. Try to give them the feeling that they consent to it as a matter of choice. Perhaps you can seek the help of someone who has influence in their family, such as an uncle of the father or a brother. Perhaps they need time to demonstrate that they are not acting under pressure from you or from their daughter. If so, you should be understanding. From your letter, they appear to be rather amenable. Try not to deal with them as if you were in confrontation, but rather you understand their attitude and you want a solution, which satisfies everyone. In this way, you may achieve your purpose without allowing friction to creep into the family.

Matrimonial: Marriage In the State Of Ihram

It is said that one must not get married when he is in the state of Ihram; but I read a Hadith, which says that the Prophet, peace be upon him, married his wife, Maymoonah, when he was in the state of Ihram. Please comment.

One of the restrictions that must be observed when one is in the state of consecration, or Ihram is that he may not enter into a marriage contract, or propose marriage. The Prophet, peace be upon him, married Maymoonah after he had

finished his Umrah, which was the one he agreed with the Quraish at the time when the peace treaty of Al-Hudaybiyah was signed. The Quraish stipulated at the time that the Muslims would not enter Makkah that year, but would be allowed to come for a visit lasting three days. The Prophet, peace be upon him, and his companions did this and they offered the Umrah. When the three days were over, the Quraish sent someone to ask the Prophet, peace be upon him, to depart. He said, "Why could you not allow us to stay and I will be married here and we will offer you a feast." They told him that they did not agree and they would hold him to his word. As always, the Prophet, peace be upon him, was true to his promise, and he and the Muslims left Makkah. On the way back the marriage was made.

As you see, the events do not suggest that the Prophet, peace be upon him, was in consecration. When his marriage to Maymoonah was made. I realize that there is a Hadith, which states that he was Muhrim at the time, but this does not mean that he was in the state of consecration. What it means is that he was in the sacred month of Thul-Hijjah, in the sacred city of Makkah. In Arabic usage at the time, the word Muhrim means that as well as meaning "a person in the state of consecration." Since the marriage was made after the Prophet's completion of his Umrah, we have to take it as a reference to the month and place, rather than the ritual state of Ihram.

Matrimonial: Marriage Just Before [Or During] Ramadhan

I have been working here for several years without having been able to take any leave. Last year, I managed to take leave and go home before my parents arranged my marriage. Circumstances were such that the marriage had to take place a couple of days before the start of Ramadhan. As a result I was unable to observe the fast while I was on leave. The same was the case with my wife. Since I came back I have been feeling so bad at what had happened. Could you please explain what is my position?

You should have known better than to arrange your wedding a couple of days before Ramadhan. This is like putting yourself unnecessarily to severe test, without even the satisfaction of having a sense of achievement if you pass that test. You might have felt that you should take the chance of having your leave when offered, because you have not been able to take leave for a very long time. Still, you should have tried to arrange leave for after Ramadhan, since you intended to get married. Moreover, employers should be more considerate to the circumstances of their employees and give their accrued leave when they need it. Some accommodation between the needs of the employer and the employee is necessary which should not be too difficult.

What happened is very serious indeed. To give a good idea of the seriousness of the offense committed, may I relate a Hadith which reports that a man came to the Prophet, peace be upon him, and said: "Messenger of God, I am ruined." The Prophet, peace be upon him, asked what was the cause of his ruin, and the man said: "I have had intercourse with my wife while fasting." The Prophet, peace be upon him, asked him whether he had a slave to set free in compensation, but the man did not. The Prophet, peace be upon him, asked him whether he could do the alternative type of compensation which was to fast for two consecutive months, but the man answered that he did not have the ability to do that. The Prophet, peace be upon him, then told him to feed sixty poor people, but the man was too poor to do that, and he sat down attending the Prophet, peace be upon him. The Prophet, peace be upon him, then received a container full of dates and he gave it to the man to donate it to the poor.

These three actions are the penalty for having intercourse with one's wife during a day of fasting. They are to be taken in that order, not as three alternatives to choose from. This means that the compensation is to free a slave.

If one does not have a slave, like our situation today with slaving having been finally eradicated by the grace of God, then the penalty is to fast for two consecutive months, without breaking the continuity of fasting for any reason. Or when the man is too weak or ill to fast that the alternative of feeding sixty people is considered. This compensation is required for every day of fasting one spoils by having intercourse with one's wife.

This is not too severe, because God has allowed sexual intercourse with one's wife during the night of fasting. It is only when one does it during the day, spoiling his fast, that this tough punishment is required. If our reader was guilty of this offense, then he knows what the penalty is.

It is also important to mention that the penalty applies to the man only, unless the woman has taken the initial step of persuading her husband to have intercourse with her during the fasting time. If he is the one to initiate the offense, she needs only to compensate for the spoiling of her fast by fasting a day instead of the spoiled day.

Such is the penalty for spoiling a fasting day in Ramadhan by having sexual intercourse with one's wife.

However, in the case of our reader, there may be a cause for treating the whole matter in a different light. Our reader says that he has been working here for several years without taking any holiday or vacation for more than three years. Does he consider himself as having established home in Saudi Arabia? We are not concerned here with things such as stay permits, but we ask whether he wants to stay here as long as circumstances permit. When he goes home to visit his parents, does he consider himself merely a visitor?

If so, then he is resident in Kingdom, and when he goes home to visit parents, he is a traveler who may exercise the concession of travelers with regard to his prayers and fasting. In this case, he is not required to fast during travel, as God says in the Qur'an: *"Whoever is sick or traveling may fast [the same] number of days [later]."* In this case, our reader will be required only to fast the number of days, which he did not fast while he was on leave, having his marriage.

Having said that, I wish to emphasize that it remains an unwise choice to have one's wedding a couple of days before Ramadhan starts, or in Ramadhan, unless one takes sufficient measures to ensure that one will be able to observe the fast properly. For example, he should find something to do out doors during the day, and come home only at the time of Maghrib, or if he is at home, he should be with other people along with his newly married wife. May God forgive us all.

Matrimonial: Marriage Nullified Automatically

I have been married for five years, but recently my wife's conduct toward me has changed dramatically. She always quarrels with me for the most trivial things. Recently, I saw a photograph of her taken in a restaurant with a man sitting with her over a cup of coffee. Since then, I have been thinking certainly about divorce. May I seek your advice and also ask what should be a man's attitude in such a situation.

The first part of this question is better referred to a marriage counselor rather than to a person like myself who looks at problems purely from the Islamic angle. It is not for me to pinpoint the causes for a change of behavior between married partners. What I can say, however, is that both man and wife must always be kind to each other and respect the rights of the other spouse, trying always to consolidate their relationship on the basis of mutual care and compassion. I can advise my reader, however, that he should try to determine the causes, which have brought about the change in his

wife's behavior and try to remedy those causes. I can also tell him that Allah has permitted divorce as a means to solve intractable marital problems. If he feels that his marriage has run into such a problem, then divorce is an option, which he may consider. In divorce, the rights of the other party must always be respected and the duties of each of them should be honored.

The second part of the question asks about different possibilities when a man finds his wife in an uncompromising situation. The answer is that he should try not to lose control of himself.

Islam has provided a method to deal with such situations, which gives everyone his or her dues. If a man accuses his wife of adultery and he can produce no witnesses to corroborate his claim, he is required to testify under oath five times that his accusation is true, adding in the fifth that he invokes Allah's curse on himself if he is lying. The wife will receive no punishment if she repels that charge with a testimony of her own. She has to swear five times by Allah that his charge is false, calling down Allah's wrath upon herself if it is true. If both man and wife go through this process of testifying under oath, and the man accuses his wife and she denies the charge, each of them swearing five times to assert his or her position, their marriage is automatically nullified and they cannot be remarried under any circumstances, whatsoever.

Matrimonial: Marriage Partners Are Chosen by Allah Or By Our Will?

People say that our names together with the names of our marriage partners have been written down long before we are born. How much of this is true? Is every one's marriage partner chosen by Allah's will or do people's efforts play any part in that?

People are often confused with regard to the meaning of predetermination of Allah's will and His prior knowledge of matters. Sometimes they think that no matter how they behave in particular circumstances, what is preordained will come to pass. This may lead some people to say that there is no need to work hard in order to earn their living and to be able to look after their families because they will only get what Allah has predetermined, whether they work or not. If we were to take this simple view, a fundamental question arises which must be answered: Why does Allah hold us to account for our deeds? Before we answer this question, let us define some essential terms.

Predetermination means that something has been fixed in advance by Allah and man cannot change it in any way and by whatever means he employs, unless Allah Himself wishes to change it. Examples of these are the times when the person dies or when he is born, the fact that human beings are subject to the laws of nature which Allah has operated in the universe, and on earth in particular.

Allah's knowledge is absolute and free of the restrictions of time and place. This means that this knowledge has always been with Him. Nothing is added to it and nothing is deleted or omitted. In other words, it is not possible to imagine a point in time when Allah did not know something or when a particular piece of information has been added to His knowledge.

Time is the result of the succession of day and night according to the 24-hour cycle. Since the succession of day and night occurs as a result of the movement of the earth, it applies to earth only. Our days, weeks, months and years are only relevant to this planet on which we live. Other planets have their own years and days according to their position in relation to the sun.

On the basis of these definitions, Allah has always known long before He created man, how many human beings would be on the face of the earth at any particular moment in time, their ages, names, living places, work, families, etc. As far as your question is concerned, Allah certainly knew before you were born at what point in time you will get married and to whom you will be married and how long your marriage would last and how many children would be born to you and what names you will give them, etc. As I have already mentioned, nothing is added to Allah's knowledge as a result of any particular incident or development.

Does this mean that the marriage of a particular person is preordained in this sense that the choice is made for him or her by Allah? The answer is no. The marriage of a person takes place as the culmination of efforts, which have been made by him, or his family or his friends, etc. We look at it in the same way as we look at any event in our life. Allah has set certain laws, which operate, in human life and these affect marriages as they do affect other matters in our lives. There is a basic law, which applies to all things in our lives, namely, the law of cause and effect. You may take a decision today to travel from the city in which you live to another. That decision is taken freely by you at your own behest, for a particular purpose. When you have arrived in the city, suppose you meet a person who learns that you are skillful in a particular field. He happens to know someone who is keen to find a person with your skills. He makes the introduction and you enter into a contract by which you pledge to do a certain service to the other person in return for an agreed fee. If you did not go to that city, or if you did not meet that person, the whole thing would not have taken place. Here we have the law of cause and effect operating. Now Allah has known long before you or the other person were born that this will take place. Does it mean that you moved toward it blindly without any choice on your part? If you look at the circumstance, you will answer in the negative because you felt the terms offered were tempting or reasonable or whatever. The same applies to marriage and to all other activities in human life. Allah knows those activities before they take place, but that does not mean that we are simply moved along like pawns. Allah has given us our free will and the ability to choose between alternatives. It is Allah's will that we make use of what He has given us of ability to choose and freedom of choice. It is also His will that we are affected by the choice we make.

Matrimonial: Marriage Put Off For Financial Reasons

As the only breadwinner in my family, I feel it is my obligation to repay the huge amount of debt my father incurred to bring me up as well as my brothers and sisters. If I am to get married, I am bound to increase my liabilities and expenses. This has caused me to consider staying a bachelor. Is this appropriate?

It is very good of you to consider the repayment of your father's loan as your most immediate obligation. You should certainly do this as fast as you can. It certainly takes top priority. Also if you help your brothers and sisters complete their education, you are doing something highly beneficial for which you may expect generous reward from God.

It is true that marriage is a Sunnah which the Prophet, peace be upon him, has emphasized as very important. A Muslim should always keep it in mind that he will get married as soon as that is feasible. If your circumstances make it difficult for you to get married at present, then a delay of the marriage is reasonable. This should not be the reason for you to take a decision that you will never get married. What you should keep in mind is that once circumstances allow you will get married. You need to fulfill your immediate duties first.

Suppose, however, that the possibility of marriage presents itself without your incurring much expenses. In this case, you may go ahead and get married. You may

also try to delay having children until you are in better circumstances. There is nothing wrong with using a safe contraceptive method to delay having children. What you should guard against is a decision not to get married either in defiance of the Prophet's teachings or in an attempt to devote more time to worship. In either of these cases, you are actually defying the Prophet's recommendations. That is not acceptable from a Muslim.

Matrimonial: Marriage That Cannot Be Sanctioned

As my parents refuse to sanction my brother's marriage to a girl who follows the Muhavira faith, the two of them have been living together for sometime. We have been trying hard to persuade the girl just to say the Kalimah, so that she becomes a Muslim and the marriage can go ahead, but she refuses saying that she does not want to cheat us. The two of them maintain that they will continue to live together until we are ready to get them married. This has caused much bitterness in our family and my parents feel guilty as a result of what my brother is doing. Is there any possible solution to this problem? Should we boycott our brother and his friend?

One thing to be said for the girl is that she is honest. She does not want to indulge in an exercise of self-deception, appearing as a Muslim when she is not. You and your brother have been trying to make things appear so easy for her that if only she would say the declaration, which is known as the Kalimah, everything could go ahead. I am afraid that your attitude is wrong, while hers is at least honest.

A person does not become a Muslim as a result of making a simple verbal statement. That is not how beliefs are found. A person becomes a Muslim only when he is convinced of the basic principle of Islam, then he makes a declaration of his conviction, stating that he believes in the Oneness of Allah and that Prophet Muhammad, peace be upon him, is Allah's last messenger. Conviction comes first. It is then followed by the verbal statement, which describes an existing situation. Obviously the girl is not convinced of the truth of Islam. Therefore, even if she makes the declaration, she is not a Muslim. In this case, you may technically assume that she is, since she has made the declaration, but it is your brother's responsibility to make sure that she is a Muslim before he marries her.

Obviously, your brother does not care much about all this. This is the core of the problem. He does not seem to have had enough religious education to persuade him to live as a Muslim. Your repeated attempts to make him bring his action in line with Islamic teachings have proven futile. It is the hard fact that he values his relationship with this girl as more important than observing Islamic teachings. Well, your brother may know enough about Islam but, deep at heart, he does not believe in it. In this case, you are wasting your time when you quarrel with him over his relationship with his girlfriend. On the other hand, he may be a person who hardly knows anything about Islam, he cannot see much wrong with his action, because he has not learned enough about the Islamic faith to make him follow its teachings as every Muslim should.

In this case your attitude towards him should be a gentle one. You should try to explain to him the basic principle of Islam and how, as a Muslim, he must try hard not to deviate from the Islamic code of living. At the same time, you must make it absolutely clear to him that his present attitude is totally rejected by you and your family. You should give him a period of time to formulate an adequate understanding of Islam. Perhaps in this process of re-education you should resort to someone who is well versed in Islamic principles and who is broad-minded enough not to condemn your brother at the outset. While your brother's attitude cannot be

sanctioned, a polarization of the situation is not the appropriate method to deal with it. However, if he persists in his attitude, rejecting everything you say and insisting on his attitude of disobedience to Allah, you should think very seriously about boycotting him. That is the last resort. May be, when he sees that he is boycotted by his family, he would start thinking seriously about what he is doing is wrong.

You ask whether there is any possibility of his getting married in an Islamically approved manner. This answer is in the negative. There is no person or institution, which is, empowered to give exemption from Islamic rulings or to modify these rulings according to individual cases or situations. According to Islam, a Muslim may not marry any woman who is not a follower of Islam, Christianity or Judaism. Since this girl follows the Muhavira faith, she is not lawful as a wife to a Muslim. The only way this marriage can go through is for her to become a true Muslim, fully convinced of Islam as the true faith.

Your parents should not feel guilty, because they are not responsible for the actions of their adult son. Everyone bears the burden of one's own deeds.

Matrimonial: Marriage That Is A Non-Starter

A few months ago, my sister got married to a man aged thirty-five, but she soon discovered that he was impotent. When she put the matter to us, her husband was unwilling to divorce her. His family suggested that they would seek medical treatment and they were certain that he could be cured within two years. As this was a very long time, we decided that a specialist should examine him. After the examination, the doctor advised my sister to apply for Khula. We did that, and obtained it. However, that meant a great loss for us. We had incurred a great deal of expenses for this marriage, and now my sister is left with nothing. Could you please explain if she has any rights against the bridegroom?

You committed a practical mistake, when you acted in a legal manner on the advice of a medical doctor. You would have never sought the advice of a lawyer on a medical question. Why would you accept the advice of a medical doctor on some aspect, which is outside his specialty? Let me explain this. When you took your brother-in-law to a specialized doctor, you should have asked the doctor on his opinion on the man's condition. Whether it is curable and how long it is likely to take before he could be cured? If he were cured, would he be able to lead a normal matrimonial life? Would he be able to have children, and would the children be healthy? The doctors may or may not be able to give you answers to all these questions, but if he cannot answer a particular question, then probably no one else could.

When the doctor has given you his opinion, then you should consider your options. Would Khula be the right solution? Should the matter be put before a judge to decide? Could the marriage be nullified in some other way, if the husband is not ready to divorce? These are legal aspects of the problem, and either an Islamic scholar or a lawyer could answer all such questions. You tell me that it was the doctor who advised you to apply for Khula. By doing so, he was trespassing on other people's specialization. He should have limited himself to telling you that your brother-in-law's condition was incurable.

It was certainly wrong for your sister to apply for Khula in this condition. Khula is a nullification of a marriage at the request of a wife, which need not be supported by any grounds other than the unwillingness or inability to continue with her marriage. In other words, it is the counterfoil to divorce, which is a decision by the husband to terminate his marriage. The process of Khula is totally different from that of divorce, but they lead to the breaking of a marriage and leave each partner free to marry

someone else. By requesting Khula, a wife declares that she is ready to forego her right to her dower, and indeed refunds the dower if she has already received it. If her family had incurred other expenses in connection with her marriage, they are unlikely to get back any of these expenses. That is because those expenses were incurred either voluntarily or to conform to social practices. In Khula, you are unlikely to be able to get back any of these expenses, because the woman who applies for Khula forgoes what is rightfully due to her, i.e. the dower or Mahr. As such, she can hardly expect to get back what she paid voluntarily.

The matter should have been resolved in a different way. Your sister should have filed a legal suit for the nullification of her marriage on grounds of her husband's impotence. It is clear that she was totally unhappy with the marriage, even since she discovered the reality of her husband's condition. She was unhappy to wait for a period of two years to give a chance for medical treatment to provide a way out. Since it is a major purpose of marriage to give both the husband and the wife a legitimate way of satisfying their natural needs, marriage to an impotent man can be described as having a major defect. If the matter were put to a judge, he would definitely give a verdict of nullification of the marriage. The dower would remain payable to the wife despite the nullification of the marriage. If she had not received it, it is payable to her. The judge would rule in her favor on this point, and she can enforce that ruling.

By the same token, the judge would be able to determine what compensation the wife and her family may get to compensate them for the expenses they had incurred. It is not possible for me to give you a ruling on this particular aspect. There is no clear cut ruling to be given. It is a matter that can only be determined by the court, in accordance with Islamic law. That happens after the judge listens to both sides and studies the details of the case. He would then be able to arrive at a verdict that is fair to both sides. But it is he who has to make that study and determine the compensation.

It may be too late now for the matter to be rectified. Only a lawyer can give you a proper opinion on this point after studying the case. If you have incurred a terrible loss, then it may be worth your while to consult a lawyer.

Matrimonial: Marriage That Promises To Be Unsuccessful

A marriage was arranged for the sake of good names of the families concerned. The marriage was never consummated due to lack of love and trust. The husband refuses to divorce his wife and continues to provide her needs. She wants to make a fresh start in life. Is it open to her to seek divorce? If she does, will she be considered a sinner as the husband has provided everything? May I also ask whether there was an incident during the lifetime of the Prophet, peace be upon him, when a woman told him that she did not wish to stay with her husband for reasons known only to her. The Prophet, peace be upon him, asked the husband to divorce her.

There is an important dimension to marriage, which is often overlooked. That is the personal and human dimension. When there are problems within marriage, people tend to concentrate on material aspects. They ask whether the man fulfills his duties of providing food and clothes to his family, is he generous or a miser? Does his wife need to resort to much pressure in order to persuade him to buy herself some clothes? Etc. They also ask about his nature: is he hot-tempered? Does he often blow his top? Does he treat his wife with respect or does he insult her when they have a disagreement? But people do not ask about the other sort of fulfillment, which is required in marriage. They are somewhat justified not to pry into other people's affairs. But it is important to realize that this is an essential part of marriage. If it is

not established on the right basis, it could easily lead to the break-up of the family. Hence, we need to know what Islam says about this aspect.

Apart from the normal duties, which both husband and wife have to fulfill in their new relationship, they have another duty which is by no means less important. Each of them has to help the other remain chaste. The sexual desire is a natural urge for both man and woman. Allah has made the satisfaction of that urge permissible only through marriage. When either party violates Islamic teachings and seeks to satisfy sexual urge outside the bond of marriage, he or she commits a very grave sin. There are many sorts of temptations, which may lead a person to break Islamic rules and commit a gross indecency. Islam seeks to reduce or indeed nullify these temptations through building a society, which combines a serious view of morality with practices, which make it much easier for people not to err. One aspect of its overall plan to achieve this result is to encourage marriage and to make it the normal practice for young men and women. It also requires married people to help each other satisfy their sexual desires. In normal circumstances, it is not only easier but also more satisfying to have such fulfillment only through marriage. Therefore, when this aspect of married life goes wrong Islam views that situation very seriously.

I must stress that this applies to both man and woman alike. It is often acceptable in any particular society that a man divorces his wife because she is frigid. They recognize that such a woman cannot provide fulfillment. From the Islamic point of view, she does not help her husband properly maintain his chastity. The same applies in the case of woman. If her husband neglects her, this may weigh down heavily on her and a sense of being unwanted may be too troublesome to her. Why should she be exposed to such feelings day after day of her life?

In the example given by the reader, the marriage has been arranged for family considerations. In other words, the partners themselves may not have been consulted. They were put together where at least one of them did not wish to be married to the other. This is an arrangement, which is not acceptable from the Islamic point of view. Be that as it may, once the marriage has been concluded, the couple were faced with a choice of trying to make a success of it or abandoning the arrangement altogether. I do not know enough of the circumstances of the case to make a judgment on who is right and who is wrong. However, the fact that the marriage remained unconsummated means that the husband at least does not view this relationship as permanent. He has apparently tried to fulfill his other obligations by looking after his wife and supporting her. However, he has left her with a sense of being unwanted or unloved. Such a feeling may sometimes be very hard for a woman to bear. It is only natural for a woman to feel that she is wanted, loved and cared for. If she does not find that with her husband, her marital life may be in jeopardy. She may want to finish with the whole arrangement. That is often the case although both husband and wife have a normal sexual relationship. But when that relationship does not exist, its absence serves as a continuous reminder to the wife that she has either failed to make an impression on her husband or that he rejects her outright. Many a woman feel it impossible to continue with such a relationship.

If a woman in this situation applies for a divorce, an Islamic court is very likely to grant it. There is a serious breach of this marital relationship and it may appear to be irredeemable. The woman is certainly not a sinner. The husband may claim to have provided her with everything. He has certainly left something wanting in her. He has rather failed in his duty to help her remain chaste.

The incident to which you have referred is correct. The wife of one of the companions of the Prophet, Thabit ibn Qais, came to the Prophet, peace be upon him, and said: "I have nothing to say against the manners and treatment I receive from my husband, nor do I have anything against the strength of his faith. Nevertheless I dislike to continue to live with him as his wife." In her appeal to the Prophet, peace be upon

him, to help her, she used an expression which indicated that she genuinely and seriously was unhappy with her marriage. Her mind was made up. She did not want to continue. The Prophet, peace be upon him, did not argue with her and did not try to persuade her to stay with her husband. He went to the husband, Thabit ibn Qais, and told him that his wife wanted a divorce. The man said that he had given her a good dower, and he was prepared to divorce her if she returned that to him. When the Prophet, peace be upon him, asked her whether she was prepared to do that, she said that she was willing to give him more. The Prophet, peace be upon him, then told Thabit to divorce her once and take back only the dower he had paid.

At no time did the Prophet, peace be upon him, rebuke the woman or her husband for the failure of their marriage. He recognized that its continuation was unhealthy. Therefore, he went ahead with arranging a divorce.

If the lady in the present case wishes to leave her husband, she is fully entitled to do so. She only has to apply to an Islamic court to nullify her marriage. She has good grounds for having her application granted.

Matrimonial: Marriage To A Divorcee

Could you please explain what is necessary when marrying a divorced woman? If I want to keep this marriage a secret from my parents, would it be permissible?

Marrying a divorced woman is effected in the same way as all other marriages. You must make sure, however, that her husband has actually divorced the woman and that she has completed her waiting period. The waiting period of a divorcee lasts until she has completed three periods of menstruation or three periods of cleanliness from menstruation. If she is too young or too old to have the period, then she waits for three months. If she is pregnant at the time of divorce, her waiting period lasts until she has delivered or the pregnancy is terminated.

The marriage contract consist of a commitment by the woman's parents or guardian and acceptance by the man. This must be done in the presence of two witnesses. A dower is payable to the woman by her husband. The amount is agreed between the two of them and the money becomes the property of the wife. She has sole discretion over its use, since it is hers. It is strongly recommended that after the marriage takes place, the husband invites relatives and neighbors to a meal. This serves as part of the publicity, which is essential in marriage.

When we say that publicity is essential, the first to know normally are the families of the two marriage partners. Hence, keeping the marriage secret from your own parents is unbecoming. If you feel that telling your parents about your impending marriage would create unnecessary problems, it is permissible to hold the news for sometime. However, in fairness to your wife and your parents, you should try to normalize your relations as soon as possible by taking your parents into confidence and telling them about your marriage.

Matrimonial: Marriage Traditions & Personal Thoughts

The Prophet, peace be upon him, has urged young men to get married and recommended them to marry religious women. How can a person like me get to know that a certain woman is religious? Moreover, if I marry at home in India, there are many traditions and social customs that we observe which are borrowed from other religions and cultures. Sometimes I feel that when I try to get married, although my mother wants me to delay my marriage for a few years, I am allowing my desire to take control. At times, I

think of marrying a widow in order to receive more reward from God. Please comment.

The first thing to say is that at your age of 24, you are not too young to be married as your mother suggests. If you feel you need to have a family, then this is the time for you to look for a wife. It is not a question of following one's desire; rather it is one of self-fulfillment, which is natural to all men and women.

This is the reason why God has made marriage the proper, clean, legitimate and relaxed way of satisfying natural impulses.

It is important to follow Islamic teachings in marriage, as in every other purpose of life. The Islamic way shown by the Prophet, peace be upon him, is the best approach to every objective we set for ourselves. Islamic marriage is easy, and works for the benefit for both partners. What people add to it often makes it very hard for young people to get married. So, try hard to conform to the Islamic teachings, rather than social traditions. After all, if we want to bring such traditions in line with Islamic teachings, the first step is for individuals to break such traditions. When people realize that the break is spurred by the desire to conform to Islam, they will accept it and gradually society will move toward establishing Islamic teachings as its own traditions.

As for the way to know which woman is religious, the proper way is to ask friends and neighbors. If you know someone who teaches in a girls' school, she may tell you about her fellow teachers, or students. Your community may also have families with daughters of the marriageable age.

When you consider the sort of wife you want to have, you must look at your future and how you want to shape it. Marrying a widow who may be a lot older than you may not be the proper thing for you. When the Prophet's companion, Jabir ibn Abdullah, got married, the Prophet, peace be upon him, asked him whether he chose a virgin or a woman who had been married before. Jabir told him it was the latter.

The Prophet, peace be upon him, said to him: "Would not a virgin have been better for you as a playmate?" In another report the Prophet, peace be upon him, is quoted to have said to him: "And how do you prefer this to a virgin with whom to play?" Jabir was 19 at the time, and the Prophet, peace be upon him, looked at this factor when he suggested this to him. Jabir told him that his father had just died, leaving him seven sisters to look after and he thought that a mature woman would be more able to do so. The Prophet, peace be upon him, approved.

As you see, Islam looks at a person's needs and circumstances. When the Prophet, peace be upon him, considered Jabir's case as a young man, he made those suggestions. When Jabir added the factor of looking after his sisters, the situation changed.

We cannot say that the Prophet, peace be upon him, encouraged Jabir to follow his desires. What is condemned in this area is not having a legitimate desire, but putting a frivolous desire above one's duty. May God facilitate for you the choice of a good wife with whom you may lead a happy life.

Matrimonial: Marriage With Stepmother's Relatives

Is it permissible for a Muslim to marry the sister of his father's second wife? Needless to say, the man is the son of his father's first wife. May I add that people in our area have spoken much about this proposed marriage with some of them opposing it while others saying that it is perfectly in order. Please advise.

Any woman who gets married to one's father is forbidden for that person to marry, whether her marriage to his father ends up in divorce or is terminated by his father's death. The prohibition on the marriage of a Muslim with his stepmother is permanent. Allah says in the Qur'an:

"Do not marry women whom your fathers have previously married — although what is passed, is passed. Indeed, this is a shameful deed, and a harmful thing, and an evil way." [Woman — "An-Nis'a" 4:22]

A stepmother is related to a person by the fact that she gets married to his father. That is sufficient to make her forbidden for him to marry after her marriage to his father is terminated. However, her relatives are not related to him in any way. Therefore, it is perfectly permissible for a Muslim to marry his stepmother's sister or daughter [who is not by your father] or any other relative of hers. [When we talk of a stepmother, we exclude any person who is your aunt prior to her marrying your father.] If you wish to know the women a Muslim is not allowed to marry, you need only refer to Verses 22-24 of Surah 4, entitled "Women".

"And do not marry at all those women whom your father had married — though what has happened in the past is passed. . Indeed, this is a shameful deed, and a harmful thing, and an evil way. Forbidden to you are your mothers, daughters, sisters, paternal aunts, maternal aunts, brother's daughters, sister's daughters, your foster mothers who have given a suckle to you, your foster sisters, who have taken suckle with you, the mothers of your wives, the daughters of your wives whom you have brought up, the daughters of those wives with whom you have conjugal relations, but not of those wives with whom you have had no conjugal relations, and it is not sinful for you to marry their daughters (after you have divorced them); — and also forbidden to you are the wives of your sons who are from your loins, and it is unlawful for you to keep two sisters as wives at one and the same time, though what happened in the past is excepted, for Allah is indeed Forgiving, Merciful. And forbidden to you are the wedded wives of other people except who have fallen in your hands (as prisoners of war): this is the Law of Allah that has been prescribed for you. With the exception of the above, it has been made lawful for you to seek in marriage with your wealth any other woman provided that you keep them in honest wedlock and not debauchery. Then you should pay them their dowries as an obligation for the enjoyment of conjugal relations with them. However, there is no harm if a compromise is made in the dower by mutual consent after an agreement about it; Allah is All-Knowing, All-Wise." [Woman — An-Nis'a 4: 22-24]

Apart from these, you are not allowed to marry women who are in the same relationship to you as this list, if this relationship is created by your being breast-fed by a woman other than your mother. You may not marry that woman because she is your mother through breast-feeding, and similarly her daughters and sisters are your sisters and aunts respectively. You need to extend this relationship to other women and you have a full list of those you may not marry because they relate to you through breast-feeding. In addition, a Muslim may not marry a woman whom he had [permanently] divorced three times unless she gets married to someone else in the normal way and her marriage is subsequently terminated by her husband's death or her being divorced in a perfectly normal way.

Matrimonial: Marriage Without Consent Of the Spouse

Is it the role of the parents only to decide on their children's marriage without even asking their son or daughter? What if either one does not wish to be married to the chosen party? If the marriage contract is already

done without the consent of either, what is the position? What should the party concerned do if they do not agree to the marriage?

The answer is clearly outlined in the following Hadith reported by Ayesha: "A young woman came to me and said: 'My father married me to a nephew of his, hoping to improve his social standing, and I dislike this marriage.' I told her to wait until the Prophet, peace be upon him, returns. When he came back, she told him, and he sent for her father. When he came, the Prophet, peace be upon him, put the matter to her. The woman then said: 'Now I choose what my father has done, but I wanted to know whether women have any say,.'." There are several other Hadiths confirming this principle. To quote but one: "A man married his virgin daughter without obtaining her consent first. She complained to the Prophet, peace be upon him, and he annulled the marriage."

The principle of seeking a woman's consent to her own marriage is reiterated in a large number of authentic Hadiths. Abu Hurairah quotes the Prophet, peace be upon him, as saying: "A widow may not be married unless she is consulted, and a virgin may not be married unless her consent is obtained." People asked, "How does she consent?" He said: "She keeps quiet." [Related by Muslim]

It is clear from these Hadiths, and many others, that no marriage may be valid without the consent of both parties. If parents go through the formalities of marriage of a son or daughter, then the matter is up to the person concerned. He or she may either approve or reject the marriage. If the marriage is thus rejected, it is formally annulled. This, however, may require going through certain processes to conform to the laws operative in a particular society. Perhaps I should add that it is forbidden for a father to marry his daughter away without her consent. [Under the modern documentation procedures of marriage, why should such marriage ever take effect when it is open to the parties concerned to refuse signing of the documents of marriage?]

Matrimonial: Marriage, Divorce & the Islamic Requirements

In my home country, Muslims arrange their marriages and divorces twice: The first to satisfy the secular law requirements and the other to ensure the fulfillment of Islamic requirements. If they divorce, again they have to do it twice. Now, if the divorce is agreed and done amicably, both husband and wife file an application for divorce with mutual consent. Muslims generally look at the secular process in both ways as trivial while they consider the Islamic one as the real marriage or divorce. Suppose that a divorce is applied for through the court. Will the couple continue to be considered married while the case is pending? If the legal process is completed, but the Islamic divorce has not yet taken place, are the couple still married from the Islamic point of view? If the couple have been using contraceptives during the legal divorce process, which lasts more than four months, does the woman still need to observe a waiting period after her Islamic divorce?

This is really an unusual problem complicated by the fact that the people look at the legal procedure as irrelevant, while it could be sufficient if it satisfies Islamic requirements. The reader has not given me any details of the legal process of marriage and divorce to be able to say whether it is sufficient. Now, if in the common law marriage, there is a commitment by the woman's side and acceptance by the man's side, and this is done in the presence of the woman's father or guardian and two witnesses, then the law marriage is valid from the Islamic point of view. If people wish to reassert it in a strictly Islamic way, they may go ahead and do so.

The real problem is with the divorce, where much depends on the man's intention at every step. Let us take the first case, with a couple signing divorce applications and treating them as actual divorce from the moment they are signed, then the Islamic divorce process begins at the same time. This process begins with the husband saying that he is divorcing his wife. He should do so at a time when she can begin her waiting period, as it is clearly stated in the first verse of Surah 65, entitled Divorce. This means that the woman must not be in her monthly period, or in a period of cleanliness in which the couple have had intercourse, or she should be confirmed pregnant. The waiting period lasts until she has completed three menstruation periods or three periods of cleanliness, or she has given birth. During this waiting period she stays in her marriage home, with her husband, but they use separate bedrooms. All her expenses are borne by her divorcing husband. When the waiting period is completed the divorce is complete and takes full effect. The woman leaves and goes back to her own family. During the waiting period, the couple may reinstate their marriage by mutual consent, with no need for a fresh marriage contract. They only have to inform two witnesses of all facts of divorce, its completion or its abrogation and resumption of the marriage.

Now take the other case with the couple signing the necessary application, but thinking that they remain married until the legal process takes effect when they will divorce properly, according to Islamic rules. Then they are still married. In this case, they continue with their married life as usual, if they wish to do so.

As you see — if the two processes are to be done, it is better if the couple start with the Islamic divorce first. They will then make their application to court while the woman is observing her waiting period.

Whether the legal process takes four months or much longer and no matter how effective the method of contraception being used, the woman must observe her normal waiting period as usual. This waiting starts when the divorce process starts. Its purpose is not only to establish whether the woman is pregnant or not. It also allows time for the couple to re-consider their situation. Should they feel that they could try again, the possibility is open to them. This is important, particularly in cases where the couple have children. During the waiting period they could consider the effects of their divorce on their children.

Matrimonial: Married Woman — Inducing Divorce So She Marries You

I knew a young woman whom I dearly loved to marry. I talked to her mother and brother, but they did not take my proposal seriously. They arranged her marriage. I still feel the same toward her. Is it all right if I try to persuade her to get divorced so that I can marry her?

What you feel is not unusual in the sense that you have had great hopes that you will share your life and future with this lady, and that the two of you will do every thing possible to ensure your mutual happiness. The fact that you were not able to realize your dreams still lingers with you causing you much pain. However, a Muslim must train himself to accept all life's eventualities and trust God to give him what is better than what he may choose for himself.

In the life of every one of us certain wishes and hopes are frustrated and we find ourselves unable to take control of what seems to us to be of utmost importance. We, however, try to accept the new situation and make the best of it. As time passes we discover that we are much happier with the way things have turned out. If we are given the choice again we would certainly choose to continue with what we got rather than go back to our original preference.

In your case this is the attitude you should adopt. You should resign yourself to the fact that you have missed out on marrying that lady and you should include in your supplication a prayer that God may give you a better woman for a wife. When you have done that you should try to forget the matter completely, trusting that God will choose for you what is best. This is the proper attitude of a Muslim.

I realize that it is not easy to discard something that one has cherished as one's dearest hope, thinking that it is the be all and end all of one's own happiness, but then it is an essential aspect of being a true believer that one accepts what God has chosen.

The Prophet, peace be upon him, expresses this in his inimitable style as he advises every one of us: "Accept what God has apportioned for you and you will be richest of people." It will certainly be very wrong of you to try to encourage this lady to seek divorce so that you could marry her. Try to think of the matter in a reverse order. What if you had married someone on the basis of a goodwill and then discovered that someone is trying to get her divorced? Is it not true that your discovery will cause a great deal of trouble within your home and family life?

The least that you expect from your wife in such a situation is to turn a deaf ear to whatever that man says and to boycott him altogether. The Prophet, peace be upon him, says: "No one of you is a true believer unless he loves for his brother what he loves for himself." If you do not like that any person encourage your wife to seek divorce from you, then you must not encourage another woman to seek divorce. You may protest that she is not happy with him, but that is irrelevant. It may be that all that they need to bring happiness into their home is to give themselves a little longer to understand each other better. Besides, how do you know that she will be happier with you, or that you will be happy with her? These matters can only be discovered by practice.

Let me tell you that it is forbidden for you to take any action to persuade that lady to divorce her husband. Islam does not allow that a man should put a proposal of marriage to someone who is only engaged to another man. It certainly does not approve of trying to get a married woman divorced in order to marry someone else.

Matrimonial: Married Woman — Planning Divorce To Remarry

A man who recently converted to Islam is in love with a married woman, who is prepared to obtain divorce so that they could marry. What should they do?

They should stop their contacts immediately. There can be no relation between them. The woman must stop seeing the man or talking to him on the phone or in any way. She is married and she must remain faithful to her husband.

Any relation outside marriage is forbidden in Islam. On his part, the man must also stop, because he violates Islamic law if he continues with such contacts.

The reader says that the woman wants to obtain divorce. Well, if and when she is divorced and completes her waiting period, then they can discuss marriage [if the divorce occurs regardless of the proposed marriage to this other person.] Before that, they cannot even mention the possibility. How can they when the woman is already married?

Matrimonial: Married Woman — Proposal Made To

Is it permissible for someone to propose to you while you are still married? I received a proposal from an Indian who lives in Riyadh. I broke off all ties with him. Did I do the right thing?

You certainly have done the right thing. For a man to propose to a married woman is so disrespectful of her, her values, faith and morality. Such a person is better avoided at all times. Indeed, it is not permissible to propose to a widow while she is in her waiting period, which extends for four months and ten days in the normal situation. The maximum that one can do during this period is to drop a hint, but no proposal may be made. How could a proposal be made to someone who is still married?

Matrimonial: Mut'ah — the Limited Marriage

In a recent discussion with friends, it was mentioned that a marriage known as "Mut'ah" was permitted at the Prophet's time. The second or third caliph later prohibited it. Similarly, an addition to the call to prayer for Fajr was made in the words "As-Salat khairun Mina al nawm." Please comment.

What has been mentioned in your discussion is incorrect. Mut'ah in the context of marital relationship means a marriage intended for a specified period of time. This is declared at the time the contract is made. The prospective husband mentions to his prospective wife that they are marrying for a year or a longer or shorter period, and she agrees to that. When the period is over, their marriage is dissolved automatically. This is not acceptable in Islam. It was the Prophet, peace be upon him, who declared that it is forbidden. He made this declaration on his return from the expedition to Tabuk, at the head of a large army. The confusion arises from the fact that there are reports that one or two companions of the Prophet, peace be upon him, had such a limited marriage when they were with the army on the way to Tabuk. This might have been so, but the express prohibition was made on the return journey. Even if these reports were true, they signify nothing more than a new restriction forbidding something that had been practiced in the past. There are numerous examples of such things.

As for the addition to the call to prayer, it was made at the time of the Prophet, peace be upon him. It is true that when the Athan, i.e. call to prayer, was learned, it did not include such words which means "Prayer is better than sleep;" The words of the Athan were taught to Bilal and he started practicing them. The following day, when he made the call to Fajr prayer, he added these words. The Prophet, peace be upon him, smiled and approved. Since then, these words are part of the call to Fajr prayer. As you see, the Prophet, peace be upon him, has sanctioned this addition which takes effect as a part of the Athan.

Matrimonial: Nothing Forbidden Invalidates Something Lawful

We would be grateful for your comments on a ruling given in "The Majlis", a newspaper published in Port Elizabeth, South Africa. The lady who put the question was told that her marriage is no longer valid, and it is forbidden for her to live with her "former" husband. Remarriage between them is impossible. That is because the woman's father-in-law sexually assaulted her when they were alone.

I am grateful to you for sending me a copy of the paper to give the details of the ruling in question. The first point I would like to make is that since the very early

days of Islam, Muslim scholars have been very careful in their ruling on matrimonial matters.

Their cautious attitude is the most appropriate one indeed, because it is very easy to ruin a marriage and cause a family lasting distress on the basis of a wrong ruling. When we speak of the early days of Islam, we are talking of great scholars who learned about what is permissible and what is forbidden from the Prophet, peace be upon him, himself. We are speaking of men like Omar ibn Al-Khattab, Abdullah ibn Abbas, Abu Moosa Al-Ashari, Abdullah ibn Massoud, Abdullah ibn Omar and also of Lady Ayesha, the mother of believers. Everyone of them and indeed later scholars and the founders of the schools of thought felt it far more appropriate to refrain from giving a ruling on a problematic matter rather than jump to a conclusion that may possibly be wrong.

What has upset me about this ruling is its outright "finality". There is no hesitation, no attention to details, no questioning of the victim's position when this "vile deed", as she describes it, took place. There is no inquiry on how far did the offending father-in-law go. All these considerations are overlooked and the woman is told that her marriage is destroyed and she can no longer have any relationship with her husband.

Yet, what we have here is a case of assault by a promiscuous person on his daughter-in-law. For all we know, the woman might have been in a state of shock to find her father-in-law doing what he did. Some women find it so difficult to respond to a situation of attempted rape they simply freeze and cannot do anything to repel their attackers. That gives the attacker a chance to do whatever he wants, facing little or no resistance.

I have recently read a case of a British woman police officer raped by her colleague in the dormitory attached to a police establishment. She simply froze when the attack took place. No law would make that woman police officer guilty or impose on her a penalty for being so attacked. Islamic law makes the establishment of justice its top priority. Yet, here we are told that the victim of an assault is to be penalized by a final and irrevocable termination of her marriage! That seems exceedingly odd.

Moreover, we are talking about a marriage that is already in existence. We are told that the father-in-law has committed an act which has the effect of aiming a gun at that marriage and shooting it in the heart so that the marriage is immediately dead and there is no way to save it whatsoever. I know only of three ways to terminate a marriage: the first is by the death of either spouse which is an act of God; secondly, by divorce which is an act of the husband; and thirdly by a termination order given by a judge either on the application of the wife or because he finds something wrong with the marriage itself. For an outsider to terminate the marriage of a couple, no matter what relationship he has with them, is simply unheard of.

Let me make it very clear that the ruling given in that newspaper, telling the women that her marriage is no longer in existence is a wrong ruling. I say this on the basis of a well-known rule which Imam Al-Shaf'ie has established and which is taken up by scholars ever since. That rule says: "Nothing forbidden can invalidate something lawful." When we apply it to the case in hand, we realize that the marriage between this woman and her husband is the lawful situation. The "fondling" of the woman by her father-in-law is the act that is forbidden. Hence, it cannot invalidate the marriage. In the case of this particular lady, she is the victim of an assault. But if we take a different situation in which the woman is willing and she responds to the advances of her father-in-law, she would be committing a very vile crime, but the crime itself does not invalidate her marriage.

This is based on the same rule that Imam Al-Shaf'ie has formulated. What God has forbidden in connection with a woman and her father-in-law is that the two should never get married. That is not possible at all. It is a permanent prohibition, which does not allow a man to marry a woman who, had been married by his son. Once she has been married to his son, the prohibition for her to marry the father is permanent. Hence, her relationship with her father-in-law is that with a "Mahrem".

It is true that some people have a loose standard of morality, and they may be guilty of actions of the nature, which the man in this case has committed. But that does not impose a general restriction on Muslim men and women, as the South African newspaper tries to make out. There are people who do not hesitate to commit incest with their daughters. Are we to impose a restrictive relationship between men and their daughters because some perverted persons commit incest?

The woman need not tell her husband about what happened between her and his father, if she feels that by telling him she could cause a problem in the family. However, it is her duty to avoid her father-in-law and to make sure that she would never be alone with him again. That is all that may be required of her.

Matrimonial: Nullification Of Marriage With Or Without Benefits

A relative of mine got married to a young man working in a Gulf country. Although she stayed with her husband for nearly one month after the wedding, the marriage was never consummated. After he departed, he intimated to his parents that he wanted to divorce his wife. It transpired that he has an illegitimate relationship with a non-Muslim girl who has been going on before and after his marriage, and that he has a drinking problem. Considering all aspects of the problem, the girl's parents are thinking of having a frank talk with the husband before asking him to repent and mend his ways and have a proper married life with their daughter. Alternatively, they want to take steps to get the marriage nullified.

I have summarized the problem, which the girl's family have explained to me in detail. I feel that the family has done every thing that could be expected of them to make the marriage a normal one, starting a family and hoping for the happiness of their daughter. However, all their efforts have so far made little headway.

My own reading of the problem is that this man has gone into this marriage unwillingly. His parents, who might have not accepted his idea of marrying the woman with whom he had been having an illegitimate relationship, might have pressurized him into it. This is the only explanation of his total lack of enthusiasm and the fact that the marriage remains unconsummated. But this does not justify his behavior. When he went through with the marriage, he made certain pledges, which he never intended to keep. That does not take any notice of the feelings of the woman he was marrying or her family whom he had cheated. Her parents are also to blame because he had made it clear to them that he intended to stay with his mistress. They might have acted with goodwill, hoping that their son would reform once he is committed to married life. Be that as it may, it does not justify going to another family and asking for their daughter in marriage to their son when they were not so sure of his willingness to carry out their plan. There is an element of ignoring what may happen to the girl and turning a blind eye to her expected misery. I feel that had the roles been reversed and the husband's parents were the girl's parents they would have been extremely angry with a family who would do to their daughter what they themselves have done to your relative. There is no excuse in saying that they hoped for different results. It is clear that the man never intended the marriage to work.

Otherwise, why would he leave it unconsummated? How would he drag a Muslim girl into this dilemma without bothering what effects it would have on her?

It appears to me that the woman's parents are too simple, trusting and of good nature. I cannot imagine how would they trust the future happiness of their daughter to such a man. If they want to talk to him about repentance, he may turn a deaf ear. He has not shown my desire to change his ways. Repentance can only be real if it is based on conviction, not expedience. If the man listens to them and he agrees to declare repentance and does what they suggest of offering the pilgrimage, how can they trust that it is all very genuine? They have no indication that the man has regretted anything he has done. On the contrary, he seems determined to carry on as he is, having an illegitimate relationship and abandoning his wife for a whore. That is not the sort of husband Muslim parents should accept for their daughter.

The other alternative they have been considering is probably not their best course of action either. They are thinking of applying for Khula, which is a nullification of the marriage at the wife's request. But this is the sort of action to which a woman may resort in cases where the husband is not at much fault. It means that the wife will forgo all her claim to dower and all other dues. Why should this woman lose all that when she is at the receiving end of carelessness and injustice?

I would suggest that the family contact a lawyer who may be able to give them legal advice on what they may do. On the face of it, the wife should apply for a nullification of her marriage on grounds of deception and ill treatment. The lawyer may be in a better position to suggest the best method of presenting the case. But the wife should apply for a nullification with all her dues. It is the least that she should expect to get her dower and any gifts she might have received as compensation for being deliberately deceived by her husband. She should not hesitate to make such an application because men who do not consider the feelings and the reputation of the women they marry need to be taught a lesson that other people's feelings are not to be trifled with. May God guide this family to preserve the rights of their daughter.

Matrimonial: Parental Compulsion For Marriage

My parents are trying to force me to marry a man of their choice, and they have refused the one I have chosen. May I ask whether it is forbidden for a girl to choose her husband? Please advise.

In Muslim communities normally the authority of the parents is recognized and respected. But also Muslim communities require parents to take good care of their children, particularly their daughters. It is the responsibility of the parents not to force any husband on their daughters, and to try to ensure that when a daughter is married, her husband is the sort of man who would make her happy.

These are basic rights, which must always be observed and respected. Parents must not treat the marriage of their daughters as something, which they know best how to handle, in which their daughters have no say. If they do, then they would not be following the Islamic way. According to Islam, a father is required to approve only a marriage which will establish a happy family and in which his daughter is satisfied with her husband. Therefore, he may not force her to marry a man whom she does not find suitable.

A woman came to the Prophet, peace be upon him, and complained that her father had married her to a cousin of his seeking to improve his own social standing by this marriage. The Prophet, peace be upon him, ordered the marriage to be nullified. She then declared: "Now I agree to what my father has done. I only wanted to make it clear to all women that men have no say in their marriage."

Islam does not object to a woman choosing her husband. What it objects to is for a relationship between a man and a woman to be carried without being legalized by marriage. So, if the man you have chosen is of good character and satisfactory prospects, he should introduce himself to your parents at the appropriate time, and make his proposal. They should then inquire about his character and background. If that goes well, then your marriage to him can go through. What is important in all this is that you should not put yourself in a position of confrontation with your parents.

Matrimonial: Parental Consent For Marriage

1. I know a non-Muslim girl who is ready to accept Islam and whom I wish to marry. My parents disagree with me and say that I should not marry her. Would I be 'not dutiful' to my parents if I go ahead and marry her?

2. A father working away from home receives a letter from his wife informing him that their 17-year-old daughter has married a man who persuaded her that by so doing they can ensure that no one can ever interfere with their marriage. Only one of the man's friends and several women were present. The girl was on her own, without any relative accompanying her. Please advise on the validity or otherwise of this marriage.

3. When the parents of a friend of mine made a proposal on his behalf to the parents of the girl whom he had promised to marry, the proposal was not only rejected, they were also humiliated and the girl concerned was made to suffer beatings. The only reason was that the parents wanted their daughter to marry in her own mother's family in accordance with the tribal traditions. The girl is so unfortunate that should her parents be intent on marrying her to someone whom she does not like, they can do so against her will. It is sufficient that the mother declares her approval of the marriage for it to take place. The girl, however, is determined not to succumb and she is being punished almost daily for her attitude. Since both parties are living in Saudi Arabia, is it possible for the boy and the girl to get married in an Islamic court in the Kingdom? I should perhaps add that the present situation is causing much difficulty, particularly for the girl. I shall be grateful for your advice.

1. Being dutiful to parents requires you to be kind to them and respectful of their wishes. This does not mean that you have to obey them in every single case. It is often the case that you can determine what serves your interests better than your parents who may not be as experienced in your affairs as you yourself are. Part of being kind to parents is not to show them that you do not think highly of their opinion. It is always possible to persuade parents to change their opinion on many matters, if one is able to show them that a different course of action serves the best interests of their son.

However, it is often the case that parents can see certain things which their son or daughter are unable to see, because of their immediate involvement in a certain situation. When a son or daughter defers to his parents' opinion, praying Allah to guide him to what is in his own benefit, he is likely to be more successful, because Allah rewards him for being so dutiful to his parents and guides his footsteps to what is beneficial and proper.

I cannot give you any concrete advice on whether you should marry this girl or not. I realize that there is mutual agreement between the two of you to get married. Both of

you think that your marriage will be very successful. It may be so, but it is often possible to be rash in such situations. Therefore, it is always wise to be extra-cautious.

You should ask yourself whether the readiness, which your friend shows to embrace Islam, is a genuine desire motivated by an appropriate understanding of Islam or is it simply a step she is ready to take in order to secure that she is married to you? This makes a great deal of difference. If it is the latter, then you should listen to your parents and abandon the idea of marrying her altogether. On the other hand, if this woman has made a good study of Islam and is ready to become a Muslim, then she may be a very good wife to you. [If the lady has made a conscious decision to embrace Islam, she would not then relate it to her marriage to you. She would embrace Islam, regardless of whether or not this marriage were to take place.] What you should do [in such a case] is to try to make your parents see her virtues so that they consent to your marriage and all is well within the family. If they, nevertheless, continue to object, you will not be doing something forbidden if you go ahead and marry her, realizing that she is a good Muslim.

2. The girl in question has committed a grave mistake by agreeing to go into a marriage contract without the presence of her father or guardian. Islam takes a very serious view of marriage, because it is an alliance that legalizes an intimate relationship between sexes and leads to the establishment of a family and the birth and upbringing of children. In recognition of the woman's position and honor, Islam requires that she be represented by her father or, in his absence, by her guardian, when the marriage contract is made. Most scholars, including the Shaf'ie, Maliki and Hanbali schools of thought consider the presence of the woman's father or guardian to act on her behalf as essential for the validity of the marriage. They say that a woman may not act for herself in marriage contracts. Only the Hanafi school of thought allows a woman to act on her own behalf in marriage. I do not propose to discuss this difference between schools of thought on this point. I will only say that each of the two points of view is based on valid arguments. We cannot dismiss either as mistaken or incorrect. We may take whichever ensures the interest of the individuals and the family in question, approaching the whole matter in the seriousness it deserves. You say that nothing has taken place between the man and the girl since they have taken this step which they hoped to prevent any opposition to their marriage by their respective families.

If the case is so, then no material harm has resulted from their rash action. In this case we take the view of the majority of scholars and consider the marriage to be null and void. In doing so we rely on solid basis, as the Prophet, peace be upon him, says: "No marriage contract may be made without a guardian and two witnesses." However, the girl and the man should be made to understand that what they did is of no consequence and their marriage is of no value.

The girl's father may wish to consider going to court to have an order declaring the marriage as null and void. This may be necessary if the man in question has registered the marriage or if he may contemplate putting it into effect, particularly if he is in a country where the Hanafi school of thought is predominant.

At the same time the girl's father will be well advised to take an objective view of the whole matter. The man may have good qualities to make him a good husband. He may have been misguided in this particular situation, but on the whole he may be a good person. Had he chosen the proper way of approaching the girl's family, he might have been accepted as a husband. If so, the girl's father may wish to go ahead and approve the marriage. What he should do in this case is to start at the beginning, considering what his daughter did with this man as not having taken place.

This means that the marriage arrangements should start anew and a formal marriage contract should be made, with the father acting on behalf of his daughter. On the

other hand, if the girl and the man have already given effect to what they had done and consummated their marriage, then we take the view of the Hanafi school of thought.

As I have said, this view also has a valid argument. The practical steps, which need to be taken, depend on the local conditions and circumstances. However, what we have here is a marriage that was done in private and now needs to be publicized. The father may wish to have the marriage officially registered and perhaps organize a wedding reception for his daughter. What is important to consider here is the interest of the girl, her family and the community as a whole.

3. It is unfortunate that when local traditions are in conflict with Islamic teachings, people, in their ignorance, try to conform to their traditions. They should realize that traditions may have no sound basis, and they may be against the very interests of the people whom they are supposed to serve. Islam is the religion Allah has revealed in order to serve the interests of people. When people implement it in their lives, they soon realize that the benefits, which accrue to them as a result of this implementation, are immeasurable. On the other hand, it is at their own peril that they abandon Islam. This is a typical case of traditions being given supremacy over Islamic teachings.

Islam teaches us that it is the person who is important when a proposal of marriage is made, not his position, wealth or family connections. The Prophet, peace be upon him, tells us that when we want to choose a woman to marry; we should look for a woman of good faith. He says: "A woman is sought in marriage for one of four qualities: her beauty, her wealth, her family connections and her faith. Seek, then, the woman of faith if you want to be prosperous."

On the other hand, the Prophet, peace be upon him, tells parents and guardians of girls of marriageable age to accept the proposal of a person whose honesty and faith is of good standards. He says: "If someone proposes to you and you find that his honesty and strength of faith are satisfactory then accept his proposal. If you do not, your refusal will lead to corruption on a far-reaching scale." These are the only criteria the Prophet, peace be upon him, lays down for us when we consider proposals and marriage suits.

Moreover, the Prophet, peace be upon him, gives us a practical examples of how these principles should be implemented. Julaibeen was a companion of the Prophet, peace be upon him, who had deserted his own family when they tried to stop him accept Islam. He was a young man of limited means, but his faith was very strong. The Prophet, peace be upon him, wanted to get him married, but in his situation, few families would have accepted him. Hence, the Prophet, peace be upon him, took it upon himself to find him a wife. He spoke to the father of a girl who was of marriageable age. The father wrongly understood that the Prophet, peace be upon him, wanted her to be his own wife. The girl's parents were very happy. When they realized, however, that the Prophet, peace be upon him, was making the proposal on behalf of Julaibeen, they were disappointed. They sat at home discussing how to tell the Prophet, peace be upon him, that they did not accept the proposal. Their daughter, however, reminded them that it was their duty to obey the Prophet, peace be upon him. She made it clear that she was willing to accept the Prophet's proposal because it was sufficient for her as a recommendation of the bridegroom that the Prophet, peace be upon him, himself made the offer. The parents soon recognized the validity of her argument and accepted the marriage.

According to Islam, if the proposer is a man of good faith and good manners, then he should be accepted. If he is not accepted then the rejection is deemed unreasonable. This is what is known in Islam as "adh-al." Parents are warned against resorting to adh-al in order to stop the marriage of their daughters.

Moreover, Islam opens the door for any girl who is a victim of *adhal* to put her case to a court of Islamic law. In such cases, the Muslim judge will have to decide whether the parents' objection is based on valid reasons or not. If he determines that the rejection is made unreasonably, then the judge can assume guardianship of the girl and give her away in marriage to the person who has proposed to her. If the Islamic court makes such a decision, then it is binding and the marriage is absolutely valid.

The applicable rule is that the ruler is the guardian of everyone in a Muslim society who has no guardian. By unreasonable rejection, a father relinquishes his guardianship of his own daughter.

We should realize that this is in perfect harmony with the Islamic view of marriage. Every man and woman has the right to be married in order to satisfy their natural desires lawfully. Hence, it is wrong for anyone to try to stop the marriage of a woman in his charge without valid reasons. A guardian must look after the young people in his charge and should not stand in the way of any reasonable marriage.

If the judge decides to take over the parents' authority and allow the girl to be married to the person she wants, despite her parents' refusal, they may object to his decision on the grounds of incompatibility. The burden of proof lies on them in this case.

Local traditions are not taken as sufficient reasons for rejecting a proposal from a good person. They cannot argue in the court that in their locality the girl must marry in her mother's own family. They have to find fault with the man himself.

To recap, if that girl cannot persuade her parents to change their minds, it is possible for her to put her case to an Islamic court and the judge will have to decide whether her parents have acted unreasonably or not. If the court finds in her favor, the judge can marry her to her suitor.

Having said that, however, I must add that sometimes parents have good reasons for their attitude, which may seem from our side to be unreasonable. Perhaps it may be helpful in this case to approach someone who enjoys the respect of the girl's parents to intervene in order to solve this problem amicably. This is a much better approach than going to the court because when it comes to the law, people's attitudes harden. Moreover, parents should normally be obeyed by their children. They should be made to understand that their daughter would not put her case to the court unless other means to reach an amicable solution have failed.

Matrimonial: Parental Consent For Marriage Denied

1. I have met a man whom I would like to marry, but my father is against this marriage. He says that the man I have chosen is poor and uneducated. I have answered him that the value of a man cannot be measured either by his wealth or by formal education. The personality and the character of the man are of far greater value. My father tells me that it is not permissible for a girl to get married without the knowledge or the consent of her parents. He says he must be a witness. If not, the marriage is illegal. How about if I am away from my parents? Can I then get married without their consent? If I do so, am I committing a sin? I am rather confused. I do not wish to disobey my parents but I want a satisfactory solution to my problem.

2. A friend of mine who wants to get married has not been able so far to obtain the consent of the parents of the lady he wishes to marry. His own parents are in agreement with him. The lady has all the necessary capabilities to get married from the point of view of Islam and the local

rules of law as well as the social customs. Her parents' refusal seems to be arbitrary. What I would like to ask is whether it is permissible for my friend and the lady in question to elope and get married on their own, without waiting for her parents' consent. If they do, is there any offense committed on their part? I understand that if they travel 40 kilometers, then their marriage can be legally sanctioned. How far is this true in the light of Qur'an and Sunnah.

Many people commit the folly of considering their present problem in the light of their immediate interests, as they view them now. Sometimes they are not even interested in listening to arguments, which may question the wisdom of their choice. Moreover, at the time people think of getting married, they are normally young, full of life. They are unlikely to want to listen to voice of experience. Young people tend to think that their feelings and circumstances are unique to them. They imagine that a parent or an elderly person cannot have ever experienced the same feelings and cannot understand the intricacies of the problems they are facing. Hence they think of a way to overcome the objections to their choices or prejudices when they are raised.

I must admit that I agree with my first reader who says that the value of a man should not be measured by his wealth or formal education. There is much more to the personality of a man, or indeed a woman, than either of these considerations, despite the great importance of education. I also applaud her statement that she has no wish to disobey her father. That is the proper attitude of good Muslim children, especially when it comes to the marriage of a young woman.

I am not sure what my second reader means when he says that the lady who is at the center of this marriage problem has all necessary capabilities to get married on her own, especially when he adds the phrase "from the point of view of Islam." If he means that she is of the right age and she has enough wealth of her own or that she is wise enough to judge a person and his character, how can he tell that this is "all" that is needed from the Islamic point of view? That may be sufficient from the legal point of view in your part of the world, but does it agree with what Islam says?

The answer to this problem is very simple. The father's consent to his daughter's marriage is absolutely necessary for the marriage to be valid. The Prophet, peace be upon him, is quoted to have said: "No marriage may be made without the presence of the woman's guardian and two responsible witnesses." The majority of scholars concur that a woman may not give herself away in marriage, but her guardian must act for her. Nor can she give an authority to anyone else to act for her in marriage. Moreover, a woman cannot act for another woman in a marriage contract. [That is to say: even a mother cannot].

As for the person who should be her guardian for marriage purposes, there is no doubt that it is her father. If he is available, then no one else may act for her. If her father is not available, either because he is dead or mentally deranged, then her parental grandfather or great grandfather may act for her. If she has no father or grandfather, then her adult son may act for her. Next in line is her brother. There are further details on this point to outline that comes next.

It should be said that the condition of a guardian to act for a woman in her marriage does not detract from her the ability or the qualification to make the right choice. Indeed any such guardian should have her consent before he goes ahead with the marriage arrangements. His presence is required not as a witness but as her representative. This is an aspect of the honorable position, which Islam assigns to women. Moreover, it reflects on the seriousness with which Islam views marriage. It is a family matter, which is conducted by families. Moreover, when the woman is

represented by her family, this is more conducive to ensuring that her rights are respected by her husband. Besides, the nature of society Islam builds is one in which the woman normally takes her natural position, looking after the future generation. That is bound to limit her social activities a little. Her judgment of people, especially of men and their characters, may as a result need to be supplemented by that of other men in her family.

This is not the first time I am asked whether when a woman travels a certain distance from her hometown, she may marry herself away. I find it very strange. To start with, a woman must not travel on her own. If she does, she violates Islamic teachings. To do it in order to evade certain conditions in her marriage sounds like resorting to a backdoor way in order to achieve something, which cannot be done in a straightforward manner. May I ask here: against whom is this backdoor way employed? It is simply a trick to avoid Islamic rules. In other words, it is a trick, which aims to invalidate Allah's instructions. This is something to which a Muslim never resorts. There is no doubt in my mind that if a woman undertakes such a journey in order to get married without her father's consent, she is disobeying Allah. Furthermore, her travel does not affect the status of her marriage in any way.

The second reader asks whether the lady can elope with her prospective husband. May I say that her elopement may give her the legal convenience of being able to get married without interference by her parents? But how can she get away from the rule of Islamic teachings?

If a woman marries herself away without the presence of her father or guardian, then her marriage is invalid. The Prophet, peace be upon him, is quoted to have said: "A woman does not marry another woman away and a woman does not marry herself away. Only an adulteress gives herself away in marriage." Imam Ahmad and Abu Dawood relate on the authority of Ayesha that the Prophet, peace be upon him, has said; "Any woman who marries herself away without the consent of her guardian, her marriage is invalid, invalid, invalid." These Hadiths leave us in no doubt as to the invalidity of such a marriage.

However, if a woman does marry herself away in this fashion, without the presence of her guardian, the marriage needs to be pronounced null and void by a judge or by the governor or ruler of the locality. She may not be married to another man, even though her father is acting for her, before such nullification of her invalid marriage. If her guardian marries her away to another man before such pronouncement, the second marriage is also invalid. Both need to be pronounced null and void by a judge. The reason for this is the need to spare the woman the problems of being claimed by two husbands. All sorts of problems may arise and the less the possibility allowed for them the better. After making such an invalid marriage, she is entitled to retain the dower he has given her, if she has had intercourse with the man who is her partner in it.

Matrimonial: Past Sinful Relations

May I put to you the case of a man who after marriage discovers that his wife had been in a sinful sexual relation prior to their marriage. Should he divorce her, or bring the case to court for punishment, or forgive her and remain married to her?

The second option of bringing the case to court should not be considered at all. To start with, Islam does not like punishments to be enforced. They are there as a deterrent, to prevent people from committing serious sinful actions. Islam prefers that when a person commits a sin, serious as it may be, that person should repent, resolve not to repeat the sin and seek God's forgiveness. If he or she is sincere in repentance and resolve, then God will, if He so pleases, forgive them. Besides, if the

man brings the case to court, he must produce four witnesses to testify to having seen the sin being committed, or his wife must stand in court and admit her guilt.

Thus, it is not up to him to decide on this option. If she trusts to God's forgiveness after her repentance, he cannot compel her to do otherwise.

The question is thus reduced to whether he should divorce her or continue their marriage. This is a personal choice that he should make on the basis of what he knows of his wife. If he feels that she is sincere in her repentance and that she will be faithful, and that he can overlook her past, then it is better to keep her. If he does not trust that this will be the case, then he should consider divorce.

Matrimonial: Payment In Cash Or Kind To Bridegroom's Family

In my home country, a girl is married only if her parents are able to pay an amount of money in cash or kind to the bridegroom's family. Without such payment, marriage does not take place. In some cases, you find people going from house to house like customers shopping around. What does Islam say about this?

This method of marriage is the exact opposite of the Islamic method. In Islam, the bridegroom is the one who pays to his wife, at the time the marriage contract is made, an amount of money or gives her some property which becomes absolutely hers, in return of her agreeing to marry him. The point is that marriage creates certain rights and privileges, much of which are given by the wife. Hence, she is entitled to have something in return. What the bridegroom gives is called the dower, and its amount is agreed upon by himself and the bride's guardian. It is important to mention that the amount cannot be decided by the woman's guardian arbitrarily. He has to refer to the bride and to obtain her consent. If she does not agree to it, he cannot accept it on her behalf.

When this system is reversed so as to make the bridegroom the beneficiary of such payment, the bride is deprived of something, which Allah has assigned to her by right. The problem is bypassed in most cases with a nominal agreement between the two families that the bridegroom will pay a specified or a nominal amount to his wife. On the night of the wedding, the bride is instructed by her family to tell her husband that she forgoes the amount of the dower agreed between them. This is certainly a traversal of the Islamic system. However, as human beings, we cannot do much more than to explain to the people that what they are doing is wrong. The point is that the technicalities of marriage are well taken care of. A dower is specified and a gift made of it to the bridegroom, seemingly voluntarily. How can a judge, or a scholar, or indeed anyone else describe this as invalid when the bride herself is saying to her husband that she is willingly gifting her dower to him? Hence, we have to say that the marriage is valid but, at the same time, we must describe what actually takes place as a traversal of the Islamic system. Scholars in your part of the world have an important task to fulfill, namely, to educate people in Islamic laws and traditions. They have to explain to fathers of young girls that they must observe the Islamic system, not borrow an alien system of marriage from an alien faith and an alien civilization. Moreover, young girls must be informed of their rights. Some way should be devised so that at the time when a marriage contract is made, the girl is informed of her rights, prior to proceeding with the contract. If this is done, often enough in front of guests and witnesses, people will soon come to realize that their practices are in conflict with Islamic teachings. A process may then be started to reverse this trend.

Matrimonial: Personal Choice Or Pleasing Parents

My parents disagreed on the choice of the girl whom I should marry. My father wanted me to marry his sister's daughter, while my mother was determined that such a marriage does not take place. Later my father died with the dispute still going on between them. I did not marry because I wanted to please both. After my father's death, my mother continued with her opposition, but I was under pressure from other relatives to marry my cousin; they said that the only way to be dutiful to my father was to do what he wished. Later I proposed to someone else, but this pleased no one. Eventually my mother agreed reluctantly to my choice. Will I be committing a sin if I marry this girl?

No, you are not deliberately disobeying your parents over a matter that concerns them. Marriage concerns you in the first place. Their wishes are to be treated as a recommendation, not an order. Since they could not agree between them on the same choice, then you are not at fault for holding back.

Now even if they agreed and you did not like the girl they chose for you, then you are still not obliged to marry the girl they chose, because marriage is a bond for life and your opinion is the one to be taken first and foremost.

Now that your father has passed away, his wish with regard to your marriage is merely a wish which has to be balanced against your views on whether the marriage he proposed for you would be successful, happy or otherwise. He might have thought of other considerations, which may not be of importance to you. This matter is yours. Since you say that your mother is willing to accept her, there is no disobedience to her on this count. As for your other relatives, you are free whether to take their advice or not. The Prophet, peace be upon him, has outlined the criteria for selecting a good wife. He says "A woman may be sought in marriage for any of the four things: Her wealth, beauty, family ties and religious standards. Choose the one with a firm faith so that you may be successful."

With such a clear advice from the Prophet, who needs more?

Matrimonial: Polygamy — Not A Sunnah

May I refer to one of your replies that polygamy cannot be considered a Sunnah of the Prophet? I feel that you should have clarified a few points particularly on the definition of Sunnah. To my mind, Sunnah includes any act performed by the Prophet, peace be upon him, as it includes what he has stated or instructed. There are categories of Sunnah, such as actions related to prayer and religious duties, and actions, which relate to normal day-to-day activities of ordinary life. From another point of view, some are strongly recommended and their importance is re-emphasized in Hadith while others are not backed by a Hadith but we learn them from the Prophet's own actions. Even this latter type is a Sunnah, which earns us a reward, if we perform it under the conditions and requirements applicable to any individual with the sincere intention of following the example of the Prophet. With regard to the question of polygamy, it is well known that a Muslim man is allowed to have up to four wives. He is required, however, to maintain justice among them. Considering the example given by the Prophet, is it not right to say that to have more than one wife is a Sunnah? I feel that when a man is married to two wives or more, we have a situation which tests the man and the women involved and in which they are required to show justice and patience. There is a conflict between

the man's natural instinct for polygamy and the woman's possessive nature, which gives her a strong dislike to share her husband with another woman. This is a most painful condition. If she does it in submission to Allah's will, she deserves a reward for it. When two women find themselves married to one man, what are their obligations to each other, to their husband and to each other's children? Is it permissible for the first wife to stay aloof when her husband marries a second time and to deny her husband the physical relationship, if he agrees to that?

This is a summary of a long letter, which I have received from a lady doctor who has studied in some of the best universities in the world. She gives several arguments in support of her view that polygamy is a Sunnah recommended to us by the Prophet, peace be upon him, by action, if not by word. She seems to take for granted that it is in the nature of man to have more than one woman.

In reply I would like to start with answering the specific points my reader has put at the end of her letter. I can tell her that there are no specific obligations, which Islam imposes on wives who are married to the same man. Islam, however, tells every Muslim to be kind to others and to take care of young children. Therefore, it is far more preferable for these women to try to come to terms with their new situation and extend help and care to each other. This will stand them in good stead, since they will be able to look after each other's children when one of them is unwell, or when she is in the advanced stage of pregnancy, or in the early period after giving birth to a new child, or when she goes out. But not all such wives can have such an amicable relationship. People simply may not get on well with each other. There is an added cause in such situation to make the achievement of such a caring relationship more difficult. Therefore, Islam does not place any obligation on such women toward each other. Both, however, are required to maintain the Islamic standard of morality and preserve their chastity.

As for the second question, I can say that if the husband forgoes his right to have a physical relationship with his first wife, he may do so. Otherwise, she may not deny him that relationship, because when she married him, she has agreed to it in the full knowledge that Allah has given him the privilege of marrying more than one wife. If he avails himself of that privilege, this does not alter the situation and she has to fulfill her marital duties.

I do not agree with my reader that man is polygamous by nature. Had it been so, Allah would have changed the proportion of male to female among mankind to allow polygamy to be widely practiced. The fact that the male to female ratio is, more or less, one is to one, albeit with slight variations in different societies, is ample proof that the normal situation is for each man to have one wife. It is a fact of life that when there is a large increase in the number of women over men in a particular society, polygamy flourishes. If that society does not allow polygamy, you will find that the ratio of divorce and second marriages increases sharply. If that society is lax in observing moral values, indecency spreads.

The main point which the reader raises is that of Sunnah which means an action which the Prophet, peace be upon him, has either encouraged or recommended by word or deed or approval. We can say that a Sunnah is a recommended action, which earns reward from Allah. A Sunnah may relate to religious duties and to ordinary activities. If it relates to religious practices, it is sufficient that the Prophet, peace be upon him, is known to have done something in a particular way to make it a Sunnah to follow his way. Thus, when we know that the Prophet, peace be upon him, used to sit in a particular fashion in the last sitting of a four rak'ah prayer, it is a Sunnah to sit in the same manner. He has not told us so, but by following his example we earn more reward from Allah. In pilgrimage, it is duty for a man to shorten his hair or

shave his head at the end of the period of consecration. Since the Prophet, peace be upon him, shaved his head, we know that it is far more preferable to shave than to shorten one's hair. Numerous examples can be given in this regard.

When such actions are backed by verbal instructions, then the action requires a stronger status, which could raise it to be an obligatory one. If the Prophet, peace be upon him, did something in practice but gave specific instructions which vary somewhat from his practice, we should take the verbal instructions as having more weight. For example, the Prophet, peace be upon him, used to recite long passages from the Qur'an in Fajr prayer. He, however, instructed one of his companions who led the prayer among his people to read Surahs or passages of about 12 or 13 lines. Hence, Sunnah is to read such medium length passages, unless one is praying alone or with a small group of people who are all willing to have a lengthy prayer.

In his normal daily life, the Prophet, peace be upon him, may have done certain actions in a particular way. That does not mean that they constitute a Sunnah, unless he has backed these with a verbal recommendation or instruction. We know, for example, that the Prophet, peace be upon him, liked to eat pumpkins. Is it a Sunnah to eat them? What if a person does not like their taste? Is he at fault? The answer is that it is not a Sunnah to eat pumpkins and a person who goes through life without tasting pumpkins misses no reward and will not be asked about this omission, as it were. Otherwise, you would have seen vast areas of agricultural land in the Muslim world devoted to planting pumpkins so that all Muslims may follow the example of the Prophet, peace be upon him. This is not the case, because Allah knows that He has created people with different tastes and many of them may not like the taste of pumpkins.

I have chosen this as a very clear example. There are many similar ones. The fact that the Prophet, peace be upon him, married several wives falls within this category. We have no Hadith or statement by the Prophet, peace be upon him, to suggest that marrying more than one woman is recommended. No companion of the Prophet, peace be upon him, tells us that the Prophet, peace be upon him, questioned him about having only one wife or suggested to him that he should marry again. That always came from the man himself. On the other hand, the Prophet, peace be upon him, did not persuade any of his companions not to marry a second time. Therefore, we can say that this is a question left to the individual; he may marry two or three or four women, but it is open to him to limit his marriage to one woman. Indeed, this is better, because he will not expose himself to the risk of not maintaining justice between his wives.

Moreover, we cannot argue that since the Prophet, peace be upon him, married so many wives, polygamy is a Sunnah. There are two important reasons for that: the first is the fact that the Prophet, peace be upon him, lived with his first wife for 25 years without marrying a second woman. Ten of these 25 years were after he became a Prophet, peace be upon him. It is only in the last ten years or so of his life that he was married to more than one wife, which one of the two situations is a Sunnah? If we say that it is the latter, can we support our view with any statement which shows that the Prophet, peace be upon him, considered that the latter situation was preferable to the first? Indeed, he always remembered his days with Khadeejah with more compassion and a loving memory.

The second point is that the Prophet, peace be upon him, had a specific reason for each of his subsequent marriages. A detailed study of his marriages will show that there was not a single one, which was motivated by the desire to simply have another wife. Each of his marriages had an additional advantage, which could be a political or social or legislative nature. None of us is in that situation.

Perhaps I should add a third point in support of monogamy. It is more conducive to the happiness of a family that a man be married to one woman. He is also more likely to be able to provide a sound upbringing for his children and more likely to make his wife happy and, as a result of both these factors, he is more likely to be happy himself.

Matrimonial: Polygamy — Rectifying Abuse Is A Duty Of the Individual

When the legislation of polygamy was approved, it sought to curtail that practice in Arabia, but Muslims these days have come to abuse this facility, sticking to its letter and ignoring the spirit. Could you please explain what the Islamic authorities should do to guide people back to the proper observance of this facility?

Many of us tend to think always of what the government or the authorities should do in order to rectify a faulty practice. In a case like this, where a man marries more than one wife, the onus is on that person to abide by Islamic legislation and implement what Allah requires of him in [deciding to have more than one wife and] his treatment of his wives.

No human authority, local or national, can ensure that the proper Islamic standards are maintained in every home and by every person. Islam relies in its implementation mainly on the individual and his conscience. It tries to cultivate a keen sense of duty, motivated by a real feeling that Allah watches us all the time, and that He is aware of our actions and the intentions behind them.

Matrimonial: Polygamy — Ridiculed By the West

Some people in the West ridicule the practice of having more than one wife, which is permissible in Islam. What answer can we give them?

People will make fun of anything they do not understand, or even anything different from what they have been brought up with. I cannot go through all the arguments that justify the Islamic attitude to polygamy in this column because of the limitation of space. What we need to understand is that many social problems could occur in marriage, and the strict insistence on monogamy makes some of these problems insoluble. The only way to sort out such problems in a moral and fair atmosphere that takes the rights and duties of all concerned into account is to permit polygamy in a limited form as Islam does. Without such permissibility, societies have struggled and eventually had to compromise their moral standards.

We need only to look at what is happening today in Western societies, where permissiveness is hailed as a sign of progress when it actually destroys the moral fabric of society. Permissiveness was partly a reaction against the rigidity that prevailed in the 19th century, and up to World War I. Western people thought that it would solve their social problems, but we see today that it leads to many situations that are unfair to husband, wife, girlfriend, and above all to children.

Matrimonial: Polygamy — Rights Of Wives

When a woman learns of her husband intending a second marriage, is it permissible for her to tell him that he may not bring his second wife in her home and that he must provide a second accommodation for her. Can she say that even when her husband has only a small house provided to him by the company and he has only a limited income, which may not be sufficient to keep two houses. Can he choose a Christian woman for his second wife?

Islam views marriage as a relationship between human beings. Therefore, the rights and privileges as well as the feelings and emotions of each partner in this relationship must be taken into consideration. Since the woman is the weaker partner in a marriage relationship, Islam has taken care to ensure that her rights are respected. When a man defaults on his duties towards his wife, this constitutes sufficient ground for the nullification of the marriage, if an Islamic court determines that the situation cannot be mended. Such a nullification can be enforced despite the objections of the defaulting husband.

Every married woman is entitled to have a decent home of the standard to which women in her social status are accustomed. If she agrees to marry a man of limited income, she implicitly consents to have a home of the standard her husband can afford. Whatever may be the family circumstances, her right to a decent home is undeniable. This is part of something greater to which she is also entitled by right, namely, a family atmosphere based on care, affection and compassion. In short, a homely life.

It is well known that Islam allows a man to marry up to four wives at a time. When a man intends to marry a second wife, it is not obligatory that he should seek or obtain his first wife's consent. But she remains entitled to all her rights and privileges. The second wife also enjoys similar rights. Both of them are entitled to equal standard. He cannot, say, give one of them a detached two-story villa with a garden and accommodate the other in a small apartment in a large block of flats. If he does that, then he is guilty of unfair and unequal treatment.

When we consider this very carefully, we realize that it is the duty of any man who intends to marry a second wife to make sure that he can support both of them on an equal basis. The Qur'anic instruction is very clear: ***"If you fear that you may not treat them equally, then limit yourself to one [wife]."*** It may so happen that a married man finds himself deep in love with another woman and she consents to be his wife, knowing that he is of limited means. He should reflect, however, that marriage is not a temporary arrangement. He must never overlook his duties toward his first wife, or indeed the second.

The first question he should ask himself is whether he would be able to maintain two homes. It is not lawful for a man who has married two women to force them to live in the same house, whether it is big or small, unless both of them agree to that arrangement without coercion. This is due to the fact that in such circumstances it is only natural for them to harbor feelings of jealousy and hostility toward each other. Each of them will be always on the watch, trying to discover any sign of favoritism, which her husband shows toward his other wife. That will inevitably lead to endless quarrels and the atmosphere in the family home will be unhealthy for the upbringing of the children. Moreover, why should a wife be exposed to such a situation, which enhances ill feelings. On the basis of this, it is perfectly legitimate for the first wife to tell her husband when he embarks on a second marriage that he must not at any time enforce on her the burden of sharing her home with his second wife. If she makes that clear to him and he nevertheless tries to impose it, then this constitutes a basis for the nullification of the marriage, if she so desires. She will be entitled to all her rights.

Having said that, I realize that not every woman who finds herself in such a situation would like to have her marriage nullified. A wife may still be young and she may have young children who need to have both their parents around. She may have no feasible alternative. If she gets her marriage nullified, she may face the problem of being separated from her children. Many a woman would sacrifice her happiness in order to stay with her children. Therefore, it is only right that a woman is given the freedom of choice with regard to the type of home she may have when her husband marries a second or a third wife. As I have already said, a man may not force his two

wives to share one house without their consent. If both of them agree to such sharing, they are forgoing part of their right and this must be on the basis of free choice.

A husband may arrange for both his wives to have separate rooms in one house only if such is the nature of housing people in the same social status as his wives have. If, for example, a man's wife comes from a family, which shares her home with another family, then such a shared accommodation is the type of her equals. He may, then, ask her to have separate rooms in a house, which she shares with his other wife.

When we consider all this, we find that in the case the [lady] reader cites, the husband will be ill advised to marry a second wife. His company is unlikely to give him a second home for the second wife. Therefore, he will have to rent a flat for her, which will constitute a heavy financial burden and will take a considerable portion of his income. If he is thinking of getting both his wives to share his small accommodation, he is depriving both of them of their rights. As we have said, he cannot do that unless both of them freely consent.

What we have also to consider is that Islam allows polygamy only as a solution to social problems. When a man is happy with his family life with his first wife, he should not think of marrying again. His own happiness is at stake. Having said that, it is perhaps valid to say that a man does not normally think of a second marriage, if he is happy with his first wife. When a woman finds herself threatened with the prospect of having to share her husband with another woman, she should examine her situation very carefully and think whether her husband is motivated to take such a step by the lack of happiness in the family home. Perhaps she may do something about that to ensure that everyone of her family is leading a happy life.

The other point the lady reader raises is whether it is permissible for a man who is married to a Muslim wife to choose a Christian for his second wife. The answer is that it is permissible, but far from recommended. What we have also to understand is that Islam may permit certain things but it advises its followers against resorting to them. We know that divorce is permissible, but is one legal thing, which Allah dislikes most. Allah would not have allowed it, had it not been for the fact that there is a certain social need for its legality.

The same applies to marrying a woman who adheres to another faith. The problems, which may arise in such a marriage, are enormous, but it has been legalized nevertheless because there are circumstances, which make it the most practical solution.

Matrimonial: Polygamy — Unacceptable Second Marriage

Can a man marry a second wife in order to punish his first wife for her disobedience and failure to fulfill her duties towards him?

Islam provides a system, which regulates family life as well as the life of the community as a whole. In every respect of its legislation and in its regulation of relations between various groups and individuals in society, Islam maintains justice, fair treatment and a balance between rights and responsibilities. In this way it provides a solid basis for a strong, closely knit community.

Within the family, Islam has established certain rules and distributed responsibilities to each of the two partners, adding commensurate rights, which should be observed and fulfilled by both of them. A woman should obey her husband as long as he does not tell her to do something, which is unlawful, from the Islamic point of view. In return, she is to be treated with respect and kindness and to be well looked after so that she has no worries about her own or her children's needs.

Because the woman is the weaker partner in the family relationship, Islam places strong emphasis on the importance of being fair to women, and not to abuse them in any way. The Prophet, peace be upon him, describes those who are kind and good to their wives as the best of people. He says : "The best among you are those who are best to your households; I am the best among you to my household." This is a clear statement, which encourages every kindness toward one's wife and children. Such a kindness is certainly a measure of good character. It is also the gauge for a happy family life. There is no doubt that by the way a man treats his wife and the care and kindness he shows her, he sets the pattern of life in the family home. If he is kind, good and caring, mutual affection and happiness will be well established. If he is quarrelsome, unkind and dictatorial, his life at home will be beset with problems. While a woman can influence the pattern of life at home to a large extent, there is no doubt that the ultimate responsibility for the happiness of the family lies with the man.

When we say this, we are certainly speaking in a general manner. Families differ as much as individuals differ in their habits, temperaments, cares and prejudices. Moreover, they differ according to the degree of compatibility between man and wife. Every one of us requires certain qualities in his or her life partner. It is no exaggeration to say that none of us finds in the other the ideal partner that he or she has imagined before marriage. There is always need to compromise. That need continues with us through life and the more ready we are to make such compromises, the happier we become. It is perhaps with an eye to this need that one of the final commandments of the Prophet, peace be upon him, was concerned with the treatment of wives and women generally. On his deathbed, the Prophet, peace be upon him, continued to remind the followers of three areas as needing continuous attention. The first concerns man's relationship with Allah while the other two are concerned with human relations, concentrating on the need to protect the rights of two vulnerable groups in society, namely, women and slaves. He said repeatedly : "Attend to your prayers. Do not ask those whom your right hands possess to accomplish for you what they cannot do. Fear Allah in your treatment of women."

With such emphasis on the rights of women and the need to extend to them the proper and kind treatment they expect and deserve, every Muslim must do his best to ensure that in his treatment of his wife and the rest of his household, he provides an example to be followed by others. We all know that Islamic society is compassionate and caring. These characteristics start in the family home and with every member of the family extending them to the others, according to each one's responsibilities and duties.

On the basis of the foregoing principles, we look at the question posed by our reader. It is well known that Islam allows a man to marry up to four wives at any one time. Furthermore, Islam allows divorce. In each of these two cases of polygamy, there are rights, which belong to the husband and each of his wives.

A man may marry a second wife for any one or a number of reasons. These, however, do not include punishing his first wife for her non-fulfillment of her duties towards him. She may be disobedient and totally undutiful. Her behavior may leave much to be desired. The proper way to correct such a situation is not by marrying a second wife. It is true that such a marriage may jolt her violently and she may correct her attitude towards her husband. But then, that is not the primary consideration in such an equation. We have to begin with the second wife who is being used as a means of punishment or retaliation in a situation in which she remains not involved up to the point of her marriage. When she accepts to marry her husband, she may be totally unaware of his intentions and the general situation which exists in his home and the relationship between him and his first wife. On the other hand, she may be given a highly false impression of that situation. What will happen next is, in most cases, a continuing rivalry, fed up by jealousy, between the two women, until one is finally

able to win a special position of favor with the husband who may, in turn, suffer as a result of this rivalry. In such a situation, the making of a good family home is totally lacking. The real sufferers, at the end of the day, are the children of either one or both of the two women.

If the second marriage is intended as punishment for the first wife, is it not appropriate to ask : what happens if the punishment works and the first wife becomes obedient, loving and caring? Will the husband in this case divorce the second wife, as the role, which she was brought in to play, has been fulfilled? If the answer is in the affirmative and that a divorce will take place, then the whole affair is absurd. It involves an exploitation of a human being, the second wife, to remedy a situation which is neither of her making nor of her concern. Nor has she been told that her role will be over when the punishment proves to be effective. Moreover, by that time, children may have been born to the second wife and they have rights to claim against their father.

If the answer to the above question is that no divorce will take place and the second marriage is permanent, as every marriage should be, then the husband is guilty of playing games with the interests of the family as a whole. This is something, which Islam does not accept at all. Islam views marriage very seriously and emphasizes that all rights of all partners must be honored and strictly observed.

To sum up, the second marriage while retaining the first wife is allowed in Islam for any of the good reasons for which such a concession has been allowed us by Allah. The duties of husband and wife must be fulfilled, as they are commensurate with their rights. A wife obeys her husband and looks after her. Both care for each other and respect and honor each other. A second marriage contracted with the aim of punishing the first wife for her lack of observance of her duties towards her husband cannot be approved because it involves unfairness to others. Moreover, it betrays an unacceptable attitude to marriage as a whole, which Islam views very seriously.

Matrimonial: Polygamy — Why Is It Permitted?

1. Questions are often asked about polygamy. Scholars have commented in various ways on the Qur'anic verse, which allows polygamy. Marium Jameelah, an American Muslim convert of Jewish origin endorses the interpretation given by Mr. Muhammad Marmaduke Pickthall as most appropriate. Could you please comment on his interpretations?

2. Why has polygamy been allowed in Islam? What is the punishment for illegal contact between a man and a woman?

1. Thank you for sending me Mr. Pickthall's comment because they do not seem to be included in my copy of his translation of the Qur'an, although Miss Jameelah says they occur in his introductory note to his translation. Let us first look at his translation of the Qur'anic verse in question:

"You will not be able to deal equally between your wives, however much you wish to do so. But turn not altogether from [the other wife] leaving her as in suspense. If you do good and keep from evil, Lo! God is ever-Forgiving, Merciful." [Woman — "An-Nis'a" 4: 129]

As quoted by Miss Jameelah, Mr. Pickthall comments: "In Islam sanctity has never been identified with celibacy. For Christendom the strictest religious ideal has been celibacy, monogamy is already a concession to human nature. For Muslims, monogamy is the ideal and polygamy is the concession to human nature. Having set in his marriage to Khadeejah a great example of monogamy, the Prophet, peace be upon him, was also to set a great example of polygamy marriage, by following which

men of that temperament may live righteous lives. Islam did not institute polygamy. It limited an already existent institution by restricting the number of a man's legal wives to four and by giving to every woman a legal personality and legal rights, which had to be respected and making every man legally responsible for his conduct toward every woman. Whether polygamy or monogamy should prevail in a country or historical period is a matter of social and economic convenience."

I am not particularly happy with this translation of the Qur'anic verse as given by Mr. Pickthall. I realize that the verse is not an easy one to translate. I have looked at several English renderings of the meaning of the verse, as given by translators of the Qur'an, and I do not find any giving the same connotation as the verse itself. I am particularly worried about the sentence given by Mr. Pickthall as: ***"But turn not altogether [from the other wife] leaving her as in suspense."*** A somewhat similar rendering given by Mr. M H Shakir, which perhaps closer to capturing the connotation of the verse, reads as follows: ***"Be not disinclined [from one] with total disinclination, so that you leave her as it were in suspense."*** The closest translation I have seen to the original text is that rendered by Mr. Muhammad Asad, which reads: ***"Do not allow yourselves to incline toward one to the exclusion of the other, leaving her in a state, as it were, of having and not having a husband."***

I would like to make a brief observation about these renderings of the meaning of the Qur'anic verse. The first two by Mr. Pickthall and Mr. Shakir speak of turning away from one wife or being disinclined to her. Admittedly the Arabic term can be understood in this way, but Mr. Asad's rendering comes closer as he speaks of inclination, rather than disinclination. In other words, it is a positive attitude of favoritism to one wife, which the Qur'an censures. Moreover, as this verse is primarily concerned with feelings over which man can exercise little control, there is an implicit requirement of taking steps in order not to allow oneself to drift away with one's feelings and thereby to do injustice to one of his wives.

There is a condition to the permission given in Islam to marry more than one wife, namely, that one treats one's wives equally. Indeed, it is sufficient that one fears that he may not be able to maintain equality between one's wives to block this permission. This is clearly stated at the opening of the fourth Surah, entitled 'Women', which also includes the verse quoted above.

"Marry from among women such as are lawful to you, [even] two or three, or four. But if you have reason to fear that you may not be able to treat them with equal fairness, then only one." [Woman — "An-Nis'a" 4: 3]

The fairness and equality relate to material things over which men have complete control. But in feelings, inclination and love, equality is impossible. Islam recognizes this, and hence, it is not part of the same condition.

I have three brief points to make about Mr. Pickthall's comment. The first is that I am not sure what he means when he states that polygamy is allowed in Islam as a "concession to human nature." We know that God has created man and gave him his nature. He could have made him absolutely monogamous as some animals are. Polygamy is allowed in Islam as a social solution to problems that occur in human society. It is not merely the "temperament" of certain men which requires a "concession", but personal, family and social situations may make a man's marriage to more than one wife a course of action, which serves a greater interest and reduces suffering.

Secondly, the Prophet, peace be upon him, did not set out to give examples of successful marriage, monogamy or polygamy. We can say without any fear of contradiction that at no time after the death of his first wife, Khadeejah, did the Prophet, peace be upon him, think that it was time that he should give an example of

a happy and successful polygamy marriage. His subsequent marriages were necessitated by situation, which he could not have foreseen. It is true that we have practical guidance given by the Prophet, peace be upon him, in all matters of life, but it is not right to imagine that it was the Prophet's intention to give an example of a successful polygamy marriage. Had it been so, he would have probably limited himself to marrying two or three wives. He married more, because certain factors made it necessary for him to get married.

Finally, it is easy to fall into the trap of trying to defend Islamic legislation by saying that the situation was worse and Islam improved on it. In the quotation above, we are told that Islam did not institute polygamy. It limited an already existing institution and introduced certain reforms of it. Such a line of thinking may give the impression that Islam could not do more than introduce such a reform. If we allow ourselves to think along these lines, someone may suggest that when it is possible for Muslims to add more reform, they should do so. Someone may argue that, in our present world, we could do without polygamy altogether. It can be suggested that to ban polygamy altogether is the spirit of Islam, since it started the process of reform by imposing the restriction of making four wives the maximum a man may have. Such a line of thinking is totally unacceptable. Had it been God's intention that polygamy should be stopped at any future point in time, He would have made that clear. Since He had not, then the legislation stays for all time. Moreover, it is the perfect legislation and the most suitable to man since it is God's choice. He does not trouble man with any legislation that does not fit with his nature. If we fail to see the wisdom of a particular Islamic legislation, the fault is not in that legislation, but in our own approach to it or understanding of it.

2. Polygamy has been permitted in Islam as a solution to social problems that may not have any other satisfactory solution. Take, for example, the case of a woman who has a chronic illness, which makes her unable to satisfy her husband's needs. Rather than divorce her, her husband is allowed to have a second wife. Other examples can be given in which marriage with a second wife provides a better solution to a problem than any other alternative.

There is an important condition for a second or third marriage, namely that the husband should treat his wives with absolute fairness and equality. If he feels that he may not be able to do that, then he must not take a second wife.

Punishment for fornication [or intercourse between unmarried persons] is flogging in public with 100 lashes. Punishment for adultery [or intercourse between the married persons] is stoning to death. However, these punishments cannot be enforced unless proof is obtained either through freely given confession, [which, incidentally, may be retracted] or through the testimony of four men who testify under oath to have seen the offense being committed. Otherwise, punishment is left to Allah to inflict on the Day of Judgement, or in this life as He pleases. It is his prerogative to inflict punishment or to forgive the offender.

Matrimonial: Praying God To Facilitate A Specific Marriage

Is it appropriate for an unmarried person to pray to God to facilitate his or her marriage to someone whom he or she knows and loves without the knowledge of the other person and even prior to any sort of proposal?

If one's intention is to have a marriage relationship, which is not preceded by something unlawful, one may pray to God to facilitate such a marriage. The point is that marriage is a legitimate bond, and there is no harm in requesting God to facilitate something that He has made legitimate. However, suppose you see a married woman and fancy her, you may not pray to God to facilitate your marriage to

her, because you are actually praying for her to be divorced or become a widow so that you may marry her. That is not acceptable.

Matrimonial: Purpose Of Marriage

Elders say that the sole purpose of marriage is to have children. Physical enjoyment and satisfaction is totally discounted. If that is so, then the permission to have more than one wife should not apply to a man who has children through his first marriage. Please comment.

To say that the only purpose of marriage is to have children is certainly mistaken. Islam has a comprehensive view of all matters, which relate to human life. As you are aware, man's deeds, desires, actions and goals are complicated, interdependent and mutually complimentary. Therefore, when we view any human activity or need from a single, narrow angle, we are liable to make great mistakes and we are bound to come out with erroneous conclusions. We will explain this as it applies to the question of marriage, which you have cited.

Man shares with animals a number of desires, needs and activities. But the basic and far-reaching difference between man and animals, with regard to these common needs and activities, is that man has a sophisticated approach to the satisfaction of his needs and desires. If we take eating as an example, we find that its prime objective is self-preservation.

However, an animal approaches this task in a simple manner and eats a certain type of food, in a particular manner which never changes. It never overeats or tries to change the type of food it eats. Although self-preservation is the goal which man tries to achieve through eating, man's approach to the satisfaction of this desire is highly refined. Man has established a set of well-defined values and has adopted certain manners, varying as they may be in different societies, which are closely associated with eating. Moreover, he has associated this activity with various other considerations and situations, such as hospitality, celebration of certain occasions, etc. Furthermore, man's taste is highly refined when it comes to eating. He continues to develop that taste and always tries new types of food. If you pursue this line a little further, you come with a long list of aspects, which differentiate man's eating with that of animals.

The same line of difference applies to all other desires which are common to man and animals. Perhaps the most important one of these, next to eating, is sex. The reason is that eating is a desire, which ensures self-preservation, while sex ensures the preservation of kind and species. The sexual desire is the second strongest of all human desires.

Since the purpose of sexual desire is to ensure the continuity of human life, by bringing in one generation after another, then procreation must be the main objective of marriage, through which Islam allows the fulfillment of this desire.

Having said that, however, I must emphasize that Islam does not limit the purpose of marriage or the sexual activity to production. Had this been the case, it would have created too many restrictions. A married couple would not have been allowed to have sexual intercourse during pregnancy, once it has been confirmed. Similarly, sex would not have been permitted between a married couple once the woman is past childbearing age. But there are no such restrictions. A married couple is allowed to have sex at any time except when the woman is in her menstruation or postnatal periods. That is because it is unhealthy to have sex during this period.

The entire question is closely related to the Islamic view of man and human life. Islam legislates human life, taking man as he is, recognizing his needs and desires,

and seeking to fulfill them in a clean, healthy way, which ensures that no adverse effects are suffered by individual human being or communities. Islam does not suppress any natural human feeling or desire. It only regulates it and allows its satisfaction in a disciplined way, which is worthy of the humanity of man.

What this boils down to, in effect, is that Islam provides for man a natural, clean and respectable way of satisfying his sexual desire. That method is marriage. Therefore, it is wrong to assume that the only purpose of marriage is to beget children. That is certainly an important purpose, but equally important is the provision of a legitimate, disciplined, clean way for the fulfillment of a natural need. Sex within marriage is permitted, provided that it is practiced the natural way and abstained from during periods when it becomes rather unclean. What Islam does not allow is promiscuity and perverse practices. When these are avoided, then sex, within marriage, is not merely permitted, but even rewarded. The Prophet, peace be upon him, once said to his companions that they are rewarded when they have sex with their wives. Amazed, they asked: "Are we rewarded for satisfying our lust?" The Prophet, peace be upon him, answered: "Is it not true that when any of you satisfies that lust in an illegitimate way, he is punished?" They answered in the affirmative. The Prophet, peace be upon him, rejoined: "Similarly, when a man seeks such fulfillment in a legitimate way, he is rewarded."

As you see, there is no taboo with regard to sex. There is only a disciplined regulation of its fulfillment. That comes through marriage. Therefore, to try to limit the purpose of marriage to procreation is to overlook man's physical needs. This is contrary to Islamic method. In every case, Islam allows a legitimate way of fulfilling man's needs and forbids what is harmful to individuals or communities. In the case of satisfying man's hunger, Islam puts no arbitrary restrictions. It requires man to obtain his food in a legitimate way and leaves him to choose what to eat and how to prepare it and what manner to establish and observe.

Similarly, in sex, it establishes its regulations, allowing man a wide area of fulfillment, provided that it is approached legitimately, i.e. through marriage. Once this is established, there are no arbitrary restrictions such as the one you have mentioned. This is a middle-of-the-road approach, which is typical of Islam.

Matrimonial: Quality Of Marital Relationship

Is it too much for a married woman to ask her husband for companionship, trust, love and quality time? If she feels her husband to be detached and arrogant, what is there for her to do? May I also ask if the husband is the one to determine the number of children the family may have? What if his wife feels she needs more than the two children they already have?

No, that is not too much to ask. In fact, it is the right of every wife to have such companionship and intimacy with her husband. However, people's temperaments differ, and what may be said theoretically may be very difficult to achieve in practice. What is important for every one to realize is that marriage is not a mechanical relationship. It is more about intimacy of persons, who should be able to share life's affairs, problems, joys and sorrows together.

If a man keeps himself detached from his wife, it is no wonder that she could feel lonely, depressed and unhappy. It is his duty to try to remove such a situation by being more loving and tender.

Having said that, I should add that many couples seem to have problems in their relationship because they do not realize that there are differences in the way men and women look at things. Thus, a woman may give her husband a simple word of advice concerning a problem he is facing. However, he takes that as though it means

that she does not trust his judgment, or that she thinks that he is incapable of managing his affairs. Similarly, a man may try to get his wife to take a certain line of action when all she needs is for him to listen to her and understand her feelings, giving her moral support.

Therefore, it is imperative that men and women try to understand what each of them expects from the other. No man should think that his wife is immature because she expects words of love and endearment. Similarly, he needs to make her aware that when he tells her of a problem he is having, he is not looking for suggestions on how to deal with it. Such suggestions may, to him, sound indicative of lack of trust in his ability.

The number of children a couple may have should be decided by mutual agreement. A woman has as much to say on this as a man, except where a man considers his means and feels that he cannot support a larger family..

Matrimonial: Relations With Former Spouse

Even after divorce it is often necessary to keep contact with the former spouse. What is the Islamic view on continuation of such activity?

A woman is required to cover her body with the exception of her face and her palms in front of all men with the exception of her husband and close relative to whom she may not be married. She may appear in a more relaxed way in front of these relatives.

Her former husband is just like any other man and since they have to discuss certain matters, which relate to the upbringing of their children, they may meet in the presence of either the new husband of the woman or some of her immediate relatives. She can wear the same type of clothes she wears when she goes out. In other words, she need not cover her face and forearms.

Matrimonial: Remarriage — After Divorce

My friend's sister was divorced two years ago by her husband and received everything that was due to her. Two years later, she was reunited with her former husband in marriage, but without marrying another man in between divorce and remarriage. This is contrary to the teachings of Hanafi school of thought. How far is it important to restrict oneself to the teachings of a particular school of thought?

It is by no means obligatory to follow strictly one school of thought in every ruling it makes. It is true that some students of Islamic scholarship may say that one should adhere to one school of thought, but that is neither possible nor practical. Within the same school of thought, you have different opinions. It is well known that Imam Al Shaf'ie himself changed many of his rulings after he settled in Egypt during the last five years of his life. Similarly, Imam Ahmed ibn Hanbal is quite often quoted to have expressed two views on the same question. Sometimes, one of the pillars among the scholars in a particular school of thought may differ with its founder on a specific issue. Thus you may find Imam Abu Yousuf or Mohammed ibn Al-Hassan differing with Imam Abu Hanifah on a particular issue. Such differences are a mark of the strength of Islamic scholarship and its solid foundation. Rigidity means weakness, while flexibility and progress indicate strength. Islamic scholarship has produced over the centuries a long line of great scholars, each of which may be considered on the same level with the founders of the four major schools of thought. No one suggests that their opinions and scholarships should be ignored.

Moreover, it is often noted that the particular circumstances of a certain question make the verdict given by a particular school of thought more appropriate, although the persons involved in that question belong to a different school.

Furthermore, how does a person who has little knowledge of Islamic teachings choose his school of thought? Is it not true that most of us say that they follow the Hanafi school of thought simply because it is the predominant one in their country of residence, or because they have heard from their parents that they belong to that school? Is this a reason to prevent them from seeking advice by other scholars? Certainly not.

As far as the practical aspect of following a single school of thought, this is impossible in most cases. I should say that it may be possible in a country where the overwhelming majority of scholars belong to a single school of thought, but nowadays when people have the means to go to different scholars, it is not that easy. You can compare seeing the opinion of a scholar to that of consulting a doctor. When you have a patient in the family, you try to take him to a specialist in the particular area of his complaint. You go to the doctor and show him the patient and seek his advice. When he has written you a prescription, you do not ask him at which university he has learned his profession and in which book he has read that this particular medicine is good for this particular condition and so on. When you go to a scholar to seek his opinion, or when you write to the religious editor of Arab News, you do not start by asking him to which school of thought he belongs. You simply state the case and seek advice.

On the particular question you have asked, there is a simple answer. I guess from the way you phrased your question that the woman's husband pronounced the word of divorce "I divorce you", three times in succession. He may have done this because he has learned, [from hearsay I should say], that this is the proper way to divorce one's wife. Let me say it clearly that this is the improper way. It is indeed forbidden to repeat the words of divorce three times in succession. Once only is the correct way.

These three times are considered by a substantial number of scholars as one time divorce. Therefore, the divorce is revocable and a remarriage between the man and his former wife is possible without the intervention of another marriage. Let me say clearly that to make special arrangements with another man to marry a woman who has been divorced three times, just for one night, or one week or indeed for any length of time, in order to make it possible for her to return to her husband is absolutely forbidden. Furthermore, it does not make her lawful to be reunited in marriage with her former husband.

However, such intervention was not made in the case of this woman. Therefore, her reunion with her former husband is acceptable. Let them be careful that should a divorce take place in the family again, the word of divorce must be said once only.

Matrimonial: Remarriage — Permissible & the Conditions

My brother-in-law divorced his wife in rather acrimonious circumstances. Now, a year later, he is making contact with his former wife and she is willing to be reunited with him. In fact, she seems to be contemplating running away with him.

It is open to any divorced couple to be remarried if they think they can do better the next time round. The only condition is that it should be a first or second divorce. If it is their third divorce, then they cannot be reunited in marriage, until the woman has married someone else and later became free again. This marriage is different from

what is known as Halalah, where a sham marriage is arranged. It should be a full marriage, intended to last for life.

From what you say I gather this was the first time that a divorce took place in this family. If so, then remarriage between the former husband and wife is perfectly permissible. However, they need a fresh marriage contract, and the man has to pay new dowry, or Maher, to his wife. Even if he had said the word of divorce three times, when he divorced his wife, it still counts as a single divorce. So, reunion is permissible. There is no need for the woman to run away, or to find excuses such as the divorce being forced on them. What is needed is a fresh marriage contract, which should be done in a proper manner, just like any other marriage contract.

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From what you say I gather this was the first time that a divorce took place in this family. If so, then remarriage between the former husband and wife is perfectly permissible. However, they need a fresh marriage contract, and the man has to pay new dowry, or Maher, to his wife. Even if he had said the word of divorce three times, when he divorced his wife, it still counts as a single divorce [unless he consciously wished to utilize all his future options of second and third divorce at that time.]. So, reunion is permissible.

There is no need for the woman to run away, or to find excuses such as the divorce being forced on them. What is needed is a fresh marriage contract, which should be done in a proper manner, just like any other marriage contract.

Matrimonial: Rights Relinquished With Consent

I have been contemplating a second marriage for quite some time, as my first marriage has not been very successful. Moreover, my wife suffers from a chronic illness. As Islam requires equal treatment of one's wives, I have been reluctant to initiate any steps in this regard. I have learnt of a 'passer-by marriage' where the wife may relinquish some of her rights. Is this a valid arrangement? If it is, it should solve my problem. Please advise.

Al-Misyar, or passer-by marriage, is an arrangement of marriage in the full sense of the word. However, the wife chooses to relinquish some of her rights, because she prefers to be married with limited rights to staying single. This is a new type of marriage. People did not resort to such marital arrangement until recently. It is a marriage in the full sense of the word, intended to last for life. However, the husband is normally an already married man, but he may have some problems with his marriage, which need not lead to a complete break-up. His new wife may decide that she will be happy to marry him, if he stays with her one night a week, or less or more often as the case may be. She is entitled to be completely looked after like any wife, but if she is rich, she may forgo that right. Any arrangement that they may agree voluntarily, without pressure, is acceptable.

Sawdah, the Prophet's wife, was married to him before Ayesha. She was the first wife to be married after the death of Khadeejah. She continued to enjoy all her rights, but when she noticed that Ayesha had a special place in the Prophet's heart, she relinquished her rights in favor of Ayesha. She did this as a gesture of love for the Prophet, peace be upon him. Her action and the Prophet's acceptance indicate clearly that relinquishing some rights by one wife in favor of another is acceptable, provided that it is done freely, without pressure.

I am not sure what to advise you in your present circumstances. However, when a wife is seriously ill, and her illness is a lifelong one, she is entitled to a greater degree of love and care. One should consider very carefully whether it is appropriate to suggest another marriage in the circumstances, and what effect such a suggestion may have on her. On the other hand, she should look at her husband's situation and decide whether she could be more helpful and receive better care if she accepts his right to have a second marriage.

Matrimonial: Second Marriage & Rights Of the First Wife

Due to various circumstances, I wish to divorce my present wife and marry another. My wife has requested me not to divorce her and she expressed her willingness to forgo her sexual rights in favor of new wife. I am prepared to accept her request, but I would like to know whether it is acceptable from the Islamic point of view.

There are two elements of importance in this question. The first concern equal treatment of women and the second the rights which are established by marriage to each party and whether it is permissible for either party to forgo some or all of these rights.

It is well known that Islam allows polygamy, giving a man the right to marry up to four wives at one time, provided that he extends equal treatment to them all. That equality applies to everything that can be shared or replicated. For example, a man must provide his wife with somewhere to live. If he has more than one wife, then he must provide them all with the same standard of accommodation. He cannot give one, which may be his favorite, a luxurious, detached house with a garden and gives the other a small flat in which the amenities are barely sufficient. He should also divide his time equally between them. That includes how many nights he stays in each one's home. If he stays one night here, he should stay the next night in the other one. He may make his own arrangement as how he divides his nights, but if he decides to stay more than three nights at a time with each wife, he should have their consent to that arrangement. The standard of food and household furniture should be the same. That is how we understand equality between wives as emphasized by Islam.

Equality is also required in the way a man takes care of his wife. If she is ill, he should provide her with the best medical care he can afford. The principle of equality will be breached if he provides one with a high standard of medical care, while neglecting the health of the other. Such matters are within the control of anyone. But when it comes to the question of love and affection, that is something that a human being cannot control. Islam recognizes that and does not overburden one with what he cannot shoulder. Nevertheless, a Muslim who marries more than one wife is required not to allow his partiality take the better of his judgement to the extent that he leaves one of his wives in suspense, as it were.

Some women find it very difficult to cope with the situation when one of them finds out that she must share her husband with another woman. In this case, she may apply for divorce. On the other extreme, some women want so much to remain married, even though they have to relinquish some of their rights to which they are

entitled through marriage. The case we are looking at today is one such example. The reader wants to divorce his first wife in order to marry another. His first wife, however, has offered him to relinquish some of her rights in order to stay married. This may be due to her other circumstance, and she may feel that if she were to be divorced she will end up in a more miserable situation, particularly if there is no one to look after her. A woman may feel that it is sufficient for her to have a home of her own and to have a husband who provides her with food, clothes, accommodation and care. She prefers such a situation to having to live with her married brother where she may have to submit to the wishes of her sister-in-law. Indeed, she may have no brother to turn to for support. If a woman makes her husband such an offer, he may take it, provided that it is made without pressure on her. The offer may come freely from her as she determines what is the best course of action for her.

I cannot overemphasize the requirement that when a wife forgoes any of her marital rights; a husband may take up her offer, only if it is made absolutely freely. This applies to her dower, which is the money or property her husband pays to her at the time of marriage and which becomes her own property and she has the absolute right to determine how to dispense with it. It also applies to her other marital rights. If she is pressured into forgoing any of these, it becomes forbidden for the man to take away these rights from her. The pressure may not come from the husband, as is the case in some Muslim countries with regard to the dower. The dower is looked at as a formality and it is specified in the marriage contract, but on the wedding night, the wife tells her husband that she is forgoing it. She does this because she is taught by her family to do it. This is a social pressure or a family pressure or what you like. It is not free choice. Hence, it is not permissible for the husband to take that money away from her.

It is reported that Sawdah, a wife of the Prophet, peace be upon him, who was an elderly woman, once told the Prophet, peace be upon him, that she was assigning her nights to Ayesha. [This was] because she knew that the Prophet, peace be upon him, loved Ayesha more than his other wives. The Prophet, peace be upon him, accepted the offer because it was made out of her own free choice. So, it is permissible for you to take up the offer made by your first wife if you are satisfied that you have not brought any pressure to bear on her. If she has made this offer out of her own free choice, she is making a gift, which you may accept. There is nothing wrong with that.

I must add, however, that she still retains her right to be cared for and looked after. In this connection, you have to maintain equality. It should not be difficult for you to do so, since your wife appears to be reasonable and understanding. You should extend your kindness to her as you do with your new wife.

Perhaps I should add here that it is one of the rights established by marriage that each partner should help the other observe the strict Islamic moral standards. Islam does not show promiscuity of any sort. Only through marriage can the sexual desire, which is natural in man, be satisfied. You have mentioned that she has offered to relinquish her sexual rights in favor of your new wife. I would like to draw a distinction between her offering to let you spend all nights with your new wife, and an offer to forgo her right to sexual satisfaction. The first you can accept without question. As for the second, you have to consider whether it is right to accept such an offer. If she is still a young woman and she feels the sexual urge, you should help her maintain Islamic moral standards. You can still have all your nights with the new wife, but you also have to look after your first wife. This is no contradiction between the two. The point is that you must try to be as understanding as possible. Where there is a legitimate need, you should try to satisfy it. In this way, you can benefit by your wife's offer and fulfill your obligations toward her. Let me just add that if you only accept a part of what your wife has offered, in order to be able to satisfy both

wives and arrive at a satisfactory arrangement, then I hope God will reward you for returning her generous offer with similar generosity.

Matrimonial: Second Marriage & Rights Of the Second Wife

Could you please comment on the type of marriage that seems to be a recent invention, whereby a person who travels often may marry a woman who agrees that he should spend with her only a certain number of days, and the rest he spends with his family. Is this lawful?

This marriage involves an agreement between a man and his [second] wife that she releases him from a share of what is due to her. Thus, if he was already married, his second wife would willingly forego her right that he stays with her equal nights to those he stays with his other wife. She accepts any lesser arrangement they agree upon. There is nothing wrong with forgoing one's rights.

One of the Prophet's wives, Sawdah, gifted her nights to Ayesha, and the Prophet, peace be upon him, accepted that. This is entirely up to the parties concerned. The only thing is that there should be no pressure on a wife to forgo what is due to her by right.

Matrimonial: Second Marriage Where Law Forbids Bigamy

If a Muslim wants to marry a second wife in a country where bigamy is not permitted, is it sufficient for the second marriage to be conducted verbally, without official documentation? This will be in front of witnesses and fulfilling all conditions of Islamic marriage.

As far as Islamic requirements are concerned, a verbal marriage contract is just as valid as a written one. The same applies to business deals although written contracts are strongly recommended particularly where financial or material duties and obligations need to be specified. Thus, if a person invites a few of his friends and relatives, and conducts the marriage in the proper Islamic way where there is commitment and acceptance by the two parties, with the father or guardian of the bride acting for her, the marriage is valid from the Islamic point of view.

Having said that, I should add that where the law specifies certain requirements, these should be implemented, except where the law allows forbidden practices, or prohibits what God has permitted. Thus, if the law requires written documentation of all marriages and divorces, this requirement should be complied with. If the law permits adultery between consenting adults and forbids bigamy, such legal provisions may not be obeyed.

Matrimonial: Secrets From the Past & Revealing Them

I am happily married and my husband showers on me his love and kindness. I consider my marriage to him an answer to all my past prayers. Still I am burdened with a secret from my past when I had a relationship with my cousin, which was intended to end up with marriage. I often feel that I should tell my husband about this past relationship, particularly because I cannot avoid meeting my cousin. I will be grateful for your advice.

Your present attitude is certainly commendable. You recognize that Allah has given you a great deal. It is true with all of us that Allah gives us much more than we deserve. Some of us, however, may not realize that. Some of those who go through periods of suffering may feel that the hardship they have to endure is undeserved. Even they will inevitably acknowledge Allah's grace if they were only to reflect on what

they have been given and what could be their lot if Allah were to deprive them of His mercy. Hence, it behooves every one of us to remember that he can earn nothing of Allah's grace by his actions, no matter how dedicated to Allah's service he is. Yet Allah does not require anything from us other than to show our gratitude to Him by discharging the duties He has imposed on us and by praising Him for what He has given us. It is needless to say that those duties are meant for our own benefit. Allah does not gain anything by our worship. It is we who get the better for the fulfillment of our duties.

You, madam, seem to be a good believer. You recognize the grace Allah has given you in letting you marry a kindly, loving husband. One of the famous scholars of early periods of Islam suggests that one of the most important aspects of grace Allah may bestow on anyone of us is to give him a goodly spouse. Saeed ibn Al-Moussayyib, a renowned scholar of the generations which succeeded the companions of the Prophet, was asked by his daughter, herself a scholar, about the supplication included in a Qur'anic verse which we often repeat:

"Our Lord! Grant us good in this world and good in the life to come, and keep us safe from suffering through the fire." [the Cow — "Al-Baqarah" 2: 201].

She particularly asked what is meant by good in this world. He answered: it is something, which is fit to be compared with the goodness of the hereafter. To my mind, this can only be a good and kindly spouse. The Prophet, peace be upon him, says: "The best comfort in this world is a good wife." It goes without saying, that the Prophet's definition is also meant for women, whose best comfort is a good husband.

It is in recognition of your husband's worth that you are contemplating making a full confession of your past to him. Your feeling and your attitude are both good, because you want your relationship with your husband to have no blemish whatsoever. But you have to reflect whether it is wise or necessary.

Have you thought what the effect of such a confession will have on your husband? Will your confession change his view of you? Will it create in his mind a suspicion that he should reduce his trust in you? Will he begin to think that since you have had such an affair in your youth, you may have something similar in future, should the chance present itself? Or will he appreciate that your move is only to have your relationship with him entirely without blemish? Kindly as your husband may be, his reaction to your confession cannot be measured by his kindness. Your confession may touch other strings of his character.

However, if there are some tangible gains to be made by your confession, you may go ahead with it. But are there? What you are after is to have a pure relationship with your husband. But your relationship with him is pure, if you have truly repented of your past, prayed for Allah's forgiveness and dedicated your love and your thoughts to your husband and your family. Your relationship with your husband is established at the time when he proposes to you and you accept his proposal. Every one of us may have done something wrong in the past. By so doing, we injure ourselves first and foremost, since we expose ourselves to Allah's punishment. If we repent and refrain from repeating such a wrong, then we stand to earn Allah's forgiveness and we are born anew. Remember what the Prophet, peace be upon him, says: "He who repents of a sin is like one who has not sinned." Why then, let sins of the past overburden our present and our future?

What I would like to tell you is that there is no obligation, religious or social, on you to confess to your husband about errors and mistakes you have done before you were married to him, since there was no element of deception in your marriage. What is far more important is to steer away from sin and error now that you are married to him. Therefore, you should repent your past, resolve not to allow yourself to make the

same mistake again and maintain a faithful relationship with your husband. If you add to that a determined effort to do what Allah requires Muslims to do; and attend regularly to your religious duties, you will, Allah willing, earn Allah's pleasure and have your past sins forgiven. One important thing in all that is to avoid contact as far as possible with your cousin. That may be difficult at times, but if you expect to meet him, then you should try to make that meeting in the presence of your husband or at least some other relatives. This is to ensure that your cousin does not try to make any reference, implicit or otherwise, to your past relationship. May Allah keep you happy and make your happiness everlasting.

Matrimonial: Sectarian Difference — Shiite & Sunni Marriage

I have been introduced to a Shiite family and I am attracted to their daughter. I would like to propose to her, but I am worried my family will not approve, as we are Sunnis and in our local area such differences are given importance. May I ask whether such marriage is acceptable?

Of course it is acceptable. Both Shiites and Sunnis are Muslims. Had the Shiites not been Muslims, they would not have been allowed in Makkah or near the Ka'abah or the Prophet's Mosque in Madinah. The fact is that there is no difference between Sunnis and Shiites in basic beliefs or in the worship they offer. There are certainly differences of detail, but such differences exist between Sunni schools of Islamic law and no one suggests that they are different in any way. Moreover, Sunni and Shiite Muslims join the same congregational prayer and no one ever thinks that their prayer is any less valid because the imam belongs to the other Islamic sect.

You may realize that the difference between Shiite and Sunni Muslims has a long historical background. It started as a political difference, but then it acquired some legal and Fiqh overtones in order to perpetuate the division. Take, for example, the point of who among the Prophet's, peace be upon him, companions was the best suited to be his successor. It is a central point to Shiite Muslims. When Ali and his two sons passed away, this difference should have been laid to rest. However, it was perpetuated by the concept of succession that both Shiite and Sunni Muslims embraced, albeit with different types of application.

If we concentrate on the point at issue, I would say that there is no problem with such a marriage. Islam allows marriage with a Christian or a Jewish woman, despite the fundamental differences in beliefs and practices. Needless to say, marriage between followers of different Muslim sects is far more acceptable. However, it should be stated that if either partner upholds certain deviant concepts that are far removed from the essence of Islam that they take their followers out of the fold of Islam altogether, such as pantheism, then such marriage is not allowed. This is because the one who holds such beliefs or concepts is not a Muslim, even though they may think themselves to be Muslims.

You need to explain this to your parents because historical events have deepened differences, and social attitudes have hardened with the passage of time.

Matrimonial: Separated Family & A Girl's Marriage

Our parents have been separated for a long time. When we were young, our father continued to give our mother a monthly amount of money for our upbringing, but this was never enough to take care of our needs. Our mother, a teacher, used to supplement that with her salary. To look after all five of us, she had to endure much trouble and hard work, while our father stopped his payments after his second marriage when new children

were born to him. May I ask what is our obligation toward our father now? Is it obligatory to have his consent when we get married?

It is certainly understandable that you are much closely attached to your mother who undertook your upbringing, with all the trouble she had to endure. However, it does not seem to me that your father reneged on his responsibilities. He continued to support you and pay part of your expenses. What he paid might have not been enough, but it might have been all that he could afford. Without knowing much more details I would not be able to say whether he should have done more toward you or not.

What is important is that you and your sisters and brothers should not be bitter toward your father. Of course your father is still entitled to receive all the respect due to a father. You should maintain good relationship with him, based on respect from your side and kindness and care from him. When you do that, it speaks for your mother and her good upbringing, evidence of which is clear in your letter. All of you should be dutiful to both your parents. If there is still bitterness in your mother's relationship with him, you and your brothers and sisters should try to reduce or eliminate that. This can only be done when you accord to him all the good treatment a father is entitled to have.

If you are about to be engaged, you should involve him in the decision whether to accept the proposal or not. Let him be the one who undertakes the study of your suitor's character, and discuss with you and your mother whether he is likely to make a good husband.

When your marriage contract is being made, he is the one to act as your guardian. Nothing takes off that right from him. It is important that in families where the children are brought up to be religious and God-fearing that the parents' divorce should be taken as an unfortunate event, which should not be allowed to cause long-lasting hatred and bitterness.

Matrimonial: Separation & Automatic Divorce

After a marriage lasting only four months, a man was separated from his wife for one year, during which she gave birth to a baby girl. A year later, she wrote to him saying "According to the Shaf'ie law, a separation of husband and wife for one year means that the marriage is held void. Since we followed the Shaf'ie law, we are no longer man and wife." She claimed her dower through a court of law and she is now receiving monthly maintenance for the child. A lawyer has advised the man not to divorce his wife, because under Indian law, the man will have to pay monthly maintenance, which will be very expensive. The woman is employed in a bank in India. Could you please explain that under the Shaf'ie law, the marriage is held void as a result of separation for one year or longer. Is it necessary that the man divorces his wife? If he does, is she eligible to receive monthly maintenance, even if she is employed? Will the man need to pay the marriage expenses of the girl when she is of marriageable age? If so, how much? Can a country enforce any law on Muslims which is against Islam?

I admit that this is the first time I hear that in any Islamic school of thought a separation of man and wife for any length of time could render the marriage void. Your letter, however, made me rush to the highly valuable book entitled *Al Umm* written by Imam Al-Shaf'ie and in which he discusses all aspects of Islamic Law, whether it pertains to faith, worship or family matters as well as other transactions

within the Muslim community. It may come as a surprise to that woman that no such ruling as she has claimed is entered by Imam Al-Shaf'ie. How could it be when it has no basis whatsoever in the Qur'an or the Sunnah? What I can tell this woman is that she is still married to her husband despite the fact of their separation, and this is according to the Shaf'ie school of thought as well as all other Islamic schools of thought.

It is true that she may have claimed her dower through a court of law. The court will definitely rule in her favor because a Muslim's wife is entitled to receive a dower at the moment the marriage contract is made. If it is not paid, then it remains a debt, which is owed to her by her husband. She can claim it at any time. When she does, he cannot refuse to pay it.

Again, a judgment, which forces the husband to pay maintenance for his child, is perfectly in order. He is responsible for the upbringing of the child, even though his wife may be working and may receive a higher salary than his own. It is indeed his responsibility to look after the child. Even though a divorce may take place, the upbringing of the child remains his responsibility and he will have to pay maintenance money for the child as long as the child is with her mother. In normal situations, a girl may stay with her divorced mother until she is nine, when the father may claim her custody.

You ask whether it is necessary for the man to divorce his wife. In the circumstances, it seems the proper solution. What is the point in keeping such a marriage going when matters have been so aggravated as to make the woman apply for judgment against her husband? You mentioned the lawyer's advice to the man against divorce in order to escape the burden of maintenance. This is an intricate problem in the particular case of India. In Islam, a man is required to maintain his divorcee, during her waiting period, which normally extends to approximately three months, unless the woman is pregnant at the time of divorce when her waiting period lasts until her delivery. This does not seem to apply in this case. During her waiting period, a divorcee stays in her husband's home although they must sleep in separate bedrooms and she is not required to do any housework. It may be that the lawyer has given his advice on the basis of the famous ruling, which an Indian court passed, requiring a Muslim husband to maintain his divorcee, who was very old, as long as she lived. There was an outcry among the Muslim community in India against this ruling. I am not sure what the exact legal position is now in India in such cases, but Islam does not require a man to support a woman who is no longer his wife. In the Islamic family system, the woman should be supported by her own people, i.e. her father or her brothers, or uncles, etc. The point is that marriage is a legal contract. When it is broken, then all rights that have been established by such a contract come to an end. Maintenance is one such right.

Your question is whether it is necessary that the couple should get divorced. The answer is that they know better. I cannot tell them whether it is necessary or not. However, in such cases, the Islamic view is that if the man and the woman want an amicable solution to their problem, then two arbiters, one from her family and one from his family, should meet to discuss matters. If an agreement is reached, well and good. If, on the other hand, they find that a proper accommodation is difficult or impossible then the two parties may agree on the proper procedure for divorce. If this is agreed, then the man may divorce his wife and give her all her dues. If she still has any dower outstanding, it is payable. She is also entitled to maintenance during her waiting period, as I have already explained. After that, she is not entitled to any maintenance. Her own family should support her. Since she is working in a bank, she is presumably able to earn her own living. However, maintenance is payable to the child as long as she needs to be supported. Perhaps all these matters including maintenance of the wife during her waiting period, payment of outstanding

dower, if any, and maintenance and custody of the daughter should be sorted out by the two arbiters or by the man and his wife themselves. They may wish to put it down in a legal document, duly witnessed, which outlines their agreement in order to prevent any subsequent animosity or distress.

You ask about the expenses of the marriage of the daughter, and whether the father is liable to pay these. This seems to be a question, which anticipates events that will not take place for many years. Any way, the girl is the man's daughter and he is responsible for her upbringing in the same way as every father is responsible for the upbringing of his daughter. Whatever expenses are incurred in connection with her living, education, marriage and illness are borne by her father. This is his responsibility from the Islamic point of view. How things develop in future is something, which no one can predict. It seems to me, however, that this father does not want to know anything about his daughter or her mother. If he is going to leave the upbringing of his daughter to her mother, he does not only relinquish his responsibility but he relinquishes his right. In Islam, rights are always related to duties. When someone does not fulfill an incumbent duty, he forfeits the right to which he may be entitled as a result of fulfilling his responsibility. It may be agreeable to both himself and his wife that their daughter should continue to live with her mother, permanently. If they enter that into the agreement, they are free to do so. However, this does not relieve the father from his duty to support his daughter.

Your last point is whether a country can enforce on Muslims a law different from that of Islam. The answer is that the government in power can enforce any law. Most countries, however, do not like to have problems with their people or with minorities. Therefore, they try to take the beliefs of minorities into account and provide for the implementation of the family law of religious communities. But sometimes, a person may apply to the civil authorities to arbitrate in his or her particular dispute according to the civil law of the country, rather than the religious law of his or her community. When this takes place, the authorities will grant the request of the applicant and judge that dispute in accordance with the provisions of the civil law. Therefore, if this man's wife has found out that the civil law will give her more than that to which she is entitled under Islam, she may resort to the law in order to get that. However, that does not make what she gets through the law lawful to her.

No authority supersedes that of Allah. Since Allah has ruled in matters of marriage and divorce, then His law should be implemented. If one resorts to any other authority or law-enforcing agency in order to get something which is more advantageous to him than what Islam gives him, this does not make that extra thing lawful to him. Muslims must always abide by the law Allah has promulgated and explained in the Qur'an and in the Sunnah of the Prophet, peace be upon him.

Matrimonial: Separation Prolonged & the Marital Status

I am a Christian married to a Muslim who does not practice his religion. When I asked him to teach me how to become a Muslim, he referred me to his father. I left him to come and work here [in Jeddah] and for several years we were separated. During that time, he did not provide anything for our three children or myself. He married twice, and one of his wives was also a Christian, but she was later divorced. He has had a child by each of his two other wives. During my last home vacation, my children insisted that I return to him and that I did, but I felt uneasy because of the long separation. Does it affect our marriage? Am I still married to him? I have tried to learn about Islam here, and I want to do the pilgrimage. I am rather confused. Please advise.

Since your husband has not divorced you and your marriage has not been dissolved or nullified by a court of law, your marriage is still intact and you remain married to your husband.

That he has not provided for you or your children does not affect that situation. He certainly has not fulfilled his duties toward you or his children, but that is no reason to make the marriage less valid, or to render it terminated.

So there is nothing to prevent your return to your husband or to resume your married life with him. In fact this may cause him to re-assume his responsibility toward them. What you have mentioned about his attitude to religious duties suggests that he is not interested at all in religion. He does not merely lack the will to attend to Islamic practices, he seems totally unconcerned. He should have encouraged you to adopt Islam at least for the sake of your children, but he has demonstrated a total lack of concern. One wonders whether he is a Muslim at all. If you really want to become a Muslim, you should first of all try to have a fair idea about Islam and make sure that you are convinced of its truth.

Otherwise, you would be changing religion for personal or family reasons, which should not be the case. You should get yourself some books on introduction to Islam. There are quite a few books, such as "Islam in Focus," and "Toward Understanding Islam." You should also read some part of the Qur'an, preferably in a readable translation. I find the Penguin translation, by N. J. Dawood much easier to read than most translations, because it is rendered in idiomatic English, but there are quite a few errors in it. [There is also an English translation by Maulana Maudoodi, which provides a running text translation, making the Message easier for new readers to comprehend.] If you get to know a scholar who can explain things personally to you, that would be much better. You may start by asking your employers to put you in touch with one.

They may know the right person. Islam is simple and straightforward. When you feel you have acquired enough knowledge about Islam and wish to embrace it, you can do so very easily. There are no great formalities, but you need to have your adoption of Islam recognized in order to be able to go on pilgrimage. You must not try to do the pilgrimage before you are a Muslim, because non-Muslims are not allowed to enter Makkah or the pilgrimage area.

Whatever you do, you must try to be sure of your action and its implications for you personally, and for your life in general. May God guide your footsteps to what is best for you and your family.

Matrimonial: Sex That Is Forbidden

In one of your answers, you expressed your view that anal sex between man and wife is forbidden. However, Verse 223 of Surah 2 seems to permit whatever a man and wife may wish to do. May I suggest that your view contradicts this verse, unless you are relying on a Hadith which I do not know. Please comment.

First of all, in matters of permissibility and prohibition, we do not express personal views. We only state what God has legislated. This is because the authority to prohibit anything belongs to God alone. He makes this clear to us, either through the Qur'an, His own word, or through the Prophet, peace be upon him, in authentic Hadith.

The verse to which the reader refers clearly indicates that sex is permitted only in the woman's genital organ. The verse may be translated as follows:

“Your wives are your tith; go, then, to your tith as you may desire, but prepare well for yourselves and fear God.” [the Cow — “Al-Baqarah” 2: 223]

In his commentary on the Qur’an, Sayyid Qutb writes: “The use of the Arabic word **harth**, rendered here as tith, with its connotations of tillage and production, is most fitting, in a context of fertility and procreation. Within this healthy, warm and conducive atmosphere, couples may seek each other’s comfort in any manner that will give them the greatest and most fulfilling pleasure. Sexual fulfillment must, therefore, be sought as part of an overall objective, which serves to please God, and is beneficial to the individuals concerned.

As you see, the emphasis in the Qur’anic expression, reflected in the commentary, is on procreation. True, sexual pleasure is acceptable as a fulfillment of a natural desire, but it is intertwined with the procreative aspect. Even when the verse refers to how we should approach sex, it speaks of tith, which refers to procreation. Needless to say, anal sex does not fit in this context at all.

Besides, several Hadiths confirm this in very clear terms. A man came to the Prophet, peace be upon him, and asked him whether it was permissible to have sex with his wife from behind. The Prophet, peace be upon him, answered in the affirmative. As the man was on his way out, the Prophet, peace be upon him, called him back and said: “Consider what I have said: from behind, but in the front. I suppose nothing could be clearer than this. In another Hadith, the Prophet, peace be upon him, mentions ten sinful actions that are tantamount to disbelief. One of these is ‘anal sexual intercourse with women’. I suppose no expression of prohibition could be stronger than describing an action as tantamount to disbelief.

Matrimonial: Sexual Desire & Poverty

A young man who is unable to get married because of poverty may find himself having frequent wet dreams. Does he incur a sin for having such dreams? Is his worship rewarded in the same way as one who is married?

It is a natural function of the human body that when semen gathers, it should be discharged. This is a physiological function. Therefore, an unmarried young man will have wet dreams to allow the semen to be discharged, unless one resorts to some other way culminating in such discharge after excitement through masturbation, sex play or unlawful intercourse. Therefore, a wet dream is a perfectly natural function, for which one incurs no sin.

Besides, when a person is asleep, he is not in control of his actions. God says in the Qur’an:

“God causes all human beings to die at the time of their death, and causes those who have not yet died [to be as dead] during their sleep. Thus, He withholds from life those upon whom He has decreed death, and lets the others go free for a term set by Him.” [Troops — “Az-Zumar” 39: 42]

It is clear from this Qur’anic verse that sleep is a state akin to death, during which we are not held responsible for what is not within our control. Thus, if you see in your dream that you are committing a murder, you are not responsible for that. Nor can you be responsible for a wet dream, which is a natural function.

Matrimonial: Sexual Urge Of the Unmarried, Or Away From Wife

It is a common problem for people who cannot bring their wives to live with them while they are working abroad to resort to masturbation as a means

to relieve their sexual urge. People say that it is strictly forbidden. Please comment.

It is the case of countless number of people who are either unable to marry or, if they are married, are not living with their wives. They have to deal with their sexual desire, which God has given us as a means to ensure the continuity of the human race. When they are troubled, they resort to masturbation.

Scholars differ on the ruling concerning this habit, with those taking a very strict view pronouncing it as forbidden, while others make it permissible in all situations. Neither attitude is correct, since there is no clear evidence to support total prohibition or general permission. The correct view is that all five rulings may apply in different situations. The five rulings range from prohibition to obligation, with discouragement, permissibility and encouragement in between.

In the case of a man living with his wife, with no problem between them, and nothing to prevent satisfaction of the sexual desire in the normal way, masturbation is deemed to be strongly discouraged. It could border on prohibition if the husband indulges in it too often, so as to fall short of giving his wife the satisfaction of her desire necessary to help her to maintain Islamic standards of virtuous morality.

In the case of a person who is unmarried and fears to slip into a more serious offense, it is encouraged to resort to masturbation in order to reduce his tension and be able to think clearly and refrain from what is definitely forbidden. This could border on obligation if the man seriously fears that he would commit fornication.

In other cases, which represent the overwhelming majority of situations, it is permissible, unless it becomes a very frequent habit, which debilitates the man, when it becomes discouraged, or Makrooh.

Having said that, young people are also encouraged to take measures to reduce the tension created by the need to control their sexual urge. This could be through keeping themselves busy, physical exercise, and fasting. The Prophet, peace be upon him, tells us: "Young people! Whoever of you is able to marry should do so. He who cannot may resort to fasting, for it provides protection."

Matrimonial: Spending On Weddings & Preferred Use Of the Money

For decades, Muslims in my region have been observing traditions and customs in marriage and weddings which are totally unnecessary and which have adversely affected their social and economic status. As I am preparing to get married soon, I feel that I should put the money to better use. Instead of spending lavishly on my marriage, I am thinking of buying an ambulance or building a school for needy Muslims in memory of my father. Similarly, I am thinking of using the traditional Valima as a charity dinner when a collection from guests can be made to finance a similar project. Could you please comment on these thoughts from the Islamic point of view?

You ought to be congratulated on your thoughts, which center around a more beneficial use of money, which may be, spent on weddings and marriage ceremonies. You seem to have the interests of the community at heart. That is highly commendable. Weddings and other celebrations of marriage are the areas where social traditions get mixed up with religious priorities. It is often the case that a particular aspect which is encouraged by religion acquires traditional elements that change its character and make it an action which is frowned, rather than smiled upon by religion. Take the "Valima" for example. It is a dinner, which the bridegroom

gives within a few days of his wedding. He invites relatives and neighbors to make of his wedding a community event, which spreads joy and happiness. In addition to this community feeling, it serves as a good publicity of the marriage. The Valima is a Sunnah recommended by the Prophet, peace be upon him.

Yet the Prophet, peace be upon him, emphasized that the Valima should remain a simple affair. It should not be over wrought with luxurious aspects, which turn into an event where personal and family pride is emphasized. Nevertheless, in certain societies, people spend so lavishly on their Valima that there is much wastage of food and utter loss of the Islamic purpose.

What we should all do is to encourage one another to put back Islamic traditions in weddings and other areas in their simple, Islamic form. In this way, we earn reward from Allah for following the Sunnah of the Prophet, peace be upon him, and we achieve the beneficial purpose that Islam encourages through these traditions. We should not try to start new traditions, but reform the old ones and give them their original religious form.

I am not sure what sort of traditions and customs prevail in your community at the time of marriage. However, from what you say, I can imagine that large sums of money are spent unnecessarily. If you want to dispense with such traditions, you must continue to observe the Islamic requirements of marriage. If you do not want to have a luxurious wedding, you are perfectly entitled to do so. However, you must try to publicize your marriage as widely as you can. If you start a school or buy an ambulance to put in the service of the community with what you may save of marriage expenses, you certainly do well. May Allah reward you for that. You should try, however, to purge your action of any trace of pride or self-congratulatory elements. Thus, I would encourage you do not dedicate the school you build or the ambulance you buy to the name of your father. Instead make it a charitable donation, i.e. Sadaqah on behalf of your father. You would earn him generous reward from Allah for such a benevolent action. Your own reward would be enhanced by the fact that you have used your money for a much more beneficial purpose.

It is needless to say that if you dispense with your wedding as an act of celebrating your marriage, you need to fulfill the Islamic requirements of marriage. You need to have a marriage contract made properly in the presence of witnesses and the bride's guardian and with the payment of her dower. You then need to add more publicity perhaps through the "Valima," which as I have suggested, should be kept simple. However, changing it into a charity dinner is rather dubious. Although you will inform your guests in advance of your intention, and they will come prepared for your fund raising exercise, I can tell you that such a public generosity is not what Islam encourages. In charity dinners, people compete for the limelight and the interest generated by larger and larger contributions. There is thus the marked element of pride involved. Islam is keen to stamp it out from all charitable actions. May I remind you here of the Qur'anic injunction which states: "If you do deeds of charity publicly, it is well: but if you bestow it upon the needy in secret, it will be even better for you and it will atone for some of your bad deeds. Allah is aware of all that you do." [2:271] You should, therefore, aim for what is better. Perhaps you can organize a private collection, when the contribution of each one of your guests is kept secret. The total amount raised may be publicized and a vote of thanks is made to all those who have contributed without mentioning names or amounts donated. In this way, you maintain anonymity, which Islam encourages, and combine it with the fulfillment of the purpose you have in mind. Whatever you do, may I wish you a happy marriage and well thought out arrangements, which bring benefit to your community and earn you reward from Allah.

Matrimonial: Status Of An Imam [Or A Molvi] For Marriage

When I married my wife, she was a Christian. The witness to the marriage were my sister, her husband and the imam who took care of the formal contract of marriage. I did not ask the consent of her parents, since they wanted us to get married in the presence of a priest or a judge, which I declined. Later, my wife became a Muslim. Now we have three children. In view of the requirement of a woman's guardian to be present when the marriage contract is made, I would like to know whether my marriage is valid.

From what I gather from your letter, your wife's parents were willing to attend to your marriage contract, if it was done by a priest or a judge. Perhaps you would have been well advised to grant their wish and have the marriage officiated by a judge, even if he would not have been a Muslim. If you have enough Muslim witnesses, i.e. a minimum of two, then the marriage would have been perfectly valid. However, you did not wish to do that and wanted an imam to officiate.

Let me tell you that in Islam, an imam does not have any particular status, except that given to him by his knowledge of Islam. Therefore, anyone who knows the rules of marriage and how a marriage contract should be done can make the marriage. Indeed, the marriage can be done without the presence of any such person, if the two parties concerned i.e. the husband and the wife's guardian know how to make the commitment and acceptance which are necessary for the marriage contract to be concluded.

I see no point for you to be worried about the validity of your marriage. It is certainly valid, since it has had enough witnesses. The imam himself should be considered your wife's guardian because at that particular time, she could have no guardian. You may be sure that there is no question about the validity of your marriage.

Matrimonial: Teacher & His Girl Students

In reply to an earlier question, you said it is permissible for a teacher to be married to his girl student. I have no problem with that except to say that a teacher would not have decided to marry a student of his unless he has watched her and admired her for sometime. Such a decision is not taken overnight. Hence, a question may be raised concerning such period and what happens between them. Your approval indirectly offers a green signal to go ahead with love and then marriage. The whole idea should be discouraged. Please comment.

The first point I would like to say is that an answer is given according to the question put. I am not one to inquire into people's motives and inner intentions. That is something known to God and He deals with His servants accordingly. Since the teacher wants to marry the girl, there is nothing wrong with that. Why should we go into the details of how he came to this decision? We are not required, or indeed permitted to inquire into that, except for a headmaster or someone in authority trying to ensure that people within the school do not overstep the Islamic limits.

Moreover, it is wrong to be suspicious of others simply because they express an intention of marriage. Of course people would like first of all to make sure that the person they are marrying satisfies their hopes. This applies to both man and woman. Hence, Islam permits a serious suitor to look at the woman he intends to marry in a way he is not supposed to do with others. The Prophet, peace be upon him, told Jabir, one of his companions who was looking for a wife: "If you can see of her what encourages you to marry her, do so." Jabir says that he watched her from his hiding

place so that she was not aware of him. Then he proposed to her, putting the proposal to her father.

Sometimes we read Islamic teachings in a very restrictive manner, particularly when it comes to man and woman relations. Islam is very clear in its approach. It cultivates into its followers, men and women, a sense of modesty and a high moral standard. It then allows them a reasonable space to move in. When one wants to get married, of course both he and his prospective wife should know each other. Hence, they are allowed to meet within clearly drawn limits so as to be sure. If it so happens that one finds himself in a situation to know someone well, as in the case of a teacher and student, or colleagues at work, there is nothing wrong in that, provided that they take the right move, with a serious proposal put through the family.

God says to the Prophet:

"No other women are henceforth lawful to you, nor are you allowed to replace any of them by other wives, even though their beauty should please you greatly." [the Clans — "Al-Ahzab" 33: 52]

In this verse God mentions the possibility that the Prophet, peace be upon him, might admire the beauty of women whom he could marry, except for this order restricting him to the wives he had at that time. I think the language of this Qur'anic verse is self-explanatory.

Matrimonial: Telephonic Marriage — the Appropriate Procedure

A friend of mine has been engaged for two years to a young man living in the U.S. His family wants her to make the marriage contract on the telephone, as her fiancé cannot come over because of visa problems. Could you please advise us whether a marriage contract done in this way is valid? What are the right steps to be taken in this situation?

The problem with such a marriage contract comes from the fact that the other party on the telephone does not actually know the identity of the person to whom he is talking. It is not difficult to organize a conference call from America where several people can speak and listen to one another at the same time. But how would anyone on the other side ascertain that the person to whom he is speaking is truly the one he or she claims to be? I suppose that a U.S. official may be on one line to make sure that the two parties express their consent to the marriage. The U.S. official would rely on the girl's fiancé to confirm that the woman who is talking is his fiancée. But can this be absolutely correct? Many relatives sound similar on the telephone. To my mind, this is a risky procedure and cannot be accepted. It is the identification of the people involved that is called into question here. Otherwise, agreement expressed on the telephone is the same as in the presence of other people.

The proper procedure for a valid marriage contract to be made, when the two parties are living apart is for the one of them to give power of attorney to someone at the other end. If the marriage needs to be registered in the USA, then the girl should give power of attorney to a relative of hers, or to a lawyer in the United States, authorizing him to act for her in her marriage. On the other hand, if the marriage contract is to be made in Saudi Arabia, then the man living in the United States should give power of attorney to someone here in Saudi Arabia to go through with this marriage on his behalf.

Matrimonial: Terminating A Marriage

Could you please explain whether khula' can be initiated by a woman only if the husband refuses to divorce her? What if she begins the process

without first requesting divorce? If the couple have a young child, who takes custody of the child? If the father is in the habit of drinking, could the mother get custody on a permanent basis? Are Islamic rules the same on this matter in all Muslim countries, or do they differ? Can cases like these be settled in one's place of residence, which is not in the country of one's nationality?

The khula' denotes the termination of marriage at the wife's request. She does not have to present a case of an unsuccessful marriage in order to start the relevant proceedings. It is sufficient that she feels that she cannot continue with the marriage. When a woman companion of the Prophet, peace be upon him, asked him to end her marriage to her husband, the Prophet, peace be upon him, spoke to him pointing out that she was unwilling to continue as his wife. The Prophet, peace be upon him, did not take issue with the man about anything he did or did not do. In some reports, the woman says clearly that she did not take anything against her husband with regard to his behavior, manner or religious commitment. She simply did not feel that the marriage gave her any fulfillment. The khula' does not have anything to do with the man's attitude to the termination requested by the wife. It is simply one of the wife's rights under the marriage contract. Just like the divorce right is given to the man, which allows him to terminate the contract at his own behest, the woman is given the same right through khula'.

The khula' is a process in which the woman has to forfeit some of her rights under the marriage contract. She has to repay any dowry she received from her husband. In divorce, she receives any outstanding part of her dowry. Here the reverse is true. But this is only fair, because in all cases of marriage termination under Islamic law, the man is the loser financially because he has to pay the outstanding dowry and his wife's maintenance during her waiting period. He also has to support his children when they are in her custody. He then pays the expenses of a new marriage, if he desires one. Hence, when the woman wants the termination, she forfeits her dowry.

If the woman has a strong case for divorce, as in the case of being abused by her husband, and he refuses to divorce her, she may file proceedings for divorce on the grounds that she is subjected to abuse. This is a totally different case, in which she has to prove her case. If proven, the judge gives a divorce ruling in her favor, and she is entitled to all the rights of a divorcee. Normally, divorce or khula' proceedings could be started in one's country of residence, but this needs to be confirmed by the parties concerned. They should ask a lawyer in that country. It is always better to learn one's rights under the law before starting any legal proceedings.

The custody of children is a totally different matter. It is automatically given to the children's mother when the children are very young, until they are able to look after themselves in matters of eating, dressing, bathing, etc. After that, the children are given a choice, which is not permanent. A child may choose to be with his father or mother at any time, and then the child may change its mind once or twice or any number of times. But their living expenses are borne by the father. The mother remains in custody of her children unless she gets married to someone else. In this case, she forfeits her custody rights, which are then given to her mother.

This is something in which Islam is unique. Custody is not given to the father unless there are no women to take care of the children. The order of custody is thus: the children's mother first, then her mother, then the father's mother. We then have the children's sister, if she is old enough to look after them, then the mother's sister, then the father's sister, etc.

This is the situation under Islamic law, but what different countries apply may be totally different. One has to look for the relevant legislation of one's own country. If

custody I claimed by a father under the law in his own country and he is known to be a drunken person, there may be room for depriving him of any rights of custody. Needless to say, this is much easier in a country, which applies Islamic law than under a man-made law.

Matrimonial: Tribal Mistrust & Inter-Tribe Marriages

A Muslim tribe in our part of the world refuses to marry their women to Muslims from other tribes on grounds that those tribes had allowed some of their women to marry them when following other religions before the latter embraced Islam. They would not even sanction marriage between one of their daughters and a new Muslim out of fear that he may yet change his faith again and revert to his old religion. Please comment.

That people would take extra care with the marriage of their daughters and sisters to ensure that they get married to the best and most God-fearing men is highly commendable. The right marriage is the one, which brings happiness to both man and woman. Hence people must be sure of the manners, habits, attitudes and, above all, moral and religious standards of any prospective husband to one of their women.

Yet sometimes people are far too careful, insisting on certain matters which should not be given any importance. In this way they refuse suitable partners for reasons which should not form any grounds for refusal. What people should consider most of all is the qualities of the suitor himself. It is the quality of the man, which should be criterion. The Prophet, peace be upon him, says, "If a man who has strength of faith and honesty comes to you with a proposal of marriage, then accept him. If you do not, there will be strife and much corruption in the land." The point the Prophet, peace be upon him, emphasizes here is that if people of high caliber are not accepted as husbands, then people of lesser standard of honesty and religion will be accepted. That does not augur well for the women to be married or for society as a whole.

I understand that a new convert should be considered carefully before he is accepted as a husband. But the basis here is not the fear that he may revert back to his old faith. Anyone whom we know today to be deeply religious may change tomorrow. But the basis should be, like in all cases, how good he is. In addition, we need to look at how well he has understood and accepted Islamic values, standards and practices.

As for refusing suitors from other tribes on account of earlier marriages condoned by those tribes, the matter is rather odd. It is strange that the practice of one or two people should be the criterion for general attitude, which applies to all people. Again the question of suitability for marital purposes should be taken on an individual, not collective basis.

Matrimonial: Unjustified Restrictions On the Wife

Is it permissible for a woman to attend any kind of classes in her husband's absence, leaving her young child with her mother at home? Is it also permissible for her to go to the market or to attend functions without her husband's permission?

It appears to me that these questions relate to disagreement at home between man and wife. The important thing in such situations is for the couple to sort out their affairs on the basis of mutual care and recognition of the needs of each one.

For example, if the husband tries to impose his will in an unreasonable way, making a list of unjustified restrictions, he only provokes his wife to rebel and breach his restrictions, resorting to various devices in order to conceal the breach. The result is

that there comes to be a gulf between them, which grows wider as the restrictions are increased and the breaches become more frequent.

If a man considers his wife's needs and tries to meet them, as he is required to do, he will find that his authority at home is much more respected. The more love he shows to his wife, the better she responds. But when she feels that he just wants to dominate without reasonable justification, she feels her personality is compromised and tries to counter his authority.

If a woman needs to attend courses to improve her education, or to increase her knowledge, or only to have something that kills the boredom in her life at home, she is entitled to do so. The husband will find that his wife is better able to cope with her life as a result. If she leaves her young child in the care of her own mother, she does nothing wrong. No one looks after one's children better than their mother except her own mother. Hence Islam gives her mother the second place in the line of the right of custody, in the case of divorce.

Matrimonial: Upon Discovering That Wife Is An Apostate

1. A Muslim married a Christian woman and after a few months discovers that his wife was originally a Muslim and converted to Christianity at a later time. What if she is pregnant? Should he detain her until she gives birth to his child?
2. If the husband divorces his wife on learning that she is an apostate, should he detain her during her waiting period?
3. Is the husband expected to punish his wife for apostasy?

I should perhaps first of all explain that when a Muslim man or woman becomes an apostate, either because he or she no longer believes in Islam or because they do something which takes them out of the fold of Islam altogether, their marriage is automatically dissolved. It is not up to the husband to divorce his apostate wife. Their marriage is no longer valid.

In the case of the woman becoming apostate, the scholars have different opinions on whether she observes a waiting period before she leaves the family home or not. Sometimes conditions impose themselves, as when the woman herself leaves her husband's home and is unwilling to observe a waiting period. Her former husband cannot detain her in such conditions.

As for the children of such a marriage including the child not yet born, they are Muslims whether the spouse who becomes a non-Muslim is the father or the mother. The rule in Islam is that children follow the higher faith of their parents. Islam is the highest, followed by Christianity, then Judaism and then non-divine religions. In the case of apostasy of either one of the parents who initially were Muslims, obviously the children remain with the parent who remains a Muslim. As for inheritance, the apostate, man or woman does not inherit any of his or her relatives whether Muslims or not. Nor indeed, is his or her estate shared out by any of the heirs. This is due to the fact that the Prophet, peace be upon him, says that inheritance does not apply between the followers of different religions. In the case of a change of religion, this rule is applied most strictly to an apostate so as to preclude any inheritance.

It is important to realize that although a Muslim may marry a Christian woman, he may not marry a woman who has become Christian as a result of conversion from Islam. To him she is an apostate and no marriage with an apostate is valid. If a Muslim goes through a marriage ceremony, with apostate women, she does not become his wife. He may not treat her as such. If he does not know her background and is unaware of the fact that she had been a Muslim and became a Christian

convert, no blame is attached to him if he marries her. But once he discovers that she was formerly a Muslim, his marriage is automatically dissolved. Obviously if there are any children, they are Muslims because their father is Muslim. If she is pregnant at the time of dissolution of the marriage, then the child belongs to the father when it is born.

It may occur to someone that the mother may be able to take the child away, especially if she does not stay for her waiting period. In this case, someone may suggest that it is preferable to abort the pregnancy. Islamic law cannot sanction that. Abortion is not something to be recommended or approved for any reason, except when the pregnancy constitutes a serious health threat to the mother.

The husband in this case should not try to detain the woman forcibly until she gives birth or she finishes her waiting period. As we have already seen, scholars have different opinions about whether such a woman should spend her waiting period in the man's home, as every divorcee is entitled to do. If such a case happens in an Islamic state, then the man may seek the help of the authorities to ensure that the woman observes the waiting period and gives up the child when it is born. The need for detaining the woman by the man himself does not arise. If the matter arises in a non-Muslim state or in a situation which is similar to the one which prevails today in most Muslim countries, the man may be considered to have committed an offense if he tries to detain the woman forcibly. It is far better for him, then, not to take the law into his own hands.

It is true that the punishment for apostasy is death. But this falls under the domain of the Muslim ruler. As for divorcing her, there is no divorce to take place. The marriage is automatically dissolved. Secondly, the enforcement of the punishment for apostasy as legalized by Islam is the responsibility of the Muslim ruler. There is a procedure, which must be followed. That procedure involves a discussion and an argument with the apostate which aims at explaining to him or her the true nature of the religion of Islam and to answer his or her doubts and refute the reasons which compelled him or her to convert to another religion. After doing so, the apostate is called upon to re-embrace the faith of Islam. He or she is given a period of three days to consider the position. Afterward, if a person insists on denouncing the religion of Islam, it is up to the Muslim ruler to enforce punishment. No one else may enforce it.

Moreover, the punishment is enforced only when the apostasy is made public. A person who changes religion privately is not questioned about his faith. The whole matter may not arise at all. When the apostate is one's own wife, one should not contemplate for a second the possibility of enforcing this punishment. That in itself is an offense.!

Matrimonial: Valima — A Year After the Wedding

When I went home last year, I got married on arrival. I intended to give a Valima a few days later, but my mother-in-law died shortly after my wedding. This meant that the Valima could not be arranged. I intend to do it on my next visit home. May I ask whether it is obligatory, or recommended, and whether it may be organized a year after the wedding?

The Valima is a dinner party to celebrate a wedding, to which relatives; friends and neighbors are invited. It is a function to give a chance to the local community to share in the joy of two of its members. It is strongly recommended. It is not obligatory.

The circumstances that led you to postpone it are understandable. However, you should have arranged it sometime later, on your 2 months visit. Now that a year has passed, the reason for the Valima is gone, as the occasion has passed.

Matrimonial: Valima — the Purpose Of

It is customary in our country to hold a dinner the day following a wedding. However, people believe that this dinner party, to which all relatives and family friends are invited, is treated as permissible, or halal, if the marriage has been consummated, while it is forbidden, or Haram, if it has not. Please comment.

The dinner following a wedding is called "Valima". It is strongly recommended and indeed some scholars go as far as making it a duty, because the Prophet, peace be upon him, said to Abdur Rahman ibn Auf, one of his companions, when he told him that he has got married, to organize it and invite people. A person who is invited to a Valima should answer it, unless there is a cause which justifies his absence, such as his knowledge that some sins are being committed at the place where the Valima is held. Even if a person is fasting, he should go, but he may excuse himself from eating by explaining to his host that he is fasting. If it is voluntary fasting, he may discontinue his fast.

You are no doubt aware that publicity is an essential part of marriage. Indeed, an essential distinction between what is legitimate and what is illegitimate in relations between a man and a woman is publicity. The more a marriage is publicized, the better. The minimum publicity required by Islam is for two witnesses to be present at the time when a marriage contract is made. But when the wedding takes place, whether it is made a small family affair or a grand one, a Valima is recommended to add to its publicity. Another purpose for the Valima is to ensure that the local community shares in the happy occasion of the marriage of one of its members. What is important to publicize is the fact of the marriage and not its actual consummation. Therefore, the notion that Valima is only lawful if the marriage has been consummated is absurd. No one other than the bride and bridegroom should concern themselves with the actual consummation of the marriage. Local traditions in different communities may have some other requirements, but these are not recommended by Islam.

Matrimonial: Waiting Period — Confinement Of the Widow

May I ask whether what we do in India is correct. The widow remains in a room throughout her waiting period, never leaving the house. She must wear only white and remove all her jewelry. What is the Islamic view of this?

A woman may observe mourning for her husband for four months and ten days, which is the length of her waiting period. Unfortunately, in many societies women are put under certain restrictions in this period, but these have no Islamic basis. Islamic teachings make it clear that during this period, the widow cannot marry another man, and may not be asked to leave her husband's home.

She is entitled to her living expenses. This is all right. But in some societies, widows are subjected to severe restrictions, such as those mentioned by the reader. It is not true that a woman should not leave her home, or her room throughout this period. A woman asked the Prophet, peace be upon him, whether she could go to her farm during her waiting period, so as to attend to her business.

The Prophet, peace be upon him, told her to go there, because "you may give something to charity or do something good." This means that a working woman could attend to her work during her waiting period.

A few women came to the Prophet, peace be upon him, and complained that they were finding things difficult after the death of their husbands. They asked whether

they could stay together in the home of one of them. The Prophet, peace be upon him, said to them that they could meet during the day "when you can discuss what you want, but in the evening, each of you should go home where she should stay the night." So he allowed them to meet during the day, but at night, each should be in her home. The advantage of preventing gossip about her conduct is obvious. Needless to say, the Prophet's instruction means that a woman could not initiate travel when she is in her waiting period.

The color of clothes is another restriction that has no basis. In some countries black and gray are the colors preferred for mourning, while in others it is white. This is a social value that has no Islamic background.

Matrimonial: Waiting Period — Embargo & Some Essential Movements

What should a widow or a divorcee refrain from doing during her waiting period. Is it permissible for her to see non-Muslim women? My mother, who is observing her waiting period after the death of my father recently, says that it is not permitted. Is it true?

A woman observes her waiting period, whether after divorce or after the death of her husband, in the family home. She may not move to another house, and her husband [if she is a divorcee] may not turn her out. If the divorce takes place when she is out, she must return to the family home as soon as she learns of her divorce. This is clear in the first verse of the Surah entitled "Divorce" which may be rendered in translation as follows.

"O Prophet, when you [and the believers] divorce women, divorce them for their prescribed waiting periods, and count the waiting period accurately. Fear God, your Lord, and do not turn them out of their homes and they may not move out unless they commit a clear and gross indecency. Such are the bounds set by God: Whoever transgresses God's bounds causes injury to himself. You do not know. God may, after this, bring about a situation [of reconciliation]." [Divorce — "At-Talaq" 65: 01]

According to Hanafi school of thought, a divorcee who is observing her waiting period may not go out of her home either during the day or during the night. A widow in her waiting period may go out during the day but she must stay the night in her home. The difference between the two is that a divorcee is entitled to maintenance from her husband. She does not need to go about in order to sort out her affairs, while widow has no maintenance to expect. If a widow's position of the family home is not sufficient for her living, or if other heirs do not allow her to use their portions, she may seek some other accommodation. To stay in her home during her waiting period is part of the worship of a widow. If there are reasons, which make it impossible for her to observe that worship, she becomes exempt from it. A good reason for that is her inability to pay the rent required for her in a family home, if any.

The Hanbali school of thought, however, considers it permissible for any woman in her waiting period, whether she is a divorcee or a widow, to go out during the day. Jabir, a companion of the Prophet, mentions that his aunt was divorced three times. She went out to cut her date trees, but a man told her to stay at home. She went to the Prophet, peace be upon him, and asked him. He said: "You may go out and cut your dates. You may give some of it for charity and you may do some good action." [Related by An-Nasa'ie and Abu Dawood] Another report suggests that a number of women who lost their husbands in the battle of Uhud had come to the Prophet, peace be upon him, and said: "Messenger of God, we feel very lonely at night. Can we stay in the home of one of us, and in the morning, each one goes to her home?" The Prophet, answered: "You may meet in the home of any one of you for conversation and when it is time for you to go to sleep, let each one of you go to her home."

This means that a woman observing her waiting period must spend the night in her home. She may not go out [at night] except in an emergency, but she may go out during the day to attend to her affairs.

Matrimonial: Waiting Period — Marriage Within That Period

After a relative of mine was divorced, she had a new proposal. Because of certain circumstances, the man who has put in the proposal is in a hurry to get the marriage officially recorded. The problem is that she has not yet finished her waiting period. Since the waiting period is intended for establishing whether the divorcee is pregnant or not, is it permissible for her to establish that fact through pregnancy tests? If she determines that she is not pregnant, can she go ahead with the marriage, before the waiting period is over?

While it is true that an important purpose of waiting period is to establish whether a woman is pregnant or not, it is by no means the only purpose. In this particular point, there is a difference between the waiting period of a widow and that of a divorcee. In the case of a widow, the waiting period is longer in order to be absolutely certain whether there is a pregnancy or not. Moreover, the waiting period shows that the widow values her past relationship with her deceased husband. She does not immediately join with another man.

In the case of a divorcee, there are certain rules of paramount importance. To start with, the waiting period is not calculated by months or days, but by periods of menstruation or cleanliness from it. If the woman is not pregnant, her waiting period extends for three menstrual periods. If she is too old or too young to have the periods, then she waits for three months. If she is pregnant, her waiting extends until she has given birth.

Whichever is the length of a woman's waiting period, she stays during that time in her husband's home. He is not allowed to turn her out and she need not leave. She is entitled to full maintenance by her husband throughout this period. He has the right to have the marriage resumed if both agree on that. In this case, they need not have a new marriage contract or have a fresh dower. This is a very important factor. [Added: This provides scope for reconciliation which must not be taken away.]

When a woman is in her waiting period, she may not receive a new proposal by anyone. Nor is a man allowed to promise marriage to a woman who is in her waiting period. All that he can do is to give an implicit hint. On this basis, the answer to your particular question is that a doctor's opinion may establish that a divorcee is not pregnant, but that is not sufficient for her to have a new marriage. The rights, which her first husband continues to have during her waiting period, cannot be easily dispensed with. Even if he agrees to her new marriage, the rules cannot be changed.

Matrimonial: Waiting Period — Rationale Regulating the Waiting

1. After a relative of mine was divorced, she had a new proposal. Because of certain circumstances, the man who has put in the proposal is in a hurry to get the marriage officially recorded. The problem is that she has not yet finished her waiting period. Since the waiting period is intended to establish whether there is a pregnancy or not, is it not practical to establish that fact through pregnancy tests? If she determines that she is not pregnant, can she go ahead with the marriage, before the waiting period is over?

2. You have explained in the past the restrictions that apply to a woman in her waiting period. I am rather confused about the duration of the waiting period of a woman who is divorced when she has attained old age, say, when she is 70. Is she to observe the same waiting period as a widow of the same age, i.e. three months? If the answer is in the negative, could you please explain the reasons? I understand that in the case of a woman in the childbearing age, the waiting period for a divorcee is shorter than that of a widow. Your explanation of this question in detail will be highly appreciated.

1. While it is true that an important purpose of the waiting period is to establish whether a woman is pregnant or not, it is by no means the only purpose. In this particular point, there is a difference between the waiting period of a widow and that of a divorcee. In the case of a widow, the waiting period is longer in order to be absolutely certain whether there is a pregnancy or not. Moreover, the waiting period shows that the widow values her past relationship with her deceased husband. She does not immediately join with another man.

In the case of a divorcee, there are certain rules of paramount importance. To start with, the waiting period is not calculated by months or days, but by periods of menstruation or cleanliness from it. If the woman is not pregnant, her waiting period extends for three menstrual periods. If she is too old or too young to have the period, then she waits for three months. If she is pregnant, her waiting extends until she has given birth.

Whichever is the length of a woman's waiting period, she stays during that time in her husband's home. He is not allowed to turn her out and she need not leave. She is entitled to full maintenance by her husband throughout this period. He has the right to have the marriage resumed if both agree on that. In this case, they need not have a new marriage contract or have a fresh dower. This is a very important factor.

When a woman is in her waiting period, she may not receive a new proposal by anyone. Nor is a man allowed to promise marriage to a woman who is in her waiting period. All that he can do is to give an implicit hint. On this basis, the answer to your particular question is that a doctor's opinion may establish that a divorcee is not pregnant, but that is not sufficient for her to have a new marriage. The rights, which her first husband continues to have during her waiting period, cannot be easily dispensed with. Even if he agrees to her new marriage, the rules cannot be changed.

2. The waiting period of a divorcee should not be confused with that of a widow. There are differences between the two in several respects. What is common to both is the fact that while they last, no new marriage can be initiated. The duration of the waiting period is the same for both a widow and a divorcee only when the woman concerned is pregnant, or when the marriage has not been consummated. In the case of pregnancy, the waiting period lasts until delivery.

If the marriage is terminated before consummation, whether by divorce or by the death of the husband, no waiting period is observed. Otherwise, the rules that apply in the two cases differ a great deal. In the case of a widow who is not pregnant, her waiting period is four months and ten days. This applies whether she is of the childbearing age, an old woman past her menopause, a young girl who has not yet attained the age of puberty, or a woman who has missed her period and may be in the early days of pregnancy.

In this last case, she would either prove to be pregnant and wait until she delivers, or that she is not pregnant by having her menstruation period, and then she would wait the same as other women, i.e. four months and ten days. At no time the waiting

period of a widow may last three months only. In the case of divorce the duration of the waiting period differs according to her personal circumstances.

In the normal situation of a woman who is in the childbearing age and who has her menstruation period regularly or irregularly, the waiting period lasts for either three menstruations or three periods of cleanliness from menstruation.

We have explained in our review of the various rules that are applicable to divorce that when a man wishes to divorce his wife, he must choose the time so that divorce takes place when the woman can start her waiting period immediately. This means that it is forbidden to divorce one's wife when she is in menstruation or in a period of cleanliness during which they have had intercourse.

If we take the interpretations that a divorced woman waits for three periods of cleanliness, then her waiting period lasts until she has completed her third cleanliness and started her third menstruation after her divorce. If she is to wait for three menstruations, then her waiting period is not completed until she has finished her third menstruation.

Some scholars are of the opinion that the point of completion is the stoppage of the discharge, while others say that the waiting period is over only when she has performed the grand ablution by taking a bath or a shower.

In case the divorced woman is either too old or too young to have the period which means that she is either past menopause or has not attained puberty yet, then her waiting period lasts for three months. This shows clearly that there is considerable difference between the cases of a divorcee and a widow in these age brackets. A widow will continue her waiting period for four months and ten days, while a divorcee waits only three months.

Our reader asks why the two cases are not the same. This is the wrong line of question to ask. With regard to legislation enacted by God, we do not ask why this is made so or should it not have been made differently. We simply accept it knowing that God only wants what is best for us. We certainly try to understand the wisdom behind it, but when that is not readily apparent we still implement it.

The waiting period of a divorcee does not only ensure that the divorced woman is not pregnant, it also gives the separating couple a chance to reconcile their differences and reunite in marriage.

In the case of an elderly lady, who may be 70 years of age as our reader suggests, there is simply no chance of her being pregnant. She might have not had her period for 20 years or more. Still she has to wait for three months. Who knows but her stay at her husband's home may be necessary to give her and her husband a chance to review their situation and iron out their differences.

If that elderly lady has lost her husband, she waits for four months and ten days, not to ensure that she is not pregnant but to complete a process of marriage that might have lasted for 50 years or more. She may have some claims to make and she needs to be in mourning for her deceased husband.

In both cases of divorce or death of the husband, the waiting period of a pregnant woman ends with delivery, whether this takes place after a few days or nine months. This is only right because the birth of the child creates a totally new situation, which must be taken into consideration. A divorcing husband will have to consider the new position particularly with regard to the upbringing of the newborn. The fact that his former wife's waiting period lapses with her delivery puts on him an additional pressure to decide on whether or not he wants to reinstate his marriage.

In the case of a widow, different factors apply but these are equally important. What we have to understand is that God's law is specially designed to promote the well being of mankind. What is more is that God looks at what serves the interest of all individuals concerned as well as the interests of the whole community.

We have already mentioned that a widow should remain in mourning during her waiting period. What I would like to stress is that mourning in Islam does not have the type of restrictions that social traditions impose in many communities. A Muslim accepts that death occurs by God's will and that it is merely a prelude to a new and different type of life.

If the deceased has spent his life on earth in a manner that is likely to earn him God's pleasure, then death means a step toward a happier and more enjoyable life. What is the point of mourning in such a situation? If he was a different type of person, then he does not deserve that anybody should be in mourning for him.

Hence the Prophet, peace be upon him, says: "It is not lawful for any woman who believes in God and the Last Day to be in mourning for more than three days except for her husband whom she mourns for four months and ten days." The mourning then has some social and family aspects that are different from those of the traditions of other communities.

Needless to say that a divorcee is not in mourning although some scholars prefer that she observes the restrictions of mourning as well. I would like to stress the fact that there is more to the waiting period than the proof of pregnancy or otherwise. Had this been its only purpose then one menstruation would have been sufficient. God certainly knows best what suits human society and He has chosen for us what ensures the best interests of individuals and communities alike.

Matrimonial: Waiting Period — Widows, Divorcees & the Restrictions

In our part of the world, when a man dies his widow is kept in isolation for four months. She is allowed to see only closest relatives such as her parents, children, brothers and sisters. Her movement into other rooms of the house is also restricted. Sometimes, she is prevented from seeing men who come to offer their condolences. Are such restrictions based on Islamic teachings?

When a marriage is terminated either by divorce or by the death of the husband, the wife has to observe a waiting period, which is known, in Islamic terminology as "iddah". The name is taken from a root, which signifies "counting, or ascertaining a number". That is because the woman must be careful to complete her waiting period properly. She must observe certain restrictions, which we will outline presently. She may not get married to anyone during her waiting period, except in the case of a divorce for the first or second time when she may be reunited in marriage with her divorcing husband before the end of her waiting period.

There are several reasons for observing the waiting period, but the most important of these is to ascertain that the woman is not pregnant. A pregnancy of a divorced woman or a widow creates a new situation. Hence, it is important to ascertain her condition so that, when born, the child is attached to his real father. Some people may suggest that nowadays it is easy to ascertain pregnancy through a test, but this does not waive the requirement that a woman observe her waiting period, which has other purposes as well.

The waiting period provides a breathing space for the divorced couple to reconsider their situation. Their divorce may have been the result of a misunderstanding and they may reflect that their children are in need of care by both of them. A

compromise may be worked out between them, which would not be the case if the woman got married to someone else shortly after her divorce.

Moreover, the waiting period signifies that marriage is a very serious matter, the termination of which cannot be approached in a trifling manner. It requires a certain period of waiting which may cause restrictions on both parties.

The length of the waiting period differs from one case to the other. A pregnant woman whether divorced or widowed, observes her waiting period until she has given birth, whether that occurs only a few days or nine months after the termination of her marriage. A widow who is not pregnant observes a waiting period, which extends to four months and ten days. A woman who is divorced after the consummation of her marriage has a shorter waiting period to observe. This extends until she has completed three menstruation periods or three periods of cleanliness from menstruation. If she does not menstruate, her waiting period extends to three months. The waiting period is also applicable when separation of the couple is ordered by a judge as a result of the marriage being invalid. In this case, the woman observes the same waiting period as a divorcee. The reason here for the waiting period is to ensure that there is no pregnancy.

Whether divorced or widowed, a woman who has to observe a waiting period stays in the house where she used to live with her husband during their marriage. In other words, she stays in her own family home, provided to her by her husband as part of his commitment as a husband. This applies even to a divorcee, but the divorcing couple must use separate bedrooms. This is stated in the Qur'an:

"Prophet, when you divorce women, divorce them at the beginning of their waiting period, and count that period. Fear God, your Lord. You shall not expel them from their homes, nor shall they go away, unless they have committed a clear indecency. Such are the bounds set by God; whoever transgresses God's bounds wrongs his own soul. You never know, after that, God may bring about some new event." [Divorce — "At-Talaq" 65: 1]

As for its application to a widow, we have the Hadith related by Furai'ah bint Malik who came to the Prophet, peace be upon him, and told him that her husband went out seeking some slaves who had rebelled. When he caught up with them, they killed him. She said to the Prophet, peace be upon him, that her husband had no home of his own and left her without maintenance. She asked the Prophet, peace be upon him, whether she could return to her own people. The Prophet, peace be upon him, said that she could. When she went out of the mosque, he sent someone to call her back. He then asked her to repeat her question. After she did, he told her: "Stay in your [matrimonial] home until your waiting period is over." She reports: "I stayed in that home four months and ten days."

There are certain restrictions, which apply to a woman in her waiting period. The main restriction, which applies to both a widow and a divorcee, is that neither of them may get married during their waiting period, unless a divorcee agrees with her divorcing husband to be reunited in marriage. She may not get married to another man while she remains in her waiting period. Other than that, there is firstly the question of going out. The Hanafi school of thought is strictest in this regard. It claims that a woman in her waiting period may not go out of her home at any time of day or night if she is divorced, while a widow in her waiting period may go out during the day and early evening. Unfortunately, many in Islamic community have gone further than that and imposed even higher restrictions. These restrictions apply mostly to widows. Most of these restrictions smack of ignorance and backwardness. They do not rely on any evidence from the Qur'an or the Sunnah. What my reader has written about a widow not moving from one room to another in the same house is perhaps the worst that I have heard in this connection. What we have to remember is that a

woman who is observing her waiting period has not committed any offense. She is either divorced or widowed. If it is possible to think that she might have been the cause of her divorce, she may just as well be blameless for it. Besides, her husband's death is an act of God. She may be experiencing intense grief. Is it fair to impose on her unnecessary and unjustifiable restrictions? The question of observing a waiting period is a religious requirement. Hence, we must refer to Islamic teachings in order to know what is permissible and what is not during that period.

The fact is that a woman in her waiting period may go out to attend to her legitimate business during the day, whether she is a divorcee or a widow. This is clearly evident from a number of Hadiths. It is sufficient to quote two of these to confirm this view. The first is reported by Jabir, a learned companion of the Prophet, who says: "My aunt was divorced a third time. She then went out to cut her date trees. A man who saw her reproached her for doing so. She mentioned it to the Prophet, peace be upon him, and he said to her: 'Go out to cut your date trees. It may be that you give some of it to charity or that you may do something good.'" [Related by An-Nasa'ie and Abu-Dawood] Mujahid reports: "A number of men fell martyrs at the Battle of Uhud. Their widows came to the Prophet, peace be upon him, and said: 'Messenger of God, we feel very lonely at night. Is it appropriate that we stay the night at the place of one of us, and then go to our separate homes in the morning?' The Prophet, peace be upon him, said: 'You may stay and chat at the place of any one of you, but when it is time for sleep, let each one of you go to her home.'"

This last Hadith shows the limit of the restriction on going out. A woman in her waiting period must spend her nights in her own home, but during the day she may go out. At night she can go out only in an emergency.

Further restrictions that apply to a widow in her waiting period include that she may not wear make-up or perfume or wear colorful or perfumed clothes. According to the Hanbali school of thought, she may not cover her face when she goes out. She does not wear her ornaments or jewelry or do her hair. The only time she may use perfume is only for the purpose of changing the smell of menstruation. These are the restrictions of mourning that are placed on a widow during her waiting period, and for three days only at the death of a very close relative.

These are the restrictions that apply during the waiting period. No other restriction has any Islamic basis. It is merely a matter of tradition, which has nothing to do with Islam.

Matrimonial: Wali & A Notional Role That Doesn't Fit In

When I married my wife, her cousin acted as her wali, despite the fact that she has three brothers two of who were witnesses to the marriage. A few years after my marriage, one of her brothers said to me that he was to be considered my wife's wali. When I asked him what he meant, he said that in any disagreement between us, he will be the judge and I would have to defer to his opinion, and that he would monitor our relationship and give advice. I did not bother at the time because my relations with my wife were generally good. Over the last couple of years, there were some disagreements, but we kept these to ourselves and did not involve anyone. However, her younger brother started meddling into our affairs, saying that he was her wali, and started questioning me on matters of personal nature. Later, I felt that things were going wrong and I told my wife not to talk or see her brother. May I ask what is the role of wali after the marriage is done? How is he superior to her husband? If a woman has more than one brother, can any of them declare himself as her wali? Is it right for a

husband to suspend relations with his wife's brother? If he does, should she follow his example?

When a woman gets married, her husband is her guardian and protector. Her relationship with her own family should remain cordial and she should always maintain good relations with them. However, there is no such role as the one her brother has declared for himself, particularly when relations between the two of you did not call for any intervention. May I say that the wali in marriage is the one who acts for her marriage contract. This role is assumed by her father if he is alive and of sound mind. No one else may be her wali, which incidentally means "guardian", in the presence of her father. If her father is dead or absent, then her grandfather is her guardian, while in his absence, her son is her wali, should he be an adult, then her brother. As your wife's father is dead, then one of her brothers should have acted for her. As her brothers relinquished that role in favor of their cousin, your marriage is valid.

What her brother said about his role is totally unnecessary. In the case of disagreement between you and your wife, her brother may interfere to achieve reconciliation. His judgment is not an order, which you must follow. His role is that of a mediator, but he should also protect the interest of his sister, if you were ill-treating her.

It is the right of the husband to ban anyone from his house, and his wife should respect his wishes, provided that he does not do that in an arbitrary manner to gain something to which he is not entitled. In your case, if you have felt that the interference of your wife's brother is going to cause more harm than good, you may tell your wife not to receive him when you are not around. She has to comply, as it is one of the duties of a wife that she should not admit into your house a person whom you do not wish to enter.

However, this should be used very wisely, so that it does not lead to a worsening of the situation. What you could do is to tell your wife's brother that you have agreed with your wife to resolve your problem without his help, and he is welcome to visit her when you are in, but should not interfere in your affairs. Thus your wife will not have any cause for interference. May God help you and your wife to maintain good relations without interference from anyone.

Matrimonial: Wedding Ceremony — the Significance Of

I have had my marriage contract done, but my wife has not moved in with me in my house, because the wedding has not taken place. However, we started to go out shopping together and at times we have lunch or dinner in a restaurant. People have blamed me for this because they say that one ceremony is still short, and we cannot behave like man and wife until it is done. Please comment.

No, you have not done any wrong in taking your wife out shopping or to dinner. You have had your marriage contract made in the proper way, with witnesses present at the time when the contract was made. You have agreed upon the amount of dower, or mahr, to be paid. So you are legally married. It is true that you have not had a wedding, but a wedding does not have any legal significance. It is a celebration so that relatives, friends and neighbors, may participate in the joyous occasion. It helps to publicize the marriage, and no doubt publicity is required in marriage. But the publicity of the marriage contract is sufficient for the marriage to go through.

Some people decide not to have a wedding, which in some Muslim countries is called rukhsati, for any reason. Some may prefer not to incur the expense, which

could be a burden, while others feel that it is better not to publicize one's joy if there has been some sad occasion in the family.

Whatever the reason, the omission of the wedding does not affect the validity of the marriage. So whoever tells you that you have done wrong does not really understand the function of each step in marriage.

Matrimonial: When One Of the Spouses Converts To Islam

1. Having lived and worked in Muslim countries for many years, I am thinking of becoming a Muslim. May I ask what will happen to my marriage with my present Christian wife as a result of such a step? What is the position with regard to any dowry paid by her family to me? Will my wife have to become a Muslim for us to remain married? Do we have to have a new marriage under Islamic law? What about the upbringing of our children? Suppose that I decide to marry a Muslim woman, will I have to divorce my present Christian wife? At present I have some investments in joint partnership with my wife. Will I have to have the same value of investment for the second wife?

2. I embraced Islam over two years ago, and now I wish to divorce my Christian husband. Do I incur a sin if I accept an offer of marriage from a Muslim man without even informing my husband?

1. You may well be aware that Islam approves of marriages between Muslim men and women who are Christian or Jewish. If this applies in the case of a man who is born Muslim, so to speak, it applies even more so in a case like yours, when the man is married to a follower of either one of these two religions before he decides to adopt the Islamic faith. In short, your marriage to your present Christian wife will not be affected as a result of your becoming a Muslim.

Your wife does not need to take the step of adopting Islam if she is not convinced of its truth. Nor would you need to go through a new marriage ceremony or make a new marriage contract. Your marriage will remain in force and will not be affected in any way. The dowry you received remains yours on the basis that it is a transaction done on a certain basis and there is no need to change that in any way.

Your children must be brought up as Muslims, because of a rule in Islam, which states that in Interfaith marriages, children follow the higher of the religions of their parents. Islam is considered in the first place, followed by Christianity, then Judaism. Hence you must bring up your children as Muslims.

When you are a Muslim, all the provisions of Islamic law apply to you in the same way as they apply to all other Muslims. Since Islam allows that a man may be married to more than one wife, with the upper limit of four at any one time, you may marry a second wife. Again this second wife may be a Muslim or a follower of either Christianity or Judaism.

However, it is far more preferable that Muslims should marry Muslim women. If you decide to marry a Muslim wife, you may do so while you continue to be married to your Christian wife, without any pressure being brought to bear on her. If she thinks of following your example and becoming a Muslim herself, that decision must be her own, and through conviction.

Of course, when you are married to more than one wife, you will be required to treat your wives fairly and maintain such fair treatment in every respect. God makes it a condition for allowing polygamy that husbands maintain justice. He says: "If you fear that you will not maintain fairness, then marry only one wife." So, the mere doubt

that one may not be able to be always fair with his wife is enough reason to confine himself to one wife, which is the normal situation anyway.

Fairness applies to treatment and material dealings. It also applies to time spent with each wife and to financial and material privileges. It does not apply to love and emotion. So if you buy one wife an expensive dress, you would also buy the other a similarly expensive one.

As for things you have already done for your present wife, before you even thought of marrying again, these are hers. They are not measured against fairness, because when they were done, you had only one wife. However, you should see to it that your future wife will be treated on an equal basis. May God choose what is best for you and your present wife, who is the mother of your children.

2. The situation is different in the case of a woman deciding to embrace Islam and her husband choosing to follow his own faith, regardless of what that faith is. The difference arises from the fact that Muslim women are allowed to marry only Muslim men. There is no possibility of an Interfaith marriage involving a Muslim woman. What happens in this situation is that the woman should inform her husband of her decision to adopt the Islamic faith. His view on this is of no consequence, since a woman does not need any permission from anyone to believe in God and His messenger. It is also advisable that she should explain the effect of this step on their marriage.

Once she has adopted Islam by declaring that she believes that "there is no deity save God and Muhammad is God's messenger," her marriage becomes invalid, unless the husband decides to become a Muslim likewise. She observes a waiting period like a divorced woman which means that it is unlawful for her to be in bed with her husband. If her husband becomes a Muslim in the meantime, their marriage is resumed and they need not go through any formalities or to make a new marriage contract. If not, then she is considered unmarried as a result of the invalidation of her marriage by changing her religion. She may marry a Muslim man if she so wishes.

But all this must be done in the open. There should be no secrecy or false pretenses. Every chance should be given to the husband so that he may make an enlightened decision. As you see, there are very serious issues involved, which are bound to affect his life.

In your case, you adopted Islam and remained with your husband as if nothing had happened. This is wrong because the relationship between the two of you should have been placed on a new footing the moment you declared your acceptance of the Islamic faith. What you should do now is to speak to your husband about the new situation. You should stop any marital relationship with him immediately and given him a chance to decide whether he wants to become a Muslim or not. If he does not, you may marry a Muslim man after observing a waiting period to make sure that you are not pregnant. But you will be advised to register the nullification of your marriage with an Islamic court before you marry again.

Matrimonial: When One Partner Lacks Religious Sense

May I present the case of a man who is kind and loving to his family, but he indulges in certain vices, such as taking drugs of the mild type. Such indulgences come from association with old friends whose religious sense is very weak. They indulge in several types of sin. When the wife tries to counsel her husband, he tells her that if he commits a sin, that is something between him and God. As for his friends, he refuses even to

consider breaking up with them, as they have been friends for life. He tells her not to judge them, as she has no right to do so. What is the duty of this wife and how is she to fulfill it?

The life of a religious Muslim woman with such a husband is very difficult indeed. He knows that his behavior is unacceptable from the Islamic point of view, and he knows that what his wife says is absolutely true. Yet he wants to indulge himself and cut her short. He does not want the blame she attaches to his behavior. He may try to compensate her for the pain she feels by being kind to her and their children, but he wants his pleasure, ahead of his family's happiness. He knows the issues at stake, but, to him, satisfying his desires comes first.

It is practically useless to try to get him to give up his drugs, particularly because it is of the mild type. He does not feel any guilt for taking them, and perhaps he is keen on continuing to enjoy them. It is unlike a smoker who realizes that smoking damages his health, and would love to give it up, but the addiction stops him from trying to quit. Here it is a case of the husband having no sense of guilt, enjoying his practice and thinking that he is harming no one. But the fact is that he is harming himself, his wife and children, as well as the Muslim community as a whole. The worst to suffer are his wife and children.

The best thing that this lady can do is to try to enhance her husband's religious sense. She should try by all means to cultivate his God-fearing sense. That would strengthen his sense of duty to his family and make him more responsible in his attitude to how he brings up his children. That may not be easy if he is uncooperative, but she must try her best. She could take him to do the Umrah and the pilgrimage, which would then provide a motivation to refrain from doing any sinful action deliberately and openly. But this should be coupled with a better knowledge of Islam, because it is knowledge of Islamic duties and prohibitions that may enhance a person's desire to mold his life in accordance with Islam. Trying to associate with friends who are religious may be of much help.

As a wife, she is duty-bound to try to steer her husband and family away from the path of sin. She may not be silenced by her husband's assertion that what he does is between himself and God. His actions affect his family and they are of concern to every member of his family. If his children are young, then his wife should try to protect them. She may be able to get him to be more cooperative by pointing out the effect his behavior may have on their children, now and in the future.

If she cannot stop him from associating with his friends, she should solicit appreciation of the problem by those friends, so that they realize that they are harming a family when they drag her husband with them. Perhaps by being good in treating them, they would start to observe certain codes in dealing with her husband. Let the idea of distancing him from those friends be suggested by someone whom he respects and values his opinions. In all her attempts, she must not adopt an attitude of quarrel, but rather an attitude of maintaining the interests of the whole family, her husband included. That could soften his stance. May God guide this lady reader to what is best for her family.

Matrimonial: Who Qualify As People Of the Book?

Could you please explain which non-Muslims a Muslim may marry. It is my understanding that this applies to Christians and Jews, as they are the ones referred to in the Qur'an as 'People of the Book', but someone has told me that this expression means anyone who believes in God.

It is clear in the Qur'an that the expression 'People of the Book', which I prefer to translate as 'People of earlier revelations', refers to Christians and Jews, as they are

the remaining followers of earlier divine messages. Other messages, like those of Abraham, Noah, Joseph, etc. have disappeared and practically have no followers. To try to expand the term to others who believe in God is wrong, because it relies on no sound basis. Besides, belief in God should rely on a true concept of Him. Without a divine message, such belief could be erroneous. Who would define which is a true believer in God and who is not?

Hence, the only right thing is to say that a Muslim man may marry a Muslim woman or a woman who follows either Christianity or Judaism. On the other hand, a Muslim woman may only marry a Muslim man.

Matrimonial: Wife's Rights In Marital Relations

With reference to marital relations, we hear so much about the wife's duty, but rarely does anyone speak of her rights. Does she fail in her duty if she becomes uninterested when her husband does not care about her sexual feelings, or for some other reason?

The sexual desire is part of human nature, in both men and women. Islam, which forbids all sexual contact outside the marriage bond, recognizes the importance of satisfying this desire in a legitimate way, within marriage. It makes it a duty of both husband and wife to help each other maintain their chastity, through giving each other sexual satisfaction.

If either of them fails to do so, that person is falling short of meeting an Islamic responsibility. Unfortunately some men think only of their own desire when they approach their wives.

This is wrong because they must think of the other person in this relationship. God says in the Qur'an:

"Women shall, in all fairness, enjoy rights similar to those exercised against them." [the Cow — "Al-Baqarah" 2: 228]

This statement occurs in the context of regulating the rights and responsibilities of men and women within marriage and its termination by divorce. It stresses the equality of both husband and wife in all respects, within the marital relation.

As Islam forbids all sexual activity outside wedlock, it encourages both spouses to satisfy each other, and to approach such satisfaction in the right manner, including foreplay and flirtation to arouse each other's desire.

The Prophet, peace be upon him, makes clear that sexual activity within marriage earns a reward from God. He says: "In satisfying one's sexual desire there is a reward." His companions asked: "Messenger of God, how come we get rewarded for satisfying a desire?" He replied: "Do you not see that if you seek such satisfaction in an unlawful way, you incur a punishment? Likewise, when you seek its fulfillment in a lawful way, you earn a reward." [Related by Muslim]

This shows that, unlike other religious codes, Islam does not attach any stigma to the sexual desire. On the contrary, it makes its legitimate satisfaction a means to earn reward from God. Furthermore, Islam encourages a refined manner in approaching it.

The Prophet, peace be upon him, says: "Do not fall upon your wife like a camel. Have a go-between that paves the way between you and your spouse." His companions asked: "What is this go-between?" He replied: "Kisses and whispers." [Related by Al-Dailami] What is more is that Islam encourages men to make sure that their wives

are fully satisfied. The Prophet, peace be upon him, says: "When you make love to your wife, be honest with her: If you have your orgasm, be patient with her so that she can have hers too." [Related by Abu Yaala and Al-Sanaani]

All this goes to show that the sexual desire and its satisfaction is a mutual affair between man and wife. Neither should fail in their duty to the other. If they do, this could result in unwelcome repercussions on the marriage itself.

If a husband neglects his wife's feelings, he risks that she will be uninterested, which could sour relations between them. On the other hand, when he shows that her satisfaction is as important as his own, their marriage will be a lot happier. Having said that, I should add that the failure of either spouse to give such satisfaction is no reason for the other to fail in his or her duty.

Matrimonial: Women Supporting the Husband

Both my husband and I were students when we got married. Neither of us had a job and shortly after our marriage, my husband lost his allowance from his parents because of a change in their circumstances. My father supported us and our child was born when I was still a student. Afterwards, I was the only one continuing with my studies, while my husband stayed at home looking after our child. After graduation, I worked abroad and supported my husband until he graduated. He is still without a job and he continues to ask me for money to look after our child. I am fed up with this situation. Can I ask my husband for a divorce? What if he refuses? Who gets custody of our child? If we get divorced, can we remain friends? Will I be allowed to see my child?

An important factor in the life of every married couple has, to all appearances, gone wrong with your marriage. It is the demarcation of responsibility, which seems to have been lost when the roles of your husband and yourself were reversed. It is the duty of every husband to provide his wife with a decent standard of living, according to his means. It is well known that in Islam, a wife who is rich need not spend any part of her money in order to pay for the expenses of her children or herself, let alone those of her husband. That responsibility belongs totally to her husband.

Although a Muslim woman enjoys these privileges, it is permissible for her to go out to work and to invest her money and conduct any business transaction she likes. All Muslims, men and women must observe a guiding principle. That principle requires us to observe Islamic values and fulfill Islamic instructions wherever we are and in whatever work we engage. Therefore, if a Muslim woman wants to attend to her business, or run a shop, or manage a company, or discharge the duties of her employment, she must not neglect her family duties. It may happen that a woman finds it difficult to meet both sets of obligations and she may need the help of her husband, or she may need to employ a home-helper or a nanny, etc. Such matters are decided in consultation between her and her husband. Whatever they agree is permissible, as long as they break no Islamic teachings. Moreover, if a woman decides to help her husband with some of her earnings, she is perfectly entitled to do so. He commits no sin by accepting it, provided that he does pressure or coerce her into making such a gift to him. If she is under pressure to make such a payment, it is not lawful for him to take it. Her gifts must come out of her own free will.

I should perhaps clarify that the foregoing is a statement of general broad lines. Within their framework, every married couple can decide how to divide the responsibility between them and what each of them should do and the privileges they can enjoy. Therefore, when you and your husband faced an initial problem with a suspension of his allowance as a result of the moving of his parents, it was

perfectly appropriate for you to make use of your parents' generosity and finish your studies. Your subsequent action of looking after the family while your husband completed his studies was a thoughtful action for which you earned a reward from Allah and the admiration of people. You were obviously looking forward to a day when both yourself and your husband cooperated to improve your family situation and lay the foundation for a bright future. Therefore, your disappointment at the lack of cooperation shown by your husband is understandable.

You ask whether your husband has committed a sin by not providing you and your son with a home and not looking after you. I would not describe his as a sinful action, but a failure to meet a duty. If such a failure is the result of complacency or negligence or laziness, then he will have to account for it on the Day of Judgement. On the other hand, if he has tried to find a job and spared no effort to get some sort of employment, but his efforts have not been successful due to circumstances beyond his control, then he has nothing to answer for. You are better able to judge whether he has been negligent or complacent.

Any woman may seek a divorce if she feels that her life with her husband is an unhappy one. We have the case of a companion of the Prophet, peace be upon him, who made it clear to the Prophet, peace be upon him, that she wanted a divorce. She explained that she had nothing against her husband with regard to his religious and moral values and practices or to his manners. She was simply not satisfied with her life with him. The Prophet, peace be upon him, arranged that the husband divorce his wife, after she returned to him the dower he had paid her. This shows that it is permissible for a married woman to seek to be divorced if she is unhappy with her husband. She may be required to refund any dower her husband might have paid her. I should perhaps add here that a divorce is effected in this way: the husband divorces his wife only once, not three times as many people imagine. [Refer to questions on divorce for guidance on this important point.]

The case of your child is rather a difficult one. It is certain that you are entitled to the custody of the child, if the child is below nine years of age. Thereafter, the child may be offered a choice between his parents. The father remains responsible to provide him with his need of food, clothes and housing.

From your line of questioning I feel that you are troubled by your husband's repeated requests for financial support for himself and for your child. Your worry is not unreasonable, since you have not chosen to be in the situation you are in. Judging by your account, it appears to me that your husband seems to have gotten used to being supported by you and does not feel the urge to find work in order to spare you the need of working abroad. Thus, you have a split in the family in which you have assumed the role of the breadwinner. To put your mind at ease, I tell you that you commit no sin if you refuse to make any transfers to your husband. Perhaps it is wiser if you write to him saying that he should do his best to relieve you of the responsibility of earning the living of your family. It is time that he assumes this responsibility and finds work for himself, either in his home country or abroad. You should make it clear to him that if he finds a suitable job, which gives him enough to support his family, you are prepared to join him. Alternatively, he should join you and find some employment where you are working. Again, if you refuse to transfer any money to your son, you neglect no duty of yours. You are not responsible for supporting your child. That is your husband's responsibility. It may be wise to try to get your husband to see the urgency of finding work, by refusing to make any transfers to him for a few months. You will be able to judge his reaction to that. If it works and he finds employment, then you can gradually readjust your life so that your husband is the breadwinner who looks after his family.

You ask about the rights of divorced parents in respect of being with their children. If you are divorced and the child is with you, the father is entitled to visit the child or

have the child visit him. The same applies to you. In Islam there is no denial of access to the child to either parent, unless there is a valid reason determined by the court.

You ask whether you can remain friends with your husband after divorce. This is perfectly appropriate. In Islam, divorce does not mean hostility. It simply signifies that two people have found it difficult to live together. Therefore, they have decided to have their separate ways. It does not mean that they have to become enemies for the rest of their lives. [A former husband is just like any other man and since they have to discuss certain matters, which relate to the upbringing of their children, they may meet in the presence of some of her immediate relatives. She should wear the same type of clothes she wears when she goes out.]

Matrimonial: Women's Marriage — An Obligation?

Is it true that it is obligatory for a Muslim woman to get married and to have children?

No, it is not obligatory that a Muslim woman should marry. Some women never get married although they would love to do so. Certain circumstances may interfere to prevent their marriage. We cannot say what a woman must or must not do about getting children, because to get children is not a matter decided by her.

It is Allah who creates. Many are the married couples who have been assured by doctors that there is no medical cause to prevent the woman's conception, yet they go through their long lives without ever conceiving. With the case being so, how can we suggest that having children could be obligatory?

Matrimonial: Women's Marriage Without Guardian — Discord

You have replied to many questions about marriage and divorce and dealt with many aspects of the problems faced by people. My question is about the case when a woman acts directly to get married to someone without the presence of her father or a guardian. As you have mentioned, many scholars, including major schools of thought, consider such a marriage invalid. Imam Abu Hanifah is of the view that it is valid. In support of the first view, quotations from the Qur'an and Hadith are always cited. How is it that Imam Abu-Hanifah takes a different view? Does he rely on Qur'anic verses and Hadiths? Why cannot the weightier view invalidate the less weighty one?

Many scholars, including Imam Al-Shaf'ie, Ahmad ibn Hanbal and Ibn Hazm state clearly that no woman may be married without the presence of her guardian. It is well known that when the woman's father is present, no one other than him may act as a guardian. If he is dead or if he is incapable of acting in such a matter as in the case when the father is insane, then other relatives may act as guardians, according to a particular order which makes the woman's grandfather first in line after the father, then her brother, or her uncle, or her cousin, then other relatives, provided that proximity of relations takes precedence. A woman's adult son may act for her in her marriage contract only if her next of kin is a cousin. If a woman has no guardian, or if her guardian does not agree to act for her, when she is willing to accept the proposal of someone who is of good character and equal to her in social status, then the ruler may take over.

In support of this view, the Qur'anic verse is quoted which may be translated:

"Arrange the marriage of the single woman from among you, as well as such of your male and female slaves who are righteous." [Light — "An-Noor" 24: 32]

Another Qur'anic verse is quoted which may be rendered in translation:

"And do not give your women in marriage to men who ascribe divinity to aught beside Allah." [the Cow — "Al-Baqarah" 2: 221]

They consider that this latter verse addresses guardians, not women. It speaks of the normal state of affairs, which is acceptable to Islam that a woman is given away in marriage by her guardian.

Right to the point is the Hadith in which Ayesha, the Prophet's wife quotes him as saying: "A woman may not be married without the presence of her guardian. If she is, then her marriage is invalid, invalid, invalid." [Related by Abu Dawood and At-Tirmithi]. Another Hadith is quoted in this respect which states: "No marriage may be made without the presence of a guardian." There are other Hadiths confirming the same opinion.

There is no doubt that the evidence supporting this view is overwhelming. It is true that the first verse which we have quoted may be understood differently as indeed some of the translators of the Qur'an have rendered it in different ways. Similarly, an argument may be made that the second verse addresses the Muslim community as a whole and makes it obligatory on the Muslim community not to allow a marriage between a Muslim woman and a polytheist. But we cannot really say that the community as a whole is ordered to do something in particular and ignore the fact that individual Muslims are also required to make sure that this order is complied with. Moreover, the Hadiths, which we have quoted, address the point directly and make it absolutely clear that such marriages are invalid.

Imam Abu Hanifah, on the other hand, is of the view that since a woman is allowed in Islam to enter into all sorts of contracts without referring to a guardian or a husband or a father or any relative, she may enter into a marriage contract as well. In support of his view, Imam Abu-Hanifah quotes the Qur'anic verse which speaks of a woman who has been divorced three times. It may be rendered in translation:

"Should he [divorce her a third time] she will not thereafter be lawful for him to remarry until she has wedded another husband" [the Cow — "Al-Baqarah" 2: 230].

Imam Abu-Hanifah says that in this verse, the usage is clear that the woman has herself wedded a new husband. He argues that if the presence of the guardian was necessary, the Qur'anic verse would have made that clear and Allah would have said, "until she has been made to wed another husband."

Imam Abu-Hanifah also quotes in support of his view the verse, which speaks of women who have finished their waiting period after the death of their husbands. It says:

"When they have reached the end of their term, you shall incur no sin in whatever they do with themselves with decency" [the Cow — "Al-Baqarah" 2: 234].

Again in this verse, the word "do" is attributed to the women themselves. Hence, if a woman does make a marriage contract by herself, her action is valid. As for the Hadiths, Imam Abu-Hanifah says that they are in conflict with the clear and apparent meaning of the Qur'anic statement. As such, he discounts them. In counter

argument, we may say that this latter verse quoted by Imam Abu Hanifah does not specifically mean marriage. It is rather a general statement, which refers to actions a woman may take in order to organize her life after having become a widow.

Moreover, it does not follow if what she wants to do is to get married to a new husband, that she enters into the contract without the presence of a guardian. It simply means that when she wants to get married, she has to have her marriage done properly which means, from the Islamic point of view, that the marriage contract must be attended by her guardian.

I have tried to give you the arguments supporting both views on this question. I hope that I have made it clear that no scholar of repute in our history makes judgment without looking at the question from all angles. He eventually makes his judgment after weighing up the evidence available to him. It may happen that a great scholar makes a mistake. Indeed, every one makes mistakes. We have the Prophet's Hadith, which says "he who makes a ruling in a matter, after studying the question thoroughly, and his judgment happens to be the correct one will have a double reward. But the one who makes a judgment in a certain question and his judgment is mistaken will have a single reward."

There is no doubt in my mind that the first opinion supported by Imam Ahmad, Al-Shaf'ie, Ibn Hazm and others is the weightier opinion on this particular question. Moreover, it is closer to the Islamic spirit of doing everything suitable to protect women and protect the family. It is indeed much more honorable for a woman that her father or guardian acts on her behalf when she gets married. This is more in line with the high standard of serious morality, which Islam establishes in its community.

We do not just dismiss an opinion like that of Abu-Hanifah on a certain matter, simply because we have a weightier opinion. What we do is to implement the weightier opinion as far as possible. Certain circumstances may make a less weighty opinion more appropriate in a particular case or situation. Suppose that a community embraces Islam after having lived for centuries allowing women to conduct their own affairs by themselves. It will not come easy to that community that women should no longer act for themselves when they get married. If a Muslim ruler favors a less weighty opinion, his support adds to its weight. Moreover, the cultural and scholarly heritage belongs to the whole nation of Islam and to all its generations. Therefore, we will not just dismiss scholars' opinions because just dismiss scholars' opinions because we feel that opposite views are weightier.

Medical: Blood Transfusion — Interfaith

Is blood transfusion permissible in Islam? Is organ transplant permitted in Islam? If this is permissible, can this be done between Muslims and non-Muslims?

Yes, both blood transfusion and organ transplant are permissible in Islam. Not only so, but blood and organ donation also earn rich reward from God. As you realize, some times blood transfusion is the only way to save the life of a person badly injured in an accident, or needing blood for an operation. Some people with blood diseases need blood transfusion on regular basis.

As blood cannot be manufactured outside the human body, the only way to get blood is through donation and transfusion. Hence people are encouraged by Islam to donate blood so that blood is made available to whoever needs it, when the need arises. In this connection we may quote the Qur'anic verse:

“He who saved one life should be regarded as though he had saved the lives of all mankind.” [Table Spread — “Al-Ma'idah” 5: 32]

It is perfectly permissible for a Muslim to donate blood to a non-Muslim or vice versa. It is also permissible to transplant organs between people of different faiths.

Medical: Circumcision — For Either Sex?

1. A Hindu friend of mine has embraced Islam. He is very happy with his new faith and everyone is encouraging him to learn more about Islam. Our sponsor wanted to take him to hospital for circumcision, but an Egyptian friend told us that there was no need. Please comment.

2. Only recently we began to hear about female circumcision. Some people suggest that it is recommended. Is it truly so? If so, why is it not as common as circumcision for boys?

1. Your Egyptian friend is right. Circumcision, for newborn boys, is recommended. It is not compulsory. Therefore, if a child born to a Muslim family is not circumcised and he remains so until his death, he does not commit a sin. It is true that it is unhygienic to remain un-circumcised, but when we speak of a certain situation from the Islamic point of view, we have to classify it according to the teachings of the Prophet, peace be upon him.

Since this friend of yours is an adult, and he has only recently embraced Islam, to pressure him into going to hospital for circumcision is wrong. Let him choose for himself. There should be no great emphasis attached unduly to circumcision. If he is a good Muslim, whether he is circumcised or not, it does not affect his status in any way.

Some people may be scared lest this action in adult life should result in some complications. Others are too shy to go through it. Why should there be pressure when Islam has not required it?

2. Female circumcision is an African custom, which is common in many countries in Central Africa, but unknown in the North and South of the continent. Several of the countries in which it is common practice happen to be Muslim, or have substantial Muslim communities. Otherwise it has nothing to do with Islam.

The fact that it is unknown in very large areas of the Muslim world, including the entire Asian Muslim countries, apart from small pockets in some parts of Arabia, confirms that it is not an Islamic practice. In fact it is neither recommended nor desirable from the Islamic point of view.

Some people suggest otherwise, claiming that it is a Sunnah, and maintain that it reduces a woman's sexual desire. They quote a number of Hadiths that mention it approvingly.

The fact is that all these Hadiths are far from authentic. They are graded as "poor" or "Zaeef". Therefore, no ruling could be established on their basis. Moreover, it does not have the effect these people claim, except that it makes sexual intercourse difficult. As such, it is indeed undesirable because it tampers with God's creation. There are two types of female circumcision: One is moderate and the other very drastic, as it cuts part of the woman's genitals. This type, known as Pharaonic, is akin to mutilation. As such, it is forbidden.

Medical: Cosmetic Surgery — Is It Permissible?

I would like to know your comments on cosmetic surgery?

We cannot issue a rigid ruling that all cosmetic surgery is forbidden. When cosmetic surgery has a beneficial and legitimate purpose, then it may be considered permissible, encouraged, or even obligatory. Like many other things, all five verdicts may apply to plastic surgery. I have mentioned three, and the other two may apply to it to make in certain cases discouraged and in others forbidden.

Take, for example, the case of a person who has suffered extensive burns. Doctors may recommend plastic surgery. Now if the doctors say that it will have a mild beneficial effect on him, but without it he will be also comfortable and will suffer no repercussions, then such surgery may be described as permissible. If the doctors say that the benefits expected to result from such surgery in such a case are substantial, then it is to be considered highly recommended. Now if we can imagine a situation where plastic surgery is necessary for such a person, either to save his life, or to get some part of his body to function properly, or to overcome some physical or mental agony, then undertaking it could be obligatory. On the other extreme, if plastic surgery is undertaken by a woman in order to be more attractive, so that she can use her attraction for purposes that are contrary to Islamic moral values, then it is certainly forbidden.

Circumcision is recommended, because the piece of skin that is cut off during circumcision is no longer of use to the person concerned. Before the child is born, it serves as a protection to the male organ. After birth, it could attract some dirt, which could be harmful. Therefore, we are recommended to circumcise our children at an early age.

Medical: Cupping As A Sunnah In the Case Of Illness

1. I would like to ask about cupping, or Hijamah, which is mentioned as part of the medical treatment used at the time of the Prophet. Some people are suggesting that this is a Sunnah, which is good to have even if one does not have any medical complaint. They say that in case of illness, the first thing that should be done is to resort to cupping. Please comment.

2. Could you please explain the Hadith, which states that healing of illness can be achieved through three things: Taking honey, cupping and cauterization. Could you explain what 'cupping' is and why the Prophet, peace be upon him, said: "I forbid my followers to use cauterization". As a specialist in childhood diseases, I come across numerous cases of young children subjected to the ancient form of treatment, which relies on burning the skin, i.e. Cautery. What I would like to know is whether there is anything mentioned by the Prophet, peace be upon him, in favor or against this practice.

1. The Prophet, peace be upon him, had cupping administered to him when he was unwell, but this he did as part of the medication that was available at his time. He never had cupping at other times.

So, to claim that cupping is a Sunnah when it is not needed for medical reasons is definitely wrong, as it relies on no evidence whatsoever.

The case would have been different had the Prophet, peace be upon him, stated that cupping would remain the first port of call in medical treatment. But he did not, because he knew that medicine would make much progress over the years, and he wanted his followers to benefit by such advances

Nor is it a Sunnah to resort to cupping in the case of illness. The Prophet, peace be upon him, used it because it was a method known and practiced in his time. It was one of the techniques to which doctors resorted, as they did not have better options.

Now that we have much better and more advanced techniques, we do not resort to cupping to cure our modern day diseases, which are far more complicated than those known at the time of the Prophet, peace be upon him.

2. The Hadith you have mentioned is an authentic one related by Al-Bukhari on the authority of Abdullah ibn Abbas who quotes the Prophet, peace be upon him, as saying: "Illnesses are cured by means of three things: a drink of honey, a cut of cupping and cauterization. I, however, advise my followers against the use of cauterization." There is no doubt about the usefulness of honey for curing illness. Allah describes it in the Qur'an as a curative drink. He says:

"There issues from within these [bees] a fruit of different colors, in which there is cure for people" [Bee — "An-Nahl " 16: 69].

The other two methods need a little explanation: Cupping was a method used for letting out blood either from one's hands, legs, head or other spots. It was extensively used, as people found it highly useful. The Prophet, peace be upon him, himself was cupped and on one occasion that took place while he was fasting. Cauterization, on the other hand, involved the use of a red-hot piece of iron to stop the bleeding from a bad cut. If a soldier lost an arm or a foot in battle, the surest way of stopping him bleeding to death was to resort to cauterization.

There are a couple of points to make here. The statement of the Prophet, peace be upon him, was not exclusive. He did not say that cure can only be sought in these three methods, to the exclusion of any other. In another Hadith, the Prophet, peace be upon him, encourages us to seek medical treatment for our illness. He says: "Seek medical treatment, for Allah has not created an illness without creating a cure for it."

Secondly, the Prophet, peace be upon him, was making a statement on the basis of what was known in his time. These were the three principal methods of treatment. We know that honey is a cure for several illness. Cupping was also approved as a method of treatment, while Cautery could save the life of a badly injured person.

The Prophet, peace be upon him, discouraged resorting to this last method because of the pain it involves and the unsightly mark it leaves. It is needless to say that the discouragement does not apply to modern methods of Cautery, which is done under anesthesia and the use of sophisticated tools and with perfect precision. Resorting to the old method of Cautery in this day and age, when medicine has made such great advances, is a great pity.

Medical: Depression & the Islamic Way To Overcome It

What is the best Islamic way to overcome depression? (Which results from thinking about the past, loss of friends, fear of getting old, possible death of parents, etc.)

The sort of depression you ask about is easily dispelled when one remembers that everything in this life is decreed by Allah. We all get older and it is possible for a young person to lose his or her parents. None of us know what the future brings to us. We may be close friends with a person today and in a short period that person becomes far away from us. All such happenings should be accepted with patience. One should know that whatever happens in this life, takes place only with Allah's will. When we remember Islamic values, we accept such events with resignation and we can easily submit our will to Allah. When we do that, we view any happenings in our lives as trivial. We are able to look at life in a more detached and reasonable way. No event in the life of a human being represents the end of the road, except his own death. Allah takes care of us and we should entrust ourselves to His will. When we

are true believers, we view every development in our life as good. We can easily submit to it as it represents Allah's will.

A prayer, which helps overcome such depression, should be addressed to the causes of depression themselves. The Prophet, peace be upon him, teaches us that we should pray according to the situation we find ourselves in. There are, in addition, prayers which the Prophet, peace be upon him, himself used. One of these which is relevant here is that which says: "My Lord, I seek refuge with You against worry and depression, disability and laziness, cowardliness and miserliness, being overburdened with debt and being subject to oppression."

Medical: Family Planning — As National Policy

Is it appropriate for a married couple not to have more than two children because of their limited economic resources? Is it acceptable that they take measures to prevent pregnancy after having had two children?

During the time of the Prophet, some of his companions tried to reduce the chances of conception and pregnancy, because they did not want any more children. The Prophet, peace be upon him, was aware of that. Some referred to him while some relied on the fact that no edict was given concerning the question of preventing pregnancy. The general rule is that "everything is permissible unless pronounced otherwise." Thus, we have statements by some of the Prophet's companions such as: "We resorted to contraception at the time when the Qur'an was being revealed", and "We resorted to contraception and the Prophet, peace be upon him, was aware of that but he did not stop us." These statements are clear in their import. If the Prophet's companions had been doing something unacceptable to Islam, God would have either revealed a prohibition in the Qur'an or the Prophet, peace be upon him, would have given an order in a Hadith.

The fact is that the Prophet, peace be upon him, did not give such an order. Instead, when he learned from one of his companions that he resorted to contraception, the Prophet, peace be upon him, said clearly that no method of contraception would stop the creation of a child, should God will that the child be born. As such, no method of contraception can stop God's will being fulfilled.

The method of contraception, which was known at that time, was coitus interruptus. Modern methods are equally permissible, provided that they are safe and they prevent conception. Sterilization of either the man or the woman is not permissible except when it is made absolutely necessary for medical reasons. Thus, if doctors determine that any pregnancy is likely to present a serious risk to the life of the mother, then sterilization may be approved. But each case must be considered separately on its own merits.

What I have said so far applies at the individual level only. A national policy of family planning, which aims to reduce the population, is unacceptable because it is likely to have serious repercussion on the health of the nation as a whole.

Medical: Family Planning — Coitus Interruptus

You advised a young man to get married and delay having children until he has finished his studies. This obviously means that he has to resort to methods of birth control. In our community, most scholars say that birth control is not acceptable from the Islamic point of view. Please comment.

In ancient times, before the new methods of birth control were invented, people resorted to coitus interruptus in order to restrict the number of children. This is a safe method, because it does not involve the use of any substance or chemical

compound. It is a simple method, which involves withdrawal before discharge. It is not highly effective, because some of the sperms may be released before the actual discharge. These could easily fertilize the female egg. This method was practiced in Arabia, as well in many other places. The companions of the Prophet, peace be upon him, mentioned it to him and asked him whether it was wrong. The Prophet, peace be upon him, did not forbid them that, but he told them that it could not stop Allah's work. If He wants us to create something, or in this case, if He wants a child to be born, the resort to contraception would not prevent the mother from getting pregnant.

We have reports from companions of the Prophet, peace be upon him, mentioning that he was aware of their resort to contraception, but he did not forbid them that.

In the light of the foregoing, we can say that using a safe and effective method of birth control is permissible, if it does not involve the use of a harmful substance. The couple must check with their doctor if a particular method is safe for them to use. If so, then they decide whether to use it or not.

Medical: Family Planning — Contraception & Sterilization

1. Since birth control is not allowed in Islam, may I know if it is permissible to try to elongate the period between pregnancies, depending on necessity and on condition that both husband and wife agree on that? Is it also forbidden in Islam to sterilize a man or a woman in order to control birth?

2. I have four children and I am considering resorting to a sterilization operation to be done for my wife. She is thin and weak and can hardly cope with the demands of the family, especially during my prolonged absence, away from home to work here in Saudi Arabia. May I also say that my financial situation is not that bright? Indeed, I can hardly cope with the great demands placed on me.

1. You have started by saying that birth control is not allowed in Islam. I am afraid that this is a very general statement, which is far from accurate. I have often mentioned in this column that the authority to forbid anything belongs only to Allah. No one can declare anything forbidden without clear evidence from the Qur'an or the Sunnah. Therefore, anyone who claims that birth control is forbidden must produce his evidence. When he tries, he will soon discover that his efforts are far from successful.

To start with, there is nothing in the Qur'an on this subject. When we look at Hadith, we find several reports by companions of the Prophet, peace be upon him, saying that they used to resort to methods known to them to delay conception and they told the Prophet, peace be upon him, about them, or that he was aware of them, but he did not speak against them. Indeed, he told them that such methods would not prevent creation of any human being Allah wants to create. On the basis of these reports, contemporary scholars have given a verdict that new methods of birth control are permissible, provided that they are absolutely safe. However, this permissibility applies in individual cases.

Needless to say, proper spacing between pregnancies is perfectly acceptable from the Islamic point of view, as long as it is done through legitimate means. When sterilization of either man or woman is done for compelling health reasons, it is acceptable. Proper advice should be sought from a competent, God-fearing Muslim Doctor. If he determines that such a course of action is absolutely necessary to protect the person's life, then it is permissible. Otherwise, such an operation involves a change of what Allah has created and, therefore, it is forbidden.

2. Let us first of all deal with the financial aspect of this question. We know that Allah provides sustenance for everyone of His creation. I personally have experienced an improvement in my financial level with every child I have had. Indeed, that improvement was very tangible in the case of one of my children. Some people may not have such a tangible experience. It is true to say, however, that Allah will not neglect to provide sustenance for any human being. It is up to the breadwinner of the family to make use of the opportunities that Allah provides for him.

Having said that, I should also point out before attending to the question on sterilization that resorting to methods of contraception which are safe and do not affect the health of the mother is permissible. That must be kept at the individual level. By this I mean that a family may resort to contraception in order to limit the number of their children if they determine that such a thing is desirable in their particular circumstances. At the time of the Prophet, peace be upon him, some of his companions resorted to coitus interruptus, which was the only method of family planning known to them, and the Prophet, peace be upon him, was aware of what they did. He did not instruct them to stop, nor did he tell them that what they did was forbidden. Therefore, it is permissible. Other methods of family planning have the same verdict provided they are safe.

Sterilization, which involves a surgical operation, is a special case. Unlike other methods of contraception it is permanent. Therefore it has to be viewed separately. Preventing pregnancy by surgery is known as sterilization, which can be performed for either the husband or the wife. It is perhaps more accurate to say that we cannot make a general, sweeping statement in order to say that such an operation is either forbidden or permissible. Any surgery may be considered, from the strictly religious point of view, as required, recommended, discouraged or forbidden, according to the different circumstances of its person. If a highly competent doctor advises his patient that a certain operation will not only cure his illness but also prevents a speedy deterioration of his case which is otherwise inevitable, then we can say that the operation is recommended. On the other hand, if there is no strong medical grounds for operating on a certain patient, but the doctor advises the operation only to get his fee, then the doctor commits a sin by giving such an advice.

In the case of sterilization, what we have to look for is the effect of pregnancy on the health of the mother. If a competent doctor determines that every pregnancy is likely to pose a real threat to the life of the mother or to cause serious threats to her health and that other methods of contraception may also have a bad effect on her health, then the woman may have such an operation without any qualm of conscience. It is permissible in her case. On the other hand, for a woman who asks her doctor to perform such an operation because she feels that a pregnancy may spoil her figure or having children may stop her from taking a lengthy holiday every few months, such an operation is forbidden.

In your particular condition, I do not think the reasons you have advanced for such an operation constitute a sound argument to justify the operation. Your wife may be thin and weak, but you can easily delay pregnancy by resorting to other methods of contraception. On the basis of what you say in your letter, you are only with your wife for a month or so every year. If you take adequate precautions, you can almost certainly prevent pregnancy. Therefore, the operation is not required on medical grounds. Hence, it cannot be lawful in your case.

Medical: Family Planning — Does This Constitute Killing Babies?

I feel that family planning is not permissible in Islam, because in Verse 33 of Surah 17 God commands us not to kill babies. Please comment.

There is certainly a very strong order to all Muslims and indeed all people, not to kill their children for any reason, particularly poverty. This is followed by a clear statement that God will provide for all. Yet this has nothing to do with family planning because the latter is not concerned with children already in existence. Family planning seeks to prevent conception. In other words, it tries to avoid pregnancy. When a woman does not get pregnant, how can we say that the verse that forbids the killing of children applies to her?

You may have a case if you say that abortion is included in this prohibition. But family planning does not resort to abortion except as a final resort. Indeed, abortion is not among the practices recommended for family planning, which relies mainly on contraceptives. The use of these is permissible provided that they are assuredly safe to use. The Prophet's companions have reported that they resorted to contraception, and the Prophet, peace be upon him, did not prohibit that although he was aware of it. He simply told them that they could not stop the creation of any child God decides to create.

Medical: Family Planning — Large Family & Poverty

No human being can be certain about his future or his fortune. Why, then, do we go on producing many children, mainly females, who are the worst sufferers in this life as they are subjugated and dominated by men? Would you also explain to me why 90 percent of people live in abject poverty and misery?

I do not think that you should address some question about the number of children a family may have to a person like myself. You should address it to every married couple and let them tell you why they have eight or ten or even more children. It is for a married couple who can take measures to determine the number of children they may have. If they have proper information, a married couple may realize that too frequent pregnancies and childbirth may have adverse effects on the health of the mother and child as well as the upbringing of the children. It certainly has its advantages, because the children can grow up with a keen sense of cooperation and mutual care and love. On the other hand, the means of the family may not be sufficient to give them a sound education.

The parents may, as a result, be too keen to get their sons to start work before they have completed their education and to get their daughters married at an early age, in order to reduce the family burden. The disadvantages are numerous indeed. But this is an individual choice, particularly in this day and age when safe methods of birth control are available to all and sundry.

I am intrigued by the emphasis you place on producing daughters, rather than sons. If all families stop producing daughters, [as though they can choose the sex they want] human life will some day come to a halt. The balance between girls and boys in society is controlled by God at a particular level, which ensures the continuity of human life and a proper balance between males and females. However, your emphasis seems to have a rather social slant.

You speak of the domination and subjugation of women by their men folk. While this is sadly true in many societies, it is not always the case. Islam provides for the equal treatment of boys and girls, men and women. It is true that in practice this may not be properly maintained, but this is the fault of people, rather than the fault of the system God has devised for human life. We often assume that men are superior to women, but Islam says otherwise.

The fact that Islam has placed the same duties regarding beliefs, acts of worship, the propagation of Islamic faith, and family responsibilities, is a clear indication that in

God's view, men and women are equal. God tells all His servants: ***"I shall not let the actions of anyone of you, male or female, come to waste."*** [3: 195] The Prophet, peace be upon him, says: "Women are the sisters of men." This statement indicates complete equality if it is translated in this form. However, the term the Prophet, peace be upon him, uses in Arabic to indicate "sisters" has some special connotations. So it would probably be more accurate to translate the Hadith as: "Women are the counterfoils of men." As you are probably aware, counterfoils are meant to perfectly match each other. The Hadith makes this equality between men and women at the most perfect level.

You do not want a reply on the lines that God provides for all His creatures. But the fact is that He does. He says in the Qur'an:

"There is no living creature which walks on the face of the earth [or inside it] without having its provisions apportioned by God" [Hud11: 6].

But human beings have to work in order to get what God has provided for them. They cannot just sit idle and expect that their provisions will come to them without work.

We have to remember that God set in operation certain laws of nature, which influence the lives of human beings on earth. For example, He has made the availability of water in any land area essential for the growth of vegetation. A piece of land without very little rainfall and no other source of water will remain barren. We can see in this how the law of cause and effect operates. In human life, if you do not work, you cannot earn your living. When the Prophet, peace be upon him, was told of a man spending more of his time in voluntary worship, he asked who fed him. Upon learning that the man's brother provided him with food and drink, the Prophet, peace be upon him, commented that his brother was a better Muslim than he was.

When we work, we rely on God to make our efforts successful. This is the proper type of reliance. If we were to sit idle and claim that we rely on God for our maintenance, we are guilty of a negative attitude, which will only bring adverse results. It may be suggested that a person is willing to work, but he cannot find a job. Some readers may also point out that there are those who have enormous wealth and they care little for those who are deprived. All this is true.

There is much social injustice in the great majority of human societies. But this is all of man's own making. God has provided for us a system, which ensures that no one should go hungry and no one reaches the point of starvation. But even in Muslim countries, little attention is paid to this system. Instead, we import alien ideas, which may seek to achieve social justice, but all they can do is to replace one form of social injustice with another. We find mal-distribution of wealth everywhere. I can tell you plainly that wherever you find a small minority controlling wealth and the great majority living in poverty, then you know that the system God has laid down is not [being] implemented.

God tells us in the Qur'an that He has created the earth and made it able to support all living creatures for whom it is a dwelling place. Yet, you often find that resources are not properly tapped, and if they are, the outcome is unfairly distributed. Both are failings of human beings. If we want to achieve a decent living for all human beings, the only way is to implement Islam properly, vigorously and fairly. We must not implement one aspect of Islam and forget another. We have to implement it all and to seek to please God in our efforts. If we do, we are certain to experience the sort of achievement that early Muslim generations enjoyed, when Zakah funds were carried on large trays in the market place, and people were invited to take what they wanted, but none felt the need to do so, because they were all enjoying a decent standard of living.

God has promised this repeatedly in the Qur'an, quoting one prophet after another who told their nations: *"Seek God's forgiveness and repent of your sins and He will send you rain in torrent and give you strength in addition to what power you already have."* God's promise never fails.

Medical: Family Planning — Restricting the Number Of Children

In a discussion with friends recently, some of us were of the opinion that there should be no restriction on the number of pregnancies or childbearing. Others insisted on allowing time between every two pregnancies to give the mother a chance to recover and the child a chance to grow up healthier. They said that temporary methods may be used for this purpose. Is this permissible?

Experienced and honest doctors are unanimous in their view that pregnancy spacing which means allowing two or three years between each two pregnancies is important for the health of the mother. It allows her time to recover her strength before she goes through another pregnancy, which adds a significant burden on her health. They allow that frequent pregnancies, particularly by women in poor areas, may expose the mother to a number of health risks. Women who have several pregnancies in quick succession may suffer under-nourishment, which aggravates the risk to which they are exposed. Since this has been proven beyond doubt, it is permissible, from the Islamic point of view, to take any legitimate steps, which are calculated to give the mother a better, standard of health.

It is only common sense to say that a mother with a young baby will be able to take better care of her young child if she is not pregnant than she can do during pregnancy. She can better breast-feed and take good care of the child during illness. This child will benefit a great deal if the mother is free to devote more time. In the light of the foregoing, it is both desirable and preferable to allow a period of time, such as 2-3 years between each two pregnancies.

Indeed Allah has helped make such pregnancy spacing easier by stating that the full term of breast-feeding is two years. This encourages mothers to breast-feed their newborn children for two complete years. The majority of women do not get pregnant while breast-feeding, although a substantial proportion of them do. Women in the latter group need a supplementary method of birth control to enjoy a long enough period free of pregnancy. Such methods are permissible to adopt on the individual level, provided they are safe and involve nothing harmful to the woman or to the fetus. Methods, which prevent conception, are the one to be employed. It has been authentically reported by some of the companions of the Prophet, peace be upon him, that they used to resort to available methods of birth control and the Prophet, peace be upon him, did not forbid them that. He told them that such methods could not stop the creation of a human being, if Allah wills him or her to be created.

Medical: Family Planning — Surgical Contraception

I have four children and I am considering resorting to a sterilization operation to be done for my wife. She is thin and weak and can hardly cope with the demands of the family, especially during my prolonged absence, away from home to work here in Saudi Arabia. May I also say that my financial situation is not that bright. Indeed, I can hardly cope with the great demands placed on me.

Let me first of all deal with the financial aspect of this question. We know that Allah provides sustenance for everyone of His creation. I personally have experienced an improvement in my financial situation with every child I have had. Indeed, that

improvement was very tangible in the case of one of my children. Some people may not have such a tangible experience. It is true to say, however, that Allah will not neglect to provide sustenance for any human being. It is up to the breadwinner of the family to make use of the opportunities that Allah provides for him.

Having said that, I should also point out before attending to the question on sterilization that resorting to methods of contraception which are safe and do not affect the health of the mother is permissible. That must be kept at the individual level. By this I mean that a family may resort to contraception in order to limit the number of their children if they determine that such a thing is desirable in their particular circumstances. At the time of the Prophet, peace be upon him, some of his companions resorted to coitus interruptus which was the only method of family planning known to them, and the Prophet, peace be upon him, was aware of what they did. He did not instruct them to stop, nor did he tell them that what they did was forbidden. Therefore, it is permissible. Other methods of family planning have the same verdict provided they are safe.

Sterilization which involves a surgical operation is a special case. Unlike other methods of contraception it is permanent. Therefore it has to be viewed separately. Preventing pregnancy by surgery is known as sterilization, which can be performed for either the husband or the wife. It is perhaps more accurate to say that we cannot make a general, sweeping statement in order to say that such an operation is either forbidden or permissible. Any surgery may be considered, from the strictly religious point of view, as required, recommended or discouraged or forbidden, according to different circumstances of its person.

If a highly competent doctor advises his patient that a certain operation will not only cure his illness but also prevent a speedy deterioration of his case, which is otherwise inevitable, then he may be required to undertake that operation. If his case is tolerable and no deterioration is likely in the absence of an operation, but the operation will certainly improve his health, then we can say that the operation is recommended. On the other hand, if there are no strong medical grounds for operating on a certain patient, but the doctor advises operation only to get his fee, then the doctor commits a sin by giving such an advice.

In the case of sterilization, what we have to look for is the effect of pregnancy on the health of the mother. If a competent doctor determines that every pregnancy is likely to pose a real threat to the life of the mother or to cause serious threat to her health and that other methods of contraception may also have a bad effect on her health, then the woman may have such an operation without the qualm of conscience. It is permissible in her case. On the other hand, for a woman who asks her doctor to perform such an operation because she feels that a pregnancy may spoil her figure or having children may stop her from taking a long holiday every few months, such an operation is forbidden.

In your particular condition, I do not think the reasons you have advanced for such an operation constitute a sound argument to justify the operation. Your wife may be thin and weak, but you can easily delay pregnancy by resorting to other methods of contraception. On the basis of what you say in your letter, you are only with your wife for a month or so every year. If you take adequate precautions, you can almost certainly prevent pregnancy. Therefore, the operation is not required on medical grounds. Hence, it cannot be lawful in your case.

Medical: Impotence, Legitimate Pregnancy, Divorce & Abortion

When a young woman got married, it was soon proven, after medical examination that her husband was impotent. Her parents immediately started procedures to get her divorced and she was granted nullification of

the marriage. However, the man managed somehow to inject her with semen and she became pregnant. Is it permissible for her to resort to abortion? If the child is not aborted, it will be a burden for everyone. Please comment.

No, abortion is not permissible. It is indeed forbidden. How could it be otherwise when the pregnancy occurred within a legitimate marriage? It is true, as you say, that there was a clear case of deception on the part of the husband, but that does not mean that the marriage, which was done on the basis of trust and good intention, was invalid. It was certainly valid. Hence, the pregnancy is a legitimate one. To abort is to end a legitimate pregnancy without any risk to the health of the mother. This is forbidden in Islam. Only when the pregnancy constitutes a clear risk threatening the life of the mother, or the child, or causing her very serious health damage, abortion may be acceptable.

How the pregnancy took place should not be a consideration. If the man did it in anyway, and he does not dispute it, then he is the father and the child, when born, should be called after him. He might have deceived his wife or her family, but we are concerned here with the rights of the fetus. It should be given every chance to live and thrive. It may be that the man wanted to get the young woman entangled and make the nullification of the marriage much more difficult. That cannot be condoned. But it does not affect the rights of the fetus, or the child when born.

The reader says that if the pregnancy is allowed to reach full term and a child is born, that child will be a burden to everyone. How presumptuous. That child could equally be a source of happiness to everyone around. If the child is brought up well, it could grow up into a very good man or woman who will look after the mother when she needs looking after.

The proper thing to do is for everyone involved to reach an amicable agreement on future responsibilities toward the child and its upbringing. Islam lays down clear principles which; if adhered to ensure that everyone get what is due to them.

Medical: Medication In Some Forms Permitted Even While Fasting

1. I would like to know whether intra-muscular or intravenous injections may be given to a fasting person, in normal circumstances or in emergency. Can a person who suffers from asthma use his aerosol inhaler while fasting? What is the ruling regarding the case of ear, nasal and eye drops, suppository and the drawing of blood for investigation during fasting?

2. Earlier, you said that any medicine can be used during fasting by intravenous or intra-muscular methods or as a suppository [i.e. surface treatment] without affecting the validity of fasting. As a medical doctor, I have reservations about such a blanket statement. It is well known that it is possible to give nutrient fluids like glucose by such methods. This is practiced all the time in hospitals. If you give such a 'blanket' verdict, you actually open the door to cheating. People would resort to such methods for re-hydration and nutrients. Thus they would not feel the hardship intended in fasting. Please comment.

Injections of both types may be given to a fasting person in any situation. Similarly, samples of blood may be taken from a person while he is fasting. Some people try to distinguish between intra-muscular and intravenous injections, approving of the former and disapproving of the latter. There are certainly no grounds for making such a distinction when neither method is used for feeding purposes.

Likewise, the use of aerosol inhalers by asthma patients, to relieve their breathlessness, is permissible and does not invalidate fasting. There are scholars who argue that the use of such inhalers invalidates fasting. They advise the patients who may get an asthma attack during the day not to continue fasting but to take necessary medication. He should fast later instead, if he is able to. It is perhaps more correct to advise patients to use the inhaler when the need arises, and to continue their fasting. It is true that one uses the inhaler through one's mouth, but the aim is to get the medicine into the lungs. Some fine particles may be left in the mouth, but this is not food. I personally use my Ventolin inhaler when I need to [use it] during the day of fasting, for I have a mild case of asthma.

The use of ear, nasal and eye drops as well as suppositories is, perhaps, a little more controversial. In past generations, scholars ruled that all these invalidate fasting, since they considered that they went through the passages, which lead to the "internal space" of the body. We have now learned that this is not the case. Moreover, as Imam Ibn Hazm says [that] people do not use these organs to get food inside them. Allah has forbidden us to eat, drink and to have sex during the day of fasting. When we take eye drops or nasal drops, we do not violate His orders, because these are not food or drinks. Hence, they do not invalidate our fasting.

Perhaps I should add a word about illness and fasting. When a person is ill, he is allowed not to fast, provided that he compensates by fasting a similar number of days later. Since Allah has given sick people this concession, it is better if they use it. At the same time I realize that there are certain conditions which may require the use of nasal or eye drops, without the person being considered sick enough to justify exemption from fasting.

2. I am grateful to the Doctor for pointing this out because it may cause a lingering doubt about what I have written. His letter gives me a chance to clarify this once again so that people may continue with their fasting without having to endure pain or discomfort. May I ask first of all what are we talking about here: A genuine case or a false one? If it is a false one, then I am not interested. A person who seeks to cheat God will never get away with it. May I remind my readers of the sacred, or Qudsi, Hadith in which the Prophet, peace be upon him, quotes God's own words: "Everything a human being does is his, except fasting. It is done for Me and it is I who rewards for it." If you reflect on this Hadith and how it is phrased, it tells you something of great importance: There can be no hypocrisy in fasting. If you fast, you do so because you believe in God and you fast for His sake. You do not need to actually fast if you want to pretend to be fasting. Nobody except God would know if you have had a meal in the privacy of your home before going out to meet people, giving the impression that you are fasting.

If this is the case, then who would need to go into the trouble of going to a hospital, and persuading a doctor to give him glucose or other nutrients intravenously, and to stay in bed for a couple of hours while this goes on? Would it not be much easier for such a person to just pretend that he is fasting, or to pretend that he is unwell? Then, whom would he be cheating? God, no doubt. Let him try if he has the guts to do it, and let him then suffer the consequences of his cheating. My reader mentions the case of those people among the children of Israel who cheated to flout the Sabbath. He does not mention the consequences they brought upon themselves as a result. If anyone wishes to follow in their footsteps, he is welcome to suffer a punishment similar to theirs.

Now, may I ask whether I have really given a 'blanket' statement? I spoke of medicines given in certain ways and said that they do not invalidate fasting. When we speak of medicines, then we exclude other stuff used for a purpose other than the treatment of an illness or a disorder. Hence, what is taken for a purpose other than

such a treatment is excluded because it is not a medicine, even though you may buy it at a pharmacy.

These medicines which I meant include inhalers, such as those for asthma, nasal, ear and eye drops, enema, suppository, intra-muscular and intravenous injections. Nothing of this invalidates fasting, because what God has forbidden us during a day of fasting is eating, drinking and sex. No medicine given in any of these forms has even a remote similarity to eating, drinking or sex. It is as Imam ibn Hazm says: "We have never heard of a human being eating or drinking through his nose, eyes, ears, rectum or penis."

What does this verdict give us? There are many conditions, which can be controlled through the administration of medicines in one of these ways. Asthma is the clearest example. An asthmatic person may feel great discomfort, indeed almost dying because he cannot breathe. If he uses his inhaler, he is back to normal. There is no doubt that asthma is an illness, so an asthmatic person is entitled to exercise the concession God has given to sick people not to fast. But asthma is incurable although it can be controlled with inhalers. Does the use of an inhaler invalidate fasting? Certainly not.

The same applies to many other conditions, such as nasal blockage or ear pain, which may be treated with nasal or ear drops, frequent headaches for which one may take a suppository, bowels' trouble which maybe controlled by an enema, etc. In all these cases, the pain or discomfort becomes easy to tolerate while a person continues to fast after using such methods. Again we are talking here about people who genuinely wish to fast, not about cheats who think that they can get away with falsehood. We are talking about medicines, and not stuff used to flout the rules of fasting.

Medical: Medications Recommended By the Prophet

I read in a book about the Prophet's medicine that a particular substance is effective to cure heart disease. However, the book mentions that it should be administered in a certain way, and that the person should perform the ablution, i.e. wudhu, before administering it. My question concerns the necessity for the ablution. Why? May I also ask whether there is really a type of medicine that can be correctly attributed to the Prophet? How to refer to it?

Much has been made in recent years of the advice the Prophet, peace be upon him, gave on different occasions on the treatment of certain ailments and complaints endured by his companions. What we have to remember is that the Prophet, peace be upon him, was not a medical doctor, or a specialist in any branch of human knowledge. He never went to any school, nor studied under any teacher of any sort. What he learned came to him through two different ways: Revelation from God, and personal experience. The first method applies only to his message, which deals with belief and faith. It may include some instructions on dealing with a particular situation, if and when God deemed that to be necessary.

When the Prophet, peace be upon him, gave an opinion about something that is not related to religion, he made clear that he formed that opinion on the basis of information passed to him by God, or else it was subject to the rule he himself outlined: "You know what relates to your present life better." Thus, unless we have some clear indication from him that a particular treatment is effective for a particular condition, we assume that his use or recommendation of that treatment is based on personal experience, which may be superseded as human knowledge improved.

Besides, when you look at what is included in books that discuss what is termed as "the Prophet's medicine" you find that it is mostly based on the use of food, plants or seeds that were available at the time. Most of them are still available, but some may not be. There is nothing special about it. Indeed the Prophet, peace be upon him, and his companions were willing to put any new information they might receive from any source to good use.

I discussed this issue with an Islamic scholar who is at the same time a medical doctor. He tells me that all that is included under the "Prophet's medicine" is based on human knowledge at the time. Only what is stated in the Qur'an or the Hadith as useful carries further endorsement. Otherwise, there is no special status for, say, cupping that makes it always more effective than anything human experience may discover in future.

Medical: Mercy Killing or Euthanasia — No Killing Can Be Merciful

1. Is there any alternate to euthanasia or "mercy killing", of human beings?
2. My children found a very mal-nourished kitten, with a huge abscess in its jaw. After cleaning it and giving it some water with a dropper, she took it to a vet who prescribed some treatment, but advised that the kitten was very unlikely to survive because of its several problems. It was kinder to put the poor creature out of its misery immediately. I wonder whether such a decision is acceptable from the Islamic point of view.
3. What is your view about euthanasia, or mercy killing? Those who support it say, "modern medical technology can prolong a patient's life only artificially." They also argue that people should have the right to die with dignity and that they should not be made to suffer unbearable pain. Please comment.

1. This is practiced in some Western countries in case of incurable illness where the patient may feel that death is a much better choice than endless suffering. It is done either by denying the patient the treatment that keeps him alive, or stopping it, or giving him something to bring about his death. Calls have been raised in recent years advocating that euthanasia should be made legal, within certain conditions. Even in the West, with its heavily materialistic philosophy, the question has raised many ethical worries, with arguments defended strongly on both sides.

In the Muslim world, the question has not raised anything like the sort of controversy that Western countries have seen. That is because Islam gives us an outlook on life and death that leaves little to controversy. No one may do anything to bring about the death of any patient, even though his illness is terminal and incurable. Death is caused only by God at the time He determines. No one may interfere with it, except in the situations God has allowed, as in the case of enforcing the capital punishment on a proven murderer. Any precipitation of God's action is tantamount to murder. This is forbidden. Hence no patient may be given any medication or denied any treatment in order to bring about his death. The only possibility is for the patient not to seek treatment for his illness. If this means his death sooner, then this is not caused by anyone.

2. This is a complicated question because the matter of life and death is very serious. There is no doubt that euthanasia, or 'merciful killing' of human beings is not permissible under any circumstances. Even when a person is terminally ill and suffering much pain, it is not permissible to give him a medicine to end his life. That is because God alone determines death. It is not permissible to commit suicide or homicide in any situation.

In the case of animals, killing them for food is permissible. It is also permissible to kill animals and insects that cause harm or carry germs for disease that affect man. It is also permissible to kill dangerous animals and insects such as snakes, scorpions, tigers, flies and mosquitoes, rats, etc. But killing harmless animals is not allowed. Islam urges us to treat animals kindly. This is best described in the following authentic Hadith:

“As a man was walking alone, he felt extremely thirsty. He then found a well, and he went down to drink. When he came out, he found a panting dog, eating soil out of this thirst. He thought this dog is thirsty, as I have just been. He went back into the well and filled his shoe with water. He held it in his mouth as he climbed back, and gave it to the dog to drink. God was thankful for his deed and he forgave him his sins.” The Prophet’s companions listening to him said: “Messenger of God! Are we rewarded for kindness to animals? He answered: ‘you have a reward for any kindness done to any living thing.’” When we remember that dogs are considered impure in Islam, we appreciate this Hadith even more. It tells us that forgiveness to human being has been granted on account of a kindness to an impure animal.

My reader has been very kind to the poor little kitten, which was very ill and mal-nourished. May God reward her for that. But there was no way the poor kitten could survive, even under the best care available. Such care might have reduced the suffering of the kitten a little, but is a highly demanding task. In a normal situation I would have advised my reader to put the little poor kitten in a veterinary home or institution which deals with such cases. In this particular case, the vet my reader consulted could not deal with the matter. She had to deal with it herself.

Is it right to put the little thing out of her misery, as it were? That is a serious question, because it involves a decision to end a life, which God has given. I feel that no human being is entitled to do so, whether that is an animal or human life. Had she sought Islamic advice, she would have been told that it is kinder to leave the poor kitten to God’s mercy. It is He who has created it. He is more merciful to His creation than we can ever be. I would never advise her to kill even an injured animal. If she cannot help that animal, she should leave him to the One who can in all situations, i.e. God the Creator of all.

3. The termination of human life is caused by Allah. He alone determines when a person should die. He also determines the cause of his or her death. When people interfere with that process which Allah has determined, they actually kill. It is interesting to note that euthanasia is defined as “mercy killing.” That definition acknowledges that it is a killing, and all killing is forbidden in Islam, except as punishment for certain well-defined crimes. A person who has not committed any of these crimes should not be killed under any circumstances. Even if he makes it clear that he wishes to die, and even if his wish is the result of suffering a long, incurable illness, terminating his life is forbidden. The reason is that whoever puts him to death actually puts himself in the position of Allah, determining when that person should die. This is an assault on Allah’s authority.

The arguments used in justifying euthanasia are far from convincing. People argue that modern medical technology can prolong a patient’s life artificially. This calls into question the definition of life and how it is prolonged. If what is meant is that people are put on life-supporting machines, which means that they will die once the machine is switched off, then that is a very special case. What we have to ask here is whether the brain of such a person needing a life-supporting machine has ceased to function. If it has, then the life of that person has ended, even though his heart may continue to beat with the help of that machine. Here we are not speaking about euthanasia, but about the definition of life and whether it exists in such a person. There is no doubt that doctors should use every available means in order to preserve the life of a patient. The use of such life-supporting machines is highly beneficial, if

it gives the doctors a breathing space to administer the treatment, which ensures that the patient recovers. But when it is clear that the patient's brain has died, then there is no way to bring him back to life. If he is put on a life-supporting machine, there is simply no benefit in that. All that is happening is to cause the patient's heart to continue to beat without any hope of recovery. The patient has actually died except in name. The switching off of the machine does not in this case fall under "euthanasia." It is letting a natural course take its effect.

The notions of the "right to die with dignity" and "sparing the patient unbearable pain" are not acceptable. There is no lack of dignity in a person being ill and needing treatment. If he cannot control his own body function, then he should be helped with these. To terminate his life for that reason is inhumane. To speak of euthanasia in this case is actually suggesting that people are unwilling to help those who are in need of medical and human care. It is a condemnation of modern society that it argues for "mercy killing" in their cases. There is no mercy in such a killing. If people want to be merciful, then they should take good care of such patients. On the other hand, most types of pain can be relieved with appropriate treatment. With the modern advances in medical care, the type of pain, which used to be unbearable can easily be reduced or relieved. In case where it cannot be helped, the patient should be reminded of the fact that he will be rewarded for his pain. If he bears it with resignation and accepts what Allah has determined for him, then his reward will be the forgiveness of his sins. A believer will always be willing to accept such pain for the prize of earning forgiveness.

Medical: Ointments Containing Modified Lard

I bought a medicinal ointment prepared in the Philippines and the formula indicates that it contains benzoinated lard. Is it permissible to use?

The medicine you have described is used externally, to rub over the skin. It is not taken orally. It contains lard, which is the melted fat of a pig. The lard is used after it has been benzoinated, which involves a chemical process. When the ointment is prepared, it goes through another chemical process, which ends up in making a product that is totally different from each of its ingredients. According to scholars, an impurity is removed when the impure stuff, lard in this case, has been transformed into something else. This applies here.

However, the impurity of pigs is the worst of all impurity. Therefore, my advice to you is not to use this medicinal ointment if you can have a suitable alternative. If it is the only medicine to suit your condition, you may use it, but you should remove any traces of it when you do your ablution for prayer.

Medical: Orthodontic Treatment — Spacing Teeth & Using Braces

Is it permissible for a woman to have her teeth spaced or to use braces?

The Prophet, peace be upon him, condemned teeth spacing as forbidden, because it is an aspect of what people do to change their physical appearance. Women normally do this in order to appear more attractive. This is why Islam does not approve of it, grouping it with other practices that have the same aim, such as thinning one's eyebrows.

Braces, on the other hand, aim to correct something that has gone wrong, or some growth that gives some discomfort. It is permissible.

Medical: Orthodontic Treatment — the Underlying Purpose

Is it permissible to shred one's teeth so as to bring them all to one level?

If the shredding of one's teeth is to remedy a fault, or to avoid discomfort, or to remove something unsightly that causes embarrassment or physical or mental discomfort, it is perfectly acceptable. But if it is a question of giving oneself a better appearance then it comes under parting and reducing one's teeth, which is forbidden.

It is authentically reported that "the Prophet, peace be upon him, cursed the woman who makes a tattoo and the one who has it made for her; and the woman who parts other people's teeth and the one who has her teeth parted." [Related by Muslim]. The Prophet, peace be upon him, also "cursed women who deliberately go out of their way to acquire a prettier appearance, changing God's creation in the process." [Related by Al-Bukhari and Muslim]. It should be said that although these Hadiths speak about women, they are applicable to men in an even greater degree should they do the same.

Medical: Orthodontic Treatment — To Improve Appearance

1. As a dental surgeon I have sometime to perform orthodontic treatment of protruded teeth . People, especially girls, suggest this treatment to improve their appearance, because without it they fear that they may not be married. If it is permitted, may I ask who decides on its permissibility: the patient, the parents or the surgeon?

2. May I ask whether Muslims are permitted to have orthodontic treatment, whereby teeth are pulled together to close gaps between them? Does this come under the same heading as changing what Allah has created?

1. Orthodontic treatment seeks to correct irregularities of teeth and jaws. It is difficult to give a general ruling that applies to all cases. Let us remember that the Prophet, peace be upon him, condemned women who sought to make up gaps between their teeth, which was at his time highly desirable, as a mark of beauty, because they "sought to appear pretty, changing God's creation."

In orthodontic treatment, the idea is to correct irregularities, such as protruding teeth. Each case should be taken on its merit. If the irregularity causes pain to the person, either physical or mental, or if it invites taunts or sarcasm, or if the protrusion is so marked that the person feels embarrassed because of it, then the case may admit an argument in favor of treatment.

On the other hand, if the whole treatment is to make a girl more attractive, so that young men may stare admiringly at her, then it becomes forbidden. The patient, the parent and the doctor should share the decision in all that. It cannot be an individual's decision.

2. There is an authentic Hadith in which the Prophet, peace be upon him, has cursed women who try to give themselves a prettier appearance by widening the gaps between their teeth, thereby changing what Allah has created. Those women to whom the Prophet, peace be upon him, refers used to take off a part of their teeth with a file or some other tool in order to make their teeth look smaller and leave gaps between them. In certain societies, this is considered a mark of beauty. The Prophet, peace be upon him, has made it clear that these women deserve to be cursed because they go to such trouble in order to look beautiful, thereby attracting people's admiration. This is an attitude, which Islam rejects.

On the other hand, orthodontic treatment seeks to correct irregularities in teeth and jaws. Some people may have irregularities in various parts of their bodies. If the intention is to remove a cause of physical or mental pain, or to give more self-confidence to the person, or to remove what is unsightly, then it is appropriate.

Medical: Postmortem

According to Islam, the bodies of dead people must be buried. Doctors, however, prefer to take the dead bodies to the anatomy department in a medical college where students can learn about the various parts of the body. Please comment.

A postmortem is permissible if it is conducted for the right purpose. We can say that determining the cause of death, either when a crime is suspected or to enable medical students and their teachers to learn about the effects of certain diseases, is a legitimate purpose to carry out a postmortem. Many people are under the impression that postmortems are forbidden in Islam. It is certainly forbidden to show disrespect or to assault the dead body of any person. Islam forbids the disfigurement of enemy soldiers in battle. It would certainly not allow the cutting up of dead bodies for idle play. A legitimate purpose, however, is different. If a medical purpose is not legitimate, what is?

Medical: Pregnancy Techniques & Involvement Of A Third Party

1. If a young married woman cannot conceive because of a problem with her ovulation, is it permissible for her to receive an egg donated by her sister or some other women which would be fertilized by the sperm of her husband and planted in her womb?
2. What does Islam say about test-tube babies, artificial insemination, sperm banks and the so-called "children-on-demand" techniques?

1. There are several new techniques, which are used nowadays for the purpose of helping women to be pregnant. All communities are often discussing the ethical aspects of such techniques, because they involve a great deal of important moral and ethical issues. In the Western societies, where religion is no longer a major issue in social life, the problems that have arisen have prompted many far-sighted individuals and welfare organizations to call for legislation to organize such activities and prevent some of the problems to which they have given rise. In our societies, the problems have not been felt very keenly yet, for a number of reasons, which include the fact that these techniques have not yet been widely used.

A conference was held several years ago, which discussed many of the issues that are closely related to the inception and end of human life. It was convened by the Islamic Organization of Medical Sciences. The general trend of the arguments and rulings concerning the new techniques of reproduction was that when the technique involved only a married couple, without the intervention of a third party, then it is permissible in Islam. When a third party is involved, then the weightier opinion was against it, because of the confusion it may lead to in matters of parenthood and offspring. This approach has much to recommend it.

When we speak of the new methods and techniques, we find much that is unacceptable, while there are some aspects which are clearly beneficial and helpful to people. When they are in line with Islamic standards of morality, they are fine, but where they clash with these standards and values, they are forbidden.

2. Much is being said about the techniques now available as a result of what is termed the "revolution" in genetic engineering. There is the sperm bank, which is used to fertilize eggs of women who have remained childless after a number of years of marriage. There is also the method known as "surrogate" motherhood where one woman is employed to bear the child for a married couple who cannot have a child of their own. The surrogate mother is paid a fee for her troubles. There are other

techniques and methods, which are being tried on animals to determine whether they can safely be applied to human beings.

There is a ruling which has been agreed by many scholars and which applies to all these techniques and methods. That ruling states that whatever is used strictly between a married couple to help them have a child of their own is permissible, provided that no third party is involved in any way. If, for example, the egg of a woman is taken out of her body and fertilized in the laboratory out of her own husband's sperm which means that the conception takes place outside her body, and then the fertilized egg is replanted in her body, and she carries the fetus for the rest of the pregnancy term before giving birth to it, this is acceptable. When any process involves a third party, either in the shape of a surrogate mother or fertilizing the egg of one woman with the sperm of someone other than her husband, then all this is forbidden. In the latter case, the sperm may come from a bank and the man who gave it is not known to the woman.

The prohibition is based on the principle that Islam is keen to maintain proper family relationships. The children must be aware of who their parents are. When a mess like the one happening in the West is allowed to take place, all sorts of problems arise. What is more, the inevitable result will be total confusion of parenthood and of the child-parent relationship. This is something, which Islam does not allow.

Medical: Pregnancy, Examination & Delivery By A Male Doctor

1. Is it permissible for a Muslim woman to have her baby delivered by a male doctor?

2. A Muslim often finds herself in the position of having to refer to a male doctor for a gynecological complaint. There are very few competent women gynecologists. Technological advancement in gynecology, fertility and obstetrics has been the preserve of male doctors. A Muslim woman often finds herself compelled to refer to such a doctor. What do you say about this?

1. In normal circumstances, a Muslim woman should have her baby delivered by a Muslim woman midwife or doctor. It is not permissible for her to reveal of her body what a man is not allowed to see of her. However, there are circumstances, which make a woman's condition particularly difficult and she needs to be attended by an experienced or specialized male doctor. It may happen that such a doctor, with the necessary expertise, cannot be found among the lady doctors in the community. In such circumstances, if the man doctor equipped with the necessary experience attends her delivery that is permissible. One must not forget that this is in an emergency case and emergencies are treated individually, according to the need and the risk involved in every particular case. [Added: e.g. Haram meat is permissible to save life, so long as it is not taken more than absolutely necessary to sustain life. It is the Niyah that is the crucial factor.] The rule is that if a woman can do the job in hand satisfactorily, resort to a man is not permissible to a Muslim patient. When the skill or experience required is possessed only by a man, his services may be employed within what is needed.

2. Your observation of such specialization by male doctors is correct. This is nearly the case world over. However, while the non-Muslims may find nothing objectionable in a male doctor treating women with gynecological, obstetric or fertility problems, we Muslims have a different attitude.

When a woman needs to refer to a doctor for such a problem, and she expects to be fully examined, she should try to refer to a lady doctor who is competent in the field. When no such doctor is available, then the general rule, which states that

“necessities relax restrictions”, applies. Her examination by a male doctor becomes a necessity, and as such permissible. But necessities are estimated according to need. When a woman suffers a serious complaint, which may have far-reaching effects on her general health, and there is no competent female doctor in her area, she should see a male doctor. But if she needs a routine checking and has no real complaint to bother her, then she may not go to a male doctor for an internal examination.

I hope I have made the question clear. But there is a different dimension to this question. It is a collective duty of the Muslim community to ensure that all its needs are met. This means that the Muslim community should ensure that there is a sufficient number of female specialists, particularly in gynecology and obstetrics. That would require the community to offer certain incentives so that a sufficient number of women come forward to specialize in these areas.

This is far removed from what is happening in practice. I have learnt from reliable sources that male gynecologists in a particular Muslim country do their best to ensure that the field is served overwhelmingly by men. When candidates sit for examinations, a small quota of women is taken, perhaps not exceeding 6 percent. That is because those gynecologists who have been in the field for a long time realize that if there were to be a number of competent women in the field, their own business would suffer, as Muslim women would always prefer to be examined by women gynecologists. If this is truly the case, then the government of any country where this practice operates must step in to ensure that this situation is reversed.

Medical: Psychiatric Patients, Mental Illness, Magic, Jinn Or Evil Eye

There are references in the Qur'an to madness, magic spells, possession by jinn and to the evil eye. There seems to be some sort of differentiation in the Qur'an between madness and the other three. However, as psychiatrists we tend to treat those who are affected by any of these as psychiatric patients. Could you please throw some light over these matters and give us references from the Qur'an and Hadith to help us study the Islamic point of view in these matters. This will be of immense help to us in understanding our patients and the mentally ill in general.

The first time I read your letter, it came to me as a shock that madness should be grouped with the other three when to someone like me it is totally different. However, I can understand how psychiatrists tend to group these things together. There is nothing in the Qur'an which suggests that madness can affect a person as a result of a magic spell or an evil spirit. There are references to madness in the Qur'an, but mostly in quoting what disbelievers used to say about prophets, including Prophet Muhammad and Prophet Moses, peace be on them both and all other prophets.

As for black magic or using a magic spell to influence someone's behavior or his power of thinking, I have [elsewhere] given a detailed answer to questions on this subject. I have explained that according to Islam, magic has no material presence whatsoever. There are references in the Qur'an to magic mostly with regard to the magicians employed by Pharaoh to try to outbid the miracles of Prophet Moses, peace be upon him. But it is clear in the Qur'an that the work of those magicians was nothing more than mental tricks. Magic cannot produce anything whatsoever. The encounter between those magicians and Moses is reported in more than one Surah, most notably 7 & 20 "Al A'araf" and "Taha". In the latter Surah, you may refer to Verses 57-76. It is clearly stated by Allah that what the magicians produced, using their ropes and staffs, was mere trickery: Their ropes and staffs so appeared to him, by the force of their magic, as if they were moving. In other words, it was all a mental trick. The staffs and ropes did not move.

As for the evil eye, it is a form of envy. In the penultimate Surah of the Qur'an entitled "Al-Falaq" or "The Daybreak", the prophet is instructed to seek refuge with his Lord from the evil of envy. As the Surah is short we may quote it in full:

"Say: I seek refuge in the Lord of the Daybreak from the evil of what He has created; from the evil of darkness when it gathers; from the evil of conjuring witches; and from the evil of the envious when he envies." [the Daybreak — "Al-Falaq" 113]

In order to explain what the envy may do, it is perhaps useful to quote what the late Sayyid Qutb has written in his priceless work "In the Shade of the Qur'an", when he commented on this Surah:

"Envy is the evil begrudging reaction one feels towards another who has received some favors from Allah. It is also accompanied by a very strong desire for the annihilation of such favors. Some harm to the envied may result from such baseless grudges. Now, this may either be the outcome of a direct physical action of the Envier or may result from the suppressed feelings alone.

"We should try not to feel uneasy on learning that there is countless number of inexplicable mysteries in life. There are several phenomena for which no account has been offered until now. Telepathy and hypnosis are examples of such phenomena.

"Very little is known about the mysteries of envy and the little that is known has often been uncovered by chance and coincidence. In any case there is in envy an evil from which the refuge and protection of Allah must be sought. For He, the Most Generous, the Most Merciful and the One who knows all has directed His messenger and His followers to seek His refuge from this evil. It is unanimously agreed by the Islamic schools of thought that Allah will always protect His servants from such evils, should they seek His protection as He has directed them to do.

"Al-Bukhari related that Ayesha said that the Prophet, peace be upon him, would, when getting into bed to sleep, recite: "Say: He is Allah the One..." and "Say: He is the Lord of the Daybreak," and "Say: I seek refuge in the Lord of men," [i.e. the last three Surahs of the Qur'an] and blow into both hands; starting with his head, face and front part of his body, he would then run his palms over the rest of his body. He did that three times."

That is what Sayyid Qutb has written on envy and I think it gives you a very clear picture of the Islamic attitude to what is known as the evil eye which is a form of envy.

As for the Jinn, the two major references in the Qur'an to which I would like you to refer are those:

"(And recall the event) when We brought to you a group of the jinn so that they might listen to the Qur'an. When they reached the place (where you were reciting it), they said to one another, "Be silent." When the recitation was over, they returned to their people as warners. They said to them, "O our people! We have just listened to a Book that has been sent down after Moses. It contains the Books that came before it and it guides to the Truth and to a Straight Way. O our people! Accept the invitation of the one calling to Allah and believe in him. Allah will forgive you your sins and will save you from a painful torment." And he who does not answer the one calling to Allah neither possesses any power in the earth to make Allah helpless nor has any protector and guardian to save him from Allah. Such people are involved in manifest error." [Sandhills — "Al-Ahqaf" 46: 29-32]

"Some of us are righteous, while some are otherwise. We follow different ways." And that: "We thought we could neither frustrate Allah in the earth nor frustrate Him by flight." And that: "As soon as we heard the message of guidance, we believed in it. Now whoever believes in his Lord, will neither fear of loss nor of injustice." And that: "Some of us are Muslims (submissive to Allah) and some deviators from the Truth. Those who have adopted Islam (the way of submission) have found the way to salvation, and those who have deviated from the Truth, will become fuel for Hell." [the Jinns — 72: 11-15]

"And for Sulaiman We subjected the wind which covered a month's journey in the morning and a month's journey in the evening; and We made a fountain of molten copper to flow for him and subdued such jinn to him, who served before him by the Command of his Lord. Whoever from among them swerved from our Command, We made him taste the blazing Fire. They made for him whatever he desired: lofty edifices, images, bowls like troughs and immovable heavy cooking-pots. — O people of David, work gratefully: a few of My servants only are grateful. Then, when We decreed death for Sulaiman, there was nothing to inform the jinn of his death except the wood louse, which was eating away his staff. So, when Sulaiman fell down, it became clear to the jinn that Sulaiman had died. If they had known the Unseen, they would not have continued in the humiliating torment." [Sheba — "Saba" 34: 12-14]

From these references, particularly the first two, you will realize that the jinn are another species of Allah's creation. They share with us life on earth and we cannot see them while they can see us. They are required to believe in Islam as they have been previously required to believe in the message of Prophet Moses. Like human beings, most of them do not submit to Allah as a matter of choice. They continue to ignore the call of Prophets and messengers as human beings do. The nature of their creation is different from ours. Prior to the advent of Islam, they were able to climb high in the atmosphere to eavesdrop on angels as they glorified Allah, hoping to hear some news, which affected the world. They were prevented from doing so, just before the start of the revelation of the Qur'an. They are accountable for their deeds on the Day of Judgement. Those of them who have done good in this life will be rewarded by admission into heaven and those who continue to do evil will be thrown in hell.

Apart from these similarities, their world is separate from ours. There is no interchange between them and us. Neither can they accomplish our purposes nor do we know anything about theirs. Allah has not made us subservient to their desires nor has He made them subject to our might. Therefore, the idea of anyone of us, man or woman, being possessed by a jinn and that such possession can affect his mental power and his action or prevent something from being done by him or stop him from his intended action is totally absurd. Unfortunately, such thoughts may find a receptive ear with sections of people. The fact is that there is no truth in them.

I totally agree that when a patient comes to you with a disturbed mind, you treat him as mentally ill person and treat him to the best of your ability.

Medical: Sex Change Operations

It was recently reported that a vicar from England was to undergo a sex change operation. He was quoted as saying that he was not doing it to satisfy any whim or desire, but as a medical solution for a personal problem. What does Islam say to this?

Some people are born with different abnormalities, which may be physical or mental, apparent or not apparent. Some abnormalities may cause a person much mental

hardship. None of us questions the right of the parents to subject a child born with a physical abnormality to extensive surgery in order to correct it as far as possible. Even when surgery involves tissue culture or organ transplant, we find this acceptable.

Why should we not look at a mental or sexual abnormality in the same light? The criterion, which should determine this, is medical. If reliable doctors tell us that a certain abnormality could make a person born with male genitals have a high level of female hormones, causing him immense physical and/or psychological problems; we need to ask them about the solution.

If they suggest that a sex change operation could be of great benefit to that person, then we put the case to our most learned scholars for a ruling. This should be treated on a case by case basis, not given a blanket ruling.

Medical: Therapy Through Being More Religious

From my early years I was troubled by daydreaming and fascinations. Now I am middle-aged with heart disease. I have been consulting a psychotherapist, but with little results. He has recommended deep thinking, but when I do I feel that I should think about God the Almighty. I do not precisely know what to think and how. Some people suggest to be more religious, but again I do not know how to do that. I attend to my religious duties but I do not know how to be more religious. Please advise.

I fail to see the connection between what you have described of your condition and your consultation with psychotherapists on the one hand, and your heart trouble on the other. As you have said in your letter, the latter is a physical condition for which you need the help of a cardiologist. But it seems to me that you are troubled by your daydreaming which is most probably caused by a combination of a sensitive nature and an aspiration to better living conditions. All people have daydreams when they are young, but as they grow older this is tempered by the realities of life. In your case, you may still be troubled by a deep sense of lack of fulfillment. Perhaps you feel that life should have offered you more than you have actually got. I am only speculating because I do not have sufficient details.

If this is the case, then my advice to you is that you should start nurturing a sense of contentment. You should look at yourself and what you have achieved in life and compare it to what others are going through. You will realize that whatever your situation is like [it could be worse], there are people who suffer worse conditions through no fault of theirs. This may lead you to ask: "What is then the purpose of life? Is it suffering?" The answer to this is that this present life of ours is a test. There are as many versions of this test as there are human beings. Each single one of us must prove that he or she is worthy of God's grace and eternal happiness in heaven. We do that by accepting what God has given us, realizing that His blessings bestowed even on the most miserable human being outweigh by far the difficulties he goes through. Therefore, we have to believe in God, the One, the Eternal, the Most Fair and offer what little gratitude we can to demonstrate this.

People advise you to be more religious. I concur with their advice, but that does not merely mean that you should offer more voluntary prayers or voluntary fasting, or give more to charity, etc. It means that you should develop a better understanding of Islam and know why you believe in God and why you worship Him. That comes through study and a realization that Islam provides a complete code of living. As you begin to develop this understanding of your faith, you will find that you are better able to cope. Your better sense of your faith will tell you that there is much more that you can do in your time than spending hours daydreaming. You need to fill your time

with useful pursuits. Try to have as little time alone as possible. All this may be of help. I pray that you will soon be able to sort out your problem.

Medical: Transplant — Organ From the Dead, Living Or Animals

How does Islam view transplantation of human organs from the dead or even from the living? Who is the owner of the donor's dead body, the dead, the family or the State? What is the view on blood or bone marrow transfusion? There are also cases of animal organs being used on human beings. Is it permissible to restore the hands cut off as punishment for theft?

Islam teaches us to respect the body of any dead person. The Prophet, peace be upon him, says: "To break the bone of a dead person is the same as breaking the bone of a living person." This means that Islam views any disfigurement of the corpse as a punishable crime. This idea of respecting the body is well instilled in the minds of the Muslims that we do not read in the history of Islam of any disfigurement of dead enemy soldiers, as often happens in wars.

Having said that, I have to add that principle is overridden by a well-defined interest of the community. Leading scholars tell us that if a person swallows something valuable which does not belong to him, say a diamond ring, and he dies afterward, it is permissible to open up his tummy in order to retrieve that diamond ring and give it back to its owner. Moreover, if a group of unbelievers fighting the Muslim state take a Muslim hostage or make use of him as a shield to protect themselves, it is permissible to kill that Muslim person if killing him is the only way to overcome those unbelievers. Working on these principles, contemporary scholars agree that organ transplant operations are permissible.

The interest that such operations serve is quite obvious. Such operations do not involve any disrespect to the dead. Indeed they are done with the greatest respect to the donor. The family of the deceased is considered the owner of his body. Their permission is necessary for using any part of the body of the dead person for transplantation, unless he has indicated during his life that he is willing for his body to be used for transplantation.

Postmortem in order to establish the cause of death and the possibility of any crime having been committed is permissible. It is also acceptable that a postmortem is carried on a dead person if in the opinion of the qualified doctors such a postmortem may help in curing similar cases of illness.

To use an organ from a living person for transplantation into another is permissible if the recipient or his family or the state or any other authority does not put the donor under any pressure to give away his organ. If he donates his organ, he must do so out of his own free choice. It is not difficult to imagine a variety of situations where people are pressurized into donating their kidneys, or indeed forced to do so. In some countries, where political prisoners are subject to various methods of torture it is very easy for the authorities to rob them of various parts of their bodies. Pressure or the use of force in this respect is absolutely forbidden.

It is also permissible to utilize the organs of animals for transplantation into human bodies if that is likely to prolong the life of the recipient.

Restoring hands of a thief after it has been cut off in punishment for crime indeed amounts to a nullification of the punishment when a criminal is punished. It is the Islamic view that he should feel the effect of that punishment. Hence, it is not permissible to allow him to have his hand restored.

Medical: Treatment Denied — Various Situations

How imperative is it to seek and follow medical treatment, particularly when it is clear that without such treatment the patient is going to die? I have three cases in mind: the first is that of a mentally retarded young child who suffered extensive burns. When he was taken to hospital, he was refused admission, and ended in homeless children's home. The second is of a young boy suffering from rheumatic heart disease. The father disregarded the doctor's orders that the child should not be involved in sports and physical activities for fear of death. The third is of a 90-year-old woman who started to lose control of her essential body functions. Her family decided not to put her in hospital and the woman died a week later. In which of these cases is the action taken acceptable from the Islamic point of view?

Seeking medical treatment is strongly recommended. The Prophet, peace be upon him, makes it clear that prolonging the suffering of illness is by no means desirable from the Islamic point of view. In an authentic Hadith he says: "Seek medical treatment, for God has not created an illness without creating a cure for it. When the administered treatment is the right one for the patient's complaint, he is cured by God's will."

However it is not compulsory to seek medical treatment for any illness, whether it is of the minor type that occurs every day, such as the common cold and influenza, or the complicated, life-threatening variety. This means that in the last case mentioned by the reader, the relatives of the 90-year-old woman have not violated any provision of Islamic law by not sending her to hospital for treatment. It may be that the family could not afford the expenses involved, or that they did not feel that the treatment would give their old-age relative the quality of life which makes her enjoy her remaining days.

Having said that, we have to point out that the family may be faulted on a totally different count, which is caring for an elderly woman, who is most probably a grand mother. Dutifulness to parents and grand parents is a duty incumbent on all Muslims. But being dutiful is a characteristic that manifests itself according to circumstances. The old woman in this case might have not been a grand mother to any member of the family. The woman's own children might have died before her, and she was only in the care of some distant relative. Had that relative taken better care of her, he would have earned rich reward from God. Her relatives chose not to send her to hospital and trusted to God's wisdom. May God forgive them.

The case of the child with the rheumatic heart has some comparable elements. Here we have a child ordered by the doctor to take long acting penicillin regularly and to refrain from participation in school sporting activities. The child began to suffer as he felt himself cast aside and unable to share with his friends their enjoyable pursuits. This resulted in some manifestations of depression and psychological problems. At this point the doctor put a question to the child's father, whether it would be more valuable to the child to have a short and happy life or a long and miserable one. The father opted for the first and allowed his son to take part in all aspects of school life including sports. The child flourished and became healthier.

There is more than one aspect involved here. The first is to disregard the doctor's instructions that the child should not do any sport. If the child or the parents did not act on this advice, there is no harm done from the religious point of view. It is like someone recommending to you certain types of food for improving your health and you do not act on that advice. It is not obligatory that the advice should be taken, even when it is from a medical expert. When the father weighed up the effects of

withdrawing his child from physical school activities, he opted for the benefits of full participation. That worked well in this case, but it could work badly in another. The father is blameless because he acted in what he judged to be in the best interests of his son.

The other aspect is that the stark choice put by the doctor is wrong. He stated it as if he was absolutely certain that physical activity would inevitably result in the child's premature death. The alternative he mentioned was stated with equal certainty that a longer life for the patient was bound to be miserable. In neither situation, the doctor could tell the result with any measure of certainty. He should have stated the case in a different way, saying that with physical activity the child will be taking certain risks, and with a quiet and withdrawn life, other risks are taken. After all, the child could have refrained from sport, sunk into depression and might still have had a very short life, either as a result of his condition or through some other agent. Alternatively, he could play with his friends, run around and still live a long life without repercussions. No doctor who respects his profession and his patients speaks of the future course of events with absolute certainty.

The case of the mentally handicapped child who suffered extensive burns is totally different. He was refused treatment because doctors judged that they would only prolong his agony and that it was more merciful to let the child die. That attitude cannot be condoned, either from the Islamic or the professional point of view. In Islam, we believe that God determines life. It is not for anyone to decide that a certain life is better terminated, no matter what the conditions are. That boy may have been mentally handicapped, and homeless, and without any type of support. It is not for a doctor to say that treatment would cost so much and would only prolong the agony. By so doing, he is placing himself in a position, which is not up to any human being to assume. That is a position of determining whether a certain life is worth living or not. That is God's own prerogative. That is for no human being to decide.

From the professional point of view, it is not acceptable that a doctor refuses treatment when it is within his power to administer it. He is ethically required to try to preserve the life of his patients. By sending the child in his condition to homeless children's home, he deprived him of the chance to treat his burns and continue to live. It is easy to say that he would only be prolonging the agony, but how can anyone judge whether that is for better or for worse. Life is full of cases where the situation seems helpless, but help is then provided by God, in a way which no human being could have anticipated or thought possible. When human beings take decisions of the type taken in this case, they are giving themselves an authority, which does not belong to them, and they are depriving the person concerned of benefiting by something God may have in store for him. That is totally wrong. The doctor in this case should repent and seek God's forgiveness. If his action resulted directly in the child's death, there may be a case of manslaughter through negligence. That needs to be examined more carefully by a group of scholars who need to look at every aspect in the case in full details.

Medical: Urine Medically Useful & Doubts Concerning the Hadith

We are surprised to read in one of your answers that the Prophet, peace be upon him, permitted drinking camel's urine as medically useful for a certain disease. What is even more surprising is the logic you used, saying that drinking the camel's urine is permissible because its flesh is permissible to eat. If so, does this apply to other animals? This is contrary to all our knowledge. How authentic is this Hadith? Please review your answer and explain.

The Hadith is authentic, and scholars have taken it as the basis of several Islamic rulings, such as inflicting the capital punishment on a group of people if they took part in the murder of one person, and inflicting two or more punishments, even though one of these is death, if the offender had committed another crime before committing murder. The Hadith states: "A group of people from Uranah and Ukl came to the Prophet, but then they were ill in Madinah. They complained to the Prophet, peace be upon him, and he said to them: 'If you go out to where the charity camels graze, and drink from their urine and milk.' They did. When they were cured, they killed the shepherds and took the camels away, and made war against God and His messenger. The Prophet, peace be upon him, sent a force to chase them and they were overtaken. He ordered the cutting of their hands and legs, popping their eyes and leaving them in the sun until they died." [Related by Al-Bukhari, Muslim, Abu Dawood, Al-Nasa'ie and Al-Tirmithi].

As you see, this Hadith is very authentic, and when we are faced with an authentic Hadith that is contrary to what we have learned, or to our preconceived ideas, we should look at it carefully, and revise our previous knowledge.

Before answering your criticism and explaining the rest of the Hadith, I would like to say that I never said that the camel's urine is permissible to drink because the camel's flesh is permissible to eat. What I said is that the urine of any animal that is permissible to eat is not impure, i.e. not najis. This applies to sheep, cows, goats, etc. The complaint of those people was a disease known as dropsy, which causes the tummy to swell and is very debilitating. The Prophet, peace be upon him, indicated to them that camel's milk and urine are useful against this disease, and he also implied that staying outside Madinah, would be of benefit to their health, since they fell ill after they had stayed in the city for several days. Medical doctors have established that camel milk and urine are particularly useful for this disease. In most cases, the milk would be sufficient, but perhaps in their case, the disease was so severe that the Prophet, peace be upon him, ordered them to drink the camel's urine as well. If you wish to look at this case more carefully, you need to study this disease and what cures it. You will then need to look at the particular qualities of camel's milk and urine. You are bound to find out that they contain some qualities or ingredients that are particularly effective against dropsy.

Having been treated by the Muslim State, these people killed the shepherd tending the camels and stole the camels after they regained their health. Some versions of this Hadith make it clear that they also popped at least one shepherd's eyes and left him to die. Thus, they were guilty of several crimes at the same time, including murder, torture of the shepherd, and making war against God and His messenger. Hence, the Prophet, peace be upon him, ordered that punishment for each of these crimes to be inflicted first, before they were executed. Their eyes were popped in retaliation for popping the shepherd's eyes, and their limbs were cut because they made war against God and His messenger. This punishment is prescribed in the Qur'an, which says:

"It is but a just punishment of those who make war on God and His messenger, and endeavor to spread corruption on earth, that they should be put to death, or be crucified, or have their hands and feet cut off on alternate sides or that they should be banished from the land. Such is their disgrace in this world, and more grievous suffering awaits them in the life to come." [Table Spread — "Al-Ma'idah" 5: 33]

Scholars have based on this Hadith the ruling that committing a more serious crime does not waive the punishment of the lesser crime. Thus, the fact that these people killed the shepherds after popping the eyes of one of them did not limit their punishment to "death for killing", but they were punished for the lesser offense first.

There was a recent case in Britain where the police were absolutely certain that two people took part in the killing of a child, but the police were unable to charge them with murder because they could not establish which of the two was the one who dealt the killing blow. In Islam, this is not needed. On the basis of this Hadith, the two would have been charged with murder and punished accordingly. All those people were punished for the same crime, because they all took part in it.

Menstruation: Ablution, Bath, Prayer & Sex

I realize that a woman must take a bath when she has finished her period in order to resume praying. Does she have to take a bath before she can have sex with her husband?

When a woman is in her menstruation period, she is exempt from praying and [is to defer] fasting, and she cannot have intercourse with her husband, but they can have foreplay, as long as it remains short of intercourse. When a woman is certain that her period is over, she takes a bath or a shower, washing her private parts thoroughly and washing all her body with water. When she has done that, she resumes praying. She can resume fasting before taking a bath, but she needs to take her bath as soon as possible.

As for sex, we need to look carefully at the relevant Qur'anic verse:

"They ask you about menstruation. Say: 'It is an unclean condition; so keep aloof from women during menstruation, and do not draw near to them until they are cleansed. When they have cleansed themselves, you may go in unto them in the proper way, as God has bidden you. God loves those who turn to Him in repentance, and He loves those who keep themselves pure.'"
[the Cow — "Al Baqarah" 2: 222]

The prohibition of sexual intercourse lasts 'until they are cleansed', which means the end of the period. So, when the period is over, the prohibition is over. However, the verse continues: ***"When they have cleansed themselves, you may go in unto them in the proper way."*** So the cleansing act, which is the bath, is required for a healthy and clean intercourse. This means that while it is not forbidden to have intercourse after the end of the period, a shower or a bath before it is required.

Menstruation: Deciding Waiting Period When No Menstruation Occurs

What is the ruling concerning a person who says to his wife: "This is my first divorce to you?" After nearly four months, he decides to return to his wife in a matrimonial relationship. During these four months of their separation his wife did not have any menstruation periods.

If the man in question intended his statement as a divorce, then that is the effect of his statement. His wife was divorced from him at the time when he said it. As a result, she had to observe a waiting period lasting until she has completed three menstruation periods or 3 periods of cleanliness. During this time, his wife would be staying in their home, but they should be using separate bedrooms. While this waiting period continues, the man could reinstate the marriage by word or action, and the marriage would then be on again.

You say that the woman did not have her period for four months. Was she pregnant? If so, then her waiting period continues until she delivers her child. Therefore, if the re-marriage was before the child's birth, then what happened was perfectly legitimate. If she was not pregnant, and she was possibly beyond menopause, or for any other clinical reason, then her waiting period is three months. Since the re-

marriage was after 4 months, then they needed a fresh marriage contract and she is entitled to have a new dowry.

Menstruation: Delaying the Time Of Occurrence For Religious Duties

Some women use some medicines to delay their periods during Ramadhan and pilgrimage. Some people object to it arguing that this amounts to interference with Allah's creation. As a result, many women feel guilty at having done this. Please comment.

Some women feel deprived of the benefits of pilgrimage if they have to miss their prayers during pilgrimage days as a result of having their periods. Although their feeling is understandable, it is unnecessary. Allah has created women in this fashion. He has exempted them from prayer when they have their period. There is no reason, however, to prevent them from fulfilling the rites of pilgrimage while having their period, adding the sort of glorification and expression of submission to him which pilgrims repeat often. There is nothing to prevent women in their periods from doing that.

However, if a woman resorts to some medication to delay her period in order to be able to complete the rites of pilgrimage on time, or to fast the whole month of Ramadhan, she violates no Islamic rule or principle. She does not have any extra reward for fasting the whole month of Ramadhan, because a woman who does not fast during her period, compensates by fasting a similar number of days later on and receives the same reward.

Yet a woman may prefer to fast in Ramadhan for a variety of reasons. If she uses some tablets, which are normally contraceptive to delay her period, she does no wrong. To suggest that she is interfering with Allah's creation is very naive. It is part of Allah's creation that certain substances, when taken in a particular measure or quantity, cause a delay in woman's period. Therefore, when a woman resorts to such an action, she is only manipulating Allah's creation for a legitimate end.

The fact that the tablets used in this case are ordinary contraceptive pills does not alter the situation. People who suggest that such an action constitutes interference with Allah's creation should reflect a little further. What do they say to husbandry, which causes a particular tree to yield different fruits? It is needless to say that husbandry is perfectly legitimate although it seeks to change the taste of fruit or crops yielded. It is simply making use of Allah's laws of nature for a desirable end.

Menstruation: Intercourse During Menstruation

I wish to ask about a man who, after Traveling on home leave after more than three years, had intercourse with his wife during menstruation despite his wife's strong objections. He wishes to know what should he do to atone for this. Please advise.

It is not permissible to have sexual intercourse when the woman is in menstruation, even in such a situation as the reader describes. Of course it is difficult for the young couple to resist the temptation when they have been separated for such a long time. Since the woman tried her best not to yield to her husband, she is not responsible for his action.

As for him, he should genuinely repent, seek God's forgiveness and resolve not to repeat his mistake. He should also give something in charity — donation, or Sadaqah.

Menstruation: Irregular Menstruation & Other Continuous Bleeding

Some women have irregular menstruation period and the period of cleanliness while others suffer a continuous blood discharge, which may extend to weeks. Can you please advise the limit for period of menstruation or the period of cleanliness whereafter the restriction on prayer and sex ends?

There is no set limit for menstruation, which applies to all women. As you may realize, this is something that relates to the physical constitution of every woman. Hence, there is a wide range of variation between women, although the overwhelming majority continues in menstruation for seven days. Many women finish their periods after six days, while others may go on to the eighth day before they are finally clean. A few may have longer or shorter periods.

Although most women have a regular period, which comes every 28-30 days, some are not so regular. Therefore, there is no maximum limit for the length of time of cleanliness from menstruation. On the other hand, some scholars say that the longest that a menstruation period can take is 10 days. The weightier opinion is that there is no such limit. Every woman knows her normal course and she acts accordingly.

Sometimes, a woman continues to discharge blood after the end of her menstrual period. The discharge may continue week after week. She has to differentiate between menstruation and a normal blood discharge. The two are different. During her menstruation, a woman may not pray, fast or have sexual intercourse with her husband. The case is different when she has a blood discharge. What a woman should do if she has such a discharge is to calculate her menstruation period on the basis of its normal length, and she takes a bath and pays no attention to the discharge apart from taking the normal precautions not to allow the blood to fall on her clothes or body. Umm Salamah, the wife of the Prophet, asked him about a woman who continues to bleed. He said: "Let her calculate the nights and the days which she used to menstruate every month. She should not pray during these days. Thereafter, she takes a bath, uses a piece of cotton or cloth [to absorb bleeding] and prays." [Related by Al-Bukhari, Muslim and others].

The case is known in the books of Fiqh as "Istihadhah" which is different from menstruation which means "haith."

Menstruation: Pilgrimage Duties & Menstruation

1. If a young woman wants to do the pilgrimage but she knows that she will be having her period on the seventh or eighth of Thul-Hijjah, what should she do? I should add that she has received conflicting advice from different women. Please advise.

2. If a woman arrives for pilgrimage, having chosen the Tamattu, method and then finds herself in her period, she is not able to do her Umrah. The same applies if she has chosen either of the other two methods: she cannot do her tawaf. What will be her status then? Could you also explain whether in the Tamattu, method, the Umrah must be offered in the month of Dhul Hijjah? I understand that we release ourselves from Ihram or consecration after this Umrah, until it is time for the pilgrimage. Could you please explain to what extent, and whether one can leave the Haram area as well.

2. A woman finished her period on 9 Dul Hijjah and did her pilgrimage duties in full, with the exception of the tawaf of arrival. She had expected

to finish two days earlier according to her own habit. However, she was told that she should have considered the period complete after seven days, and she should have started prayer, even though her period was not over. Please advise.

1. Let me first of all tell you that Ayesha, the Prophet's wife, praised the women of the Ansar because they did not allow their shyness to stop them from asking questions about how to conduct their religious duties. They put their questions to the Prophet, peace be upon him, overcoming the natural shyness of young women who might have felt embarrassed to ask.

From the details you have given me, some of the advice you have received suggests that a woman who is expected to have the period during pilgrimage should delay her pilgrimage. What nonsense! How on earth can she know that she will not have the same dilemma next year or the year after that? Moreover, how many of the pilgrims who have managed to come for this religious duty this year know for certain that had they delayed it, they would be able to do the pilgrimage next year? Since women have their period for one week every four weeks, then it is reasonable to assume that 20 percent of women, could be in their period during the pilgrimage. If they were to be prevented by their period from fulfilling their duties, this would create endless problems. Therefore, a woman who is in her period can go ahead and offer her pilgrimage like the rest of us observing, however, certain restrictions.

When a woman is in her period, she does not offer her prayers. This restriction applies during pilgrimage. Similarly, a woman pilgrim in her period must not enter the Holy Mosque or do the Tawaf. This is the only restriction, which applies to her when she is in that condition. In other words, she may go ahead and do all the duties of pilgrimage, because all those duties take place outside the Grand Mosque. Only the Tawaf is done inside.

When the Prophet, peace be upon him, started his journey of pilgrimage, Abu Baker's wife Asma' bint Umais, gave birth to her son, Muhammad. She went to the Prophet, peace be upon him, asking what she should do. He instructed her to take a bath and to use some sort of absorbent material, which should be placed tightly at a suitable position to prevent her discharge from falling around the Ka'abah.

In the case which is outlined by the reader, a woman who expects to have her period on the seventh or eighth of Thul-Hijjah may wish to start her journey performing the Umrah. She may then release herself from Ihram if she opts for the Tamattu method, which is the one preferred by the Prophet, peace be upon him. She would thus have completed the Umrah. On the eighth day, regardless of the condition she finds herself in, she begins her pilgrimage, entering into the state of consecration. She may do all the duties, with the exception of the Tawaf of Ifadah. She has to delay that until she has finished her period. She does that then and follows it with the Sa'ie. When she had done that, she would have finished all her duties of pilgrimage with the exception of the Tawaf of farewell, which is due just before leaving Makkah. This means that she has to time her departure and her flight, if she is leaving by plane, so as to make sure that she is able to complete her duties. The same applies to a woman who has her period after she has started her pilgrimage, but before doing the Tawaf of Ifadah.

A woman who expects to have her period during the pilgrimage days, should try to complete the Tawaf of Ifadah as soon as possible after it becomes due, so that she is able to complete her pilgrimage without allowing her period to interfere with her plans of departure. If she has done that Tawaf and she has her period after it is complete, she continues with her duties of pilgrimage. If she is due to leave for home before her period is over, she may do so, even without doing the Tawaf of farewell.

She becomes exempt from it. She need not compensate for it in any way. However, if her period is over before she has left the city of Makkah, she must go back, take a bath and do the Tawaf of farewell.

If a woman enters into the state of consecration declaring her intention to do the Umrah, but starts her period of menstruation before she begins her Tawaf, she cannot do any of the duties of her Umrah until she has finished her period. If it so happens that the pilgrimage will begin before her period is over, she simply declares verbally her intention to do the pilgrimage, without releasing herself from the state of consecration. If she does this on the eighth of Thul-Hijjah, effectively her pilgrimage becomes in the Qiran method. This means that she does the action of pilgrimage only and they count for both the pilgrimage and the Umrah. She does not do the Tawaf of arrival, unless she has completed her period and taken a bath before she leaves for Arafat. She carries on with the duties of pilgrimage and she does the Tawaf of Ifadah after her period is over. She has to slaughter a sheep like every pilgrim who opts for the Qiran and Tamattu methods. This sacrifice is by way of gratitude to for enabling her to do the pilgrimage and the Umrah in the same season. She may partake of the meat of the sacrifice.

This is what the Prophet, peace be upon him, instructed Ayesha, who was in this condition. He also explained to her that her actions on pilgrimage suffice for both pilgrimage and Umrah. However, she was keen to do a Umrah separately, and the Prophet, peace be upon him, told her brother, Abdur Rahman, to take her to Attan'eem, the nearest point in the hill area to start her consecration again and to do the Umrah separately. Any woman in this position can do this if she so chooses.

2. The menstrual period is a natural process, which all women go through for a certain period in their lives. Therefore, a Muslim woman can do all her worship during her period, except for what is specifically pointed out as exempt, or need to be delayed. It is well-known that a woman does not pray or fast when she is in the period, but she is required to make up for her fasting days so as to bring her fasting month to its completion, but she does not make up for her missed prayers.

In pilgrimage, a woman who is going through the period performs all the pilgrimage rituals at their respective times and places except for the tawaf. It is well known that tawaf is considered a form of prayer, and it is done in the Haram. Hence, it cannot be done except in a state of complete purity. Therefore, a woman in the period must delay her tawaf until she is clean from menses. She purifies herself in the normal manner and attends to her delayed ritual. If she chooses the Tamattu method, she will have to wait until her period is over before she performs her Umrah duties. If she finishes her period a day or more before the pilgrimage is due, she attends to her Umrah in the normal way. However, time for the pilgrimage may be due while she is still in the period. If she arrives in Makkah, say, three days before the pilgrimage, and her period starts when she is on the way to Makkah, then much of her pilgrimage would have been completed before she has finished her period. She attends to her pilgrimage duties, and then she performs her Umrah duties when she is able to do so. However, it may be advisable for a woman who expects to find herself in this situation to choose the Qiran method. It is more convenient for her to do so.

A woman who chooses either the Qiran or the Ifraad method and finds herself in this situation will proceed with her pilgrimage duties, but not the tawaf. If she has to go to Arafat before she has finished, she does so. When her period is over, she will have to perform her tawaf of Ifadah and this means that the tawaf of arrival is not applicable to her. It is a Sunnah anyway, and since its time is over, she simply omits it.

When we choose the Tamattu method, which is the one preferred by the Prophet, peace be upon him, we perform the Umrah on arrival in Makkah, then release

ourselves from Ihram until 8 Dhul Hijjah, when we are required to re-enter into that state for pilgrimage. This release from Ihram is complete, which means that a husband and wife can have full marital and sexual relation during this period of release. The Umrah in the Tamattu, method may be offered at any time in the months of pilgrimage, which are Shawwal, Dhul Q'adah and Dhul Hijjah. A pilgrim who performs the Umrah during this period and then performs the pilgrimage in that same year is deemed to have chosen the Tamattu, method, even if he does not mention that specifically at the time of his Umrah or pilgrimage. The same applies to one who leaves Makkah to travel back home after he has performed the Umrah. This means that when a pilgrim choosing the Tamattu, method has completed his Umrah he may travel from the Haram area. However, this is not advisable for fear that he may not be able to come back for his pilgrimage duties.

3. This woman did the right thing, and her pilgrimage is complete. A woman who is in her period should do all the duties and recommended actions of pilgrimage like everyone else, except for the tawaf, which she must delay until she had finished her period. This is what this woman did. As for the tawaf of arrival, it is a Sunnah, which means that its omission does not affect the validity of the pilgrimage. Since she had to omit it but would have done it had she been able to, God may, if He so wills, credit her with its reward for her intention. Hence, she does not need to take any action now.

Of all Tawafs, only the tawaf of Ifadah is an essential requirement of the pilgrimage, and without it the pilgrimage remains incomplete until it is done. The tawaf of farewell is a duty, but a woman may omit it without need to compensate if she is in her period and cannot wait in Makkah until she finishes, as is the case with people who have an unchangeable flight booking.

The advice the woman was given on the duration of the period is wrong. The maximum duration is 10 days, not 7. Thus, if a woman continues to have a blood discharge after 10 days, she treats it as a physical disorder, which should be medically treated if it is repeated.

This is what is known in Fiqh as Istihadhah. But a woman who has this condition needs to pray and can fast, after she has had a shower. A woman who has a normal period of, say, 6 or 7 days, and she develops this complaint, should treat the first 6 or 7 days of her discharge as her period, and the rest as Istihadhah.

Menstruation: Reading Qur'an During Menstruation

1. A Muslim lady teacher conducts Qur'anic classes in a mosque in Canada. She insists that it is appropriate to do so when she is in her monthly period. Is this correct?

2. Can a woman read, or even touch the Qur'an when she is in periods — or can she recite from memory or use a bead for glorifying Allah?

1. The view of the majority of scholars is that a woman in her menstruation and a man in the state of ceremonial impurity may not stay long in a mosque. They may pass through it but they cannot sit there for sometime. Scholars rely on two Hadiths in which the Prophet, peace be upon him, is quoted as saying: "I do not allow staying in the mosque for a woman in menstruation or for a man in the state of ceremonial impurity." Abu Dawood relates one of these Hadiths while Ibn Majah relates the other. The same scholars also forbid reading the Qur'an for people who are in this state.

However, Imam Ibn Hazm and others, including Al Bukhari and At-Tabrani, are of the view that it is appropriate for a man in a state of ceremonial impurity and a woman in menstruation to read the Qur'an. None of the Hadiths quoted to prevent it is

considered by them as authentic. Similarly, Imam Ibn Hazm states that it is permissible for a woman to enter a mosque and stay in it when she is in her period. He points out the Hadith quoted by others to prevent it and explain in detail why he considers them inauthentic.

The lady teacher in Canada might have considered both views and concluded that the need for her classes is so pressing that following Imam Ibn Hazm is appropriate for her. Or she may be a scholar who considered the evidence supporting each view and made her conclusion in favor of Imam Ibn Hazm's view. In both cases, her action is appropriate.

2. It is unanimously agreed by scholars that ablution [or wudhu], is strongly recommended for everyone who intends to recite the Qur'an, whether from memory or from a book, or wants to glorify Allah or praise Him. Some scholars say that if one intends to hold the Qur'an in his hand and read it, then it is required to do the ablution first. However, the evidence they use to support their opinion is not decisive in making ablution a condition for holding the Qur'an or reading it. Therefore, it is perhaps more correct to say that while ablution is not absolutely necessary when doing either of these two things, it is strongly recommended.

A woman in her menstruation and a man in the state of ceremonial impurity, cannot recite the Qur'an, whether from memory or from a book until they have removed that state by taking a bath. The woman must end her menstruation before she is able to do that. However, if some verses of the Qur'an are written in a book or a piece of paper, together with other material, then it is permissible for a woman in her menstruation or a man in a state of ceremonial impurity to hold that piece of paper without having to take a bath first. The Prophet, peace be upon him, wrote a letter to the Byzantine emperor and included in that verses from the Qur'an. The emperor was non-Muslim and the Prophet, peace be upon him, knew that he will be holding that paper in his hand. It is assumed that a non-Muslim does not take the same precautions as a Muslim to remove the state of impurity.

Similarly, glorifying Allah by using phrases like "*Subhan Allah*", "*Alhamdulillah*" and similar words and phrases is permissible. A bead has no sanctity, nor indeed is it recommended. The Prophet, peace be upon him, used no such beads, but he counted the number of times he glorified Allah by using his fingers.

Menstruation: Salat, Menstruation Or Traces Of Discharge

My period lasts for three days during which I have frequent discharge. The next four days I have very little discharge or none at all. What I normally do is to have a shower on the fourth day and even on later days, and then pray Fajr. If it continues to be clean, I offer my prayer normally, but when I see traces of discharge, I stop praying for the rest of the day. Please comment.

If you know that your period lasts seven days, then that is your period, despite the fact that the discharge is only trickling in the last two or four days. Let me make that very clear. If after the three days when your discharge is very frequent, you find that it has stopped for several hours, but you know from experience that you will still have some little discharge in the evening on the following day, then you are still in the period. Most women know the frequency, regularity of their periods and the volume of their discharge, etc. They can identify how long their period will last. In your case, it seems to me that it lasts seven days. During a woman's period, she is not required to pray, and, according to most scholars, she may not read the Qur'an. My advice to you is to make clear in your mind how long your period lasts. When you have identified that length, then a temporary stoppage, even though it may be for the last half of a day or so, should be disregarded.

Young women used to come to Lady Ayesha with their pieces of cotton to show her and ask her whether they should resume prayer. She would tell them not to hurry until they have made sure that the discharge is all white. I think that should give you enough guidance.

Menstruation: What Is Lawful For A Husband During Menstruation

Which sexual acts are forbidden during a woman's monthly period?

What is forbidden during a woman's monthly period is sexual intercourse. Courtship and sexual play is permissible.

A man went to Ayesha, the Prophet's wife, and said: "I want to ask you a question but I feel too shy." She said: "Ask it; I am your mother." By saying this she reminded him that the Prophet's wives were the mothers of all believers in all generations. He asked her: "What is lawful for a husband during his wife's period?" She said: "Everything except intercourse." Needless to say, under "everything" she referred only to what is ordinarily permissible and legitimate.

Menstruation: When the Duration Is Prolonged

If a woman's period lasts 20 days, followed by only one week before the next period, what should she do regarding her prayers?

This is the case known as *Istihadhah* in Fiqh terminology. If this lady used to have a normal period of no more than 10 days, then she applies that norm to her present condition, which is an abnormal condition. Suppose that she used to have her period lasting 7 days, like most women do, then she takes a bath after seven days and treats the rest of the days as days of cleanliness. However, she needs to have a fresh ablution, or wudhu for every prayer. Before she performs her ablution, she should wash her genital area, and replace her sanitary napkin, so that she lessens to the minimum any bleeding. She should also perform her ablution after the prayer is due, not before it is due.

For all intents and purposes, she is not in menstruation after her nominal period of 7 days. This means that she may have intercourse with her husband.

If this situation started right at the time when she attained puberty, and she is unaware of what her normal period is like, then she applies the normal standard that prevails in her community, which is in most cases 6 or 7 days. If her sisters have a 6-day period, then she applies the same, and if they have 8-day period, she adopts that. But she may also apply what prevails with most women.

Miracles: Present Day Need For Miracles

We do require more miracles these days because Muslims all over the world are in a very critical situation, exposed to many types of danger. Why do not miracles happen these days?

Whether we need miracles these days or not depends on what miracles are for. What is it that makes it necessary for Allah to show people a miracle?

It may be suggested that when people do see a miracle, they are more likely to believe in Allah and worship Him, as He should be worshipped. Therefore, a miracle may be the short cut for making people believe in Allah and implement His law. However, historical facts show otherwise. When miracles were given to earlier prophets, their communities accused them of sorcery and were even more determined to reject the faith preached by those prophets. Thus we have the

statement of Pharaoh and his people, reported in the Qur'an, in which they challenged Moses to a match of sorcery.

"They said: Moses, have you come to us with your sorcery to drive us out of our land? We will certainly come up with sorcery equal to yours. Fix, then, a date for us to be attended by us and you in a mutually suitable place." [Ta Ha 20: 57-58]

In another statement reported by the Qur'an, those people said to Moses: ***"Whatever sign you bring in order to bewitch us, we shall not believe in you."***

So miracles are not the answer for people's rejection of the faith. They can be shown the clearest of signs and miracles and yet they continue to deny Allah and His message. But Allah does not give people the challenge of a miracle out of mercy and grace. He has established a rule, which is applicable to all people, when they are shown such a miracle. If they continue to disbelieve in Him after He has given them the miracles they ask for, they will be destroyed forthwith. They will not have another chance. That is because they actually condemn themselves to destruction by their continued rejection. Rather than put people to this test, Allah gives them an extended chance to believe in Him. The means to win them over to faith are already in place. He has sent them infallible guidance embodied in the Qur'an. They need only approach the Qur'an with clear minds to accept its argument and believe in its message. At any time in man's life there are moments of clear vision. If a person makes use of such a moment, he is sure to accept Allah's guidance and believes in Him.

Moreover, miracles are present in the world around us at every moment in life. We need only reflect on what takes place in the universe, in human life, and within ourselves. Allah says in the Qur'an: ***"Surely, in the earth there are signs for people with certainty of faith, and indeed within your own selves. Will you not see?"***

Look at the birth of every child and reflect on the process of conception, creation and development of a human being from the moment a female egg is fertilized by a male's sperm to the moment of birth and continue your reflection to encompass man's life in this world. The miraculous aspects in all this are so numerous and clear that we have to acknowledge Allah's own works. [Reflect on] how your heart continues to beat all the time, doing a process which is so essential for your life. Reflect also on how your stomach accepts such a great variety of food which you eat at the same time without giving a thought to whether what you are eating can be digested by the same mechanism. Then reflect on how your stomach can make use of it all and transform it into an element of nourishment. Reflect on other aspects of your existence and the existence of the world around you. Reflect on the fine balance, which Allah has created to make sure that life continues without one side of it overwhelming the rest. All this is miraculous. Why do we need a material miracle, which could signal our own destruction?

Miracles: Rabi'ah Basri & the So Called Miracle At the Ka'abah

It is said that when Rabi'ah, the famous lady from Basra went for pilgrimage, she camped at a long distance from the Ka'abah and addressed Allah the Almighty, saying: "I would not go for tawaf, my Lord. You send your Ka'abah to me." It is also said that suddenly the Ka'abah disappeared from the vision of the people who were doing their tawaf. Is this true?

A miracle is something supernatural, which happens all of a sudden. People look at it and are unable to explain it except to attribute it to Allah and His power. A miracle normally happens to support a prophet or a messenger so that his people may be more responsive to his teachings. The Qur'an tells us of many a miracle performed

by prophets such as the staff of Moses turning into a snake which swallowed all what the sorcerers of Pharaoh could produce through their magic tricks. Prophet Saleh had his she-camel as a miracle. She could drink as much water and produce as much milk as all the camels, which the whole population had. Prophet Jesus could heal the blind and the leper and bring life back to the dead, by Allah's sanction. When one reflects on one of these miracles, one cannot escape the conclusion that they are the work of Allah. No human being can do such things on his own.

When one speaks of the ability of Allah, we say that it is absolute. He can accomplish what He wants without exerting Himself in any way. Whatever He wills is done in an instant. An action like lifting the Ka'abah from one place to another is extremely easy for Him, although it appears to be miraculous to us. Indeed, He can lift a whole city or a country, or a continent, or the whole earth altogether and turn it upside down. Nothing defies His will or stops its accomplishment. Indeed, He does what is much more miraculous than that all the time, every second or split second. He gives life to His creation. If you reflect deeply on the birth of any child, you are bound to see the miraculous nature of creation. Compared with it the lifting of a huge building, or moving it from one place to another looks very easy. After all, it can be done by man, using lifts and other machines. Ancient temples, which have survived for thousands of years, were moved by man so that they would not be submerged by water when the High Dam was built on the river Nile.

But we take the birth of a child as extremely natural, while we think of the lifting of a temple as miraculous. The reason is obvious. The birth of children is so familiar to us that we tend to overlook its significance, while the lifting of a building is something that we cannot imagine happening easily because it is so unfamiliar to us. To Allah, however, all things are equally easy, because all laws of nature are familiar to Him. It is He who has made those laws and put them into operation. He can stop any of them at will and He can replace them all or cause them to operate in any different manner.

When we understand that, the difference between the natural and the supernatural becomes easy to understand. To us, what is not familiar to our sense is bound to seem supernatural, miraculous. To Allah, there is nothing supernatural, because it is He who has created all things and given their nature.

In human life, there can be two types of supernatural events performed by people. The first is the one, which has already been mentioned of a miracle performed by a prophet. We read in the Qur'an that Allah shows Moses, His messenger the miracle He has chosen for him and makes it clear to him that he can perform that miracle whenever he wants, in order to convince his people of his message. A prophet can make use of his miracle at any time, and challenge his people to do something similar, as happened with Moses when the Pharaoh gathered all his magicians and sorcerers in order to defeat Moses.

The other type of supernatural event is a miracle done by Allah in honor of one of his good servants, either in response to his prayers or to relieve an emergency. This sort of miracle is done by Allah when His good servant does not expect it. He does not know of it, nor does he imagine what shape or form or purpose it may have. When it happens to a person, he feels that Allah has honored him beyond description and does not try to show off. I will give an example of our modern times.

In a country which was under one of the most cruel dictatorial regimes for a long time, those who advocated an Islamic government were rounded up and subject to different form of torture in order to extract confessions from them about their colleagues and brothers, especially those who managed to escape arrest. One of them who knew many people who were still at large was brought for interrogation. He feared to tell of his brothers if the torture became very bad. He prayed to Allah to

help him not to say a word, which will lead to the arrest of anyone. When he was questioned about others, he denied all knowledge of any of them. He managed to withstand the simple forms of torture such as beating and flogging. When his inquisitors were fed up with him they decided to inflict more torture on him and use electricity. His lips trembled with a prayer to Allah to help him. When the electricity was connected to his body it did not work. Furious, the inquisitors tried the torture machine in different ways, but it did not work whenever it was connected to him. They tried it on one of their soldiers and it worked. They tried it again on their victim but it still did not work. At this point, the tortured man said to the top inquisitor: "Maybe, your machine does not work with people whose static electricity is of a certain type or who have a certain blood group. Why don't you try it yourself to see if your body is like mine?" The man fell to the suggestion and held the wire himself. The machine worked and he had a very bad electrical shock.

I heard this story from the man to whom it happened after he was released. He was all modest, praising Allah for the favor and saying that he could never forget that moment when Allah greatly honored him and bestowed on him so much of His grace.

Such miraculous events do happen to good servants of Allah, as an honor to them, in response to their prayers and to relieve emergencies. As I have already said they do not expect a miracle to happen until it happens. They cannot demand it from Allah because no one can put himself in a position, which enables him to demand something from his Lord. We must not forget that the relationship between any human being and Allah is one of a servant and his master. It is always the master who demands and commands. The servant's role is to obey.

In this story which is attributed to Rabi'ah, we are told that she demanded that the Ka'abah comes to her. Can we ask first why did she refuse to go to the Ka'abah herself? Allah states in the Qur'an: It is a duty owing to Allah by all people that they must go on pilgrimage to the House. That House is the Ka'abah. The Ka'abah stands in the place where Ibrahim and Ismail had built it, in fulfillment of Allah's commands. It is to that spot we go for pilgrimage. This story tells that Rabi'ah refused to go there and wanted the Ka'abah to come to her. Does this not mean that she refused an express command of Allah and countered it with a demand of her own that the Ka'abah come to the place she had encamped? How could she do that? What was she trying to prove?

Moreover, those people who are doing the tawaf at the Ka'abah itself in response to Allah's orders saw it being taken away suddenly. This means that Allah disregarded them all and took the Ka'abah to that woman who refused His orders! Is it possible that Allah tells his obedient servants who are doing His bidding to stop obeying Him because He wants to honor a woman who is disobedient to Him!

If it is true that she said those words, then she was giving an example of absolute rudeness. Her rudeness is not directed to any human being, but to Allah Himself. If you asked your son to bring you a glass of water and he retorts: I will not do that, you go and bring me a glass of water because I am thirsty. What would you say to him? Would you bring him the water and increase his pocket money that day? Those who tell us this story want us to believe that Allah did exactly that and removed the Ka'abah from its place to where that woman was so that she could do the tawaf. The rudeness of her words is only matched by the stupidity of those who imagine that Allah would respond in that way to such rudeness.

The truth is that we are all servants of Allah. We worship Him as He wants us to worship Him, not as we imagine His worship should be. Moreover, our worship must take the form which the Prophet, peace be upon him, has taught us. No other form is valid or acceptable to Allah. I repeat that He wants us to offer the pilgrimage to the

House, i.e. the Ka'abah, where it has stood ever since it was built by the two noble prophets, Ibrahim and Ismail, peace be upon them.

The absurdity of the whole story becomes more clearly apparent when we remember that the Prophet, peace be upon him, himself and his companions were in Madinah for several years and none of them could go to Makkah to offer the pilgrimage or the Umrah. Allah did not bring the Ka'abah to the Prophet, peace be upon him, to do the tawaf of the pilgrimage. Moreover, when the Prophet, peace be upon him, went with his companions to do the Umrah in the sixth year after his immigration to Madinah, Quraish stopped them and did not allow them to enter. They encamped about 30 km away from Makkah where negotiations with the polytheists of Quraish went on for several days. The result of these negotiations was a peace treaty, which stipulated that the Prophet, peace be upon him, and his companions would go back that year without entering Makkah. They were in a state of consecration, i.e. Ihram. When they were so prevented from entering Makkah and doing the tawaf at the Ka'abah, they slaughtered animals in compensation and released themselves from Ihram and went back home delaying their Umrah for a full year in accordance with the terms of the peace treaty achieved at that time and known in the history books as the Treaty of Al-Hudaybiyah. Allah did not bring the Ka'abah to them to do their tawaf and finish their Umrah, because the Umrah must be done at the Ka'abah. The Ka'abah what does not go to anyone, so that he or she can do the Umrah. That did not happen to the Prophet, peace be upon him, himself. How can it happen to a woman, no matter who she was and what she was. She could not be more honorable than the Prophet, peace be upon him. Anyone who suggests that does not know he is talking about. But Sufis tell us all sorts of stories like this one. None of them should be believed.

Miracles: Splitting Of the Moon — By God's Will Or By the Prophet

I am told that the Prophet, peace be upon him, divided the moon into two and later put it back in its original form. Is this true? Is there any evidence to support this?

The parting of the moon is a fact, but the Prophet, peace be upon him, did not do it. How could he when he was an ordinary human being, like all of us, except for the fact that God chose him to receive and deliver His last message to mankind? God who is able to accomplish any purpose of His did it. Many a Qur'anic verse ends with the comment: "God has sway over all things."

The evidence confirming this event is in the Qur'an. Surah 54, The Moon, or Al-Qamar starts as follows:

"The Last Hour has drawn near, and the moon has been split. Yet whenever they see a sign, they turn away and say: 'It is but sorcery extended.'" [Moon — "Al-Qamar" 54: 1-2]

When you analyze the first verse carefully, you find that it consists of a warning about the Day of Judgment, which is indicated here as the Last Hour, and a piece of news speaking about a certain event, namely, the parting of the moon. There are also several Hadiths that mention the event. One is reported by Abdullah ibn Masood who says: "The moon was split into two parts during the lifetime of the Prophet, peace be upon him, and people looked at it. The Prophet, peace be upon him, said to all people: 'Bear witness.'" [Related by Al-Bukhari and Muslim].

Further evidence is that the Qur'an stated this fact very clearly, confronting with it the idolaters who denied God's message, and none of them is reported to have denied the event. They acknowledged it, but they sought to dismiss it by saying that it was sorcery. They claimed that the Prophet, peace be upon him, put a spell over them to see the moon in two. But then some of them suggested "if Muhammad has

managed to cast a spell on us, he cannot do so with all people. Let us wait until some travelers arrive and ask them." They did and all travelers arriving in Makkah confirmed seeing the moon parted in two. Hence the unbelievers alleged, as the Qur'anic verse states, "it is but sorcery extended."

But why should we wonder at God's ability to split the moon in two, or into many smaller fragments, if He so wills? Do we not believe that He is able to accomplish any purpose of His? Think of the recent huge earthquake that caused the tsunami that killed around a quarter of a million people in countries thousands of miles apart. It caused the movement of one of the largest islands of Indonesia, and made some small islands disappear and others emerge.

Then reflect what would be the effect of a similar earthquake lasting ten minutes instead of 20 seconds, and what if such a longer earthquake was ten times as strong.

It could split the earth into several parts. Besides, the creation of the moon itself and the way it functions, the cycle it follows, and the change of its position and shape every night provide a much greater sign for us to contemplate. We must remember, however, that all this occurs by God's will, not by any of His creatures, not even the Prophet, peace be upon him.

Miscellaneous: Basic Definition Of Faith

The Prophet, peace be upon him, says:

"It is a belief that is deeply entrenched in one's heart and to which credence is given by action."

Miscellaneous: Basic Definition Of Fardh & Wajib

What is the difference between Fardh & Wajib?

A Wajib is also obligatory, but to a lesser degree. Witr prayer, after Isha, is considered Wajib by certain schools of thought. While its omission is strongly reprehensible, it does not specifically incur punishment.

The two terms Fardh and Wajib are very close in meaning. Nevertheless there is an important difference between them when they occur within the context of Islamic worship. In order to appreciate the difference, perhaps we should give them different terms in English. There, we should translate the term Fardh as obligation and Wajib as duty.

Different schools of thought have different approaches to the distinction. For example, the Maliki and Shaf'ie schools of thought consider both terms synonymous in all matters of worship, with the exception of pilgrimage in which a Fardh or an obligation, if omitted, renders the pilgrimage invalid. The best examples are attendance at Arafat on the ninth of Thul-Hajjah and the tawaf of Ifadah. A Wajib or duty, is something the omission of which does not invalidate pilgrimage altogether, but requires compensation by sacrifice. As for prayers, fasting and Zakah, Fardh and Wajib, or obligations and duty are synonymous, according to these two schools of thought.

The other two schools, the Hanafi and the Hanbali assign different meanings to the two terms. Let us consider these differences with regard to prayer. The Hanafi school of thought lists 17 duties of prayer, considering the fact that the Prophet, peace be upon him, consistently did them in prayer as the reason for making them duties. If someone omits any of these during prayer, either inadvertently or through forgetfulness, all he needs to do is to offer two prostrations at the end of his prayer, which are known as Sujood Assahu. If he deliberately omits any of these duties, he

must repeat his prayer. If he does not, the prayer is valid, but he is considered to have committed an offense.

According to the Hanbali school of thought, there are eight duties or Wajib. If any of them is omitted deliberately and knowingly, the prayer is invalid. If it is omitted out of forgetfulness, it is compensated by two prostrations as we have explained. If any is omitted out of ignorance that it is a duty, the prayer is valid.

Miscellaneous: Basic Definition Of Fardh [Obligatory]

That is Fardh, which Allah has made obligatory for everyone of us, such as prayers, fasting, Zakah and pilgrimage. Reward is earned by fulfilling a Fardh and punishment is incurred by omitting it.

Miscellaneous: Basic Definition Of Fatwa & the Competent Authority

What is the meaning of Fatwa? Who is authorized to give it?

Fatwa means a ruling issued on a matter that has no straightforward verdict in Islamic sources. To give such a ruling, a person should be well-versed in Islamic disciplines, particularly the Qur'an, and the Sunnah. He should also be able to understand religious text and relate different texts to each other, so that he would know which text is applicable to which situations. Anyone who is well aware of the principles and texts that relate to a particular Question, and understands how Islamic communities dealt with such matters may give a ruling on that question. In other words, one does not have to be a top scholar to rule over any question. He may give a verdict on single matter only, when he knows it thoroughly. However only the top class scholars may give rulings of a general nature.

Miscellaneous: Basic Definition Of Haram

That which is Haram is everything that has been forbidden by Allah or His messenger. Obviously, committing something Haram earns punishment. Avoiding it earns reward. Thus Haram, is the opposite of Fardh.

Miscellaneous: Basic Definition Of Ittaqo Allah

What does 'Ittaqo Allah' mean? The term is often translated as "fear God". Do people worship God and do good deeds out of their love to Him or because they fear Him?

The Arabic term "Taqwa", the root from which the verb you have mentioned is derived, means "to be on one's guard" or "to ward off" something that is unpleasant or has some bad or evil associations. When the term is used in a way, which refers to God, then the warding off is immediately understood to refer to "incurring His wrath". Thus, we should always fear displeasing God and doing what incurs His displeasure. This is because we expose ourselves to His punishment, which is too severe indeed. What Muslims should actually guard against is doing what God has forbidden them, for that is certainly evil. God has forbidden us only what is harmful and what is evil. The translation of 'Ittaqo Allah' as "fear God" is, as you say, rather inadequate, but it is probably the best that translators can do, considering the associations, which each language gives to its terms.

If you want the best explanation of the term 'Ittaqo Allah' then I refer you to Verses 4 and 5 of the second Surah of the Qur'an. These may be translated as follows:

"This is the Book, no doubt: a guidance to the God-fearing, who believe in the unseen, attend to their prayers, and spend in charity a part of what We have provided them with; who believe in what has been revealed to you as

well as what has been revealed before your time and have firm belief in the hereafter. It is these who follow their Lord's guidance; it is these who shall surely prosper." [the Cow — "Al-Baqarah" 2: 4-5]

Miscellaneous: Basic Definition Of Makrooh

That which is Makrooh is an action, which can be described as reprehensible or detestable. If a person resists temptation to do something of this sort, he earns a reward. Its commission, however, is not punishable but a person may be reproached for it. Tanzihi and Tahrimi are two words to qualify what is reprehensible. The latter denotes a very strong objection to it. When something reprehensible is described as Tanzihi, this description means that a good Muslim should avoid it.

Miscellaneous: Basic Definition Of Martyrs [Shaheeds]

Martyrs are only those who are killed when they fight for Allah's cause with pure and total devotion. Such martyrs, as we learn, are alive, enjoying all the characteristics of life. They are "provided for" by their Lord, and they are jubilant at what Allah bestows on them of His bounty, and they rejoice at what they learn of the destiny of the believers they had left behind, and they are aware of the events that take place here in our world. All these are characteristics of the living: enjoyment, jubilation, being concerned, influencing events and being influenced. Why should anyone then grieve for parting with them when they are still alive and they have their ties with the living and with events?

"Do not think of those who are killed in the cause of Allah as dead. Indeed, they are living in the presence of their Lord and are well provided for. Jubilant are they because of what Allah has bestowed on them of His bounty, and rejoicing at the happy news that those who have not joined them, but are left behind, shall have nothing to fear, nor shall they grieve. They rejoice at the glad tiding of Allah's grace and bounty and that Allah will not allow the reward of the believers to be lost." The Family of Imran — "Aale Imran" 3: 169-171]

Miscellaneous: Basic Definition Of Mustahabb

That which is Mustahabb is something, which we are encouraged to do. Like Sunnah and Nafil, it earns a reward and its omission incurs no punishment. Nor are we questioned about its omission, since it has not been particularly stressed that we should do it.

Miscellaneous: Basic Definition Of Nafil

A Nafil is an act of worship done because it has been suggested to us by the Prophet, peace be upon him, and practiced by him on one or two occasions. [Added: It earns a reward and its omission does not incur any punishment.]

Miscellaneous: Basic Definition Of Pride

The Prophet, peace be upon him, equated pride with associating partners with Allah. So his companions were naturally curious to know what constituted pride. The Prophet's definition was: "Ignoring the truth and denying people their right."

Miscellaneous: Basic Definition Of Rituals & Directives

Religious directives are complemented by practical steps, which aim at shaping life in a certain fashion. If religion were to be confined to directives and rituals, then the directives will remain unimplemented.

A complete way of life on the basis of religion is necessary to allow its directives to be put into practice in situations where directives and practices complement one

another. This is the Islamic view of religion, which makes it a complete system regulating all aspects of life.

Miscellaneous: Basic Definition Of Rukn

An action may be a Rukn of an overall obligatory action. When it is omitted, the whole action is rendered invalid. We say, for example, that attendance at Arafat on the ninth day of Thul-Hajjah is a Rukn of pilgrimage. If a person does all the other duties of pilgrimage without reaching Arafat before dawn of the following day, which is the time limit for pilgrimage attendance, he has not met this Rukn and, therefore, he has not offered the pilgrimage.

Miscellaneous: Basic Definition Of Sunnah

You have stated in various answers given by you that by not observing a Sunnah, a Muslim does not commit a sin or an act of disobedience. As you realize, Sunnah is divided into "moakkedah" and "non-moakkedah." The first is compulsory, and the second voluntary or recommended. Obviously, non-observance of the type of Sunnah, which is "moakkedah", is an act of disobedience. Please comment.

Sunnah is something that has been recommended to us by the Prophet, peace be upon him. Voluntary prayers are Sunnah, some of which have been given more emphasis than others, and these are called "moakkedah". In prayer, certain voluntary prayers were observed by the Prophet, and these are termed as moakkedah. Others were done only occasionally by the Prophet, peace be upon him, and these are termed 'Ghair moakkedah.'

When the Prophet, peace be upon him, gives us an express order to do something or avoid another, that order must be obeyed. The sanctity of obligation is clearly stated in the Qur'an when Allah commands us to act on whatever the Prophet, peace be upon him, bids us and refrain from whatever he forbids us. This divine order is contained in Verse 7 of Surah 59, "Al-Hashr."

The Prophet, however, has done or said certain things without specifying that these were compulsory. On the other hand, he may have defined a compulsory part. Such a definition means that what is extra is not compulsory. When he does or encourages something, which is other than the obligatory part, then we can only say that it is recommended.

We have this particular case in prayer when the Prophet, peace be upon him, tells us for example, that Allah has made it obligatory to us to offer five prayers a day in a certain fashion and according to a particular time schedule. Obviously, the Prophet, peace be upon him, offered more prayers than those obligatory ones. The effect of this is that what we define as obligatory remains so and what goes beyond it remains recommended.

This latter part can be divided into Sunnah moakkedah and non-moakkedah, as you have correctly pointed out. What is "moakkedah" is that which the Prophet, peace be upon him, regularly did [and encouraged]. The other he did occasionally. Now we cannot describe either type as compulsory. Both are recommended. However, the moakkedah, which was done regularly by the Prophet, peace be upon him, carries more weight and has more stress placed on it. But if a Muslim does not do it, he does not commit a sin or an act of disobedience. He simply loses the chance of earning the reward placed on it.

May I refer you to the authentic Hadith related by Al-Bukhari which reports that a certain man came to the Prophet, peace be upon him, and asked him: "What prayers

Allah has made obligatory to me?" The Prophet, peace be upon him, answered: "The five [daily prayers] unless you wish to volunteer something." The man asked him about the obligatory part of fasting, Zakah, and other acts of worship. Every time the Prophet, peace be upon him, answered pointing out the obligatory part and adding the proviso "unless you wish to volunteer something." When the man finished his question, he said: "By Him who has sent you with the message of truth, I shall volunteer nothing. I will do these obligatory actions without omission or addition." When the man went away, the Prophet, peace be upon him, said: "He will prosper if he keeps his word." I feel that this authentic Hadith clarifies your query and shows that what is Sunnah cannot be described as compulsory. Otherwise, its omission incurs punishment, which is not the case.

Miscellaneous: Basic Definition Of Tafseer, Ussul & Tareekh

I will be grateful if you will kindly explain the meaning of the following two terms: Ussul Al tafseer and Tareekh Al tafseer.

The two terms are used in the study of the Qur'an and its interpretation. The term tafseer means, in its original linguistic sense, "explanation, clarification, interpretation, etc." However, in an Islamic context it refers to the explanation and interpretation of the Qur'an.

Since the Qur'an is God's final message to mankind, revealed by Him and preserved in its original form, it is only natural that Muslims should give much attention to the study of the Qur'an and understanding its meaning. This has developed into a major branch of Islamic studies, known as tafseer. Any course of study leading to a university degree in the Islamic studies is bound to have tafseer as an integral and major component. It is indeed a branch in which many scholars specialize. Over the centuries, many scholars have written new commentaries on the Qur'an, trying to explain its meaning. These often have new contributions to make to the study of the Qur'an. In the 20th century, two very eminent scholars have written invaluable commentaries in Arabic. These are Sheikh Rasheed Reda and Sayyid Qutb. Also Maulana Maudoodi wrote Tafheem Al Qur'an which is a commentary running in several volumes in Urdu. Other scholars have written books, or pieces of research, or articles which also contribute to the explanation of the Qur'an. Indeed, the efforts to explain and interpret the meaning of the Qur'an date back to the early days of Islam, with the Prophet, peace be upon him, explaining to his companions, and to Muslims in general the meaning of numerous verses. Abdullah ibn Abbas is perhaps the most famous commentator on the Qur'an among the companions of the Prophet, peace be upon him. He achieved that position of eminence in fulfillment of the Prophet's prayer when he held him as a newborn baby and prayed close to the Ka'abah: "My Lord, make him highly conversant in Islam and teach him in interpretation [of the Qur'an]". Other scholarly companions of the Prophet, peace be upon him, were known to explain the meaning of Surahs and verses.

The study of the trends and the development of interpreting the Qur'an comes under the heading Tareekh Al tafseer, or "History of Qur'anic interpretations."

As there is a continuous process of studying the Qur'an and explaining its meaning, certain rules and principles are bound to be developed for such studies. For example, scholars agree that the best interpretation of the Qur'an is that which uses the Qur'an itself. This refers to the fact that certain ideas are expressed in the Qur'an in a general way at one point, but elaborated upon later. This elaboration provides the best interpretation of the earlier general statement. Secondly, the Hadith is to be taken as a major basis for interpreting the Qur'an. The third source is statements and comments made by the Prophet's companions. But there are other rules and principles that have been developed by scholars over the centuries. These are

studied under the heading Ussul Al tafseer which may be translated as "Principles of the Qur'anic Interpretation."

Miscellaneous: Basic Definition Of Taqleed

Could you please tell me something about Taqleed.

I am not sure what you are asking about. The term Taqleed means following someone else's example. In a religious sense, it means following the guidance given by a scholar. However, in some uses, it means that a follower of a particular school of Fiqh decides to follow the views of another school because he finds it more suitable to his circumstances.

There is no harm in following the views of any scholar, provided that one is aware of the basis of the view and is convinced of its validity. [It should not come about just as a matter of convenience.]

Miscellaneous: Basic Definition Of Wajib

A Wajib is also obligatory, but to a lesser degree. Witr prayer, after Isha, is considered Wajib by certain schools of thought. While its omission is strongly reprehensible, it does not specifically incur punishment.

Miscellaneous: Bulletproof Soldiers

In our un-conquered Bansamoro country, a great number of Moro Mujahedeen are famous for being invincible. They fight with the ferocity of a tiger and bravery of a lion. Rain of bullets from firearms do not touch their bodies, even when fired from a close range. If any such bullet touches them, it only leaves a mark on their skin similar to that of a cigarette burn. Their fearlessness is an inherent characteristic. What makes them highly confident is their belief that it is Allah's will, not bullets, which may kill them. I have seen some of them totally unaffected by the passing of any cutting tool with a sharp blade over their bodies. They say that they derive their invincible power from Allah, the Almighty. They do a great deal of "Thikr," remembering Allah's name, and they have special skills, which enable them to face great weapons rather than fight them. May I ask whether we have in our history any stories of invincible Muslim fighters? Is it possible for us to perform miracles or do extraordinary things if we are absorbed with Thikr, or remembrance of Allah?

According to Islamic beliefs, Allah is able to do everything and He has power over all people and all forces. Indeed, nothing operates without His permission. That permission is given when He creates something and gives it its essential and inherent characteristics. He has, for example, given the sun its heat. Therefore, when the sun shines over something, it warms, heats or burns it. It does so by Allah's permission since He has given it the ability. He is always able to withdraw this permission and stop any characteristic or power from working. Perhaps the clearest example of how this works is the case of Ibrahim, when his people threw him in the fire.

Ibrahim destroyed the idols worshipped by his people on a day when they were absent from town. On returning, they questioned him and established that this was his own doing. They sentenced him to death by fire. They lit up a huge fire and threw Ibrahim in it. According to the laws of nature which have been set in operation by Allah, Ibrahim should have been burned, since Allah has given fire the ability to burn human flesh and bones. However, with a simple command from Him, Allah

stopped the fire from burning Ibrahim. There is nothing strange in that, despite its miraculous aspect. Miracles appear to us to be supernatural, because we classify as "natural" only what is familiar to us. To Allah, however, everything is natural. Setting a certain natural law in motion is as natural as stopping that law. For an essential characteristic to be operative and evident in a particular situation for millions of years is as natural as stopping it in a particular case, and for a particular purpose.

If we apply this to war and firearms, we say that, with Allah's permission, bullets kill human beings when they are shot in certain parts of their bodies such as their hearts or brains. This is the total sum of several inherent characteristics, which are fulfilled in the firing of a bullet from a shotgun. The bullet, which has a piercing head, travels at high velocity and penetrates through the body causing a fatal injury. Allah can withdraw His permission and stop the bullet from either penetrating through the body or killing the person hit by it, or indeed He may prevent it from being fired. If he decides to do any of these things, the bullet will not kill the person at whom it is shot. To do this is as easy and simple as setting the original laws and giving the essential characteristics to the firearm and the bullet in the first place. There is nothing unnatural or supernatural in it, because everything is natural to Allah.

To sum up, Allah is able to make a particular group of fighters immune from the effects of their enemies' arms, if He so chooses. He may do so in any way He likes, whether by rendering the weapons un-operational, or making their operation ineffective.

Now the question, which we need to answer, is whether Allah does this sort of thing and orders that certain phenomena be overruled, in order to allow Muslim fighters to be saved. We have already said that He is able to do so, but whether He acts on that ability or not is a different matter. The answer is that He normally does not, for a variety of reasons.

Allah defines the struggle by the believers in support of His cause in terms of a deal, which He has concluded with them. He says in the Qur'an: "Allah has bought from them in return for giving them paradise; they fight for Allah's cause and kill and get killed." These terms mean that being killed by the unbelievers is part of the bargain. Indeed, without it, the deal is meaningless. If Muslim fighters were to understand that they are immune from being killed, everyone will join the fight. But everyone must know that when he takes part in a campaign of jihad, he runs the risk of being killed. Indeed, that is the best of sincerity.

Jihad is the perfect translation into practice of our claim that we truly believe in Allah. This is because jihad involves a real risk of losing one's life. Jihad means sacrifice of life and property. It is for this reason that it earns such a great reward, namely, certitude of being admitted into heaven. When the risk element is taken away from jihad, there is no way of knowing who is a true believer and who is not. We cannot say that those who are given the special power of being hit by their enemies' bullets and are not saved by Allah are the ones who are true believers. If so, how is it that Allah did not save millions of martyrs who sacrificed their lives for the cause of Islam throughout its history? A large number of the companions of the Prophet, peace be upon him, were killed in battle, including some that were most distinguished and best loved by the Prophet, peace be upon him. Perhaps the most famous among these is Hamzah, the Prophet's uncle, whom he had described as "the most honored of martyrs." We remember that Hamzah was not only killed in battle, but he was disfigured as well. How is it that Allah permitted his killing, if it is His will to save those who fight for his cause in the Moro country? Are they better servants of Allah than Hamzah? Indeed not.

It may be suggested that if those fighters were to be defeated, the whole country might be turned away from Islam. Nevertheless, this has not been a reason for

Allah's direct interference to save a certain community of believers. Allah tells us in the Qur'an about disbelievers who set up a huge fire and threw the believers in it. That is the story of "The People of the Pit" of fire. According to the story told to us by Allah, all the believers in that community were thrown in the fire and all of them died. .

What I am driving at is that Allah wants us to prove our faith in the setting He has chosen for human life. We are influenced by natural forces in the same way as our enemies are. He says to us: ***"If you suffer pain, they [i.e. the disbelievers] suffer pain in the same way as you do."*** In other words, the laws of nature affect us in the same way as it affects them. We make our achievements, with Allah's help, by our efforts.

You ask whether it is possible for a person to achieve miraculous powers through the remembrance of Allah, i.e. Thikr. The answer is that the remembrance of Allah gives us great support. We are able to show greater courage. Through this remembrance, we are also able to weigh matters up in the proper perspective. We do not give undue importance to life or to any other factor. We realize that life on earth is not our ultimate goal. Indeed, happiness in the hereafter is our greatest prize. Therefore, we seek it even if we have to risk our lives in the process. The remembrance of Allah gives us the courage to make such a decision and the strength to carry it through.

It may be said that in certain events, miracles happened and believers were able to escape from the effects of natural phenomena. Some might not have been drowned despite being thrown in the sea and not knowing how to swim. That is certainly possible, but only if Allah wills it. However, Allah does not issue His orders to overrule the laws of nature He has set in operation simply to fulfill the desire of His servants. Indeed the believers have no say in the matter. If He chooses to take such a decision and overrule the laws of nature, He does so at His own time, and in accordance with His own free will. No one, not even the greatest of believers, can say that He will be performing a miracle in the next five minutes, or five months, or five years or even five centuries. Miracles happen by instructions given by Allah at the time and in the way He pleases. That is not related to what believers may feel to be the appropriate purpose.

In view of this, I wish to add that I am not convinced of the story of the "invincible" fighters, not because it cannot happen, but because Allah wishes His laws of nature to operate smoothly.

Miscellaneous: Daybreak — When Does A Day Start?

When does a day start according to Islamic point of view? Some claim that it begins at Maghrib while others say it starts at Fajr. Kindly advise.

A day starts at the time when Fajr or dawn prayer falls due. That takes place, roughly speaking, at about one and a half-hour before sunrise. The common practice of considering that a day begins at 12 mid-night is simply an agreed convention. People may have agreed to start a day at sunrise or at 7 o'clock in the morning or at any particular time. From the Islamic point of view, it starts with the first act of worship in a 24-hour cycle, and marked by a new chance to earn reward from Allah for good actions which may be done during the day.

We have a Hadith in which the Prophet, peace be upon him, is quoted to have said: "With every break of dawn, a voice cries out: son of Adam, I am a new creation to witness your actions. Do make the best of me because I shall never return until the Day of Judgement. "

Miscellaneous: Description Of Poets In the Qur'an [& Poetry]

Is It permissible to read literary works such as novels, plays, short stories, poems, etc.? The subject matter of such works may be fictitious. If you say it is permissible, how can we reconcile this permissibility with the description of poets in the Qur'an?

Let me begin by referring to the description of poets in the Qur'an, because many people tend to think that Islam discourages poetry and support their view by referring to this description. Allah says at the end of the Surah entitled "Poets" that poets are normally followed by people who go astray because poets are given to exaggeration and they profess things that they do not do and preach what they do not practice. However, an exception is made in the case of those who **"believe and do righteous deeds and remember Allah frequently and [use their talent] to avenge injustice."** Therefore, we cannot say that Islam discourages poetry altogether. It discourages the sort of vain poetry, which many Arab poets in pre-Islamic days used to favor.

On the other hand, we find that the Prophet, peace be upon him, referred approvingly to certain types of poetry. He listened attentively to Ka'ab ibn Zuhair, when he recited his poems, before his declaring his change of attitude towards the Prophet, peace be upon him, and toward Islam. The poem begins with a few lines in which the poet mentions his beloved girl and how he misses her after she departed with her family. This was in line with all Arabic poetry of the time. Moreover, the Prophet, peace be upon him, encouraged Hassan ibn Thabit, a famous poet, to reply to the campaign of abuse which Quraish poets had launched. Indeed, poetry was an important weapon in the campaign against polytheism in the early Islamic periods. Islam indeed encourages literature and the Prophet, peace be upon him, describes fine style as particularly attractive.

What may classify certain books as reprehensible or even forbidden to read is their subject matter and the way it is treated. We can put a rule that any work, which is intended to encourage sinful practices or bring out something foul or evil in the reader or in society, is either reprehensible or forbidden to read, according to its effect. Otherwise, it is perfectly permissible to read literary works.

Miscellaneous: Dogs — Their Use For Guarding

In order to minimize pilferage and theft in my small farm in my country, I have domesticated a couple of dogs, which we keep away from home. Some of my friends, however, have criticized me. They say that as Muslims we cannot have dogs near to us. I am worried that their criticism may be true and that I may have committed a mistake. I would be grateful for your clarification.

Scholars differ as to whether a dog is impure or not. We have an authentic Hadith, which tells us to wash a utensil, which a dog uses, seven times, one of them with dust and water. Scholars who maintain that dog is not impure argue that the Hadith does not mention any impurities. It simply orders us to wash the traces of a dog in a certain way. Some scholars who take the opposite view maintain that this ruling is the same, which is required to remove the impurity of pigs. As such, the dog must be classified in the same grade with regard to impurity as the pig, which is unanimously agreed to be impure. Whichever view one wishes to adopt - and we can adopt a scholar's view only on the basis of the evidence supporting it - we would not like to be too close to dogs so that we do not need to have our clothes and other objects washed in that difficult way which the Hadith mentions.

There are, however, situations where the dog can be of immense use. One such situation is that which you mention in your letter. All scholars agree that it is permissible to use a guard dog in order to protect one's family and property. Again, we can use a dog for hunting without feeling at all uneasy about that.

If one employs a dog for such purposes, one should treat it well, give it food and be kind to it. Islam teaches us to treat our animals in a kind way. When the Prophet, peace be upon him, saw a weak and thin camel, he said to his companions and to Muslims in all generations: "Fear Allah in your treatment of your animals." A Hadith, which explains the proper attitude a Muslim should have toward animals, is that which tells the story of a man walking in the desert and getting very thirsty. He was so thirsty that he felt he was sure to die unless he soon found some water to drink. Suddenly he saw a well right in front of him. Having nothing with which to draw from the well, he went down himself and drank his fill. When he came out to the top, he found a dog gasping because of thirst. He said to himself: This dog must be as thirsty as I was a few minutes ago. He went down again and filled his shoe with water and brought it up and put it in front of the dog. Allah forgave him all his sins for his kind act to that dog. When the Prophet, peace be upon him, told this Hadith to his companions they wondered whether one would get reward for kindness to animals. The Prophet, peace be upon him, said: "You have a reward for any kindness you do to any living creature."

To sum up, there is nothing wrong with your employment of dogs to guard your farm against intruders who want to steal your crops. You should be kind to those dogs and try as far as possible to keep them away from yourself and your clothes. It is not necessary for one who has a guard dog or a dog for hunting to treat his dog in the same way as Western people treat their pets.

Miscellaneous: Drinking What Is Leftover By Another Person

Some scholars are of the opinion that it is Sunnah to drink what is left over by another person in his glass. How could this be explained in the light of the fact that certain diseases can be transmitted this way?

It is certainly not a Sunnah to drink what someone else has left over in his glass. When we say that it is a Sunnah, it means that Islam recommends it. To have such a recommendation, we need to have some sort of instructions by the Prophet, peace be upon him. There is none in this particular case.

But we have to understand that in such a situation it is not sufficient that the Prophet, peace be upon him, had shared the same glass or cup with other people. In order to make sure that we know what he has recommended, he would have followed that with a verbal statement of some sort. The absence of any means that it is not a Sunnah.

It is true that we have some reports which tell us that the Prophet, peace be upon him, was offered some drink when there were so many people. There was little amount of that drink in the container. The Prophet, peace be upon him, drank from it and passed it over to the person sitting next to him. He drank his fill and passed it over again. The same was repeated over and over again until everyone drank as much as he wanted. But that was a special case and one of many incidents in the life of the Prophet, peace be upon him, which Allah facilitated in order to reassure those early Muslims that they were following the true religion taught by the Messenger of Allah who always spoke the truth.

As you say, certain diseases could be transmitted through such a practice, which means, by necessity that it could not be recommended by Islam.

Miscellaneous: Junk Mail, Chain Letters & False Dreams

My daughter brought from school a letter speaking about a dream of Sheikh Ahmad, a watchman in the Prophet's mosque, speaking about him seeing the Prophet, peace be upon him, who lamented the conditions of the Muslim community. It wants the reproduction of the letter in 20 copies and circulating them to other Muslims. My question is whether it is mandatory to circulate such a letter.

The simple answer is that it is neither mandatory, nor recommended, nor desirable to circulate this letter, simply because it is false. There is no such a person as Sheikh Ahmad, and if there is, he has not seen the Prophet, peace be upon him, or heard him say what the letter alleges. Islam is not revived by a dream seen by an unknown person. It is revived by understanding the Qur'an, and the ***Sunnah*** and implementing them in our lives. Had the letter spoken about such implementation, it might have had some accuracy, but it speaks about the troubles faced by those who do not circulate the letter, and the benefits that accrue to those who do.

I have a perfect proof of what I say. A similar letter, also alleging a dream by Sheikh Ahmad, was distributed in our school some 45 or 48 years ago. I had a copy and read it, but I did not circulate it. At the time I had only recently finished elementary school. My refusal to circulate it was only due to the trouble I would have had in writing the letter six times, as was required at the time. We had no photocopying facility at the time. I have not suffered anything as a result. Over the years I received many such chain letters. I rarely looked at any of them before destroying it. I did never ever experience any ill effects as a result.

The best thing to be done with such a letter is to throw it away, trusting that God does not punish us for omitting to do some thing that He has not required of us. To believe such claim is contrary to Islam, because the Islamic message is the one contained in the Qur'an, and the ***Sunnah***, not in the dream of any imaginary personality.

Miscellaneous: Left-handedness

I am a 12-year-old student, and I am left-handed. People have often reminded me not to eat or write with my left hand, because people who do so will not go to heaven; they will go to hell. I have tried to use my right hand for eating and writing, but I always feel that my right hand is weaker. I will be grateful for your advice.

Let me tell you straight away that no one will go to hell for using his left hand for eating, drinking, and writing or indeed for any other purpose. Any one who suggests otherwise does not know and makes a huge assumption, which he cannot substantiate. Indeed such a person betrays a degree of ignorance of God, His compassion and fairness.

What we have to remember is that God knows every aspect of a person's abilities, motives and intentions. A left-handed person does not choose to make his right hand the weaker hand. This is something that he is created with and cannot change just like [he cannot change] the color of his [skin,] eyes or his hair.

So God will not ask anyone why he is left-handed, because it is He who has created him. Besides, using one's right hand for eating and most other purposes is recommended, or a ***Sunnah***. This means that it is not obligatory.

On the Day of Judgement, God will not ask any person why that person has not done something that is not obligatory. Nor will he punish anyone for not doing such a non-

obligatory matter. He will look at what recommended practices we do in this life and reward us for them. But He will not punish us for omitting any of them.

In the question of which hand to use for eating, God will reward those of us using their right hands only if they choose to do so in response to the Prophet's recommendations or to follow his example. In other words, His reward is not for the action itself but for intention behind the action. Hence, if a left-handed person trains himself patiently to eat and drink with his right hand until this becomes quite easy for him, and he does all that in order to follow the Prophet's example, he is sure to earn more reward than a person who does the same but does not have the added difficulty of being left-handed.

I know some people who have done that. Their action is certainly commendable. The habit they acquired has become natural to them to the extent that they do practically everything with their left hands but when they eat they use their right hands. Perhaps you could do likewise and be patient until it comes naturally to you.

You only need to be patient with yourself. But if you find it too difficult, then you should not bother about what people may say. You just explain that this is a natural difficulty and that it is God who created you so.

Miscellaneous: Leisure & Spending One's Free Time In A Healthy Way

What is the best way to spend our free time? Is it advisable to read newspapers, books on general knowledge, etc. in place of reading the Qur'an, Hadith or books of Islamic literature?

Free time is a blessing, which many people squander without using it for some beneficial purpose. Any action, which is likely to benefit a person, his family or community, is a good way of spending free time. If you use your free time reading a book in order to improve your general knowledge, or reading a newspaper in order to remain aware of what is happening in the world around you, then that is certainly a good way of spending your free time. If you practice a sport in order to maintain your physical fitness, you also make a good use of your time.

It is certainly better to spend free time in a way that enhances your position with God, such as reading the Qur'an, or increasing your standard of Islamic knowledge, but this is not the only thing that you are allowed to do in your spare time. What is useful and permissible is always good to do, provided one is not neglecting a duty, or omitting a more important task.

It is useful to remind ourselves of the Hadith which says: "Many people do themselves injustice in the way they utilize two blessings: Good health and spare time." Consider how the Prophet, peace be upon him, considers bad utilization of spare time as injustice to oneself. That is an apt description indeed. However, the Prophet, peace be upon him, also emphasized the need to have some relaxation and recreation. He says: "Do have some recreation every now and then; for when hearts are in a state of fatigue they may go blind."

Miscellaneous: Measures Recommended To Protect the Family

Commentary By Adil Salahi — Arab News

The Prophet, peace be upon him, impresses on his companions, and indeed all Muslims, that they should take normal precautions against what causes them harm. Thus a Muslim should take any measure that enhances his safety, or the safety of his family and dependants. If someone fails to take such measures, he forfeits any rights

he might have been entitled to have, from other people or from God, because of his failure.

We have a Hadith that clearly speaks against sleeping on an open roof. The Prophet, peace be upon him, is quoted as saying: “Anyone who sleeps on a rooftop with no barriers forfeits all claims.” [Related by Al-Bukhari in Al-Adab Al-Mufrad and Abu Dawood].

In our modern days when we have air conditioning and comfortable beds we may wonder who wants to sleep on a rooftop. We need only to go back a little bit in time and imagine a place with very hot climate, and with no air conditioning available. [This is true even today in towns and villages.] Many people preferred to sleep on the roofs of their homes because it felt far more comfortable than sleeping in their bedrooms which were much hotter. In this Hadith, the Prophet, peace be upon him, tells us very clearly that we must take reasonable precautions against a fall. To start with, he points out that if the rooftop is without a reasonable barrier, then sleeping there is wrong. A sleeping person may be exposed to certain risks. If he overturns and happens to be near the edge, he might fall down. A fall is also possible if he wakes up and starts to walk before he is completely alert. He might step over something he cannot see and fall as a result, causing himself a serious injury. Or he may be disoriented if he has not yet recovered all his senses; so he starts walking in the wrong direction. If it is still dark, he might fall down. In all these situations, a fall is possible. Therefore, one must not expose oneself to the risk of falling.

God has been generous and compassionate to us, assigning angels to watch over us. We see this clearly in situations of imminent danger, which we have overlooked. We suddenly are alert to the danger and take a reflex action to avoid trouble. We wonder how we could see the danger in the nick of time, when all factors should have prevented us from seeing it. Take the example of someone driving alone and getting tired. He may be about to fall asleep when something suddenly alerts him. God says in the Qur'an:

“There are guardians watching over you, noble recorders, who know all your actions.” [the Splitting — “Al-Infitar” 82: 10-12]

But in order to be in the safest position, we need to take all reasonable precautions in every situation. Thus, we should not drive for a long distance when we are tired and feel that we could easily fall asleep. Instead we should have some sleep before we start our journey. In the same way, a person who sleeps on a rooftop without a rising edge or a barrier to prevent a fall should take reasonable precautions. If he does not, and falls causing his own death, no claim could be made against anyone. Moreover, he may have forfeited any reward he would have otherwise received. If one takes proper precautions and prays to God for his own safety, but he nevertheless meets his destiny by a fall, he is considered a martyr and he receives good reward.

This was perfectly understood by the Prophet's companions. Abu Ayub Al-Ansari, a companion of the Prophet, visited a friend who took him to the roof, which had no wall edges. Apparently he offered him to sleep there. But Abu Ayub declined and went down. He said: “I was about to stay the night forfeiting all I have.” [Related by Al-Bukhari in Al-Adab Al-Mufrad]

In another Hadith, the Prophet, peace be upon him, is quoted as saying: “A person who sleeps on rooftop without edges and falls and dies has no claim. Similarly, a person who sails in the sea when it is rough and dies forfeits all claims.” [Related by Ahmad and Al-Bukhari in Al-Adab Al-Mufrad].

This Hadith mentions two types of exposure to danger. In both situations the person concerned does something careless. As a result he forfeits all his rights. There is first

the right to be helped by the guardian angels, and then the right of reward that results from such danger.

Although the Prophet, peace be upon him, mentions only these two types, the import of the Hadith is clear in its applicability to all types of danger. One of these is exposure to illness. Some diseases are contracted through careless behavior, while others are caused through the failure to take preventive measures. Nowadays, we have vaccinations against a variety of diseases, including some of the worst diseases that affect children, such as tuberculosis, measles and whooping cough. If we fail to vaccinate our children at the right time, we are not giving them the immunity that spares them much trouble. Some of these diseases are killers. If parents fail to immunize their children through vaccination, they are exposing them to these killer diseases. They risk coming under the Qur'anic verse that states:

"Losers indeed are those who, in their ignorance, foolishly kill their children."
[Cattle — "Al-Ana'am" 6: 140]

Failure to immunize children when the means are available could be through either negligence or ignorance. Neither is valid justification. So, if parents neglect to vaccinate their children, and as a result, a child contracts a disease which ends in his death, the parents have to answer to God for a very serious failure.

Miscellaneous: Noah's Ark

How big was Prophet Noah's ark in order to accommodate samples of all species? How could it carry pairs of all types of creatures from all over the world?

The divine instruction to Prophet Noah was to carry on the ark a pair of every species. Certainly the Prophet Noah complied with this order and put those creatures on the ark. This must be understood as relating to the area in which he was and the practical possibility of implementing Allah's instruction. We are not told that Noah traversed the whole globe collecting those animals that were not available in his area. Nowhere are we told that couples of species from different climates and faraway geographical areas were guided to go to Prophet Noah's place in order to be on the ark.

We cannot tell how big the ark was, but it certainly was big enough to accommodate those believers and a pair of each type of species. May I remind you that in the Qur'an we are told that Noah's followers were few.

Miscellaneous: Qadiyanis — Their Twisted Logic

What is Qadiyanism or Ahmadiya? How is it different from Islam?

Qadiyanism is a movement started in a town called Qadiyan in India by a man called Mirza Ghulam Ahmad. It later split into two factions, one of which called itself after the founder, hence the name Ahmadiya. Both, however, share the same deviant beliefs, which ascribe the status of Prophethood to their man. It is well known that Qur'an makes it clear that Prophet Muhammad, peace be upon him, is the last in the line of prophets. This is stated clearly in Verse 40 of Surah 33, entitled Al-Ahzab or the Confederates [or the Clan]. In this verse God describes Muhammad as ***"God's messenger and the last of all prophets."***

The Ahmadis and Qadiyanis claim to be Muslims, alleging that their movement is the second mission of the message of Islam and their man, Ghulam Ahmad, is God's messenger.

They try to reconcile this with the above quoted Qur'anic verse by saying that the Arabic word denoting 'last,' in the above verse means 'seal,' which means that Muhammad serves as the seal which endorses every new message. This is twisted logic, by a person who has tried to justify his false claims by giving a special meaning to the words of a language he did not speak. The Arabic word does have the connotations of a 'seal' but in the sense of 'putting an end to something, or bringing it to completeness that admits of no additions.' It is like a letter that has been signed and put in an envelope, which is then sealed. You cannot add anything to that letter unless you break its seal.

The origins of the Ahmadiya go back to the day of the British rule in India, when the British colonial power sought to counter the notion of jihad among Muslims. This is the basic difference that the Ahmadiya brought.

The assigning of Prophethood to Mirza and the removal of the notion of jihad which is a basic principle of the faith of Islam, takes them out of Islam altogether. No Muslim country or Islamic authority considers them as Muslims. However, they are very active in preaching their falsehood and they have followers in different countries, particularly in Africa. They have gathered a momentum of their own and they are dedicated to their falsehood in a way, which makes one sorry for them. Had they shown similar dedication in promoting the message of Prophet Muhammad, peace be upon him, without trying to alter or distort it, they should have achieved much. In their misguided enthusiasm, they only turn people away from the truth and they earn God's displeasure.

Miscellaneous: Rulings By the Religious Editor, Arab News

I find your answers highly convincing and illuminating, but there is rarely any evidence supporting them from the Qur'an and the Hadith. Please explain.

I will tell you straightaway that anyone who gives religious opinion without relying on Qur'an or Hadith can only come out with unconvincing answers. This is due to the fact that Islamic teachings and rulings can be derived from Allah's revelation in the Qur'an and in the Hadith. I always try my best to support my answers with such evidence.

If on occasions you find that lacking, it is only because direct relevance of the Qur'anic verse or the Prophet's statement to the particular question in hand may not be readily apparent. The other reason is that like every human being, I am liable to forget. When I quote the Hadith, I want to be absolutely certain of its text. Otherwise, I would like to assure you that I do not include in Arab News anything without being certain of its correctness.

Miscellaneous: Sculpture — the One That Should Not Be ...

A newspaper story mentions that the US Supreme Court has rejected a Muslim group's request for removing a 66-year-old depiction of the Prophet, peace be upon him, sculpted in marble from its courtroom. The chief justice, who presided over the case, deciding against altering the frieze, agreed to change the court's literature that described it. The argument given by the judge is that the depiction is intended only to recognize the Prophet, peace be upon him, as one of the great law-givers in history, and that it is part of an architectural and aesthetic unit that has been in place for over 60 years. To remove the depiction of the Prophet, peace be upon him, would impair the artistic integrity of the whole, he says. May I ask whether the Prophet, peace be upon him, has allowed himself to be

depicted in a painting of a statue form, or in any other way? If not, could Muslims accept that this depiction of him in a place like the US Supreme Court should remain there? What should be done by Muslims to remove this depiction?

The group who put the case to the Supreme Court itself, requesting that the image of the Prophet, peace be upon him, be removed, has done the right thing, although the result of their appeal was less than satisfactory. The Prophet, peace be upon him, certainly did not allow his likeness to be depicted in any form. Had he done that, there would probably have been many ways of idolizing him while he was always keen to stress his human status, and that he was only God's servant and messenger. Therefore, it is not lawful to make any likeness of the Prophet, peace be upon him, real or imaginary, in any way or form. If anyone makes such a likeness, that likeness should be removed and destroyed.

Having said that, we must realize that we have no power over what others may do. If non-Muslims do something, we should seek the best means to rectify the situation, but we must always weigh the consequences of any action we may take. We must not allow a bad situation to develop into something worse. It is not right, for example, to organize a violent demonstration to protest against the depiction and demand its removal, particularly if we know that such a demonstration is likely to lead to heated tempers, violence and arrests. That could easily lead some people to start thinking that the removal of the picture of the statue is an article of faith, and they would be risking anything in order to ensure that it is removed.

What should be done is that very many groups of Muslims in America should begin a concerted effort of peaceful protest, writing to their representative in Congress and appealing to the government to respect the feelings of Muslims both in the US and all over the world. Muslim governments should also bring pressure to bear on the American government to take action in order not to offend the Muslim population throughout the world. If we do this, then we would not only have discharged our duty, but we may be able to achieve the result we desire, without causing trouble or breaking any law. In such matters, it is always better to let wise counsel and good reasoning, rather than passion and heated tempers, dictate our course of action.

Miscellaneous: Sixth Sense — the Sense & Non-Sense About It

Could you please explain what Islam says about the sixth sense. Some people seem to be able to forecast future events, many-many years ahead.

The Oxford Dictionary defines the sixth sense as "a supposed faculty giving intuitive or extrasensory knowledge; such knowledge." This is different from predicting the future. There is nothing to prove that a certain person has a sixth sense on which he or she consistently relies to acquire such knowledge, although we may find people who seem to have such extrasensory knowledge.

Islam does not tell us anything about the sixth sense, but it accepts that God may favor certain people with an increase of blessings in one way or another. Therefore, if it is true that a certain person can have extrasensory knowledge, we look at it as a special gift from God.

As for knowledge of the future, this is part of what God has kept for Himself. He tells us in the Qur'an that He does not allow knowledge of what lies beyond the reach of human perception to be granted except to chosen messengers. [72: 27] Whoever predicts the future simply relies on conjecture, and conjecture is a form of lying. Hence the Prophet, peace be upon him, says: "Fortune tellers are liars, even when they say something true." This is because when they say it, they do not know it to be

true. If it happens as they say, it is a mere coincidence. Hence, the Prophet's description.

Miscellaneous: Trade Restrictions & Smuggling

People argue that smuggling of harmless or beneficial goods is permissible because Islam does not recognize trade restrictions. Please comment.

While Islam is not in favor of trade restricting trade, it also allows the Muslim ruler to enact laws and regulations imposing any restrictions, which are calculated to benefit the community. When such restrictions are introduced, they should be obeyed. Islam makes it clear that a ruler should be obeyed unless he orders the committing of something that represents disobedience to God.

What this means is that it is permissible for a ruler to impose certain restrictions on trade, or to levy some fees [duties] or charges on certain commodities, provided that these restrictions are not themselves forbidden, and the aim of these restrictions is to benefit the community. Hence, flouting these restrictions become forbidden. This is the case of smuggling, which normally aims at the avoidance of payment of certain taxes.

Miscellaneous: Usage Of the Abbreviation A. D.

Is it wrong to use the abbreviation A. D., as we Muslims do not believe in the death of Christ while the abbreviation denotes "after death."

I see nothing wrong with the usage of the abbreviation A. D. In the dating of history events, to denote that a certain event took place so many years after Christ. This abbreviation means "of the Christian era." It is taken from the Latin phrase "Anno Domino." It does not refer to the alleged death or crucifixion of the Prophet Jesus which we, as Muslims, believe not to have happened. Replacing it with an abbreviation denoting his rise to heaven will create confusion and will not be understood.

Moon: Astronomical Data & Sighting Of the Moon

According to reliable data concerning the birth of the new moon for Ramadhan and Shawwal this year, it was clear that the new moon could not have been sighted anywhere in the Middle East on the evening of 8 December. Nor the new moon of Shawwal could have been sighted on the evening of 6 January. However, it was announced in many Arab countries that Ramadhan started on 9 December based on sighting the moon the previous night, and it ended in Saudi Arabia and other countries on 7 January based on eye sighting. May I ask how is this possible and why are not astronomical data taken into consideration in these matters?

This is only one of many letters I have received on the subject of confirming the beginning and ending of the fasting month on the basis of the sighting of the new moon. Practically all these letters refer to the accuracy of the astronomical calculation of the birth of every new moon and the fact that this could be done well in advance. In fact it can be calculated many hundred years in advance. Hence the writers question the wisdom of sighting the new moon with the naked eye as the sole method of confirming the beginning and end of lunar months. Indeed the question is raised practically every year, because there is seldom a year when the sighting of the new moon is not subject to controversy.

Scholars differ markedly over the question of using any method to sight the new moon and confirm the beginning and end of any lunar month, particularly

Ramadhan. Those who have a good idea of the modern science of astronomy and the accuracy it achieves in calculating the position of stars and planets so much in advance have no qualms about relying on this science to determine the beginning of each lunar month. This is not new in Islamic scholarship. Leading scholars of older times, such as Imam As-Subki, acknowledged that knowledge gained through astronomical calculation is certain, while that gained through observation with the naked eye is assumed.

However, many scholars, particularly those who have the noble attitude of strict following of the Sunnah, maintain that it is necessary to sight the moon with our eyes, and not rely on astronomical calculation, accurate as it may be. They cite in favor of their argument the Hadith: "We are an unlettered community, not versed in writing or arithmetic. Therefore, fast when you sight the new moon and end your fasting when you sight it [again]." They insist that such sighting is the only way of following the Prophet's instructions. Hence, when people come forward to testify that they have sighted the new moon, they have no option but to act on their testimony.

A number of points may be raised in this connection. The first and most valid is that it is wrong to ignore completely the information gained through astronomical calculation in favor of sighting with the naked eye. Indeed, the two methods can easily be employed together, without fear of contradiction, particularly when we take into consideration what scholars like As-Subki have said. What the authorities concerned with issuing Islamic rulings, or *Fatwa*, should do is to assign the task of sighting the moon to a number of committees. There may be three people in each committee, working in different areas of the country and sending information on the results of their mission directly to Dar al-Ifta. If no committee is able to sight the moon in the area assigned to it, then no other testimony should be entertained. If the committees are briefed about the calculation of the birth of the new moon, they will be able to combine that knowledge with the results of their own missions. Thus we avoid any mistakes in the sighting and benefit by astronomical calculation. Our fasting would be more accurate than it is the case at present.

The Hadith quoted above has a clear indication that calculation has a clear role in the determination of the beginning and end of the month of Ramadhan. The Prophet, peace be upon him, says, "We are an unlettered community, not versed in writing or arithmetic." He then explains how to determine the beginning and end of Ramadhan. The Hadith specifies the condition of the Muslim community at the time of the Prophet, peace be upon him. It does not make the state of being unlettered a permanent one, which the Muslims must always maintain. In fact Islam encourages learning and makes it a duty of the Muslim community to acquire knowledge in every field. Therefore, when the community is no longer unlettered, it should resort to the two areas, which help it in its affairs, writing and arithmetic. When we know that astronomical calculation provides us with certain knowledge, it is not right from the Islamic point of view to ignore it in favor of the method that gives us only assumed knowledge.

What happened during that Ramadhan was that it was absolutely confirmed on the basis of astronomy that the new moon was impossible to sight anywhere in the Middle East, Asia, Africa and Europe on the evening of 6 January. Yet that evening it was declared that witnesses have testified to sighting it, and Ramadhan was ended that night. Here we have a case of 'assumed' knowledge contradicting 'certain' knowledge. The first should have been tested thoroughly and rejected, like a court may reject the testimony of a witness after cross-examination. The point is that it is perfectly possible not to see something when it is present, but it is impossible to see something when it is not there. If the moon is not born yet, how can it be sighted? To end such cases of wrong testimony, the authorities concerned should play a more active part in the process and assign the task of sighting the moon to commissions as

has been explained. This method is followed in some countries and it has proved to be a far more reliable method than leaving the matter open for anyone to come forward to testify. After all we have no way of ascertaining that what such people say is correct. It remains the duty of the concerned authorities to employ the best available means to ensure the correct start and finish of one of the most important acts of worship in Islam.

Moon: Crescent — Significance Of the Crescent

What significance, if any, does the crescent moon have in Islam?

There is a verse in the Qur'an which answers your question. It is Verse 189 in Surah 2, which may be rendered in translation as follows:

"They ask you about the new moon. Say: They indicate the periods for [various activities of] mankind, and for the pilgrimage." [the Cow — "Al-Baqarah" 2: 189]

In his commentary on this verse, the late scholar Sayyid Qutb mentions that some reports suggest that the Prophet, peace be upon him, was asked about the new moon, its appearance as a thin crescent and its growth and shrinkage until it can be seen no more. A report suggests that the companions of the Prophet, peace be upon him, asked him: "Why has Allah created new moons?" Allah instructed the Prophet, peace be upon him, to tell his questioners that "the new moons serve as time markers indicating for mankind when to wear the Ihram garments in pilgrimage and when to put on ordinary clothes, when to start fasting and when to finish, how to calculate certain periods of time, such as a woman's waiting period if she is divorced or if her husband dies.

"They may also be used to calculate different periods of time relating to people's business transactions and loan settlements. Any period of time which relates to matter of religion or human transactions may be calculated by the usage of the new moons."

Apart from this, there is no religious significance to a new moon. We still make it a point of sighting the new moon in order to maintain properly the dates of different occasions, such as pilgrimage and Ramadhan.

Moon: Lunar Calendar & Discrepancies Of Dates & History

Do we look for Lailat Al-Qadr, or the Night of Power, in the correct month and time of year? I am confused on account that God states that the Qur'an was sent down on that night, and we know that its revelation took place 13 years before the Prophet's emigration to Madinah, i.e. Hijrah, which happens to be the start of the Islamic calendar. Did the Hijrah take place in the month of Muharram? If Muharram was the first month of the year before Islam, was it a coincidence that the Hijrah took place in that month? Did it actually take place on the first day of that month? On the other hand, if the months have been shifted to start the calendar, then we are not looking for the Night of Power at the right time. Please comment.

No, the Prophet's journey from Makkah to Madinah did take place in the month of Muharram, but we look for the Lailat Al-Qadr, or the Night of Power, at the right time. There was no shift in the months of the year. We are required to fast in the month of Ramadhan, and we have been doing so since the second year of the Hijrah.

When Omar consulted the Prophet's companions about dating Islamic history, the consultation concentrated on which event was the most important so as to date

events by it. They agreed that the Prophet's Hijrah was this event, because it signaled a new age when people were able to worship God alone in security and peace, fearing no persecution. They proclaimed high and loud that they were Muslims submitting themselves and all their affairs to God.

This meant that the year in which the Hijrah took place was the start of the Islamic calendar. It does not mean that the event itself took place on the first day of that year. Otherwise we would go into further details so as to ask whether the Islamic calendar starts on the day the Prophet, peace be upon him, started his journey to Madinah, or on the day he arrived there. As you know the journey took him several days to complete, and he stayed in the Cave of Thawr for three days and in Qibaa for two weeks.

The choice concentrated on the event, and when it was chosen, the year in which it took place was considered the first year of the Islamic calendar. But the year started on its normal day, 1 Muharram, i.e. more than 2 months before the actual event. We say, then, that the Hijrah took place in the third month of year 1 of the Islamic calendar. This makes it clear that Muharram was recognized as the first month of the year long before Islam. There was no change of the order of months after Islam. In fact such changes were often made, not in the actual months themselves, but in the rules applicable to them, before the advent of Islam. The Qur'an denounces that and describes it as 'an increase' in disbelief. Hence, Islam would not perpetrate any such thing.

It remains to be said that the Hijrah became possible after the Ansar gave the Prophet, peace be upon him, their pledge to protect him and defend Islam whatever that might take. That pledge took place during the pilgrimage, on 11 Dhul-Hijjah. The Prophet, peace be upon him, received his instructions to emigrate two and a half months later. He immediately started and arrived in Madinah on 12th Rabie Al-Awwal. The reader's confusion arises from thinking that the Islamic calendar begins with the actual event itself. That is not the case.

Moon: New Moon Setting Before Sunset

Could you explain the significance of sighting the moon for the start of the month of fasting? Should it be done by the naked eye only, or is it possible to start the month on some other basis?

Much is often said about the sighting of the moon and controversy comes to the front whenever there is disagreement about Ramadhan or its end. As we are required to fast in Ramadhan, the sighting of the new moon when it is born acquires much importance. The sighting is the means of determining the start of every lunar month. The Prophet, peace be upon him, has given us the practical example to follow in this case, which requires that to consider the sighting as correct a person of integrity should testify to having sighted it.

The question always arises as to the accuracy of the sighting, particularly when astronomical information indicates that the sighting is improbable or impossible. For several centuries, some scholars have argued that the sighting with the naked eye provides only an evidence of probability. They also argue that astronomical calculation provides an evidence of certainty. Hence, they prefer to rely on what is certain, rather than what is probable. Against this, other scholars argue that the sighting must be done with the naked eye because this is how it was done at the time of the Prophet, peace be upon him, and for many generations after him.

The point at issue is that the worship associated with Ramadhan should be correct and accurate. God has provided us with an easy way of determining the start of month, which is available to all people in all societies. That is sighting the moon with

the naked eye. But if we have a better and more accurate method, then He does not prevent us from using it. Indeed, the better method should be used because it provides more accurate results.

Consider the Hadith outlining the method of sighting the moon and what we should do when it cannot be sighted. It goes like this: "We are an unlettered community; we do not write and we do not calculate, Hence, fast when you have sighted the new moon and end your fasting when you have sighted it. Should it be clouded, then complete Sh'aban to 30 days." Another version of the Hadith states: " If it is clouded, then estimate."

I feel that the first sentence tells us something of high importance. It reflects the situation of the Muslim community at the time, when neither writing nor calculation was available to it. This is not a characteristic of the Muslim community at all times. It does not extol a virtue to be always maintained, i.e. being unlettered or illiterate. It also implies that had the situation been different, with the Muslim community being skilled in writing and arithmetic, there would have been other methods applicable. On this basis we say that now that we have more accurate information available to us through astronomy, we must use that.

In some countries, the two methods are used. Calculations are taken as a guideline and on the nights of 29 and 30 of the month, committees go out to sight the moon with the naked eye. In this way, both types of evidence are used. Thus, if astronomical information suggests that the new moon cannot be sighted on 29 of Sh'aban, the committees still go out to confirm this. In all probability they will come back without sighting anything. The current month is taken to be 30 days and fasting will start after that. This practice has been going on in Egypt, for example, for many years.

This practice was adopted in Saudi Arabia in Ramadhan last year and 6 committees were formed in different parts of the county with each committee including a member of the Justice Department, one astronomer, a member of the Amarah office as well as any volunteers. None of these committees was able to sight the new moon on Thursday evening, 6 January 2000 to end the month of Ramadhan. The King Abdulaziz City of Science & Technology, Riyadh, declared on that day the moon sets before sunset, which makes it impossible for the new moon to be visible, confirmed it. Hence it was a great surprise to members of these committees to hear on the radio that the moon was sighted that night and that the Eid was confirmed for the day following the announcement. People who were aware that announcement was wrong should have celebrated the Eid with the community and fasted one day in compensation later on and this is what I myself did.

The authorities should have discarded the testimony of individuals who claimed to have sighted the moon on their own, because of the committees, with a minimum of 3 people in each could not sight it, then the claim of any individual to the contrary is called in doubt.

However, it seems that things are moving in the right direction and that the beginning of Ramadhan this year was accurate by all counts. Lets us hope that this trend will continue, God willing.

Moon: Unification Of the Hijri Calendar

It is observed that Muslim countries differ in their Hijri calendars, leading to differences in observing Islamic occasions. Why cannot they make an effort to unify the Hijri calendar so that all Muslims observe these occasions at the same time?

There were some efforts in this connection, with experts meetings and research papers done. However, nothing tangible has taken place because of differences among scholars, leading to political authorities refraining from taking the lead. From the Islamic point of view, there is nothing wrong with relying on astronomical data to determine religious occasions in advance, or the beginning of lunar months.

Indeed, this is preferable and more accurate, even though some scholars are either reluctant or opposed to such a step. It is such determination that is at the core of the problem. With such differences and reluctance by political authorities to take the lead, the problem will unfortunately stay with us.

Mosques: As Touring Sites

In some Muslim countries, tourists as part of their sightseeing tours visit historical mosques. I wonder whether this is permissible?

You are right to question this and I understand your concern. However, the only two mosques, which non-Muslims are not allowed to enter, are the Haram at Makkah and the Prophet's Mosque at Madinah. There is a clearly marked restricted area around each of the two cities of Makkah and Madinah where non-Muslims are not allowed. Otherwise, non-Muslims may enter mosques under certain conditions. These are:

1. Entry must be allowed by Muslims. Non-Muslims cannot force their way into a mosque without permission by the Muslim authorities.
2. Non-Muslims must observe Islamic standards of propriety. This means that a Western woman cannot go into a mosque wearing, for example, shorts. She has to be dressed properly, as the local Muslim tradition dictate.
3. They must not disturb worshippers in the mosque. This means, in practical terms, that no group of tourists may go to a mosque at a time of congregational prayer and have their guide explaining to them the historic importance of that mosque.

Mosques: Bringing Children Into the Mosque

Is it permissible to take a girl who is 6 or 7 years old into the mosque for congregational prayer?

I wonder that a Muslim should ever think that a mosque is only for men, particularly when he sees that women of all ages go to Haram in Makkah and offer their prayers in the same congregation as men. They share in all the Islamic duties, as they are required to fulfill them on the same footing. It is true that women are not required to attend the Friday prayer in the mosque and they need not go to mosque for the obligatory daily prayers, but that is only a concession that takes into account the practical realities of life. Women have to take care of their children and if they are required to go for every congregational prayer then that may create real difficulties. Hence the requirement is waived for practical reasons but the chance is made available for every woman to come to the mosque for worship.

It is certainly permissible to bring young children to the mosque, whether they are boys or girls. There is no restriction on age. However, children should be taught to be well behaved when they are in the mosque, so that they do not cause too much bother for worshippers.

At the time of the Prophet, peace be upon him, some people brought very young children into the mosque. The Prophet, peace be upon him, did not criticize their action. On the contrary, he said that at times he would wish to recite a long passage of the Qur'an in his prayer, but then he would hear a child crying. He then would

shorten his prayer for the sake of the child's mother. He would not know whether the child was a boy or a girl. It would not matter any way.

Some people take an unfavorable view of bringing children into the mosque, because of the disturbance that may occur at times. Their view, however, is not firmly based. Once the Prophet, peace be upon him, was leading the prayer and he prolonged his prostration until his companions feared that something might have happened to him. He explained that there was nothing wrong. It was only his grandson riding on his back and he did not wish to hurry the child to get down.

Mosques: Built Over A Graveyard

When I went to my home country on vacation, I observed that a grand mosque was built on top of a graveyard. There is still a tomb below the mosque. I wonder whether this is appropriate. If not, what should be done about this mosque?

The Prophet, peace be upon him, says that one of the favors which Allah has given to the nation of Islam is that the whole earth has been made a "Masjid" for it; [Masjid is the Arabic word for "mosque"]. This refers to the fact that a Muslim may offer his prayer anywhere on earth provided of course that the place where he is praying is free from impurity. However, the Prophet, peace be upon him, has made an exception in the two cases of a graveyard and a bathroom. Prayer may not be offered in these two places. Nor is it permissible for a Muslim to offer his prayer facing a grave or a tomb or any burial place. The Prophet, peace be upon him, curses the children of Israel for having "turned the graves of their prophets into praying places."

All this makes it clear that places of burial are not proper to build mosques in, nor is it permissible to build a mosque around a grave or a tomb. The reason for this is to prevent any possibility of enshrining the burial place of any person. That is a sure way, which leads to entertaining polytheistic beliefs.

It is not permissible to build a mosque within a graveyard. If such a mosque is built, then the only proper thing to do with it is to demolish it. If there is one in your locality, then it is preferable for you to pray at home than to pray in that mosque.

Having said that, I wish to take up the different case of a disused graveyard where there are no more dead people buried. Can we use that graveyard to build a mosque there? The answer is that it may be permissible if certain conditions are met.

To start with, it should be reasonable to assume that those who were buried have perished altogether. A graveyard is thus demolished and a mosque built in its place. This is acceptable, but we should be careful when we dig the place and when we lay down the foundation. If there are any bones or traces of the dead people, they should be gathered and buried somewhere else. The Prophet's mosque in Madinah was built in a place where there were some graves. These were dug out and the traces of those who were buried in them were taken away. No one associated the new mosque with the old graveyard. If these conditions are met, then it is permissible to build a mosque in an area, which used to be a burial place. Your advice to the people should be on the basis of this answer. If there are graves around the new mosque then the mosque should be disused altogether. It is better demolished.

Mosques: Changing Mosque's Location

In our village in India, we have a small and very old mosque, built next to the graveyard. As it is on the one side of the village, access to it is difficult for most villagers. We want to build a new mosque, rather than repair or expand the existing one. Opinion differ on this with people living close to

the present mosque objecting to a change of location, for obvious reasons. They say that it is not permissible to change the location of a mosque. Others feel that it is in the interest of most people to build a new mosque in a central area to give easier access to most villagers. Could you please explain whether it is appropriate to build a mosque in a graveyard? Can we change the location of the mosque? If so, what should we do with the old mosque when the new one is built? I may add that the government authorities are willing to give planning permission for a new mosque in a new location, but not to extend the present mosque, in order not to encroach on the graveyard.

The first thing to say here is that it is not permissible to build a mosque in a graveyard, or on top of it. The Prophet, peace be upon him, defined places where mosques or prayer places cannot be located. One of these is a graveyard. He also says: "God has rejected the Jews and Christians for having built their places of worship at the graves of their prophets." If it is not permissible to have a place of worship at the grave of a prophet, it is similarly forbidden to have a mosque built at a graveyard.

In order to dispel any doubt, I would like to add that the Prophet's Mosque in Madinah is not built next to the Prophet's grave. The mosque existed at the time of the Prophet, peace be upon him, and it was next to his residential quarters. The Prophet, peace be upon him, died in the room of his wife Ayesha. As his companions were wondering where to bury him, Abu Bakr confirmed that he had heard the Prophet, peace be upon him, saying: "Every Prophet is buried at the spot where he dies." Thus, Prophet Muhammad, peace be upon him, was buried in Ayesha's room in his home. All extensions to his mosque were to the other side. When his grave and those of his two companions, Abu Bakr and Omar, were enclosed within a building, it was possible to extend the mosque in the rear.

In this case, where the old mosque is built at a graveyard, there must not be any extension of it. In fact, even if it was in good repairs, it should be pulled down because it is forbidden to have a mosque in a graveyard. That gives us a clear answer to the other questions. Relocating is obligatory. Hence, the people of the village should select the area, which best serves their interests.

There is no truth in what some of the villagers say that "once a mosque, always a mosque." If it is determined that the interests of the community make a clear case for relocating a mosque, it should be relocated. It is wrong to have a mosque in an area where it will serve only a small section of the community.

But what do we do with the old mosque? Since the building is in bad repairs, that is another reason for having it pulled down. There is no need for such additional reason anyway, because its location makes it obligatory to pull it down. On the other hand, if the land on which the new mosque is to be built will be purchased, then the land of the present mosque may be sold and its price used in part payment for the land of the new mosque. Thus the original endowment are observed. If this is not needed and the land is an endowment, then it would be used for the benefit of the Muslim community.

Thus if the graveyard needs an extension, it can be annexed to it. If there is no need for that, then any sort of community use may be made of it, such as a recreational ground, a sports center, etc.

Mosques: Demolition Or Reconstruction

May I refer to the demonstrations that took place sometime back in India, and which were organized by Muslims for the purpose of restoring the title of Babri Mosque, which has been opened for worship for Hindus who claim it to be the birth place of Rama. These demonstrations resulted in the loss of many lives.

There are also mosques in the old forts of Muslim rulers, where no prayers have been offered for sometime because of their locations. The Indian government has not prohibited offering prayers in these mosques and declared them, through their archeological department as “protected monuments.” It is also noted that there are many mosques, temples, etc., which fall within the road width and prevent the widening of roads which is necessary for city improvement and easier traffic improvement. But Muslims and Hindus strongly object to their demolition by the government. Will you please explain the relevant rulings in this connection? May I mention that I have seen a half-battered mosque on the Buraydah-Uneizah road in the Kingdom?

There are three separate issues in this question. The first is that which concerns the Babri Mosque in particular. What is so strange about the whole issue is that the birthplace of Rama should be discovered at such a late date and for the location to be the exact site of a mosque. When this comes on top of accumulated feelings of persecution of Islam or discrimination against Muslims by the Hindu majority in India, it cannot fail to lead to trouble. A government, which is keen to eliminate causes of strife would have shown the little amount of wisdom required to identify the new discovered shrine at a spot, which is at least a short distance from the mosque or adjacent to it. The problem is that in India, where there are two religions, with large following and strong passions, there are a number of troublemakers who fish for trouble and try to renew sectarian strife every time it is contained.

Whatever the truth about the birthplace of Rama, a decision to open a mosque for worship by the followers of another religion is unwise and shortsighted. For Muslims, a mosque is “Masjid”, which has come over the years to be associated exclusively with mosques. Originally, it refers to the place where prostration is made. Therefore, when a mosque is made a joint place of worship, so to speak, this is bound to stir communal strife.

You mention the demonstrations that have led to the loss of lives. May I say that the life of a single Muslim is far more sacred than the Ka’abah itself. The problem with this decision is not merely the violation of the sanctity of mosque, serious as that is, but that it has led to killings and the harboring of feelings of hatred, which will inevitably take a very long time for peaceful communal relations to reappear. Some people, however, are more interested in keeping up communal friction. They look for causes to stir up religious passion and to cause civil disorder and religious disturbances. The more serious these are, the happier such people feel, since their ultimate aim is to see their own religion not only predominant, but the only faith followed in their part of the world. Therefore, they want either to kill off people belonging to other religions or to force their followers to depart. This is both serious and intolerable. A government that prides itself on being secular should do more to ensure that religious and communal strife is a thing of the past.

You raise two other questions, which are closely inter-related. Both come down to the question of whether it is possible to change the use of a mosque. Scholars normally deal with this question under the main subject of “endowments” and how they are used. The overriding rule is that an endowment is subject to the conditions of the

person who makes it. When an endowment is given as a mosque, it must be used as such and no other use is allowed, except in what is normally associated with mosques. These may be such as giving lectures and seminars on Islam to explain its principles and teachings, provided that the organization of such functions does not interfere with prayers.

An endowment may not be sold and its use may not be changed unless it has deteriorated so badly that its usefulness is virtually non-existent. Therefore, it is not possible to demolish a mosque for road widening or road building. It is possible, however, to sell part of a mosque if the building itself is run down and needs major renovation, if the purpose of the sale is to use the proceeds to renovate the other part of the mosque. The two issues are different. In the first, the mosque is being demolished in order to use the land on which it stands for another purpose. In the second, we are selling part of it in order to keep the other part. That is possible when there is no other way of raising the money necessary for renovation. If the whole building of the mosque is so run down that it is not possible to renovate it without selling a part of it, it may be sold and the proceeds must go to a similar purpose, i.e. the building of another mosque.

It is needless to say that the demolition of a mosque in order to rebuild it and to make a better use of the land on which it stands for the same purpose is permissible. The Ka'abah itself was rebuilt several times over the centuries. It is also possible to buy the land adjacent to a mosque, which has become inadequate to serve the neighboring area because of its residential development, and to demolish the mosque in order to rebuild it on the larger area, if that is deemed the best way to build the larger mosque.

But it is not possible to demolish a mosque in order to increase the facilities available on the same plot of land. Consider, for example, the suggestion that a certain mosque is demolished in order to build in its place two or three-story building, with the mosque being located on the second floor while the ground floor is used as shops or car park. Although the shops may be very useful to the community, and there will be steady income for maintenance, the endowment cannot be changed for such purposes. But when the mosque is already in existence, it cannot be demolished or raised to change its use in this way. When we keep this in view, the idea of demolishing a mosque for rebuilding a road is much less acceptable.

There is another way of endowment losing its usefulness. In the case of a mosque this may happen if the people of a certain village move their houses away from the site of the mosque and it is no longer used for prayer. In this case, it is possible to sell it and the proceeds must be used for the same purpose of the endowment, i.e. building another mosque in an area where it will be used for worship. In the case of mosque in the old fort of old Muslim rulers, this rule may be applicable. If these mosques have not been used for worship for a long time, they may be sold. The government cannot just declare them protected monument and prohibit prayers there.

Mosques: Donations For Building Mosques

The mosque in our locality is being rebuilt, but much of the money is received as donations from rich people who acquired their wealth through cheating the government and bribery. What is the Islamic point of view in this matter? Can one stay away from such a mosque and pray at home on grounds that it is built with money earned through non-Islamic ways? Can donations from non-Muslims be used in the construction of a mosque?

What worries me in your question is the sweeping remark that rich people have acquired their wealth through unlawful means. It is not beyond a highly God-fearing man who has a good measure of business acumen to get rich through perfectly legitimate means. While it is true that some people may not have any scruples about cheating the government or bribing officials in order to get some unlawful advantages, we cannot apply the same standards to everybody in a sweeping statement which condemns everyone that gets rich. Among the companions of the Prophet, there were people who managed to become very wealthy and none of them can be accused of having used unlawful means.

When the mosque is built in your locality, to abstain from offering prayer in it is wrong. By doing so, you deprive yourself of an opportunity to congregational prayers. You will be abandoning a duty. Allah tells us to bow down in worship with others who do likewise. That means that congregational prayer is a duty.

The fact that some of the money received for building the mosque may have come from a suspect source is no justification to abstain from attending it. To start with, donations received from Christians and other non-Muslims can be used in the construction of the mosques. That is certainly permissible. Moreover, the committee collecting donations is not required to verify the source of every donation made. What you have to remember is that giving a donation is a separate transaction. The process it is earned does not contaminate the money itself. Therefore, if I sell a certain item of merchandise to a person who pays the price with money he had stolen or had received as bribery, my earning is perfectly legitimate because I am not responsible to verify his source of income. The same applies to the fund-raising committee for building the mosque. You may say that these people are known to accept or take bribery or whatever, but Islam does not conduct its dealings with individuals or communities on the basis of hearsay.

Mosques: Donations Offered By Non-Muslims

When we were raising funds to build a mosque for our community, a non-Muslim friend offered some donation which we did not take because we were unsure whether such a donation can be accepted for the building of a mosque. Could you please clarify? If it is acceptable, should such a donation be limited to certain areas of the mosque, such as the ablution area, or the entrance as some of us suggested. If it is acceptable, can a Muslim donate for the building of a church or a temple for non-Muslims? May I also ask whether Zakat-ul-Fitr may be used for the building of a mosque?

There is a statement in the Qur'an which suggests that non-Muslims never build a mosque or houses of worship dedicated for God alone. The meaning is clear in this verse that the term, 'build' refers here to the 'worship of God alone.' They will never do that when they admit to being non-believers, either by denying the message of Islam or by associating partners with God.

On the other hand, the term 'build' also means the actual construction of a mosque or maintaining and looking after it. This a non-Muslim may do, in the same way as the non-believers of Quraish used to tend the Grand Mosque in Makkah and look after it and the pilgrims. However, it is not permissible in Islam that a non-Muslim should be in full charge of a mosque attending to all its affairs and looking after its endowments, etc. As for a non-Muslim taking part in the actual construction of the mosque, such as fixing its doors and windows or laying its bricks, etc. this is permissible.

As for putting up money for the building of a mosque, or donating to its fund at the time when funds are raised for its building, this is acceptable provided that the Muslims fear no harm to result from such contributions, either with respect to the mosque itself, or to its usage, or indeed any other harm, even political. Sheikh Rasheed Redha, a prominent scholar who lived in the early part of this century, mentioned this and gives the following example:

Suppose that the Jews in this period of time, [i.e. long before the creation of Israel] offer to renovate the Aqsa Mosque in Jerusalem and to strengthen its foundation, the Muslims may not accept such an offer even if they only provide the funds and the Muslims undertake the work involved. That is because of their well-known ambition to take the mosque over, as they claim to have rights to it.

What this means in practical terms is that if you are absolutely sure that your friend has no purpose other than being friendly with Muslims you may take his donation and use it for the building of the mosque. Muslims may not contribute to the building of any temple or church, because they know that in such places, the Oneness of God is not enshrined, as it should be. Hence, they may not help in facilitating that. But Muslims may treat with kindness any non-Muslim individual or community who wishes to have cordial relations with them.

Zakat-ul-Fitr, which is a Zakah that is levied at the end of Ramadhan, is meant to make every poor person in the Muslim community self-sufficient or even better on the occasion of the Eid that follows the fasting month. [Hence it cannot be used for building mosques.]

Mosques: Entering the Mosque

Is there a particular way we should observe when entering or leaving a mosque?

It is recommended that when entering a mosque, we put the right foot first and say : "My Lord, forgive me and open for me the gates of Your mercy." On leaving, we put out our left foot first and say: "My Lord, forgive me and open for me the gates of Your bounty." But this is a recommended practice, which means that if we do not do it, we do nothing wrong. It is just an omission of what is preferable [and of course you miss out on gaining some credits.].

Mosques: Greeting the Mosque On Entering

When a person goes into a mosque after hearing the call to prayer, should he pray first the Sunnah or the two rak'ahs recommended as greeting to the mosque?

When you enter the mosque to offer an obligatory prayer, whether shortly after the call is made or at any time, and whether the congregation has finished, the Sunnah known as greeting to the mosque is recommended. If, however, you are offering a prayer which is normally preceded by two rak'ahs as Sunnah, or recommended, then you offer these, combining with them the greeting to the mosque. In other words, you pray two rak'ahs only intending them to be the regular Sunnah of the obligatory prayer as well as the greeting to the mosque. If you enter shortly after the call for prayer is made you also combine with them the Sunnah of Athan, or prayer call. That gives you the reward of six rak'ahs when you offer only two. If you enter the mosque intending to stay for some time, [Added: that is if you enter well before the next prayer timing] having offered the last obligatory prayer, you are recommended to offer two rak'ahs in greeting to the mosque. You cannot combine these with any Sunnah, because there is no Sunnah to offer, since you have already finished your

last obligatory prayer. It was the habit of the Prophet, peace be on him, when he entered the mosque not to sit down until he has offered two rak'ahs.

Mosques: Masjid-al-Aqsa In Jerusalem — Its Importance

Why is the Aqsa Mosque in Jerusalem important for Muslims?

The Prophet, peace be upon him, was asked which mosque was the first to be built, and his answer was: "The Sacred Mosque" in Makkah. His interlocutor then asked him which was the second mosque to be built, and he answered: "The Aqsa Mosque" in Jerusalem. A further question asked about the time gap between building them, and the Prophet, peace be upon him, said: "Forty years." It is well known that the two prophets built the Sacred Mosque, or the Ka'abah: Abraham and his son Ishmael. The Aqsa Mosque was built by Abraham's grandson, Prophet Yaqub, peace be upon them all.

To emphasize the unity of the divine faith, in all its forms and all periods of history, God took His final messenger, the Prophet Muhammad, peace be upon him, from Makkah to Jerusalem. There at the place of the Aqsa Mosque all past prophets were gathered, and he led them in a devotional prayer.

Thus, the Aqsa Mosque takes its position alongside the Sacred Mosque in Makkah and the Prophet's Mosque in Madinah as the only three mosques built by prophets and to which people may travel to offer their worship. No special travel may be taken to pray in any other mosque on earth.

Mosques: Masjid-e-Nabvi — Reward For the Prayers Offered In

1. It is often stated that 40 prayers offered during stay of eight days in Masjid-e-Nabvi earns great reward. Please comment.

2. When one goes to Madinah, is it obligatory that he stays for eight days and offers forty obligatory prayers at the Prophet's Mosque?

1. The prophet has taught us that each prayer offered in his mosque in Madinah is given the reward of one thousand prayers elsewhere with the exception of the Grand Mosque in Makkah. Therefore, if a person is visiting Madinah, he should try to offer as many of his prayers as possible in the Prophet's mosque. An often-reported Hadith suggests that offering 40 consecutive prayers in the Prophet's mosque is sufficient to redeem any person from hell in the hereafter. This Hadith lacks considerably in authenticity. It is certainly better to offer 41 prayers in the Prophet's mosque than 40. If you spend ten days instead of eight in Madinah, offering every single prayer in the Prophet's mosque, you end up with a greater reward than if you offer only 40 prayers.

2, Visiting the Prophet's Mosque in Madinah is a Sunnah, i.e. recommended. It is neither obligatory nor part of the duties of pilgrimage. There is no time restriction attached to such a visit to the Prophet's Mosque. It can be done over a very short period and it can be a very long visit. This depends on personal circumstances. What we know is that a prayer offered in the Prophet's Mosque is rewarded as one thousand prayers elsewhere, with the exception of the Grand Mosque in Makkah. Therefore, to offer forty obligatory prayers in the Prophet's Mosque earns handsome reward. But to offer more earns more reward. Having said that, I would like to reiterate that a short visit is perfectly valid and well rewarded. You can go to Madinah by plane in the morning, offer the Zuhrah and Asr prayers and come back later in the day to complete a highly rewarding Sunnah. If your circumstances allow you to stay longer, well and good.

Mosques: Masjid-ul-Haram — Sacred & Forbidden

In Islam, forbidden things are called "Haram", but the holiest place in Makkah is also called Masjid-ul- Haram. What is the real meaning of the term "Haram"?

Arabic dictionaries define Haram as the opposite of halal, which [i.e. halal] means permissible. Hence, Haram means not allowed, prohibited or forbidden. The Holy Mosque in Makkah is called Al-Masjid Al-Haram, because it is forbidden for non-Muslims to enter. It is a sanctuary where people may have refuge. When they are inside it, they enjoy the safety associated with the fact that Allah has forbidden the use of force or violence against anyone in it. Allah states in the Qur'an: "Whoever enters it enjoys security." The fact that certain restrictions apply in the mosque and its surrounding area makes the name "Al-Haram" or Al-Masjid Al-Haram, most appropriate. It is a place where Allah's authority is inviolable. No one may violate it without being punished.

Mosques: Not Facing the Qiblah

A mosque in our area is built in such a way that makes it slightly turned to the right of the direction of the Qiblah. The imam says that there is a provision that allows an angle of 30° degrees to the right or left of the Ka'abah, and the prayers would still be valid. Is this true?

The basic rule concerning the direction we face in prayer is that it should be toward the Sacred Mosque in Makkah. This is stated in verses 144, 149 and 150 of Surah 2. The fact that it is repeated three times in exactly the same wording emphasizes its importance.

Having said that, there are many mosques where you have to make your rows diagonal in a slight or marked degree in order to be in line with the Ka'abah. [That is to say that even though a mosque may be not exactly facing the Qiblah, the rows must.] There is nothing wrong with this, although, for convenience sake, it is better to make the mosque building properly lined with the Ka'abah, so that it accommodates the largest possible number of worshippers.

Mosques: Preference Of One Over the Other

A group of us were going in a car to a certain mosque. One of us asked to be dropped to another mosque on the way. Another objected and said that we are not allowed to proceed from one mosque to another. We should all go to the same mosque. The correct status?

If the obligatory prayer is not yet due, but is quite soon, you may drop your friend at the mosque of his choice and proceed to the other mosque if you so prefer. There may be very good reasons for each of you preferring to pray in different mosques, such as each of you choosing the one nearest to his home or place of work. If there is ample time for you to reach from one to the other, then that is perfectly all right.

If the prayer is already called and the congregation in the nearest mosque is just about to start, then it is strongly discouraged to move on to another mosque. That gives the appearance of rejection of a certain congregation, which a Muslim must never do. If there is a good reason for doing so, such as having no parking place near the first mosque, while it is easily available at the other and you are quite sure that you can catch up with the congregation in the more distant mosque, then you may proceed.

Mosques: Showing Respect For Them

Some people take a lax attitude in mosques and would not mind stretching their legs in the direction of the Ka'abah or where copies of the Qur'an are kept. Is this acceptable? Is it also permissible for people to relax and sleep in mosques?

While appearances and physical gestures are important in their own way, Islam attaches far more importance to the intention and purpose behind any action. We may do certain things with good intention, but the result or the appearance may not fit in with our intention. It is an aspect of God's grace that He relates our actions to our intentions. The Prophet, peace be upon him, is quoted as saying in an authentic tradition: "Actions are but by intention, and everyone shall have only what he has intended." This means that we should not judge an action only by appearance, but must give enough importance for the intention behind that action.

In the light of the foregoing, if a person stretches his leg with the intention of showing disrespect to the Ka'abah or the Qur'an, then he is likely to be punished by God for his action. On the other hand, a person who stretches his leg in the same direction, which happens to be the natural way for him to do so, and does not intend anything other than relaxing his muscles, will incur no such punishment.

There is nothing wrong with a person who is tired sitting and relaxes in the mosque. Nor is there any sin if he falls asleep in a mosque. Indeed the Prophet, peace be upon him, used to spend the final ten days of Ramadhan in the mosque, where he would have his meals and sleep, but he would spend all the time when he was awake and alert in worship, glorifying God and reading the Qur'an. Of course, mosques must not be looked at, or treated, as a hotel or a rest house, but if one goes into a mosque for worship, and sits down to recite the Qur'an, or to wait for the next prayer, or to do something useful, such as a student studying for his exams in the mosque, and he falls asleep, then he commits no sin.

Mosques: Sleeping In Mosques

Is it appropriate to stay in a mosque for a long time when one is not offering prayer or waiting for one? What confuses many of us is that people sometimes sleep in the mosque.

If you go to a mosque you may stay as long as you wish. You are only required not to say or do what is forbidden. Suppose you go to a mosque and spend a few hours, you may offer your prayers when they are due and you may offer voluntary prayers and recite a short or a long passage of the Qur'an. After a while you may wish to just sit down and think or relax. You may also talk to another person in the mosque. Your conversation may be on any subject in this world, provided that it does not involve anything forbidden. As you know people indulge in backbiting. If they do that in the mosque, this is a doubly grave offense. If they exchange points of view over something that concerns either one of them or both of them, or their community or country, they are welcome to do so. Sleeping in the mosque is not forbidden. Indeed, it is permissible, and it is recommended in certain cases. The Prophet, peace be upon him, has encouraged us to do the Sunnah of I'tikaf which means staying in the mosque for an extended period which may last for several days, particularly in the last ten days of Ramadhan. This means that a person may stay in the mosque for several days. When he does, he may go to his home to attend to his family's needs and come back. He will be rewarded for that. Obviously, if he is a young man, he may have a wet dream on one or more of these nights, as you have pointed out. If so, he needs to remove the state of ceremonial impurity as soon as possible. He leaves the mosque and either goes home to have a shower, or has it in the washing place in the mosque, if the facility is there. There is no harm in that.

Allah does not hold us accountable for anything, which we do when we are unconscious. There is no doubt that when we are asleep, we are not conscious of what we may do. Therefore, we are not accountable for what dream we may see when we are asleep or indeed what may happen to us while asleep. Allah is certainly aware of our situation and he does not hold us responsible for something beyond our control. To illustrate this I may give the example of the Hadith, which requires a Muslim to wash his hands before he eats, if he had just woken up. The Prophet, peace be upon him, tells: "You do not know where your hand has been."

Having said that, I would like to say that using the mosque as sleeping place is not a good practice. Indeed, it is discouraged, because the mosque is not meant for sleeping.

Mosques: Using Different Mosques For Different Prayers

Sometime ago, a friend told me that it is recommended to use different mosques for different prayers, if that is manageable. More recently, another friend told me that there is no such recommendation. Please explain.

Using different mosques in your locality makes it easier for you to know the people in your area and to widen your acquaintances. This is something desirable, because it promotes closer links within the community. If you would remember when the Prophet, peace be upon him, used to offer Eid prayers in the open air, just before the buildings of the city, he used to take one route for going to the prayer area and a different route on the way back. This he did in order to greet more people and to wish them a happy Eid.

Having said that, I should add that there is no specific recommendation, which tells us to use different mosques for different prayers. All that one can say is that it is certainly better to frequent several mosques while one remains best known in the mosque, which is closest to his residence. This combines both advantages of using one mosque and frequenting all the mosques in one's locality.

Muslim Minority: Babri Mosque & Killing By Muslims

At the time when Hindus destroyed the Babri Mosque and there were many casualties in communal conflict, certain questions were in my mind. A Muslim should be ready to protect anything, which relates to his faith. However, should he kill anyone in order to prevent the destruction of a mosque or to avenge it? I am referring to the killings that occurred in places far afield. I feel that a Muslim should not kill even the person who is engaged in destroying the mosque. I would be grateful for your comment, which may explain when killing is permissible.

What we have here are two separate points. The easier one to sort out is the one which concerns the events that took place in the aftermath of the destruction of the Babri Mosque, in places very far apart but where Muslims and Hindus live side by side. It was tragic that people who were hundreds of miles away from the scene of the Babri Mosque should lose their lives as a result. But blind fury can easily cause that. Yet it is not right that Muslims should allow themselves to be driven by blind fury into killing other people.

The destruction of the Babri Mosque was a crime, which cannot be easily forgotten or forgiven. A mosque is a place of worship, and worship is addressed to God, the Creator of the universe. As such, a mosque has its sanctity, which should be respected by all people. That Hindus have their own view about what sort of temples should be erected in that spot is of little concern. They should have realized that no

religion worth the name should motivate people to destroy mosques or kill other human beings. That Muslims throughout the world should express anger at what had happened at Babri is understandable, but for Muslims to attack Hindus simply because they belong to the same faith as those who destroyed the mosque, is from the Islamic point of view, unacceptable.

The other point you have made is that a Muslim should be ready to sacrifice his life in defense of the mosque, but should not kill anyone else. The life of a Muslim is something very precious. Indeed, the Prophet, peace be upon him, tells us that the sanctity of a believer is, in God's sight, greater than the sanctity of the Ka'abah itself. Therefore, a Muslim's life is too precious to be allowed to go undefended. Suppose that a few hundred or thousand Muslims were alerted to the designs of the Hindus just before they attacked the mosque. Those Muslims would rush to the mosque in order to defend it. What you are saying is that those Muslims defending the mosque should be ready to die in order to protect it, but they should not kill those who are trying to kill them in order to reach the mosque and destroy it. This is a sign of weakness, which would tempt the attackers. They will not only destroy the mosque but will also kill as many of its defenders as possible. Islam does not believe in such a lopsided philosophy. If enemies of Islam are prepared to kill human beings and destroy their mosques, then such people should be confronted with equal means, and should be made to taste their own medicine.

Let me remind you that the concept of jihad is essential to Islamic philosophy. That concept is based on confronting the enemies of Islam who try to suppress the call of faith and subjugate Muslims with adequate means to ensure that their purpose is defeated and their schemes come to nothing.

If those enemies of Islam use force, then Muslims must use force. At the time of the Prophet, the enemies of Islam launched several attacks on Muslims trying to eliminate them altogether. The Prophet, peace be upon him, confronted them with smaller armies, but these were the only forces available to him. He engaged in battles that invariably ended in great triumphs for the advocates of divine faith. The same was true of subsequent generations, and Muslims were always defending their faith, their land and their lives with adequate means. If that means going to war, with the inevitable killing of soldiers, then they did that.

Today we see of the starkest examples of what may happen to a people that are deprived of the means to defend themselves. The Muslims in Bosnia have suffered aggression by the Serbs who killed and raped and were able to boast about their crimes. Had the Muslims been better equipped, they would have repelled that aggression. What happened in Palestine is a tragedy of similar proportion. If Muslims were to refrain from repelling aggression, then all their land would be overrun and they would be killed in large numbers. Islam does not accept such an attitude. Indeed, Islam grants the status of a martyr to a person who dies defending his life, the women in his family, his land and property. Similarly, the Muslim community should be quick to defend its existence and its land.

A Muslim may be killed [after pursuing the due process of law] in punishment for murder or adultery.

Muslim Minority: Education In Non-Muslim Schools

In our hometown in India non-Muslims run most schools and colleges. Education is generally good but certain parts of the syllabus are contrary to Islam. Is it permissible for Muslim schoolchildren to enroll in such schools, considering that Muslim schools are practically much lower in their educational standards?

A Muslim community should always be fully aware of its needs and try to meet them in the best possible way. Of course, a Muslim community needs good schools so that its children may receive proper instruction in the various areas of education, as well as in Islamic teachings. No successful Muslim community could afford to neglect such a need, because of the serious adverse effects such negligence is bound to have on its future generations. Therefore, if the Muslim schools in your community are of low standard, then the community must consider the ways and means necessary to redress this situation.

When good Muslim schools are available, then it is not permissible to send one's children to other schools that teach something contrary to the Islamic faith, unless this is necessitated by some unavoidable factors. But when there are no Muslim schools to provide proper education of reasonable standards, then it is permissible to send one's children to non-Muslim schools, but it is necessary to do two things:

The first is that additional arrangements should be made in order to teach those children some Islamic education to make up for the deficiency in their learning, and to rectify the questions that are taught in a way contrary to the Islamic faith.

The second important matter is that the Muslim community should work hard to end this unhealthy situation and establish Muslim schools of good standard to enable parents to provide their children with the necessary education in an Islamic environment.

Muslim Minority: Laws In Conflict With Islamic Teachings

When Muslims are in minority in any community, the laws that apply to them may not be in harmony with Islamic teachings. How should a Muslim conduct himself in such a country? Of course he should be patriotic, particularly if he is born in that country. But when laws and regulations are in conflict with Islam, how should Muslims react? Can they participate in elections or join the armed forces? If they do and the country goes to war against a Muslim country, should they fight?

There have always been Muslim minorities in different cultures and societies. They have always been able to live with other communities in peace, creating no problems and observing the teachings of their faith. Islam teaches its followers to live in peace with other communities as long as they are not threatened in their persons, faith or property. When we live with other communities, we fulfil our obligations, whether as citizens or immigrants. In most cases, there is no conflict between the fulfillment of our religious duties and abiding by the laws of the country we live in. Should such a conflict exist, we need to try to achieve a compromise that does not contravene Islamic principles.

Take for example the case of France and the attempts to force Muslim women students to discard their head covering. The Muslim community was able to protest and enforce a compromise that allowed Muslim women students to wear their head covering at school. They were able to do so, making use of the rights of citizen and the freedom they enjoy under French law to foil the attempt to force them to disobey the teachings of their faith. The problem may persist on a smaller scale, but when Muslims tackle it wisely, they will be able to win their case.

When a Muslim lives in non-Muslim society, there is contract between him and the society, which requires him to obey the laws of that society. He should do so except in any situation when the existing law is in conflict with Islamic teaching. We should remember that laws and regulations are promulgated to organize society and enable every one to live in it peacefully. They normally specify methods and practices that

are allowed. These are often regulatory, giving choices that are available for individuals. A Muslim will make the choice that is in line with his faith. For example, when usury is allowed in certain society, Muslims living there do not have to resort to it. If they are offered more than the principal of the loan is, they should not take it.

Yes, Muslims living in a non-Muslim country should participate in the elections in their communities. They should cast their votes to the candidates who stand for strengthening community relations and allowing religious minorities to observe the teaching of their faith without difficulty.

In the extreme case when a Muslim serving in the army of a non-Muslim country finds himself having to fight against a Muslim country, he should make his position clear, stating that his religion prevents him from fighting against his brethren in faith. Normally this is accepted and he is relieved of combat duties. If he is forced to fight, he should resign from the force.

Muslim Minority: Migration To Non-Muslim Countries

Due to economic reasons, a Muslim decided to migrate to a non-Muslim country. There, he and his family members are mindful of their religious duties. They attend to their prayers, fast in Ramadhan, fulfill their Zakah obligations, and are generally abiding by Islamic teachings. Does such an immigration constitute any violation of Islamic teachings?

I fully understand the reasons, which may compel a person, take a major step of migrating to another country. When one has a family to look after, without any prospect of a real improvement in one's situation, one's burden seems much too heavy. When jobs are scarce in one's own country and one turns around only to find a large number of people without work, the lure of immediate, steady employment abroad seems too great to resist. The decision to migrate does not come easy to anyone. A young man may talk about it, but when it comes to taking the step, the decision is a very difficult one indeed. Unless, the pressure of the family responsibilities are very strong, most people prefer to stay in their own countries, where they have all their relatives and friends.

Islam takes such economic factors into consideration. It appreciates that people can find economic pressures much too severe. Therefore, trying to find a job in some other place is a commendable step, as it shows willingness to share one's responsibilities. Problems arise, however, when the migration is to a non-Muslim country, especially one, which does not merely offer a more comfortable living standard but is also highly advanced by modern standards. The fact is that when Muslims from our part of the world migrate to countries of Western Europe, America, Canada or Australia, they expose themselves and their families to a set of pressures which is in no way less powerful than those which have compelled them to migrate. This is only natural when one puts himself in the midst of a totally different culture where he finds himself alone, or a member of a small, alien minority.

Nowhere in the countries to which most people migrate does a Muslim face an attempt to entice him away from his faith. Such crude, futile methods are no longer employed. It is the cultural pressures, which I am concerned. These are slow, indirect, and continuous. Their effect is varied, cumulative and permanent.

I do not wish to give the wrong impression to anyone. Many Muslims benefit a great deal from staying in American and Western European countries. They learn many good habits and they learn the civilized approach to dealing with people who express views, which differ with their own. Moreover, nobody interferes with their religious practices. Indeed, they may find practicing their religion easier than in some Muslim countries.

What I am concerned with here is the long-term effect of living in a non-Muslim country on the children of any immigrant Muslim family. It may be true that the parents will attend regularly to their prayers and other religious duties. They may even have a greater eagerness to fulfill their religious duties because they are conscious of the need to retain their identity. They will try hard to impart this identity to their children. But how successful can they be?

Immigrant communities in Western countries have tried to establish their centers, mosques and schools. The first generation normally starts in a very modest way. It is normally composed of unskilled workers who take up jobs, which are low on the scale, and try to establish a decent living. They organize themselves in-groups and donate whatever they can in order to buy a rundown house, or a garage, or some other place, which they convert into a mosque. They use it also to teach their children about Islam either at weekends or in the evenings. Such small centers and mosques serve as a good beginning. Now we see purpose-built mosques emerging everywhere in Europe and America. We also find afternoon schools more effectively run. What is more, in a number of places we find schools being started which will teach all subjects as well as Islamic subjects during normal school hours. They provide for the integration of both types of teaching. In London, for example, there is the King Fahd Academy, which provides schooling for the children of the Muslim community and the school started by Yousuf Islam. These are the steps in the right direction, but it is not to be expected that two schools will meet the need of the Muslim community in London, which is estimated to be in excess of 100,000. The vast majority of Muslim children in these countries go to state schools. There they receive the normal education provided for the children of their host country. There they learn to live in that culture as part of it.

This is a very tricky problem. I am not advocating separate education for the children of immigrant Muslim communities. I am merely speaking of what happens to their children as a result of their own decision to migrate.

We can divide these children into three groups: one which accepts the values taught at home, inherits Islamic traditions and feels the Western culture as nearly alien to it as it was to the first immigrant generation. The second group is the exact opposite: it rejects the "home" values and tries to identify with the culture of the adopted homeland. The third group is one in between: it feels a dichotomy between home and society, which affects all aspects of life. None of these groups is very happy. None is looked upon by the host society as belonging to it. There will always remain a sense of being a stranger in an adopted home which is forced upon one. The parents who took the decision to migrate could more easily come to terms with such a sense of being strangers, because it was they who had consciously taken the decision to leave home. Their children had no say in that. On the other hand, they cannot reverse the decision. If any of them were to do the return immigration, they would feel strangers in their father's home country.

Furthermore, it may be extremely difficult for the young generation to learn the Islamic values. The parents may try hard to provide Islamic education, but so far, the education so provided is an imported one. It is mostly provided by teachers who themselves are immigrants. They may not be able to come to terms with life in their host country. Therefore, the education they provide will always fall short of what is required, namely, how to live as Muslims in a non-Muslims' society.

This is a major problem, which faces everyone who migrates and at the same time has a family to bring up. I know many people who have wrestled with this problem and eventually chose the only means of escape, by returning home or seeking work in a Muslim country while their children were still young.

There are many advantages, which result from the existence of Muslim communities in Western countries. Whether these advantages outweigh the disadvantages or not is a question which takes a great deal of discussion. Perhaps no definite answer can be given for it. However, our accountability is first and foremost on the individual level. Allah will ask each of us about his own action. Whether it is a correct, wise or permissible decision to migrate is a highly personal or individual question. Everyone can judge his own circumstances best. But no person should take a decision without considering carefully the pros and cons, especially with regard to what may happen to his children and their future.

Muslim Minority: Muslim Fighting For His Non-Muslim Country

Does Islam believe in nationalism? If a Muslim serves in the army of his non-Muslim country, and a war breaks out between his country and a Muslim state, will he be considered a martyr if he fights and dies for his country?

2. How much of a position does “patriotism” have in Islam? Should a war break out between a Muslim state and one’s own country, what should be the attitude of the Muslim soldiers in the other country?

1. A Muslim only believes in Islam and owes all his allegiance to the community, which implements Islam as a faith and a code of living. This does not mean that a Muslim who belongs to a minority in a country where the majority are non-Muslims may act in a way which is detrimental to his country. If his minority Muslim community enjoys the freedom to practice its faith and the protection of the law against persecution, then he has no reason to act against the authority in his country. All that Islam requires of non-Muslims generally is the right to address people in a free atmosphere. A Muslim minority in an overwhelmingly non-Muslim country should always try to maintain a peaceful relationship with the majority population, as indeed is the case with a Muslim majority in a country, which includes non-Muslim minorities.

A Muslim may not fight another Muslim except in one case. If two Muslim groups or communities fight against each other, we are required to try to establish peace between them. If one of them launches aggression against the other, we all must try to help the victim of aggression against the aggressors until the aggression stops when all Muslims are required to re-establish peace between them. In a case where we are fighting an aggressor, those who die may be considered by Allah as martyrs. If a war breaks out, like many of the wars we have seen in this century, both combatants may be in the wrong. In such a war, it is more appropriate for Muslim soldiers to refrain from fighting. Generally speaking, it is not we who describe those who die in battle as martyrs. It is Allah who considers them martyrs and rewards them accordingly. He judges them according to His knowledge of them. All we know is that a Muslim must only fight to serve Allah's cause. It is only a person who is killed fighting for Allah's cause that is a martyr.

2. In our modern times, loyalty to one’s country has been given the top place among a person’s bonds and attachments. If one is born in a certain place, then his first loyalty should be to that country where he was born. If one acquires a second nationality, he is required to make an oath of allegiance to that country or system of government. Despite this strong emphasis on national loyalty, or patriotism, its bond has proven itself to be weak when it comes in conflict with other bonds and loyalties. You have only to look at the several instances of civil war resulting from tribal or ethnic differences within the same country. The cases of Angola, Bosnia, Croatia, Northern Ireland and Rwanda come quickly to mind.

Islam considers loyalty to faith as the supreme loyalty. It takes precedence over loyalties to family, tribe, race and country. A Muslim belongs to the community of believers, i.e. the Ummah. In cases of a war breaking out between two sections of the Muslim community, his place is against the aggressor group. Before allowing a war to break out, everyone should try his best to prevent the conflict from deteriorating into a war. Once the aggressor is repelled, efforts should be made to re-establish amity and brotherly love between the two groups.

If the conflict is between two states, and one of them is a Muslim while the other is not, then the Muslim community in the second state should try its best to mediate between its government and the Muslim state in order to prevent an armed conflict. Should such efforts fail, [or the Muslim community is in no position to do that,] then the Muslims in the army of the non-Muslim state should make their position clear, telling their government that they cannot join the fighting against their co-religionists. Such a clear attitude should be good enough to secure for them an exemption from fighting on conscientious grounds. However, in some countries, such a possibility is not available. If Muslim soldiers find themselves in the battlefield against a Muslim army, they must not fire to kill fellow Muslim soldiers, although they belong to the opposing army. They should not allow themselves to be responsible for killing Muslims over a political question.

Muslim Minority: Muslim Working For A Non-Muslim State

Could you please comment on the permissibility of Muslims being employed by non-Muslim government?

The answer depends on various variables. What we can say, however, is that if the government concerned is not in an actual state of war with any Muslim country, then the Muslim individual must consider the nature of the job he will be doing. If it is calculated to benefit the people or stop something evil from happening to them, then he may go ahead and do that job. What such a Muslim employee must do is to ensure that his work does not place him in a position where he has to compromise any principle or part of his faith. He must also not do any type of work, which helps any anti-Islamic creed or philosophy to strengthen its roots or to spread. On the other hand, if he can make use of his position or his work in order to make Islam come to be reviewed in less hostile light, or if he is able to promote a favorable image of Islam, then he should not hesitate to accept that work. He should indeed balance out the benefits he believes will accrue to Islam or to Muslims as a result of his work against the harm that might result from it, or at least against the benefits which non-Muslims will gain from his work.

It is even more important to consider whether it is permissible for a Muslim to work for a tyrannical government which is clearly hostile to Islam and which rules over a Muslim country. This is a very tricky situation, which each individual has to consider on the basis of his circumstance in the light of what he is required to do. Generally speaking, however, we can say that if a person is able to promote something of benefit or stop something evil as a result of his work, then he should not hesitate to accept such employment. A clear example is that of a teacher, regardless of the subject he teaches. A teacher who is committed to the cause of Islam is able to influence his students and help them recognize the importance and benefits of implementing Islam.

If every Muslim was to refuse to work as a teacher at the schools of his country because the government is hostile to Islam, then teaching posts will go to people who are either hostile to Islam, or, at best, neutral to its cause. Such a situation is likely to perpetuate the domination by forces opposed to Islam in a Muslim country. That eventuality is totally unwelcome.

Muslim Minority: Non-Muslim Leadership

Are Muslims who live in non-Muslim countries committing a sin by following the leaders of those countries who do not know Islamic teachings? I am asking this in the light of the Qur'anic verse, which says: "Do not follow the desires of people who have no knowledge."

First of all we should be clear that the phrase 'people who have no knowledge' refers to any people who adopt a system or a social set-up which is contrary to Islam. This is true whether they know about Islam or not. If they know Islam and what it teaches and then they decide nevertheless to adopt a different system, then their knowledge has stopped at merely being aware of something good without benefiting by it. They are in the same position as one who knows that he only needs to switch on the electricity in order to have light but decides not to do so and continues to live in darkness, paying little care to the risk he or his family may run as a result.

If a Muslim or a group of Muslims live in a country which implements a law that is in conflict with the divine law, and they are unable to influence the process of law-making, they commit no sin provided that they do not do anything to help this process to enact more laws which are at variance with God's law. They must also make it clear that they do not approve of this process because it constitutes an aggression on God's authority to legislate. This they should do in the best way available to them, even if it is merely denying that authority in their hearts. Furthermore, they must try to conduct as much of their own affairs as possible in accordance with Islamic teachings. When they have done that, they discharge their minimum responsibility to implement God's law. At least they have the feeling of disapproval when they have no power to change the situation in order to ensure the practical implementation of Islamic law.

Muslim Minority: Persecution & Armed Struggle

When Muslim minority suffers persecution by a regime that follows a long-term policy of assimilation and de-Islamization, what attitude should they take? It should be pointed out that persecution is carried out on large scale. They are denied all their human, national and religious rights. Their property is confiscated, mosques are desecrated, intellectuals killed and the womenfolk raped, etc. The options in such a situation are very limited indeed. Either, one, they should yield to the pressure and to abandon their faith. Or, two, they should migrate to a Muslim country, if one is willing to accept them. The third option is to wage armed struggle. Which one should they adopt?

The picture you have painted is grim indeed. It is not exaggerated. The persecution of Muslim minorities has at times become so fashionable that it was felt that if there was a Muslim minority, then persecution should be its lot.

Although the first option of compromising their faith may be seen as appealing to some people as it offers the case of immediate relief from persecution, it must never be contemplated. To start with, it will not bring a permanent solution to the problem. The Muslim community will continue to be viewed as one apart. The majority community will continue to have its discriminatory feelings, although these may be held in abeyance for a while. Islam has the power of self-renovation and both Muslims and non-Muslims know this. Every time and everywhere it was felt that Islam has been obliterated, a new generation of Muslims began a new search for their identity which, inevitably, led to the "rebirth" of Islam in that particular society. This inherent characteristic of Islam is enhanced by its strong appeal, which is fostered by its powerful logic and simple, straightforward arguments. The enemies of Islam

have not yet been able to find a way of putting out its light completely and finally. It is sufficient that one person in the community is able to have clear and thorough understanding of the message of Islam, and set out to work within the Muslim community, explaining Islamic teachings and reawakening their interest in Islam for the community to respond favorably to him and for a new Islamic trend to establish its roots. The extermination of Islam from a particular society can only take place through an "inquisition" on the lines of the notorious "Spanish Inquisition" in the 15th century. Provided that it continues over several generations. Therefore, a Muslim minority could not hope for a permanent relief from the pressures and persecution by simply paying lip service to the demands of its persecutors or by resorting to minor change of appearances. Indeed, they will not be trusted even if they abandon Islam altogether.

On the other hand, this option incurs God's displeasure. A Muslim community, which adopts this option, barter away its fortunes in the life to come for a momentary relief of pressures. The deal is one of utter loss.

The second option of migration is practically non-existent in our modern world in which nationalism has become the prime concern of all societies. Only when natural or man-made disasters face populations to seek refuge in other countries those large-scale migrations have been accepted. Even then, the immigrants have to tolerate life in miserable conditions for short or prolonged periods of time. This is not the sort of solution, which any community would envisage for its immediate problems.

As for the third option, it has its appeal as an idealistic solution. However, it should not be contemplated except as a last resort. Islam does not like to start a civil war in any community. Indeed, it prefers a policy of peaceful coexistence, as long as that is at all feasible. When Muslims live side by side with other communities in the same country or area, Islam tries all possible ways to avoid bloodshed. For thirteen years of the Prophet's mission, Muslims were persecuted in Makkah. Some of them were tortured to death. Young men sought the Prophet's permission to fight for their faith. However, he gave them no such permission. We can identify several reasons for this, but it is clear that Islam does not like that the Muslims should be involved in an internal battle with their neighbors, although these neighbors resort to provocative tactics. If the other party wages such a battle, then the Muslims should not shirk from taking up the challenge. They, however, should not start such a battle as long as it is possible to avoid it. Islam finds no joy in a battle, which brings neighbors face to face across the firing line. However, if the enemies of Islam wage such a war, and the very existence of the Muslim community is threatened, then joining in the defense of Islam becomes compulsory for all members of the community. Nobody may shirk his duty.

The question arises: What course of action is then open to the Muslim community? In our modern world, publicizing its grievances and drawing the attentions of the world at large to what persecution it is suffering will bring the Muslim community support in different forms. Perhaps the Muslim community can prevail on Muslim states to bring pressure to bear on the authorities in their country to let their community alone. In every situation, there are certain factors, which may be used to bring about an improvement. Before resorting to arms, the Muslim community should use all other means to relieve their plight. In this, Muslims throughout the world should support them. Only through the mutual solidarity of the Muslims throughout the world persecution by predominant majorities can be fought off.

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New Muslims: Gradual Approach With New Converts

Commentary By Adil Salahi — Arab News

When dealing with new converts to Islam, some of us are so eager to get them to understand all aspects of their new faith and what it requires of them. They want these new Muslims to lead a perfectly complete Islamic way of life from the first day they declare their acceptance of the faith. This often puts new Muslims in a difficult position, and gives them a sense of falling short of what God expects of them. It is important, therefore, to try to understand what the Prophet, peace be upon him, did with new Muslims, and whether he immediately gave them a list of duties to fulfil and recommended practices to observe.

The Prophet, peace be upon him, sent his companion Mo'adh ibn Jabal to Yemen as governor. A reasonable percentage of the population there were Muslims already and Islam was continuing to spread among them. Hence, Mu'adh's duties included a good measure of advocacy of Islam among the local population. The Prophet, peace be upon him, outlined for him the method of approach he was to follow. He said to him: "You are going to people who believe in their Scriptures. When you are with them call on them to declare that there is no deity other than God and that Muhammad is God's Messenger. If they accept this from you then tell them that God has imposed on them a duty to offer five prayers every day. If they also accept this from you then tell them that God has made it a duty for them to pay a certain amount of charity which is taken from the rich among them and distributed to their poor. If they accept this from you, do not touch their precious property. Beware of a prayer by a person suffering injustice; for such a prayer goes directly to God, with no barrier to stop it." [Related in all six authentic anthologies].

The important point in this Hadith is the gradual approach the Prophet, peace be upon him, outlines for his companion who was to be governor over a large portion of the expanding Muslim State. It should be remembered that Mo'adh was sent on this mission about a year before the Prophet's pilgrimage; that is, in year 9 of the Islamic calendar. However, some reports suggest that it was a little earlier and one report puts the date as the early days of year 10. Whichever was true, it was toward the end of the Prophet's lifetime, when practically all Islamic laws had been in place. Mo'adh was certainly aware of all major duties of Islam, including fasting in Ramadhan, which was started in year 2, and the pilgrimage, which was made obligatory before year 8, while prayer and Zakah started much earlier. Nevertheless, the Prophet, peace be upon him, told Mo'adh to call on people first to believe in God and His Messenger. It is clear that he was concentrating on the approach to follow not the outline of all duties. It is well known that all Islamic duties are required of believers; they do not apply to other people. If a person does not believe in God and in Muhammad as God's Messenger, no prayer or Zakah is of use, because they would be lacking the proper basis they should have.

It should be noted that the Prophet, peace be upon him, tells Mo'adh not to speak to those people about prayer until they have believed in God's oneness and Muhammad's message. The Prophet, peace be upon him, was aware that most of

them followed earlier religions, and the concept of believing in God was not new to them, but they had first to correct this belief so as to bring it to the proper Islamic way of believing in God's absolute oneness and in Muhammad as God's Messenger. When this is in place, then Mo'adh was to explain to them their prayer duty. Needless to say, the Prophet, peace be upon him, did not expect him to stop at saying that your prayers must be offered five times a day. He was to explain to them the benefit of prayer, and the wisdom of spreading it over the whole day, from dawn to nighttime, so as to make a Muslim always in contact with God.

At this stage of explaining the duty of prayer, Mo'adh was not to speak about other duties, but when the people accepted that they must offer their prayers and actually began to do so, he was to take the next step and tell them about Zakah. Needless to say, attending regularly to prayer will make people submit more fully to God's orders. They would know that a human being submits him, time, effort and all that he owns to God Almighty. Hence, they would accept the next duty that provides for social security for all. "If they accept this from you then tell them that God has made it a duty for them to pay a certain amount of charity which is taken from the rich among them and distributed to their poor." Mo'adh would need to explain that such Zakah purges the giver of greed and the desire for self-aggrandizement. It gives him the feeling of mutual care in society. Both giver and taker will be rewarded because Zakah ensures that the community is coherent and that everyone is looked after. Under the Islamic system, no one goes hungry from one day to the next.

The Prophet, peace be upon him, also explains to Mo'adh that he was not to touch what is dear and precious. Zakah is taken from the general wealth of a person. It must not be of the worst type, but when it is paid, the giver has fulfilled the duty God requires of him. He is then free to enjoy what God has given him.

It is important to remember that Zakah is an individual duty of worship. It applies to all Muslims, men and women, even the young ones. If boys or girls below the age of puberty have money of their own, their guardians must make sure of paying their Zakah. A woman has to pay her own Zakah.

The next point the Prophet, peace be upon him, tells Mo'adh is that when the people have paid their Zakah he was not to try to get what is precious for them. They pay their Zakah from the average they have, keeping the best for themselves. This is perfectly acceptable as long as they do not give away the worst they have.

Needless to say, Mo'adh would then call on them to implement other Islamic teachings. But the points specified by the Prophet, peace be upon him, take priority. The Prophet, peace be upon him, gives Mo'adh a warning against something very serious. As a governor, he needs to make sure of maintaining justice. Any governor who fails to do so is liable to be the target of prayers by the victims of injustice. The Prophet, peace be upon him, warns Mo'adh and every ruler and governor that such a prayer is definitely answered. God is certainly aware of whatever injustice is perpetrated. He knows who perpetrates it and who is its victim. The victim will always have access to God's help through prayer. God will certainly support those who are unjustly treated. He has forbidden injustice and will punish its perpetrators.

New Muslims: Inheritance — Interfaith

1. I am the only Muslim in my family. Both my parents are dead. I have several brothers and sisters, but they are all Christian. I was married, but my marriage did not produce any children. My parents had adopted a girl whom they considered as their daughter, and she is a Muslim. I would like to know whether, having no one to inherit me, might I leave any portion of my property to this sister of mine, who is my sister only by adoption.

2. I read a Hadith in Al-Bukhari's Sahih that it is not permissible for non-Muslim to inherit from a Muslim or vice versa. On the other hand, I have got a reply to a question stating that a child can inherit from its non-Muslim parent. Could I inherit from my father who is not a Muslim?

1. The sister our reader talks about is a Muslim by choice, but she was not born to the same parents. In other words, she is not her real sister. Islam does not allow adoption in the legal sense of the word. It encourages its followers to look after orphans and needy children, and to bring them up, giving them a family atmosphere, but it does not allow them to claim them as their own sons and daughters. That is a false claim and it cannot be sanctioned under Islamic law. This means that this adopted sister, though a Muslim, is a stranger to our reader. As such, she may not inherit her.

What the reader can do is to bequeath by will a portion of her property, not exceeding one third of its total value. This is open to anyone to do, leaving one third of one's property to relatives, needy people, or charitable purposes. But other than this, she cannot give her adopted sister any portion of her property by way of inheritance. The other option that is open to her is to give her sister gifts during her own lifetime. For example, she may pay for her sister's education, since she is still at school. When she equips her sister with good education, that may be more beneficial to her than any money she may leave her after her own death. May God bless both our reader and her sister.

2. The ruling, which the Hadith states, is that the followers of two different religions may not inherit each other, even though they may be father and son. This is an aspect of the total separation of the Muslim community from other communities. This applies to the system of inheritance, which assigns certain portions to different heirs. However, if a non-Muslim parent makes a will to a Muslim child, the will is valid and the beneficiary may receive what is assigned to him or her.

May I also say that the Hadith preventing inheritance when the deceased belongs to a different religion is very clear. It is the ruling of most scholars. However, some scholars, notably Ibn Taimiyah, say that a Muslim may inherit his non-Muslim parent. They rely on the Hadith that says: "Islam increases and never decreases." I rely on when I say that a Muslim may take a bequest left to him or her by their non-Muslim parent.

One of the factors that block inheritance between members of the same family is that they belong to different religions. The Prophet, peace be upon him, makes it clear that the followers of different faiths may not inherit each other. Thus the reader may not inherit anything from her brothers and sisters, nor may they inherit any portion of her property. There is an exception defined by scholars, which allows a Muslim son or daughter to inherit their non-Muslim parents. But even in this case, the exception is not unanimous.

New Muslims: Islamic Concept Of Sins

I am a newcomer to Islam. I adopted my new faith after long and deep thinking. However, I am confused by what advice I receive from my Muslim friends. At times, I feel that I am committing sins through doing what appears to many people as ordinary things. May I give some examples: All my relatives including my parents are Christians. When they invite me and my husband they have no pork but then the beef or lamb they cook may not have been slaughtered in a strict Islamic way. I am too embarrassed to tell them where they should buy their meat when they invite me. I simply mention the name of Allah before I begin eating. I am

reproached for doing so by some of my friends. A friend rebuked me for offering prayers in my Christian sister's home. She said that it is not recommended. I have read in a book that women must not put on an appearance, which resembles that of men. It cited examples of cutting one's hair short and wearing trousers and smoking. Living in Paris in winter makes the wearing of trousers much more convenient. Does it constitute an offense? There are many other matters that I was told at one time or another that we are restricted from using or practicing. It is a long list, which includes hanging pictures, using razor blades, decorating our houses with small statues, etc. I feel so worried that at every point one may commit a sin. Could you please tell me whether Allah would forgive me, when I contravene such regulations?

If I may start where you have finished, I can give you a short answer to say: Yes, Allah will forgive such sins, or indeed those of them, which constitutes a sin. But I suppose you need further reassurance and I will, therefore, try to dispel your doubts.

The concept of sin in Islam is different from that in most, if not all other religions. According to Islam, a sin is an action which constitute the violation of Islamic teachings. The action may not be more than the utterance of certain words, as in the case of backbiting or perjury. Therefore, any action or word, which involves disobedience to Allah and His messenger, is a sin. Anyone of us who, at the end of any particular day in his life, examines what he may have said or done is bound to come to the conclusion that he has committed several sins. If the feeling of guilt lingers with us for a long while, and increases day after day, then life will acquire a very gloomy aspect. We will feel that we have no hope of salvation. Our sins can only increase and they will inevitably do away with our good deeds.

But this is not how Islam views the whole issue of disobedience and sin. Its outlook always holds the prospect of forgiveness and reward. To start with, any good action or kind word, which we may do or say, will be credited to us. It will earn us a reward and the cumulative effect of our reward will erase at least a commensurate number of our sins. Moreover, a good is given a reward, which is equivalent to at least ten times its value. A sin or an act of disobedience is recorded at its simple value. Therefore, a small act of kindness erases a sin, which is ten times more serious.

Secondly, sins are classified into two groups: minor and cardinal sins. The first type are readily forgiven when we pray Allah for forgiveness. Cardinal sins are also forgivable with the exception of the most serious of them, namely, associating partners with Allah. However, for a cardinal sin to be forgiven, a resolve is needed not to indulge in it again. Cardinal sins include such offenses as murder, adultery, theft, drinking intoxicants, gambling, perjury, slandering others, withholding Zakah, neglecting prayers, etc.

Thirdly, Allah has left the door always open for repentance of one's sins. He has also committed Himself to turn with forgiveness to anyone who genuinely turns to Him in repentance. Therefore, when we wrong ourselves by committing a sin, we should turn to Allah and declare our repentance and pray for forgiveness. If we are sincere and genuine, then Allah will undoubtedly forgive us. The mark of genuine repentance is the resolve not to repeat the offense. Even if one yields to temptation again and does the same offense another time, his first repentance is accepted as well as his second, if on both occasions he is honest and sincere and has really regretted committing the offense. What Islam wants from its followers is to be always on the alert. It recognizes that human beings, being as they are, may yield to temptation and commit sins. As long as they are not so hardened in sin that they do not bother about the offense at

all, forgiveness is possible. Indeed, it is likely, provided that the offense is followed by genuine regret and a clear intention to refrain from doing it again.

That concept allows Muslims to have the reassurance that forgiveness is always possible. Islam does not like its followers to go about with the specter of Divine punishment always hanging over their heads. Indeed, it prefers that they always have the prospect of being forgiven. There is another element, which ensures forgiveness. Allah describes His servants with certain qualities including refraining from cardinal sins. He threatens those who indulge in them with punishment, except one who turns to Allah in repentance, believes and does something good. Allah will change the evil deeds of such people into good ones. Allah is indeed much forgiving, merciful. That Qur'anic verse shows us the way to forgiveness. It is easily achieved if we follow our bad deeds with good ones.

Let us now look briefly at the examples you have mentioned and which have given you much worry. With regard to meat of animals slaughtered by Christians and Jews, most Muslim scholars are of the opinion that it is eatable. A Muslim need not go into the details of the method of slaughter. As long as he does not have confirmed information that the slaughter is done in a way, which Islam forbids, he may partake of the food of Christians and Jews. The Prophet, peace be upon him, was once offered a lamb slaughtered and prepared by a Jewish woman. He and one of his companions ate from it. That Jewish woman had poisoned the lamb. The Prophet's companion died of poisoning. The Prophet, peace be upon him, did not ask how the woman slaughtered her lamb. You may continue with your practice of mentioning the name of Allah before you eat at your relatives' houses.

The Prophet, peace be upon him, says: "The whole earth has been assigned to me as a place of worship and a source of purification." We may pray anywhere. There is simply no basis for your friend's argument that you should not offer your prayers in your Christian sister's home. Indeed, we may pray in a church if the need arises.

It is certainly forbidden for women to try to appear in the guise of men, as it is forbidden for men to appear in the guise of women. But that is what the prohibition involves: To try to give a false impression. A woman may wear her hair short without giving any hint of a manly appearance. The same applies to wearing trousers. What is important is where she wears the trousers and how tight they are. If they are loose, and an appropriate top dress is worn over them, such as long blouse or a coat, then there is nothing wrong with wearing them in public. Indeed, they may be a highly appropriate dress for both men and women. The prohibition on smoking is based on the fact that we have now established with certainty that smoking is highly injurious to health. It causes cardiovascular diseases as well as many types of cancer.

I do not see anything wrong with using a razor blade or hanging a picture in one's home if the picture is not pornographic. As for using statues for decorations, Islam views that with certain dislike. This is due to the fact that statutes have been considered to represent gods. They smack of the worship of idols. [However, some scholars have ruled that decorative figurines may be used provided that they do not represent the image of any of the gods that non-Muslims follow.]

New Muslims: Marriage Impossible

A friend of mine, who until recently was a Hindu, embraced Islam and began with God's help, to attend to all his religious duties. However, he just discovered that Islam forbids marriage with one's niece. As he is already married to his niece, he is at a loss what to do, considering that he has young children. What is the status of his marriage? If he divorces his wife, it will certainly affect his relations with his present wife and children,

as they will inevitably feel that Islam is responsible for the break-up of their family. Please comment.

This man has adopted Islam because he realized that it is the truth. When one adopts a new religion on the basis of conviction, he must abide by what that religion dictates. Such dictates are part of the truth he has come to accept. It is not possible for a person to accept a religion and then say that he wants one or two of its teachings modified in order to suit his circumstances. Some people made such request to the Prophet, peace be upon him, but he did not accept any such condition. It was not for him to do so, because the religion of Islam is given to us by God, and no one can alter what God makes lawful or forbidden.

This man has recognized the truth of Islam and accepted it. He then discovered that his marriage couldn't be accepted under Islam. No one can alter God's prohibition of a marriage between a man and his niece. This is a permanent prohibition, which will not be relaxed in any circumstances. Therefore, he has no way other than to abide by what God has ordered and to refrain from what He has prohibited. His marriage cannot continue, because it is invalid. He must divorce his wife.

Now, when his marriage is over, relations between the man and the woman may continue as one between uncle and niece. However, because of the marriage between them, they should not stay alone in any private situation. They may make any suitable arrangements so that their children are brought up normally, cared for by both their parents, but the separation must take place. There is no way out.

New Muslims: Marriage Of A New Convert Having Children

I intend to marry a widow who is studying Islam with the intention of converting to it. She has two children aged 8 and 4. Should they also convert to Islam? What will be their position? Should the woman and her children change their names? Who will act as guardian of the woman when we get married? The lady and the children inherited a house built by her late husband. Now the mother of the late husband and his brothers are demanding that she should sell them the house at cost price. Could you tell me who has rights of inheritance to that house?

As the lady concerned chooses to convert to Islam, she is perfectly entitled to do so. May God guide her to what is best. There is no problem with a Muslim marrying her, because when she has become a Muslim, she is perfectly entitled to marry a Muslim and she cannot marry a follower of any other faith. She need not change her name, unless her present name is specifically associated with a belief other than Islam.

The Prophet, peace be upon him, did not change the name of any of his companions on their acceptance of Islam, unless the name had a very bad meaning or was associated with a pagan belief. When people of areas and lands stretching far and wide accepted Islam, the Prophet's companions did not ask any of those new Muslims to change their names.

The woman's children will not need to "convert", because as they are young, they have not chosen their faith. They should be brought up in the Islamic faith, which is to be their mother's faith. Thus, they are considered Muslim by the fact that they are the children of a Muslim mother.

If the woman's family do not approve of her conversion to Islam, then they would not be willing to attend her marriage. She should put her case to a judge of an Islamic court, who will either act for her himself or deputize this task to someone of good

standing in the area where the marriage is to be done. In the Hanafi school of thought, the woman may act for herself in her marriage.

The family of the woman's late husband cannot demand that she should sell the house to them at cost price. She and her children have rights in that house and these rights do not freeze its value at cost. They may sell it if they wish, but they should sell at its correct value. If the lady agrees to sell it at cost price, then she would be squandering the rights of her two children. No guardian, be it a mother, may do such a thing with the property belonging to orphans. She should resist any attempt to take the ownership away from her children except at the right value.

I cannot tell who is entitled to inherit her late husband. That inheritance is determined on the basis of either the religion of the husband, which is most probably the past religion of the lady or the law of the land, they live in. If the man's mother had a share, then she should have her share. Had this been a Muslim family, the man's mother would have had a share of one-sixth, his wife would have had one-eighth.

The remainder would go to the two children if one of them at least were a boy. They would share it on the basis of the boy inheriting twice as much as the girl. If both were daughters then they would have one-third each. That would leave one portion out of 24, which would be shared out among the man's brothers and sisters.

New Muslims: Prayers For Non-Muslim Parents

Does the prayer of a Muslim convert for his deceased non-Muslim parents have any value? Can he do the pilgrimage on their behalf?

The Prophet, peace be upon him, tells us that he asked God's permission to pray for forgiveness for his mother, but the permission was denied.

He put that in the form of information, but he did not tell us that it is forbidden to do so. However, the fact that permission was denied suggests that it is not acceptable from the Islamic point of view to ask God to forgive someone who is not a Muslim. Nevertheless, some scholars suggest that the restrictions apply to the prayer for forgiveness only, but not other supplication.

To offer the pilgrimage on behalf of a deceased non-Muslim parent is not appropriate, because the deceased did not believe in Islam. How can a duty of Islamic worship be offered on his behalf?

Having said that, I wish to add that there is nothing to prevent a Muslim convert to treat with kindness and dutifulness his non-Muslim parents or other relatives, so long as they do not take a hostile attitude to Islam. Such kindness includes helping them financially if they are poor. God says in the Qur'an:

"As for such [of the unbelievers] as do not fight against you on account of your faith, and neither drive you forth from your homelands, God does not forbid you to show them kindness and to behave toward them with full equity. Indeed, God loves those who are equitable." [She That Is To Be Examined — "Al-Mumtahaenah" 60: 8]

New Muslims: Problems Faced By New Converts

I am a newcomer to Islam. I adopted my new faith after long and deep thinking. However, I am confused by what I receive of advice from my Muslim friends. At times, I feel that I am committing sins through doing

what appears to many people as ordinary things. May I give some examples?

All my relatives, including my parents are Christians. When they invite my husband and me they offer us no pork, but then the beef or lamb they cook may not have been slaughtered in a strictly Islamic way. I am too embarrassed to tell them where from they should buy their meat when they invite me. I simply mention the name of God before I begin eating. I am reproached for doing so by some of my friends. A friend has rebuked me for offering prayers in my Christian sister's home. She said that it is not recommended. I have read in a book that woman must not put on an appearance that resembles that of men. It cited examples of cutting one's hair short and wearing trousers and smoking. Living in Paris in winter makes the wearing of trousers much more convenient. Does it constitute an offense?

There are many other matters that I was told at one time or another that we are restricted from using or practicing. It is a long list, which includes hanging pictures, using razor blades, decorating our houses with small statues, etc. I feel so worried that at every point one may commit a sin. Could you please tell me whether God would forgive me, when I contravene such regulations?

If I may start where you have finished, I can give you a short answer to say: yes, God will forgive such sins, or indeed those actions that constitute a sin. But I suppose you need further reassurance and I will therefore try to dispel your doubts.

The concept of sin in Islam is different from that in most, if not all other religions. According to Islam, a sin is an action, which constitutes the violation of Islamic teachings. The action may not be more than the utterance of certain words, as in the case of backbiting or perjury. Therefore, any action or word, which involves disobedience to God and His messenger, is a sin. Anyone of us who, at the end of any particular day in his life, examines what he may have said or done is bound to come to the conclusion that he has committed several sins. If the feeling of guilt lingers with us for a long while, and increases day after day, then life will acquire a very gloomy prospect. We will feel that we have no hope of salvation. Our sins can only increase and they will inevitably do away with our good deeds.

But this is not how Islam views the whole issue of disobedience and sin. Its outlook always holds the prospect of forgiveness and reward. To start with, any good act or kind word, which we may do or say, will be credited to us. It will earn us a reward and the cumulative effect of our reward will erase at least a commensurate number of our sins. Moreover, a good deed is given a reward, which is equivalent to at least ten times its value. A sin or an act of disobedience is recorded at its simple value. Therefore, a small act of kindness erases a sin, which is ten times more serious.

Secondly, sins are classified into two groups: minor sins and cardinal sins. The sins of the first type are readily forgiven when we pray for forgiveness. Cardinal sins are also forgivable with the exception of the most serious of them, namely, associating partners with God. However, for a cardinal sin to be forgiven, a resolve is needed not to indulge in it again. Cardinal sins include such offenses, as murder, adultery, theft, consuming intoxicants, gambling, perjury, slandering others, withholding Zakah, neglecting prayers, etc.

Thirdly, God has left the door always open for repentance of one's sins. He has also committed Himself to turn with forgiveness to anyone who genuinely turns to Him in repentance. Therefore, when we wrong ourselves by committing a sin, we should turn

to God and declare our repentance and pray for forgiveness. If we are sincere and genuine then God will undoubtedly forgive us. The mark of genuine repentance is the resolve not to repeat the offense. Even if one yields to temptation again and does the same offense another time, his first repentance is accepted as well as his second, if on both occasions he is sincere and has really regretted committing the offense. What Islam wants from its followers is to be always on the alert. It recognizes the human beings, as they are, may yield to temptation and commit sins. As long as they are not so hardened in sins that they do not bother about the offense, at all, forgiveness is possible. Indeed, it is likely, provided that genuine regret and a clear intention to refrain from doing it again follow the offense.

That concept allows Muslims to have the reassurance that forgiveness is always possible. Islam does not like its followers to go about with the specter of divine punishment always hanging over their heads. Indeed, it prefers that they always have the prospect of being forgiven. There is another element, which ensures forgiveness. God describes His servants with certain qualities including refraining from cardinal sins. He threatens those who indulge in them with punishment,

"...except one who turns to in repentance, believes and does something good. God will change the evil deeds of such people into good ones. God is indeed much forgiving, merciful." [Criterion — "Al-Furqan" 25: 70]

That Qur'anic verse shows us the way to forgiveness. It is easily achieved if we follow our bad deeds with good ones.

Let us now look briefly at the examples you have mentioned and which have given you much worry. With regard to meat of animals slaughtered by Christians and Jews, most Muslim scholars are of the opinion that it is eatable. A Muslim need not go into the details of the method of slaughter. As long as he does not have confirmed information that the slaughter is done in a way, which Islam forbids, he may partake of the food of Christians and Jews. The Prophet, peace be upon him, was once offered a lamb slaughtered and prepared by a Jewish woman. He and one of his companions ate from it. That Jewish woman had poisoned the lamb. The Prophet's companion died by poisoning. The Prophet, peace be upon him, did not ask how the woman slaughtered her lamb. You may continue with your practice of mentioning the name of God before you eat at your relatives' houses.

The Prophet, peace be upon him, says: "The whole earth has been assigned to me as a place of worship and a source of purification." We may pray anywhere. This is simply no basis for your friend's argument that you should not offer your prayers in your Christian sister's home. Indeed, we may pray in a church if the need arises.

It is certainly forbidden for women to try to appear in the guise of men, as it is forbidden for men to appear in the guise of women. But that is what the prohibition involves to try to give a false impression. A woman may wear her hair short without giving any hint of a manly appearance. The same applies to wearing trousers. What is important is where she wears the trousers and how tight they are. If they are loose, and an appropriate top dress is worn over them, such as long blouse or a coat, then there is nothing wrong with wearing them in public. Indeed, they may be a highly appropriate dress for Muslim women. As for smoking, that is not a manly attribute. It is indeed a forbidden practice for both men and woman. The prohibition is based on the fact that we have now established with certainty that smoking is highly injurious to health. It causes cardiovascular diseases as well as many types of cancer.

I do not see anything wrong with using a razor blade or hanging a picture on one's home, if the picture is not of a pornographic type. As for using statues for decoration, Islam views that with certain dislike. That is due to the fact that statues have been considered to represent gods. They smack of the worship of idols.

New Muslims: Prospective Concerns & Family Problems

I have been studying Islam on my own for quite a while. Now I have decided to become a Muslim. However, problems are mounting. When I wrote about my decision to my wife at our town in Pakistan, she did not only refuse to join me as a Muslim, but she threatened to break up our marriage. However, I feel that it is a matter of serious importance and one should not hesitate to follow one's conscience. What worries me is that when I am cut off from my family, my position will be seriously affected. On my meager salary I cannot afford to get married to a Muslim woman and my future will be bleak. Please advise.

What we have here is a type of worry that is unusual in cases of conversion. Usually people who are contemplating conversion to Islam may be worried about the severance of relations with their families.

Our reader has three children and his wife is strong in her opposition, yet he speaks of the end of his marriage as if it is something simple. May I say here that he need not divorce his wife or break up his family, because his wife is a Christian and his marriage will remain valid after he becomes Muslim.

Therefore, he can continue to take good care of his wife and children, treating his wife with the same old loving and caring way, without putting any pressure on her to convert to Islam. If she subsequently comes to accept that Islam is the true faith, she may do so of her own free will.

It may be more difficult to persuade his parents to accept the change. Again, his relationship with his parents should remain one of kindness and dutifulness. He should maintain a good relation with them, looking after them and showing them that Islam wants him to be kind and respectful to his parents. In time they will accept that his conversion to Islam has not robbed them of their son.

As for his financial situation, he should not attach his conversion to Islam to any promise of financial help by any person or organization. This is a matter of faith, and if he believes in God and in the message of Prophet, Muhammad, peace be upon him, he should not look up to any financial help coming from any source.

This is a relationship with God, and he should trust in God to help him through his life and its problems like the rest of us. I do not think there is any organization, which could offer inducement to any would-be convert. That is not the Islamic way. People come to Islam only because they are convinced of its faith.

New Muslims: Remarriage — Of A Christian Couple Becoming Muslim

If a Christian couple become Muslim, do they have to be married anew under Islamic law?

At the time of Prophet, people embraced Islam either as individuals or as married couples. The Prophet, peace be upon him, never asked anyone of them to have a fresh marriage contract, even when there was a gap of time between their embracing Islam. In other words, even when a man or a woman became a Muslim and his or her marriage partner had not, the marriage was left in abeyance. When the partner became Muslim, he or she was united with his or her spouse with a new marriage contract. Therefore, if a married couple who do not belong to any faith become Muslims, their marriage is considered valid from the Islamic point of view, unless the marriage itself cannot be sanctioned by Islam. This proviso applies in the case of the marriage of brothers and sisters, uncles and nieces, etc. which may be acceptable in certain societies. In such cases, the marriage is nullified. If only one

spouse becomes a Muslim, the marriage is considered to be suspended for the duration of a waiting period. If the other becomes a Muslim in that period, the marriage is considered to be still in force. If the waiting period lapses, then the marriage is nullified if it is the woman, who has become a Muslim, or if the man becomes a Muslim and the wife belongs to any religion other than Christianity or Judaism.

New Muslims: Salat — Finding It Hard To Pray

I converted to Islam when I got married 12 years ago, but there is something in me which shows that I am not a true Muslim because I fail to attend to my prayer regularly. Although I cover myself the Islamic way when I go out, fast in Ramadhan and I have given up what Islam forbids. I still feel that I am not a good person. This has caused me a great deal of pain. I realize that Islam is the true faith and I believe in God, without entertaining any doubts, and believe in the Day of Judgement but still I find it very difficult to pray. I sought help from friends, but none could offer any. They all turned away, may be because they realize that I am a bad person. I will be grateful for your advice.

Let me first of all assure the lady reader that she is by no means a bad person. How can anyone suggest that when she is so troubled by her failure to attend to her duty? My first piece of advice to her is that she should banish from her mind all thoughts of her being bad, or not a true Muslim, or the like. Entertaining such thoughts allows Satan to work on her and keep her away from the proper course of action she should follow. It is when a person despairs of God's grace that Satan is most successful. The evil one will be able then to seduce that person into committing more sin, and lead him or her further astray. So, the first point is that she should not allow despair to creep into her mind. It is such type of despair that brings about her other thoughts which she also mentions something like "If I did not know anything about Islam, it would have been better for me because then I would be among the unenlightened." To entertain such thoughts again facilitates Satan's work and keeps her away from fulfilling her duties.

Perhaps the whole problem goes back to the time when she converted to Islam. Apparently she did so because of her marriage. She did not need to convert to Islam, since she was a Christian. This suggests to me that the act of becoming a Muslim was for family reasons. It may be that her husband's family decided that they would not sanction the marriage unless she became a Muslim. Or there might have been other reasons which made a conversion to Islam expedient to get the marriage through. On the other hand, the problem could have been with her personally. She might have loved her husband and was keen to marry him. To make that marriage more acceptable she might have felt that becoming a Muslim could be the right thing to do. If there was anything of the sort, then this could have resulted in a subconscious revolt that manifests itself in her attitude to prayer.

Yet all this may be mere speculation and nothing of it may be true. The fact remains that she is now a Muslim. No one can deprive her of the fact, not even her painful thoughts, because these are based on no solid foundation. To me, she is no different from any one who was born into a Muslim family, but has been negligent of his or her prayers and now finds it difficult to start praying.

The reader should realize that the ultimate solution to her problem lies with her. No one can ultimately force her to pray, unless she wants to do so. If she accepts that, then there are some easy steps and simple strategies that may prove to be of great help.

The first thing I would advise is that she should begin to think of herself as a good Muslim who wants to improve. She may try to put together every thing she does to prove that, such as the way she wants to impart Islamic values to her children, her abstention from forbidden things like alcohol and pork, her fasting, etc. Then she should ask herself how much she knows of Islam and the place of prayer in its way of life. She may find that her knowledge of it is limited. If so, then she should start to acquire more information, particularly about the fundamental Islamic beliefs and the major acts of worship. That would help her to identify more and more with Islam, so that it becomes her unwavering personal choice. That should bring into her mind the need to make her action commensurate with her conviction. It is then that prayer becomes easy for her.

On the other hand, she may not wait for a greater knowledge of Islam. She may make the whole issue a rebellion against her lethargy. She would say to herself: I have been lazy and complacent all those years. I do not know whether I will live till tomorrow or not. Therefore I must waste no more time. I will start praying today. Then she forces herself to pray the next prayer. She does the same with every single subsequent prayer. If she keeps on for a week or so, she will realize that the matter is getting easier all the time. She should then move on to make this her personal choice, made on the basis of conviction. That should prove immensely helpful.

Having said that, I must stress that the two ways are not mutually exclusive. In fact a mixture of both may be better than each way on its own.

New Muslims: Salat — Problems With Congregational Prayers

I became a Muslim after I learned about Islam during my stay here in Saudi Arabia. My wife is still a Christian. I would be going back home soon, knowing that a whole transformation has taken place in my life. My daily prayers make me watch my deeds throughout the day. When I go back, it would be very difficult for me to attend congregational prayer because there is no mosque in my locality. I am at a loss about what to do with regard to Friday prayer, since it will take me four hours to get to the nearest mosque. Can a congregational prayer be replaced by something that gives the same inspiration?

The fact that you are now a Muslim does not affect your marriage in any way since you are married to a Christian lady. Most probably, you have learned that a Muslim may marry a Christian or a Jewish woman, although a Muslim woman may not marry a follower of any other faith than Islam. Your wife may retain her faith, if she so chooses. You may not pressurize her into accepting Islam.

You are certainly expected to observe your five obligatory prayer everyday. If there is no mosque in your locality, you may pray at home or at your place of work. When it is time for prayer, you may call the Athan, although you may be the only one who will be praying. When you stand up for your obligatory prayer, you may also call the Iqamah. Perhaps by doing so, you partly regain the feeling, which you have here when you hear the Athan from the nearby mosque.

If the nearest mosque is four hours away, you are not required to travel for Friday prayer. You are exempt from it and you can offer instead Dhuhr prayer.

However, what you should perhaps do after you have settled at home is to look around in order to find out whether there are any Muslims in your locality. Even if there are only a few individuals, you can organize congregational prayer, either in the home of any of you or in some other place. If there are a good number of Muslims in the locality, perhaps you can have a place, which you convert, into a mosque. It need

not be a specially built mosque. An ordinary house, or a garage or a warehouse may serve the purpose. If you establish such a place, you can make a timetable for prayers and everyone will know that each prayer will be offered at a particular time. He who is able to attend will come over. In this way, you start to organize congregational prayer. On Friday, you organize Friday prayers with one of you giving a Khutbah or a sermon. You may do that in rotation so that everyone of you gives a Khutbah in turn. Alternatively, the task can be given to those who are able to undertake it.

This may take a bit of organizing, but you should not hesitate to start, because you will find it a most rewarding task. Even if you are three, you can organize Friday prayers. Two of you are sufficient to have a congregational prayer or any other prayer in the week. But your joint effort will give you a sense of community, which is very important in Islam. Therefore, you should not hesitate to undertake the task.

Even if this is not possible, because you may find yourself to be the only Muslim in your locality, you should not despair. Talk about Islam to your friends and relatives, if you find them receptive. Explain to them what has influenced your decision to become a Muslim. Extend the best of treatment to all. By doing so, you assure them that you are a better person for being a Muslim. If your wife chooses to follow your example and become a Muslim, you can have congregational prayer with her at home. If you consider yourself a man with a mission to explain Islam to a population, which are largely non-Muslims you will find your efforts more rewarding. Do not forget that this was the task undertaken by Prophet Muhammad, peace be upon him, and by all prophets who preceded him. Muslims all over the world are supposed to explain Islam to people and call on them to adopt it. This will be compensating you handsomely for missing congregational prayer in a mosque in your country.

New Muslims: Taking Part In Funeral Of Non-Muslim Parents

1. Can I take part in the funeral of my non-Muslim parent? I ask this with reference to Surah At-Taubah 9: 84:85

1. Muslim son or daughter may take part in the funeral of his or her parents who are not Muslims. While Islam emphasizes the bond of brotherhood between Muslims, it does not abrogate the relationship between Muslims and members of their families who follow other religions. Indeed a Muslim is required to treat his non-Muslim parents with respect and kindness. This includes attending their funerals when they die.

However, a Muslim may not take part in the religious service on these occasions. [Added: Whether at the house, church or at graveyard or even stand at the grave. Muslims may not pray for their forgiveness either.]

The verse, which my reader has referred, may be rendered in translation as follows:

“And in future you should never say funeral prayer for anyone of them who dies, nor stand at his grave, for they have denied Allah and His Messenger and died the while they were transgressors. And let not the abundance of their possessions and children delude you; for Allah wills only to chastise them by means of their possessions and children in this world and let their souls depart while they are still disbelievers.” [Repentance — “At-Taubah” 9: 84-85]

This verse that you have mentioned applies only to the hypocrites, or Munafiqeen. It does not apply to all unbelievers. It is also special to the Prophet, peace be upon him, because God told him who were the hypocrites. We cannot identify them.

Besides, in the case of a hypocrite who pretends to be a Muslim, the prayer offered is an Islamic prayer.

Al-Bukhari relates: "A funeral passed by the Prophet, and he stood up in respect. He was told that the dead man was a Jew. He said: "Is he not a human being?" Moreover, he offered his condolences to Jews when some of them died, and he went to visit their sick people. In one case, the dying person was a young man, and when the Prophet, peace be upon him, visited him, he told him to embrace Islam. The boy was reluctant, but his father said to him: 'Obey Abu al-Qassim', and the boy declared his belief in *La ilaha illa Allah, Muhammad Rasool Allah*.

New Muslims: the Shiite & Sunni Muslims — A Dilemma

I have been visiting a website, which provides much good information about prophets and stories for children, which is my main interest. However, I recently discovered that the website is operated by a Shiite organization. As I am a recent convert to Islam, I would like to know whether there are major differences of principle between the Shiite and the Sunni Islam. How much discrepancy is there in Shiite and Sunni versions of Islamic history, at least up to the Prophet's death?

The essential difference between the Shiite and the Sunni Muslim has political roots. Originally, it had nothing to do with beliefs. However, the differences were later given a religious cover as normally happens in such splits to ensure continuity. When such an attempt of clothing politics with religion takes place, some twisting of the meaning of texts may be introduced to justify certain attitudes. Over time, there could be some inventions, false reports or moving further apart. Often this remains superficial, while the essential beliefs continue to be the same. This applies fully to the difference between the Shiite and the Sunni Islam. In matters of basic beliefs and required worship, we have the same basis. There are certain differences of detail which do not affect the validity of any act of worship, or alter any aspect of belief.

You may be aware that there are different schools within the Shiites, but the school with the largest following is that known as the Imamiyyah, which is predominant among the Shiites in Iran, Iraq and Lebanon. It is the belief in the 12 Imams that constitutes the most important difference with Sunni Islam. An Imam is considered the guide who is charged by God to make things clear to people in every respect. The 12 Imams were Ali, the cousin and son-in-law of the Prophet, peace be upon him, then his two sons by Fatimah, the Prophet's daughter, Al-Hasan and Al-Husain, then the line continues in Al-Husain's descendants. The twelfth Imam is said to have been withdrawn and will be returned at the time determined by God, to ensure justice on earth for all mankind. His absence has now lasted for more than one thousand years, and no indication of its duration is given.

The other major school of the Shiite is the Zaydiyyah, which is found mainly in Yemen. It is named after Imam Zayd ibn Ali ibn Al-Husain ibn Ali ibn Abi Talib, who was a scholar of the highest caliber. Their view on the position of Imams is very different from the Imamiyyah.

When it comes to history, there are major differences, which is due to the fact that historical events are read differently by both participants and followers. Needless to say, partisan historians normally paint very colorful pictures of historical events. Therefore, when we read a historical account, we should know the leanings of the writer and check his version against those of more neutral writers.

With regard to your question about the Shiite version of Islamic history during the Prophet's lifetime, the points to guard against are:

2. any detraction from the integrity or dedication of any of the Prophet's companions;
3. any bias against the main figures who were close to the Prophet, peace be upon him, such as Abu Bakr, Omar, Uthman, Ayesha, Talha, Al-Zubair and his son Abdullah; and
4. any exaggeration of the role of other companions of the Prophet, particularly Ali, who was undoubtedly close to the Prophet, peace be upon him, and a great servant of Islam. Yet his role should not be blown up so as to make him far superior to everyone else.

New Muslims: Undue Credit To Boxer Tyson Embracing Islam

Much publicity surrounded the conversion to Islam of Mike Tyson, the champion boxer. Can professional boxing be considered a suitable career for a Muslim? According to reports, Mr. Tyson did not come to offer the pilgrimage because he was training for a bout. Is this a satisfactory reason? Is such a person to be treated as a role model? As you know, he is a convicted rapist who has served his prison sentence. In our country, rapists normally receive the death penalty.

There are several issues raised in this letter, but the most important one, from my point of view, is that which concerns Mr. Tyson being a role model. Before we answer we should define who would look at him as a role model, and which of his attitudes and practices would they be emulating. There is also an important proviso, which should be attached to this answer. We often read in the papers that certain personalities have accepted Islam and we are thrilled by that. Sometime later, we discover that the whole thing is untrue and disappointment replaces our earlier pleasure. Hence we have to assume that what we have read about Mr. Tyson being a Muslim is true. I have not seen anything to confirm either the truth or the falsehood of those reports.

Now let us remember that Mr. Tyson was imprisoned for an offense he committed and he was found guilty in accordance with the provisions of the law in his country. The subsequent events were that he got to reflect on his situation in prison, and he apparently regretted what he had done. He also came to know about Islam and was convinced of its truth. He then declared his acceptance of Islam. If this is what has happened, then certainly he provides a role model for any rational person to examine his behavior and to look for the truth, and to act on his conviction. This is a model not only for offenders and prisoners, but also for every one. God has given us our reason so that we may reflect and seek the truth at all times.

Having said that, I would like to add that the present weakness of the Muslims everywhere makes them over-enthusiastic whenever a famous personality is said to have embraced Islam. We tend to consider that such a person has done Islam a great favor simply by becoming a Muslim. We tend to forget that Islam does not need anyone, but every human being needs Islam, which embodies divine guidance to all mankind. While Islam is a universal message from God addressed to all human beings, it is the person himself who is the beneficiary of becoming a Muslim. His life will be purged of much of the ills that overburden human life in different societies. He will enjoy the balance that Islamic life provides between the physical and spiritual aspects of humanity. It is time we recognized this and did not make so much fuss at the conversion of any person, famous as he may be.

Whether professional boxing is an appropriate career for a Muslim is totally separate from the case of Mr. Tyson. He has been a professional boxer for a long time. It is not to be expected that he would have a profound insight into all Islamic teachings within

a very short period of time. Be that as it may, boxing is not an appropriate profession for anyone, least of all a Muslim. It is an activity, not a sport that is geared to the infliction of harm on an opponent who has done nothing except agreeing to be at the opposite corner of the ring. It is certainly dangerous, as we hear ever so often that a boxer has been taken to hospital after having gone into coma, or suffering brain damage, or dying. Even Muhammad Ali, who was arguably the finest boxer the world has known, ended up suffering brain damage as a result of the heavy punishment he received in some of his bouts, particularly against Joe Frazier and Ken Norton. Because of this danger involved in boxing I agree with the view which considers boxing to be forbidden as a sport, although Muslims are encouraged to learn it as part of their preparation to strive for the cause of God.

As for his not having performed pilgrimage, many scholars consider pilgrimage a duty which need not be offered immediately, or for the first year a person meets the conditions of ability to undertake it. I am more inclined to the other view, which considers pilgrimage to be an immediate duty, once these conditions are met. Nevertheless, Mr. Tyson knows his circumstances better, and we are not to judge him on this count. How do you know whether he was aware of the time factor involved in the question of pilgrimage? Perhaps, he had made a commitment and he could not release himself from it.

No one can judge Mr. Tyson on the accusation of rape. He was convicted in accordance with the American law. Islam requires clearer evidence to make any conviction. We do not make a judgment because his conviction was not on the basis of any confession. Indeed he continued to claim innocence to the end. How can we overlook that?

New Muslims: Wife Becoming A Muslim & Not the Husband

I am a Filipino Christian and I am now convinced that Islam is God's true religion. Before I declare myself a Muslim I would like to know the answer to some very important questions. First, must I separate from my Christian husband if he refused to join me in embracing Islam? What if he raises no objection to my becoming a Muslim, but he does not follow my suit? Second, I am told that I could marry another man, but in my home country, no divorce is allowed. Should I marry, would I be open to a charge of bigamy?

For many years, I have been stating, even in this publication, the view that is practically known to most people, and all scholars that when a woman becomes a Muslim, while her husband remains a non-Muslim, then the marriage is nullified, either instantly or when her waiting period is over.

This view is based on the ruling that no Muslim woman may be married to a non-Muslim. Just like a Muslim cannot enter into a marriage contract with non-Muslim, she may not remain married to him after she has become a Muslim. But I have always said that I am only a student of Islamic law and jurisprudence. There is certainly much that I do not know.

Very recently I read what Imam ibn Al-Qayyim has written on this question in his book *Ahkam Ahl Al-Thimmah*, [or rulings for non-Muslim subjects]. He points out that the scholars up to his generation, differed a great deal on this question, and he enumerated nine different views. He then discusses these views and states the argument of scholars who rule that marriage is nullified once either party has become a Muslim and the other has not.

Ibn Al-Qayyim speaks at length on one of the nine views, which is based on a report by Muhammad ibn Sireen on the authority of Abdullah ibn Yazeed Al-Khutami, a companion of the Prophet, peace be upon him, stating that “a woman embraced Islam, while her husband was a Christian. Omar ibn Al-Khattab gave her the choice either to separate from him or to stay married to him.” Ibn Al-Qayyim explains that this does not mean that she stayed married to him in full sense of the word. She simply waits for him. When he becomes a Muslim, she is his wife, even if that takes several years. He comments: “This is the most valid view on this question, as evidence by the Sunnah. It is the view preferred by Ibn Taimiyah.” He also explains that the marriage in this case becomes an option, not a binding status. This means that the woman may choose to terminate it, or to keep it, provided that she does not put it into effect until her husband has become a Muslim.

Explaining his and Ibn Taimiyah's preference, Ibn Al-Qayyim, who was one of the top scholars in our history, takes up the case of Zainab, the Prophet's daughter, who became a Muslim in Makkah. Her husband was very late in adopting Islam.. In the Battle of Badr, her husband, Abul-Aas ibn Al-Rabie, was in the unbelievers' army and the Muslims took him prisoner. Then six years later, Abul Aas, still a non-Muslim was in Madinah, was granted protection by his wife. She asked the Prophet, her father, whether he could stay in her home. He said: “He is your husband, but he may not have you.” A few weeks later, and after he had been to Makkah and back to Madinah, Abul Aas embraced Islam, and he was reunited with his wife, without a new marriage contract. What did Prophet's order to his daughter mean is that if the wife is a Muslim and her husband is not, they may not have intercourse. That is because the marriage remains in force only as an option. The woman has the other option of separation and marrying a Muslim man. [This is the summary of the view Imam Ibn Al-Qayyim supports].

Imam Ibn Taimiyah says: “To say that once either spouse has become a Muslim while the other has not, separation takes effect, whether the marriage has been consummated or not, is very flimsy. It runs against what is well-known to have been the repeated practice under Islamic law.” Ibn Taimiyah records hundreds, if not thousands of cases of people becoming Muslim before their marriage partners during the lifetime of the Prophet, peace be upon him, and the marriage was not nullified in any of their cases.

The sum up of the view is that the woman who becomes Muslim, while her husband remains a non-Muslim, has a choice either to separate from him, or stay married to him without sexual contact until he becomes a Muslim.

Sheikh Yussuf Al-Qaradawi, a leading contemporary scholar, also discusses this question, and concludes by putting forward two views, which may form the basis of rulings on individual cases. The first view is that given by Ali ibn Abu Talib, which allows the marriage to remain valid unless the woman leaves her hometown to live with a Muslim community. The second is that advanced by Az-Zuhri, a famous scholar of the generation that followed the Prophet's companions. Under this view, the couple remained married unless a court ruling is issued to separate them.

Sheikh Al-Qaradawi also states that in these views we find much scope for women who choose to become Muslims. Many would hesitate to do so for fear of losing their children and families. This view, he says, may be hard to accept by many Muslims, because it is at variance with what they have learned and accepted over a long period of time.

But we all know that Islam has allowed many situations to continue, if they were started before the parties to them became Muslim, while it would not allow them to be initiated by those who are Muslims already.

I have here quoted great scholars, who have commanded great respect throughout the Muslim world for many generations, and a contemporary scholar of the highest caliber. Their views must be taken with the seriousness and respect of which they are worthy.

New Muslims: Women's Dress & Difficulties For A New Muslim

I am a new Muslim and I feel that my life has improved greatly by adopting Islam. However, sometimes I am unable to do certain things that Islam requires, and I fall short of doing them. What worries me most is that when I am back home I am unable to wear the hijab as is the case when I am here in Saudi Arabia. Please comment.

Every newcomer to Islam goes through a period of adjustment when there are things that he, or she, might find difficult. As long as one does one's main duties, offers the obligatory prayers, pays Zakah, fasts in Ramadhan and maintains a generally Islamic life, one is on the right course. Such a person will find that what he or she finds difficult today will become easier as they progress. The point is that their consciousness of their Islamic duties become sharper and their getting used to doing things for God's sake increases their determination not to violate any of His rules. Other Muslims who are aware of the situation of this newcomer to Islam should give him or her all the encouragement and support they can to help them to adhere to all their duties.

Wearing the hijab is one of the most difficult adjustments for a new Muslim woman, particularly if she maintains good relations with her relatives who are non-Muslim. There may be much pressure on her adding to her difficulties. She should remember that this is a duty imposed by God, which means that no one can tell her that she does not need to do it. In fact she should try hard to resist any pressure or temptation not to wear it.

However, if she finds the pressure too strong and she does not wear the hijab on one or more occasions, she should not despair. She should seek God's forgiveness and pray Him to help her. But she should not allow this omission of one duty to affect her commitment to Islam and to the fulfillment of other Islamic duties. Failure to do one duty should not be allowed to justify other failures, as some people tend to think.

On the other hand, she should try to explain to her relatives why she has adopted Islam, and why Islam requires women to wear the hijab. When they understand the reasoning, their opposition would be much reduced.

New Muslims: Women's Dress & Her Non-Muslim Relatives

Is it necessary for a woman to wear the veil as women do in Saudi Arabia? Or is this only a Sunnah? Is it necessary for a woman to wear the full Islamic dress, which she wears in public when she is with her mother's husband who is a non-Muslim?

According to all schools of thought, what is required, as duty of all Muslim women in all situations, is to cover all their bodies when they go out, with the exception of their faces and their hands up to their wrists. There are slight variations with respect to what a woman may or may not reveal, but this is the general view. Some modern scholars speak of covering a woman's face as a requirement. But they have little solid evidence in support of their view. This means that covering a woman's face is neither a duty nor a Sunnah. Some scholars say that it is preferable for a woman to cover her face in situations where she fears problems but this is an exception rather than a rule.

When a man marries a woman and the marriage is consummated, all her daughters are forbidden to him in marriage at all times. If the man is a non-Muslim, as in the case of our reader, the ruling applies. This means that a Muslim woman may appear in front of her mother's non-Muslim husband as she appears in front of her brother. However, because non-Muslim do not have the same restrictions in marriage as we do, and the man concerned may think of his wife's daughter as a future wife, it is recommended that she wears her Islamic dress, covering her head and all her body in front of him.

New Muslims: Women's Dress & Human Nature

When I mentioned your views about Hijab, the local lecturer took a totally different view. He told me to test this ruling by human nature. I find that difficult, especially since I am a new comer to Islam, having adopted it a few years back. In my community, a woman takes pride in showing her beauty.

On Hijab, or veil, what settles the matter is the evidence given in support of one's view. I have quoted verdicts from all four schools of thought showing that my view is in line with what they say. People who have a different view should provide their clear evidence. As for testing a view by means of human nature, this is obviously wrong. There is no clear model of pure human nature, unless we refer to the nature of a newborn child.

People's nature is influenced by their upbringing. A person born and raised in France or Germany may not find anything naturally wrong with men and women swimming together in brief bathing costumes. If he adopts Islam, he does not immediately change his natural leanings. He will modify his views as he learns details of Islamic teachings, but he would still feel much less strongly about women not wearing Islamic dress.

Nights: Commemorating the 27th Of Rajab Or 15th Of Sh'aban

This has been my experience that the question of two nights, which are commemorated in certain parts of the Muslim world, namely, 27th Rajab & 15th Sh'aban. One reader has sent me newspaper cuttings from his home country with comments on importance of commemorating these nights which is at variance with the views expressed by me on earlier occasions. The present article seeks to answer all these queries and similar ones in the hope that this may serve as a final word on this subject.

We in *Arab News* certainly welcome the view of our readers. In matters of religion, however, personal opinion counts for little unless it is supported by the Qur'an, or the Sunnah.

It is important to understand that religious rulings may be divided into two groups; those relating to dealings among people and those relevant to worship. Of the first type are matters such as commercial transactions, service contracts, agreements, promises, selling goods or property, marriage and inheritance, employment of people for specific jobs, personal and financial commitments, etc. In most of these matters, Islam allows a wide area for the discretion of people, so that they may determine how to conduct their business. Islam provides certain guidelines within a framework of its concept of fair dealing. As long as people adhere to these guidelines and remain within the Islamic framework, whatever they do is acceptable. To give an example: Islam forbid exploitation by one person of the need of another in order to make a financial or commercial gain. Over the centuries, people have invented all sorts of transactions, which geared to exploit the need of others in order to make excessive profit. All such transactions are, therefore, forbidden in Islam. What happens sometimes is that a certain society invents a totally new arrangement arguing that it

solves the problem of a certain section of society and benefits another. Our attitude to this arrangement is that we look into it in the light of Islamic principles. If we find it based on exploitation of the need of a certain group of people, then we give our ruling that it is forbidden. People cannot argue with us saying that this arrangement is totally new and that it was unknown to the Prophet, peace be upon him, and his companions, and therefore, it should be permissible. Our judgement is based on the fact that exploitation is forbidden.

In a small area of people's financial relations, Islam gives detailed guidance, as in the case of inheritance. The reasons are obvious. God has willed that all Muslim societies should be rid of the problems that are created by people's favoritism to one or more of their heirs over others. Hence, the legislation of inheritance must be observed at all times, in all societies. When people establish a different system as in the areas that do not allow women to inherit, their action is forbidden.

Within these guidelines, people may determine their financial and commercial systems, and they can be certain that whatever they determine is acceptable to Islam.

Matters of worship fall under a different category. They relate to that area which is sometime defined as the relationship between man and God. According to Islam, every human being must submit himself to the will of God. In relation to this basic principle, all people are the same. Their susceptibility to accepting the faith based on the Oneness of God is not influenced in any way by the degree of civilization achieved by their society, or by living in an industrial or agricultural community. Hence, we find Islamic legislation, which relates to worship highly detailed. Moreover, it does not change from one generation to another or from one community to another. Ever since Islam was revealed, Muslims fast during the month of Ramadhan, pray five times a day and go to pilgrimage at a specific time every year. The Prophet's example gives us the perfect guidance in matters of worship. We know that he was the man who has worshipped most perfectly in all situations. Moreover, we have a very detailed record of what he did and what he omitted throughout the 23 years beginning with the first revelations he received from God to the end of his noble life. In addition, we have the divine commandment stated clearly in the Qur'an: ***"Whatever the Messenger bids you, you must do, and whatever he forbids you, you must abandon."***

In view of all this, we cannot add anything to what the Prophet, peace be upon him, has taught us by way of worship. When we realize that he has given us the most complete and most perfect example of worshipping God, then we cannot add to what he has taught us or 'improve' on it. If we try to do something of worship, which the Prophet, peace be upon him, has not done, we are in effect claiming that we know better than what the Prophet, peace be upon him, knew or that we can provide a better standard of worship. Far it may be from us to make any such claim.

If we bear all this in mind, we need now to ask whether the Prophet, peace be upon him, has commemorated, or bid anyone to commemorate either of the two nights in question and what form did that commemoration take. If we find in the Sunnah or in the practice of the Prophet, peace be upon him, or his companions any indication of that, we act on it. If we do not find any, then no such commemoration is required. The fact is that there is no single authentic Hadith, which recommends the observation of either of these two nights in any particular way. The night of the 27th of Rajab is supposed to be the anniversary of the Prophet's miraculous night journey from Makkah to Jerusalem and his ascension to Heaven. This event took place three years before the Prophet's emigration to Madinah. When we make a thorough study of the Prophet's life, we find that at no time during the intervening period of thirteen years between this event and his passing away did he commemorate that event or encouraged or recommended any of his companions to commemorate it in any way.

He did not single out that anniversary for night worship or the following day for fasting. Hence, neither action is required or recommended.

Having said that, I should add that the event itself, i.e. Prophet's night journey, was of high significance in the history of Islam. If we try to emphasize its significance and to study it in detail, our action is commendable. It should not be attached, however, to a specific date and made in a specific fashion, which may lead to its being institutionalized. We can, for example, organize a lecture or a seminar to discuss this event. This, however, need not be a regular feature of our activity. Even if we make it a regular feature, it should not be done in a specific pattern. We can make our choice of how to study it, which may differ from one year to another. [We could include this in the curriculum of our educational institutions.] That is different from what people do of making a special effort to spend that night in worship and to fast the following day. These practices give that night a special significance as a night of worship, which indeed it was not.

As for the middle night of the month of Sh'aban, people have come to hold certain beliefs about it. Some people say that it is the night in which God determines the fortunes of people for the following year. They claim that the opening verses of Surah 44 entitled "Ad-Dukhan" or "Smoke," refers to this particular night. These beliefs cannot be supported by any evidence from the Qur'an, or authentic Hadiths. Those particular Qur'anic verses refer to the Night of Power, which occurs in the last third of the month of Ramadhan. Again, when we study the authentic Sunnah, we find that there is nothing to support the view that this night has any particular significance. The Prophet, peace be upon him, has not ordered or encouraged any of his companions to commemorate it in any way. All that we find in the Sunnah is that one night, Ayesha, the Prophet's wife, discovered that the Prophet, peace be upon him, had gone out. When he came back before dawn, she asked him wherever he was. He told her that he went to Al-Bakee' graveyard to pray for the dead. Now this report remains lacking in authenticity. It is classified as "weak". Moreover, the Prophet, peace be upon him, did not encourage Ayesha to do anything on that night. Nor did he speak to any of his companions about it. Nor do we find that any of the Prophet's companions made a special effort to either spend that night in worship or to fast the following day as a result of any words spoken to him by the Prophet, peace be upon him. Hence, we cannot attach any significance to that night.

It is true that the Prophet, peace be upon him, used to fast more frequently in Sh'aban than in any other month. He, however, did not make any particular effort to fast on the 14th of Sh'aban or do any particular thing on the middle night of that month. If we happen to fast that day, our fasting should come naturally without making a deliberate attempt to fast particularly on that day. We should follow the Prophet's guidance in our voluntary fasting and fast any number of days in the month of Sh'aban. If we do not fast, we contravene no Islamic rulings and we miss out on no particular occasion.

Some of the readers have asked whether there are any differences among schools of thought on this particular subject. My answer is that there is none, since there is no specific guidance by the Prophet, peace be upon him, relevant to either of these two nights. What we have to remember is that all schools of thought seek to follow the Prophet's example. If he has given us no guidance on something, then there is nothing to be done about it. What we have to understand is that when we undertake to do any voluntary worship on either of these two nights, we should remember that they have no special significance. We could do our voluntary worship on any other night and earn the same reward. If we attach any specific significance to either night or day, then our action constitutes an invention. No invention is admissible in matters of Islamic worship.

Nights: Shab-e-Mairaj & Fasting On the Following Day

Some people fast on the anniversary of the Prophet's ascension to heaven, saying that prayers were made a duty on that day. Please comment.

There is no requirement to commemorate the night of the Prophet's journey to Jerusalem and his ascension to heaven in any way, neither by night worship nor by fasting the following day. The Prophet, peace be upon him, was not known to mark that night with any special prayer or fasting. The best method to commemorate is to study the significant of that journey and what happened between the Prophet, peace be upon him, and the believers afterward.

Nights: Shab-e-Mairaj & Shab-e-Qadr — Different Lunar Dates

Lunar dates do not tally in different countries. This results in confusion over such important occasions as the night of power and the one on which we celebrate the Prophet's night journey. As Muslims are keen to mark the night of power, and since it is one night a year, how could it be timed when the month starts on different days in different countries?

May I first of all clarify a small point about the Prophet's night journey [Shab-e-Mairaj]. This took place, as far as can be determined, on the night of the 27th Rajab in the 10th year of the start of Islamic revelation; that is, three years before the start of the Islamic calendar. That night, the Prophet, peace be upon him, was taken by the chief of angels, Gabriel, from Makkah to Jerusalem, where he met earlier prophets and they joined him in a prayer which he led. He was then raised to heaven and returned to Makkah before the break of day.

Although this was an important event for the Prophet, peace be upon him, as it came shortly after the death of his wife and his uncle, the two people who provided him with comfort and support when he faced the determined opposition by his people to his call. Nevertheless, we do not mark the night with any social type of worship because this has not been ordered or recommended by the Prophet, peace be upon him. As you realize, in our worship, we must strictly follow the Prophet's teachings. He was the most dedicated and devoted servant of Allah. If he did not do a particular thing as part of his worship, we do not do it. We only follow his footsteps.

It is true that different countries start Ramadhan on different dates, with a difference of one day in most cases and extending to two days in certain instances. The fact is that there should be no more than one-day difference in starting any lunar month.

As for the night of power, Allah mentions in the Qur'an that it is better than 1000 months. The Prophet, peace be upon him, has encouraged us to mark it with devotion, recitation of the Qur'an, prayer, supplication and glorification of Allah. Every prayer addressed to Allah on that night is answered. Therefore, Muslims are keen to observe this night every year, with as much devotion as possible. The Prophet, however, has not given us a specific date for it, but told us to seek it on the odd nights of the last third of the month of Ramadhan. This means that it could be the 21st, 23rd, 25th, 27th or 29th night of Ramadhan. This applies regardless of the differences in starting the month of Ramadhan. Every country counts according to its own start of the month. If it was only one night for the whole world, then it would be an odd night of the month in one country and an even night in another. This will be contrary to what the Prophet, peace be upon him, has told us.

It may be asked, then, whether there can be two nights of power. The answer is that for every Muslim there is one night of power every year which happens to be on one of the odd nights of the month of Ramadhan. He counts on the basis of his country's calendar. This is the appropriate criterion to apply, since mistakes in starting the

month can be made. Take for example the case when the moon cannot be sighted because of an overcast sky, yet the moon has been born. In this case, the Muslims of that area are required to complete the month of Sh'aban which precedes Ramadhan, to 30 days and start Ramadhan on the following day. Had the sky been clear, they would have started a day earlier. But the night of power falls, as far as they are concerned on the odd nights according to their start of the month, even though they may realize their mistake at the end and maybe required to fast in compensation later. In such a matter we should not forget that we are dealing with Allah. He rewards us according to our intentions.

Numbers: Fanciful Theories About No. 19 & the Qur'an

Recently I read an article about the Number 19 and its mysterious mention in the Qur'an. If it is true that this number provides a basis for the constructions of the Qur'an and if this can be proved by a computer study, it may be the ultimate proof to convince non-Muslims about the divine origin of the book. Kindly enlighten us on any studies undertaken in this regard,

There is no mysterious mention of the Number 19 in the Qur'an. It is mentioned in a clear verse, which mentions that angels in charge of hell are 19. That verse is No. 30 Surah 74 entitled "Al Muddassir" or "The Cloaked One."

A few years back, many people were fascinated with a theory which stated that the Number has something special with regard to the Qur'anic construction. It mentions that certain letters always occur in the multiples of 19 throughout the Qur'an or throughout certain Surahs. It also mentioned that the number of Surahs in the Qur'an which is 114, is 6 times of 19. I do not know that many people found it very interesting and repeated it in their social gatherings.

It is certainly important to ask whether this theory has any basis. If it had, you would have expected that the Qur'anic verse which mentioned this number would be verse No. 19 in a Surah which again should be No. 19 or at least should have a number which is a multiple of 19. That is not the case. As I have already said, it is Verse 30 of Surah 74. Moreover, Surah 19, entitled Mary, has 98 verses, which is not a multiple of 19.

Again, the theory which makes a great deal of the claim that the phrase "Bismillah hir-Rahman Er-Raheem," which translates as "In the name of Allah, the Merciful, the Beneficent," and which occurs at the beginning of every Surah in the Qur'an with the exception of Surah 9 has 19 letters. But even this claim does not stand to careful scrutiny. It is true that the way this phrase is written in Arabic, it has 19 letters. But if you are to count the sounds of this phrase, you will find that the three definite articles which occur in this phrase have one letter each which is not pronounced, while two long vowels are not written. Since the Qur'an is the word of Allah, you would have expected Him to make both numbers 19, if the number was of any importance. But is it?

The Qur'an is a book which has no room for fanciful theories or arguments. This method of digital symmetry is nothing more than a ballyhoo which has no relevance to the subject matter of the Qur'an. The Qur'an has a message to tell us and only one number has anything to do with that message. The number is one and it relates to the Oneness of Allah.

Let me pose this question. What does it prove if this theory is right or wrong? Allah tells us in the Qur'an that there are 19 angels in charge of hell. What if this number does not tally with anything in the Qur'an? Does the Qur'an lose its relevance to our lives or to the sort of society which Allah wants us to build? It is true that some

Surahs have a number of verses which is the multiple of 19, but the majority of Surahs do not conform to that rule. What does that prove? It only proves the irrelevance of Number 19. If it had, all Surahs of the Qur'an would have varying numbers of verses which are divided by 19.

Moreover, there is nothing in the Qur'an or the Sunnah to tell us that the Number 19 is of any relevance. Would you imagine that if it had any relevance, Allah would have not told us about it or the Prophet, peace be upon him, would not have explained it? The fact that both the Qur'an and the Sunnah are quiet about it proves that to indulge in finding multiples of 19 occurring here and there is at best a useless arithmetic or mental exercise. The message of the Qur'an is not proved through how the "Q" sound occurs in a particular Surah, simply because it starts with that letter, but in how this Surah relates to human life, the fate of human beings and how they earn the pleasure of Allah and conduct a happy human life.

May I turn to another aspect of this question? The fuss that is made over it comes from suspicious sources. Perhaps we need to remember that the Number 19 is given some importance by the Bahais. They have a calendar of 19 months with each month having 19 days. They further make irrelevant assertions about this figure. You are perhaps aware that Bahaism started as a splinter group of Islam. Its founder claimed to be a new prophet, bring a new message. He concocted a book, which is hardly intelligible to anyone who claims that his fabrications were revelations from Allah. He claimed first that he was endorsing the message of Islam, then he claimed to be a new prophet and messenger and he ultimately claimed to be the Lord Himself.

The history of the founder of Bahaism is a very suspicious one, full of intrigue and confirmed agency to powers known to be hostile to Islam. Indeed, they had close relations with the embassy of czarist Russia in Persia. Both the Russian ambassador and the British ambassador tried to help him when he was arrested and sentenced to death. Indeed, there was a plot by those embassies to try to save him. The man was not saved and was executed for his distortion of Islamic faith and for his lies and false claims against Allah.

As I have said, the Number 19 is given arbitrary importance by the Bahais. If you try to impose it on Islam, you may be unwittingly helping Bahais to establish some relation with Islam. They have already declared that they are not Muslims. To try to work out some association between Bahaism and Islam is certainly wrong. Let them do whatever they like with their faith; it has no relevance to our faith. If it has, we will be certainly the first to admit it. But it proves nothing to claim that something is of any particular relevance which it has none whatsoever.

Numbers: Use Of Figure 786 Vice Bismillah...

I used to write the figure 786 at the top of my correspondence as a substitute for 'Bismillah hir-Rahman Er-Raheem.' I was recently told that this is not proper. Is that correct?

The number 786 is claimed by some people to be equivalent to the phrase you have mentioned which means 'In the name of Allah, the Beneficent, the Merciful.' Muslims are recommended to start any action of importance with this phrase. However, in order not to write the name of God or His attributes on a piece of paper, which may be torn or thrown in the rubbish bin, they replaced it with this figure. They rely on a weird way of calculation which assigns a number to each letter of the Arabic alphabet and add those up to reach the number 786 for the word Bismillah.

This is certainly absurd. No one ever feels that this figure or any other figure represents the inspiring meaning of the phrase. Besides, there is no evidence that such a method of replacing letters with figures is acceptable or desirable.



Oaths: Be Mindful Of Oaths Though Setting Aside Is Admissible

Commentary By Adil Salahi — Arab News

Islamic teachings require that a Muslim should always tell the truth, in all situations. Telling a lie is permissible only in very limited and strict situations, such as the case of trying to deceive the enemies of the Muslim community, working for reconciliation between two quarrelling people, or to ensure peaceful relations at one's own home [wife/husband]. Otherwise, a Muslim must always tell the truth, even though he might fear that it would land him in trouble with his superiors or with the authorities. God says in the Qur'an:

"Believers! Be ever steadfast in upholding equity, bearing witness to the truth for the sake of God, even though it be against yourselves, or your parents and kin." [Women — "An-Nis'a" 4: 135]

When we are known to always tell the truth, people will accept our statements without need to asserting them through an oath. Every one of us knows people who set themselves proper moral standards, and we know that we can trust whatever they say. If they promise, we are sure that they will honor their promises. If they decline something, we know there is no way to get them to accept it.

However, sometimes supporting a statement with an oath is felt to be better, and we do it to make things perfectly clear to whomever we are addressing. This is acceptable, but we must always make sure that we do not swear to something unless we are certain that it is true. Sometimes we feel we need to swear that we will do, or will not do something in particular. Again this is acceptable as long as we know what we are committing ourselves to.

Nevertheless, it may happen that we swear to something and then discover that we were hasty, and that we should not have constricted ourselves by an oath. Or it may be that we find that breaching our oath is the better option. What is to be done in such a situation? The Prophet, peace be upon him, gives us a clear answer. A long Hadith related by Muslim in his authentic collection gives us a perfect example. The Hadith is reported by Abdullah ibn Qays, a learned companion of the Prophet, peace be upon him, who is better known as Abu Moosa Al-Ash'ari. He had come to Madinah from Yemen with a large group of his community to join the Prophet, peace be upon him. The report is about an incident that took place as the Muslim community was preparing for the Tabuk Expedition, which they undertook in the summer months, traveling a distance of more than 700 kilometers each way in the desert. It was practically impossible for anyone to join that army unless he had a mount, or shared one. The army that was raised for it is known in Islamic history as the Army of the Hardship, and the occasion is described in the Qur'an as ***"the hour of hardship."*** Abu Moosa reports:

My tribesmen sent me to request God's Messenger for mounts to use as they wanted to join the Army of the Hardship, which was to go on the Tabuk Expedition. I said to him: "Prophet, my friends have sent me to you requesting some mounts." He said:

"By God, I will not give you any mounts." I had apparently come when he was angry, but I did not realize that. And I went back, feeling very sad at the Prophet's rejection and fearing that he might have been displeased with me on some account. When I reached my friends' place I told them what the Prophet, peace be upon him, had said to me.

It was only a short while later when I heard Bilal calling me by my name, Abdullah ibn Qays. When I answered him, he said: "God's Messenger is calling you, so go to him." When I reached the Prophet's place, he pointed to six camels he had bought at the time from Sa'ad, and said to me: "Take these two tied together, and these two, and these two, to your friends and tell them that God [or he might have said "God's Messenger"] has given you these mounts to ride.'

I went to my friends and told them that God's Messenger has given them those mounts, and I added: "But I will not leave you until some of you will come with me to meet some of the people who had heard the Prophet, peace be upon him, as he denied me any mounts in the first instance and then gave me the mounts, so that you would not entertain any thought that I might have told you something he did not say." They said: "You have our full trust, but we will still do what you wish." Some of them went with me and met some people who had heard the Prophet, peace be upon him, first denying them any mounts then giving them, and they confirmed what Abu Moosa had said.

This is the longest of several versions related by Muslim of this Hadith, some of which are also related by Al-Bukhari, Ahmad, Al-Nassaie and Ibn Majah. Another version mentions that when Abu Moosa's people received the camels, some of them said: "God will not bless our efforts, because when we first requested mounts from the Prophet, peace be upon him, he swore that he would not be giving us any, but he later gave us mounts." Therefore, they went to the Prophet, peace be upon him, and told him what they feared. He said to them: "It was not I that provided the mounts for you; it was God. As for me, should I swear to something, and then realize that the opposite option is better, I will certainly do the better choice and atone for my oath." [Related by Muslim].

This second version explains why the Prophet, peace be upon him, changed his mind after only a short while of swearing that he would not be giving those people any mounts to ride as they were keen to join him on a hard expedition. He recognized that they were good Muslims eager to do their duty. His original oath was made on the spur of the moment, as Abu Moosa made his request, not realizing that the Prophet, peace be upon him, was upset about something. But when the Prophet's anger subsided and he was able to buy some camels, he immediately sent for Abu Moosa to take them. This he did despite his oath that was still fresh in his mind. Many of us would not budge from an oath we make, thinking that the oath has absolute sanctity. But the Prophet, peace be upon him, teaches us in a practical way that it is not. When the opposite is better, then the opposite of the oath should be done. In this case, it was better for the people concerned and the Muslim community in general that they should join the expedition. Hence the Prophet, peace be upon him, bought the camels and gave them to those people to ride. He explained that he did this because it was the better choice. He would atone for his oath.

Atonement for an oath is easy. It is explained in the Qur'an:

"The breaking of an oath must be atoned for by the feeding of ten needy persons with more or less the same food as you normally give to your own families, or by clothing them, or by the freeing of one slave. He who cannot afford any of these shall fast three days instead. This shall be the atonement for your oaths when you have sworn [and broken them]. But be

mindful of your oaths. Thus God makes clear to you His revelations, so that you may give thanks. [the Table Spread — “Al-Ma'idah” 5: 89]

Oaths: Breaking An Oath

Could you please explain what compensation is due from someone who makes a promise, with an oath that he will fulfill this promise only to break his oath a few days later?

The breaking of an oath is a serious act, because it represents a promise, or a statement of fact, which one asserts by making God his witness. The person or the people hearing it take it to be true because they would not expect that anyone make such a solemn statement unless it is true. Therefore, Islam requires serious compensation for breaking such an oath. The compensation is detailed in the following verse, which says:

“God will not take you to task for those of your oaths which you may utter without thought, but He will take you to task for oaths which you have sworn in earnest. The breaking of an oath must be atoned for by the feeding of ten needy persons with more or less the same food as you normally give to your own families, or by clothing them, or by the freeing of one slave. He who cannot afford any of these shall fast three days instead. This shall be the atonement of your oaths when you have sworn [and broken them]. But be mindful of your oaths.” [Table Spread — “Al Ma'idah” 5: 89]

People often say to a person who breaks an oath that he should fast three days, but as you see from the Qur'anic verse, this is operative only for one who cannot afford to feed ten poor people or give them some clothes. If one can afford that, then he must compensate for breaking his oath by doing so. Fasting is not acceptable as compensation except from one who cannot afford the financial compensation.

As for your other question, removing armpit and pubic hair is strongly recommended at intervals not exceeding 40 days, while clipping one's nails is not given specific time limit. It should be done when needed, so that a Muslim always has a good appearance. Cutting one's hair is also done as suits a person, with no specific limit imposed on the length of one's hair.

Oaths: Compensation For Breaking An Oath

I have broken an oath that I would not do a particular action. Now I have to compensate for breaking my oath. Should I do that every time I do that particular action?

When you have broken your oath the first time, you have committed an offense, but the oath itself is no longer valid. You need a new oath to make it binding on you to refrain from whatever action you have specified. This means that one atonement only is needed for that oath. The atonement is to feed ten poor people or to give them clothes. If a person cannot afford that, then he should fast for three days. [If it so suits him,] his fasting may include Friday, provided he fasts either Thursday or Saturday with it.

Having said that, I would like to add that making an oath like you did is perhaps not the best way to refrain from doing something undesirable. If that action is forbidden then one should try hard to avoid it by reminding himself of its prohibition. If he tries to sharpen his sense of fearing God and the need to avoid whatever God has forbidden, he stands a greater chance to be able to resist the temptation to do it than by making an oath not to do it. Furthermore, he should recognize the sort of

temptation that affects him most and try to avoid it, busying himself as much as he can with something that keeps the temptation away from him.

Oaths: False Oath After Making Serious Mistake

An employee who made a serious mistake at work denied any knowledge of it. When he was asked to swear on the Qur'an to confirm the truth of what he was saying, he did so. He was terribly afraid that he would lose his job if he would own up to his mistake. He later regretted what he did. What is the punishment of false swearing?

I am often asked about punishments for this and that offense. This is not the way Muslims should address their problems. We cannot think of God as waiting for people to commit offenses so that He can punish them. Nor should we think of Islam as a penal code, which sets out a long list of punishments for a wide variety of offenses. No, Islam lays much more emphasis on repentance and mending one's ways as a means to earn God's pleasure. The Prophet, peace be upon him, says: "Every human being is liable to commit errors, and the best of those who err are the ones who repent and mend their ways."

What we should know is that Islam specifies punishments for only seven offenses. As for other offenses, the punishment is discretionary, which means that the judge determines the punishment according to the circumstances of every case.

There is no doubt that what the man did is a grave offense, because he knowingly told an untruth and then confirmed it as true, swearing on the Qur'an to that effect. That he was in fear of losing his job may count as part of extenuating circumstances, but the offense is a serious one, nevertheless. He should have known better. He should have known that no one could control our means of sustenance except God Himself. If he were to lose his job because of owning up to his mistake when he could keep it with a simple lie, God would certainly look after him and provide him with a similar, or even better job.

I cannot tell here what is the punishment for this offense. Only a Muslim judge can do that after looking at the case in depth. However, the best what this person can do is that he should seriously and genuinely repent of his sin. That should be coupled with a firm resolve not to repeat the offense. When he has done that, God may forgive him.

Obligations: How Dutiful Can You Be To Your Parents?

My parents were very poor; they struggled hard to finance my education. My father's situation now is rather comfortable with a reasonable pension and some income from a piece of land. When I started my job here, I paid off all my father's debt. He, however, continues to waste his money on gambling, lottery tickets and other forbidden things. My mother also overspends, often buying unnecessary things. This always leads to their falling in debt. Am I required to pay off their never-ending debts? If I help them, will I be accountable for using money to pay for forbidden purposes?

You are to be congratulated on your dutiful attitude. Your worry about the present situation is also understandable. You do not wish to be party to an action, which you know to be forbidden. On the other hand, you do not wish to see your parents committing things for which they will be accountable to Allah. On the other hand, you have your own responsibilities to look after your wife and children. What you have to do in this situation is to try to strike the right balance. In order to achieve that, you have to be very clear in your mind about a few very important elements.

The way Allah has spoken about being dutiful to one's parents makes this duty so important that only when parents ask their children to deny Allah or to associate partners with him that they must not be obeyed. Furthermore, no one may be obeyed in what constitutes disobedience to Allah. But even in such a case when a parent is a confirmed disbeliever, Allah urges kindness to him. Allah says in the Qur'an:

"If they [your parents] endeavor to make you associate with Me as partners, things which your mind cannot accept as divine, do not obey them; but even then bear them company in this world with kindness, and follow the path of those who turn towards Me" [Luqman 31:15].

Asma' bint Abu-Bakr, the Prophet's sister-in-law, reports: "My mother came to visit me during the lifetime of Allah's messenger when she was still a polytheist. I went to the Prophet, peace be upon him, and asked him: My mother has come to visit me and she wants some help. Should I be kind to her? The Prophet, peace be upon him, said: Yes, be kind to your mother" [related by Al-Bukhari and Muslim].

Your own needs and commitments have to be given due priority. A person in your position who has a wife and children must look after them properly. He must not sacrifice their interests in order to bail off a father who wastes his money on gambling. A bachelor who is in need of marriage should continue to save some money for his future, even though his parents ask him for more than he gives them. This particularly applies in a situation like yours where the parents have enough to cater for their basic needs.

In the light of the foregoing, your way should be very clear. You must continue to be kind to your parents and try to please them. At the same time, you must encourage them to stop their unacceptable habits. You should not forget that their habits might be a reaction to their early days when they were very poor. Now that they have some money in their hands, they want to enjoy it in whatever way they can. Unfortunately, this enjoyment is landing them in a difficult situation. Therefore, you must always remind them that in order to make their situation even more comfortable, they should thank Allah and show gratitude to Him by using what He has given them in a way which is acceptable to Him.

There is nothing wrong in helping them. You will not be party to their guilt if you help them wisely. You do not wish to see your father overburdened by debt, or chased by creditors. You may help him indirectly, by paying off some of his debts without his knowledge. You ask his creditors not to advance more credit to him, as a condition of your payment of their outstanding debts. Try as much as you can to make your father hold a respectable position in his community, without landing himself into problems. But if he asks you to give him some money to spend on forbidden things, then do not give it to him. If he says to you, for example, give me ten Riyals to buy a lottery ticket, then you should not give that money to him. Instead, if you know that he has bought some necessary articles, as meat or other provisions, on credit, you go and pay off that debt. In this way, you know that you are helping your father in his legitimate practices. [There may be yet other situations. Your father may demand ad-hoc money for expenses, and then spend part of it in ways that are unacceptable to Allah. You cannot exercise control over this. You should counsel your father against the evils of such spending. Your manner should be polite and that of a dutiful son. That is all that is required of you.] May Allah reward you for your attitude.

Obligations: Kind Treatment & Financial Support To Parents

What is the definition of an un-dutiful son? Can a father claim the money, which his son earns? Can he take it away without his son's consent?

Islam considers it a grave sin for a son or a daughter to mistreat their parents. This is something well known in Muslim societies, where children are taught that to be dutiful to their parents is one important way which they cannot do without to earn Allah's pleasure and to be admitted into heaven in the Hereafter.

Dutiful can be divided into two main aspects: Kind treatment and financial support. A son is supposed to show respect to his father and mother, in public and private and in all situations. He should speak to them kindly, never raise his voice in anger when he speaks to them and indeed never say the slightest word, which expresses disgust or contempt or lack of appreciation. If he goes out with his father, he must never take precedence over him, regardless of their respective social positions. He must take care to show him maximum respect in public. He should be civil to his father's friends and must be kind to his relatives with whom he has no connection except through his parents. We can perhaps summarize that by saying that if the father does not hesitate to accompany his son on his business or social activity on account of his son's treatment, then the son is doing right.

If one's parents are in need of financial support, then it is obligatory on the part of their children to give them support. In an Islamic state, any judge, or the ruler, can order a son to pay maintenance to his parents. What he should pay is according to his means. If he considers his parents part of his own family and provides for them in the same way as he provides for himself, his wife and his own children, then he has discharged his duties by them. If he gives them more, it is better for him because that is a sure way to earn reward from Allah. If a son's support is slow in coming, then it is permissible for his father or mother to take of his own money, without his consent, in order to cover their reasonable expenses. They must not take more than what they need in a fair manner. For example, if one's mother is ill and her son does not take her to a doctor or buy her the medicine she needs when he is able to do so, then she or his father can take the money needed for medical consultation and to buy the prescribed medicine, even if their son objects, provided that they have no money of their own. If a son discharges his duties toward his parents willingly, providing such reasonable financial support for them, then they cannot take away his money without his consent. If he refuses them that, then he is not un-dutiful.

For example, if a father who has no money of his own feels that he needs to invite some of his friends to dinner because he had been invited earlier and the extra expense this represents does not overburden his son, then the son should cover that expense because it is considered socially acceptable and reasonable. If, on the other hand, the son is of limited means and the extra expense has an adverse effect on the family finances for that week, then he is not un-dutiful if he refuses to pay the money necessary for the invitation. He should, however, reason with his father kindly, explaining the situation and assuring his father that in different circumstances he would have provided the necessary money most willingly. In this way, the father would not feel aggrieved and the son would not have to carry an extra burden.

Obligations: Of A Daughter

May I ask about the duties of a daughter towards a mother, who very frequently gets into fits of temper and abuses her for no reason. When this becomes very frequent, it has very depressing effect. One feels one's unimportance very keenly and gets black thoughts.

Every child, son or daughter must be obedient, dutiful and kind to his or her parents. Even when a parent is unjustifiably harsh to a child, that child must not exceed the limits of dutifulness towards his parent. He must always treat them with the respect they deserve.

Having said that, however, I must add that parents are also expected to treat their children kindly. They should show understanding and recognize that the needs of their children are different from their needs when they were of a similar age. Times differ and so do values, standards and concerns.

Sometimes, a parent unnecessarily ill-treats a child. If that does not reach physical abuse, a child should bear that ill treatment patiently and try to remedy the situation with understanding. It is when respect of a parent becomes difficult, due to the unreasonableness of the latter; that such respect when maintained is highly rewarded by Allah. If a parent easily gets into a fit of temper, the child should avoid causing such a situation. If it nevertheless happens, the child should help cooling it off by showing good manners and not replying to criticism. That does not only help make family life happier; it also earns high reward from Allah.

Obligations: Of A Husband To Finance Wife's Religious Duties

People in my home country, India, say that a wife may not perform pilgrimage, pay Zakah or offer the sacrifice on Eid Al-Azha using her husband's money. She must have her own resources to perform these duties. They say that if she utilizes her husband's money to do the pilgrimage, it is not valid. Please comment.

Islam treats both man and woman as equals with regard to religious duties. Everyone is responsible for the completion of his or her duties. Hence, a man is not responsible to pay for the travel expenses of his wife in order that she fulfills the duty of pilgrimage. However, if he willingly pays for her travel, she may accept and go on pilgrimage. Her pilgrimage is certainly valid and her reward is the same as every other pilgrims. The fact that she did not pay for it does not detract from the validity of her pilgrimage. She would have earned more reward if she were to pay for her own expenses. In that case, she receives a reward for spending money in order to obey Allah and a reward for fulfilling her duty. When her husband pays for her pilgrimage, he also earns a generous reward from Allah.

What follows from this is that if a woman has a rich husband who is unwilling to pay for her pilgrimage and she does not have money for her own to cover her expenses, she does not meet the requirement of ability which makes pilgrimage a binding duty. As you realize, pilgrimage is required to be fulfilled by every Muslim, man or woman, who is able to undertake the journey. That ability includes both the physical and the financial.

The sacrifice on the day of Eid is recommended, not obligatory. However, it is an act of worship for which reward is granted by Allah. If a woman wants to do it, she should use her own money. If she has no money and her husband offers to buy her the sheep for sacrifice, she may accept that. Both of them will be rewarded by Allah for their actions.

Again, Zakah is an individual duty. But Zakah is paid only by a person who has money in excess of the threshold of Zakah. Therefore, no husband needs to pay Zakah on behalf of his wife, if she has no money of her own. In this case, she has no Zakah to pay. The only exception is the Zakat-ul-Fitr at the end of Ramadhan. This is a duty, which the head of a family must fulfill on his own behalf and on behalf of all his dependents including his wife and children and other relatives, if he supports them.

There is a point of confusion in the question. While we say that the duty is binding on the individual, and that the woman should pay for her own pilgrimage, it does not mean that if someone else pays for it, the pilgrimage is not valid. It is indeed valid and rewarded by Allah.

Obligations: Of A Loving Husband Who Is Also A Dutiful Son

1. My mother is always trying to find fault with my brother's wife, and unnecessarily so, I would say. My brother often gets angry with his wife as a result. He knows that she is not to blame in much of the quarreling which takes place. He, however, feels that he should take up our mother's side. Is he doing right? When I talked to him once about this problem, he said that he could not contemplate for a moment the possibility of being an undutiful son. Please comment.

2. Obedience to parents is obligatory, and the Prophet, peace be upon him, urges all men to be kind to their wives. Sometimes it is difficult to achieve both objectives: if one pleases one's wife, he displeases his parents and if he tries to please his parents, his wife is annoyed. What is the way out?

1. When a young man marries, he is actually taking on new responsibilities. He is starting a family with new commitments and obligations toward his wife and the children who may be born in that family. These responsibilities and obligations will inevitably require certain adjustments in the priorities and how he divides his time and how he utilizes his energy. There can be no rigid rule that tells a new husband how to make that adjustment. Everyone has different circumstances, and the differences in the personalities of all the people concerned make the adjustments required in each particular case rather unique. The problem may be even more acute when the new wife has to move in with her parents-in-law. While her husband may be aware of the need to modify his routine in order to fulfill his new obligations, other people, particularly his mother, may not have the same awareness. Indeed, she may have a fear that the newcomer is set to take her son away from her. She feels the need to defend her position and make her daughter-in-law understand that she will always remain second to her.

On the other hand, the new wife may feel the need to establish her own position and ensure that her rights are respected. She wants her mother-in-law to know that she might have done a good job in bringing up her son, but that task is now over, and she must relinquish her hold on him and give him up to her. The problem is clearly one of adjustment; maintaining balance between conflict in obligations and using common sense to reduce tension and encourage accommodation. If both mother and daughter-in-law are living in the same house and each wants to establish her authority, as it were, then the young man may have a real problem on his hands. The thing may be much easier, if the young couple have their own home, because proximity in this case makes more contacts inevitable and makes friction more frequent. Problems come on top of each other and pile up. There may be all sorts of reasons why it could not be accomplished. In this case, everybody must exercise common sense if they wish not to have a new episode of an unpleasant, never-ending serial.

There are all sorts of ideas on how to deal with this problem from the social point of view. Ordinary writers, dramatists, novelists, psychologists and sociologists have written much on this problem. We are, however, concerned with the religious aspect which takes into consideration the rights and duties of the husband, the wife and the mother.

Islam tries to instill in the mind of every one of its followers the virtue of being a dutiful son or daughter. Kindness to parents is always placed as one of the most important duties of a Muslim. Being undutiful is often mentioned in the Qur'an as a grave sin, frequently coming next to absolute prohibition of associating partners with God and before committing a crime as serious as murder. On the list of good actions, which earn reward, dutifulness to parents comes second to believing in the Oneness

of God. It is for this reason that the family institution maintains its strong position in Muslim countries. There is, however, the problem of giving dutifulness to parents the importance which may lead to the neglect of other duties. That is certainly not acceptable.

There is no doubt that every Muslim son and daughter must be dutiful to the parents. They must fulfill their wishes regardless of whether and wherever that is possible. If a son goes out of his way to please his mother, his action is both rewarding and commendable. But that must not, in any way encroach on his obligations toward others. When the fulfillment of one's mother's wishes is bound to lead to problem with one's wife, one must ask which of the two is right. In the case of disagreement over a particular issue, it is always better to be on the side of right rather than on the side of a particular person. The point is that Islam does not accept injustice. If he personally is the victim of that injustice and no one else suffers as a result, then he is free to forfeit his right and tolerate that injustice. But when someone else is suffering, and when that person normally looks up to him, for protection, then he must stand by the side of justice. He should do so, even at the cost of not pleasing his mother on that particular occasion. There is a great principle, which Islam lays down, namely, that "no creature may be obeyed in what constitutes disobedience to the Creator." Injustice, in any form and shape is an act of disobedience to God. Hence, it may not be tolerated by anyone.

To find fault with somebody when there is none is certainly injustice. To set out deliberately to find such a fault is even a greater injustice. One of the best quotations that can describe Islamic view on injustice is the Qudsi Hadith in which says: ***"My servants, I have forbidden Myself injustice and I have made injustice forbidden toward one another."*** Indeed the Prophet, peace be upon him, makes it a duty of Muslim to try to check one another from doing injustice.

He says: "Support your brother whether he is the perpetrator or the victim of injustice." Amazed at this statement, his companions asked: "We know how to support him when he is victim of injustice but how do we support him when he is the perpetrator of injustice?" The Prophet, peace be upon him, answered: "By stopping him from doing it. In this way you support him."

I suppose the answer of the Prophet, peace be upon him, applies very clearly to the case of a mother who picks on every thing her daughter-in-law does and finds fault with her when there is none. Her son may not feel that he must always support her even when she is wrong. Supporting her in that case is to be party to that wrong. When one's wife is the victim, that represents a failure to do one's duty toward one's wife. Let us not forget that the Prophet, peace be upon him, says: "The best among you are the best to their wives, and I am the best among you in my treatment of my wives."

The only way out of this problem is to try to maintain balance using a great deal of common sense and speaking to each party alone, trying to explain the other's point of view and giving assurances of support. Strictly speaking, one must always try to fulfill one's duty toward God, which requires him not to be unjust to any person, least of all to his wife and his mother.

2. Obedience to parents is required in what is fair and reasonable. When parents ask their son to do something that is out of the way, or unfair to another person, then they must not be obeyed.

The rule is what has been clearly spelled out by the Prophet: "No creature may be obeyed in what constitutes disobedience to the Creator." One's wife has rights, which must be respected. She has a relationship with her husband, which should not be subject to interference by parents, either on his or her side. Moreover, it is certainly

a requirement of Islam that one must treat his wife with kindness. The Prophet, peace be upon him, says: "Take good care of women." He also tells us that the best of people are those who are best to their wives.

Therefore, it is a duty of every man to establish a balance between rights and duties, giving each one their dues.

Obligations: Of A Wife Towards Her Husband

May I ask about the duties of a wife toward her husband?

When we speak of duties within the family, we have to remember that there are different levels of rights and duties. There is firstly the "legal" duty for the omission of which one is liable to be punished by Allah. Such duties apply to all in equal measure. They represent the minimum for which one is accountable. When a person neglects to fulfill such duties, family life is jeopardized and strife replaces happiness in the home. Secondly there are duties imposed by social traditions. These differ from one society to another, and they can be, for example, markedly different in the country from what we see in town life. Thirdly, there are personal duties, which differ from one family to another. These are governed by the relationship between the man and his wife.

Of the first type, a woman has three duties to fulfill. She should respond to her husband whenever he wants to take her to bed. It is one of the main obligations of both partners that they should help each other maintain their chastity. That can only be achieved if they are willing to accommodate each other in this very intimate relationship. Secondly, she must not admit into his home any person whom he has expressly told her not to admit. This applies even to her relatives. He may have his reasons for such an attitude. Obviously, a husband must not abuse this right of his in order to isolate his wife from her own family. Her third obligation is that she must keep his secrets. She should not tell others about the secrets which take place in her home, particularly when they relate to the intimate relationship between her and her husband. To make secrets of this type public is a serious contravention of Islamic teachings.

Duties imposed by social traditions differ from one place to another. In certain rural areas, for example, a wife is supposed to bake the bread in addition to doing all the normal household duties. In others, she is expected to take care of the dairy produce from the family's farm. A wife living in town does nothing of such duties. In most societies, however, a woman is expected to look after her home and see to it that her family have all their domestic needs met. Hence the term "housewife". While the duties of a housewife are not legally binding, one must say that traditions have an important say in how people organize their lives. If, for example, a wife decides that she will not do more than the legal obligations in a society where servants or domestic helps are extremely difficult to find, then everyone in society, including her own family, will judge her conduct unreasonable. Nevertheless, and technically speaking, she fails in no legal duty of hers by so doing. In order to understand the validity of such traditional obligations, it is useful to mention that the Prophet, peace be upon him, was the arbiter between his cousin Ali, and his wife, Fatimah, who was the Prophet's own daughter. They quarreled over what duties she had to fulfill. Apparently, this took place at a time when Fatimah found her household duties too much of a burden. Presumably her children were too young at that time. The Prophet's ruling was that Fatimah should look after everything inside the home, while Ali's responsibility included everything outside it. Both were happy with the division of responsibility. This ruling, however, does not constitute a legal obligation. It is simply a matter, which relates to the sharing of responsibilities and good manners. When a wife irons her husband's shirts and washes his clothes and gets the food ready for him when he comes back from work, she gives her family a very solid

foundation. Her husband is bound to reciprocate by doing more than the minimum of his own legal duties. It is important for every family to elevate their life well above legal requirements and the duties of partners. This applies to a greater measure to personal duties. These are decided individually in every family. They belong to the realm of compassion, mutual care and love. When these are well established in the family, the notion of duty disappears altogether. Each partner will feel happier when he or she does what pleases the other.

Obligations: Of Husband & Wife

Could you please explain the rights and duties of a married couple? How does Islam view a situation where a woman is unwilling to do what her husband says, but she follows what her parents say? Can a woman stay in her parents' home in the case of a quarrel between her and her husband? What is the maximum period of such a stay? Can a man have a second wife without obtaining his first wife's permission? May I also ask about the terms and conditions of divorce?

The Prophet, peace be upon him, has laid down the basis on which the marital relationship is established. He has enjoined his followers to treat their wives well. He says: "I enjoin you to be good to your women." We cannot fulfill the prophet's instructions unless we establish a relationship with our wives on the basis of mutual care and kindness. The Prophet, peace be upon him, has highlighted the importance of taking good care of our women when he made that one of the three areas to which he has drawn our attention just before he passed away. He repeated these recommendations: "Attend regularly to your prayer. Do not charge your slaves with what they cannot bear. Fear Allah in your treatment of woman."

With all this emphasis on taking good care of women, Islam has outlined certain rights and duties for both man and woman, which must be honored. Both can claim equal rights against each other, except for those minor differences, which are necessitated by the nature of their roles and the way they are created. Allah says in the Qur'an:

"In accordance with justice the rights of the wives [with regard to their husbands] are equal to the [husband's] rights with regard to them." [the Cow — "Al-Baqarah" 2:228].

It is true that many people do not pay any heed to such an instruction. However, a true Muslim always tries to do his duties, hoping to earn Allah's pleasure. His efforts to do what is required of him is not motivated by his fear of the law; its primary motivation is acting on Allah's instructions.

This has not been said in generalities. The Prophet, peace be upon him, has specified the rights of a woman against her husband when he was asked by one of his men companions: "Messenger of Allah, what rights a man's wife holds against him?" He answered: "That you feed her when you find food to eat, and dress her when you dress yourself, and that you do not strike her on her face and do not abuse her verbally, and that you do not boycott her except within the home." [Related by Abu Dawood and Ibn Hibban]. We see, then, how it is not permissible for a Muslim to ignore or overlook supporting his wife. It is not up to him to decide whether to provide her with clothes. That is a right. The Prophet, peace be upon him, says: "It is sufficient of a sin for anyone to allow those entrusted to his care to perish." It is forbidden, as we have seen, for a man to hit his wife on her face. This is the worst humiliation. Besides, we have some very important organs in our heads. A strike on the face could cause blindness, deafness, a broken tooth or jaw or a bleeding nose. This is not permissible.

While Islam has given a husband the right to discipline a disobedient wife, it has left only a very small room for hitting her as a last resort when all efforts to make her see reason have failed. Besides, such a strike must not be painful. In order to understand what sort of beating is allowed, we can refer to a Hadith which quotes the Prophet, peace be upon him, as threatening a servant of his when he was angry with her: "If it was not for my fear that Allah will inflict His punishment on me on the Day of Judgement, I would have beaten you with this "miswak" [tooth brush] until it hurts." You need only imagine what sort of pain could the beating with a "miswak" cause. It is also not permissible for a Muslim to hurl verbal abuse on his wife. It is needless to say that verbal abuse creates ill feeling. Islam is keen not to allow such ill-feeling to develop. Moreover, the Prophet, peace be upon him, reminds us that our relationship with our wives is so intimate that it must not be allowed to be strained. Otherwise, we land ourselves in contradictions, which are bound to have a bad effect on our marriage.

The Prophet, peace be upon him, portrays beating a woman in a very bad light, as he says: "How is it that any one of you could beat his wife as he beats a slave, when he may have intercourse with her at the end of the day?" Referring to those who beat their wives, the Prophet, peace be upon him, says: "You will not find these among the best of you." According to Lady Ayesha, "Allah's messenger has never beaten any of his wives or servants. Indeed, he never beat anyone except for the cause of Allah or when what Allah has consecrated was violated: He would then punish those who violated them."

The Prophet, peace be upon him, has outlined the rights of a man against his wife. He says: "It is not permissible for a woman who believes in Allah to admit into her husband's home anyone whom he does not like to be admitted, or to go out when he disapproves, or to obey anyone against her husband, or to banish herself from his bed, or to hit him [if she is stronger than him]. If he has started with unkindness, she should try to please him. If he accepts, then she has done well and Allah will accept her effort and make her argument stronger. If he does not respond to her reconciliation attempt, then she has done what is required of her." [Related by Al-Hakim].

Both man and wife should be considerate, realizing that their life together is a partnership in which they have equal rights. Neither of them should be domineering so as to negate the personality of the other. A woman is required to obey her husband but he also must consider her wishes and preferences. When we speak of obedience, we are not talking about a highly disciplined life, where a woman is held to account for every slight deviation from a set rule. We are simply speaking about an ultimate possibility to which recourse can be made when differences cannot be amicably resolved.

Within their home and in what relates to their life together, a woman has to give priority to her husband. His requests take precedence over those of her parents, but in neither case is she allowed to obey anyone in what constitutes disobedience to Allah. If a quarrel takes place between a man and his wife and he wants to send her to her parents' home, she may go. This should not be prolonged because the normal situation is for a man and wife to live together. You ask how long is she allowed to stay with her parents. There is no maximum limit as long as this is felt to be conducive to reconciliation. However, the situation becomes improper if the break between man and wife becomes total, but he is unwilling to divorce her in order to prevent her from marrying someone else.

It is not permissible for a man to hold his wife in such a manner, neither giving her the life of a married woman nor setting her free so that she can marry another man. If he is making demands, particularly unreasonable ones, in order to grant her divorce, he goes beyond the limits of what Allah has allowed. A man does not need his wife's

permission to marry another woman. Allah has granted him this privilege and he may exercise it if he thinks that he can cope well with its requirements. The main requirement is to treat his two or more wives fairly. Justice must be maintained between them. Otherwise, he is not allowed to marry more than one.

If a man wants to divorce his wife, he should make sure first that their marriage cannot work. He should exhaust all possibilities of reconciliation. Islam provides for a method of arbitration when each of them appoints an arbiter and the two meet together to find some way out of the difficulties the married couple have been experiencing. If that fails and divorce seems the only way out, then the man must make sure of divorcing at the right time. It is forbidden, for example, to divorce a woman when she is in her menstruation period. He then declares that he divorces her, but he pronounces the word of divorce once only. It is forbidden to say it three times in succession, as many people do. She then starts her waiting period, staying in the family home, i.e. her husband's home, but using a separate bedroom. He has to support her during her waiting period and she need not cook for him or do any household duties.

During her waiting period, they have a chance to reinstate their marriage without the need to have a fresh marriage contract. Two witnesses need to be called to witness the divorce and the remarriage if that happens. When the waiting period is over, the divorce is complete. He should pay her all her dues such as deferred dower, if any. She rejoins her family and she may marry another man. If they want to remarry, after the waiting period is over, they need to have a new marriage contract. He must pay her a new dower, provided that the divorce is a first or second time one. If the divorce has taken place for a third time, they cannot remarry until she has married another man, which should be a full and complete marriage, intended to last until either of them dies. If it so happens that this second man divorces her or if he dies, she may marry her first husband, if they both agree.

Obligations: Towards Parents After Marriage

1. Now that I am married, do I have any financial obligation towards my parents, when they have to pay debts to others?

2. I would be grateful if you explain the duties of a married woman toward her parents. Can a Muslim husband stop his wife from visiting her parents, and threaten her with divorce if she visits them? How often should she visit them in normal circumstances? What if they are ill and old and need her to look after them? May I say here that in our society, the general view is that only the sons, particularly the eldest, are responsible for their parents. What if a couple have only daughters and no sons?

1. Your attitude of helping parents settle their debts is highly commendable. Indeed, it is the attitude to be expected from every dutiful son. You cannot abandon your father and your mother to face creditors when you have money to help them.

Since that help went through your savings, you had no Zakah to pay. Your wife is wrong to object to your helping your parents. You should not hesitate to continue to help them until their debts are settled. When you do so, you are not merely being dutiful; you are investing for your own and your children's future. If your wife objects, tell her that you would like to be sure that if in your old age you need your children's help, you will find it readily available. If you do not help your parents, how can you be sure that your children will help you when you grow old? Not only this, but when you help your parents, your children will be sure to find a helping hand should they need it when you have died.

It may be true that your parents got into debts as a result of your brother's fault. The fact remains that they are facing creditors and they have to pay these debts. If you

are able to help, you must do so. It is greatly important that you should continue to help your parents. Let me remind you of the Hadith which mentions that the Prophet, peace be upon him, did not offer the prayer for the deceased i.e. Janazah, when the body of a dead man was brought into the mosque for prayer, because the Prophet, peace be upon him, learned that the man left unsettled debts. When one of his companions volunteered to settle those debts, the Prophet, peace be upon him, offered that prayer for the deceased man. That shows how greatly important the payment of debt is, even after death. You cannot stand watching your parents if they are encumbered with these debts. Your help should always be forthcoming.

2. Before I started to write the reply to this letter, I tried to look up the specific question of a husband preventing his wife from seeing her parents in books of Fiqh and books that speak extensively about the status of women in Islam. I referred to numerous books, but my efforts produced only the result I had expected. There was next to nothing on this specific question. This is not surprising because the whole question of preventing a married woman from visiting her parents is, to an Islamic scholar, unthinkable. What right does a man think he has over his wife's feelings and duties to stop her from seeing her parents? Does he, by chance, think that by marrying her he has come to own her? Does he put her in the same category or the same relationship to him as a goat he buys? If so, then he is certainly mistaken. From the Islamic point of view, the relationship between a man and his wife is one between two human beings of equal status. Each of them has certain rights and certain duties, but neither of them can negate the independent personality of the other.

It is simply unacceptable from the Islamic point of view that a husband should consider that the marriage divides his wife's life into two separate stages and that each stage is completely isolated from the other. If he tries to impose this situation, then he will have a wife who is disillusioned, broken-hearted and totally lacking in the ability to impart to her children the proper values of kindness to family relations and dutifulness to parents. How could she, when she herself is denied the right to maintain her relationship with her parents?

The fact is that dutifulness to parents is a duty imposed by Allah on all children, boys and girls, men and women, single or married. This dutifulness does not stop at any particular stage in any-one's existence. It extends throughout the parents' and the children's lives. Being dutiful to one's parents is not considered to have been completed when they die. Their children are required to continue to show dutifulness to them by showing respect and kind treatment to their friends and relatives, supplicating on their behalf, praying Allah to have mercy on them, reading the Qur'an and giving Sadaqah or charitable donations on their behalf, etc. When such a claim parents have against their children, how is it possible that a husband thinks of preventing his wife from visiting her parents?

If he does, then he certainly is unjust to her, unless he has a very good reason for his action, which can only be imagined in isolated cases. An example may be seen in the case of parents who try to persuade their daughter to be rebellious against her husband or encourage her to seek divorce. But we are not talking about those isolated cases here. We are referring to ordinary situations.

In these, a man should consider what his feelings would be like if his sister was prevented from seeing their parents by her unreasonable husband? He should extend to his wife the same treatment he would like to see extended to his dearest sister. My reader is asking about the case of a woman's parents being ill or old and requiring frequent visits.

My answer is that she should try as much as she can to look after them, and her husband should help her to do so. She should certainly not neglect her own household duties, but she can try to make the necessary arrangements to enable her to look after her parents and her husband at the same time. Her husband can help her in many ways such as driving her, if he has a car, to her parents' home, or fetching her from there when she wants to come back, putting their young children to bed when she is looking after her parents, relieving her of her cooking duties if the situation requires that, etc. These are matters of common sense. He should feel very happy when her parents express their gratitude to him and pray Allah to reward him and his wife. He should realize that such supplication is certainly answered. It can bring him and his family only good. It may be customary in a certain community to consider that the eldest son bears the greatest responsibility in looking after his parents, but this is not the Islamic view. In Islam, all sons and daughters are responsible, each according to his or her means. If sons are the ones to provide financial help and looking after their parents' material needs, paying the expenses of their living and medical treatment, then daughters can also help by providing the necessary care and nursing, etc. If one of the children fails to do his duty, then the others should not wait for him, but provide what is needed without hesitation. Suppose, that the eldest son is the richest in the family, but he happens to be stingy, unwilling to pay for his parents' needs. Suppose also that all the other children are of limited means. They still have to look after their parents. They cannot say that their rich brother does not help, so they cannot do much on their own. They should look at the case as if their rich brother was not there. What would they do in that case? Leave their parents to suffer? Certainly not. Therefore, they should collaborate in looking after them.

If an elderly couple have only daughters and they are all married, and the couple need to be looked after, then their daughters should try their best to look after them. Islam does not accept that such elderly parents should be abandoned simply because their daughters are married. How can it be so when kindness to all relatives is an Islamic duty? When we speak of relatives here we are not simply speaking of brothers, sisters, uncles and aunts, but of distant relatives also who are separated by two or three grades of relationship. We are still required to be kind to them and to show them that we care for them. A religion that makes this a duty incumbent on all its followers cannot condone the action of a husband who arbitrarily refuses his wife permission to visit her parents. Good Muslims have a different sense of duty. With Muslims nowadays traveling all over the world, either to pursue their education or to find better employment, there are countless women who live away from their home cities and villages only to accompany their husbands and raise their own families. The overwhelming majority of Muslim men in this situation take their wives home as frequently as possible to give them a chance to see their parents and families. If the husbands cannot go themselves, then they send their wives home for such visits. To think of the other extreme is simply not acceptable. If a husband threatens his wife with divorce for visiting her parents, he is unjust to her and to them. Injustice is forbidden in Islam. Allah says in a Qudsi Hadith: "My servants, I have forbidden injustice and have made injustice forbidden to you. Do not be unjust to one another." If it is forbidden to be unjust to a person whom we do not know, it is far more strongly forbidden to be unjust to the closest relative, one's wife to whom the Prophet, peace be upon him, has urged us to be very kind.

Nor is it permissible for a Muslim to obey anyone encouraging him to be unjust to his wife, not even his parents. If your parents insist that you treat your wife harshly or unjustly, you should realize that injustice represents disobedience to Allah. The Prophet, peace be upon him, says: "No creature may be obeyed in what constitutes disobedience to the Creator."

It is a man's duty to provide his wife with a suitable home according to his means and of the standard considered reasonable in her social status. If he wants her to live with his parents, then he should explain this right at the beginning. She should be aware of what awaits her when she gets married to him. If she moves into his parents' home and she is unhappy there, then it is her right to ask her husband to provide her with an independent home.

On her part, she should ask only what is reasonable in her husband's circumstances. If he looks after his parents and he cannot afford to have two homes, then she should accept what is reasonable and he has the duty of protecting her against any injustice or ill-treatment or harassment that may be perpetuated by his parents. On the other hand, if he has the means to give her a separate home, he may not impose on her that she should live with them. In all these questions, what is required of both husband and wife is to care for each other's feeling and be reasonable. Common sense is an important factor in all this. Common sense tells every husband that if he has a good wife, then it is her parents who have brought her up as a good Muslim woman. Her relationship with them is not severed the moment he is married to her. Common sense also tells every Muslim wife the same thing about her husband and his parents. If they need to be looked after, then she should help him looking after them. When both look at this question in a relaxed manner and with common sense, keeping the Islamic teachings in mind, it is not difficult to steer the course, which satisfies everybody and ensures kindness and dutifulness to parents of both husband and wife.

Obligations: Towards Parents & Wife

After four years of marriage, a wife is asking her husband to move into a separate home, rather than continuing to stay in his parents' home. The husband feels that he has obligations toward his old parents, who are kind and caring. But the wife thinks that she is entitled to her own home where she has the privacy she needs.

It is the right of every wife to have a home of her own according to the standards of her own social group. If she is unhappy with her husband's parents because they may often interfere in her life with her husband, or because they are too demanding, or because they expect her to treat them as if they were her own parents, then she has a genuine reason to complain. In such a case, her husband must deal with the situation according to his means.

At the same time, a man has duties toward his parents, and he must look after them, particularly if they are weak and cannot cope on their own. But this is his own duty. If his wife helps to look after his parents, her action is voluntary and very commendable. She deserves his gratitude for it, and no doubt God will reward her richly for her kindness.

Having said that, I should add that it is often the case that when a man has his own home, away from his parents, he finds the situation more conducive to better family relations all round. Therefore, couples who need to stay with their parents for a while normally try hard to move into their own homes as soon as they can afford that. This does not normally affect the relationship with the husband's parents, because they expect that this will have to happen eventually. When such a move takes place, it is important for the husband to realize that he should continue to look after his parents, and try to make their life as comfortable as possible.

I have already stated that a wife is entitled to have a home according to the standards of her social group. She is also entitled to have all her living expenses met by her husband. Both man and wife also have the duty to help each other to maintain their chastity. In the case of the wife, this means that she must respond to her husband's

sexual needs, as long as they remain within what is permissible in Islam. His rights also include that she does not let into his home anyone he disapproves of, and that she must keep his secrets and speak well of him in his absence.

Obligations: When Any Obedience Represents Disobedience To Allah

There is much confusion and contradiction among scholars in our country over the meaning of worship, or 'Ibadah'. Some argue that Ibadah means, as an act of worship only, such as prayers, fasting, etc. and the word does not have any connotations of obedience. Others maintain that the Islamic term includes to cover both worship and conditional obedience. Hence, it can be addressed to Allah alone. If you obey your parents, teachers or the government unconditionally, then this is contrary to what Allah wants of us. Indeed, it signifies worship of parents, teachers or the government. Hence, obedience to anyone other than Allah must be conditional, they argue. Please comment.

This question is related to the very basic concept of the Islamic faith. It has much to do with the very meaning of the word "Islam". The name is derived from the root verb "aslama" which means "to give up; surrender; to yield." The same verb "aslama" is used to denote that a person has employed Islam. Within the Islamic context, the word means to submit. Islam, therefore, means submission to Allah, which is pure, genuine and total. When a person declares "there is no deity save Allah", he is basically saying that he submits to no one other than Allah. The second part of the declaration: "Muhammad, peace be upon him, is Allah's messenger", means a commitment to accept legislation only when it comes through the Prophet Muhammad, peace be upon him.

This has far-reaching practical implications. To start with, submission to Allah means a willing commitment to implement Allah's laws. It is not possible to imagine that a person who declares that he has submitted to Allah continues, at the same time, to violate His laws. If he does, his very actions belie his declaration. Hence, a Muslim tries all the time to steer away from any action, which represents disobedience to Allah.

Moreover, man's submission to Allah should demonstrate itself in special types of action which man should not have undertaken if it was not for the purpose of emphasizing that he has submitted himself to Allah. These are the acts of worship a Muslim is required to perform regularly. Who would have fasted from dawn to dusk, allowing himself nothing to eat or drink — day after day for a whole month — if it were not for pleasing Allah? You need only to look at pilgrimage to realize how much Islamic worship emphasizes dedication to Allah and total surrender to Him. The same applies to prayer and Zakah.

Islam, however, does not differentiate between pure acts of worship and other actions. In everything a human being does, a good intention must be present and a good purpose need to be served. When this condition is fulfilled, every action becomes an act of worship. When you read the Qur'an, you are surprised at the number of times you notice that orders which concern worship are given in midst of the discussion of matters of day-to-day life. In the Surah entitled "The Cow", or "Al-Baqarah", we read Allah's instructions to attend regularly to prayers right in the middle of a long passage which speaks about the provisions of divorce, marriage and breast-feeding. The instructions regarding ablution and prayer are given in Surah 5, immediately after a long passage dealing with what Muslims are allowed to eat. This emphasizes the fact that Islam looks at both types of action, worship and human, in the same light. Any action, which is intended for a good purpose, earns reward from Allah. Perhaps the clearest example can be given by quoting the Hadith in which the

Prophet, peace be upon him, is quoted to have said: "When one of you fulfills his sexual desire, he is rewarded." His companions wondered: "Is any of us to be rewarded for the fulfillment of a physical desire?" The Prophet, peace be upon him, answered: "Since he is punished for fulfilling it in an illegitimate way, he is to be rewarded for fulfilling it in the way Allah permits." What is required to achieve this is the proper intention. Therefore, when a man takes his wife to bed, he should have the right intention, such as helping himself and his wife to maintain their chastity or hoping to have a child for whom they will make an effort to bring up as a good Muslim.

We have so far emphasized that submission to Allah is translated into practice through obedience to Him. Now the question arises whether obeying people such as one's parents, teachers, friends, or the government, constitutes worship. No simple answer can be given to this question. Many are the Qur'anic verses and pronouncements by the Prophet, peace be upon him, which make it absolutely clear that dutifulness to one's parents is a duty of every Muslim. Anyone who disobeys his parents, without good reason, is disobedient to Allah. Again, a Muslim must obey the ruler of his Muslim State. We have the instructions given to us by the Prophet: "A Muslim servant of Allah is required to show obedience, as long as he is not ordered to commit a violation of Allah's laws." This means in effect that to obey one's parents and to obey the Muslim ruler is part of obeying Allah. Hence, it cannot be described as worship. When you obey your parents, you are not worshipping them. There is, however, one proviso: obeying human beings cannot be absolute. You have to take every order separately, examine it and make sure that, when you carry it out, you are not disobeying Allah. The Prophet, peace be upon him, states absolutely clearly: "No creature may be obeyed in what constitutes disobedience to the Creator."

You often find people who are required to carry out laws and instructions of their superiors protesting that they have no say in the way they carry out their duties. In some countries, an official may say, "I am only serving the boss." In other countries, a junior official may say, "I am only following the orders I am given." From the Islamic point of view, such excuses are not acceptable. If the order given to a junior official represents disobedience to Allah, he must not carry that out. If he does, he is a partner in disobeying Allah. If the order means injustice, he has his share of doing injustice.

When such blind obedience to human beings is carried a little further, it borders on worship or it may indeed be a manifestation of worship. This is certainly the case when a person obeys willingly the orders of others, regardless of their position, knowing that these orders are contrary to Allah's commandments. In such a case, there is no pressure on him to obey. He does not feel himself obliged or compelled to obey. But he may have an interest in obeying, such as hoping to achieve a promotion in his job or securing a financial or moral advantage. In such a case, his obedience is not only sinful, but it is a form of worship.

This is illustrated most clearly by the Hadith which mentions that when Hatim ibn Addiy, a former Christian who became a companion of the Prophet, heard the Qur'anic verse which states of Christians and Jews:

"They have taken their rabbis and their monks, as well as the Christ, son of Mary, for their lords beside Allah, although they had been bidden to worship none but the One God, save Whom there is no deity" [Repentance — "At-Taubah" 9: 31].

Hatim protested to the Prophet, saying: "They did not worship them," [meaning their monks and rabbis]. The Prophet, peace be upon him, said, "They [meaning the monks and rabbis] made lawful to them what Allah has made unlawful, and

prohibited what Allah has made lawful, and they obeyed them. This is how they worshipped them."

To sum up, when obedience to others represents disobedience to Allah, it is an aspect of worship, which no Muslim may permit himself to do.

Omen: Bad & Good Omen — the Islamic View On
Commentary By Adil Salahi — Arab News

People often associate certain things, or events, or signs with good or bad omen. These differ from one culture to another. In old Arabian culture, when people went out on some business, they tried to determine whether their task would be successful. They usually looked for any bird they might see. If the bird flew to the right, they considered this to be a good omen and they continued with their task. If the bird flew left, they thought that was a bad omen and they would not continue with whatever they had embarked upon. In fact, this was so entrenched in their culture that the Arabic name for sensing bad omen is derived from the word Tair, which means bird. It is used even when the object, action or event that causes bad omen has nothing to do with birds.

Apparently this was not limited to Arabs. Even in other cultures, people looked to birds for sensing what may come about. The English word "auspice" is defined in an Oxford Dictionary as "an observation of birds for omens".

All this is forbidden in Islam. It is contrary to the very concept that knowledge of the future is the preserve of God alone. It is also against the principle of putting our trust in God. Therefore the Prophet, peace be upon him, denounces the very idea of bad omen, describing it as a form of associating partners with God. He says: "[Believing in] bad omen is a form of idolatry. It may occur to anyone of us, but God clears it away when we rely totally on Him." [Related by Al-Bukhari, al-Tirmithi and Abu Dawood]

This Hadith is very clear in its import. It describes bad omen as a form of idolatry, or polytheism, but it recognizes that thoughts of such nature may be quick to our minds, and points out the way to get rid of them. The first sentence is very definitive. That it was associated in old Arabian society with the direction a bird flies is indicative of its absurdity. How could a bird know future events? What has the direction of its flight signified in human language? How could it relate its knowledge to the actions of human beings, or to the people around? If the bird were to know all that, it would be far more superior to man in knowledge, when not even the people who attached their omen to its direction of flight could have credited it with that.

A report by Ikrimah, a learned scholar of the generation that followed the Prophet's companions, mentions that Ikrimah was attending his teacher, Abdullah ibn Abbas, the Prophet's cousin and learned companion, when a bird passed by and made some sound. A man in attendance said, "Good! Good!" Ibn Abbas said to him: "This bird has neither good nor evil to offer."

Yet people often experience some thoughts of bad omen when they hear something or see an event or an action-taking place. Should this happen, a believer must not entertain such thoughts for long. He should be quick to place his trust in God and rely on Him in all life situations. When a believer does so, all thoughts of bad omen are dispelled because a believer knows that whatever befalls us comes from God. When we place our trust in Him, He is sure to enable us to overcome difficulties and to reward us for our patience when we meet adversity. In this respect, we may recall the Hadith in which the Prophet, peace be upon him, wonders at a believer's lot: "I wonder at a believer's affairs, as they all end up into what is good. This applies to

none other than believers. If something good comes his way, he expresses his gratitude to God, and it will be good for him; and if he experiences an adversity, he remains patient, and that will again be good for him."

So, we have to differentiate between a temporary thought, which we try to dispel by placing our trust in God, and giving in to bad omen. In the latter case, people change their plans, restrict their movement and do different things to avoid what they think bode ill for them. This is the sort of thing the Prophet, peace be upon him, warns against. The first type is often unavoidable. A man called Muawiyah ibn Hakam said to the Prophet: "I have only recently abandoned ignorant beliefs, and now God has favored us with Islam. Some of our people visit fortune-tellers." The Prophet, peace be upon him, said: "Do not visit them." The man added: "And some of us associate bad omen with certain things." The Prophet, peace be upon him, replied: "This is something that people may occasionally entertain. Let them not be deterred from their purpose." [Related by Muslim]

This Hadith clearly distinguishes temporary pessimistic thoughts from giving in to bad omen. The distinction is at its clearest when one goes ahead with whatever one is planning or what one is about to do, disregarding all negative thoughts and relying totally on God, and, on the other hand, giving in to such thoughts, changing one's plans and purpose.

All this concerns bad omen but what about good omen? There is a clear distinction between the two, as appears in the following Hadith in which Abu Hurairah quotes the Prophet, peace be upon him, as saying: "Do not entertain bad omen. The best of it is the good one." Asked which is the good one, the Prophet, peace be upon him, answered: "A good word any of you may hear." [Related by al-Bukhari and Ahmad].

In this Hadith, the Prophet, peace be upon him, gives a clear order that finding bad omen in any sign is unacceptable in Islam. In fact it is forbidden, unless one tries to dispel its effects by placing his trust in God. Next the Prophet, peace be upon him, speaks about good omen as being the best. The comparison here is not between two good things with one being better than the other is, because there is nothing good in allowing bad omen to dictate our course of action. The comparison is merely in what we feel when something causes us to be optimistic or pessimistic about something we are embarking upon.

Besides, the Prophet, peace be upon him, explains that people normally find good omen in a good word they hear. It is not a sign by a bird or some other animal or an inanimate object. A good word may affect a person because it expresses some favorable feeling, or describes a positive situation. It is in human nature that we like fine expressions, beautiful scenes, peaceful surroundings, even when nothing of it belongs to us. Similarly, words that speak of a good thing happening to us soon are bound to have a good effect on us. We note here that such words may be without foundation, but the fact that they give us a sense of optimism is beneficial, provided that we attribute all future events to God's will.

To give an example, a mother says to her daughter on the morning she is taking her exams, "I feel in my heart that you will do well." The daughter feels optimistic and approaches her exam in good spirits. There is nothing wrong with that, as long as the daughter does not attribute her fine results to her mother's words or feeling.

Another Hadith that illustrates the meaning further is reported by Anas who quotes the Prophet, peace be upon him, as saying: "Do not cause disease transmission, and do not entertain bad omen. But I like hopeful optimism based on a good word." [Related by al-Bukhari and Muslim]

Omen: Bad Omen & Istikhara — Confused!

I recently read in Arab News an article about bad omen and that it should be shunned and paid no attention. It mentions that in pre-Islamic days, the Arabs used to let a bird fly in order to determine their course of action. If the bird flies to the right, they considered it a good omen, but if it flies to the left, that signaled a bad omen and they would not go ahead with whatever they wanted to do. But I also read about a person who wanted to travel. When he went to the travel agent, he found him closed at a time when he should not be. He took it as an indication and did not travel. Yet the first action is criticized while the second is praised. Are they not the same? Please explain.

The two actions are greatly different and could not be treated at the same level. Those Arabs in their ignorant days held the bird and then allowed it to fly believing that the direction would give them an indication whether their action will be profitable or not. Thus, they allowed the bird, or the direction it would fly, to determine their action. They also did this habitually believing that it was an infallible method of determining the result of their action. This is determining an omen and attributing knowledge of the future to the bird. Hence, it is totally unacceptable.

I know the second case personally. The man was embarking on a very serious change of his life course, and he felt that he must do the Istikhara in order to seek God's help in choosing whether to travel or not. The Prophet, peace be upon him, has taught us to do the Istikhara before any decision of importance. When you do the Istikhara you make your choice with God's help. How do you know which course to follow? It is by letting things go their way, and finding out what is easy and does not require much effort on your part. When this man did the Istikhara, he wanted to see which course was facilitated for him. Had he managed to book a suitable flight easily, and get a good fare, he would have traveled. On the other hand, if he found that getting a flight booked within the time range he needed was too difficult, that would have indicated something for him. The difficulty suggests that it is better not to travel. Hence, when he found the travel agent closed at a time when he is not normally closed, and this meant that he would miss the next flight, he felt that this was an indication in answer to his Istikhara. Hence, he did not travel. His is the right attitude because he made his decision with God's help.

Omen: Bad Omen In A Woman, A Horse Or A House?

1. When my parents suggested that I should marry a certain girl, I did the Istikhara, and when there was no impediment, I agreed. However, my parents went to a fortuneteller and he told them that the woman is a bad omen and if I marry her I would lose my job. I tried to persuade my parents that their action is wrong, but they would not accept that. I would have challenged their position if I had not seen a Hadith in Al-Bukhari stating that bad omen could be in a woman, a house or a horse. Please comment.

2. You said in a recent article that if a person finds himself uncomfortable with his wife, horse or house, he could change them, although none of these can by themselves bring him any harm. However, if a man is entertaining such thoughts, does it not mean he thinks of them as bringing bad omen? Are we not giving a man the green signal to change his wife whenever he feels like a change? Besides, changing one's horse or house seems to imply lack of faith in God. On another subject, is there any verse, which we should read to avoid the effects of an envious eye?

1. There are two separate issues here. The first is that of the Hadith, which mentions that an omen may happen to be in one of three things. This is merely a statement of fact. It does not mean it is inevitable that a person may get something disastrous if he happens to marry a certain woman, live in a particular house or ride a certain horse. People may simply happen to think in a way that suggests a bad omen. But two Hadiths also related by Al-Bukhari also suggest that there is no bad omen at all, because the wording in these Hadiths is as follows: "If bad omen happens to be present, then it may be in a house, a woman and a horse." This implies that there is no bad omen in reality; it is people who may feel that a particular house, woman or horse brings bad luck. Once again, this is a comment on what takes place in reality and how people believe. It is phrased in the conditional form to indicate disapproval of the whole idea of bad omen.

What actually happens is that people tend to attach any unfortunate event to what they did recently. If a good rider happens to have a fall, after having bought a new horse, he accuses the horse of bringing bad omen. The cause of the fall may have nothing to do with the horse, but still the thought of bad omen may persist. The same is true with marriage or buying a house. These three are so much involved in a person's life that they become easy targets for blame of our misfortunes. This is not the way a true believer should react. A believer is one who is patient in adversity, thankful for whatever may happen to him, knowing that it is all from God. He compares his fortunes with those of people in more difficult circumstances and thanks God for His blessings.

The second issue is that of relying on fortunetellers. This is unacceptable in Islam, because it attributes to such people knowledge that does not belong to them. The Prophet, peace be upon him, describes them as liars, even when they happen to say something true. This is because they do not know it to be true when they say it. If a fortuneteller says that you will get a pay rise the following week, then he is telling a lie even if you happen to have a rise that same week, because he cannot know in advance what will happen that week. Moreover, the Prophet, peace be upon him, speaks about seeking the help of fortunetellers in highly disapproving terms. He is quoted as saying: "Whoever goes to a fortuneteller and believes him disbelieves in what has been revealed to Muhammad." So the Prophet, peace be upon him, equates going to a fortuneteller and believing him with a rejection of the faith of Islam.

This means that the proper action for you to take is to disregard what the fortuneteller has said altogether. Since you have done the Istikhara, and there was no indication that this marriage may have problems, then you will be well advised to go ahead with it.

If you like, you may do the Istikhara again. If you encounter problems, other than your parents' insistence on following the fortuneteller's advice, then do not go ahead. Your decision should be based on the fact that you have done the Istikhara and you have left the choice to God. The thought of the fortuneteller and whatever rubbish he says should be banished completely from your mind. In fact, defying it while relying on God's help and kindness will, God willing, bring you grace in abundance from God. I may go further than that and say that if you marry this woman and then you lose your job, you must not attach that to your marriage. You simply accept it as a test from God and if you pass that test, rejecting the fortuneteller and what he says, God will not fail to reward you for that.

2. When we have a Hadith, we try to understand it as it is. We quoted a Hadith which makes it clear that omen is mostly associated with a woman, a house or a horse. And we quoted several Hadiths which make it clear that bad omen is wrong. One must not associate adversity with anything in particular. However, people may even subconsciously think that some adversity is associated with one or the other of these three things. When such thoughts occur to a person, he or she should dispel them

altogether, reminding themselves that nothing occurs except by God's will, and that nothing has a will of its own.

However, a wife, a horse, a house and, in our modern times, a car become part of one's day-to-day life. If one is uncomfortable with them, they may even cause problems. Therefore a change could be the best way out, provided always that one must not blame one's wife, horse, car or house for any misfortune that befalls one. There is no lack of faith in God if one does this, because one is simply seeking what is more comfortable, and relying on God's will. It is also necessary to guard against putting blame on any of these for one's misfortunes, because this may bring us to bad omen, which is not allowed in Islam.

It is recommended to read the last two Surahs of the Qur'an, i.e. Surahs 113 and 114, in order to dispel the harm of an envious eye. If one fears envy from another person, one should read these two short Surahs, and it is better to repeat them three times. You may note that Surah 113 concludes with an appeal for refuge with God from the evil of an envious person.

P

Painting: Permissibility Or Prohibition

You mentioned in an earlier answer that it is permissible to paint natural scenery and people's faces. I have been quoted a Hadith that makes painting people and animals forbidden. Could you please clarify this confusion.

The Hadith does not speak of painting as such. It uses the term *tasweer*, which we nowadays use primarily for photography, and we may include under it other forms of producing a likeness. Since photography was unknown at the time of the Prophet, peace be upon him, but the word was used in the Hadith and in the Qur'an, we need to define its meaning at the time. Fortunately, we do not have to look far. If we look at the different instances of its use in the Qur'an we formulate a clear concept of its meaning, which is "to shape, give form, fashion, etc." A Hadith that includes a clear prohibition explains that '*tasweer*' aims at making something to look like God's creation. This is clearly forbidden, because it includes an implicit claim of any ability similar to that of God. Hence, the person who produces such a likeness will be told on the Day of Judgment to give life to his production, and he will not be able to do so.

Unfortunately, people with a restrictive tendency apply the word as we use it today and make all types of image making forbidden. This is not right. One Hadith makes a clear exception of what is painted on clothes and similar material. This is not much different from a painting on a canvass. The prohibition certainly does not apply to photography, which is nothing more than the printing of a reflection against a lens, similar to a reflection in a mirror.

Photography: Is It Permitted In Islam?

I am often dismayed to see people wearing shirts and blouses, which display images of birds, animals and even human beings. They even go inside a mosque to offer prayers. The other day, I felt greatly annoyed to see a man wearing a shirt with an advert of Goodyear tires, showing a star boxer encircled with tires around his waist.

I have in the past distinguished between statues and engravings on the one hand and pictures, as we know them today which are either paintings or photographs, on the other. Statements in Hadith which speak of "pictures" being distasteful or forbidden, clearly mean the first type, i.e. statues and engravings. As for photographs and paintings, these are of a different nature.

We may mention in this connection that the Prophet, peace be upon him, once used a piece of cloth with pictures on it for prayers. After he finished, he expressed his dislike to that piece of cloth and said that it distracted him from his prayers. From this we deduce that it is discouraged to use such material for a prayer mat. Its use, however, does not affect the validity of prayer.

When the Prophet, peace be upon him, mentions that pictures are strongly discouraged, he makes the exception "unless they be printed on material." This means material, which is used, for making clothes. On the basis of this, I must say that I am surprised by the strength of your criticism of people using such material. It is true that some people may find the sight of a man wearing a shirt with a large picture of a bird or a horse rather unpleasant. It may be even more so if it has the picture of a human being, but we cannot say that it is forbidden. Nor can we say that photography, as it is used today, is forbidden. Indeed, it has numerous beneficial uses. If it is used for a bad purpose, as in the case of pornography, it becomes forbidden.

I should perhaps also explain that it may be very unwise for a man to wear such a colorful shirt with attractive pictures inside the mosque, especially if he attends congregational prayers. By doing so, he may cause other worshippers to be distracted of their worship. Displaying advertisements of the type you have mentioned may be also unsightly. If the one who is wearing such an ad receives a fee for wearing it, it is all right, provided that what he is advertising is permissible.

Thus, an advert for car tires is acceptable but one for a brand of cigarettes is forbidden.

[Added: One most common use of photographs in many Muslim countries is leader worship. Some states have made it mandatory for the government offices to display the photographs of their leaders, as a sign of respect. Such an idea is far from Islamic and is forbidden. However, if one has special feelings for a particular person, even a leader, and he makes a display of this, it is all right. The very concept of any kind of homage to be attached to photographs is not permissible. That is to say, it is the Niyyah that makes the difference in such cases.]

Photography: Reliability Of Our Views

You carried a long piece on "photography as mentioned in Hadith" in response to a reader seeking a ruling on whether photography is permissible or not. On a previous occasion, a friend mentioned that he did not hang pictures of family members on his wall at home, as it was forbidden to do so. In a conversation with a different person, the same kind of opinion was expressed, but with the added question of what should a reader do in order to establish the final Islamic ruling on a question over which he disagrees with you. Your comments will be greatly appreciated.

Abu Jaffer Al Mansoor, a great Muslim ruler, who was in power for over twenty years in the beginning of the Abbasid regime, once requested Imam Malik to write a comprehensive book outlining Islamic verdicts on matters that occurred to people in daily life. He wanted that book to be the standard by which all matters are resolved. Imam Malik, the founder of one of the four major schools of thought, counseled Al Mansoor not to do so. He argued: "The Prophet's companions settled in different provinces with each of them having his share of knowledge about Islam. If you were now to enforce a single opinion on them all, this will inevitably lead to a great deal of chaos and trouble."

These were words of great wisdom by Imam Malik. What applied then, applies today even in greater measure. We have the fruits of a great wealth of Islamic research and scholarship. Yet people are always impatient. They want a "final" ruling on every question. But rigidity is alien to the nature of Islam. It has always been a characteristic of Islamic thought to respect other people's views and to hold other scholars in high esteem. Hence, it is practically impossible to seek a "final" ruling on every matter without establishing a religious hierarchy. Had it been the intention of

Islam to do so, the Prophet, peace be upon him, would have indicated that. But there is simply no clerical order in Islam. Everybody's opinion is respected, but the opinion which is correct is the one which is supported by the strongest evidence from the Qur'an and the Sunnah.

In answering readers' questions, we certainly try to give what we think to be the answer based on the stronger evidence. We try to steer away from rigidity and controversy, and we do not confine ourselves to the views of a single Imam or a single school of thought. We try to give opinions applicable at present. We do not hesitate to make a verdict clear, even though it may be unpleasant to the reader asking the question. We will never go against a Qur'anic statement or an authentic Hadith or try to impose a subjective interpretation.

If we come up with an answer that differs with a prevailing view, then that is the result of our endeavor. We hope to be rewarded for it. The Prophet, peace be upon him, has made it clear that a person who does his best to arrive at a clear ruling on something and hits upon the right ruling will have a double reward, but a person whose efforts end up with a mistaken conclusion will have a single reward. It is this type of tolerance which is characteristic of Islam that sustains our efforts.

Now, if a person reads in Arab News a ruling that is at variance with an opinion he has held for a long time, he may find our line of thinking convincing and supported by evidence which means that he should take our view. If he is hesitant, and then he will need to examine, either on his own if he has the knowledge and ability or with the help of a scholar, the foundation of our view and his own view. He should then take the verdict supported by the stronger evidence. There is simply no other way. In Islam, there is no single person or institution, which has the final word. That final word belongs to Allah and He has stated it in the Qur'an or allowed His messenger to express it in the Hadith. I fail to understand why should this tolerance which I say is characteristic of Islam, be a problem to anyone. After all, if we are mistaken, even then we will be rewarded. Hence, we should be happy in God's great mercy that assures us of a reward even when we are mistaken.

Take the question of photography, which has led you to raise this point. You have learned from our view that photography is perfectly permissible unless it is intended or used for a forbidden purpose. We have outlined our arguments, stating that photography as we know it was not known to mankind at the time of the Prophet, peace be upon him. Hence, the Hadiths that use the Arabic word, which we nowadays use for photography, must have referred to something else. We looked at the usage of that word in the Qur'an and concluded that it meant, "shaping, fashioning, molding, the giving of a definite form, etc." This is totally different from the use of lenses in cameras and the printing of films. We likened the printed photograph to the image reflected in a mirror, which is perfectly permissible to have at home, or anywhere. We also drew a comparison with what is printed on cloth, and which is definitely permissible as clearly expressed in a Hadith.

That was our line of argument. If someone can find another evidence in the Hadith or the Qur'an to arrive at a different verdict, then let him please refer us to that. For our readers who are still reluctant to accept this view, it is still open to them to discuss the matter with other scholars. If they prefer to hang on to what they had believed in the past, then they are perfectly entitled to do so and may God reward them for their efforts. Why should there be any hassle over that? Such an insistence on a single and final opinion is rather alien to Islamic thought.

Photography: Video Cameras & Their Use For Any Purpose

Does Islam prohibit the use of video cameras or taking pictures, for any purpose? Could you cite any reference to such a prohibition in the Qur'an or the Hadith?

A number of Hadiths are quoted which make it clear that it is forbidden to create a likeness of Allah's living creation. Among the most telling of these are a sacred or Qudsi Hadith and a statement by the Prophet, peace be upon him. In the sacred or Qudsi Hadith, the Prophet, peace be upon him, quotes Allah as saying: "Who does a greater sin than one who tries to create something like My creation. Let them create a particle or a seed or a barley seed." [Related by Al-Bukhari and Muslim]. The authentic statement by the Prophet, peace be upon him, quotes him as saying: "Those who endure the most grievance or suffering on the Day of Resurrection are the ones who create a likeness." [Related by Al-Bukhari and Muslim]. In many of these Hadiths, the Arabic word used for the "creation of a likeness" is the same as we use today for photography. Hence, some scholars have tended to pronounce photography as forbidden on the basis of these Hadiths. However, photography was invented long after the Prophet, peace be upon him, and, therefore, it is not possible that these Hadiths refer to photography unless there was some technique at the time of the Prophet, peace be upon him, which was used to create photos in the same way as a camera does. Since there was none, we should determine what the word signified at that time.

If we consider how the word is used in the Qur'an, we find that it is invariably used to denote how Allah creates people, animals and things. In its original use the word *Sawara* means, "to give shape and form." Hence, majority of learned scholars are of the view that these Hadiths refer to sculpture and making statues and shapes and engravings on stone or wood to create the likeness of Allah's creation. Hence, there is no disagreement among scholars that such works are forbidden not only to produce, but also to buy, possess or display.

Photography does not enter into that. The late Sheikh Muhammad Bakheet, a former Mufti of Egypt, has made it clear that photography is not included in such prohibition. He states that this art is no more than capturing a shade or a reflection by special technique. He clarifies that what is forbidden is to create a likeness, which has no previous existence in order to produce something like what Allah has created. Using a camera to take a picture is similar to fixing what we see in a mirror. No one says that looking into mirror is forbidden because it shows a likeness of Allah's creation. We use lenses in cameras in order to capture a mirror picture of the person or the object for which we need a photo. This is perfectly legitimate.

The same applies to using a video camera because it does no more than taking a large number of still pictures which, when shown rapidly, create the image of movement.

Having said that, I should add that the purpose for which the photos and videos are used is certainly significant in arriving at a ruling concerning them. We can, therefore, conclude that the likeness, whether shaped or painted which carry the strictest prohibition are those, which have for their object persons, or other creatures whom some people worship, such as the statues of Jesus Christ. Such likeness are forbidden to make, sell or own or to photograph. Similarly, statues of people who are not worshipped but are given a position of majesty are also forbidden. All statues and sculpture work are forbidden as well unless they are treated as toys for children. Paintings of people who are glorified are forbidden to hang, particularly if they are paintings of dictators, unjust rulers, atheists or people whose conduct is anti-Islamic. On the other hand, paintings of natural scenery are permissible. Photographs are permissible to start with, unless they are photographs of someone or

something, which is forbidden. Take, for example, a person who is worshipped by his followers or glorified in an exaggerated way. To have his photograph hung on the wall as a sign of respect is forbidden, particularly if he is a disbeliever or an atheist. For example, Communists glorify Lenin and have his picture everywhere. It is forbidden for a Muslim to display a photograph of Lenin, because Lenin was a man who denied the existence of Allah and who sought to replace religion with a creed of his own.

Whatever is applicable to videos and videotapes of the above uses, have the same ruling. Moreover, a video camera may be used for a variety of purposes. The purpose dictates the ruling. If we use a video camera to study animal life in order to understand Allah's creation, knowing that when we learn something new about the universe and Allah's work in it, we feel that our faith gets stronger, then there is no harm in such use. Any other permissible use is approved. But when we use a video camera to, say, film a woman dancer who displays a part of her body which Allah has forbidden to reveal, then we are using a video camera for a forbidden purpose. Hence, its use becomes forbidden.

I have dwelt in detail on this question hoping to clarify its different aspects. I am particularly keen that there remains no misconception about the use of photography and video cameras.

Photography: Video Of A Wedding

In my part of the world, Muslim scholars object to the taking of photographs and videos of weddings, saying that it is un-Islamic to do so. What is the Islamic view on this?

Taking photographs and filming videos are not objectionable in themselves. Some scholars say that photography is strictly forbidden, but they have no real evidence to support their view. Unfortunately, they rely on Hadiths in which the term we use nowadays for photography is mentioned. However, that term used to refer to something else at the time of the Prophet, because photography had not yet been invented. If we compare the use of that term in the Qur'an and Hadith at that time, we are bound to conclude that it refers to the creation of a shape which is akin to Allah's creation. So it is more accurate to say that it refers to the making of statues, sculpture and similar art. As for photography, which is similar to the image one sees in the mirror, it cannot be included in the prohibition. The same argument applies to video filming.

However, if one uses a camera, whether to take pictures or videos, the use of what he obtains can vary a great deal. Hence, the verdict on his action can vary. Suppose a person uses his camera to take pornographic pictures, then, he is committing a sinful act. In weddings, ladies usually dress up in a very relaxed and eye-catching manner. They wear much adornment. Therefore, they should be keen not to allow men to see them in such clothes even in pictures. Since the use of the video can be objectionable, taking it becomes objectionable as well. Therefore, the use determines the verdict, and we should be very careful indeed. Perhaps scholars in your part of the world are worried about the use of such films and photographs, so they pronounce a "forbidden" ruling. [Due to the lack of comprehension of the proper basis by the masses, for want of good education, they prefer to pronounce the verdict "forbidden".] This is not the right approach because it could lead to the prohibition of something, which Allah has made lawful. It is only Allah that can pronounce anything as forbidden. They should explain why they think that an otherwise permissible act can be forbidden on the basis of its results. That means that they should say that photography and video filming is permissible, but their use by different people may render such use forbidden in one case and permissible in another.

Pilgrimage: A Duty Owed To Allah — An Outstanding Debt

Why is the pilgrimage made a duty owed to Allah? Why do we not say the same of prayers or of fasting?

Allah gives His message in the clearest of terms. Here, pilgrimage is stated in a way, which makes it similar to a debt. Since pilgrimage can be offered only at a particular time every year, a delay in offering it once it becomes a duty is similar to the delay in settling a debt when a person has the money to pay it off. Moreover, if one dies without offering the pilgrimage when he has been able during his lifetime to offer it, it remains outstanding in the same way as a loan given to the deceased which must be settled after death.

It is important to know first of all that once a person is able to undertake the duty of pilgrimage, he or she must do it without delay. If, however, a person dies before he offers the pilgrimage when the conditions of ability have been met during his lifetime, then before his estate is divided among his heirs and indeed before the execution of his will, if any, a portion of his money should be set aside which must be sufficient to meet the expenses of pilgrimage and Umrah so that someone else may do the pilgrimage on his behalf. This applies whether the deceased had been too lax about fulfilling his duty or had every intention to fulfill it, but was prevented by his circumstances, or an illness or any other legitimate reason.

The person who offers to substitute pilgrimage on someone else's behalf should have performed the pilgrimage for himself first. On his pilgrimage journey, the Prophet, peace be upon him, heard one of his companions that his pilgrimage was intended on behalf of Shibrimah. The Prophet, peace be upon him, asked who Shibrimah was. He answered that he was a brother of his. The Prophet, peace be upon him, asked him whether he had offered the pilgrimage before and when the man answered in the negative, the Prophet, peace be upon him, said to him: "Offer the pilgrimage on your own behalf first, then offer it again on behalf of Shibrimah." It is perfectly acceptable that one of the close relatives of a sister does the pilgrimage on behalf of the deceased and it is also appropriate if someone is hired for the purpose. Some scholars maintain that what should be paid to a person who is doing a substitute pilgrimage is only the expenses incurred in doing so. He could not have a fee for doing the pilgrimage. But this is a question over which scholars have different views, with some of them maintaining that if a fee is paid, it is perfectly legitimate. On the other hand, if the relatives of the deceased tell the person who is doing the substitute pilgrimage that they will pay him a certain amount of money, he is entitled to take what he saves of that amount for himself.

It is also perfectly acceptable that a man does the pilgrimage on behalf of another man or a woman, and the opposite is also true: a woman may do pilgrimage on behalf of another woman or a man.

Pilgrimage is binding only on those who can afford it. If the deceased was never able throughout his life to afford the journey to offer pilgrimage because of his poverty, then such a duty was not applicable to him. Nevertheless, if one of his children does the pilgrimage [or arranges with another person to do it on his behalf], it is acceptable and greatly rewarding to the child concerned. It counts as an exceptional act of dutifulness on their part. It ensures reward of pilgrimage for their parent and a gratifying reward for them.

Pilgrimage: A Pillar Of Islam

Is pilgrimage the fifth pillar of Islam, even for people living in Saudi Arabia?

Pilgrimage is the fifth pillar of Islam. This applies to all Muslims wherever they live. It is needless to say that pilgrimage is easiest for people of Makkah and surrounding areas. Still, when these people do the pilgrimage, they receive its reward in full. You must not forget that a person may live in Makkah for 70 years and not do the pilgrimage. Hence, one who offers the pilgrimage acknowledges its place in Islam.

Someone may say that a person who comes from a remote area spends more time and money in performing the pilgrimage, will he receive the same reward? To this I answer that Allah is the most just of judges. While the basic reward of pilgrimage is earned by all pilgrims, Allah may multiply the reward to whomever He wills. None will be treated unfairly.

Pilgrimage: A Question Of Validity

When I offered the pilgrimage last year, I was not fully aware of all the duties I had to do and their timing. I did the Sa'ie before doing the tawaf of arrival. I missed the sacrifice because when I went to the bank, they were not accepting any new payments. I also missed the tawaf of farewell. Is my pilgrimage valid?

The Sa'ie has always to be done after a tawaf. It can be done after the tawaf on arrival or the tawaf of Ifadah. If you were asking me the same question during your pilgrimage, I would have told you to repeat the Sa'ie after the tawaf of Ifadah. However, since the pilgrimage is over and you have returned home, I hope that your mistake falls within the category for which no compensation is required. The Prophet, peace be upon him, says: "My nation has been forgiven what they do through genuine mistakes, or out of forgetfulness, or what they are forced to do." I pray that this applies to you in this particular case.

As for the sacrifice, it remains outstanding. You can offer it this year instead of last year. Even if you missed out on doing it during the pilgrimage season, you can still do it afterward. You may ask one of your friends who is going to the pilgrimage to buy a voucher on your behalf and do what is necessary. If you delay it further, you go to Makkah or ask someone who is going there to arrange the slaughter and the distribution of the meat of the sacrificed sheep to the poor of the Haram area. As for the tawaf of farewell, you have to slaughter a sheep in compensation for that. The same applies to this sacrifice as the other.

There is no question that your pilgrimage is valid. Pilgrimage is not invalidated except through sexual intercourse during Ihram. On the other hand, if one does not attend at Arafat on the 9th of Thul Hajjah, he is not a pilgrim. The other essential duty of pilgrimage is the tawaf of Ifadah. If one misses that and goes back home without doing it, he has to come back for it, even if he has gone to Alaska or to New Zealand which perhaps are the farthest points from Makkah.

As for missing other duties, or doing them wrongly, the slaughter of a sheep is adequate compensation. When it is done, the pilgrimage is considered complete.

Pilgrimage: Ablution For Tawaf

You have stated that ablution is obligatory for doing the tawaf around the Ka'abah. I have recently come across a ruling issued by the Deoband School in India, stating that ablution is highly recommended for tawaf, but not obligatory. Please clarify.

The overwhelming majority of scholars consider ablution, an essential condition for tawaf, not merely obligatory. When we speak of a condition we mean that the action itself will not be valid if the condition is not met. There are several Hadiths

supporting this. In one of them, Ibn Abbas quotes the Prophet, peace be upon him, as saying: "Tawaf is a prayer. However, God has allowed speaking during tawaf. Whoever speaks while doing it should only say something good." [Related by Al-Tirmithi, Al-Hakim, Ibn Khuzaimah, Al-Daraqutni and others]. Another highly authentic Hadith quotes Ayesha as saying: "The first thing the Prophet, peace be upon him, did on arriving in Makkah was to do the ablution and perform tawaf." [Related by Al-Bukhari and Muslim].

If a person doing the tawaf experiences doubt as to whether he has performed the ablution before he started, his tawaf is not valid. He must leave and perform the ablution and come back for his tawaf. If he has done the tawaf of the Umrah and then realized, after completing it, that he had not done the ablution first, he remains in Ihram until he has done a new tawaf after doing the ablution.

However, the Hanafi school of Thought does not consider the ablution a condition for the validity of tawaf, but makes it a duty. This means that if a person doing the Umrah or the pilgrimage performs the tawaf without having done the ablution, his tawaf is valid but he must compensate for omitting the duty of purification by slaughtering a sheep and giving the sacrifice to the poor in the Haram area. If a pilgrim does the tawaf when he is in the state of ceremonial impurity, i.e. Janabah, or when a woman is in her period, the tawaf is valid but the compensation is a sacrifice of a cow or a camel, and they must repeat the tawaf while they are in Makkah.

As you see, the matter is serious indeed. I cannot find a basis for the ruling by the Deoband School, which I certainly respect.

Pilgrimage: Absence From Mina & Staying In Muzdalifah Instead

1. Some agents provide pilgrimage with tents within the vicinity of Muzdalifah instead of Mina, saying that the overcrowding is the reason for that. I wonder whether it is appropriate for pilgrims to stay the nights of their two or three days in that area instead of Mina.

2. A friend of mine performed the pilgrimage last season and followed all the rules, except for the stay in Mina for the last three days. He was allotted a place a few yards outside Mina, toward Muzdalifah. Is this valid? If not, does he have to make any compensation?

1. The place to stay these two or three days is Mina. Many scholars consider the stay in Mina, which means spending most of the night there, to be a duty. However, many others including the Hanbali school of thought consider it to be a Sunnah. Thus, according to the latter view, missing out on staying in Mina does not require compensation, although it is against the proper practice.

Moreover, the standard rule that applies in all situations is that people are not accountable for what they are forced to do. If Mina is all taken up to the extent that one cannot find a place there, and as a result one stays in the adjacent area, intending to fulfill his duty of pilgrimage, then God may be pleased to accept his action as though he stayed in Mina. He will do well if he comes within the vicinity of Mina at night and stay there whatever time he can, without going into too much trouble. On the other hand, if he tries hard to stay in Mina and in the process he causes harm or inconvenience to other Muslims, then he is wrong because it is forbidden to cause harm to another Muslim.

2. Staying two or three nights in Mina after returning from Arafat is a duty according to some schools of law, and a Sunnah, or recommended according to others. If we consider it a duty, then missing it requires compensation, but if we consider it a

Sunnah then no compensation is required to be given by anyone who misses it. Imam Ibn Hazm says: "A person who does not stay in Mina does badly, but has no compensation to pay."

All this applies to a person who has the chance to stay in Mina but leaves it out without a compelling reason. Your friend was out of Mina because of the congestion that leaves no room for many pilgrims, considering the limited space available in Mina. Therefore, we say without hesitation that his pilgrimage is perfectly appropriate and no compensation is necessary. All schools of law agree that people who are engaged in serving the pilgrims, such as those attending to water supplies, are exempt from staying in Mina. Al-Abbas, the Prophet's uncle, sought his permission to stay in Makkah, so that he could attend to water supplies, and the Prophet, peace be upon him, permitted him that.

Pilgrimage: Absence From Muzdalifah

I performed the pilgrimage in the Tamattu' method, starting with the Umrah on Dhul-Hijjah 8. After finishing its duties and cutting my hair, I started Ihram again, without taking a bath. On the following day, I could not leave Arafat for Muzdalifah until 9.30 in the evening. Three hours later we still had not reached Muzdalifah because of traffic congestion. We prayed Maghrib and Isha then, and continued but we were practically stranded until morning. I think we could not reach Muzdalifah until after sunrise. Do I need to compensate in the circumstances?

Taking a bath or a shower shortly before entering into the state of consecration, or Ihram, is a confirmed Sunnah, not obligatory. Therefore, if a pilgrim omits to do it, the omission will not affect his pilgrimage or Umrah.

If one does not stop at Muzdalifah even for a few minutes in the second half of the night, he fails to observe a duty of pilgrimage. This requires compensation by sacrificing a sheep and distributing its meat to the poor in the Haram area. Scholars say that this is due even though the person concerned makes the omission unintentionally. However, in the circumstances the reader describes he has a valid reason and the compensation is not due.

Having said that, it would have been better for him and his companions to walk to Muzdalifah and ask their driver to follow when he can. They could have arranged to meet him shortly after the beginning of Muzdalifah, which is sign-posted on all routes. This would have been the right course of action, but pilgrims may think this not to be feasible because of fear of loss and they may not know the exact location of their camping spot in Mina. If they fear to be lost from their group or their camping place, then they should stay with their driver. The view I prefer on this problem is that he has no compensation to make.

Pilgrimage: Alongwith A Child

If a child offers the pilgrimage, should his parent who has taken him to pilgrimage offer a sacrifice on his behalf in the same way as adults do, should he perform all the rituals of pilgrimage.

When a child is taken to pilgrimage, the pilgrimage should be complete. Every duty required in pilgrimage should be complete. Every duty required in pilgrimage should be performed either by the child himself or by his parent accompanying him. If the child is too young to walk, the tawaf counts, as that of child and the father should do his own tawaf later. A reward of the pilgrimage is credited to the child and an additional reward credited to the parent. If the pilgrimage is done in the Tamattu' or

Qiran method, then a sacrifice on behalf of the child is due in the same way as it is due to the parent himself.

Pilgrimage: Arafat — Combined Prayers At Arafat & Muzdalifah

What Is The Reason For Joining Two Prayers On Returning From Arafat?

When the Prophet, peace be upon him, set out on his pilgrimage he was joined by no fewer than one hundred thousand of Muslims who wanted to do the pilgrimage with him. As he started, he said to them: "Learn your rituals from me".

What he meant was that we should do the pilgrimage in the manner he has shown us. If you study carefully the reports of the way the Prophet, peace be upon him, conducted his pilgrimage, you realize that the pattern he set was deliberate and well thought out. Nothing took place by mere coincidence.

Therefore, we must follow the Prophet's example if we wish to do the pilgrimage properly. We need not question the reasons behind any selected method for doing a particular duty. This is the way Allah wants us to conduct this act of worship. We do it as He wishes, i.e. in the way shown to us by the Prophet, peace be upon him.

On the day of Arafat, the Prophet, peace be upon him, offered his prayers in a particular way and told all pilgrims with him to do likewise. He prayed Dhuhr and Asr consecutively at Arafat, shortly after the time of Dhuhr prayer began.

Furthermore, he shortened each of the two prayers to two rak'ahs. Although people from Makkah may feel that Arafat is at too short a distance to merit shortening prayer, they should do as the Prophet, peace be upon him, has done, because the Prophet, peace be upon him, was joined by thousands of pilgrims from Makkah and all offered their prayers as he did.

After the sun had set on that day, one of his companions suggested to the Prophet, peace be upon him, that they should offer Maghrib prayers. The Prophet, peace be upon him, told him that on that particular occasion, prayer would be offered after they had reached a certain spot. It was only after reaching Muzdalifah that the Prophet, peace be upon him, offered Maghrib and Isha prayer.

Therefore, these two prayers must be offered in Muzdalifah. They must be joined together which means that Maghrib is offered complete, three rak'ahs and finished with Salam. Immediately afterward, people should rise to offer their Isha prayer which is shortened to two rak'ahs. This is what the Prophet, peace be upon him, has taught us and this is the manner which we must follow.

Pilgrimage: Arafat — Minimal Attendance At

Some people made a couple of mistakes during their pilgrimage. At Arafat they were outside its boundaries. What compensation should they make?

You have not told me what mistakes those people made in order to answer your question. As for being outside the Arafat boundaries, this is a serious matter. Were they outside Arafat all the time, from noon on 9 Dul-Hijjah to dawn the following morning? If so, their pilgrimage is invalid and cannot be compensated for. If it is a question of being in and out, it does not affect the validity of the pilgrimage.

The minimum attendance at Arafat that fulfils this main duty is to be present within its boundaries for a few minutes at any time between noon on 9 Dul-Hijjah and dawn the following morning. Even if this happens when they are leaving by bus or car and their vehicle takes them through Arafat, then they have done their duty and no compensation is required.

Pilgrimage: Arafat — Salat At Arafat & the Athan

On the day of Arafat, people in our party called the Azaan twice for the prayers of Zuhur and Asr with one Iqamah for each prayer. Is this correct?

The section of the group you joined was wrong. One call to prayers, i.e. Athan, for both prayers is required. Two Iqamahs, or call to being the congregational prayers, are needed, one for each prayer. All scholars agree this, and it applies to any combination of prayers.

Pilgrimage: At Other's Expense

Some government and private institutions and companies sponsor what they call "poor men's pilgrimage." Some of these companies and institutions may pressure their employees to go on such free pilgrimage. Some of these employees may have some other urgent needs, such as serious sickness in the family, the payment of an outstanding debt, the marriage of a daughter, etc. Would it not have been better for the company to help the employee with these needs, instead of sending them on pilgrimage? It is sometimes felt that there is an element of prestige, which the company or the institution gains as a result of this exercise. How about helping them offer the Umrah instead of pilgrimage? Does a person who offers pilgrimage in such circumstances fulfill his obligatory pilgrimage, or he will have to offer it again when he is able to undertake the journey on his own resources? If a person who can afford to perform pilgrimage without any financial help from others accepts such an invitation, does it count as the discharge of his obligatory pilgrimage?

As you are all well aware, pilgrimage is a duty incumbent on all Muslims and it must be offered at least once in a lifetime. Therefore, many scholars are of the opinion that once a person is able to make the journey and make the pilgrimage, he must do so without delay. He does not know whether he will live till the following season or not. If he waits he is simply delaying a duty that has become obligatory to him. Furthermore, he may not be able to afford the journey the following year or in a few years time. He would have missed the chance of discharging a very important duty.

As long as one receives his money from a legitimate source, then he can offer the pilgrimage, using that money. It is well known that receiving a gift is a legitimate way of taking money from another person. The Prophet, who was not allowed to take charity from anyone, used to accept gifts. Therefore, there is nothing wrong with accepting a gift, which covers the expenses of one's pilgrimage.

It is true that some companies and institutions, as well as governments invite people to offer the pilgrimage at their own expense. Some companies invite their own employees. They feel that it is a gesture of kindness or appreciation to the employees to be invited to go on pilgrimage. Some of those employees are reluctant to accept such invitation because of reservations of the type mentioned. Therefore, a company may feel that it needs to encourage its employees to accept the invitation. Obviously, no one forces or pressures another into making the journey.

Whether it is better to give the employees money to meet some other needs is a totally irrelevant question. There are numerous methods of earning reward from Allah. We may choose whichever one suits us. Allah says in the Qur'an that no restriction is imposed on people who wish to do an act of kindness. You will find some people providing drinking water to a village or to their neighbors as an act of charity. Others prefer to offer food, while a different group may give cash. We cannot say to the one who provides drinking water that he should have given the cost in cash

to poor people. Moreover, one act of kindness should not be considered in opposition to another. Perhaps those employees who have another urgent need may be able to get help from their companies or institutions if they put their cases to them. Do you find it proper to say to a company that it should not invite some people to pilgrimage in order to help them with the marriage of their daughters? The two things cannot be matched together. Nor is it kind nor polite to suggest that these companies sponsor the pilgrimage of their employees as a matter of prestige. How can one testify to that? We are here running into the dangerous grounds of trying to judge the intentions of other people, when we have nothing to go by except our own knowledge which, by necessity, must be defective. It is Allah alone who knows the intentions of the people and rewards them for their actions according to His knowledge. If a company sponsors the pilgrimage of its employees, then we should praise that company as one which looks after its employees and its interests. We give them credit for their action as it appears to us, without trying to attribute it to any ulterior or selfish motives. You suggest that Umrah may be offered instead of pilgrimage in such cases. 'May I ask: in what cases? How do you feel if you invite a person to dinner and he says to you: I will only have a cup of tea or an orange juice. As you realize, the difference between Umrah and pilgrimage is great indeed. Although both are duties of Islam, the effort and expense needed for the one are no match at all to those of the other. Or do you mean that the company should offer Umrah to those of its employees who have other needs and offer them cash to meet such needs? That bring us back to the earlier point of imposing restrictions on kindness. That is not acceptable.

When a person offers the pilgrimage and he or she is an adult, sane Muslim, he or she has discharged the duty of pilgrimage, and any subsequent pilgrimage counts as a voluntary one. Whether he meets the expenses himself or someone else foots the bill is irrelevant. Even if he is very rich and he receives an invitation to offer pilgrimage which he duly accepts, then his duty of pilgrimage has been discharged. He does not need to do it again.

People in our part of the world describe pilgrimage as an invitation by Allah. That is an appropriate description, since we travel for pilgrimage to visit the Sacred House of Allah. We do not go there unless we are admitted by Him. Sometimes, He invites us and requires us to pay our own expenses. At other times, He facilitates for us the invitation allowing others to pay our expenses. We should not refuse. Indeed, when we accept His kindness we are doing what is appropriate.

The pilgrimage is valid in every sense of the word. Therefore, no repeat is required, unless we wish to voluntarily offer a second or a third pilgrimage.

Pilgrimage: Attempt At Imposing One's Views On God's Law

Opinion has been given that it is not permitted for a Muslim to do the pilgrimage if one is treated like an enemy by the authorities; or one is required to pay taxes that are not used entirely for the benefit of the pilgrims.

Whoever voiced such an opinion is ignorant. We know that the pilgrimage is a duty ordained by God, who does not specify any conditions for it other than that one should be able to undertake it. The ability is physical and financial. This means that he should be in good health to undertake the journey, and that there are no dangers to prevent his safe travel, and that he should have enough to pay for his travel, living expenses and the expenses of his dependants during his absence. To try to put other conditions is to impose one's views on God's law. This is not the proper attitude of a Muslim.

Besides, no one is treated like an enemy by the authorities. All pilgrims are welcome in the country. The authorities do check passengers in order to ensure public safety, which is a responsibility of the government. As for taxes, these are small and within the prerogative of the government. The Prophet, peace be upon him, says clearly that a tax other than Zakah may be rightfully imposed. The other objections the reader mentions are too trivial to merit a response. If one is given the ability to perform the pilgrimage but he refrains from doing so under the pretext the reader has mentioned, he will be held accountable for his failure. Will he say to God that he did not do the pilgrimage in order not to pay a certain tax? How would he answer God's question: "Had I not given you enough money to pay it?"

Pilgrimage: Biographer's Account Of the Prophet's Pilgrimage

An account by Adil Salahi in his book entitled "*Muhammad — Man & Prophet*" presenting a Complete Study of the Life of the Prophet of Islam.

It is not our intention to give a detailed account of how the Prophet, peace be upon him, offered every duty of pilgrimage. That is more of a specialized study. The task of the biographer is to relate every major event in the life of the person whose biography he is writing to the main line of his life and the goals he sets out to achieve. He needs only to concentrate on these details which influence his decisions in major events.

In the case of the Prophet, peace be upon him, however, every detail is important. Since pilgrimage is a main act of worship, the way of the Prophet, peace be upon him, did and every detail in it forms part of his guidance and should, therefore, be recorded and studied. The place of such study, however, is not his biography. It should be pursued in the works, which document the Prophet's actions and sayings, relate them to one another and deduce whether a certain action is obligatory, recommended, permissible, discouraged or prohibited.

The Prophet, peace be upon him, stayed in Makkah until the eighth day of Thul-Hijjah. When it was midday, he mounted his she-camel and went to Mina, where he spent the night. In the morning, he prayed Fajr in Mina, before leaving for Arafat after sunrise. At Arafat he delivered his major speech, still mounting his she-camel. A man with a loud voice called Rabeeah ibn Ummayyah ibn Khalaf, stood next to the Prophet's camel, repeating every sentence the Prophet, peace be upon him, said so that all those who were with the Prophet, peace be upon him, heard everything. The Prophet's speech that day was the highlight of his pilgrimage, outlining the nature of Islamic society. As usual, his speech began with the praise and glorification of God. The Prophet, peace be upon him then went on to say: "People, listen to me as I explain to you, for I do not know whether I will ever meet you again in this place after this year. People, do you know in what month, day and city you are?"

They said: "We are on a sacred day, in a sacred month." He said: "Know, then, that your blood, property and honor are forbidden to you till you meet your Lord in the same way as the sanctity of this day of yours, in this month of yours, in this city of yours. You will certainly meet your Lord and He will certainly question you about what you do. Have I delivered my message?"

They answered "Yes". He said:

"My Lord, bear witness. He who holds something belonging to another for safekeeping must give it back to the person to whom it belongs. All usury transactions, which have been made in the past days of ignorance, are hereby abrogated. You may claim only your capital, neither inflicting nor suffering any injustice. God has decreed that no usury is permissible. The first usury transactions I abrogate are those of my uncle, Al-Abbas ibn Abdul Muttalib. All cases of vengeance killings are hereby

waived. The first case of killing I thus waive is that of Amir ibn Rabeeah ibn Al Harith. Have I delivered my message?"

They said: "You have." He said:

"My Lord, bear witness. People, the postponement of sacred months is an excess of disbelief, a means by which those who disbelieve are led astray. They declare this postponement to be permissible one year and forbidden in another, in order to conform outwardly to the number of months, which God has made sacred, and thus they make allowable what God has forbidden. The time has now been set back in its original fashion, which it had been when God created the heavens and the earth. The number of months, in the sight of God, is twelve, out of which four are sacred, three consecutive ones and one single one: Thul-Qa'adah, Thul-Hijjah, Muharram, and Rajab, which falls between Jumada and Sh'aban. This is the ever-true law of God. Do not, then, sin against yourselves with regard to these months. When I am gone, do not revert to disbelief, killing one another. Have I delivered my message?"

They answered: "You certainly have." He said:

"My Lord, be my witness. People, you have an obligation towards your womenfolk and they have an obligation towards you. It is their duty not to allow into your homes anyone whom you dislike, without your permission. Should they do that, God has permitted you to desert them in bed, then to beat them without any severity. Should they desist, they have the right to be provided with food and clothing, in fairness. Your womenfolk are in your custody; they are helpless. You have taken them on the basis of a pledge to God, and they are lawful to you with God's word. Fear God, then, in your treatment of women, and be kind to them. Have I delivered my message?"

They answered: "Yes, you most certainly have." He said:

"My Lord, be my witness. People, Satan has given up any hope of being worshipped in this land of yours. He is satisfied, however, to be obeyed in matters, which you consider trivial. Guard yourselves against him, lest he corrupts your faith. I have left with you what should keep you safe from going astray should you hold fast to it. It is something clear and simple: God's Book and the Sunnah of His Prophet, peace be upon him. You will be questioned about me. What will you say?"

They said: "We bear witness that you have delivered your message complete and you have discharged your mission and given good counsel."

The Prophet, peace be upon him, pointed his forefinger at the sky and lowered it to point to the people, saying all the time: "My Lord, bear witness. My Lord bear witness." The Prophet, peace be upon him, then said:

"Let those who are present communicate what I have said to those who are not with us today. It may happen that those who come to know of it in this way may understand it better than some of those who have listened to it."

Thus the Prophet, peace be upon him, concluded his major speech.

This memorable speech outlines five basic principles of the Islamic program of action. Two of these, work on the level of the individual and three relate to the structure of Islamic society. Islam molds the character of the Muslims on the basis of two fundamental principles. First, Islam severs all ties which a Muslim has with ignorance, its idols, practices, financial dealings, usury transactions and so on, because the adoption of the religion of Islam means a start of a new life for a Muslim, which is completely divorced from the erroneous ways of the past.

The second principle is to guard against all forms of sin. The effects of sin are far more serious than the danger presented by any enemy in battle. All catastrophes in this life are caused by our sins, which also lead us to suffer in the Hereafter. The Prophet, peace be upon him, also made it clear that he did not mean by sin the sinking back into idolatrous worship. Any intelligent person who comes to know of the faith based on the Oneness of God will never degrade himself to the extent of willingly accepting and claiming that God has partners. Yet the Evil One does not give up his attempts to seduce people into committing sins in order to lead them further astray.

The Prophet, peace be upon him, outlined three basic principles on which Islamic society is founded. The first ties the tie of Islamic brotherhood, which molds the proper relationship between all Muslims. It is this brotherhood which makes every Muslim a patron of every other Muslim, giving him whatever help he can.

The second principle is the co-operation between Islamic government and the members of Islamic society to achieve the proper implementation of Islamic law which works for the removal of all evil from society and its replacement with what is good.

The total sum of these five principles is to translate the Qur'an, and the Sunnah into practice. Hence, the Prophet, peace be upon him, did not forget to enjoin his companions to hold fast to them, and implement them in their lives. Short as it was, the Prophet's speech included all the principles, which are needed for the molding of the perfect believer in Islam and the perfect Muslim society. Hence, the Prophet, peace be upon him, was keen to impress on his followers that he had delivered his message and discharged his mission. He repeatedly prayed to them to be his witness.

The Prophet's pilgrimage was the only performance of this religious duty since God decreed it. When he completed that pilgrimage, the Muslims were able to follow his practical guidance in all aspects of Islam. There were several indications that suggested that the Prophet's mission was approaching its end. So far, the Muslims were used to the fact that God's messenger lived among them as one of them, receiving guidance directly from God, explaining to them the right course to follow in any problem they might have. To them, the prospect of continuing an Islamic life without the Prophet, peace be upon him, was something they could not contemplate. Yet the Prophet, peace be upon him, realized that that was inevitable. He, therefore, painstakingly tried to prepare them for that eventuality.

When he delivered his very important speech on the grand day of pilgrimage at Arafat, he started by saying to his companions: 'Listen to me, for I do not know whether I will ever meet you again in this place after this year.'

That speech of the Prophet, peace be upon him, which highlighted the main principles of Islam and the foundation of Islamic society, was a farewell speech stressing the values in violation of which no Islamic society can retain its Islamic character. After every point the Prophet, peace be upon him, made in his speech, he asked his companions: 'have I delivered my message?' This was the attitude of a man, a Prophet, who understood well the value of his message and was keen to deliver it complete to the people so that they might implement it in practical life. When they declared that he certainly had delivered his message, the Prophet, peace be upon him, repeatedly asked God to be his witness to that.

If the message was duly delivered, and if the message, or the faith it represented, was complete, then the mission of the Prophet, peace be upon him, was over. Hence, when the Prophet, peace be upon him, recited to his companions during his pilgrimage the verse which was revealed to him: ***"This day I have completed your***

religion for you, and perfected My grace to you and approved Islam as your religion — the significance was absolutely clear. Omar ibn Al-Khattab, the companion of the Prophet, peace be upon him, who was perhaps endowed with the keenest perception, was in tears when he listened to the Prophet, peace be upon him, reciting the verse. Asked by his colleagues why he was crying, he answered: “Nothing comes after perfection but imperfection.” One can imagine that he sensed that the Prophet’s life was drawing to a close.

Indeed, several statements of the Prophet, peace be upon him, and relevant incidents suggested to those who had keen insight that a great and noble life was approaching its end. When the Prophet, peace be upon him, went for stoning at Aqabah, he said to the great crowd of pilgrims surrounding him: “Learn from me your rites, for I may never offer the pilgrimage again after this year.”

Moreover, the Surah entitled “Al-Nasr” [or Victory] was revealed to the Prophet, peace be upon him, on the second day of his stay at Mina. It may be rendered in English as follows: ***“When God’s help and victory come, and you see people embracing God’s faith in groups, glorify your Lord and praise Him and ask His forgiveness, for He is much forgiving.”*** Two of the most learned companions of the Prophet, Omar ibn Al-Khattab and Abdullah ibn Abbas, the Prophet’s cousin, realized that the revelation of the Surah was an announcement to the Prophet, peace be upon him, that his time on earth would soon be over.

Pilgrimage: Children, Their Pilgrimage & Impurity

We took our 3-year-old son with us when we went to perform the pilgrimage. We performed all duties for our son as well, taking him with us for tawaf and Sa’ie, etc. However, after one tawaf we noticed the trace of an impurity on his pants. What does this entail? Is there some compensation to make?

When the Prophet, peace be upon him, performed his pilgrimage, a woman pilgrim raised her infant son, who had not yet been weaned, and asked the Prophet, peace be upon him, whether such a child could perform the pilgrimage. The Prophet, peace be upon him, answered her: “Yes, and you earn a reward for it.”

This means that if a child below the age of puberty is taken to pilgrimage and accompanied on all duties of pilgrimage, it will be credited to him as a voluntary pilgrimage. It does not count for his pilgrimage duty, which does not apply until the child has attained puberty.

Since a young child remains unaware of the great significance of such a duty as the pilgrimage, it cannot be expected to comply with all the rules. It may wet itself during the tawaf, for example. While the parents should try to ensure that the pilgrimage duties should be performed with the child being in the most suitable condition, this cannot be guaranteed. Therefore, God overlooks any shortfall in the perfection of duties. Hence, no compensation is needed from a child pilgrim.

Pilgrimage: Compensatory Sacrifice Combined

If a person is required to slaughter 7 sheep for mistakes done during the pilgrimage, is it sufficient for him to slaughter a cow or a camel?

No, it is not permissible to combine atonement in this way, even though it is permissible for seven people to share in the sacrifice of one cow or one camel instead of sacrificing seven sheep. In the latter case, the sacrifice is made to express gratitude to God for enabling us to do the pilgrimage [Hajj] and the Umrah in the

same season. In compensatory sacrifice, this is made in atonement for mistakes or omissions. Hence, it cannot be combined.

Pilgrimage: Conditions Making It Due

Are there any conditions, which make the duty of pilgrimage due?

In order that pilgrimage becomes due, a person must be sane and must have attained puberty. Moreover, he must be able to afford and undertake it. This means that an insane person is not required to do the pilgrimage, nor is it acceptable from him. A child below the age of puberty may do the pilgrimage and his parents or guardian who take him will also be rewarded for that pilgrimage, but pilgrimage in his case is not a duty. Therefore, when he reaches the age of puberty and pilgrimage becomes a duty, he is not considered to have fulfilled it because when he did the pilgrimage he was very young. This is the same like offering Dhuhr prayer before it is due. It would not count as an obligatory prayer, but as a voluntary one. When Dhuhr falls due, the person is required to offer it then.

The ability, according to scholars, is both financial and physical. In the early generations of Islam, scholars used to speak of food and transport and the ability to provide these for oneself during the pilgrimage. Nowadays, there are other expenses involved in undertaking the journey to do the pilgrimage. Therefore, with food we must include what a pilgrim reasonably needs during his stay in the pilgrimage until he returns home, such as a reasonable accommodation, any fee he may have to pay on his journey as in the case of pilgrims who must travel through one or more countries and have to pay fees for their visas. While in the past transport meant a camel, owned or leased, today we may speak of fares of a plane or a boat.

It is a condition of financial ability that the prospective pilgrim should have enough to cover all this in excess of what he and his dependents may need of accommodation, food, etc. If he has incurred some debts, whether to other people or to Allah, as in the case when he may not have paid some Zakah which is due, the money he needs for his journey should also be in excess of money required to cover his debts or he should first settle his debts.

If a person does not own enough to cover his expenses during his pilgrimage, but someone else, say a friend or a relative, or any other person or a company, offers to pay his expenses it is not obligatory for him to accept the offer. If we were to say that he must accept, then pilgrimage becomes due from him. It is not the case, because the financial ability must be his own. Nevertheless, if he accepts and undertakes the pilgrimage, he has fulfilled his duty.

It is important to point out that Islam takes everything into consideration. In some cases, accepting such an offer may put the person concerned in a position of moral indebtedness to the one who has offered him that. What Islam is telling him is that if he declines that offer, he incurs no sin and he has not failed to fulfill his duty.

Someone may ask whether he should change his lifestyle in order to meet the expenses of pilgrimage. Well, there can be no rigid rule in this regard. Suppose that a married couple have no children and are unlikely to have any, but the man has a big house or a villa to live in, yet he has not much money of his own. If he sells his house to buy a smaller but perfectly adequate one, he will have the required money, and then he should sell it. On the other hand, if a man needs his house for the accommodation of his family, or to use its rent for maintaining his dependents, he need not sell it. If he has something in excess of his needs, he should sell it to meet the expenses of pilgrimage. On the other hand, a person is not required to decrease the level of his stock in his business if that will mean a decrease in his regular

income. If he has tools, which he needs for his work, he need not sell them. But if he does not particularly need them, then he should sell them.

Debt is another point of consideration. The normal situation is that a debtor need not offer the pilgrimage until he has settled his debts. However, if he has bought a car on installments and his regular income makes him perfectly able to pay each installment on time until he clears the debt, and yet he has enough money to meet the pilgrimage expenses, he should do the pilgrimage.

Pilgrimage: Debt & Pilgrimage

A person, who has come here for work, having borrowed money for his travel and initial period, finds himself unable to settle all his debt before the pilgrimage is due. Yet he is eager to do the pilgrimage, because he feels the chance to do so may not be repeated. Can he delay the repayment in order to perform the pilgrimage?

The rule is that the repayment of one's debts takes priority over funding any religious obligations, including the pilgrimage. If one does not have enough to repay his debts, he is not required to do the pilgrimage, because he does not meet the condition of financial ability. However, in the case you have mentioned, where the pilgrimage will not cost much, particularly for a person living in Jeddah, there is a case to be made for offering the pilgrimage, even though this will delay the completion of repayment.

The proper thing for this person to do is to write to his creditor informing him of his desire and telling him that he knows that he has a stronger claim. He should ask his permission to delay repayment for a while in order to offer the pilgrimage. Unless his creditor is in desperate need of the money, he will not stop him from doing the pilgrimage. The debtor should pray for his creditor when he is on pilgrimage. It should be said that if a debtor offers the pilgrimage without first securing the agreement of his creditor, he does wrong but his pilgrimage is valid.

Pilgrimage: Deception On the Legitimacy Of Sources

Some people realize that their earnings have not come from legitimate or halal sources. Nevertheless, they want to perform the pilgrimage, using the same money, after "purifying" it. The purification is done in one of two ways: They either borrow an amount of money sufficient to cover the expenses of pilgrimage, making use of the cash they borrowed in meeting their expenses during their pilgrimage and repaying the same amount later from their normal earnings; or they pay the dower due to their wives and then the wife makes a gift of the same dower to her husband. He then uses that money to perform the pilgrimage. My question is whether at the end of the day, the money used for pilgrimage is considered to have been legitimately earned. Is pilgrimage done in this way valid and acceptable?

It is well known that pilgrimage earns the reward of complete forgiveness of past sins. A Muslim undertakes this difficult journey, hoping to wipe his slate clean and to shed the burden of sins and misdeeds he had accumulated in his life. Pilgrimage, therefore, comes as a result of a process which includes taking stock of what one may have done in the past, concluding that one needs to get rid of the burden of the past and make a fresh start. For a Muslim the best and the surest way of doing that is through pilgrimage. For this reason, a person who intends to go on pilgrimage should declare his repentance for what errors and slips he may have made, and resolve not to repeat these in future. When such a repentance is coupled with undertaking the journey of pilgrimage it ensures Allah's acceptance and forgiveness.

When we speak of repentance and forgiveness, we cannot but remember that Allah forgives any violation of limits He has imposed on us, as long as it represents an offense against Him. He does not forgive an offense, which we may commit against other people, unless the aggrieved party forgoes his rights first. When Allah wants someone to be forgiven even that latter type of sins, He takes it upon Himself to satisfy the aggrieved party either by giving him much more than he would have taken from the offender or by increasing his reward. A person who earns his money in an illegitimate way must have earned it through wronging other people. If this is the case, then he cannot hope to be forgiven such an offense by using that money, which he has earned through an illegitimate, means to cover the expenses of his pilgrimage.

If one person takes the money of another in an illegitimate way and then prays to Allah to forgive him while using that money for his own benefits, then he is creating a very farcical situation and playing games with Islamic principles. There is one genuine way for him to be forgiven that offense. That involves repenting his offense, returning the money, which he has taken unlawfully to its rightful owner, and asking him to accept it and to pardon him. Then he should pray to Allah for forgiveness. If he does all that, his repentance is genuine.

The situation, which you have mentioned, is very similar to our farcical example. Imagine someone who has poured himself a glass of whisky. Holding the glass in his hand, he says, "My Lord forgive me," then he drinks that whisky. To us, such a situation seems ridiculous and we may tend to say that Allah will never forgive such a person, because he knows what he is doing and insists on doing it and he may be making fun of the Islamic principle of forgiveness. Yet, Allah may forgive such a person much sooner than one who undertakes the pilgrimage in the way you have described.

What such people actually do is to try to deal with Allah in the same way as they deal with their fellow human beings. A person may try to evade payment of income tax by a variety of tricks he may play on the tax inspector. He may get away with that because he knows that the tax inspector is a human being and he can only act on the basis of the information he has. That information is never complete. If a person tries to deal with Allah in the same way, he runs the risk of incurring Allah's displeasure. That is something which none of us can afford.

Let us examine the two ways you have mentioned as being employed as a "purifying process." The first one is a straightforward loan. It is true that the money you have in hand as a result of borrowing is lawful. When you pay that money for your pilgrimage expenses, you are using legitimate money. But how is the loan to be settled? Obviously from the money earned illegitimately. It needs neither a mathematician nor a philosopher to say that the pilgrimage expenses were paid from illegitimate money. Illegitimacy is not a stain, which is placed on the currency itself. It is something attached to the whole transaction, which resulted in illegitimate earnings. That process of borrowing and settling a loan is superfluous. It does not change the facts.

The same applies to the other method. By paying one's wife her dower and getting it back as a gift, as a result of either an explicit or implicit agreement, one does not change the position in any way. Why has he chosen this time in particular to make these arrangements? It is only to try to convince himself that he is going on pilgrimage using legitimate funds. He only deceives himself by doing so. He cannot deceive Allah.

There are two Hadiths, which are particularly relevant to this whole affair. The first says: "Allah does not look at your shapes and forms, but he looks at your deeds." This means that a genuinely good deed is rewarded, while a bad one is punishable. Either

method of "purification" of earnings has no motive other than giving a false disguise. Allah knows that and knows the reality of the intention behind every action. He evaluates such actions on the basis of the intentions behind them. This is what the Prophet's Hadith means: "Actions are only by intention. Every human being shall have only what he has intended." So, a person who seeks to play a trick on Allah will get only what such an action merits. He simply deceives himself and he spends his money to no avail. We must remember what the Prophet, peace be upon him, says: "Allah is good and He accepts only what is good." Playing a trick is certainly not good. An action, which involves any such trick, is simply rejected by Allah.

In the case of a pilgrimage paid for by money earned unlawfully, we have to remember the Hadith which states: "When a man sets on pilgrimage, having good money earned legitimately and declares his intention saying: **"Labbaik Allahumma Labbaik"** [which means: I respond to your call, my Lord], the angels will answer him: "Your response is welcome, so be happy: You have food paid for by good money, and your expenses are paid by legitimately earned money and your pilgrimage is accepted." On the other hand, when a man sets out on pilgrimage with money unlawfully earned, then as he makes his declaration that he is responding to Allah's call, the angels will say to him: "No response is accepted from you, and no happiness is given to you: Your food is unlawfully earned and your expenses are paid with illegitimately earned money, and your pilgrimage is unacceptable."

This Hadith shows how Islam lays strong emphasis on the need to have lawfully earned money to pay for the great act of worship of pilgrimage, which earns complete forgiveness of past sins. We cannot hope for such a forgiveness if we intended to go on with our erring ways. Those people who resort to such tricks are simply demonstrating their unwillingness to repent of their erring ways. How can they hope for Allah's forgiveness! I do not know.

Pilgrimage: Does It Become Obligatory After Umrah?

I am told that if a person performs the Umrah after the end of Ramadhan, then it becomes obligatory that he must perform the pilgrimage that year. Is it true?

This is a very confused notion which people bring up time after time, although they do not have any basis for it. The Prophet, peace be upon him, did the Umrah four times, all of which were in the month of Dul-Q'adah, but he performed the pilgrimage only once. Had what you mentioned been true, he would have done the pilgrimage four times. The Umrah may be offered at any time during the year, and it is independent of the pilgrimage. It is the pilgrimage that may be associated with an Umrah, not the other way round.

People get confused when they are told that if they do the Umrah in the pilgrimage months, not intending to do the pilgrimage, then they decide to do the pilgrimage in the same year, their pilgrimage is automatically in the Tamattu, method.

Pilgrimage: Does Kissing the Black Stone Remove Past Sins?

Could you please explain the significance of the Black Stone at the Ka'abah. Is it correct that a person who kisses the Black Stone will have all his past sins removed?

The Black Stone is an easily distinguished stone, placed a little below shoulder level at one corner of the Ka'abah. The act of worship which is particularly associated with the Ka'abah, and never stops except when congregational prayer is held, is tawaf, which means walking round the Ka'abah seven times in an anti-clockwise direction. Tawaf is one of the duties of Islamic pilgrimage and Umrah [mini-pilgrimage]. It is

also a recommended act of worship at all times. Moreover, it is the way to offer greeting to the Ka'abah.

It is said that when Abraham completed the building of the Ka'abah, with the help of his son, Ismail, God commanded him to do the tawaf. He was not able to keep a correct count of the rounds he made. He felt that other worshipers would be similarly confused. He prayed God to give him a sign to be used for counting rounds. The Angel Gabriel brought him the Black Stone.

When one starts tawaf, and at the completion of each round, one should kiss the Black Stone or touch it with one's hand, if it is possible, or signal to it from a distance, if the place is too crowded. As one does so, one should repeat this declaration: "There is no deity save God, God is supreme." The significance of this particular action is best expressed by Omar ibn Al-Khattab, the companion of Prophet Muhammad, peace be upon him, and his second successor as ruler of the Islamic state, and a distinguished scholar. He addressed the Black Stone in these words: "I know that you are a stone, which can cause no harm or benefit. Had it not been for the fact that I saw God's Messenger, peace be upon him, kissing you, I would not have kissed you.

This is all that need be said about the Black Stone. It is not correct that kissing it will remove one's sins. It is pilgrimage that is rewarded with the forgiveness of the pilgrim's past sins. If a person performs the pilgrimage ten times and does not manage to kiss the Black Stone even once, his pilgrimage is perfectly correct and valid.

Pilgrimage: Financing the Pilgrimage Of Father

You have mentioned that a Muslim is not obliged by duty to take his wife to pilgrimage. Does the same apply to one's father? A friend of mine says that he has sent money to his father to help him offer the pilgrimage. Need he not have done so?

As I have explained, pilgrimage is an individual duty. If a person meets the conditions of ability to offer the pilgrimage, then it is a duty incumbent on him. If he is unable to offer the pilgrimage, that duty does not apply to him. An Islamic duty is not made dependent upon someone else. Otherwise, we will be accountable to Allah for that over which we have no control. Allah is too merciful to put us in such a difficult position.

In the case of a father and son, if the father does not himself meet the conditions of ability to offer the pilgrimage, the duty does not apply to him. If he dies without offering pilgrimage, Allah will not hold him to account for any omission. However, the case of his son being able to bear the expenses of his pilgrimage is not of dutifulness. A person may argue that he is not required to fulfill the religious duties of his father. But is he? The Prophet, peace be upon him, was asked once by one of his companions whether he should offer the pilgrimage on behalf of his father who died before completing that duty. The Prophet, peace be upon him, asked him: "Had your father left some debts unpaid, would you pay them on his behalf?" When the son answered in the affirmative, the Prophet, peace be upon him, said: "A debt owed to Allah has a better claim to be paid." This Hadith shows clearly that a son is responsible to settle his father's debts. If a son is required to offer the pilgrimage on behalf of his father after his death, then it stands to reason that helping a father offer the pilgrimage himself is far better. Not only would he be bringing happiness to his father, but also he will benefit by his father's supplication to Allah in the Haram and in Arafat and the other places to help, protect and be pleased with his son. A parent's prayer is certainly answered. Moreover, the son would earn the meritorious position of being dutiful.

Pilgrimage: Financing the Pilgrimage Of Parents — Debt Incurred

In order to call my parents to perform the pilgrimage, I am arranging a loan from my employers. How far is this acceptable?

Your keenness to help your parents perform pilgrimage is highly commendable. You are prepared to incur a debt for that purpose. That is a genuine mark of dutifulness. However, you are under no obligation to do that, either as a gesture of dutifulness or for any other reason. Incurring a debt is not something that Islam encourages, even when the reason for it is to perform a religious duty.

Having said that, I wish to add that a pilgrimage financed by partially borrowed money remains valid. Therefore, if you go ahead and borrow from your employers in order to help your parents come for pilgrimage, their pilgrimage will be valid.

Not all loans are the same. For example, if you are borrowing a relatively small amount which will be deducted from your salary over a few months and what is left from your salary is sufficient for your needs, then that is all right. Such an arrangement is definitely better than obtaining a personal loan, the repayment of which may represent a heavy burden. Moreover, if your position with your employers is such as to earn you a decent sum of money on the termination of your employment, either at the expiry of your contract or in the case of early termination, and that payment is enough to settle any outstanding part of your loan, then to borrow from your employers in order to help your parents do the pilgrimage is perfectly appropriate.

Pilgrimage: Financing the Pilgrimage Of Relatives

Is it permissible to finance the pilgrimage of one's parents-in-law if they are poor?

Of course it is, and it gives the man or the woman doing it great reward from God. Needless to say, if the parents-in-law in this case are poor and cannot afford the expenses of their pilgrimage, then the duty of pilgrimage does not apply to them. But if their son-in-law bears the expenses, he is doing a great act of kindness, which is certain to be rewarded by God.

In fact, the question should not be asked. If you are doing a kindness to a fellow Muslim, you do not say: "is it permissible." All kind gestures are permissible, provided they do not include something forbidden. A kind action that enables a person to attend to a great act of worship is worthy of praise, as well as reward from God.

Having said that, I should explain that if a poor person is given an offer to cover his or her pilgrimage expenses, that person need not accept the offer, even though it means that he or she cannot do the pilgrimage at any time.

Pilgrimage: Forgiveness & Some Highly Sinful Practices

If a person has been guilty of some very serious offenses such as worshipping graves, attending death anniversaries of Pirs and grand Pirs, do these practices reflect on his faith? Suppose he offers pilgrimage, is he forgiven for his sins? Suppose he gives up these practices but is unable to perform pilgrimage, how can he achieve forgiveness?

Let me first explain that we use the expression "the worship of graves" to denote the practices of some people who visit graves of some dead persons whom they consider to have been saints or blessed people and ask them to accomplish certain needs of

their own. They may do this at the Prophet's grave in Madinah, but they do it more often in their own towns and villages, having elevated certain people to a saintly grade. All this is unacceptable in Islam. In fact it runs contrary to the very concept of the Oneness of Allah on which Islam and all divine religions are based. It is not possible for any human being to remain within the fold of Islam while at the same time believing that a certain person, whether dead or alive, can be of any benefit to him in the hereafter. If he also believes that a dead person can answer any request or prayer, he is making a god of him. That is polytheism, or, to use the Islamic term, shirk. It is needless to say that there is no offense more serious or more grave than this.

It is unfortunate that in many Muslim areas, people tend to think that Pirs, who get their position merely through belonging to a family of Pirs, should be obeyed in all matters. A person who has that rank may have very little knowledge of Islam, its beliefs, worship, systems, practices and values. Nevertheless, he does not hesitate to give guidance to all those who look up to him to provide such guidance. They give him money and gifts and humble themselves before him. They consider that if he is pleased with them, they are ensured salvation in the hereafter. This is again a form of shirk which is totally unacceptable.

Whether such thoughts, beliefs and practices are forgiven on the performance of the pilgrimage or not is a matter which needs clarification. The Prophet, peace be upon him, teaches us that pilgrimage offered with sincerity and dedication ensures the forgiveness of all sins. But when he says that, he only refers to sinful practices. He does not include false beliefs. Forgiveness is granted by Allah to people who do not associate any partners with Him, or, in other words, are not guilty of shirk. Allah states clearly in the Qur'an a rule, which must remain with us as part of our beliefs: "Allah never forgives that partners should be associated with Him, but He is ready to forgive whomsoever He wills anything other than that." This means that when it comes to belief, we must be absolutely clear. No trace of polytheism may be allowed to creep into our minds. When we have reached this stage, the forgiveness of any sins is obtainable, with Allah's grace. But once our beliefs involve polytheism in any shape or form, forgiveness is absolutely denied.

On this basis, I can tell you without hesitation that if a person is guilty of entertaining such beliefs or following this line or practice, which elevates a Pir to a position of godhead, the offering of pilgrimage will not bring him any forgiveness. Not even if he offers that pilgrimage every year. First he has to eradicate any trace of polytheism from his beliefs. It is only then that he can hope for forgiveness.

In fact the forgiveness of such practices does not require pilgrimage. What it requires is for the person concerned to examine his beliefs in the light of Islam. He must first of all clearly understand the meaning of the declaration which brings a person into the fold of Islam, i.e. the Kalimah which can be stated in translation as: ***"I bear witness that there is no deity save Allah, and I bear witness that Muhammad, peace be upon him, is His messenger."*** He should understand what godhead means and what the concept of the Oneness of Allah actually means in beliefs and in practices. He should also be fully aware of what the declaration that Muhammad, peace be upon him, is Allah's messenger entails. I can tell you very briefly that it means that Prophet Muhammad, peace be upon him, is the only person through whom we receive Allah's instructions on how to conduct our lives, what principles to follow, what values to observe and what practices to adopt.

When we have understood that very clearly, we should mold our lives in accordance with this basic and fundamental aspect. We should always be keen to learn more about Islam so that our understanding of it is very clear. When someone suggests to us that a certain practice will improve our standing with Allah, we do not accept his statement without question. We look at it in the light of the teachings of Prophet

Muhammad, peace be upon him. If we find it in accordance with those teachings, we accept it; if not, we reject it off hand.

If a person who has been guilty of the practices and beliefs you have mentioned follows this course and examines his beliefs and practices in the light of the guiding principles included in the declaration of belonging to Islam, and then repents of what he had done in the past, gives it all up and starts to conduct his life according to the Prophet's teachings, he is sure to earn Allah's forgiveness. He should then go to pilgrimage as part of his duties as a Muslim. When he offers the pilgrimage with sincerity and dedication, he is forgiven all his past sins. As you realize, pilgrimage is a duty of all Muslims who can afford to undertake the journey, physically and financially. What this means is that forgiveness of the aforementioned beliefs and practices can be earned through repentance and the rectification of one's beliefs. Pilgrimage brings about the forgiveness of lesser sins.

Pilgrimage: Forgiveness By Allah & Sins Or Offences Against Others

A man was killed while doing his work some 20 years ago. His immediate family entrusted his brother to collect the indemnity money paid by his employers and intended for his widow and two orphan toddlers. Having pocketed a large sum of money, the brother paid nothing of it to his nephews and their mother. He kept it all for himself, which resulted in the family going through very hard times. I have heard that the pilgrimage earns forgiveness of all sins. Should this man offer the pilgrimage, does this mean that he would not have to account for his action? Is it true that the pilgrimage wipes the pilgrim's slate clean of all sin? Please explain.

2. It is generally known that a person who completes the pilgrimage satisfactorily is forgiven all his past sins. If we assume that a pilgrim has wronged other people, how do they get justice, if God has forgiven him what he has done to them?

1. The Prophet, peace be upon him, makes it clear that a proper pilgrimage earns forgiveness of past sins. It certainly wipes one's slate clean. However, it should be a proper pilgrimage in every respect. Therefore, we need to set this principle against other relevant ones. An important principle is that the pilgrim should clear his own slate of any offense he might have committed against others, and should ensure that the expenses of his pilgrimage are earned in a legitimate way. The Prophet, peace be upon him, speaks of a pilgrim who comes hoping for forgiveness, "but his food is earned through a forbidden way, and his clothes likewise, and he has been devouring what is forbidden. How can such a person hope for a response to his prayers?" This the Prophet, peace be upon him, states in connection with pilgrimage, to show the absurdity of the thought that such a person could hope for forgiveness through pilgrimage when he is a habitual violator of God's law and a confirmed aggressor against the rights of others.

A second very important principle is that God forgives only such sins as relate to what is due to Him. Sins or offenses against other people are not forgiven until the aggrieved party has forgiven the offender. Unless the case is so, people would do away with anything they can lay their hands on and then hope for forgiveness through prayer, fasting or doing the pilgrimage. But this is not done. If one person steals something that belongs to another, speaks ill of him in his absence, deprives him of his rights, defames his family, or offends him in any other way, the offender must settle the matter first with the one against whom he offended. If such a settlement is agreed and the injured party forgives the offender, then and only then will God forgive him, if He so pleases.

If no such settlement is reached in this life, and both die, they will be brought face to face before God on the Day of Judgment when God asks the guilty one to satisfy the person he had harmed in this life. If the latter does not forgive him, then some of the good deeds of the offender will be added to the injured party until the latter is satisfied. If the offender does not have to his credit sufficient good deeds, then some of the sins of the injured party are lifted and added to the account of the guilty party.

A case may arise and the offender repents in this life, but is unable to satisfy the person he had injured. If his repentance is genuine, and God wishes to help him, then when the face-to-face confrontation takes place, God takes upon Himself the satisfaction of the injured party. He will give him as much as he wants until he is satisfied.

Having explained this, I should add that the brother of the deceased person in this case has committed a very serious crime against God and against his late brother's family. Since there were young children in this family, then he put himself in the category mentioned in the following verse:

"Those who devour the property of orphans unjustly, only swallow fire into their bellies. They will be made to endure a blazing fire." [Women — "An-Nis'a" 4: 10]

If he has enjoyed the luxuries that the money gave him, for 20 years, then he has been eating fire for that length of time, and he will be made to endure it further on the Day of Judgment. Nothing can wipe that away except by God's will, and God is just to all His creature.

2. The Prophet, peace be upon him, has taught us that God forgives anything which is owed to Him by His servants, if He pleases. Therefore, if someone has made many mistakes or sins, which fall within the direct relationship between himself and God, then he sincerely repents having done them and resolves not to allow himself to make the same mistakes again, then God forgives him. This applies mainly to matters of worship. If someone does not fulfill his duties of fasting or prayers, or similar matters, or if he indulges in what God has forbidden, such as drinking or gambling, his sins are forgiven as a result of sincere repentance and prayer for forgiveness and a resolve not to make the same mistakes again. They are also forgiven if one goes on pilgrimage because a pilgrim undertakes this journey only to obtain forgiveness and this implies sincere repentance. Forgiveness of this type of sins can also be achieved if one fasts properly in Ramadhan or if he does any of the matters, which the Prophet, peace be upon him, has described as means to achieve forgiveness by God.

There are, however, other forbidden matters, which human beings may do, but these are in the field of relations between people. Such matters include theft, defamation, false accusations, backbiting, perjury, oppression, and injustice generally. When a person is guilty of any of these matters, he is guilty of an offense against God who has forbidden him such actions and an offence against the person directly concerned with his action. God may forgive him the first part if he repents and does any of the actions, which ensure forgiveness. But the portion that relates to the rights of other people has a different treatment. God does not forgive these unless the person who has committed such wrongs pays back to the person who is at the receiving end of the offense what is owed to him, whether material or abstract. The wronged person should also forgive him before he is able to obtain forgiveness from God. This is the general rule.

However, it may so happen that a person who has done such wrongs cannot pay back the people he wronged what may satisfy them. This may happen either because he does not have the means to make amends. Or he does not know for certain the

person he has wronged, or he cannot trace them or because he exposes himself to great trouble, if he admits his guilt to them, or for any other matter. In such cases, he should pray hard to grant him forgiveness. If God answers his prayer, and wishes to forgive him, he takes it upon himself to satisfy the wronged person. On the Day of Judgement, he calls the one who is wronged and asks him to forgive the offender. If he does then rewards him generously for forgoing his rights. If he says that he does not want to forgive him, then God will increase his reward for his good actions until he willingly forgives his offender. In this way, God takes it upon His Own Self to satisfy the offended party and ensure forgiveness for the offender as a result of his sincere repentance.

Pilgrimage: Fulfillment Of Duty & Reward Are Unattached Issues

In my last pilgrimage, I met a person who came from Asia to perform the pilgrimage, sponsored by a non-Muslim film actor. How far is this acceptable from the Islamic point of view?

We have a couple of points to consider it. The first is that if a person earns his money in an illegitimate way, such as accepting bribes or selling forbidden things like wines, drugs, etc., and he offers the pilgrimage, using for his expenses money that he has earned in this way, his pilgrimage is not accepted and he receives no reward for it, but he is deemed to have fulfilled his duty. The two things are separate, because pilgrimage is a personal and financial duty. Since, he has gone to pilgrimage in person and fulfilled its duties, he has discharged that requirement, but because his money is foul, he receives no reward for his pilgrimage.

From another point of view, if a person is invited by another to offer the pilgrimage at the latter's expense, he may accept that invitation. He will be rewarded for his pilgrimage and his duty will be deemed to have been discharged. However, he is under no obligation to accept that invitation. If he declines it, he does no wrong. It is permissible for a Muslim to accept a gift from a non-Muslim, as long as he is certain that the non-Muslim does not have any ulterior motives, which may be detrimental to Islam. Such a gift is considered a legitimately earned money. If one uses it for his expenses in pilgrimage, he does no wrong.

In the light of the foregoing, when this man has done the pilgrimage at the expenses of the actor, his pilgrimage duty is fulfilled. He certainly need not have accepted that gift. Whether he should have declined it or not is something else. He should have asked himself why the actor is offering such a sponsorship? Definitely not as a service to Islam, because he is a non-Muslim. Most probably, the actor is after increasing his own popularity and to win favor with Muslims. He may also want to give his own people an image of tolerance. In the circumstances, I would say that Muslims should not help such people achieve their purposes. That man should have declined to do his pilgrimage at the expense of a non-Muslim actor.

Pilgrimage: Hajj & Umrah Are Two Separate Duties

Different people have told me that if a person offers the Umrah, offering the pilgrimage becomes obligatory for him within two years. Is this correct?

No, it is not correct. The pilgrimage and the Umrah are two separate duties that we may perform separately or on the same trip. The pilgrimage is obligatory only when one is able to perform it. The ability is both physical and financial. To be physically able means that one can comfortably travel to the pilgrimage area and conduct all the rites and duties involved. Thus a person in permanently poor health who fears that flying could aggravate his condition can send someone to do the pilgrimage on his behalf, paying all the expenses of his proxy. Financially, a person must be able to afford all the expenses of his journey, including any fees charged in connection with

it, and to leave his dependents enough money to look after themselves in his absence. If his financial status does not enable him to do so, the duty of pilgrimage is not applicable to him until such a time when he can afford it. These are the only conditions attached to the duty of the pilgrimage. It has no relation to the performance of the Umrah.

One more point must be explained, which concerns the timing of the obligation. If one is both physically and financially able to undertake the pilgrimage, when should he offer it? Scholars differ on this point with some saying the timing is open to the person concerned. Others say that the obligation should be fulfilled as soon as possible. This is perhaps the weightier view, because if you are able to do the pilgrimage this year, you cannot tell whether you will still be able to do it next year or in five years time. So the early fulfillment of this duty puts you in a much better position.

Pilgrimage: Hajj Akbar

Is there any special pilgrimage described as "grand" or "Hajj Akbar"? If so, when does it fall?

No, there is nothing called grand pilgrimage. There is a mistaken notion that if the day of Arafat happens to be on Friday, then that pilgrimage is grand and it is rewarded as seven times the reward of ordinary pilgrimage. As I say, this notion is completely mistaken. The mistake comes from misinterpreting a phrase, which occurs at the beginning of Surah 9, entitled "Taubah" [Repentance]. That verse speaks of a declaration which the Prophet, peace be upon him, was ordered to make to people on the "grand day of pilgrimage." Some people misinterpret it as "on the day of grand pilgrimage." The grand day of pilgrimage is said by some scholars to be the day of Arafat, while other scholars consider it to be the following day, i.e. the day of Eid, when the pilgrims have to do several duties.

Pilgrimage: Ihram — Before Boarding A Plane Or At Jeddah

Must a person flying into Jeddah wear his Ihram at home before boarding the plane, or can he wear his normal clothes and stay a night in Jeddah before starting his Umrah?

No scholar has ever suggested that a person coming for Umrah or pilgrimage must start his Ihram before boarding the plane. All scholars agree that Ihram starts at the point of Meeqat, but there is a difference of opinion with regard to where exactly the point of Meeqat is for air travelers. Most scholars say that it is at the point when the plane flies over the Meeqat on land, which is around half an hour before landing. However, a number of scholars, some of whom are of very high standing, are of the view that air and sea travelers need not start their consecration, or Ihram, before landing in Jeddah.

Should we have some sort of authority that will determine which view should be followed? Islam does not allow for such an authority because it has no clerical order. People may choose the view that they are convinced to be more valid on the balance of evidence supporting each view, or if they cannot do so, they may choose the view that is more suitable to them in their particular circumstances. This has been practiced in all Muslim generations. We should remember that the aim of all religious teachings is to help people achieve what benefits them and their community.

Pilgrimage: Ihram — Covering Of Head

Last year I went to pilgrimage. During Ihram, I unintentionally covered my head for a few moments on two separate occasions. I am told that I need to sacrifice a sheep in compensation. Is this true?

It is one of the conditions of Ihram for a man not to cover his head. If one covers his head for long period during Ihram, then he has violated its conditions and, as such, he is required to compensate by slaughtering a sheep. But if this happens unintentionally for a brief period, a few minutes or so, this can be considered as a minor error. For such errors, the compensation takes the form of Sadaqah or a charitable contribution. If you do not find someone who is really poor in the pilgrimage area, then you need not give it to a beggar; you need only to pray Allah to forgive your error.

Pilgrimage: Ihram — Covering Of Right Arm

In Umrah, we forgot to uncover our right shoulder during the Sa'ie between As-Safa and Al-Marwah, but we recognized our mistake later on and did what was necessary. Do we need to compensate in any way? What about the compensation for a pilgrim who goes about his Sa'ie and tawaf with both his shoulders covered? Also, what about those pilgrims who use safety pins to hold their Ihram garments on their shoulders?

It is recommended, not obligatory, to have one's right shoulder uncovered during the first three rounds of only the tawaf of arrival in pilgrimage and the tawaf of Umrah. It is also recommended to do these three rounds jogging, if that is at all possible. This is to follow the Prophet's example in showing strength when fulfilling this task of pilgrimage. At any other time which includes the other four rounds of the first tawaf in pilgrimage and the tawaf of Umrah, and the Sa'ie and any other time, one should have his right shoulder covered. But there is no harm in uncovering it.

If one does a mistake either way, there is no compensation to be made, because all this is a matter of recommendation, not obligation. Using the safety pins to hold the Ihram garment in place is also permissible.

Pilgrimage: Ihram — End Use Of the Garments

Since pilgrimage is a once-in-a-life-time experience for most pilgrims, the question arises: what to do with Ihram garments after the pilgrimage is over? Should they be considered as sacred garments? Can they be used as towels or shrouds for burial when one dies? In the latter case, does it give any extra reward for the deceased? Please comment.

It is certainly true that for most pilgrims, the experience is once in a whole lifetime. Hence, they cherish its memories and look at it as the pinnacle of their lives. But the value of the pilgrimage is in its journey for the specific intention it is made, rather than in any specific form or action it includes. The Ihram garments are only outward signs of a formal obligation in pilgrimage. They do not confer any distinction on the pilgrim. Nor do they, in themselves, have any distinction whatsoever. They are mere pieces of cloth, mostly towel cloth, which one wears during consecration because he is not allowed to wear anything that has been tailored. To look at them as sacred is contrary to all Islamic teachings. There is no sanctity attached to them by virtue of their being used in pilgrimage. To suggest this is a grave error.

One may use the Ihram garments for any purpose after one has finished pilgrimage or Umrah. One may use them as towels or blankets or for any other suitable use.

They are mere cloths that can be put to use whatsoever. When one is not in the state of consecration, or Ihram, they have no shred of significance over that of any other piece of material.

Some people come up with the idea that the Ihram garments may be used as a suitable shroud for wrapping the body of their owner when he dies. They may be suitable for the purpose, like any other piece of cloth, but the deceased does not benefit in any way by being wrapped in them. God will judge him on the basis of his actions throughout his life. Obviously, pilgrimage, if done with sincerity of purpose, will have erased all sins up to that time. For this, no wrapping in Ihram garments is needed, because God knows who has offered the pilgrimage and who has not.

The wrapping in Ihram Garments is of no consequence at all as God gives that reward on the basis of action, not the wrapping of the body. If any thing, such wrapping may decrease a person's reward. This is in the case if he considers that he needs to provide this material evidence to prove his case. That case stands proved with God's Knowledge, which is absolute and perfect. It does not require such evidence.

Pilgrimage: Ihram — In Cold Weather

During pilgrimage, the night was very cold in Muzdalifah, and a pilgrim knowingly covered his head with a sheet he had. Does he have to give any compensation?

The pilgrim has contravened the restrictions of Ihram when he covered his head. Although this was done for a very valid reason, this does not relieve him of having to offer compensation. One of the Prophet's companions was suffering from head louse and he complained to the Prophet, peace be upon him, who saw that his condition was very bad. The Prophet, peace be upon him, ordered him to shave his head and compensate in any of three ways: To slaughter a sheep and give its meat to the poor, fast three days or feed six poor persons. The three alternatives are stated in the Qur'an:

"If any of you is ill or suffers from an ailment of the head, he shall redeem himself by fasting, or alms, or sacrifice." [the Cow — "Al-Baqarah" 2: 196]

The same compensation is due in this case.

Pilgrimage: Ihram — Putting On & the Niyyah

If one is to go and perform Umrah and even puts on the Ihram, but finally is unable to do so, what must he do for compensation? If there is more than one person then must each do the same thing? Is the compensation only for those pilgrims who had already put on the Ihram, or for all those who had the intention?

The order given to us in the Qur'an is that we must complete the pilgrimage and the Umrah once we start them. It starts when one declares his intention verbally, having put on his Ihram garments.

It is not the wearing of the garments but the declaration of intent at the point of Meeqat that signifies the start. This means that if you are living in Riyadh and you put on your Ihram garments at home before you go to the airport, you should not declare your intention until you reach the point of Meeqat. If you do that in Riyadh, then you have started your pilgrimage or Umrah before time, and you are committed to it.

If you have not declared your intention and something happens to delay your departure, such as going to the airport to find out that the flight is cancelled and you

cannot book another flight for a day or two, you go back home and put on your ordinary clothes. But if you have declared the intention, then you are already in Ihram and you may not release yourself until you have completed the prescribed duties.

Pilgrimage: Ihram — Removal Of Head Cover Or Ihram Garments

When my wife and I went for Umrah, she needed to renew her ablution while we were performing the Umrah. She partly and carefully removed her head cover to wet her hair, but some people have insisted that she has done an offense, and that she needs to sacrifice a sheep in compensation. Please advise.

Some people will give you all the wrong ideas about Ihram and its restrictions. It is perfectly permissible to change the Ihram garments for no purpose other than cleanliness. It is a fact that many people perform the pilgrimage in the Ifraad or Qiran methods, and they may stay for several days in Ihram. If they were not to take a shower or change their garments, these may get very dirty, and they themselves may start to have a bad odor because of sweating during hot days. It is not in the nature of Islam to leave people in such a state.

When a person doing the Umrah or the pilgrimage needs to perform a new ablution, he or she should do it in full. Your wife was right to remove her head cover in order to wet her hair, provided she did that in an area where men do not see her. There is no compensation required of her, as she committed no offense.

Pilgrimage: Ihram — Removed Briefly For Normal Clothes

Last year I intended to do the pilgrimage. On 8th Dhul-Hajjah put on my Ihram garments and made my intention before leaving home. A personal problem however forced me to remove my Ihram and wear my normal clothes for a couple of hours. Later on the same day, I proceeded to Rabigh where I put on my Ihram garments again and continued my journey, completing my pilgrimage in the normal manner. Could you please let me know whether I need to make any compensation?

Our reader has done two mistakes. The first is that he made his intention to do the pilgrimage before arriving at the Meeqat or the entry point into the Hill area where the duties of pilgrimage and Umrah start. That is what he did the second time. The point is that when he initiated his pilgrimage too early, he committed himself to observe the restrictions of Ihram or consecration before they were due. He could have put on his Ihram garments, without declaring his intention verbally. That would have provided him with the convenience of not having to change on the way, and the ability to revert to his normal clothes, should that be necessary. But when he made his intention, this was no longer valid and the restrictions of consecration were operative.

Having done this mistake, he needs to compensate for it. The compensation stated in verse 196 of Surah 2 gives him three alternatives to choose from.

He may slaughter a sheep and distribute its meat to the poor in the Haram area, or feed Six poor people, or fast for three days. The choice from these types of compensation is his.

Pilgrimage: Ihram — What To Wear

Commentary By Adil Salahi — Arab News

It is well known that when a pilgrim starts his journey, and at the point of Meeqat, i.e. the place where he must begin his pilgrimage, he changes his ordinary clothes into the garments of Ihram. At that point, he is recommended to have a bath, put on these garments, and verbally declare his intention to do the pilgrimage by repeating such phrases as, ***“Labbaik Allahumma bi Hajj.”*** Or, “My Lord, I resolve to do the pilgrimage, so make it easy for me, accept it from me, and help me to complete it with ease and comfort.” He then repeats phrases of talbiyah, the best known of which is ***“Labbaik Allahumma Labbaik. Labbaika la shareeka laka Labbaik. Innal-hamda wal-nimata laka wal-mulk. La shareeka lak.”*** This was the one form the Prophet, peace be upon him, repeated all the time on his pilgrimage. It means: “I respond to Your call, my Lord. I respond to You. There is no deity other than You. All praise is due to You and all grace comes from You and all dominion is Yours. There is no God other than You.”

What is well known is that during Ihram, men must not wear any “stitched” garments. Nowadays, it is easy to obtain two specially made pieces of cloth to wear during Ihram. It is important, nevertheless, to know what clothes or garments may be worn during Ihram and what violates the rules of consecration.

Al-Bukhari relates on the authority of Abdullah ibn Omar that a man asked the Prophet: “Messenger of God, what clothes a man in the state of Ihram may wear?” The Prophet, peace be upon him, answered: “He must not wear shirts, turbans, trousers, burnoose [which is a type of cloak with a hood] or shoes. If he cannot find slippers to wear, he may wear shoes but he should cut them underneath his ankles. Do not wear any garments, which have been in contact with saffron or wars.

The first thing to note here is the fact that the person, who remained unnamed, asked about what clothes may be worn during Ihram. The Prophet, peace be upon him, nevertheless, specified in his answer what must not be worn. This is due to the fact that it is much easier to provide a more precise answer this way. All clothes are allowed to wear in normal circumstances. In the special case of consecration, special rules apply which restrict the types of clothes and garments, which pilgrims can wear. Hence, the answer clarified those restrictions.

We also note that the Prophet, peace be upon him, named certain clothes, which were examples, of what must not be worn. This way, he made his answer absolutely clear to everyone. He said that a man in the state of consecration, or Ihram, couldn't wear shirts or trousers, which was a reference to all tailored garments. He also mentioned turbans and burnoose, or headed garments. This shows that a man must not cover his head by anything, whether tailored or not, throughout the period when he is in the state of Ihram. Again, the upper part of the foot must not be covered, which is indicated in the Prophet's answer by the prohibition of wearing shoes. All schools of Islamic law and all Muslim scholars unanimously agree upon these restrictions. Apart from that, a man in Ihram may wear something to wrap around his waist and cover him from the waist down to the middle part of his lower leg, well below his knees. He should also wear a garment, which he simply throws over his shoulders. Any pair of slippers, which do not cover the top part of his feet, may also be worn.

We know that the Prophet, peace be upon him, always gave the most precise of answers in the shortest and easiest-to-understand way. In his answer to this question, he indicated that nothing tailored could be worn, whether it covers the whole body as old Arabian shirts used to do, or part of it as trousers. We have to make clear here that what is forbidden to wear is “such tailored garments in their

usual fashion'. If they are not worn in that way, they are permissible. In other words, if one uses a shirt, or a mishlah, to wrap himself with in order to cover himself from the waistline downwards, this is perfectly permissible. We can thus state that it is not the "stitching" of a certain garment, which makes it forbidden to wear during Ihram, but the tailoring. We are supposed to go about in simple garments, which cannot be a source of pride and cannot be used to show off. Obviously a shirt or a long robe wrapped under someone's waist falls in this category, since its shape or fashion cannot be seen. In prohibiting head covers, the Prophet, peace be upon him, indicated the normal head cover, which is a turban, and the unusual one, which is part of a cloak. In effect, the prohibition includes any head cover, which is used for that purpose, even when it is something with which people do not normally cover their heads. If someone puts on his head a saucepan, for example, in order to cover his head, that is prohibited. On the other hand, if he carries something on his head, there is nothing wrong with that. The Prophet's instruction on footwear is very precise. Slippers are the normal thing to wear in the state of Ihram. If one cannot find slippers, or does not have the money to buy them, then he may wear his shoes after cutting them from the back in order to keep his ankles uncovered. He may, alternatively, bend the back of his shoes in order to keep his ankles bare. This is a concession, which applies only to those who cannot find slippers or cannot obtain them, either because they do not have the money or because slippers are sold at exorbitant prices. In other words, a person who can obtain slippers easily should not wear his shoes in the fashion indicated.

All this applies to men doing the pilgrimage. Women, on the other hand, wear their ordinary clothes. There is no restriction on them in that, except that they must keep their faces and hands, up to their wrists, uncovered. It goes without saying that the usual requirements of women's Islamic dress code apply during Ihram. A woman must cover all her body with the exception of her face and hands.

We also note in the Prophet's answer to his questioner the change of the mode of expression. He first answered in the negative, indicating what may not be worn. He follows that with an order not to wear anything that has come in contact with perfumes, two examples of which are given in the Hadith, namely saffron and wars. What is clearly evident in the Arabic text is that the Prophet, peace be upon him, used first the negative, singular mode, saying, "He must not wear..." He then changed that to the imperative, saying: "Do not wear any garments which have come in contact with saffron or wars." Here, he used the plural form. Scholars agree that this change in the mode of expression indicates that this restriction applies to all people, men and women alike. It also applies to specially made Ihram garments. The prohibition here relates to the use of saffron, wars, or any other type of perfume on clothes. Again, the use of words here is very precise. It is a type of perfume plant, which is used for dying. Hence, clothes dyed with that type must not be worn during Ihram.

This, however, does not apply to every type of dye. It is authentically reported that Ayesha, the Prophet's wife, wore during her Ihram, clothes that were dyed with saffron. Jabir, a companion of the Prophet, states very clearly that he did not consider saffron a perfume. Ayesha speaks of the restriction of Ihram for women by saying: "[A woman] may not put on any mask to cover her mouth or her face. She may not wear a garment perfumed with saffron." She thought that it was perfectly acceptable for a woman to wear some of her jewelry, a black garment, a dyed dress or shoes.

It is also perfectly acceptable for a man in the state of Ihram to change his Ihram garments, in order to have clean ones. In the past, when people traveled quite a long distance on camels or on foot before arriving in Makkah, pilgrims used to have a bath

at a well called Maymoon. This is at a short distance from Makkah, where they wore their garments of Ihram, so as to be ready to enter the blessed city.

Pilgrimage: Ihram — Women Covering Their Faces

1. I understand that a woman must not cover her face while she is in the state of consecration. On several occasions, while I was performing tawaf, I have been told by religious attendants around the Ka'abah to cover my face. Please clarify.

2. I have a friend who wears the veil normally, covering her face when she goes out. However, she refuses to do so when she does the Umrah. I tried to persuade her to wear the veil in Umrah, but she would not. Could you help me to convince her to do so?

You are right. A woman who is in the state of consecration or Ihram must not cover her face or her forearms. If she does, she violates the rules of Ihram. There is no disagreement among scholars on this point.

What happened to you, does happen quite often. I was visiting a famous scholar the other day, when he mentioned that he was doing the tawaf with his wife and other women relatives. One of the attendants around the Ka'abah told the women to cover their faces. The next round, he did the same. So our scholar told him; "Brother, a woman in Ihram does not cover her face."

The attendant said: "Indeed, and she must not do this or that," counting the restrictions of Ihram. Our scholar smiled and said; "Should you, then, not allow people to proceed with their worship as they are, rather than do what you did". The man apologized that it was the force of sheer habit. It is not more than that.

Those men have been in the habit of telling women to cover their faces, oblivious of the fact which they do know, that women must not cover their faces during Ihram. What can one say?

2. I am afraid I cannot help you, because your friend is right and you are wrong. When a woman enters into the state of consecration, or Ihram, for the pilgrimage or the Umrah, she must keep her face and hands uncovered. This is the sign that she is in Ihram, in the same way, as a man cannot wear ordinary clothes.

If she covers her face, she is wrong. This is a question of worship, and in worship we implement what is taught to us by the Prophet, peace be upon him, without deviation or modification. I realize that some people try to find justification for covering a woman's face, even during Ihram. Good as their intention is, they are mistaken because women must not cover their faces in prayer or during Ihram.

As for other times, a woman may choose to cover her face if she wants, but this is not an Islamic requirement. Islam requires a woman to cover all her body except her face and hands when she goes out.

Pilgrimage: Ihram — Women Doing Ablution Before Other Women

When a woman is in the state of Ihram, does she have to cover more than usual in front of other women? Must she, for example, cover all her body except her face and hands in front of women? If so, this could cause much difficulty if she has to do the ablutions with other women around.

The same rules apply for what should be covered and what may appear during Ihram and on other days. In front of other Muslim women, a woman need cover only the area from her waistline to her knees. During Ihram, the same applies. There is no

special rule on this. However, a woman in Ihram cannot cover her face and hands, but must cover everything else, and she stays in her Ihram garments as much as possible.

This means that if she is having the ablution in the public rest rooms, she may uncover her arms and feet to wash them. There is no problem with that. Otherwise, rest rooms would have had to be built as single wash areas, which is very inconvenient.

Pilgrimage: Inability To Bear Heat Of Summer

A relative who is in his sixties has asked me to perform the pilgrimage on his behalf. Although he is quite healthy and capable of looking after himself in every way, he feels unable to bear the heat of the summer. He says that he gets weak and tired if he is exposed to the sun for a long time. This makes him reluctant to come for pilgrimage. Please advise.

Pilgrimage is a personal duty, which is owed to Allah by every human being. A personal duty must be performed by every person. However, Allah has given a concession to those who are very old or chronically ill to ask someone else to do the pilgrimage on their behalf. The person who makes such a request must fulfill the conditions of ability to undertake the journey, other than his illness, including his accommodation and the fares for all necessary travel undertaken in connection with the pilgrimage. He need not pay him any wages for his undertaking. The person traveling to do the pilgrimage on some-one else's behalf must have done the pilgrimage himself in order to qualify for such a substitute pilgrimage.

While illness is an acceptable justification for asking someone to do the pilgrimage on one's behalf, many scholars suggest that illness should be of a type that is unlikely to be cured. The Prophet, peace be upon him, was asked by a woman how she could help her father do the pilgrimage when he is too ill to sit up on the back of the camel. The Prophet, peace be upon him, told her to do the pilgrimage on her father's behalf. It could not have been expected that the woman's father could recover his strength, when he was too old and his illness had very much to do with old age.

In the case of your relative, he is quite healthy but he is worried about the heat. What he should do is to consult a doctor who is well familiar with the duties of pilgrimage and the conditions that are likely to prevail in June [or in any other month involved] in Saudi Arabia. If the doctor tells him that he could not bear the heat and that such an exposure is likely to make him ill or sap his strength in a way, which makes it very difficult for him to regain it later, then you may do the pilgrimage on his behalf. If he is simply worried, he should try to determine the most comfortable way of offering the pilgrimage, trying to minimize his exposure to the sun. For example, he could ask someone to do the stoning on his behalf, or he can do it very close to sunset or even after sunset. The Prophet, peace be upon him, made this concession to women as well as to weak and elderly men. When he is in Makkah, he can stay indoors during the day and go to the Haram at night. If he can possibly do the pilgrimage himself, he may not appoint someone to do it on his behalf.

Pilgrimage: Interrupting Hajj Or Umrah

A person, who makes the intention of going on Umrah, put on his Ihram garments. However, before he left his home in Jeddah, some visitors arrived. He changed back into his ordinary clothes. Four hours later, when they had left, he put on his Ihram garments again and went to Makkah for Umrah. Please comment.

It is very clearly required that when we start on pilgrimage or Umrah, we do not interrupt our purpose for any reason. We are required to complete the duty that we have started upon. What this means is the actual start presented by the declaration of intent. That is to say: when one verbally declares that he is embarking on doing the pilgrimage or the Umrah. That takes place after he has put on his Ihram garments.

Therefore, if this friend of yours has made this declaration, after putting on his Ihram, he was in a state of consecration, or Ihram, from that moment until he has finished his Umrah, the fact that he changed into his ordinary clothes withstanding. He must compensate for violating the rules of Ihram by sacrificing a sheep in Haram area, i.e. in Makkah or Mina, and distributing it to the poor. He is not allowed to partake of the meat of that sacrifice.

On the other hand, if your friend put on his Ihram garments and was about to offer his two rak'ahs which are the Sunnah of Ihram, when the arrival of his friend was announced, then he has not actually started the Umrah. He has not verbally declared at that particular moment that he has embarked on the Umrah. There was nothing to stop him from changing into his ordinary clothes if he wanted to. In that case, no compensation is required of him.

The difference between the two cases is that in the first one he has made the declaration of intent, while in the other he has not. The verbal declaration is the actual start of Umrah or pilgrimage. Without it, Ihram garments are like any other clothes one wears. It is for him to judge whether he needs to compensate for violation of Ihram or not.

Pilgrimage: Left Unfinished

A friend of mine came to Makkah on the first day of Thul-Hajjah and started Umrah. He then fell sick and his condition deteriorated and did not respond to medication. Four days later, when his temperature was still too high, he was advised that it would be wrong if he went to pilgrimage in this condition. A friend residing in Makkah told him that he would do the pilgrimage on his behalf. Therefore, he went back to where he lived. On arrival, he was admitted into hospital for four days and he was discharged on the 10th Thul-Hajjah. Please comment on the validity of his Umrah and pilgrimage, bearing in mind that he did not do the tawaf of farewell.

Scholars are unanimous that a person who is able to undertake the journey of pilgrimage himself may not appoint someone else to do the pilgrimage on his behalf. This is due to the fact that pilgrimage is a personal duty which every single person; man or woman owes to Allah, once he or she is able to perform it. Substitute pilgrimage is permissible only when there is a legitimate reason to prevent someone from fulfilling this task, with a strong likelihood that this condition is permanent. Thus, substitute pilgrimage may be offered on behalf of someone who died before he could perform this duty himself, or when it is done voluntarily on behalf of a deceased person, or when someone is physically unable to go on the journey of pilgrimage because of old age or chronic illness. In any of these situations, substitute pilgrimage may be offered.

If someone is physically and financially able to offer the pilgrimage, he must do it himself. Temporary incapacitation, through illness, does not allow that person to ask someone else to do the pilgrimage on his behalf because his handicap is temporary. He may wait until he has recovered. Our friend here has had a bout of influenza. It might have been very severe, raising his temperature and weakening him considerably. He tried to treat his illness by himself, using antibiotics and cough mixtures. He apparently needed proper medical treatment which, he felt, was not

readily available to him in Makkah. He listened to the first person's advice that he could not do the pilgrimage in that condition and returned home. After a three-day stay in hospital, he is completely recovered. This is no justification for using someone else; paid or unpaid, to do the pilgrimage on one's behalf. What our friend should have done was to seek proper medical advice in Makkah. He was able to travel to his hometown. Had he stayed, he would have been able to go to Arafat on 9th Thul-Hajjah and return to Mina the following day. He could have stayed in Mina, or returned to Makkah, asking someone else to do the duty of stoning on his behalf. He could have delayed in tawaf of Ifadah until he was strong enough.

If our friend thinks that he has done the pilgrimage, I have some disappointing news for him. That pilgrimage undertaken on his behalf by the person he hired for the purpose is not valid. If this was his first pilgrimage, he still owes that duty to Allah. Allah will reward him for the expense he had incurred and for doing the Umrah. But the duty of pilgrimage remains to be fulfilled.

No compensation is due from him since he has done the Umrah only.

Pilgrimage: Maqam-e-Ibrahim

It is believed that the footprints preserved near the Ka'abah are those of the Prophet Abraham. How can we be so sure?

We are not so sure. In fact, when you look at the footprints, you wonder whether they are truly footprints. But this signifies nothing. We pray at that place, particularly after tawaf, because God has ordered us to do so. He says in the Qur'an:

"Establish the spot where Abraham stood as a place of worship." [the Cow — "Al-Baqarah" 2: 125]

This is the place marked by the glass construction. This is why people pray behind it, facing the Ka'abah. However, scholars agree that what is meant in the Qur'anic verse does not refer to the exact spot where Abraham stood, because this is impossible to define. They also say that what is meant is the area behind such spot. Therefore, a wide area, going as far back as necessary, gives us the meaning of this instruction.

Pilgrimage: Meeqat & Ihram Violations

Some eleven years ago, I came to Saudi Arabia. Two months after my arrival, I went out with two friends to do the Umrah for the first time ever. We started from Madinah by car, without any knowledge of the Meeqat. It was the driver who was supposed to tell us. When we reached near Badr, the driver showed us a small mosque by the roadside and said that it was the Meeqat. We put on our Ihram garments there. We later performed several Umrahs, always wearing the Ihram garments at that mosque. But subsequently I learned that the Meeqat was different. I did not offer any sacrifice or compensation, because a friend told me that mine was a genuine mistake. Could you please explain whether compensation is required?

You remain at fault for not asking a proper person to tell you where you should start your Umrah. You relied on a driver who was not even a national or a regular driver on the road. So, your source of information was definitely wrong. Relying on him is certainly your fault, and cannot be described as a genuine mistake. It is negligence on your part. As such, compensation is required, but the sort of compensation is determined by the nature of your fault.

One possibility is that you started from Madinah with the full intention that you are going to do the Umrah. As such, you are considered automatically to be in the state of consecration or Ihram when you reach the point of Meeqat, although you may still be wearing your ordinary clothes. This means that you were in Ihram without observing its rules. Hence the compensation is less severe and you have three options to choose from. You may, if you wish, fast for three days, or feed six poor people, or you may slaughter a sheep. Whatever method of compensation you choose is adequate.

The other possibility is that you did not form your intention to do the Umrah until you reached Badr. In such a case, you crossed the Meeqat and you did not resolve to do the duty of the Umrah. Here the violation of the rules is more serious, and the compensation, consequently, more restricted. You have only one option, which is to slaughter a sheep.

It is you who can tell which of the two violations you did, and it is you who can decide which compensation is due of you. But this compensation is required for each time you did the Umrah starting from that little mosque at Badr. I recommend you to go ahead and do the compensation in order to make each one of your Umrahs complete.

Pilgrimage: Meeqat When Arriving By Sea Or Air

1. Pilgrims from South Africa start coming to Makkah at the beginning of Ramadhan. While some go to Madinah first, those who travel to Makkah put on their Ihram garments at Jeddah airport. Since Yalamlam is their point of Meeqat, should they not travel either to Yalamlam or to Rabigh in order to begin their consecration?

2. Some people who come for Umrah arrive in Jeddah airport in their ordinary clothes, and only begin their consecration, or Ihram, at a friend or relative's house in the city. Please comment

1. It is not certain whether pilgrims coming from southern African areas pass by any point of Meeqat on their way before landing in Jeddah. If the flight is over the sea and it approaches Jeddah from the sea, then they certainly do not pass by any point of Meeqat before landing. This will mean that the first point in the Hill area they pass is Jeddah. The Prophet, peace be upon him, did not define any point of Ihram for those who travel by sea, which means that their Ihram should be on dry land wherever they land within the Hill area. There is a strong case to apply this to pilgrims Traveling by air.

A small but increasing number of scholars consider Jeddah the point of Meeqat for all travelers by air or sea. The most notable of these is the late Sheikh Mustafa Al-Zarqa, one of the most authoritative scholars of the twentieth century. His Fatwa is based on very solid evidence, and it certainly makes things much easier for all pilgrims from distant areas. If the Fatwa counsels in Muslim countries adopt this, it will benefit most pilgrims..

2. Some scholars, most notably the late Sheikh Mustafa Az-Zarqa, who could be considered among the top ten scholars of the twentieth century in the Muslim world, argue that the Meeqat for people who travel by air or sea is at Jeddah. Their ruling is based on their conviction that such pilgrims do not pass by any other Meeqat on their journey, despite flying over it. Hence, the first point of the Hill area they get to be is Jeddah, which should be their Meeqat.

This view has much to recommend it, even though the standard verdict for such travelers is to enter into the state of consecration when the plane flies close to the Meeqat on its way. This is the view of the majority of scholars.

Pilgrimage: Methods — Different Methods Of Pilgrimage & Umrah

A woman who came from abroad to live in Makkah for several months performed the Umrah on arrival intending to do the pilgrimage as well. After her Umrah, she had intercourse with her husband. Does she need to perform the Umrah again before the pilgrimage? Does she have to offer the sacrifice, since residents in Makkah do not have to do it? Does she need to be with a Mahrem when she performs the pilgrimage?

Contrary to what many people think, Islam does not look at the sexual desire as unclean or impure. It is part of the constitution of man and serves the purpose of human survival. Islam only regulates the satisfaction of this desire so as to keep it within the healthy environment of marriage, which allows families to be built and children to grow up under the best possible care. Hence, there is no restriction on a married couple having intercourse at any time, except when restrictions apply. The restricted times are during the day of fasting, during a woman's monthly period, and during the time when either husband or wife is in a state of consecration, or Ihram, for the Umrah or pilgrimage. Once both are released from consecration they may have intercourse as they please.

When the Prophet, peace be upon him, offered his pilgrimage, with more than one hundred thousand of his companions, he advised them to follow the Tamattu, method. That is to offer the Umrah first, and release oneself from Ihram, waiting until it is time for the pilgrimage and re-entering into the state of Ihram when the pilgrimage becomes due. This was very strange to them. They wondered about it and questioned him, asking: "What type of release?" He said that it should be the full release. This means that during the intervening period they have no Ihram restrictions of any sort. Again they wondered, asking: „Can we start our pilgrimage rituals when we have just had intercourse?" He assured them that this is the right way. We follow the Prophet, peace be upon him, as he was the messenger God sent to teach us our faith. This means that it is perfectly permissible for a couple to have intercourse after they have finished their Umrah, waiting for pilgrimage. No need to repeat the Umrah.

As for the sacrifice, it is required of all those who choose the Tamattu, or the Qiran method of pilgrimage. Both involve the performance of both the Umrah and the pilgrimage in the same season. The sacrifice is thus to express their gratitude to God for enabling them to do both duties in one trip.

The people of Makkah do not do either of these methods. They do the Ifraad method, which means offering the pilgrimage only. As such, the sacrifice is not required of them as a duty. It is only recommended in his or her case, as it is recommended to anyone who chooses to offer the pilgrimage in the Ifraad method.

In the case of this lady, she arrived in Makkah long before the pilgrimage season, which starts at the beginning of Shawwal. As such, she is a resident in Makkah and she should choose the Ifraad method. Her Umrah does not count for Tamattu, because it was offered outside the pilgrimage season. However, if she left Makkah for some reason, such as visiting the Prophet's mosque, and came back, she may do a new Umrah. If this happens to be in the pilgrimage season, and she offers the pilgrimage afterwards, she is offering it in the Tamattu, method which requires a sacrifice.

When she travels for the pilgrimage, she should be with a Mahrem, like all Muslim ladies, including those who live in Makkah. If her husband cannot accompany her, then she could go with a group of pilgrims, which includes some ladies. This is what is known as "safe companionship."

Pilgrimage: Methods — In 'Qiran' Method

A group of pilgrims from Riyadh intended to offer their pilgrimage in the Qiran method. Arriving in Mina, they placed their luggage and proceeded to Makkah, where they all did the tawaf and Sa'ie. However, one of them decided to do another tawaf and Sa'ie shortly afterward, calling this second one tawaf Al-Qodoom. They fulfilled all the subsequent duties of pilgrimage on time. Another one of their group decided to do a second Sa'ie after the Tawaf of Ifadah. Could you please explain who was correct, and if any of them is required to compensate for any omission?

May I also mention that on the day of Arafat, some of them prayed Zuhr and Asr with the Imam in Namura mosque, although they were far from the mosque. Others prayed the two prayers separately, each at its normal time. Please comment.

The Qiran method of pilgrimage combines the Umrah and the pilgrimage together in one act of worship. It requires that the pilgrim does all the rituals of the pilgrimage, but means that his main tawaf and Sa'ie are performed once but count for both the pilgrimage and the Umrah. The tawaf that counts as a duty for both is the tawaf of Ifadah, because it is the main tawaf and the most important duty of pilgrimage after the attendance at Arafat. Hence, one Sa'ie for both is enough, and the Tawaf of Ifadah counts for both.

This means that the people in the first case did right. They performed 3 Tawafs and one Sa'ie. The first tawaf of arrival was a Sunnah, and the second is the Tawaf of Ifadah, which is a Rukn or essential duty that cannot be waived or compensated for in any way, while the third is the tawaf of farewell, which is a duty according to most scholars.

The one who did a second tawaf and Sa'ie calling them Qodoom added something extra. This term means arrival, and he has already done it the first time. However, tawaf may be offered as a voluntary one, or Sunnah, because tawaf is considered like a prayer. There is no problem of him offering an additional tawaf. The second Sa'ie he offered was unnecessary. The same applies to the third person who did a second Sa'ie after the Tawaf of Ifadah. It was totally unnecessary. No compensation is needed from any, because they did not omit anything. They only added what is either a Sunnah, in the case of tawaf, or something extra, in the case of Sa'ie.

As for praying with the imam in the mosque at a long distance, this depends on the exact location of the people. If they were behind the imam, then they may be part of the congregation despite the distance, provided they were not separated from the congregation by a physical barrier. If they were ahead of the imam, they were not in the congregation. May God accept their prayers.

Those who prayed Zuhr and Asr separately, at their respective times, did wrong. For those at Arafat doing the pilgrimage, there is only one prayer time, which counts for both prayers. They are both offered at the same time, one after the other, each shortened to two rak'ahs. They may be offered in a congregation at every camp.

Pilgrimage: Methods — In 'Tamattu' Method

My wife and I intend to do the pilgrimage, but she is too weak and cannot walk for a long distance. We are, Allah willing, going to do the pilgrimage in the Tamattu' method. So we want to offer the Umrah now and travel to Mina direct for pilgrimage. Is this permissible?

The Tamattu' method is the one preferred by the Prophet, peace be upon him, for all Muslims. It involves doing the Umrah and pilgrimage separately, starting with Umrah which includes Ihram, tawaf, Sa'ie and shortening one's hair or shaving one's head. One releases oneself from Ihram immediately afterwards and then re-enters Ihram on eighth of Thul Hajjah for pilgrimage. As such, the rituals of each major duty are done separately. Therefore, you have to do a Sa'ie for Umrah and another for pilgrimage.

This, however, should not cause your wife any great trouble with the facilities available in the Haram. If she cannot do the Sa'ie herself, especially after the tawaf of Ifadah, when the place is over-crowded, she could use a wheelchair. You should either push the wheelchair yourself in the passage especially provided for the purpose or ask someone to push it for you. You could also use the second floor, which is less crowded.

You could do the tawaf on the second floor. The distance there is much longer, but you can again use a wheelchair. The time needed for this tawaf will not be much longer than if you do it at the ground level, because of the over-crowding there. She can start by walking whatever distance she can manage herself and use a wheelchair when she is tired.

In her condition, she obviously cannot do the stoning herself. It is better if she asks you to do it on her behalf. When you have finished stoning at each Jamrah for yourself, you do it again on behalf of your wife. This way you reduce the physical effort, which may be troublesome to your wife. I pray that both of you will be able to do the pilgrimage in comfort. May I just remind you that doing the pilgrimage in the Tamattu' method requires each of you to sacrifice a sheep in gratitude to Allah. You may partake of the meat of your sacrifice.

Pilgrimage: Mina — Stay At Mina & the Mistakes Committed

When we did the pilgrimage, we did not manage to reach Muzdalifah until after sunrise because of the heavy traffic. We could not walk because some in our party were sick. We halted for a while and proceeded to Mina. We did not manage to stay in Mina for the three nights, but we stayed two nights just before the Mina boundaries.

The majority of scholars consider the stopping at Muzdalifah after leaving Arafat to be a duty of pilgrimage. What is necessary to do there is to offer the two prayers of Maghrib and Isha and to stay until one has prayed Fajr? One then proceeds to Mina before sunrise. However, women and those who are weak or elderly may proceed from Muzdalifah after midnight. Since this is a duty, you should have tried harder to make sure of doing it.

Since you did not do it, compensation is necessary which is the slaughter of a sheep for every one in your party. The sacrifice must be done in the Haram area and the meat distributed to the poor there. You may not partake of its meat.

You may do the sacrifice now, through a friend or someone who is going to Makkah to do it on your behalf. Even the women in your party should offer this sacrifice, because they did not do this duty at all.

They are unlike those who stayed for a while and offered the two prayers in Muzdalifah before proceeding to Mina. They have not reached there at all.

You need not compensate for not staying those two nights in Mina. According to the Hanbali school of thought and other scholars, staying in Mina on these nights is a Sunnah, not a duty. Hence, no compensation is necessary. Staying in Mina on the

8th of Thul Hajjah, before pilgrimage, is Sunnah according to all scholars. There is no disagreement among scholars on this point. So there is no compensation due on that count either. In other words, you have to compensate only for missing out on the duty of staying the night in Muzdalifah and praying there.

Pilgrimage: Mina — Stay At Mina, Travel & Prayer

Is staying in Mina a duty or a Sunnah? If one does not stay during pilgrimage in Mina, should he sacrifice a sheep in compensation? Is a sheep due for each night, or one for the whole period?

Staying in Mina is a duty according to some schools of Fiqh, but others like the Hanafi School consider it a Sunnah, or recommended. The Hanbali School has two views on this point; one of them considers it a Sunnah and the other a duty. Some leading scholars like Ibn Hazm say that if a person does not stay in Mina for at least two nights, he has done badly, but nothing is required from him in compensation. Imam Ahmad recommends such a pilgrim to offer some charity to poor people. Those who are strict in their view that it is a duty require slaughtering one sheep in compensation for failing to stay in Mina. The whole period requires one sheep only.

Having said that, I should add that it is important to realize that staying in Mina is a separate duty from that of stoning, which is also done in Mina. Failing to do the stoning, or any part of it, requires compensation by slaughtering a sheep.

Pilgrimage: Offering Pilgrimage & Other Essential Responsibilities

People back home say that a person could only offer the pilgrimage if he is free of duties and burdens. In other words, he should have no responsibilities. May I ask whether I could perform the pilgrimage while I am working in Saudi Arabia.

What people mean when they say that a pilgrim should have no responsibilities is that he should be able to cover the expenses of his journey and what is needed for his family's living during his absence. Otherwise, there is no one without any duty, burden or responsibility.

Thus, a person who wishes to perform the pilgrimage should have no outstanding debts, unless his creditor agrees to defer the debt repayment. He should leave his family enough money to meet their needs. This means that when the pilgrimage season arrives, you certainly can yourself avail of the opportunity, which your work in this country provides and offer the pilgrimage.

Pilgrimage: On Behalf Of A Living Person

1. Can we offer the pilgrimage or the Umrah on behalf of a living person?
2. A person who failed to do the pilgrimage when he was in good health is now old and weak. He is physically unable to undertake the journey. What should he do?

1. If the person concerned is financially able to pay for the expense of the pilgrimage, but he suffers from a chronic illness that makes traveling or the discharge of pilgrimage duties too hard for him, he may send someone else to do the pilgrimage on his behalf. In this case, the person concerned should pay all the expenses of the pilgrimage, including the fare, accommodation and living expenses of the deputy who undertakes the pilgrimage on his behalf. However, if the deputy stays a few days after the pilgrimage, only because he cannot travel earlier, then his expenses during these days are also borne by the man for whom he is offering the pilgrimage. If his overstay is a matter of choice, because he wants to increase his reward through

praying in the Haram, doing voluntary tawaf or another Umrah, then the deputy pays his own expenses during his overstay.

Having said that, I am aware that many expatriates try to make use of their presence in Saudi Arabia to offer the pilgrimage on behalf of their parents or other relatives. This is not right. If those parents or relatives can afford to do the pilgrimage, they should do it themselves. If they are poor and cannot afford it, then the pilgrimage duty does not apply to them. If their son invites them, bearing their expenses, he earns very rich reward from God for being very dutiful.

2. A person who can financially afford to do the pilgrimage but whose health is too poor to enable him to undertake the journey should ask someone else to do the pilgrimage on his behalf.

He should pay that person all the expenses involved, but no wages, unless they agree a sum of money in excess of the normal expenses, then the one doing the pilgrimage is entitled to take what he saves.

However, some scholars are of the view that it is acceptable that the one doing the pilgrimage on behalf of someone else receives an agreed wage. The only condition for substitute pilgrimage to be valid is that the person doing the pilgrimage should have already done his own obligatory pilgrimage. In substitute pilgrimage, a woman can do it on behalf of a man or a woman, and the reverse is also valid.

Pilgrimage: On Behalf Of the Prophet, peace be upon him

People back home recite the Qur'an and perform the Umrah and pilgrimage on behalf of the Prophet Muhammad, peace be upon him. Is this appropriate?

No, it is not appropriate. Why should they do this? Prophet Muhammad, peace be upon him, is in no need of their good deeds.

They themselves are in much greater need of such good deeds to improve their standing on the Day of Judgement. Besides, every good deed a Muslim does for himself has been taught to him by Prophet Muhammad, peace be upon him. Hence the Prophet, peace be upon him, will earn a reward for teaching us these reward-earning actions. The thought of doing something on behalf of the Prophet, peace be upon him, suggests that he is in need of it and this is not the case. The best way to demonstrate our love of the Prophet, peace be upon him, is to follow his example and abide by his teachings. In this way we can prove that we have benefited by his teachings. We also demonstrate to other nations and communities that Islam is applicable and that it promotes every good aspect of human life. Thus we carry the Prophet's message to mankind.

Pilgrimage: Opportunity To Perform & Unsettled Debts

A man who came to the Kingdom to work soon found himself jobless and in debt. When time for the pilgrimage was approaching, he had conflicting advice about whether he could perform the pilgrimage, since he was in debt. Yet he thought that the opportunity was too great to miss. Could he have done the pilgrimage? If so, would it fulfill his duty for the future? Or should he have waited until he had settled his debts.

This is a common point of confusion, which arises from the nature of the pilgrimage duty. God states in the Qur'an, that this duty is owed to Him by everyone who is able to undertake the journey. The ability is physical and financial. Hence a person who has no money to pay for his traveling ticket and his other expenses, let alone the

expenses of his dependents during his absence, is exempt from this duty until such a time when he can financially afford the journey.

What about a person who has substantial debts but finds himself in a position where doing the pilgrimage is easy for him, or would not cost him much, as in the case of a person who happens to be in Saudi Arabia as the pilgrimage season draws near. Well, if he knows that his creditors would not mind his absence, or the marginal delay in his settling his debts, then he can go and fulfill his duty. Even if he does not mention his intention to them, and he goes on his pilgrimage, he commits no offense. His pilgrimage is correct and valid, and it fulfills his essential duty.

The same applies if he has arranged to pay a certain amount every month, and he can pay for his pilgrimage while maintaining his debt payments. This rule also applies to a person who is not earning enough to meet his family's expenses. If he incurs a reasonable amount of debt as a result of offering the pilgrimage, and he manages to look after his family in this way, and offers the pilgrimage, he is deemed to have done the pilgrimage when the duty is not applicable to him. Yet, his pilgrimage is valid and counts as fulfillment of the duty required of all Muslims who are able to make the journey.

Pilgrimage: Priority Of the Family, Pilgrimage & Jihad

Scholars in our area differ as to which is more important: Jihad against non-Muslim forces occupying our land and enforcing secular laws, or pilgrimage. Please advise.

This question should never be put in this way. Pilgrimage is a duty only on those who are able to undertake the journey. Ability includes being safe and leaving one's family in safety. In a situation where the Muslim community is not safe because of the oppression of an occupying force, no Muslim may leave his family without protection. Moreover, the safety of the whole community is at issue here. Hence, all resources should be put into the effort to liberate the Muslim community.

Having said that, I may add that such efforts need not necessarily mean fighting. Perhaps the community suffering such oppression needs to make its case known all over the world and pilgrimage provides a means of publicity, either through individual efforts or through a formal delegation undertaking the publicity efforts aiming at mobilizing international support. Thus, those who travel abroad for this purpose, whether to pilgrimage or to other places, share in the jihad of their community. If we put the question for a strict ruling of which of the two modes is preferable, we are liable to have an erroneous answer.

Pilgrimage: Punishment To Be Doubled?

I am told that after a person has performed the pilgrimage, any sin he may commit anew will incur double punishment from God. Is this true?

In their attempt to scare people off committing sins, some people resort to exaggeration. They describe in a vivid manner the punishment, which a particular sin incurs, or try to attach a graver punishment for the same offense in particular situations, like what the reader is describing in connection with sins committed after offering the pilgrimage.

They forget that too much frightening is likely to produce a negative effect. Human beings may be motivated by hope as much as they may be motivated by fear. Hence Islam puts equal emphasis on both elements and raises the prospect of generous rewards for good deeds ahead of grievous punishment for sins. Those people who stress the element of fear and punishment are often misguided.

The rule which is so often stressed in the Qur'an, and the Hadith is that a bad deed will be punished only with what it is worth. This is expressed in the Qur'an in a most definitive manner:

"Whoever does a bad deed shall be rewarded with nothing except its like. But those who do good deeds and are believers, both men and women, shall enter the gardens of Paradise where they receive countless blessings." [The Believer — "Al-Mu'min" 40: 40]

Please note how good deeds are rewarded much more generously than their value, but bad ones incur no more punishment than they deserve. Furthermore, the Qur'an states clearly that ***"Your Lord does not do injustice to anyone."*** If it is claimed that a person receives a double punishment for anything, or in any circumstances, then that claim is contradictory with such statements by God Himself. These claims are certainly false.

Besides a person who goes on pilgrimage is one who has done a good deed. His punishment for future sins cannot be doubled because of that good deed. To say this is absurd.

Pilgrimage: Repeated Pilgrimage, Repeated Sins ***Commentary By Adil Salahi — Arab News***

The main and clear aspect of pilgrimage is that we hasten to respond to Allah's call, wearing nothing of the ornaments, which are part of our custom. When we feel our dedication in this way and when our submission is truly genuine, Allah rewards us generously for our pilgrimage. He wipes off our sins. When we have finished, we start with our slate clean. We know that when we committed those sins, we wronged ourselves and we disregarded our duty to obey Allah. When we respond to Him with dedication and submission as we do in pilgrimage, He accepts our submissions and erases our past sins.

Numerous Hadiths confirm this. The Prophet, peace be upon him, is quoted to have said: "The only proper reward for pilgrimage offered with dedication is paradise." He also says that every time we do the Umrah, we have our sins, which we have committed since our last Umrah, forgiven. There is no doubt that forgiveness is the reward Allah has promised for those who offer the pilgrimage and the Umrah to emphasize their submission to Allah.

This is not surprising because Allah forgives anyone who turns to Him in genuine repentance, even when the sins he had committed are grave indeed. The Prophet, peace be upon him, is reported to have said: "A person who repents having committed his sins is like one who has committed no sins." Every time we turn to Allah in repentance, He turns to us with forgiveness.

But the stress is always on our attitude being genuine. Our dedication must be complete; our submission must be total; our repentance should be sincere. A person who declares that he has repented having done a particular sin, while at the same time he knows that if a chance offers itself again, he will not hesitate to do the same sin again, will not be forgiven that sin. His repentance is merely verbal. He does not mean it because a good believer always regards his sins as something totally undesirable, even though at the time of committing them, he might have enjoyed them. People commit adultery or fornication in order to satisfy their desires. This indulgence may provide them, at the time of committing these actions, with pleasure, enjoyment and ecstasy. However, when they reflect on what they have done, they are genuinely sorry for having exceeded the limits set by Allah. That genuine regret, combined with a prayer for forgiveness, ensures that Allah looks compassionately on

us and forgives us that sin. Pilgrimage is the greatest act through which we demonstrate our submission to Allah, regret for having committed sins of any sort and type, and resolve to do better in our future days. Therefore, the reward for pilgrimage is total forgiveness and heaven.

But the Prophet, peace be upon him, speaks of a pilgrimage offered with total dedication. That involves a firm resolve to abide by Islamic rules and teachings. We cannot just say to Allah that we are responding to His call and we are certainly sorry for our past mistakes, but this is merely for the present. As for tomorrow, we go back to the same old practices. This is no demonstration of our submission to Allah. It does not show that we have really repented what we did in the past. On the contrary, it shows that we still do not have the necessary respect for Allah's teachings. How can that be rewarded with forgiveness?

Such an attitude is similar to that of a person, having committed a sin that he is sorry for it but will go back to it the next minute, if the chance offers itself. This is playing games with the great concept of repentance and forgiveness. Allah accepts no such verbal declarations, because they are devoid of any real substance.

Having said that, I must explain that what counts is one's feelings at the time when one declares one's repentance. If at that particular moment a person is genuine in his repentance, then he is forgiven his past sins. If nevertheless he commits the same sin later because he is too weak to resist the temptation, his weakness is not taken against him except in as far as the new sin is recorded against him. That is because at the time when he declared his repentance, he was sincere. This is indeed a mark of Allah's grace, which He bestows on us in abundance. He knows beforehand that we will be going back to our sins, but He also knows that at the time we declare our repentance, we are genuine. He, therefore, accepts our genuineness and responds to it accordingly.

When He forgives us something, He does not record it against us again. A person may commit the same sin many times, but if he genuinely repents it every time he commits it, then he is forgiven that sin every time. Eventually, he is surely to acquire the necessary resolve and strength to be able to resist any temptation.

If the attitude is one of playing games, thinking that one can commit all the sins one wants and then have slate wiped clean because one offers Umrah or pilgrimage, then the attitude is one of carelessness and disregard to Allah's teachings. It is very doubtful that Allah will accept such an act of worship in which one declares repentance when one has not actually repented. The fact that one intends to go back to it shows that the repentance is only verbal. The Umrah and the pilgrimage cannot be approached in such a casual manner. They are very serious acts of worship, the importance of which cannot be over-emphasized. A casual attitude cannot earn Allah's forgiveness. It is imperative to resolve to make a clean break with the past and make the act of worship a genuine beginning of a life of obedience to Allah and proper observance of His commandments.

Pilgrimage: Sa'ie & Jogging With A Woman Companion

If one is doing the Sa'ie with a woman companion, his wife or mother, what should they do in the area where pilgrims are required to jog? Should the man not jog or should the woman jog in order to stay together.

Jogging between the two green lights in Sa'ie is recommended for men but not for women. Therefore, if you are doing the Sa'ie in the company of a woman and you fear that if you leave her to do the jogging and wait for her at the end of the distance, you may lose her because of the over-crowding or if you think that your stopping at the

end will cause inconvenience to other people, then it is better to dispense with the jogging and confine yourself to walking normally alongside your woman companion.

Pilgrimage: Sa'ie Missed After the Tawaf Of Arrival

If a pilgrim does not do the Sa'ie after the tawaf of arrival, can he do it after the tawaf of Ifadah? Does this entail any additional compensation? Which is the better time for doing the Sa'ie? May I also ask whether it is appropriate to use the same Ihram garments after one has done the pilgrimage?

The Sa'ie, or the walk between the two hills of Safa and Marwah, is an obligatory ritual of pilgrimage which all pilgrims must do. It is done once for pilgrimage and once for Umrah. The only exception is for people who choose the Qiran method of pilgrimage, which combines both duties together. These need to have one Sa'ie only, which counts for both duties.

The Sa'ie is normally preceded by a tawaf. It may be offered after one completes the tawaf of arrival, which is a Sunnah on arriving in Makkah. Alternatively, one may do the Sa'ie after the tawaf of Ifadah, which is an essential duty due after return from attendance at Arafat on 9 Thul-Hijjah. It is up to every individual pilgrim to choose the time of the Sa'ie, according to what suits him or her. However, the crowding after the tawaf of Ifadah is at its highest, which makes Sa'ie more difficult. Therefore, it is more convenient to do the Sa'ie after the tawaf of arrival, because there is more time available and pilgrims arrive over a period of several days.

The same Ihram garments may be used as many times as one chooses. They should be washed and cleaned every time, so that they have a good smell at the beginning of the ritual.

Pilgrimage: Sacrifice Of Animals Through Bank

Is it permissible to have the sacrifice required for pilgrimage through the bank as this facility has been offered over the last few years? It is said that release from Ihram cannot be done until the sacrifice has been offered. How would a pilgrim know that the sacrifice has actually been made for him when he assigns the task to the bank or special committee formed for this purpose?

The service that is being offered through the bank these days is to buy a voucher at any time before the day of sacrifice from any of the branches of the bank operating this service. The voucher entitles you to receive a sheep on the actual day of sacrifice, if you go to the slaughterhouse and present it. Alternatively, you may assign the task of the slaughter to the bank committee operating this service by surrendering this voucher. You indicate whether it is a sacrifice of gratitude or compensation for an omission or a voluntary sacrifice. The committee undertakes to do the sacrifice within the four days of the Eid, the time allowed for this task. It makes sure to distribute the meat to the poor in the Haram area, until they are totally satisfied. What remains of the sacrifice meat which is plentiful, is sent by plane or any other fast means of transport to poor Muslim countries. By so doing, the committee ensures that no meat is wasted, as used to be the case earlier. This is perfectly acceptable. Moreover, it ensures that the benefit of this religious task reaches those who deserve it most. It does become an act of mutual solidarity.

As far as the personal duty is concerned, you are deemed to have fulfilled what is required of you on time, once you have assigned the voucher to the bank committee.

You need not worry about the actual time of sacrificing the sheep, which has been purchased on your behalf.

It is not true that you cannot release yourself from the state of consecration until you have offered the sacrifice. Indeed, the sacrifice has nothing to do with this release. The release is made on the 10th of Thul-Hajjah, after you have done any two of the three duties which are required of you on that day, namely, the stoning, you may proceed to shave your head or shorten your hair and follow that with the first release from the state of consecration. This allows you to do almost everything that was restricted. The complete release from the state of consecration is achieved when you have done your tawaf of Ifadah.

Pilgrimage: Sacrifice Of Distinction

In the name of God, the Merciful, the Beneficent

"This is (to be borne in mind). Anyone who honors the symbols set up by God (shows evidence of) God-consciousness in people's hearts. You have benefit in them for a term appointed; and in the end their place of sacrifice is near the Ancient House. For every community We have appointed (sacrifice as) an act of worship, so that they might extol the name of God over whatever heads of cattle He may have provided for them. Your God is the One and Only God. Hence, surrender yourselves to Him. Give good news to those who are humble, whose hearts tremble with awe whenever God is mentioned, and who patiently bear whatever befalls them, attend regularly to their prayer and spend on others out of what We provide for them."

[the Pilgrimage — "Al-Hajj" 22: 32-35] Commentary by Sayyid Qutb — Translated & Edited by Adil Salahi

The Surah "Al-Hajj" makes mention of those that honor God's sanctities and promises them what is good for them. Preserving and protecting such sanctities and steering away from violating the rules applicable to them fulfills such honoring. Here this passage speaks of honoring the symbols set up by God, which, in this instance, refers to the animals sacrificed during pilgrimage. Choosing the best and most valuable animals for sacrifice manifests the honor:

"This is [to be borne in mind]. Anyone who honors the symbols set up by God [shows evidence of] God-consciousness in people's hearts. You have benefit in them for a term appointed; and in the end their place of sacrifice is near the Ancient House." [Pilgrimage — "Al-Hajj" 22: 32-33]

A link is established here between the sacrifice offered by pilgrims and the way hearts are made conscious of God. The whole purpose of all pilgrimage rituals is to enhance the God-fearing sense among believers. All these rituals are symbols confirming submission to God, the Lord of the Ka'abah, the Sacred House, and obeying Him in all situations. They may also involve reminders of old events, from the time of Abraham and later generations, but these are reminders of complete submission to God, obeying His rules and looking up to Him for guidance. Such is the mark of the Muslim community ever since its earliest days. Hence, these symbols are to be treated on equal footing with prayers.

These animals marked for sacrifice on the day when pilgrims are due to release themselves from consecration may be used by their owners. The owner may ride such animals, if they are suitable for the purpose; or he may use their milk, until they reach the place where they are to be sacrificed, which is in the vicinity of the Ancient House, i.e. the Ka'abah. They are then sacrificed there, when the owners may partake of their meat, but they must give much of it to the poor.

At the Prophet's time, Muslims used to choose the best animals for sacrifice, paying the best prices for them, as a gesture of honoring the symbols set up by God. Their only motive was their God-fearing sense. Abdullah ibn Omar reports that his father received a superb she-camel as a gift. He was offered 300 Dinars for it, [which was a very high price]. He reported this to the Prophet, peace be upon him, and asked whether he should sell it to buy instead several camels for sacrifice. The Prophet, peace be upon him, said: "No. Make this one your sacrifice."

We note here that Omar did not wish to sell the camel in order to save part of its price. He simply wanted to buy instead several camels or cows and sacrifice them all, although he was aware that one camel or cow was sufficient to fulfill the sacrifice duty for seven pilgrims. The Prophet, however, advised him to sacrifice the precious animal itself, for the very reason that it was such a precious one. While the alternative suggested by Omar could have given much more meat to go round, the moral aspect was intended here, because it is a demonstration of honoring the symbols set up by God. This is what the Prophet, peace be upon him, wished to highlight as he ordered Omar to sacrifice that particular she-camel.

The Qur'an mentions that the sacrifice ritual was known in many communities. Islam, however, puts it on the right course, offered for God alone:

"For every community We have appointed [sacrifice as] an act of worship, so that they might extol the name of God over whatever heads of cattle He may have provided for them. Your God is the One and Only God. Hence, surrender yourselves to Him. Give good news to those who are humble, whose hearts tremble with awe whenever God is mentioned, and who patiently bear whatever befalls them, attend regularly to their prayer and spend on others out of what We provide for them." [Verses 34-35]

Islam purifies feelings and intentions, setting them all for one goal. Thus, intentions, actions, worship and customs all serve a common purpose, setting life on the sound basis of faith.

This is the underlying reason for prohibiting eating any meat at the slaughter of which any name other than God's is invoked. Indeed it is essential to invoke God's name at the sacrifice, giving prominence to such invocation, as if the sacrifice is done merely to invoke God's name.

"For every community, We have appointed [sacrifice as] an act of worship so that they might extol the name of God over whatever heads of cattle He may have provided for them." [Verse 34]

A clear statement of God's oneness follows this: ***"Your God is the One and Only God."*** An order of submission to Him is the logical conclusion: ***"Hence, surrender yourselves to Him."*** Such surrender should be an act of choice, done with complete reassurance, without any compulsion: ***"Give good news to those who are humble, whose hearts tremble with awe whenever God is mentioned."*** The mere mention of God's name stirs in them a feeling of awe that manifests itself in their actions. ***"Who patiently bear whatever befalls them."*** They do not object to whatever happens to them by God's will. They also ***"attend regularly to their prayer,"*** showing thus that they worship God as He wishes to be worshipped. Moreover, they do not grudgingly hold on to what they have. Rather, they ***"spend on others out of what We provide for them."***

Thus a close link is established between faith and worship rituals. The latter are derived from faith and manifestations of it. Hence, they are described as symbols set up by God. The point of importance in all this is that life itself derives its color from faith, ensuring unity between beliefs and actions.

Pilgrimage: Sacrifice Well Before the Day Of Pilgrimage

My relatives did their Umrah, as they intended their pilgrimage in the Tamattu method. They offered their sacrifice in Makkah about 12 days before the day of pilgrimage itself. I inquired about this and I was told that it was wrong and they had to sacrifice again or to fast for 10 days. But they did neither. What is their position?

I realize that if he went to several scholars, he is likely to hear the same answer as he was given, which requires those pilgrims to repeat their sacrifice. However, this is an advice based on the knowledge the person concerned has. Perhaps he is not taking a comprehensive view of the issue. According to the Shaf'ie school of thought, a person doing the pilgrimage in the Tamattu method may offer the sacrifice immediately after completing his Umrah, even though there may remain several weeks to the pilgrimage itself. This view is based on the Qur'anic verse stating the Tamattu method. It says:

“He who takes advantage of performing the Umrah before the pilgrimage shall make whatever offering he can easily afford.” [the Cow — “Al-Baqarah” 2: 196]

According to the Shaf'ie school, the fact that he completed the Umrah and released himself from Ihram, he has taken the advantage, which means in pilgrimage terminology, Tamattu. Thus the sacrifice becomes due and it may be offered at any time after that it must be offered in Makkah or Mina, and most of it should be given to the poor of the Haram area.

Having said that, I should add that if one delays the sacrifice until the sacrifice day at Mina, then that is following the Prophet's example. In short, the sacrifice of your relative is acceptable, God willing. They do not have to do anything extra.

Pilgrimage: Second Pilgrimage — Support & Choice

1. My husband and I went on pilgrimage 10 years ago, taking with us our very young daughter. At the time, I knew very little about religion, and I had to take care of the child while performing the duties of pilgrimage. I feel I want to do the pilgrimage again, particularly since I have learnt much about Islam. My husband, however, refused to let me go with my sister and her husband, saying that the pilgrimage is a duty once in a lifetime. Yet we are spending much on holidays, food, clothes, etc. We have had several difficulties lately: could this be a punishment from God for my husband's refusal to let me do the pilgrimage? My husband gives me an allowance for my own expenses. If I save some of this and use it for pilgrimage, is that acceptable?

2. If a person has a chance to perform the pilgrimage for the second time, is it better to offer it as a voluntary pilgrimage of his own, or to do it on behalf of his parents who live far away and have no money to fund their travel?

The first point to clarify is that your difficulties are not a punishment from God for your husband's attitude. God may punish people in this life for their sins, and your husband's refusal to go on pilgrimage or to support your pilgrimage is no sin, because it is a voluntary pilgrimage, or Sunnah. The duty of pilgrimage is once in a lifetime, and both of you have done that. So, where is the sin in not going again? Everyone may have difficulties, because our life on earth is a test, which we have to pass. This test may involve difficulties and hardship or affluence and blessings.

What you need to do is to make your husband understand that pilgrimage could be offered as voluntary, or Sunnah, in the same way as the Sunnah prayers, which we may offer every day. It is a method to get our past sins wiped out. Every one needs that, regardless of how good they are. Your husband appears through your letter to be a good person, devoted to his family and kind to his relatives. He may earn great reward from God for that, but doing the pilgrimage every few years is also a great act of submission to God, for which you stand to earn great reward.

If you save from your allowance and pay for the expenses of your and his pilgrimage, this will be a great act for which he may be indebted to you.

2. It is perfectly appropriate for anyone to do a voluntary pilgrimage after one has done his obligatory one. The reward from God is generous indeed. However, because of the great crowds seen these days at pilgrimage, it is recommended not to do the pilgrimage more than once in five years, except when personal circumstances require. To do the pilgrimage on behalf of parents at home is appropriate, when one's father or mother is physically unable to do the pilgrimage. A woman told the Prophet, peace be upon him, that her father has reached an age when he could not hold himself properly on his mount. "Could I do the pilgrimage on his behalf," she asked. The Prophet, peace be upon him, told her to do so. This is a physical disability that was unlikely to change.

If the lack of ability is financial, that is, if the parents have no money of their own to pay for their pilgrimage, then they are exempt from this duty. If they die without doing the pilgrimage, then they have not missed out on it, because they do not meet the condition of ability, which is essential for the pilgrimage to become a duty. Therefore, the son is not bound to do their pilgrimage when they are alive. If they have died and the pilgrimage was not a duty in their case, the son could still do it on their behalf. If they are alive, then their son does a great act of dutifulness, if he pays for their pilgrimage. In this case, he should send them money to buy their plane tickets [and other payments as necessary], and still act as their host when they arrive to do their pilgrimage.

Pilgrimage: Seeking the Employer's Permission For It

May I ask whether it is appropriate to perform the pilgrimage without the consent of one's sponsor? Some people suggest that a worker is like a slave, which means that it is not obligatory for him to do the pilgrimage. Please comment.

From the Islamic point of view, no one need to take any permission from any human being to offer pilgrimage. This is a religious duty and no one needs permission to do what God has required. It is just like offering your prayers. Do you seek anyone's permission to do it?

Having said that, I should also explain that Muslim ruler may enact some regulations, in order to ensure the safety of pilgrims and to enable all those who come for pilgrimage, to restrict entry for pilgrimage more than once every five years and thereby reduce overcrowding at the places where the rituals are offered. This is particularly true with the easier travel facilities that have become available everywhere.

On the other hand, if the conditions specified in one's contract of work require him to attend to duty on particular days and not to travel without permission from his employer, then he must abide by these [contractual] conditions. It is not lawful for the employer to prevent any employee from doing the pilgrimage except for a valid reason, such as the disruption of important facilities or services to the people of the area where the employee works. The notion that a worker is like a slave is certainly

absurd. No employer has the right to dictate any conditions to employees other than in connection with their work duties. Besides, who says that a slave need not do the pilgrimage? A Muslim slave, in the days of slavery, was required to do the pilgrimage as much as a free man.

Pilgrimage: Sequence Of Executing Various Pilgrimage Duties

When I did the pilgrimage, I shaved my head after stoning at the Grand Jamrah on the day of the Eid. I had bought a voucher for the sacrifice from the bank. I intended to delay my Tawaf of Ifadah, so that I could do it with my elderly mother. Other pilgrims in our party objected to what I did on account of their inquiry at the Bank and learning that the sacrifice would only be done the following day. They advised that I had to compensate for the error by sacrificing a sheep. I acted on what I had read in a book that the sequence of these duties is merely recommended. Please advise.

There are two points involved in your question. The first is which duties of the day of the Eid need to be accomplished before a pilgrim may release himself from the state of consecration, or Ihram. The duties concerned are three only, not four as many people think. These are the stoning at the Grand Jamrah, Tawaf of Ifadah and the shaving of one's head, or shortening of one's hair. Any two of these are sufficient for the release from Ihram, except that conjugal relationship with one's wife remains restricted until after the Tawaf of Ifadah. In other words, all other restrictions are relaxed after one has stoned at the Jamrah and shaven his head or shortened his hair. That is exactly what you did, and it is perfectly legitimate. No compensation is needed because there was no offense.

Many people add to these three duties the duty of sacrifice which is incumbent on any one doing the pilgrimage in the Tamattu' or Qiran methods, and a Sunnah for those doing the Ifraad method. This is a duty, which becomes due on the same day as well, but could be performed later as well. It has no bearing on the release from Ihram. Therefore, the timing of the sacrifice in the voucher system is immaterial in as far as the release from Ihram is concerned. There is no need for the reader to worry about.

The second point in the question is that the sequence of the three or four duties is not an important factor. Some scholars argue that it is a Sunnah because the Prophet, peace be upon him, did them in a certain order. That is true in as far as it goes. We have learnt that the Prophet, peace be upon him, did these duties in a certain order, and we wish to do likewise. However, the Prophet, peace be upon him, was asked by many of his companions about the sequence they performed their tasks, and they gave him every possible permutation. In all cases, he approved what they did; saying that there was no harm in that. His answer emphasizes a basic principle of Islam, which ensures the removal of difficulty and the desire to maintain ease. Today, if only one quarter of pilgrims insist on doing these duties in the same order the Prophet, peace be upon him, did, there is bound to be much disruption and difficulty. This is what Islam is keen to avoid.

Pilgrimage: Sex During Pilgrimage — Extent Of Restrictions

Could you please explain whether the restriction on sex with one's wife during the pilgrimage extends for any length of time after the completion of this duty. Some people suggest that this restriction continues for a week after the pilgrimage or the Umrah are over

One of the restrictions that apply during the period when one is in a state of consecration or Ihram is that one must refrain from sex with one's wife, or a woman

with her husband. It is well known that when we travel to Makkah for pilgrimage or Umrah, we must enter into the state of consecration at a certain point on our way. We continue in this state until we have completed the Umrah, or the duties of pilgrimage that become due on the day of sacrifice. During this time, men may not wear ordinary or tailored clothes, and no pilgrim may wear perfume, or kill game animals, even for food. Similarly, sex with one's wife is not allowed. But when one is released from the state of consecration, all these restrictions end. There is no extension of any restriction beyond the performance of the relevant duty.

I must add a word of caution, because the release from Ihram in pilgrimage is done in two stages. The first stage occurs on the completion of the two duties of stoning at the Jamrah and shaving one's head or cutting one's hair. Both duties are due on the day of sacrifice. When they have been done, a pilgrim may relax all the restrictions associated with the state of Ihram except those relating to sex. This remaining restriction is relaxed only after the performance of the tawaf of Ifadah, which also becomes due on that day. Thus, if one completes these three duties, one is released from all restrictions. This means that he may have intercourse with his wife although the pilgrimage is not complete yet.

Pilgrimage: Smoking During Pilgrimage

When I performed the pilgrimage I smoked cigarettes in Mina, Muzdalifah and Arafat. Is there any compensation to make? Could you please explain whether cigarette smoking is permissible or forbidden?

Tobacco smoking was introduced into the "Old World" after Columbus brought it with him from America, where he found the Red Indians smoking it. As such it has no clear verdict in the original Islamic sources. Therefore, Muslim scholars have given different rulings on smoking, with many of them saying that it is permissible because they could not determine any reason for prohibiting it.

However, many scholars also said that it was reprehensible because they saw no clear benefit in smoking, and that it gave a very bad smell. Quite a number of scholars also felt that it was forbidden because it involved spending money on something without use or benefit. Such were the views of scholars in the past.

Today, with the hazards of smoking having been clearly outlined and proven, an ever increasing number of scholars are returning the verdict of strict prohibition on tobacco smoking. Al-Azhar has issued a ruling more than ten years ago, with no less than [nine out of] ten scholars subscribing to it, making smoking forbidden. The verdict was based on a report by World Health Organization [WHO] outlining the real health risks smoking represents to the smoker and those who are in close proximity to him.

Earlier than that, the Presidency of Islamic Research, Ruling and Propagation in Saudi Arabia issued a ruling making tobacco forbidden to smoke or use in any form, and also forbidden to grow and sell. The problem is that these rulings have not received the necessary publicity, which would make all Muslims throughout the world aware of them and their basis.

Had they been well publicized, many a smoker would have quit this foul habit and broken his addiction to tobacco, and many a prospective smoker would not have started smoking.

I personally have no doubt whatsoever that tobacco smoking, chewing and sniffing is forbidden in Islam, because of the numerous illnesses it causes or contributes to. There are no less than 25 very serious and killer diseases such as cancer of the lung,

oral cavity, larynx, esophagus, bladder and cervix, and also heart diseases, emphysema and chronic bronchitis. Furthermore, it is addictive.

Concerning the specific question of smoking while doing the pilgrimage rituals, one must say that pilgrimage is a great act of worship which we undertake for the specific reason of earning God's forgiveness of our past sins. How can we hope to achieve that if we do what God has forbidden while we are engaged with our pilgrimage? Imagine seeing a pilgrim in his Ihram garments doing something obviously forbidden. That is absurd.

There is no specific compensation to give, but my advice to you is to seek God's forgiveness of what you have done. You cannot do that unless you sincerely repent of it, and that repentance means a resolve to quit smoking altogether, in addition to regretting what you have done. May God make it easy for you to quit smoking without delay.

Pilgrimage: Some Duties & Timings

We intend to do the pilgrimage in the Tamattu method, but we will do the Umrah one-week before the time of pilgrimage. We intend to come back to our home in Yanbu and then travel on Dhul-Hajjah for pilgrimage. I would like to make sure of the following points. Do we have to do tawaf again after entering into Ihram for pilgrimage? If not, should we proceed to Mina directly? Can we delay stoning at the Jamrah until 5 p.m. on 10th Dhul-Hajjah, and then do the sacrifice, shave our heads and release ourselves from Ihram? Can we delay the tawaf of Ifadah until 11th Dhul-Hajjah? Do we have to do the Sa'ie after we complete the tawaf of Ifadah on 11th Dhul-Hajjah and the tawaf of farewell on the 12th Dhul-Hajjah. All these arrangements are intended in order to avoid the rush and overcrowding.

When you do the pilgrimage and the Umrah in the Tamattu method, which is the one recommended by the Prophet, peace be upon him, you separate the Umrah and complete it as soon as you arrive in Makkah. You then resume normal life conditions until 8th Dhul-Hajjah, when you have to start again on your pilgrimage. When you enter into Ihram, or consecration, for the pilgrimage, the tawaf you did for Umrah is counted as your tawaf of arrival. You do not have to do a new tawaf of arrival. Even though you have traveled back home, the same regulation applies. So you may proceed to Mina directly for your pilgrimage.

It is better to do the stoning at the Jamrah early, but if you fear the over crowding, you may delay it. You have to remember that the timing for stoning on the first day is from sunrise till sunset. The Prophet, peace be upon him, was being asked questions on the day of sacrifice when a man asked, "I have done my stoning before sunset?" The Prophet, peace be upon him, said, "There is no harm in that." [Related by Al-Bukhari]

If the stoning is delayed further than that and the night has fallen, then it is permissible to do the stoning at night, provided that the delay was for a valid reason. However, the Hanbali school of thought does not approve of stoning at night. It prefers that if one has missed the stoning during the day then he does it the following day at the time of stoning. It is good to remember that the stoning on the following day starts at noon. Nowadays, with the congestion and crowding at the Jamrahs being too heavy, people may avail of the concession and do the stoning when they can avoid the rush. Women should ask their men companions to do the stoning on their behalf.

If you delay the stoning till the evening, you need not delay the sacrifice and the shaving of your head, or cutting your hair. The four duties required on 10th Dhul-Hajjah may be done in any order. These are the stoning, the sacrifice, tawaf of Ifadah and shaving one's head or cutting one's hair. The Prophet, peace be upon him, was asked by his companions about every possible permutation in the order of discharging these duties. To all questions he answered that the suggested permutation was appropriate. He approved all possible permutations. Thus, one can start with the tawaf of Ifadah before the stoning, or the shaving before the stoning, or the sacrifice before any of these, etc. Releasing oneself from Ihram may be done when one has completed 2 of the three duties of stoning, tawaf and shaving. The sacrifice has nothing to do with the release from Ihram. This release is the first release, which cancels all restrictions except sex with one's wife. This last restriction is relaxed only after the tawaf of Ifadah is completed.

The tawaf of Ifadah may be offered on any day after 10th Dhul-Hajjah, although offering it that day is preferable. However, the numbers of pilgrims these days make it necessary that some of them delay this major task of pilgrimage. It may be offered during the next three days or even later than that, preferably not later than the end of the month of Dhul-Hajjah. The tawaf of Ifadah is a duty of pilgrimage that must be done. If it is omitted, it cannot be compensated in any way. [The restriction on sex with one's wife stands. If you have gone back then you have to come back and fulfill this task before sex is validated.]

When you do the tawaf of Ifadah, you have to follow it with a Sa'ie between the two hills of Al-Safa and Al-Marwah. This Sa'ie is for pilgrimage, while the Sa'ie you did for Umrah is for that duty. Thus, you do one Sa'ie for each duty. There is no Sa'ie after the tawaf of farewell. May God facilitate your pilgrimage and reward you well.

Pilgrimage: Some Questions On Pilgrimage

1. Is it true that the wearing of socks is obligatory for women during performing Tawaf and Sa'ie?
2. Is it permissible for men to wear a jacket during Ihram in winter, only to protect themselves against cold weather?
3. I wish to do the pilgrimage in the Qiran method, intending to buy the sacrifice coupon here in Riyadh or in Makkah in advance of pilgrimage. Is this allowed?
4. If a follower of the Shaf'ie school of thought is doing the Tawaf with his wife, it is very likely that they may accidentally touch each other during Tawaf. That will invalidate their ablutions. Is it permissible for them to intend doing the Tawaf according to another school of thought?
5. Is it permissible to do the stoning in the morning hours to avoid the rush?
6. Is it permissible to use cream, Vaseline or lip balm during Ihram?

1. A woman should cover all her body during Ihram, or the state of consecration, with the exception of her face and her hands, up to her wrists. She may not cover these while she is in that state. To cover them is to violate the rules of Ihram and requires compensation. She may wear any clothes she likes, whatever their color may be, provided that she keeps her face and hands uncovered. She may wear socks if she wishes, or she may wear long garments, which cover her feet. She does not have to wear socks, but socks or stockings or trousers may be very helpful in giving her the necessary cover for her legs and feet.

2. A man may not wear a jacket during Ihram, not even when the weather is cold. However when the pilgrimage season is in the coldest period of the year, and he feels very cold, he may cover himself with a blanket, or any garment, provided that he does not wear it as he wears normal clothes. The proper way is to wrap it around his body. It is also permissible to cover him with a blanket or a similar article when one sleeps.

3. May God facilitate and accept your pilgrimage. May I remind you that although the Prophet, peace be upon him, did his pilgrimage in the Qiran method, he stated very clearly that the Tamattu' method is the one to be preferred.

As for the sacrifices, it is perfectly appropriate to offer it through the general scheme, buying a coupon from a bank before or during the pilgrimage. Even when you buy the coupon at any bank and assign it to the organizing committee before the pilgrimage, the organizers undertake to actually do the sacrifice on behalf of all the subscribers at the time when it becomes due.

4. The best way out of the difficulty the reader refers to with regard to the invalidation of ablution in touching one's wife or the body of any woman who is permissible for one to marry is to study the opinions of all schools of thought, and weigh their evidence in support of their respective views. When one does that, he may very likely conclude that a different opinion is more strongly supported. It is not right to take the opinion of a different school of thought only because it is convenient. On this point I feel that the view which considers ablutions invalidated on touching a woman if the contact is accompanied with a feeling of desire is weightier. If there is no feeling related to the sexual desire, then the contact does not invalidate the ablution.

5. The stoning time on the second, third and fourth days of the Eid starts when Zuhur or midday prayer has fallen due, lasting until sunset as the preferred time and until midnight as acceptable time. It is important for pilgrims to try to avoid the rush, and they can easily do that by delaying their stoning until about one-hour before sunset. Even then it is easy to choose the easier spots at the Jamrahs. If one chooses the ramp and approaches the Jamrah away from the center, then when he reaches it, he walks to the opposite side. That is to say that he moves half a circle around it and then comes to it as though he is coming from Makkah to Mina he will find the crowding there to be much less. Women may delay stoning until after Isha prayer, or alternatively they ask their men companions to do it on their behalf. A woman must never go in the thick of the crowd to do her stoning. She will be squeezed and may be crushed. No woman should allow herself to be in such a situation. It is definitely not a situation to offer a duty of worship in.

6. The use of Vaseline, cream or lip balm or any similar material is permissible if such products are free from perfume, and they are used as medication to soften the skin in affected areas.

Pilgrimage: Stoning Jamrahs — Timings & Departure From Mina

I performed the pilgrimage in the Qiran method. On Dhul-Hijjah 12 I did the stoning before noon, as I heard that there is a Fatwa making this permissible. However, I did not leave Mina that day until after sunset. I did not do the stoning on the following day. What compensation is due from me?

Because of the great crowd at the time of stoning and the practical impossibility that all pilgrims do the stoning between midday and sunset, scholars have been giving rulings that the time for stoning should be extended. Hence, the Fatwa you heard is correct, and Insha'Allah, your stoning early is acceptable. As for your departure after

sunset, this is a time when you should not depart. If you are in Mina after sunset you should stay the night and do the stoning the following day.

However, what you did might have been unavoidable. You have not given me details to assess the situation.

However, suppose you have actually vacated your place and took a bus or some other vehicle before sunset with the intention of departure, but because of the heavy traffic your vehicle was stranded for hours and it could not move out of Mina before sunset, then you are deemed to have left, despite your presence in Mina after sunset.

This is a situation beyond your control. On the other hand, if you just stayed with friends and there was no real difficulty in departure, then your stay is by choice.

In this case, stoning the following day was required and for its omission you should sacrifice a sheep in the Haram area and give all its meat to the poor there. You can do it now or ask someone to do it on your behalf if you live at a far away place.

Pilgrimage: Stoning Jamrahs In A Wrong Order

You should begin stoning with the First Jamrah, or the "small" one, as it is commonly called. When you have completed this stoning, you move on to the second, or the Middle Jamrah. You finish with the third or the "Grand" Jamrah, which is also known as the Jamrah of Aqabah. This is the proper order for stoning on the second, third and fourth days. On the first day, you do the stoning only at the third or Grand Jamrah.

If, however, you do the stoning in the wrong order, beginning with the third and moving on to the middle one before finishing the Third Jamrah, only the last one is correct. The other two are invalid. You have to go back to them and do the stoning in the right order, as long as this happens before sunset on the 13th Thul Hajjah. If one has done the stoning in the wrong order on all the three days, then he has to compensate for this because his stoning remains incomplete. If he has done it on one day only, then the compensation may be in the form of a Sadaqah, or a charitable offering.

Pilgrimage: Stoning Jamrahs Partially & Stampede

A man was doing the stoning on the Day of Sacrifice with his 11-year old son, but there was a crush and they were in fear of a stampede. So they left without completing the stoning, forgetting that they had not finished. The boy had thrown only 4 pebbles and the man between 10 and 15, since he was doing it also on behalf of his wife and his 7-year old daughter. When he went to his tent and rested, all the family released themselves from consecration, forgetting that their stoning was incomplete. The man did the stoning on the other two days on behalf of his family without problem. Are they liable to make any compensation?

The man should have repeated the stoning for the Day of Sacrifice on the second or third day to make sure. However, in his case there was a genuine mistake coupled with forgetfulness. It is hoped that God will accept his action as correct. Since he is not sure of the number of pebbles he had thrown and that they could be 15, we assume that they were 14 and count for him and his wife. His daughter is too young and there is no problem with her missing the stoning. However, had he repeated the stoning, that would have been fine.

Pilgrimage: Stoning Jamrahs

During pilgrimage, Muslims do the ritual of stoning at three spots, which people call: big, medium and small Shaytan, or Satan. Are there 3 different kinds of Satans or do these belong to Satan's family? Does he have a family?

The three adjectives and the word Shaytan are simply popular usage. The fact is that there is no devil or Satan at any of these places. The correct name of the whole area is Aqabah, and each of the stoning places is called Jamrah. The name denotes that each one is the place where jimar, i.e. little stones, are thrown. In Arabic they are called the first or nearest, the middle and the grand Jamrah. These descriptions are easy to understand. The first is the nearest to Mina where the pilgrims stay. The grand Jamrah is called grand because it is the only one to be stoned on the first day. Thus, stoning at this Jamrah is done on 3 or 4 successive days, while at the other two it is done one day less.

Prophet Ibrahim had refused to listen to Satan and tried to drive him away by throwing stones at him. He shifted his place twice and Satan still tried to persuade him not to do the sacrifice, but he stoned him every time. That is the action we commemorate, expressing our resolve that we will obey God in all situations. It is not an action of stoning Satan Himself, because Satan is not there at the Jamrahs.

Yes Satan has a family. God says in the Qur'an:

"When we told the angels, 'Prostrate yourselves before Adam,' they all prostrated themselves, except Iblis. He was one of the Jinn, and he turned away from His Lord's command. Will you, then, take him and his offspring for your masters instead of Me, Although they are your foes? How vile an exchange on the part of the evildoers." [The Cave — "Al-Kahf" 18: 50]

Pilgrimage: Substitute Pilgrimage & the Order Of Preference

My father-in-law is very old and physically too weak to undertake the pilgrimage himself from India. He has requested me to perform the pilgrimage on his behalf and he will meet the expenses. Is this permissible? May I add that I lost both my parents many years ago? Neither of them offered the pilgrimage during their lifetimes. Can I offer the pilgrimage on their behalf now? If so, to whom should I give priority? Is it permissible to offer the pilgrimage or the Umrah on behalf of a person who is not alive?

Of course it is permissible to offer the pilgrimage or the Umrah on behalf of a deceased person, particularly a parent or a close relative. You have only to make your intention clear before you embark on your pilgrimage journey that you are offering the pilgrimage on behalf of the person concerned. If you do it on behalf of a deceased parent, it is a mark of dutifulness for which Allah will undoubtedly reward you and He will, if He so wishes, credit its reward to your parents.

A living person who is too ill or too old to undertake the journey may ask someone else to do the pilgrimage on his behalf. When you do so, you have to cover his expenses. Indeed, the case of your father-in-law is a classic one for a person who may appoint someone else to do the pilgrimage on his behalf. Since he is too old and too weak to undertake the journey, he is unlikely to acquire enough strength to do the pilgrimage later. Therefore, he should appoint someone else to do it. That person need not be a relative.

A person in this situation should cover all the expenses of the person offering the pilgrimage on his behalf. The latter should be careful what he spends. He should

always be reasonable. He may not invite others to anything at the expense of the person who appointed him. However, if the first person tells him: Do the pilgrimage on my behalf and I will give you, say, ten thousand Riyals, he is free to spend it as he wishes, provided that he makes sure to fulfill the duties of pilgrimage in the right manner. Scholars are of different views on whether such a person may receive wages for undertaking the pilgrimage on behalf of someone else. Imam Abu Hanifah says that this is not permissible, while Al-Shaf'ie and Malik say that he may have some wages. [In either case, it is better that a mutually agreed sum is handed out for expending to the person appointed for performing the pilgrimage on your behalf; as thus providing him with a free hand to spend as he wishes without worry about accountability. His only concern shall be the fulfillment of all the duties of pilgrimage.]

With regard to my first reader's question about the priority, I would say that his deceased parents have a stronger claim on him. He should begin by offering the pilgrimage on behalf of his mother. He then tries to offer another pilgrimage on behalf of his father. Subsequently, he may offer the pilgrimage on behalf of his father-in-law, if he so wishes. The reason for this ruling is that his father-in-law may appoint someone else to do the pilgrimage on his behalf. My reader may wish to write to his father-in-law and explain this to him. He may suggest to him to appoint a friend whom my reader trusts as a man of integrity, honor and piety.

Pilgrimage: Substitute Pilgrimage For A Fiancée

I was engaged to a lady but she died before we got married. Some people tell me that I could not recite the Qur'an, do the pilgrimage or the Umrah on her behalf or give anything in charity either. Other people say that all this is permissible. Please comment.

I am not sure how far your relationship with the late lady went. People speak of being engaged, although they may be in different stages of this relationship. In other societies, a long period of time may lapse between making the marriage contract and the wedding. Although the contract is the formal step, which makes a man and a woman married, they remain apart; each living with one's own family until the wedding takes place. If you had the marriage contract made, the young lady, may Allah have mercy on her, was your wife, although your marriage was not consummated. In other societies, the marriage contract is made on the wedding night and it constitutes the change of relationship. Prior to it, the man and the woman have no formal relationship.

If your relationship with the late young woman was of the first type, i.e. you have your marriage contract made, then the whole question should not arise. Whatever you do on her behalf is simply done by a husband for his late wife. Nothing can be more appropriate. Some people may question your attitude in doing things in memory of her when she is not really related to you. That is a narrow view. You have made a formal agreement with her and her family that you would be married soon. The engagement is a real relationship although it was not formalized by a marriage contract. That was the next stage, which you would have reached had she remained alive. You might have spoken about your future life together on several occasions when you visited her at home or spoke to her parents. You might have exchanged ideas about what sort of home you would establish. You might have had dreams of the sort of family you would be starting. All this is left in your memory, which cannot be taken away from you. If her death has left you in grief, that is the most natural thing in the world. To think, as a result, of doing something to please Allah on her behalf is highly commendable. If you do the pilgrimage or the Umrah or you give money in charity on her behalf, and if you pray for her to be admitted into heaven, then Allah will reward you for that. All you need is to declare at the beginning of the

action you intend to do on her behalf that you want it so. When, say, you want to do the pilgrimage on her behalf, you declare at the moment you are entering in the state of consecration that this is a pilgrimage you are doing on behalf of your late fiancée, mentioning her name. Allah will accept it that way and will give her its reward and reward you for doing it.

It is perfectly appropriate to offer the pilgrimage on behalf of someone who is not related to us. At the time when the Prophet, peace be upon him, went on his pilgrimage, he heard a man declaring that his pilgrimage was intended on behalf of Shibrimah. The Prophet, peace be upon him, asked him who Shibrimah was. The man answered: "A brother of mine." The Prophet, peace be upon him, did not ask him whether Shibrimah was his real brother or simply his brother in Islam. The man's answer could be taken either way. Hence, it is appropriate to do the pilgrimage or the Umrah or similar acts of worship on behalf of any Muslim brother. The Prophet, peace be upon him, only asked the man whether he had done the pilgrimage himself. When he answered in the negative, the Prophet, peace be upon him, told him to do the pilgrimage for himself first and then do it again on behalf of Shibrimah.

As I have said, your past engagement with the late young lady makes it appropriate to mention her in your supplication, praying Allah to grant her forgiveness and admit her into heaven, do the pilgrimage or the Umrah on her behalf. But that is as far as it should go. Keep her memory to yourself and do not talk to others about it.

Pilgrimage: Substitute Pilgrimage For the Dead & Others

Could you please let me know whether it is permissible to offer the pilgrimage or Umrah on behalf a deceased person or one who lives abroad.

Offering the pilgrimage or the Umrah on behalf of a deceased person is perfectly legitimate. Indeed, if a person did not perform the pilgrimage in his lifetime, his heirs should set aside from his estate a sum of money sufficient to cover the expenses of someone who is willing to travel and do the pilgrimage on his behalf. The only condition for the substitute pilgrimage to be valid is that the person doing it should have offered his own obligatory pilgrimage first. If he did not, then his pilgrimage is counted as his own obligatory one, and not for the person on whose behalf he undertakes it.

A man may do the substitute pilgrimage on behalf of a woman or vice versa. If substitute pilgrimage is undertaken on behalf of a living person, this is only done in the case of that person being too ill to undertake the journey and he or she is unlikely to recover. Otherwise, pilgrimage is a personal duty and should be offered by the person himself.

Pilgrimage: Substitute Pilgrimage For the Ones In Good Health

What does Islam say about those who perform Umrah on behalf of their relatives who are enjoying good health in their own country? Is it permissible?

Doing the substitute pilgrimage or Umrah is allowed in order to give a chance to those who are unable to offer it themselves, because of circumstance beyond their control, to have this duty fulfilled. If you look at those who put the question to the Prophet, peace be upon him, in order to know whether doing the pilgrimage on behalf of their relatives was permissible or not, you will find that they put to him the circumstances which did not enable that person to fulfill his duty himself. A woman told the Prophet, peace be upon him, that her father could not sit up on the back of a camel, because of old age. The Prophet, peace be upon him, told her that she could

do the pilgrimage on his behalf. Another person asked about his father who had died, implying that the father meant always to offer the pilgrimage. Again the Prophet, peace be upon him, told him to pay the debt owed by his father to Allah, i.e. pilgrimage.

It is needless to say that a person who has the physical and financial ability to offer the pilgrimage or the Umrah is required to fulfill those duties himself. If he is financially unable to do his duty, then that duty is not required of him. If he is chronically ill but is well off, he is required to send someone on his behalf. What people these days do when they find a relative of theirs working in the Kingdom of Saudi Arabia is to ask that relative to do the Umrah or Pilgrimage on their behalf. He willingly obliges and they feel that they got this duty done for them on the cheap. This is not the way to deal with Allah. A substitute pilgrimage or Umrah is acceptable and meaningful when there is a compelling reason for it. If the reason is merely convenience, then that is not the way to approach our Islamic duties.

Pilgrimage: Substitute Pilgrimage Or Umrah & the Preconditions For It

I know that it is appropriate to perform the pilgrimage or the Umrah on behalf of a relative who is dead, but is it permissible to offer either of these duties on behalf of the one who is alive, as many expatriates do?

Substitute pilgrimage may be offered on behalf of relatives who died without having fulfilled this duty. The same applies to the Umrah. The Prophet, peace be upon him, was asked whether one may offer the pilgrimage on behalf of a deceased parent and he said that this should be done. Similarly, if a relative is too ill to be able to do the journey, it is valid if someone else offers the pilgrimage on his behalf. This could be a relative who performs the substitute pilgrimage voluntarily, or the person himself may hire a man or a woman to do the pilgrimage for him, paying all the expenses of the person hired for the purpose. The only condition is that such deputy should have done his/her own pilgrimage first.

There are several Hadiths, which confirm this. A woman said to the Prophet, peace be upon him, that her father is too weak to be able to sit on the back of his camel. Could she offer the pilgrimage on his behalf? The Prophet, peace be upon him, told her to do so. Another Hadith mentions that when the Prophet, peace be upon him, was traveling for his own pilgrimage with many thousands of his companions, he heard someone declaring that he is doing the pilgrimage on behalf of a man called Shibrimah. The Prophet, peace be upon him, asked him who was Shibrimah. The man said: "He is a brother of mine." The Prophet, peace be upon him, asked him whether he had done the pilgrimage already. The man answered in the negative. The Prophet, peace be upon him, said to him: "Then offer the pilgrimage on your own behalf first, then you may offer it on behalf of Shibrimah."

Some well-meaning expatriates feel that they should take the opportunity and save their relatives the trouble and expense of doing the pilgrimage or the Umrah by doing these duties on their behalf. Or they may do so because they know that their relatives are too poor to be able to afford the journey. This is not right, because if a person cannot afford the journey, he does not meet the condition of ability, which makes the pilgrimage a binding duty for him or her. This duty is conditional on one being able to undertake the journey, both physically and financially. If one does not meet this condition, he is exempt from doing it. If the relative concerned is one's own parent, it is infinitely better to arrange for one's parents to come over and do the pilgrimage themselves. If one cannot do that, he may pray for them in the Haram. If neither he nor they can afford the expense, he may do the pilgrimage on their behalf as an act of dutifulness, knowing that it is not binding on them. He will be richly rewarded for that, God willing. But he need not go further and do the pilgrimage or the Umrah on

behalf of other relatives who are similarly placed with regard to ability, because they are not required to do it themselves.

Pilgrimage: Tawaf — In Anti-Clock Wise Movement

Why Is The Tawaf Movement Anti-Clock Wise?

In matters of worship, we accept without question what Prophet Muhammad, peace be upon him, has taught us. There need not be an apparent reason for the form of any particular worship. Otherwise we would be questioning every thing and suggesting alternatives. People may ask: 'why do we do one Rukoo, and two prostrations, or sujood in prayer?' Why do some prayers include two Raka'ahs while others have four?

We should remember that whatever God does or orders must have a purpose. We accept that God's purpose is always wise and beneficial. Hence, we do our worship as the Prophet, peace be upon him, has taught us. When he started his pilgrimage, he announced to the large number of his companions Traveling with him: "Learn from me your rituals." It is a clear order that the pilgrimage and the Umrah should be done exactly in the manner he did or approved. When he did his tawaf he walked round the Ka'abah in an anti-clock wise movement. This is why we do the same.

Pilgrimage: Tawaf — Of Farewell & Sleeping After

Can one perform the tawaf of farewell at the end of the pilgrimage and then sleep for a few hours before departure from Makkah?

The proper thing is to make the tawaf of farewell the last thing one does in Makkah before departure. If one knows that he would not be Traveling for a few hours, then he should delay his tawaf until the last moment when he can do it comfortably and come back for departure without causing delay to anyone. But if you know that your departure will not take place for several hours after you finish your tawaf, then sleep first and then do your tawaf.

On the other hand, take the case of one who has made arrangements to leave Makkah in a couple of hours and goes to do your tawaf returning shortly before the time set for departure. He then discovers that his transport is delayed by a traffic jam or an accident involving other cars. He is waiting for his transport to arrive any minute so that he would load his luggage and leave.

However, the wait is prolonged for reasons beyond his control, and while waiting he sleeps, then when the car arrives he is woken up, and departs, then he need not repeat the tawaf first.

Pilgrimage: Tawaf — Of Farewell Done In Advance

When we offered the pilgrimage, we were told that our group will leave Mina for our home directly at 5 p.m. on 12 Dul Hijjah. When we asked about the tawaf of farewell, we were told to do it the day before, which we did. Is this right? If not, then what should we do in compensation?

The tawaf of farewell is the last thing one should do on one's pilgrimage. The only people who are exempt from it are women who are in their periods and have to join their groups on traveling home, and also the pilgrims residing in the Haram area. The Prophet, peace be upon him, issued an order that no one should start their travel without doing this tawaf which should be the last action. Hence, scholars say that if one does the tawaf of farewell and remain in Makkah for sometime afterward, he must do it again before he leaves. What the reader and his group did was to perform the tawaf of farewell and then stay another day in the Haram area, which includes Mina.

This means that their tawaf counts as a Sunnah tawaf and they should do the tawaf of farewell before departure. They were given wrong information.

Therefore, we can either consider this as a genuine mistake, in which case there is nothing that they are required to do. Or else, we consider it an omission that must be compensated for by slaughtering a sheep in the Haram area and giving its meat to the poor. I am more inclined to this second alternative as it ensures a more perfect pilgrimage.

Pilgrimage: Tawaf — Of Farewell Too Early

During pilgrimage, our team leader said that tawaf of farewell could be done immediately when we have finished our tawaf of Ifadah. He insisted that this is a proper way of doing the ritual. We listened to his advice and did the tawaf of farewell shortly after the other tawaf on 10th. We went back to Mina where we stayed for two more days and did the stoning there. When we finished, we proceeded directly from Mina to our homes in Yanbu. Please advise.

There is no doubt that the advice given by your team leaders was meant to make things easier for themselves, rather than for the completeness of the pilgrimage. This is unfortunately the case with some people who are responsible for conducting pilgrimage tours, etc. Nevertheless we have to acknowledge that if they do not seek the easier options, delays may be considerable, and that could lead to much confusion.

The proper time for tawaf of farewell is at the end of all pilgrimage duties and just before leaving Makkah. This implies that a return to Makkah from Mina is necessary, because the pilgrimage is “to the House”, i.e. to the Ka’abah, not the Arafat, Muzdalifah or Mina. True we conduct some of the most important duties at these places, but the fact remains that when pilgrimage is mentioned in the Qur’an, it is stated as pilgrimage to the Ka’abah. It is only right that it should finish there, with tawaf.

The Prophet, peace be upon him, noticed that people were just leaving Makkah when they had completed their duties. He told them not to leave without doing the tawaf, so that the last thing they do on their pilgrimage is a tawaf at the Ka’abah. This is the proper thing to do.

The tawaf of farewell is a duty according to the Hanafi and the Hanbali schools of thought, and a Sunnah according to the Maliki and Shaf’ie schools. So, if you take the latter view, then you need not do anything, but next time you go to pilgrimage, God willing, make the tawaf of farewell the last thing you do on your pilgrimage.

Pilgrimage: Tawaf — On Behalf Of Others

I have been told that it is permissible to perform the tawaf on behalf of anyone, regardless of his or her status. However, someone else has told me that this is only so, if the person on whose behalf we are offering tawaf is invalid, poor, too old or deceased. Please clarify.

The Prophet, peace be upon him, tells us that tawaf is a kind of prayer, except that it is not invalidated by ordinary talk. It is an essential part of the pilgrimage and the Umrah, whose validity depends on the performance of tawaf. Other than this, it is recommended, or a Sunnah, at any time. It is permissible to offer the pilgrimage and the Umrah on behalf of another person who is unable to offer such a duty personally, as in the case of a deceased person or one who suffers from a chronic illness. We cannot offer such a duty on behalf of one that is able to undertake the journey

physically and financially, but happens to be too busy or unenthusiastic about performing his duty for any reason. Some people do not offer their daily prayers, or offer them intermittently. We cannot do anything to help them. Similarly, if a person has the wherewithal to offer the Umrah or the pilgrimage, but does not take steps to do so, we cannot help him by offering these duties on his behalf even if such a person happens to be a parent or a dearly beloved relative.

To offer tawaf on behalf of another person is the same as offering two rak'ahs of Sunnah on his behalf. Why should we do so, if the person concerned does not want to pray? Moreover, to offer something on behalf of another person is limited to act of worship that admits performance by proxy. There is clear difference among scholars as to whether this is permissible in the case of prayer, fasting and other physical acts of worship. It is perhaps the weightier view that such acts of worship cannot be offered by proxy. The pilgrimage and Umrah are different because they have been clearly stated by the Prophet, peace be upon him, to allow that. Financial acts of worship, such as Sadaqah, may be offered on behalf of others.

Pilgrimage: Tawaf — One Or More

Whenever I go to Makkah, I perform the tawaf twice, but a friend told me that this is wrong because the tawaf is a greeting to the Haram, and no one offers the prayer known as Tahiyat Al-Masjid, or greeting of a mosque twice. If one does the tawaf twice or more in succession, does he have to separate them with offering the two rak'ahs of Sunnah after each one of them? Should he, alternatively, offer this Sunnah for each tawaf after he has finished them all? I am told that one Sunnah is sufficient even if one has made the tawaf ten times. When I am in the state of consecration, or Ihram, I do not go near Al-Multazam, because of the perfume used there. Please comment.

Your friend is confusing two points: That the greeting to the Ka'abah is by tawaf, not the normal two rak'ahs of Sunnah, and that tawaf is a form of prayer. You may offer the tawaf on entry into the Haram as greeting to the Ka'abah and this would be one tawaf, of seven rounds. But you can do the tawaf as many times as you wish, since it counts as voluntary prayers. The first tawaf counts as greeting to the Ka'abah, and the second as a form of prayer. Each tawaf consists of walking around the Ka'abah seven times, starting at the Black Stone and finishing at the same point.

If you do the tawaf twice or more, consecutively, you need to pray the two rak'ah of Sunnah once only at the end. Even then, this is voluntary, not obligatory. Needless to say, praying at the Haram is richly rewarded. So, if you have time, you may pray as many of rak'ahs as you wish. You should not worry about the perfume applied near Al-Multazam, because it is not a perfume you are using yourself. If it attaches to your Ihram garments, it does so accidentally.

You are only doing a Sunnah, with the intention of following the Prophet's guidance. This means that you stand at Al-Multazam after your tawaf and pray as you wish. May God accept your worship and grant you all you pray for.

Pilgrimage: Tawaf — the Proper Way

Could you please explain how tawaf should be done and what is permissible or required during tawaf? May I also ask in particular about the practice of people who lift their hands to greet the Ka'abah as they first see it when they enter the Mosque.

It is recommended as one sees the Ka'abah for the first time on arrival for his pilgrimage or Umrah to offer some supplication. It is said that such supplication is sure to be answered. Hence, one should make a short prayer for something he desires most, such as: "My Lord, admit me into heaven without causing me to face the reckoning." Lifting one's hands to greet the Ka'abah from a distance is not recommended.

The proper way to do the tawaf is to come to the area between the corner known as Rukn Al Yamani and the corner of the Black Stone. Joining the worshippers about one meter before the corner of the Black Stone, one makes clear his intention to do the tawaf which means to go around the Ka'abah seven times either in obligatory or voluntary worship. One must have ablution before starting, because tawaf is a form of prayer with the only difference from regular prayer being that it is not invalidated by ordinary talk. As one walks he is recommended to get to the Black Stone, kiss it and say: "In the name of Allah, Allah is Supreme." or "*Bismillah Allahu Akbar.*" If the place is too crowded, one can lift one's hand and signal to it as he says these words. Then he walks in an anti-clockwise movement around the Ka'abah, going beyond the semicircle part known as Hijr Ismail or Al Hareem. As one reaches the corner known as Rukn Al Yamani, one touches it and says a little supplication. As he gets parallel with the Black Stone, he repeats what he did the first time, kissing it if he can, or signaling to it if he cannot. This is repeated seven times.

When one finishes, one is recommended to offer two rak'ahs behind the place known as Maqam-e-Ibrahim. This does not mean that he should be very close to that place. During pilgrimage and in Ramadhan, the area is too crowded. He can be at a distance behind the Maqam or he can offer these two rak'ahs anywhere in the Haram. To offer two rak'ahs in Hijr Ismail afterward is also recommended. To stand at Al-Multazam beneath the door of the Ka'abah to offer supplication is also recommended. Tawaf is the same for men and women.

Pilgrimage: Tawaf — What To Say In Tawaf

What exactly should one say during the tawaf and Sa'ie as one performs the Umrah?

There are numerous books and manuals explaining every action or duty that the Pilgrimage and the Umrah involve. Many of these provide samples of prayers and glorifications of God that are recommended to repeat during these major worship duties. Some manuals even include special prayers for each round of tawaf and Sa'ie. Most of these are fine. However, there is nothing obligatory or particularly recommended, other than praising God and glorifying Him, or reading from the Qur'an.

The Prophet, peace be upon him, says: "The best that I and the prophets before me have said is: "There is no deity other than God, the One who has no partners. All sovereignty belongs to Him and all praise is due to Him. He has power over all things." In Arabic, this reads: "*La Ilaha Illa Allah; Wahdahu La Shareeka Lah; Lahu Al-Mulk Wa Lahu Al-Hamd; Wa Huva Ala Kulli Shayin Qadeer.*" Apart from this, any glorification and praise of God and blessing of His messenger, and any supplication for oneself, parents, family and the Muslim community is fine.

Pilgrimage: Undertaken In Violation Of Some Rules

Many expatriates reach Makkah in the pilgrimage season violating some government rules. Will their pilgrimage be valid? If so, would it be a lesser pilgrimage or a full one?

Islam gives a ruler of a Muslim community the authority to issue orders and promulgate laws, intending to serve the interests of the community, provided that such orders and laws do not violate any Islamic principle, rule or value. Every Muslim in that community must obey and abide by such orders, laws and regulations. Unless they do so, there will be chaos and trouble. For example, the government may issue a rule limiting the speed of motor vehicles on certain roads. Initially, driving at any speed is permissible, but when the government imposes a speed limit on a particular road, observing such speed limit is an Islamic requirement in addition to its being required by law.

The government of Saudi Arabia issued a number of regulations restricting the frequency of offering the pilgrimage and setting certain requirements for obtaining a permit to offer the pilgrimage. Obeying these is obligatory from the Islamic point of view, because they are intended for the public good. However, if a person manages to go on pilgrimage without obtaining the necessary permit, we cannot say that his pilgrimage is invalid.

We say that he must observe the official rules. How God will look at his pilgrimage is up to Him only. This is similar to doing other duties such as prayers while violating some rules that do not relate to their validity. Take the example of a company providing a prayer room for its staff and issuing an order that prayer in other areas is not allowed. If someone prays in his office, can we say that his prayer is invalid?

Pilgrimage: Wet Dream In the Haram

After performing the pilgrimage, a person stayed several days in Makkah. One day he was in the Haram when he fell asleep close to the outside gates. He woke up after nightfall, and he went straight to his accommodation. He was very depressed that this should have happened in the Haram. He wonders how should he compensate for his sin? Could you please explain and also tell us if the same compensation applies, should the same thing happen in Madinah.

I am not clear what the reader is talking about. Does he consider the mere fact that a person was overtaken by sleep in the Haram to be a sin? If so, then he is grossly mistaken. People do fall asleep in the Haram because they are tired or have not slept well the previous night. It is true that people should not use a mosque, let alone the Haram in Makkah, for sleeping, but if they sleep or have a nap there, no sin is incurred.

Or perhaps the reader means that this person had a wet dream when he was asleep. This may be what he means by his usage of the phrase “night fall” in his description. Anyway, if this is what he means, then again there is no sin involved. Sleeping people are unconscious and cannot be responsible for what happens to them during their sleep. Besides a wet dream is a physiological function over which a man has no control. God holds us to account only for actions that we do consciously and deliberately. A wet dream does not fall into this category.

All that this person had to do was to go to his lodgings, have a shower and offer his prayers normally. He should not be in distress over something in which he had no say.

Pilgrimage: Which To Offer — Tawaf Or Umrah?

The Prophet, peace be upon him, offered the Umrah twice only, but he performed the tawaf many more times. Hence my question: is it better to perform the tawaf frequently or to do the Umrah?

The Prophet, peace be upon him, offered the Umrah four times, all of which were in the month of Thul-Qaeda, but in different years. The first was in year 6, when he and the Muslims accompanying him were prevented from entering Makkah, while the second was the compensatory Umrah done a year later. The third he offered at the time when Makkah fell to Islam in year 8. His final Umrah was the one he offered with his pilgrimage in year 10.

The Umrah may be offered any number of times, as one may wish. However, scholars say that one Umrah a year is enough. If one goes to the Haram more often, one may perform the tawaf only, if one so wishes. The point here is that the Prophet, peace be upon him, has described tawaf as a form of prayer, with the only difference being that it is permissible for a person doing the tawaf to talk while doing it — something that is not permissible in prayers.

As such, tawaf can be offered voluntarily at any time. The Sa'ie, which is the other major component of the Umrah is not offered voluntarily.

Some people who come for Umrah go out of Makkah frequently to do another Umrah. They do this every day during their stay.

This is not appropriate. It is better for such people to do the Umrah once and do as many Tawafs as they please. But if one travels to some distant place or to Jeddah and then wants to go back to Makkah, one may take the opportunity to do another Umrah.

Pilgrimage: Wife's Hajj — An Obligation For Husband?

Is it obligatory for a husband who has enough financial resources to take his wife to pilgrimage? Does the sound financial position of a man make pilgrimage obligatory for his wife, or is it necessary for her to have her own money in order to discharge her pilgrimage duty?

It is important to remember that pilgrimage is like all other Islamic duties. They are imposed on every individual, man or woman, in the same degree. When we stand before Allah on the Day of Judgement, and our deeds are reckoned for or against us, and our destiny is determined on the basis of what we had done in this life, every one of us stands as an individual. The fate of any one of us is never determined by what someone else has done for him or her. Nor is the forgiveness of any person withheld as a result of someone else's failure to do what he is required to do for that person. Pilgrimage is a duty required of every Muslim man or woman. But it does not become a binding duty until a person is able to undertake the journey, from every point of views. That ability includes having enough funds, transport, safety during travel, etc. It also includes in the case of a woman having a male companion who is closely related to her and who is known as "Mahrem." When the conditions of ability are not met in the case of any particular person, that person is not required to do the pilgrimage as a duty.

The same applies in the case of a married woman. She, not her husband, must meet the conditions of ability. Therefore, if she does not have enough funds to undertake the pilgrimage, she is not required to go on pilgrimage as a duty. This is true even if her husband is one of the richest people. Some people may be stingy, even when they are rich. If we were to consider that pilgrimage becomes a duty to a woman simply because her husband can afford to give her what is enough for her trip, what would she do if he does not readily come out with the money? Islam does not require her to implore her husband to take her to pilgrimage or to provide her expenses.

Further than that, a woman must not travel without being accompanied by a Mahrem, who is her husband or a close relative who she can never marry, such as her father, brother, nephew, etc. If she is taking someone with her as Mahrem, she is required to

pay his expenses. Therefore, if she has sufficient funds for her own journey and expenses, but she does not have an extra amount to cover the expenses of her Mahrem, she is deemed not to be able to undertake her trip. Obviously, it is possible that one of her Mahrems may be going on pilgrimage himself. She may accompany him without having to pay his expenses.

Having said that, I am only stating the rules. It is needless to say that a husband, who takes his wife to pilgrimage, paying all her expenses does something, which is highly rewarding in more senses than one. His wife will be ever grateful to him for enabling her to go on this trip which ensures her forgiveness by Allah for all her past sins. She feels that her husband is closer to her than ever before. If they share this experience together, they will always have something enjoyable and much more for every Riyal he spends on the pilgrimage of his wife. Muslims have realized this ever since the time of the Prophet, peace be upon him. It is gratifying to see the majority of Muslim men always willing to take their wives to pilgrimage, whenever they can afford that.

Pilgrimage: With Company Loan Outstanding

I had taken a loan from the my employers for buying a car. While bulk of this loan is still outstanding, can I proceed on pilgrimage?

If the Company gives loans for buying a car, it suggests that they are pleased with your work and intend to retain you for a long time to come. That will make it easy for you to settle the loan by monthly installments. Moreover, if something should happen to you, the company may take the car and sell it in order to get back the amount it had loaned. The company must consider that the car represents more than sufficient collateral to ensure the payment of their loan.

It is perhaps worthwhile to explain an important point about pilgrimage and debt. When a person has incurred a debt, and he needs some time before being able to settle it, he does not fulfill the conditions, which make him "able" to do the pilgrimage. In other words, he is not required to do it, since pilgrimage is a duty incumbent on those who are able to undertake the journey.

I have already explained that by ability, most scholars mean health and financial ability, as well as the absence of any physical hindrance to prevent from taking the journey. The condition of financial ability is not met by anyone who has a loan to pay. Therefore, he is not required to fulfill the duty of pilgrimage until he has repaid the loan.

Pilgrimage: With Zakah Money

Can pilgrimage be performed with Zakah money? Many people back home ask for Zakah funds to pay for their pilgrimage.

One of the purposes of Zakah funds is that mentioned under the heading "for the service of Allah's cause," which is included among the beneficiaries of Zakah. Scholars have interpreted this as to help those who fight for Allah's cause and those who want to travel to pilgrimage. With this view in mind, it is permissible for a person to receive Zakah money in order to meet some of the expenses of his pilgrimage journey.

Having said that, I must point out that pilgrimage is obligatory only to a person who is able to undertake the journey. The conditions of ability include financial status. A person who does not have enough money to pay for his journey and to maintain his family during his absence is unable to make the pilgrimage. Therefore, the duty of pilgrimage does not apply to him.

Pilgrimage: Woman's Companion Not Performing Pilgrimage

I want to accompany my mother during her pilgrimage. Will it be necessary for me to perform the pilgrimage myself, or can I travel with her in my ordinary clothes, as I have already done my pilgrimage?

You may choose to accompany your mother without offering the pilgrimage yourself. However, it is infinitely better for you to offer the pilgrimage as this would count as a Sunnah pilgrimage. You will be accompanying your mother throughout, attending at all places, and taking her to do all her rituals. You may just as well fulfill the same duties at the same time. If your mother requires extra care and you will be better able to look after her if you do not do the pilgrimage, you are better advised not to do the pilgrimage.

Pirs: Blindly Following Or Worshipping the Pirs

In my part of the world, people make of themselves disciples to a religious man whom they call "Pir" and whom they follow blindly. If the man dies, they make his grave a tomb and pay frequent visits to it. On his anniversary, they organize functions, slaughter animals and feed people, sing and dance, pray for the dead man and then pray to Allah to reward their Pir, they ask the dead Pir to pray for them and to help them with their problems. They feel that they get reward for this and that their sins are pardoned. Please comment.

I have spoken on this question on several occasions, yet I make no apology for taking it anew in response to my readers who come from different parts of the country. Perhaps I should start this answer by a reminder that the message of Islam is contained in the Qur'an, a book which Allah has revealed to Prophet Muhammad, His last messenger, peace be upon him. He has guaranteed that this book will continue to be available in full, undistorted for as long as human beings continue to populate the earth. The first article of Islam requires a Muslim to believe in the Oneness of Allah, and that the Prophet Muhammad, peace be upon him, is His messenger. The position of the messenger is to provide guidance to the people and to explain to them Allah's message and show them how to implement it. In his last address to the Muslims, Prophet Muhammad, peace be upon him, reminded them that he was leaving with them two things which they must follow and implement: Allah's book and the Sunnah of His messenger. He made it clear that if we do follow these, we will never go astray. That is, then, what we have to follow. The second part of the main article of faith in which we acknowledge the Prophet, peace be upon him, as Allah's messenger means that we have to receive guidance from him. That is his position and function, and it is the basic concept of our faith that we must follow the guidance provided by him. Now when we look carefully in the Qur'an and in the Sunnah of the Prophet, peace be upon him, we find no suggestion whatsoever that we should have any other guide. We may have scholars who explain to us what the Qur'an says or what the Prophet, peace be upon him, has taught, but these scholars do not have any history of almost every one of these Pirs. You will find that they were people who could influence others, but did not have any thorough knowledge of Islam, the Qur'an or the Sunnah. Indeed, they encouraged practices, which are alien to Islam, the most obvious of which is the blind following of a human being. Can you imagine what answer any of these Pirs would give to a question. Why is it demanded that we follow such Pirs blindly, when the Qur'an, the Prophet, peace be upon him, encourage questioning, reasoning and understanding? The fact is that these people feel very comfortable to have the benefits associated with the position given to them. They do not wish to relinquish these benefits. Therefore, they try to tighten their grip over people's minds. They want them not to think.

Compare the attitude of such people to that of great scholars and reformers, such as Imam Al Shaf'ie, Ibn Taimiyah and Hassan Al-Banna, or [other] great scholars such as Al-Bukhari, Ahmad ibn Hanbal and Ibn Hazm. You will find that every one of the latter had great influence, which continued for many generations. Yet none of them ever suggested that he had any position which entitled him to exercise any authority over other people. None of them said or suggested or was later considered by others that he had a position of favor with Allah. You do not address your supplication to Allah through Al-Shaf'ie or Ibn Hanbal or Al-Bukhari. Why should you address it through unknown people whose contribution to Islamic learning is non-existent?

Besides, why should we address our supplication to Allah through any person, when we can address it to Him directly. Allah says to the Prophet, peace be upon him, in the Qur'an:

"When my servants ask you about Me, I am near. I answer the supplication of those who pray Me." [the Cow — "Al-Baqarah 2: 186]

May I draw your attention to the way this Qur'anic verse is phrased. It begins by addressing the Prophet, peace be upon him, regarding people's question about Allah. You would expect that the verse should provide the answer in the form: "When they ask you about Me, tell that " but Allah does not tell the Prophet, peace be upon him, to give the answer. He gives the answer Himself directly: ***"When My servants ask you about Me, I am near."*** Now the question arises: If he is near, why do we propose to give them any distinction other than the fact that they are people who are well read in Islam.

The notion of having a Pir or a guide should be examined in the light of this basic concept. We can say that the Pir could have been a scholar who followed the Prophet's guidance. If so, he would not have claimed any position for himself. A scholar would tell you to follow the Prophet, peace be upon him, not to follow him because he would not like to bear the responsibility for any person's actions. If he assumes the position of a guide and tells people to follow him blindly, then his assertions are very suspicious, because he would not be following the Prophet, peace be upon him. God even says: ***"I answer the supplication of those who pray Me."*** This is a clear instruction that we should address our supplication to Him directly. This is an aspect of Allah's grace, which is so great that we cannot describe in words. Granted such grace, why do we need an intermediary? Why do we need to place a human being, whom we cannot judge to be a believer or not, in between Allah and ourselves? Notice this statement by Allah about people who associate partners with Him: "I am the One who is in least need of any partners. If anyone associates a partner with Me, I abandon him to that partner." When we put the Pirs as an intermediary between Allah, and us we are associating that Pir as a partner with Him. That means that Allah will abandon us to that dead man to answer our prayers. How can he [answer our prayers] when he is dead? Some people might say that he was a pious man. How can we tell when we have not opened his heart and known his mind? How can we tell that deep in his heart he was not a non-believer? If any person suggests that his action would tell us that, the fact remains that actions could be done in a hypocritical way. Faith is something known only to Allah. He judges what is in the innermost souls of people. Do we want to place ourselves in a position of judgment on others and to say that dead people were good or bad? Anyone who wants to do that is actually claiming for himself a quality which belongs only to Allah. We should be very careful lest we incur Allah's anger as a result of that. The fact is that no one can judge what happens to others on the Day of Judgement. The Prophet, peace be upon him, himself says: "I am Allah's messenger, but I do not know what Allah will do with me on the Day of Judgement." Those people who go to these Pirs' ceremonies are putting themselves in a place of judgment on others. That is terrible indeed.

Pirs: Hereditary Privileges & Title Pir

We have certain people in our country having the title of Pir. These Pirs have their followers in various areas. They visit these followers in turn, once every few months, when they are given a grand reception. Royal feasts are given in their honor and royal gifts are offered to them, as well as royal entertainment follows. They move from one place to another by turn, doing nothing except enjoy their time and pick up what they are given. They do not help anyone in distress nor do they perform any religious activity. Nevertheless, they are looked upon with high esteem and considered religious advisors. Indeed some people think that without a Pir no one can go to heaven. It is no exaggeration to say that they are regarded next to Allah.

My grandfather gave a vast area of land to his Pir, who later died. The income of the land is enjoyed by that Pir's son and family, who do nothing except to order their followers to do all the necessary work and bring them the income collected from selling the produce of the land. Some of our relatives have become very poor. I asked the new Pir to help or to return the land so that those poor people may cultivate it. He refused. May I ask whether it is permissible to accept this type of gift? What could be our position if we forcibly take back our land? May I also ask what is the real position of a Pir and what is his function? Is it permissible to stop him from coming to our area?

This is indeed a story that reflects sadly on the condition of Muslim communities in various parts of the world. A few weeks ago I commented on a letter, which asked a question not dissimilar to this one. I gave it the title "The worship of tombs and graves. I wanted to jolt the minds of my readers to face up to the reality that in some parts of the Muslim world, ignorance has taken such a grip on the minds of people that they observe practices which are tantamount to worshipping graves. Here we have a similar story, but the object of worship in this case is a human being.

Humanity has known the worship of human beings in ancient times. The Pharaohs of Egypt and emperors of Rome were worshipped like gods. Kings of Europe in the middle ages enjoyed what was termed as "divine right." In modern times, most dictators assume the role of gods in everything except name. I am afraid your Pirs are but another type of false gods. What should be done with them is to challenge their authority and to call on them to prove their claims. Once challenged, they will flee in ignominy.

But let me tell you one thing. The fault lies with the people who afford to them the type of respect they have come to enjoy. You yourself say that some people think that without their goodwill no one can go to heaven. That is not only absurd it also speaks volumes for the ignorance of peoples who think that some of their numbers have such an authority. This is, however, not different from the story of a dictator who subjugates the people to his will. If they were unwilling to be subjugated, he could not force them. If they do not bow their backs for him to ride, he would not have treated them like animals. Unfortunately, the difference is that once a dictator has fallen, everyone will curse him. His pictures will be burnt and he may be dug out of his grave, like Stalin was. Your Pirs, however, pass on their privileges to their sons and then tyranny is perpetuated.

You say that these Pirs would not perform any religious activity and they do not help anyone in distress. I can understand the latter, because they can help no one. But how do you expect them to perform any religious activity, when they themselves are

not religious? Had they had any faith in God, they would have renounced their position. They themselves know that their pretences are false. It takes a Pir of great faith to declare that he is no more than a normal human being that is in need of God's forgiveness. When the privileges and comforts of a Pir are passed on from father to son, neither of which may have any real knowledge of Islam, this sad state of affairs will only continue.

Islam has taken great care not to allow any class of people to interpose between God and His servants. In Islam, there is no religious hierarchy, no priesthood, and no clerical order. We certainly have scholars who are distinguished by their knowledge of Islam. You go to a scholar with a problem and ask for a religious ruling and he gives you that. Sometimes, he will tell you that he cannot give you a ready judgement and that he will have to look into the problem and refer to his books. Even after he has done that, he may tell you that he cannot give you an absolute judgement. The problem may be a new one and he needs to discuss it with other learned scholars. This type of scholar is greatly different from a clergyman who may have little knowledge, yet he performs deeds, which he may not. In the Middle Ages, priests in Europe claimed to have the authority to ensure salvation of their folk. There is nothing of this sort in Islam. Every individual stands alone on the Day of Judgement in front of God. He will be questioned about his actions and he will go to heaven by God's grace and not by his good deeds. Others can be of no benefit to him. In this life, we can address directly and pray Him to grant us our wishes, whatever they are. No intermediary stands between any human being and God in this life. No intercession is admitted in the Hereafter except by Prophet Muhammad, peace be upon him.

You ask what is a Pir? My frank and clear answer is that he is an imposter. He is a cheat who lives on the hard earnings of others, without offering them anything in return. If you want to know what metal he is made of, then challenge him to do something for himself or for the community. He will run away from that challenge. However, it may be unwise to throw such a challenge to him in the midst of a community who tends to accept his authority blindly. Therefore, you need to tread carefully. Perhaps, next time he visits your area, try to show the people that he is useless to them. You may consider asking him to help the poor in your area. Let him refuse something which, every one would want him to do. If he does not pray with the congregation, since many of these people do not pray, then ask him in front of a group of open-minded people whether he is exempt from prayer. If he says so, then tell him that the Prophet, peace be upon him, himself was not exempt from it. If he says that he prays alone, at night, or that Pirs have their special prayers, then tell him that the Prophet, peace be upon him, prayed in the fashion we pray. Indeed, we have learned our prayers from the Prophet, peace be upon him. Try to use your wisdom to push him into a defensive corner. He will not like you for that, but you will be doing your community a great service. You will open their eyes to the fact that he is a cheat. If you can tear his mantle, then do not hesitate to do so. He himself will not come to your area again.

As I say, you have to prepare the grounds for that. Perhaps you should educate a group of young people and explain to them the nature of our great Islamic faith. Recite to them the Qur'anic verse which establishes this great and unique relationship between an individual human being and God.

"When My servants ask you about Me, I am near. I answer the prayer of anyone who prays Me. Let them, therefore, respond to Me and believe in Me that they may be rightly guided." [the Cow — "Al-Baqarah" 2: 186]

When people understand this relationship, they know that they do not need to waste their money under the feast of an imposter. When he comes again, for a royal feast, they can give him a piece of their mind.

As for the piece of land your father gave to his Pir, I am afraid there is little you can do about that. Your grandfather dispensed with his property in the way he thought fit. He was gravely mistaken, no doubt. But this is now past. You cannot put a legitimate claim to it. It is unfortunate that your relatives are poor and they would have done well had they inherited the land from your grandfather but you cannot cry over spilled milk. I am afraid you cannot take the land back from the new Pir forcibly. A gift is one legitimate way of taking what belongs to others. A gift must be made at one's own initiative without pressure. If you can prove that your grandfather gifted the land under pressure, then you may press your claim to it. If not, then you cannot do anything about the situation. The new Pir inherited it from his father, who in all probability acquired it in a legitimate way, since it was a free gift.

Now that you know the true nature of this situation, you may wish to make it your mission in life to expose the reality of these Pirs and educate your people to be true Muslims and to worship God alone.

Pirs: Intermediaries On the Road To Heaven

Certain groups back home are maintaining that one cannot be admitted to heaven unless he follows the guidance of a Pir who shows him the way, and plead with God to make such admittance possible. This is affecting young people who are following blindly in such teachings. Please comment.

A unique feature of the Islamic faith is that it has no clerical order, or priesthood. The relationship between every individual and God is direct, with no intermediary in between.

The only intermediary was Prophet Muhammad, peace be upon him, who delivered God's message to us complete. God has undertaken to preserve it intact, so that everyone may have direct access to it at all times.

On the Day of Judgement we are held to account, but each will be on his or her own. No one will speak for anyone else. God says in the Qur'an

"Not one of all [the beings] that is in the heavens or on earth but shall appear before the Most Gracious as a servant. Indeed, He has full cognizance of them. He has kept a strict count of their numbers, and every one of them will appear before Him all alone on the Day of Judgement." [Mary — "Mariam" 19: 93-95]

I suppose this is very clear. There are numerous other verses that make absolutely clear that no relative, friend or tribe will benefit any person of anything on the Day of Judgement. Only their faith and actions will determine whether they will attain to a happy state or not.

Take, for example, the following verses:

"No friend will ask about his friend, though they may be in one another's sight. Everyone who was lost in sin will on that Day but desire to ransom himself from suffering at the price of his own children, spouse, brother, all his kinsfolk who ever sheltered him, and all those who live on earth, so that he could but save himself." [Ascending Stairway — "Al-Ma'arij" 70: 10-14]

The only one who is allowed to intercede with God on behalf of his community will be Prophet Muhammad, peace be upon him. God will judge everyone according to what they have done in their time on earth. He bestows His grace on whomever He wills and punishes those who deserve punishment.

These are basic principles of the Islamic faith. The Qur'an is full of verses that confirm them, making clear that no intercession takes place except by God's leave,

and He does not give it except to the Prophet, peace be upon him. Any different view is erroneous. So, where does the role of a Pir come in?

The answer is that it does not. Anyone who claims to have a role to ensure that people are saved from hell, or that they are assured of entry into heaven is a liar. He cannot be sure of his own position: how can he help others? Besides, what these people say implies that they themselves are certain of going to heaven.

Where do they get such information from, when the Prophet, peace be upon him, says that he does not know what will happen to him? The fact is that such people gain a great deal from deluding people into thinking that they show them the path to attain God's pleasure, and they want to enjoy these gains.

Well they may enjoy their gains in this life, which is very short. On the Day of Judgement they will have to answer for their lies, and God knows what happens to them then. The only way to ensure admittance to heaven on the Day of Judgement is by following the Prophet's guidance, contained in the Qur'an, and the Sunnah. Scholars who explain these help us to know what God requires us to do and to practice it. But it is up to every one of us to act on that or not. The result depends on what we do, not on any liar or a Pir.

Pirs: Pledges Of Loyalty, Obedience Or Allegiance

1. People in our part of the world pledge allegiance or, as they call it, "bait" to some people who claim to be pious, in order to guide them in ways which are in accordance with the Sunnah. Is such a practice allowed? I should add that when a person makes such a pledge, he has to obey the other person in everything he says. He actually relies on him to guide him to what earns a good position on the Day of Judgement. Please comment.

2. Is it allowed to pledge total allegiance to a religious person or a saint? In many cases, when the saint dies, the pledge is transferred to one of his loyal subordinates. Does Islam sanction this practice?

The first thing to be said about this practice is that it is against the Sunnah, which it is supposed to follow. What we have to remember first of all is that we will be resurrected and questioned on the Day of Judgement on what we do in this life. If our actions are shown to be in line with what the Prophet, peace be upon him, has conveyed to us and told us, then we win the greatest prize of all, admittance into heaven. The most important thing, then, is following the Prophet, peace be upon him, not anyone else.

By pledging allegiance to a person, whether pious or not, we commit ourselves to following that person. How do we guarantee that that person will always be good and will always understand the Sunnah of the Prophet, peace be upon him, correctly and will always instruct us to do what is right? We know that every single human being makes errors, may yield to temptation, difficulties or be subject to pressures which influence his decisions or actions. If we pledge allegiance to him, we are committed to following him in every situation. Such a pledge cannot be given to any one other than the Prophet Muhammad, peace be upon him.

Moreover, why should any person want to have such a commitment from another? If it is to ensure that the other person does what is right, then the approach should be totally different. The pledge to be given is the one to follow the Prophet, peace be upon him, in every respect, not to follow a man of no particular position. When Abu Bakr assumed the leadership of the Muslim state after the Prophet, peace be upon him, had passed away, he said to people in his first speech: "Obey me as along as I

obey Allah. If you find me disobeying Allah, I have no right to be obeyed by you." If Abu Bakr said this, can anyone [else] say that he should be obeyed in every respect?

The fact is that such people who seek a pledge of allegiance from others actually benefit by such following. They know that those who give them those pledges have not had enough education to recognize what is right and what is wrong. They want them to be their blind followers. They pose to them as guides and saviors. Had they really wanted to guide people to what saves them in the Hereafter, they would have tried to educate them, broaden their knowledge of Islam, give them some insight into Islamic teachings. They would have organized for them classes to explain Islamic principles, practices and moral values. They would have made of them enlightened people who know what to do in different circumstances. This is the work of scholars in every age. Such scholars realize that passing information serves the cause of Islam and they are keen to broaden the circle of people who know Islam better. By so doing, they ensure that their people have better knowledge of Islam and, as such, can follow it better.

No scholar tries to get a pledge of allegiance or commitment in the way you have described. A scholar knows that he cannot claim such a position or relationship. He knows that he will have to account to Allah for what he does. Therefore, he does not want to bear the responsibilities for others as well as for himself. He limits his actions to explaining Islam to people and educating them. It is a scholar who is engaged in such an activity that one should associate with. On the other hand, a person who seeks a pledge of allegiance is sure to guide those people who make these pledges to him astray.

2. The only pledge of allegiance, which a Muslim gives, is that given to Allah and His messenger, Prophet Muhammad, peace be upon him. Allegiance to other human beings, whoever they may be, is not acceptable. You speak of it being given to a religious person or saint. Who can tell you that that person is a saint? Is it because we see him praying or do other good actions? These actions would be even better if done in private. Moreover, this transfer of allegiance from one person to a subordinate is also very suspicious. Who chooses the subordinate one? On what basis is he judged? We have to remember that we either follow the Prophet, peace be upon him, or follow something else. If we follow the Prophet, peace be upon him, then we do not need to give a pledge of allegiance to anyone. If we want to give such a pledge, we do what Islam has not sanctioned. This is very serious indeed.

Pirs: Powers Through Meditation, Concentration, Etc.

What are your comments on higher sense of perception, intuition, telepathy, etc., all of which claim the use of mental powers through meditation and concentration to attach some super powers? What is the Islamic view on a person who attains such powers?

Some people who have been well known to be religious have been able to accomplish certain actions, which lay normally beyond the ability of a human being. Such actions of a miraculous nature happen to or through them. If something of this sort happens to a person, it is an honor given to him by God.

It is important in this context to realize that these things "happen" to those people. They do not "make" them happen. It is not by their will that they are able to accomplish such actions. They simply happen because God wills them to happen.

In other words, there is no power to be attained or a skill to be developed. When God decides to honor one of His servants He does so at the time and in the fashion He chooses. If you decide to give someone a present, you choose the present and the time when you give it.

If anyone claims to have such powers, which enable him to tell the events of the future or to know what is happening in a distant place, then he is a liar. The Prophet, peace be upon him, states very clearly that no one can tell the events of our future life, with even slightest degree of certainty, no matter what means and methods he uses. God has chosen to withhold that knowledge from man, and what He has withheld remains so. Hence any claim of knowing the future is false, regardless of who makes it. It also follows that to seek help of any such people cannot be condoned or accepted by Islam.

Pirs: Urs At Their Graves & the Rituals

Some people in my part of the world observe certain rituals in the month of Rajab when they sacrifice goats and sheep and organize a ceremony called "Urs", in memory of certain saints. They visit the graves of such saints and ask them to intercede for them with Allah. They contend that the Prophet, peace be upon him, is still alive. Please comment.

It may be useful to say at the beginning that visiting graveyards in order to reflect on life and death and to remind oneself of the hereafter is recommended. To visit the graves of one's deceased parents is a mark of dutifulness. It is needless to say that when a Muslim visits the graves of his parents, he should supplicate for their forgiveness and pray Allah to admit them into heaven. When one enters a graveyard, he greets the dead and says something to this effect, "We will certainly follow you along this road." It is also appropriate to read some verses or passages from the Qur'an and pray Allah to credit the reward of the recitation to the dead. But it is forbidden to build mosques over graves, or to pray in between graves or towards a grave.

I have briefly outlined what may be done when we visit the graves of dead people or a graveyard. This is indeed the same as we do when we visit the grave of the Prophet, peace be upon him. But what people do when they visit tombs or graves of those whom they consider to be saints is totally different.

We also need to be clear about something. The term "saint" is not an Islamic term. No one can be described as a saint. By calling a person a saint or treating him as such, we do make a judgment with regard to his destiny in the life to come. How can anyone claim to be able to judge another person? Even if the man lived a life, which can be described as saintly, how can we judge his intentions and motives? Allah only knows these and it is He who judges people.

What people do when they visit the graves of those whom they consider saints is tantamount to worshipping either the grave of the one who is buried there. Many, if not all, of those who make it a ritual to visit the graves of such people tell you that they want the "holy" man buried there to intercede with Allah on their behalf, so that a particular objective of theirs is fulfilled. This is indeed a form of polytheism, which Islam will never accept. Indeed, it takes the person who commits such an action out of the fold of Islam altogether. Allah tells us in the Qur'an that He is near and that He answers the supplication of anyone who prays to Him. What need is there for anyone to intercede with Allah on behalf of any person or for any purpose? Such people are quick to answer this question by saying that they themselves have not observed their Islamic duties well enough to have their prayers answered. Little do they reckon with Allah's limitless grace. They forget that by making their appeal to Allah directly, they acknowledge His Lordship and that is sufficient to have their prayers answered, provided that they ascribe no partners to Allah. But they ask a dead person, regardless who he was and what sort of life he lived, to intercede on their behalf with Allah. By doing so, they are guilty of polytheism. They actually say that a dead person has an influence with Allah, which he does not have.

Ignorant indeed are such people. They do not realize that the dead can be of no benefit to the living. How can a person already dead and buried be of benefit to any living man when he cannot hear a living person addressing him. Allah says to the Prophet, peace be upon him, " You certainly cannot make those who are in the graves hear you." If the Prophet, peace be upon him, cannot make a dead person hear, would the dead person be able to hear anyone else?

The opposite is true. The living can benefit the dead by praying for them and asking Allah to forgive them. The Prophet, peace be upon him, says: " When a human being dies, all his actions come to an absolute end, except in one of three ways " a continuing act of charity, a useful contribution to knowledge, and a dutiful child who prays Allah for him."

As for the state of the Prophet, we say that he has a life, which is a stage in between our present human life and the life of the hereafter. What is the exact nature of this life, we do not know. He certainly does not intercede with Allah on behalf of anyone.

To sum up, entreating a dead person to intercede with Allah on behalf of a living person is a form of polytheism which takes the one who does it outside the fold of Islam altogether. The dead cannot hear us and cannot be of benefit to us. We cannot make them hear us. What people do at the graves of those whom they consider to be saints is a form of worship of the person in the grave or of the grave itself. If we have something to be accomplished, we pray to Allah directly to help us achieve what we want.

Pirs: Urs Or A Death Anniversary

You have written in the past on the worship of graves and saints. On occasions you have touched on the practice known as Urs in some parts of India (and Pakistan). I am sending you a leaflet inviting people to come to such Urs. I will be grateful for your comments.

Thank you very much for enclosing the leaflet which is published in four languages and which tells of an occasion named "Urs Mubarak" and defined as "death anniversary". It is one weeklong commemoration of someone whose exact name is difficult to identify, because it is mixed with so many titles. He is described as Sultan-Ul-Hind Hazrat Khawaja Moinuddin Hassan Sanjari Chishtie Summa Ajmeri Ghareeb Nawaz. The leaflet calls on the recipients to come over with members of their families. The reason for which a gathering and big occasion which, incidentally, takes all the duties and Sunnah of pilgrimage is to achieve the fulfillment of people's "heartfelt desires and cherished wishes." How is this done? Simply because the said Khawaja "after his sad demise" continued to hold a highly revered position and his tomb became a place of pilgrimage for the people of the world at large". The writer of the leaflet who calls himself Afsar Ahmad Niazi wants those who cannot attend the death anniversary to let him know their "inner hearty desires so that he may be able to beseech on their behalf and entreat Khawaja Sahib to pray for fulfillment of their innermost desires." At the end of the leaflet he solicits donations.

I feel very sad that such practices still continue in parts of the Muslim world. Basically, such a practice is an outright indictment of the state into which Muslims of the world have sunk. People are encouraged to travel from their homes to take part in this weeklong deception.

Even if that man, Khawaja Moinuddin, was a highly religious person, or a great scholar or a great servant of Islam, why should his death be celebrated? People normally celebrate the birth of a child, but they are sad when someone dies. In this instance, we are told that it is the death anniversary of the man, which is celebrated over a week.

If that man had any great contribution to the cause of Islam, I am not aware of it. He was no scholar of standing. Otherwise, his writings would have earned him recognition in other parts of the Muslim world.

We are told that after his death, he continued to hold a highly respected position. With whom? The only position that counts after one's death is the man's position with Allah. How could anyone tell of the position someone is given by Allah after his death? The Prophet, peace be upon him, himself says: "I myself, Allah's messenger, do not know what will happen to me in the hereafter." Allah instructs His messenger in the Qur'an to say to people: *"I do not know what will become of me or you."* [Sandhills — "Al-Ahqaf " 46: 9] Now if Allah's messenger has not been given this sort of information about himself, how do these people claim to know about their man?

Moreover, the leaflet speaks of the man's tomb, becoming "a place of pilgrimage". We know only one place of pilgrimage, namely, the Ka'abah, the first house ever erected for the worship of Allah. Moreover, the Prophet, peace be upon him, says that there are only three mosques in the Muslim world to which people may travel. These are The Haram in Makkah, i.e. Ka'abah, the Prophet's Mosque in Madinah and Al Aqsa Mosque in Jerusalem. When we visit Madinah, we make our intention clear that we are going there to visit the mosque. We certainly greet the Prophet, but we do not undertake the journey to visit his tomb or grave.

If people travel in order to visit the tomb of this man, which is said to be a place of pilgrimage, then, that is the beginning of the worship of graves. This is one of the worst types of shirk, or associating partners with Allah.

Now we come to the crunch. What is the purpose of such a visit? Is it to have innermost desire fulfilled? In other words, there is a temptation to people from all over the world to come over, spend their money, indulge in unacceptable practices, merely to have their wishes fulfilled. How? The key to the answer to this question is best expressed in the suggestion made by the writer of the leaflet to those who cannot attend. He wants them to communicate their desires to him and he would beseech the dead man to pray Allah on their behalf. So, we have a living man entreating a dead man to speak to Allah on behalf of people.

How absurd! This is a preposterous suggestion which flies in the face of the teachings of the Prophet, peace be upon him, and Qur'anic revelations. The Prophet, peace be upon him, tells us in a most authentic Hadith that when a human being dies, he cannot avail himself of anything, let alone be of any avail to others. He says: "When a human being dies, all his actions come to a complete termination, except in one of three ways: A continuing act of charity, a useful contribution to knowledge or a dutiful child who makes supplication to Allah on his behalf." In other words, the living can be of avail to the dead, but not the reverse. This man who wrote the pamphlet wants to appeal to a dead person to intervene with Allah. Let me tell everybody who has ever contemplated going on such a journey that if there is a sure way of not having one's wish fulfilled, this is the one.

The reason is that by asking the dead man to entreat Allah on his behalf, he is associating that dead man with Allah as a partner. In a Qudsi Hadith, Allah says: "I am the least in need of a partner. If anyone associates a partner with Me, I abandon him to that partner." If we try to apply this sacred or Qudsi Hadith to this situation, we conclude that Allah would abandon those who attend this Urs and those who organize it to a dead man to answer their prayers. What can a dead man do? He cannot defend himself against worms and other insects, which eat, up his flesh.

If anyone has a dear wish which he or she wishes to have fulfilled, there is only one way of seeking Allah's help, namely, to pray Him directly. Allah says in the Qur'an:

"Your Lord says: Pray Me and I will answer you." [The Believer — "Al-Mu'min" [the Believers — "Al-Mu'min " 40: 60].

"He also says in the Qur'an: "When My servants ask you about Me, I am near, I respond to the supplication of anyone who prays Me. Let them, then, respond to Me and believe in Me so that they may be rightly guided." ·[the Cow — "Al-Baqarah" 2: 186]

Note here how Allah has phrased this verse. He is first addressing the Prophet, peace be upon him, who may be asked by people about Allah. He does not say to the Prophet: Tell My servants that I am near. He answers them directly **"When My servants ask you about Me, I am near."** With this direct answer all that we need is to address our supplication to Allah directly. What is important is to strive to be a good Muslim. Let us repent of our sins, fulfill our duties and make our supplication to Allah.

This is the surest way of having it answered. We will never need Niazi or his dead man, or indeed any person, dead or alive, to intervene for us [Save Prophet Muhammad, peace be upon him, on the Day of Judgement]. Allah is our Lord and we pray Him directly.

Pirs: Visiting the Graves Of So Called Saints

Back home I visited a friend of mine, and then he suggested that I should come with him on a rewarding visit. He took me to what is called **dargah**, which means the grave of a saint. There I saw a huge crowd, raising their hands in supplication. I felt very bad about this and told my friend that we should leave. He insisted that at least we read the Fatihah for that saint. I turned toward the Qiblah and read a few verses of the Qur'an. Did I commit a sin by visiting that grave? Or by not reading the Fatihah?

What those people were doing in that place, turning toward the grave and raising their hands with supplication, is indeed sinful. It is what we call 'worship of graves.' It is a form of associating partners with God. No one who believes in the Oneness of God may take part in any such practices.

If you knew where you were going and what was practiced there, then visiting the place is forbidden. But you were not aware of that, and when you realized what was going on, you tried to leave. That is the proper attitude, but you should have insisted on immediate departure.

Reading the Fatihah or any verses from the Qur'an near graves is acceptable, provided it is not done for money, as some people do.

You also did right when you turned toward the Qiblah, or direction of prayer. In such a place where such abominable practices are indulged in, it is better to disassociate oneself from what is going on. Thus by turning toward the Qiblah you made a gesture that you do not share in what was going on. That is commendable.

Decorating graveyards is not allowed in Islam. Graves should be kept simple, low, raising only about 25-30 centimeters above the ground. They should not be built with cement, concrete or bricks. Only the ordinary earth is to be used.

May I suggest to you that you should make clear to your friend that if he aspires to God's mercy and wishes for His reward, he should not frequent these dargahs or indulge in the practices you have described. He should learn more about Islam and how to be a better Muslim. He may acquire such learning from scholars, not from attendants of these dargahs.

Pledge: Intention Not Acted Upon Or A Pledge Not Fulfilled

Before I came here, I intended to give two months' salary for charity, including a contribution to the building of a mosque in my village. On arrival, I discovered that I was cheated and I had to accept a salary of about one half of what I was promised. Despite the passage of several years, I have not fulfilled that intention. I want to do so now, but which salary it should be — the one promised, or the actual one, or my present salary, which is higher than both are?

If this was a mere intention, then you are free to act on it or not. If you do, you receive God's generous reward; and if you do not, you deprive yourself of that reward. Hence, it is infinitely better to do so. If you find it difficult, then do as much of it as you can, without putting yourself to hardship.

On the other hand, if this was a pledge, which means a firm promise made to God, then it becomes a duty and must be fulfilled. It should be put into effect as soon as possible. The promised salary, which was not paid at the time, is not the one to be used. What is due is the actual salary you started with. However, since you have delayed it so long, if you pay more, it is better. The more you pay, the greater is your reward.

Pledge: Made To Allah & the Conditions Attached

It is a practice that people make a solemn intention that they will do this or that if Allah grants certain wishes of theirs. Is this permissible in the first place? If so, how does it vary from asking Allah to fulfill for us certain favors, without making such a pledge? What sort of pledges are preferred?

A pledge of the type you describe is known in Islamic terminology as "Nathr". That is different from "Niyyah," which means intention. Nathr is a pledge. You express in words your resolve that you will fulfill or do something, such as fasting any number of days, or giving to the poor certain amount of money, or offering three hours of night worship, etc. Here you are committing yourself to doing any of these action upon the fulfillment of a certain wish you have in mind. Niyyah, as it is used in Arabic, is making up one's mind to do something, whether that is dependent on the fulfillment of something else or not. It has a much wider usage and it applies to everything. That is what is meant by the Hadith which states "actions are but by intentions." It means that the value of a certain action we do is determined by the intention behind it. If someone attends congregational prayer in the mosque regularly in order to give the neighborhood a certain impression of himself, his action is not as another who attends congregational prayer less frequently but has no aim behind it other than obeying Allah and His messenger.

There is another difference between a pledge, or Nathr, and an intention, or Niyyah. A pledge must be fulfilled once it is made. It becomes a debt owed to Allah by the person who has pledged it. If you do not fulfill it, you will be questioned by Allah about it. The reason is that you have volunteered such a pledge and this cannot be done in jest.

Therefore, fulfillment is required as a duty. An intention is different in the sense that if you do not fulfill it, you are not held to account for that. If it is a good action that you have intended, you are awarded for carrying it out. If you do not do it, you lose that reward but you incur no sin.

People make such pledges because they believe that by making them, they stand a better chance of having their wishes fulfilled. That is not true. Making a pledge to fast, or pray, or do whatever, does not get them any nearer to having their wishes

fulfilled. Allah does not need our worship so that He fulfill our wishes if we offer more worship to Him. It is far better to pray Allah to grant us whatever wishes we want to be accomplished, provided that they are not sinful.

We should remember that He can grant us whatever wish we may have. His bounty is without limits. When we implore Him confirming our obedience to Him and submission to His will, He answers our prayer. Then, when our wishes are fulfilled, we express our gratitude to Him by voluntarily doing what he likes us to do. We can prostrate ourselves before Him in gratitude, and that is known as a "Sajdah of thanks," [or "Sajdah Shukr"] or we can give something to charity or fast, or do similar actions of worship.

Pledge: That Must Be Honored

My wife made a pledge to God that she would fast for four days if I get a job in Saudi Arabia. Last year, her wish was granted and I began my job here in the Kingdom. Recently, she sent me a letter saying that because she is unwell she cannot fast those four days and asking me to do the fasting myself. She also says that she could not fast in the last part of Ramadhan because of her sickness. Could you please explain whether this is permissible?

A pledge is a commitment, which a person makes freely to do something if a certain matter that he desires is fulfilled. Such a pledge becomes an obligation, which must be fulfilled. However, the Prophet, peace be upon him, says that when a person makes a pledge to God to do something that pleases God, such as fasting or praying or giving something to charity, then he must fulfill his pledge, because by not doing so he incurs God's displeasure and earns a punishment.

The majority of scholars are of the view that it is not advisable to make a pledge, particularly when a person thinks that by making such a pledge, he is likely to hasten the accomplishment of what he desires. It is as if he is saying to God: "Please, God, fulfill this thing which I desire and I will do this or that for you." Needless to say, such an attitude is unacceptable, because God does not need our worship or our charity. It is better to supplicate to God, praying him to fulfill whatever we desire, because our supplication is an acknowledgment of His Lordship and a recognition that we are in need of His grace. If we couple our supplication with voluntarily doing something that pleases God, such as donating to charity or helping a good cause, then we increase our chances of having our supplication answered.

Those scholars who feel that making a pledge is appropriate argue that the most rewarding act of worship is that which is obligatory. When you offer your obligatory prayer, you earn more reward than what you receive for praying voluntarily. That is because with obligatory prayer you are rewarded for praying and for fulfilling the obligation God has imposed on you. So, when you commit yourself to doing something that pleases God, [you make it obligatory upon yourself without correlating it to the fulfillment of a desire] you are to be rewarded for that.

Whichever view you take, scholars are unanimous that when you make a pledge, you must fulfill it. There is no escape. Indeed, in the Qur'an, God praises believers as those "who fulfill their pledges." Once a commitment is made to God, then it must be fulfilled. Going back on it is a grave sin. Moreover, it is the person who has made that pledge or commitment who is required to fulfill it.

This makes it clear that in the case of your wife, it is she who is required to fast those four days. Unless she has committed herself to fasting them at a particular time, then she may choose the time, which is most suitable for her. As long as she intends

fully to honor her pledge at the earliest opportunity, there is no harm in delaying its fulfillment to a suitable time. But it is always better to fulfill a pledge as soon as it is due, because one cannot tell whether he will be able to fulfill it later or not.

What we have established so far is that your wife must do the fasting, and it is not acceptable that you fast on her behalf. It was not you who made that pledge, and if you do fast, you will be rewarded for fasting but the pledge remains unfulfilled and your wife will still have to honor that pledge. If she is unwell, then she may delay fasting until she has recovered.

Suppose that a person makes a pledge to fast a certain number of days and then he falls victim to some disease, which is considered to be incurable. Doctors tell him that he would not be able to fast on any future date. In this case, he is still required to fulfill his pledge, but the fasting may be substituted by the normal compensation God has laid down. That is to feed a poor person two meals for every day of fasting which he cannot do. He may feed one such person for the required number of days or as many persons for one day, or he may have any number of permutation, as long as the feeding is for the same number of days he did not fast.

Preaching: Adoption Of Islam — the Basics

What are the procedures and requirements if one wishes to convert to Islam?

The adoption of the religion of Islam is very simple. Nothing is required except a declaration by the person concerned that he believes in Allah as the only God and in Muhammad, peace be upon him, as His messenger. What this declaration actually means is an acceptance that worship can be offered only to Allah and that the authority to legislate rests solely with Allah. Man's position is to obey and implement Allah's laws, whatever they are. Should the law of any authority, government, parliament, society or tribal council clash with Allah's laws then that latter must be implemented without any question. The Prophet, peace be upon him, says what may be translated as follows: "No creature may be obeyed in what constitutes disobedience of the Creator."

Now, how do we know Allah's legislation? The second half of our declaration provides the answer to this question. Our acknowledgment of Prophet Muhammad, peace be upon him, as Allah's messenger means that we accept him as the man through whom Allah has conveyed to us the code of legislation He wants us to implement in our lives for our own benefit. It is through Prophet Muhammad, peace be upon him, that the Qur'an has been sent down to us as the book containing the divine constitution for human life. Prophet Muhammad's own pronouncements serve as an explanatory memorandum for the Qur'an, providing the details of what the Qur'an may state in general terms, and giving us guidance on how to implement the Qur'an in our lives. Thus, obedience to Allah necessitates obedience to His messenger. Indeed, Allah commands us:

"Whatever the messenger gives you, accept it, and whatever he forbids you, refrain from it." [Exile — "Al-Hashr" 59: 7]

Thus the declaration means that Allah is the only God to be worshipped, that obedience to Him and submission to His law is an essential part of worshipping Him and that Muhammad, peace be upon him, His messenger, is the one who has taught us how to worship Allah and conveyed to us His laws.

Anyone who makes this declaration, fully convinced of it, is a Muslim. The Arabic wording of the declaration is: ***"Ashhadu an la ilaha illallah, wa Ashhadu anna Muhammadan Rasoolullah."*** This translates as follows: "I testify that there is no deity

save Allah and I further testify that Muhammad is His messenger." Once this declaration is made by anyone, in full consciousness of its significance, then the person making it becomes a Muslim. Anyone who is embracing Islam is required, however, to have full ablution, that is, a complete bath at the time he makes the declaration. This is a gesture which symbolizes washing off all one's past misdeeds. No Muslim is held accountable for any thing he or she did before adopting Islam.

When one becomes a Muslim, one is required to do all the things Muslims do and to refrain from all those things, which are not allowed to be done. This should not prove difficult as many people do observe Islamic teachings throughout the world. It requires, however, a fair measure of determination to conduct one's life in the manner, which is sure to win Allah's pleasure.

To give a brief sketch of what is required of a Muslim, we mention the five pillars upon which the structure of Islam is built. The first is the declaration we have already mentioned. Secondly, a Muslim must attend regularly to his or her prayers. These have a specific form, which must be learned. A Muslim prays five times every day of his life. This may sound quite a heavy burden but hardly any practicing Muslims finds that prayers interfere with his work. What is required here is a reasonable amount of adaptability. Prayers are invaluable in maintaining one's consciousness of Allah and reminding one of the need to obey His commandments at all times and in all situations.

Thirdly, Muslims fast from dawn to dusk throughout the lunar month of Ramadhan. When they fast, Muslims abstain from food, drink and sex. Fasting is a great exercise of self-discipline and it is greatly beneficial to the individual and to the community.

Fourthly, Muslims who own more than the equivalent of 634 gm. of silver are required to give away every year a portion of their wealth, not less than 2.5 percent, to the poor. Eight class of people may benefit from this share which is termed Zakah, or purifying alms. When we remember that this payment share is imposed on capital, not on income, we realize that the amount raised is substantial and it goes a long way toward wiping out poverty.

The last pillar of our religion is pilgrimage, which must be performed by those who have the physical and financial ability to do it. The requirement is to offer pilgrimage at least once in one's lifetime. A Muslim must also refrain from all sinful acts such as murder, adultery, drinking, lying, stealing and all corruption generally. Islam is a religion of serious morality and strict discipline. So, a Muslim must always weigh up his actions before doing them and avoid all kinds of sin. Should he yield to temptation and commit a sin, he should repent and pray for Allah's forgiveness.

According to Islam, all Muslims are equal and should be treated equally. The Prophet, peace be upon him, has emphasized this on many occasions and Allah lays down the only criterion of distinction among Muslims. He says in the Qur'an:

"The noblest among you, in the sight of Allah, is the most God-fearing."
[Private Apartments — "Al-Hujurat" 49: 13].

Yet people may not live up to this very important requirement. Family or tribal or national considerations may lead to different modes of discrimination. Islam shuns such practices. It is often the case, however, that people's practices fall short of their ideals. We have, therefore, to distinguish between what Islam lays down and what Muslims do.

A point, which is often raised by readers, is that which concerns one's family. This is a tricky question, which I am attempting to explain.

Obviously, there is no problem when both man and wife make the same decision together. Their children should be brought up as Muslims. If the children are of age, they should not be forced to follow their parents' example but they should be encouraged to learn about Islam and make their own decision.

Problems arise, however, when either husband or wife decides to go for it alone and embraces Islam. It is always to be remembered that Islam lays down that the adoption of faith must come through personal conviction. No compulsion or pressure should be exercised on one's partner. That does not preclude wise counsel and friendly persuasion. When such caring efforts go in vain then one has to make up one's decision according to one's own circumstances.

The easiest of these cases is when the husband decides to adopt Islam but his wife decides to stick to her own religion, which happens to be either Christianity or Judaism. Islam has enough common grounds with these two divine religions to allow marriages between Muslim men and Christian or Jewish women. It only asks the husband in such a marriage to bring up his children in the same way as all Muslim parents bring up their children. There is, therefore, no reason for a new convert to Islam to divorce or separate from his Christian or Jewish wife. They may continue to live together for the rest of their lives.

When the wife follows any religion other than these two, or if she does not believe in Allah at all, then the marriage is automatically nullified. Allah commands us in Qur'an:

"Do no hold on to your marriages with unbelieving women." [She That Is To Be Examined — "Al-Mumtahaenah" 60: 10].

This is because the family is of prime importance as the basic unit of society. It is the mother who looks after the children who, in turn, form the future generation. An unbelieving mother cannot be trusted to enhance in her children the natural tendency to believe in Allah. As we say in Arabic; "He who has not got something cannot give it to others."

The moment the wife makes the declaration which makes her a Muslim, it is then that her marriage to her non-Muslim husband is considered null and void. This ruling applies whether the husband is a Christian or a Jew or a follower of any other belief. There is no disagreement among the various schools of thought as to the nullity of the marriage if only the wife adopts Islam. Some, however, enforce an immediate separation for a period equivalent to a divorcee's waiting period [nearly three months], before the marriage is declared null and void.

The idea here is that in any family the man is the master. He is in charge of the house and the protector of his wife and children. For a Muslim woman to be in such a relationship with an unbeliever is not acceptable.

This question has been the subject of a great deal of discussion in recent years as more and more people adopt Islam and the problem becomes increasingly common. The fact remains that no one has come up with a different ruling supported by the Qur'an or by some pronouncements of the Prophet, peace be upon him.

Allah declares in the Qur'an on the question of relationship between believing women who have recently accepted Islam and unbelievers: "They [the women] are neither lawful to them in marriage nor they [i.e. the unbelieving men] are lawful to them [as husbands]." It is an established rule of Islam that no ruling made by Allah in the Qur'an or by an authentic pronouncement of the Prophet, peace be upon him, may be challenged by any argument, no matter how logical it may sound. For Allah has taught us what remains best for us in all ages and societies.

Preaching: Adoption Of Islam — Very Simple Process

I have been working in Al-Khobar for 7 years, and now my stay is extended for another 2 years. In this period I have learnt much about Islam through Arab News and other sources. Now I feel I want to belong to this faith. Could you please let me know where to go, and what shall I do? I would like to know how to go about it in step by step manner.

The adoption of the religion of Islam is very simple. Nothing is required except a declaration by the person concerned that he believes in God as the only deity in the universe and in Muhammad as His messenger, peace be upon him. What this declaration actually means is an acceptance that worship can be offered only to God and that the authority to legislate for human beings in all aspects of their life rests solely with God. Man's position is to obey and implement God's laws, and then the latter must be implemented without any question. The Prophet, peace be upon him, says what may be translated as follows: "No creature may be obeyed in what constitutes disobedience of the Creator."

Now how do we know God's legislation? The second half of our declaration provides the answer to this question. Our acknowledgement of the Prophet Muhammad as God's messenger, peace be upon him, means that we accept him as the man through whom God has conveyed to us the code of legislation He wants us to implement in our lives for our own benefit. It is through Prophet Muhammad, peace be on him, that the Qur'an has been sent down to us as the book containing the Divine constitution for human life. Prophet Muhammad's own pronouncements serve as an explanatory memorandum for the Qur'an, providing the details of what the Qur'an may state in general terms, and giving us guidance on how to implement the Qur'an in our lives. Thus obedience to God necessitates obedience to His messenger. Indeed God commands us:

"Whatever the Messenger gives you, accept it, and whatever he forbids you, refrain from it." [Exile — "Al-Hashr" 59: 7]

Thus the declaration means that God alone is the only one to be worshipped. That obedience to Him and submission to His law is an essential part of worshipping Him. And that Muhammad, His messenger, is the one who has taught us how to worship God and conveyed to us His laws.

Anyone who makes this declaration, fully convinced of it, is a Muslim. The Arabic wording of the declaration is Ashhadu al la ilah illallah, wa ashhadu anna Muhammadan Rasoolullah. This translates as follows: ***"I testify that there is no deity except God and I also testify that Muhammad is His messenger."*** Once the declaration is made by anyone, in full consciousness of its significance, then the person making it is a Muslim. Anyone who is embracing Islam is required, however, to have full ablution, that is, a complete bath at the time when he makes the declaration. This is a gesture, which symbolizes washing off all of one's past misdeeds. No Muslim is held accountable for any thing he or she did before adopting Islam.

When one becomes a Muslim, one is required to do all the things Muslims do and to refrain from all those, which they are not allowed to do. Thus he is required to offer 5 prayers each day, fast in the month of Ramadhan, pay Zakah according to the rules governing its payment and do the Pilgrimage at least once in one's lifetime. There are other duties a Muslim should also do, and these one learn gradually. A Muslim must also refrain from all sinful acts such as murder, adultery, drinking, lying, stealing, gambling, perjury and all corruption generally. Islam is a religion of serious morality and strict discipline. So, a Muslim must always weigh up his actions before doing

them and avoid all kinds of sin. Should he yield to temptation and commit a sin, he should repent and pray for God's forgiveness.

According to Islam all Muslims are equal and should be treated equally. The Prophet, peace be upon him, has emphasized this on many occasions and God lays down the only criterion of distinction among Muslims. He says in Qur'an:

"The noblest among you in God's sight is the most God-fearing of you."
[Private Apartments — "Al-Hujurat" 49: 13]

Yet people may not live up this very important requirement. Family or tribal or national considerations may lead to different modes of discrimination. Islam shuns such practices. It is often the case, however, that people's practices fall short of their ideals. We have, therefore, to distinguish between what Islam lays down and what Muslims do.

What I have outlined is the religious aspect of becoming a Muslim. However, people may require some documentation of the fact that a person has adopted Islam. For this one has to make this declaration in court where he is questioned about his desire to become a Muslim and witnesses are present. He is given a certificate that he has adopted the religion of Islam. This may be useful in facilitating certain things, such as travel to offer the pilgrimage and marriage with a Muslim person. From the religious point of view, it is unnecessary.

Converts to Islam often change their names so as to adopt Islamic or Arabic names. This is unnecessary unless one's name is directly associated with another faith, or has a meaning that is unacceptable to Islam. Otherwise, the Prophet, peace be upon him, did not change people's name upon their becoming a Muslim except for one of these two reasons.

Preaching: Advocating Islam In All Situations ***Commentary By Adil Salahi — Arab News***

The Prophet, peace be upon him, provides the best example for us in fulfilling the most important task of delivering God's message to people and inviting them to accept it and believe in God's oneness and Muhammad's message. What few people realize is that delivering God's message so that people are made aware of what God wants of them was the overriding concern of the Prophet, peace be upon him.

He always wanted to make clear to people that he was giving them sound advice as he called on them to believe in God's oneness.

He asked them no favor in return. He only wanted what would serve them well both in this life and in the life to come.

A most important aspect of the Prophet's efforts in this regard is that he was keen to inform people of his message and call on them to believe in it in all situations. Even in war, the Prophet, peace be upon him, did not lose sight of his most important duty, which was the delivery of his message. Here is a very clear example.

The battle of Khyber was a very hard one, because Khyber was a series of forts in which the Jews locked themselves, having stored enough provisions and water to last them for more than a year. The forts were practically impregnable. And to overcome the enemy, the Muslims needed to take one fort at a time. At one stage, the Muslims were making little progress, as the Jews were immune in their besieged fort. A hard slog loomed large. However, the Prophet, peace be upon him, said to his companions at the end of a very hard and frustrating day: "Tomorrow, I am giving this banner to

someone through whom victory will be granted by God. He loves God and His Messenger and is loved by God and His Messenger."

"People talked much that night about who would get the banner. In the morning, they went to the Prophet, peace be upon him; each one of them hoping to have the banner. However, the Prophet, peace be upon him, said: 'Where is Ali ibn Abi Talib?' They said: 'Here he is, but he has a complaint in his eyes.' The Prophet, peace be upon him, sent him a message to come, and he came to him. The Prophet, peace be upon him, made a gesture of spitting lightly in Ali's eyes and prayed for his recovery. Soon Ali's complaint disappeared and his eyes were completely cured. The Prophet, peace be upon him, handed him the banner. Ali asked Messenger of God: 'Do I fight them until they become Muslims like us?' The Prophet, peace be upon him, said: 'Proceed as you are until you have got inside their fort, then call them to Islam, and tell them what their duties to God are according to Islam. By God, should God make you the means of guidance for one person, it would be better for you than all good things in this world.' [Related by Al-Bukhari and Muslim]

We should first explain that Islam is averse to war in any situation, but it does not refrain from it when it is inevitable. In this case of Khyber, its Jewish population had attacked the Muslim community, joining other enemies, in more than one battle.

They were preparing for another attack when the Prophet, peace be upon him, wrested the initiative and moved against them. However, here we see him making the first priority clear to his cousin who was to be the commander. The priority is providing guidance so that people could respond to God's message and conduct their life in accordance with His law. Hence, when Ali overpowered the enemy and was in their midst, he should first of all call upon those people to consider God's message and make their response to His call. To emphasize the importance of this task, the Prophet, peace be upon him, explains to Ali that when he was the means of guidance even for one person, his gain is better than this whole world and all it contains.

It should be said that had the Jews in Khyber responded to Ali's call on them to embrace the divine faith, as they were required to do in their own holy books, they would have spared themselves the battle in which they suffered heavy losses. The Muslims would have welcomed them with open arms. But the war did not aim to convert them, as they were indeed left free to practice their own religion after the war.

The Prophet, peace be upon him, did not disdain to speak to anyone about Islam, calling every individual, group or tribe to accept God's message. One example is reported by Al-Miqdad ibn Amr, who says: "I took Al-Hakam ibn Kaysan prisoner. Our commander wanted to put him to death. I said to him: 'Keep him until we have delivered him to God's Messenger, peace be upon him, so that he may invite him to accept Islam.' When we arrived, the Prophet, peace be upon him, spoke to him at length about Islam. Omar said to him: 'Messenger of God, 'Why would you speak to someone like him? By God, this person will never be a Muslim. Let me chop his head off so that he would go to hell.' The Prophet, peace be upon him, did not pay any attention to Omar and continued until Al-Hakam declared his acceptance of Islam. Omar said: 'when I saw that the man has become a Muslim, I was so distressed at what I had said. I thought how could I speak to the Prophet, peace be upon him, objecting to something which he knew better than I?'

How could I claim that I only wanted what was good in submission to God and love of Him and His Messenger? By God, the man became a good Muslim and fought for God's cause until he was killed as a martyr at Bir Maounah. The Prophet, peace be upon him, was certainly pleased with him and he was certain to be in heaven." [Related by Ibn Sa'ad] the Prophet, peace be upon him, was, in this instance, speaking to a man who was known to be hardened in his hostile attitude to Islam. Even when he was a prisoner in the hands of the Muslims, he did not show any

indication that he would accept Islam. This is the reason for Omar's remark, as he must have seen lacking any interest in Islam. But the Prophet, peace be upon him, never despaired of anyone becoming a Muslim, because he knew that the truth had a particular appeal to the human mind and heart. A person, whose receptive faculties are open is bound to be affected by the strong logic and irrefutable argument, and he listens to the message of Islam. We also note how Omar felt about suggesting that the Prophet, peace be upon him, should not waste his time with someone like Al-Hakam because to him he was a lost case. His feelings were based on close observation of the man's reaction as the Prophet, peace be upon him, spoke to him.

However, he felt that he should not have made any suggestion to the Prophet, peace be upon him, in a matter like this, because the Prophet, peace be upon him, was only discharging his mission as God's Messenger.

Preaching: Compulsion & Religious Observances

You mentioned on several occasions the verse that rejects compulsion in religion. However, I read that this applies to forcing people to change their religion and accept our faith. But within the Muslim community, people can be punished if they refuse to observe God's law. Please comment.

The Qur'anic statement is very clear, and it has a general import. In literal translation we render it: "No compulsion in religion." A more expressive rendering is: ***"No compulsion is admissible in matters of religion."*** This certainly applies to beliefs, as belief can only be the result of personal conviction. Therefore, it is totally against Islam to force anyone to accept the Islamic faith. We invite people to accept it, but leave the decision to them, and do not punish them in any way if they choose to follow different faiths. This was the practice of the Islamic State throughout history. If this applies to the basic principle of accepting God's oneness, it applies even more clearly to matters of lesser importance, such as the implementation of certain Islamic rules. People should obey God's law because they believe in Him and hope to receive reward from Him.

Having said that, I hasten to add that this should not be confused with enforcing penalties for law violations. Islamic society is not an anarchist one. It lays down rules that must be obeyed, but this is part of maintaining law and order in society, which is universally accepted as necessary. Thus, no one follows a person into private places to check whether that person is fasting or not, but a Muslim society may introduce penalty for eating in public during the day in Ramadhan. This penalty is not for non-fasting, but for not observing public decency at a time when the whole community is observing an act of worship by through fasting. Enforcing such penalties is not compulsion to follow Islam, but protecting the community against anarchy and disorder.

Preaching: Compulsion & the Standard Alternatives

The Qur'an states very clearly that there is no compulsion with regard to faith. On the other hand, the Prophet, peace be upon him, offered the people of Najran that they should either accept Islam, or pay the Jizyah, or else they should be ready to fight the Muslims. How is this to be reconciled with the Qur'anic statement?

The three alternatives offered by the Prophet, peace be upon him, to the people of Najran are the standard ones which Muslim states and rulers have always offered when they fought against any people who stood on a war footing with them. Whenever the Muslim armies were facing an enemy who had prepared to fight them, they offered that army, or the authority that were in control, those three alternatives: 1] To accept Islam and they would be part of the Muslim state, having all the rights and

obligations of all Muslims without any discrimination; 2] To pay the Jizyah; which is a tax that guaranteed them protection by Muslim state against any enemy in return for their being law-abiding citizens. They would also enjoy their religious freedom. If neither of these two options was accepted, then they would have to face the might of the Muslim army in battle.

This situation cannot be understood without looking at the events that brought those people face to face with the Muslim state. As you are aware, Islam is a message from God to all mankind. The Prophet, peace be upon him, was a messenger sent to all mankind. He is described in the Qur'an as having been sent as a "*mercy to all worlds*." Hence, it is his duty and the duty of the advocates of Islam in all generations, and in all communities, to make Islam, God's message, known to all people, and to invite them to accept it as a faith. No pressure is to be brought on anyone to accept Islam. It is a matter for the individual to choose. However, Islam does not accept that any pressure be brought to bear on anyone to reject Islam, be that by a political or religious authority, or by social tradition. People must be free to choose. The advocates of Islam must have the freedom to address the people and to explain God's message to them.

The people of Najran were a Christian community, and authority among them belonged to their priest, who was helped by two influential people, known as As-Sayyid and Al-Aaqib. The Prophet, peace be upon him, addressed the three and advised them to accept God's message. He wanted them to give their people the freedom of choice and wanted to have access to the ordinary people in order to explain the message of Islam to them. They sent a delegation to the Prophet, peace be upon him, and there was a great deal of discussion between them. They did not wish to accept Islam. At one stage, after the delegation went back carrying a message from the Prophet, peace be upon him, to the priest, who wielded real power among them, the priest admitted that Muhammad, peace be upon him, was a messenger of God. His brother was furious with him for concealing the fact, and he immediately left for Madinah to meet the Prophet, peace be upon him. Nevertheless, he did not accept Islam. The Prophet, peace be upon him, did not put any pressure on him to do so.

This is only one example showing us how authority, whether religious or secular, stood as a barrier preventing people from learning about Islam and believing in it, if they chose to do so. It is not acceptable to Islam that such a barrier should prevent people from following God's guidance. Hence, it makes its standard warning. If those in power would accept Islam and let their people accept it if they choose to do so, they would continue to be in power, under the overall authority of the Muslim state. This would ensure religious freedom for all, and make the new Muslims equal citizens. If not, then as a token of submission to the authority of the Muslim state, they would pay the Jizyah, or the protection tax, and they would enjoy peace and safety, and their people would be free to join the Muslim ranks without any pressure.

When neither option is accepted, then that authority which stands as a barrier preventing people from choosing Islam must be destroyed. It is an authority that suppresses religious freedom. Therefore, it should be removed, and by war if necessary.

Preaching: Compulsion Is Not Admitted In Matters Of Religion

Some people try to impose on others their method and practices, when religion is a matter of faith, and a relationship between God and man. Does Islam sanction any such imposition?

No, nobody may impose anything on another, whether by physical force or any other method. God says in the Qur'an: "*No compulsion is admitted in matters of religion.*"

This fits perfectly with the Islamic view that religion is a personal choice which must be made in complete freedom, without any coercion.

Some people may wonder why a child of ten may be beaten if he does not offer his prayers. This is simply a method of upbringing and education. A child should be encouraged to pray when he is seven years of age. If he refuses to pray, then at the age of ten, a method more serious than mere order may be employed to get him to pray, so that he would have formed the habit of attending to his prayers regularly when prayer becomes obligatory to him on attaining puberty. At this age, corporal punishment is frequently used by parents to instill some discipline into the child. This must always remain very mild, because the aim is to get the child to understand the seriousness of the matter.

When the child is older, this method must stop, because it will no longer be effective in getting the child to pray regularly. Moreover, when prayer becomes obligatory to a child, he should offer it in discharge of his duty, not because he fears to be beaten. I am afraid those who try to compel people to offer their worship in a certain way often exceed the limits allowed by Islam. The worth of worship is in the fact that it is offered at one's own behest, in response to God's command, not for fear of any human authority.

Preaching: Conveying the Message & Convincing Others

I recently sent a letter to a radio station, but it turned out to be a Christian preaching station. The person who answered my letter spoke about the enlightened vision of Jesus Christ and suggested that those who do not follow that vision are in total darkness. Could you let me know how to convince him of Islam and to tell him that what he is doing is wrong?

The first thing to remember about this question is that we, as Muslims, are not required to convince anyone of the truth of Islam. Allah will not ask anyone of us: How many people have you convinced or how many have become Muslims as a result of your efforts? Indeed, He has told His messenger:

"You certainly cannot guide whomever you please; it is Allah who guides whom He will. He best knows those who accept guidance." [Story — "Al-Qasas" 28:56]

What Allah will question us about is whether we have fulfilled the task He has assigned to His messenger and to all Muslims; namely, conveying the message of Islam to mankind. That is our task: To explain Islam to people and to tell them that Allah requires them to believe in it. If they accept it, they reap the fruits of being rightly guided. If they reject it, we have fulfilled our task.

I hope that I have made the distinction clear between doing our part, which is within our power, and the results that our efforts produce. I appreciate your keenness to have this broadcaster see the light of Islam. To do so, you only have to supply him with the relevant information. You may send him a letter or reply, or send him some books relevant to the topic you raised with him, or relevant to his essential beliefs and the basic beliefs of Islam. If you do so, you have done a good service to your faith. Whether he will be convinced is a totally different matter.

You should not be hesitant to send him whatever information is available to you about Islam. Followers of other religions do the same. I continue to receive letters from Christian missionaries and followers of religions. They either reply to some points they have read in Arab News or speak about their faiths or invite me to follow their own religion. Muslims should not hesitate to present their faith to other people.

By doing so, they actually do them a great service, because they explain to them the faith which Allah accepts from human beings.

Preaching: Conveying the Message To Non-Believers

It is certainly important to present the message of Islam to non-Muslims, and to invite them to accept God's call, but we should not worry endlessly over the lack of success in convincing them to adopt the faith of Islam. May I, however, say that we Muslims also need to "acquire" Islam first in our daily lives in order to be able to show "Islam in practice" to non-Muslims? Our methodology in this respect is so lopsided in general, where we see the different sectarian approaches. Some of us even go to the extent of preventing people from reading translations of the Qur'an. They insist that everyone must read it in Arabic. They do not concern themselves with the question: How people are to understand the message of the Qur'an? Every year, the number of people who know the Qur'an by heart increases by hundreds and thousands, but how many enrich their knowledge of the message of the Qur'an? How do we overcome such shortsightedness in our midst? Another thing that bothers me which is relative to methodology is that some people are rarely willing to accept advice on the need to refrain from violating other people's rights. For example, people are required to obey the laws of the land. This is a part of the teaching process. But even those who teach such matters are often guilty of breaking the law. This may be only small matters such as parking in the wrong place and causing inconvenience to others, but these are important nevertheless. I will be grateful for your comments.

I am glad that you concur with me on the question of the limits of our duty to make Islam known to other people. It is indeed an aspect of God's grace that He has not imposed on us the duty of converting people to Islam. Indeed, this is an aspect of grace that benefits all humanity. Had it been obligatory for Muslims to convert other people, there would have been no end of wars motivated by religion. That would have ruined human life.

I also fully agree with you on your point concerning the "acquisition" of Islam by people who belong to it. They need to demonstrate how Islam works in practice. Our efforts at explaining the message of Islam to others will be sufficient to persuade a minority of people, and a small one at that, that Islam is the message of the truth. These normally belong to a section of human beings that are willing to rise above the pressures of tradition, community and self-interest. They try to bring the practical aspects of their lives in line with their conviction. When you talk to people about Islam, many of them will admire its truth. They will not hesitate to say that they see in it elements that will benefit every human society. Some will go further than that and express their wish that such a beautiful code of living could be implemented. Yet the next moment they turn away and follow their own practices, which are at odds with the very point they have been admiring about Islam. They will not say to themselves: Let us make a start ourselves. To take such a step requires a higher quality, which is found only among a minority of people.

Yet the Qur'an speaks about a time when people will adopt the faith of Islam "in large numbers". That is the moment when "victory and conquest will come", as stated in Surah 110 which may be translated as follows:

"When the victory granted by God and the Conquest come, and you see people embracing the religion of God in large numbers, then celebrate the

praises of your Lord, and seek His forgiveness. He is ever disposed to mercy."
[Succor — "An-Nasr" 110:]

That this will happen is a matter of certainty. Moreover, it is not single occasion of which the Qur'an is speaking. It did happen at the time of the Prophet, peace be upon him, when the people of Makkah abandoned their opposition to Islam and accepted the faith.

The rest of Arabia followed them. It did happen in other periods in different parts of the world. This happens when people realize that the authority with which Islam speaks is overpowering. This must be seen in some sort of a social structure that is manifestly superior to what they have known. At the time of the Prophet, peace be upon him, the Arabs were ready to appreciate the superiority of Islam not merely in its military achievements. They were also able to see the sort of society Islam established in Madinah. It was Abu Sufian, the leader of Makkah who remarked: "I have never seen love that is so powerful as that felt by Muhammad's companions toward him." The bond of brotherhood that was characteristic of that community was so visible for all people to see. Moreover, that community lived the religion of Islam in practice and demonstrated that all its virtues can be practiced for the benefit of both the individual and the community. Therefore, when the pressures holding them from adopting Islam were removed, they adopted it in large numbers.

Islam spread its vast areas without a Muslim military force ever setting foot in them. In Southeast Asia we find large areas with Muslim majority, such as Malaysia, Southern Philippines and Indonesia. These areas adopted Islam as a result of continuous contacts, mainly in trade and business, with other Muslim countries.

These were businessmen from Yemen and other Muslim areas who established their presence in these areas. When the local population recognized the moral standards of these people, they were able to see that it was only through Islam that the Muslims had attained such a high standard of social and moral values. Therefore, they accepted the faith, realizing that the concept of the Oneness of God is the driving force behind all the virtues of Islamic life. There was no missionary work going on in these areas. Islam does not believe in structured and organized missionary activities. Every Muslim is required to contribute to the spread of the message of Islam, but there are no professional missionaries as such.

But Islam requires its followers to adopt a serious discipline. Everyone should watch what he or she does. They must always refer to God's law in order to find out whether a certain action is permissible, encouraged, obligatory, or, on the other hand, reprehensible or forbidden. At every moment in life, a Muslim should be a credit to his faith. In a Muslim community, there is no need for a large police force to ensure that every detailed aspect of Islamic law is implemented to the letter. Islam implants in every Muslim a highly sensitive conscience that is always alerting the person to do his duty and refrain from what is forbidden.

It is in small details that we can see the difference that Islam brings about. Suppose, the authorities impose a certain speed limit within a particular area. A good Muslim will confine himself to the speed limit, even if there is no chance that he will be caught over-speeding. He knows that it is his duty to follow the regulations because they are meant to benefit the community as a whole. He knows that disobedience in such matters is in fact disobedience to God.

This is a very simple matter but when it comes to more important ones affecting the rights of other people, a Muslim always realizes that God will question him about any violation and will not forgive him any of that unless the people concerned are willing to forfeit their rights.

We certainly need to do much in order to bring about our behavior in line with our beliefs. When we do that, we will certainly be better Muslims and we will be able to take the message of Islam to non-believers.

Preaching: Duty To Propagate Islam & the Duty To the Family

A relative of mine in Pakistan travels for several months together, perhaps a year, in order to go on a mission of propagation of Islam. He leaves behind his wife and children, giving his wife some money, which is hardly sufficient for the needs of the family for more than a couple of months. His wife has been complaining that she suffers a great deal looking after her young children on her own. He has been telling her that he trusts his family to Allah's care. My question is: How far does Islam approve of such a mission of propagation of Islam, when it means neglecting one's family?

It is certainly the duty of every Muslim to try to propagate Islam and to try to make its message known to people. The whole Muslim community is responsible for making Islam known to the rest of mankind and calling on them to embrace it as a faith and a way of life. In addition, every individual Muslim should do his best to propagate Islam among non-Muslims and to encourage Muslims to attend to their Islamic duties. This was the task of prophets and it was brought to its fullness by Prophet Muhammad, peace be upon him, the last messenger sent by Allah. He spared no effort in explaining Allah's message to mankind and he worked hard for his followers to establish a base for Islam from where it moved on to spread to vast areas of world.

One important point to remember about Islam is its total approach to human life. It does not emphasize any single aspect of life at the expense of another. It does not tolerate the neglect of a duty only because a person is happier fulfilling another duty. The needs of this world must not be neglected because one wishes to devote himself to the fulfillment of duties relevant to the life-to-come. Islam provides for us a middle order which takes care of all men's needs as individuals, members of a family, and active workers in the community. In the Qur'an we read this instruction which applies to every single one of us:

"Seek, by means of what Allah has granted you, [the good of] the life to come, without forgetting your own rightful share in this world; and do good to others as Allah has done good to you" [the Story — "Al-Qasas" 28: 77].

All of us know the famous story when three people went to the wives of the Prophet, peace be upon him, inquiring about his worship. When his wives told them, they felt that it was less than they had expected. One of them said you need not wonder at that because the Prophet, peace be upon him, has already been forgiven all his sins, past and future. We cannot aspire to that. Therefore, we have to make a special effort in order to win Allah's pleasure. One of the men pledged to spend all night every night in worship, the second pledged to fast every day of his life and the third pledged permanent celibacy so that he would not be distracted from his worship. When the Prophet, peace be upon him, learned of their pledges, he reproached them. Reminding his companions that he was the most God-fearing among them, he said: "I, nevertheless, do spend sometime in night worship, but I also allow myself enough time to sleep; I do fast voluntarily, but I also have many a non-fasting day and I marry women. Marriage is a pattern of life I choose. He who turns away from my pattern does not belong to me. Perhaps there is no clearer statement about the balanced nature of the Islamic way of life.

When we look at the life of the Prophet, we realize that he never neglected a duty. When it was time to go to war, for the cause of Islam, he did not hesitate to march at

the head of his army. He never neglected something which he felt would give pleasure to one [or more] of his wives, provided that he was able to secure it for her.

Your friend has certainly many duties toward his family. He is responsible for their maintenance and he has to work hard in order to provide his wife and children with the best standard of living he can afford. If he does not, then he is guilty of neglecting his duty. No Muslim is deemed to have discharged his responsibility to take good care of his wife and children if he chooses to stay unemployed or without a job. Moreover, his duty toward his family far exceeds the provision of food and clothing and shelter. He has to look after the upbringing of his children. He has to make sure that they grow up as good Muslims. If he neglects this duty in order to serve what seems to him to be a higher or nobler duty, he will be accountable to Allah for this neglect. Abandoning the upbringing of one's own young children, is not to abandon a secondary duty. Indeed, taking good care of them is, in Islam, a primary duty, and takes priority over many other duties.

Your relative's attitude is highly reprehensible. He neglects the education and upbringing of his own children in order to do something which Allah has not required him to do in this particular fashion. His duty to propagate Islam would be better served by bringing up his children as good Muslims. To say that he trusts his family to Allah's care is good enough, if he has compelling reasons to be absent. His reason, i.e. propagation of Islam, is not a compelling one because he can undertake that activity at home. Why should he go abroad for a year in order to propagate Islam?

From another point of view, a man's duty towards his wife is such that he is not allowed to be absent from home, in connection with his business, for more than four months, unless she willingly agrees to that absence. Omar ibn Al-Khattab issued a general decree not to allow any soldier to be away from home for more than four months, in order not to place a heavy burden on Muslim wives who had to suffer the long absence of their husbands. If such a long absence is not acceptable when a person is going on jihad, who can claim that it is acceptable in the case of an activity which can be, at best, classified as desirable or voluntary. Your relative is wrong to cause his wife such suffering. He will be better rewarded if he looks well after his family and tries to propagate Islam and its message at home.

Preaching: Freedom Of Belief

In a recent discussion concerning Prophet Sulaiman and the Queen of Sheba, you referred to a threat of Prophet Sulaiman to expel her and her people from their own land. The justification for this threat of the use of force seems to be simply the difference of religion between Prophet Sulaiman and the queen. You have pointed out that there are many lessons to learn from a study of this episode. However, some of these lessons do not appear to be positive. I do not believe that any of the great religions of the world condones the use of force as a means of religious conversion. It is hard to look kindly on those who resort to this. Could you please comment on whether the use of such conversion tactics today might be deemed acceptable?

The short answer to your question is decidedly no. It is not acceptable to use force in order to compel people to hold any belief or religion, no matter what justification may be given for such use of force. This applies today, in our modern world, which we like to consider civilized, and it applies to all ages. Islam declares clearly in the Qur'an:

"Compulsion is inadmissible in matters of faith." [the Cow — "Al-Baqarah" 2: 256]

With this clear order given in the Qur'an, we know the reason why Islamic history has been distinguished for tolerance, freedom of belief and absence of compulsion. Not only so, but we claim that the same message of freedom of belief was preached by all prophets and messengers, beginning with Adam and ending with Muhammad, peace be upon them all.

We, Muslims, believe that Sulaiman was a prophet sent by God to the Children of Israel. Even though the Jews refer to him as King Solomon, he and his noble father are mentioned in several clear references in the Qur'an among the prophets that preached the message of the Oneness of God. Hence, King Solomon could not have been guilty of using force, or even the threat of force, to compel people to convert to his faith. Far be it from a prophet sent by Allah, Merciful Allah, to employ such tactics.

When we consider the story of Sulaiman with the Queen of Sheba as mentioned in the Qur'an, we find that the threat by Sulaiman to use force was in no way related to the queen's faith or his desire that she should convert to his religion. To comment on the story as related in the Qur'an and give a full explanation of its events will take much more space than can be allowed to a single question. I will, therefore, refer only the relevant passages. The reader may wish to refer to the story as related in Surah 27, entitled, "The Ants", or, "An-Naml".

The first we learn in the story about the Queen of Sheba and the fact that she and her people worshipped the sun is when the bird known as the hoopoe explains his long absence to the Prophet Sulaiman, who is described in the Qur'an as being able to communicate in the language of the birds. The hoopoe states that he went to Sheba and saw the queen there and her people worshipping the sun in place of God. Sulaiman states first that he is not going to take action on the basis of the hoopoe's statement until he has verified it. He said: **"We shall see whether you have been truthful or are a liar."** [27: 27]. Sulaiman then sent the hoopoe back to Sheba with a letter, giving him instructions to bring a reply.

Sulaiman's letter is indicative of his likely course of action. For its contents, we have the Queen's statement when she calls in her advisers to consider the letter and their reply. She says: **"Councilmen, a gracious letter has been delivered to me. It is from Sulaiman and it reads: In the name of God, the Merciful, the Beneficent. Do not exalt yourselves above me but come to me in submission."** [Verse 31]

There are three points to be emphasized about this letter. Firstly, its description as "gracious" by the queen herself. She did not feel threatened by the letter, but she realized that its delivery by a hoopoe, which dropped it to her personally, was of a serious nature. Secondly, the letter emphasizes the qualities of beneficence, compassion and mercy as attributes of God. Thirdly, it requires that the queen and her advisers should go to Sulaiman committing themselves not to go to war against him. So, the letter highlighted differences of faith and required the queen to pay a visit to Sulaiman for a peaceful dialogue. The queen understood it as a political gesture, and she was well aware of Sulaiman's power. Therefore, she wanted to test Sulaiman's attitude with a political ploy. She declared to her advisers: **"I am sending them a gift and shall be watching for what reply my emissaries bring back."** [Verse 35].

It was at this point that Sulaiman took a very strong attitude and threatened to use force. When he received the queen's reply he declared that **"what God has bestowed on me is far better than what He has given you. Yet, it is you who seem happy with your gift."** He then commands the hoopoe to carry back his new message warning

them that he will march to them **"with armies they can never resist. We shall expel them from it, humiliate it and condemn it."** [Verse 37]. Commentators also mention that when Sulaiman received the Queen of Sheba's emissaries, he put on a great show to give them a very clear impression of his great wealth and far superior power.

Let us now consider the threat he made. From the angle of religious beliefs, there is no hint whatsoever in the whole account given in the Qur'an of the dealings between Sulaiman and the Queen of Sheba and their subsequent encounter that she or anyone else was forced to accept Sulaiman's faith. The threat to drive them from their land is largely a political stance. His initial condition was that the queen and her chiefs should come to him in submission. When they used delaying tactics and tried to win his approval with a gift, he issued a threat. In his threatening words, as reported accurately in the Qur'an, there is nothing to suggest that they could avoid expulsion only by adopting his religion.

It is important to explain the serious attitude the divine faith adapts with regard to political power. This attitude is made clearest in Islam, and it is clear from this account of the events that took place between Sulaiman and the Queen of Sheba that it also applied then.

It is well known that the faithful and the prophets are certainly the ones whose example should be followed by believers, and they are required to convey the message of the Oneness of God to all the people. They should call on them to believe that there is no deity save God. However, it is often the case that political power makes of itself a barrier between its subjects and learning about the divine faith. In the case of the Queen of Sheba, her people worshipped the sun because she did so. That was accepted as the true religion because the queen and her chiefs and nobles worshipped the sun.

There was no way Sulaiman could address her people and inform them about the divine faith, and at the same time they would feel free to follow it unless agreement to freedom of speech and belief was achieved between Sulaiman and the Queen. That was the thing he required when he wanted them to come to him "in submission".

It is worthy to note that Dr. Irving, who produced the first American translation of the Qur'an, translates Sulaiman's first letter as follows: ***"In the name of God, the Mercy-giving, the Merciful. Do not act haughtily toward me, and come to me committed to [live at] peace."***

So, when the queen's reply was to send him a gift, he realized that she was employing political tactics in the hope that he would let her continue in the same way as before. She would still rule, having gained his friendship, and she would continue to lead her people in their pagan faith. That meant that Sulaiman would abandon his role, as a prophet required to convey God's message to people. That was not to be. Hence, he threatened to remove her and her chiefs, and drive them out of their land humiliated so that he could address the people directly and call on them to believe in God. Whether they would do so or not is a matter of personal choice. There would be no compulsion to make an individual feel forced to adopt the monotheistic faith.

The expulsion of the queen from her land would have been a fitting punishment for her depriving the people of the chance to listen to God's message and the freedom to adopt it if they wanted to do so. Thus, the deprivation of power would be a fitting punishment for using that power to turn people away from the divine faith.

What I am saying is confirmed by every statement in the rest of the story, and by the tactics employed by Sulaiman when the queen finally arrives in his capital. She was his guest, staying in his palace and she continued in her worship of the sun. He did

not impose on her an obligation not to continue with her practices, but he declared that he himself had submitted himself to God.

We are told that Sulaiman had her throne fetched from Sheba to his palace and ordered his assistants to make changes in that throne to disguise it in order to test whether she would know it. That was a big test for the queen, because she could not figure out how the throne was carried to Sulaiman's palace when it was safely lying in her own palace back in Yemen.

Her final conversion to Sulaiman's faith came as a result of his explanation of the monotheistic faith and his demonstration of how God provides guidance and gives His servants the means to utilize all resources in order to improve the quality of their lives and achieve happiness in this world and in the life to come. He had ordered a structure to be built of glass with water running underneath. He then asked her to go in, and she did not for a moment doubt that he asked her to go through the water. She pulled her dress up in order to walk along in the water, but he told her that it was all made of glass. She recognized the truthfulness of every word Sulaiman had said to her, and declared that she submitted herself to God.

This is a translation of the last three verses in the story, after her arrival in Sulaiman's palace and just when she was shown her disguised throne:

"When she came, she was asked: 'Is your throne like this?' She replied, 'It looks as though it were the same.' [Sulaiman] said: 'Before her we were endowed with knowledge, and before her we surrendered to the Lord'. What she had been worshipping instead of God distracted her; she belonged to disbelieving folk. She was bidden to enter the palace, and when she saw it she thought it was a pool of water, and [tucked up her skirt and] unveiled her legs. He said: 'It is a palace paved with glass.' She said: 'My Lord, how I have wronged myself. Now I submit with Sulaiman to God, the Lord of the Universe.'" [the Counsel — "Ash-Shura" Verses 42-44]

The question of faith and its acceptance by any human being is very much related to a personal experience leading to a moment when an individual, indeed every individual, realizes with all clarity that all the basic principles of the divine faith are true and that he or she must adopt that faith in order to be at peace with himself or herself, and with the universe at large.

To the Queen of Sheba, a powerful queen in her own land, that moment came when she saw some aspects of far superior power that could not have been achieved by human beings at that time without God's help in revealing some of the secrets of the universe.

Recognizing that Sulaiman did not use his extra power to tyrannize or to subjugate other people, but ruled in all fairness and declared his own position as an obedient servant of God who submitted himself totally to the Lord of the universe, she felt that his was the right faith, and the way of life that goes with it is certain to bring happiness to her as a queen and to her people as well. Hence, she took the right step and accepted the divine faith. No force was used to bring her round, and no use of force was even threatened to compel her to make that choice.

Preaching: Inherited Beliefs & New Persuasion

As Muslims, we believe that the Prophet Muhammad, peace be upon him, was the last messenger Allah sent to mankind and that the Islamic message is the final one from Allah. As such, it is the faith all mankind should follow. The problem is the followers of other religions have similar beliefs, whether they are Christians, Jews, Buddhists or Hindus, they

believe that their faith is the best, outlining the ultimate truth. This makes it very difficult to persuade followers of other religions that Islam is the only way to happiness in the life to come. No one chooses where and in which family and community he is born. Please comment.

It is true that no one chooses where he is born. Indeed, practically all children receive their education in schools in the choice of which they have no say. Let me give you this example: Two people are born to Muslim families that are religious. At home they learn Islamic principles and the beliefs in the Oneness of Allah and in the message of the Prophet Muhammad, peace be upon him, is implanted in their minds at an early age. They then go to the same school; and receive the same type of education. However, they are different in their make up. One of them grows up fulfilling his duties as he is taught. He never questions anything related to Islam. He simply accepts it and attends to what he is taught to be his duties. The other does the same, but he questions everything. Indeed, he looks at the basic Islamic beliefs including the cornerstone of the Islamic faith, namely, the belief in the Oneness of Allah.

His questioning leads him to accept those beliefs with an open mind. He considers carefully the benefits of attending to each one of the Islamic duties. He is sure in his mind that attending regularly to prayers makes him a better person. He realizes that the payment of Zakah makes the community a compassionate one where the rich take care of the poor. He realizes that by fasting he achieves a high level of discipline that enables him to attend to the greater task of jihad required by every Muslim. Thus he approaches every one of the Islamic obligations, not merely with the attitude of one who wants to fulfill his duties, but also with the feeling that he, as an individual, and his community benefits by the fulfillment of those duties. Are these two persons the same?

There is no doubt that the second person is much superior to the first. As such, he will receive a more handsome reward from Allah because he found his belief on personal choice, which comes on top of what he has been taught. Indeed, this is what Islam requires of every one of us. If we are Muslims simply because we have been brought up as such and we do not question things that have been taught to us in childhood, we are considered to have failed in the requirement that our belief in Islam should be based on proper investigation and enlightened choice. If such study and investigation is required of those who are brought up as Muslims, then it is only fair that the same requirement should apply to people who are born in other faiths.

Allah wants every human being to choose to believe in Him. He has placed in the universe numerous pointers and indicators testifying to His existence, oneness and overall sovereignty in the universe. These indicators and pointers are sufficient to guide anyone who contemplates and thinks logically to the ultimate conclusion of Allah's existence and man's need to worship Him alone.

Allah did not leave matters at that. He sent prophets and messengers to call on people to believe in Him. Those who respond will be guided right and will make sure of learning Allah's pleasure, that results in admission to heaven in the life to come. Because distortion crept into earlier scriptures, Allah has guaranteed to make His final message, the Qur'an, available to mankind in its pure and original form. He has guaranteed to preserve His revelations intact. This is indeed manifest in the preservation of the Qur'an and the Hadith. Moreover, in all previous messages, Allah has included references to the final messenger He would send and the requirement of the followers of earlier religions to follow the Prophet Muhammad, peace be upon him, once he begins to make his call to mankind to believe in the oneness of Allah. Every prophet is required to believe in the Prophet Muhammad, peace be upon him, and follow him if he happens to be alive when Prophet Muhammad, peace be upon

him, begins to preach his message. The earlier prophets' followers are also required to believe in the Prophet Muhammad, peace be upon him, and his message. We still can find such references in the scriptures of several religions. Nevertheless people tend to overlook these and to stick to what they believe to be the truth. If they fail to use their minds and act on Allah's instructions, they only have themselves to blame.

You speak of the difficulty in persuading a disbeliever to convert to Islam. Our task is not to convert people. Allah does not require that of us. What He wants us to do is to convey His final message to other people and make it clear to them that Allah wants them to believe in this message and implement it in their lives. If they refuse, then they incur His displeasure and will certainly be punished for that.

Once we have made this clear to other people, we have fulfilled our task. Allah will not ask us why they have not responded. After all, it is He who guides people to the right path. He tells his messenger: ***"You certainly cannot guide [to the right path] anyone you please. It is Allah who guides whomever He wills. He certainly has full knowledge of those who are guided."***

Preaching: Message Of Islam Be Delivered To All

Commentary By Adil Salahi — Arab News

The Prophet Muhammad, peace be upon him, was God's last Messenger. Hence, it was fitting that he should be sent to all mankind and his message should remain valid for the rest of time. Therefore, generation after generation of people lived under Islam, implementing its teachings and adapting their lifestyles to its fundamental principles.

Since the Islamic message is addressed to all mankind, it is necessary that people should be informed of it, and invited to follow it. The Prophet, peace be upon him, did that, and so did Muslim rulers after he had passed away. Advocacy of Islam has never stopped not even when Muslims were on the decline. But such advocacy must always abide by Islamic rules, which do not allow coercion to be employed against any individual or group of people. In doing so, the Prophet, peace be upon him, sent some of his companions to undertake this task. This took different forms and employed different methods, as fitted different situations. Sometimes the Prophet, peace be upon him, sent one person to undertake Islamic advocacy among his own people.

Such was the case of Abu Umamah Al-Sudayy ibn Ajlan, of the Bahilah tribe, who reports: "The Prophet, peace be upon him, sent me to my own people to invite them to Islam and to explain to them its message and teachings. I arrived in their quarters when they had finished giving their camels their drinks, milked them and drank milk. When they saw me they said: 'Welcome to you, Al-Sudayy! It is reported to us that you have abandoned your religion and followed this man [meaning the Prophet].' I said: 'No, but I have believed in God and His Messenger. Indeed, God's Messenger has sent me to you to explain to you the Islamic beliefs and principles.' As we were talking some of them brought their food and they gathered around it and began to eat. They invited me to eat with them, but I said: 'Look! I have just come back from the Prophet, peace be upon him, who forbids what you are eating, unless you slaughter it properly in the method defined by God.' They asked me what does he say on that point. I told them that a Qur'anic verse has been revealed stating:

"Forbidden to you are carrion, blood, the flesh of swine; and that over which any name other than God's has been invoked; and the animal that has been strangled, or beaten to death, or killed by a fall, or gored to death, or savaged by a beast of prey, except that which you may have slaughtered when it is still alive; and [forbidden to you are] animals that have been

slaughtered on idolatrous altars. And [forbidden also] is the division [of meat] by raffling with arrows; for all this is sinful. [Table Spread — “Al-Ma'idah” 5: 3]

"I continued to call on them to accept Islam, but they continued to refuse. I then asked them to give me a drink of water, because I was very thirsty. They refused, saying bluntly: 'We will not give you water to drink, but will leave you to die of thirst.' I was wearing a turban, and I wrapped it over my head and went to sleep on the sand when it was extremely hot. As I slept, I saw in my dream someone bringing me a glass - no one has ever seen a more attractive one - containing a drink ; no one has ever seen a more appealing drink. He brought it close to me so that I drank it up. When I finished drinking it, I woke up. By God, I never felt any thirst after I had had that drink." [Related by Al-Tabarani and Ibn Asakir]

This report does not tell us what was the result of Abu Umamah's endeavors with his people. It tells us, however, that he stood firm in the face of opposition that grew stiffer and stiffer to the extent that his own tribesmen would tell him point blank that they were prepared to leave him to die of thirst rather than give him a glass of water. When he remained steadfast, his affliction was relieved by God's grace. He would not shrink from fulfilling the mission assigned to him by the Prophet, peace be upon him, even though he might have died in the process.

A different, much shorter report of Abu Umamah's mission adds the following: "One person among them said: 'How come that a man from among your best people should come to you and you are unwilling to offer him any hospitality?' They brought me some milk, but I refused to take it. I showed them my abdomen, and they all accepted Islam."

Apparently this addition speaks of what happened after Abu Umamah wrapped his head and slept on the sand in that heat. It was then that one of them objected to the way they treated him, despite his belonging to their best families. Hospitality was one of the important values the Arabs observed. Hence, these people were quick to change their attitude when reminded of it. As their attitude softened, and they brought the milk, Abu Umamah showed them how God has been kind to him in his difficult situations. Hence, they took this as a positive sign of divine support and they accepted Islam.

A different case of the Prophet, peace be upon him, sending one man to a tribe or group of people is cited by Al-Ahnaf ibn Qays, who was renowned for his wisdom even in pre-Islamic days. He never met the Prophet, peace be upon him, even though he was his contemporary. Hence, he is not ranked among the Prophet's companions, but among their successors. His report goes as follows: "I was doing the tawaf around the Ka'abah during Osman's reign when a man from the Layth tribe took me by the hand and said: 'Shall I give you a piece of good news?' I requested him to do so. He said: 'Do you remember when God's Messenger sent me to advocate Islam among your people of the Sa'ad clan? You commented on what I said and told them: 'All that this man is saying is good. He certainly advocates what is good.' When I went back, I told the Prophet, peace be upon him, of what you said and he said: 'My Lord, grant Al-Ahnaf your forgiveness.'" Al-Ahnaf comments: "Nothing I ever did gives me greater hope for my afterlife than this prayer by the Prophet, peace be upon him." [Related by Ahmad, Al-Tabarani and Al-Hakim].

Needless to say, anyone for whom the Prophet, peace be upon him, said a prayer was extremely happy with it, because all Muslims know that every prayer by the Prophet, peace be upon him, is answered in the best way, with much generosity granted by God. Since the Prophet, peace be upon him, prayed for Al-Ahnaf's forgiveness, he was very hopeful that all his sins would be forgiven, by God's will.

Preaching: Prophet Never Tried To Impose His Message

Commentary By Adil Salahi — Arab News

Right from the start of his mission, the Prophet, peace be upon him, advocated Islam at every occasion, with all people, as long as they would listen to him. He never tried to impose his message on anyone, because he knew that Islam only accepts those who embrace it through conviction. There is no room in Islam for compulsion or coercion.

The Prophet, peace be upon him, called on all people to believe in Islam. He would spend as much time as needed with an individual who was willing to listen to him.

A new believer was an important gain, no matter how low was his standing in society, because class distinction is unacceptable in Islam. All people are equal and all are addressed by the Islamic message.

Amr ibn Absah used to say of himself that at one point he constituted one quarter of the Muslim community. When he was asked to explain his claim, he said: "Prior to Islam, I used to feel that people were following erroneous beliefs and that the idols were nothing. I then heard of a man in Makkah who says things and mentions something strange. I mounted my she-camel and aimed to Makkah.

"When I arrived I found that the Prophet, peace be upon him, was keeping a low profile and his people were hard on him. I started to gather information discreetly, then I went to him and asked: 'What are you?' He said: 'I am God's prophet.' I asked: 'What is God's prophet?' He said: 'I am God's Messenger.' I asked: 'Has God sent you?' He said: 'Yes.' So I asked him: 'With what message has He sent you?' He said: 'My message is that God is one with whom no partners can be associated, the idols must be destroyed and that the bond of kinship must be upheld with kindness.' I asked him: 'What following do you have?' He said: 'One free man and one slave.' [It was apparently that Abu Bakr and Bilal were his followers.] I said: 'I wish to be with you.' He said: 'you cannot do that today. It is better that you rejoin your people. When you hear that I have prevailed, you join me.'

"I went back to my people after I had embraced Islam. Then the Prophet, peace be upon him, immigrated to Madinah, and I was keen to hear his news. Some travelers from Yasrib arrived and I asked them about the Makkan man who settled with them. They said: 'His people wanted to kill him, but they were prevented from doing so, and when we left, people were flocking to him.' I traveled on my she-camel to Madinah. When I entered, I said: 'Messenger of God! Do you know me?' He said: 'yes. Are you not the man who came to me in Makkah?' I asked him to teach me something of what God has taught him." [Related by Ahmad, Muslim and Al-Tabarani].

This is the case of a man who wanted to make his stand clear. According to commentators, his desire to follow the Prophet, peace be upon him, implied that he would declare his belief straightaway in Makkah.

When the Prophet, peace be upon him, told him that he could not follow him then, he meant that he could not make a public stand, because there were only very few Muslims and he was not one of the people of Makkah.

This meant that he would be target of abuse, and he may risk his life. Hence, he accepted Islam, but kept that secret and went to his people waiting for the Prophet's signal so that he could join him.

Another version of this Hadith gives some more details. It mentions that when the man asked about God's message the Prophet, peace be upon him, was to deliver, he

said: "That ties of kinship should be maintained, blood should not be shed, people's roads should be safe, idols destroyed, and all worship should be devoted to God alone, without partners."

Amr said: "Fine is the message God has entrusted to you, and I want you to witness that I believe in you and accept your message. Shall I stay with you, or what do you think?" The Prophet, peace be upon him, said: "You will see that people are averse to what I am advocating. Stay with your people, and when you hear that I have immigrated, then come to me."

Another person the Prophet, peace be upon him, invited to Islam on his own in the early days of his message was Khalid ibn Saeed ibn Al-Aas, who was the first among his brothers to become a Muslim.

It all started with a dream in which he saw himself standing by a huge fire, and that someone was trying to push him into it. [One version suggests that he saw his father pushing him toward it].

But God's Messenger, peace be upon him, held him by his robes so that he would not fall into it. He suddenly woke up, and thought: "By God, this is a true dream."

Khalid then met Abu Bakr and related his dream to him. Abu Bakr said: "This is to your good. Here is God's Messenger. Follow him and be a Muslim with him, for Islam will protect you from falling into the fire, while your father is certain to be in it." Khalid then met the Prophet, peace be upon him, at Ahyad in Makkah and asked him: "What are you inviting people to believe?" The Prophet, peace be upon him, said: "I call on you to believe in God as the only deity and who has no partners, and that Muhammad is God's servant and messenger. You should abandon what you believe in now, worshipping idols of stone which neither hear nor see, cause neither harm nor benefit, and do not know who worship them and who does not." Khalid declared: "I bear witness that there is no deity other than God and that you are God's Messenger." The Prophet, peace be upon him, was very pleased with that.

Khalid stayed away from home, but his father heard of his embracing Islam. He sent for him until he was taken to him. He reproached Khalid severely, hitting him with a whip he held until it broke. He then said to Khalid: "By God! I will deprive you of food." Khalid said: "If you deny me that, then God will provide for me what I need to live." Khalid then went to the Prophet, peace be upon him, and stayed with him. [Related by Al-Bayhaqi and Al-Hakim].

This is the case of a young man who responded to an indication and made sure of the new religion before taking a decision to adopt it. Once he realized that it was superior to everything he knew and that its message is the truth, he did not hesitate to believe in it, knowing that his father was very hostile to it. Other details suggest that his father abused him verbally in front of his brothers. He also threatened his other sons with similar fate if they followed Khalid's suit and believed in Islam. Khalid was among the first Muslims to immigrate to Abyssinia.

Preaching: Reluctance Shown On the Do's & Don'ts

I am a Christian, who practices her religion at home and maintains good conduct, although I rarely go to church. I believe in the miraculous birth of Jesus Christ and that he was a true messenger of God, but I do not believe that he was son of God. I understand that Muslims too believe in Jesus Christ, but they also believe that Muhammad was the last messenger of God. I may begin to share their faith, not for any worldly gains or for the purpose of marriage, but for my own salvation. Indeed, I have no intention to get married; I wish to continue to serve my parents, as I am their only

daughter. However, I understand that if I become a Muslim, many “do’s” and “don’ts” shall bind me. I fear that I may not be able to fulfill that, and thus commit more sins, which will run counter to my whole purpose. I will have to take a new name and I do not know how I shall react to my new identity at this stage of my life. Above all, I fear that the effect on my parents may be very negative, as they may be unable to withstand the taunting of my relatives or other people in general. I shall be grateful for your advice as to what my course of action should be. Can I remain a Muslim at heart, without observing the ritual prayers or fasting?

It seems to me that you have not learned enough about Islam that can help you make up your mind whether you wish to adopt it as your faith. Your approach so far seems to be a rather emotional one. You see certain areas, which are common to your own faith, as distinguished from mainstream Christianity, and the Muslim faith, particularly, as it relates to the position of Prophet Jesus Christ [peace be on him]. However, your desire to be on the correct lines is genuine. Therefore, it is important for you to learn more about the Islamic faith before you make up your mind whether you wish to adopt it or not. I cannot give you in this column more than hints which you may wish to pursue in order to help you determine your next step. Before we speak about Jesus Christ and Muhammad [peace be upon them] as messengers of Allah and prophets, there is a principle of Islamic faith which must be very clear in our minds. What Islam requires of its followers is to submit them wholly to Allah. That submission is reflected in our actions, as well as in their beliefs, thoughts and ideas.

Islam is based on the principle of the Oneness of Allah. That is what you actually say when you make your declaration which brings you in the fold of Islam. You say: ***"I bear witness that there is no deity save Allah and that Muhammad is Allah's Messenger."*** The first part of this declaration places the strongest emphasis on the Oneness of Allah.

Godhead means authority. In relation to Allah, that authority is total, all embracing. In every sphere of life, in every affair, in every case and situation, Allah's authority is supreme. He does not only determine when we are born and the time of our death, but also decides how we should conduct our lives. He has given us a message and a complete way of life for us to implement. What that means is that He has total authority to legislate to us in all matters and in all spheres. The prophet conveys to us Allah's message and we accept it without hesitation. This acceptance, coupled by the determination to do what Allah has bidden us, no matter how difficult it may appear at times or how costly it is, is a manifestation of our submission to Allah. This is indeed the very meaning of the term "Islam". In Arabic, it means, "to surrender". We surrender ourselves to Allah, in the sense that we determine to do His bidding in all situations and in all affairs. If we make the declaration that we believe in the Oneness of Allah, but have no intention of following his orders, our declaration is without value. Therefore, if one wants to be a Muslim, one should know what being a Muslim entails. That is the least expected from a person intelligent enough to decide what faith to follow on the basis of his or her choice.

You seem to be worried about the requirements of the Islamic faith. What you have to remember is that Islam is a complete way of life. It provides us with guidance in every aspect of life. It does not make a lengthy list of duties and prohibitions just for the sake of giving orders. Nor is there any arbitrary prohibition of duty. Everything that Islam requires of its followers to do or to abstain from has a reason behind it. In their real total sum, Islamic duties work for the benefit of man and help establish human life on a very happy basis.

If we look carefully at the duties and prohibitions a Muslim is required to observe, we find that they fall into three main divisions. Some of them relate to basic beliefs, such as the duty of worshipping Allah alone, and the prohibition of associating any partner with Him. We can also include in these the acts of worship; such as prayers, fasting, etc. These are meant to enhance the good character of a person. When we think of prayer and how it provides a real and continuous relationship with Allah, we are bound to recognize that it sharpens a Muslim's sense of what is appropriate and what is not. The Prophet, peace be upon him, says: "A faith which does not require its followers to pray is devoid of goodness." Fasting molds the character of a Muslim to be able to withstand any sacrifice, which he may be called upon to render.

Other duties and prohibitions of Islam relate either to moral values or to day-to-day transactions between people. They ensure that a Muslim does not take advantage of others or usurp their right or property. Together, they provide safeguards, which ensure that every one of us receives what is due to him or her. Allah does not benefit by restricting our movements or our actions. The benefit of Islamic duties and prohibitions is reaped by us. Allah tells us that if every single one of us was as pious and God-fearing as the most righteous amongst us, we will not increase His kingdom in any way, nor will we decrease it in any way if every single one of us was as wicked and disobedient as the most evil person that has ever lived.

Islamic duties and prohibitions are not difficult to observe. There is nothing in them, which is included arbitrarily. They all serve a common purpose of making human life easy, happy and fair. No Muslim has ever complained that to observe his Islamic duties is difficult. It is true that every one of us may at times yield to temptations to violate Islamic teachings, but we can always repent and pray to Allah for forgiveness. He is the most merciful, the most forgiving. He finds no pleasure in punishing us for our mistakes. Indeed, he loves that we repent and declare our regret for having committed a sin. When we do that, He forgives us. When we declare that we believe in Him, we must always try as hard as we can to observe His teachings. When we make an error, as we all do, we try to rectify it. Furthermore, we know that our observance of what He requires of us will ensure for us great reward. The total sum of that reward is admittance into heaven.

Furthermore, what we are required to do is to try to be as obedient to Allah as we can. If something is prohibited, we should refrain from doing it. When we are required to do something, we will do it to the best of our ability. If we have that approach, we can easily earn Allah's pleasure.

Many new Muslims prefer to have Islamic names. This is, however, not always required. The Prophet, peace be upon him, changed the names of some of his companions, because their names had a bad meaning. The overwhelming majority retained their names. I do not see any reason for you to change your name.

As for the effect on your parents on your becoming a Muslim, I feel that you should handle this in a careful way. You may start by speaking to them about Islam, in order to dispel any lingering prejudices they may have about it. The problem may be no more than being not fully aware of what sort of faith Islam is. If you are able to persuade them that Islam is totally unlike the distorted picture Western culture paints of it, they may have no objection to your becoming a Muslim. As for the taunting of other people, I am afraid that you may be exaggerating these. Anyway, you should balance the pros and cons of any major step you wish to take.

As far as becoming a Muslim at heart, without revealing the fact or practicing Islam, I am afraid this is not acceptable. Many people asked the Prophet, peace be upon him, to allow them a relaxation of certain duties, but he told them that that was not up to him. Islamic duties are imposed by Allah, and He alone can forgive anyone who is lax in fulfilling them.

You may choose not to publicize the fact that you have become a Muslim, but you cannot just overlook your Islamic duties.

Preaching: What You Do Not Practice

Is it possible for a Muslim who does not practice Islam to persuade non-Muslims to adopt Islam?

There is an Arabic proverb that says: "A person lacking something cannot give it to others." If someone is miserly, he cannot impart to his children the quality of generosity; if he is a coward, he cannot make them brave.

A person who does not abide by Islamic standards cannot make non-Muslims see the benefit of Islam in their lives.

Prophecies: Relating Prophecies To Actual Events

A book entitled *Apocalypse Countdown 666* by Dr. Khalid clearly shows that we are living in a period when many of the prophecies are coming true. It unmasks real nature of the UN, showing it to be the Biblical Beast, while the US is the Biblical Dragon. It also shows that adding the 3 south gates to the Masjid-al-Haram have completed the 12 major gates of the Biblical New Jerusalem. This appears very clearly if we look at the picture of the mosque bearing in mind the biblical description. We will see that the two are identical. When we consider all this, we are bound to conclude that the second coming of Jesus Christ will not be delayed much further. Those who are interested in the book can log on to [HYPERLINK](http://www.januspublishing.co.uk)

<http://www.januspublishing.co.uk>.

How far can we go in trying to match today's events to the prophecies that are recorded in the Qur'an, Hadith, Scriptures of other religions or words attributed to earlier prophets? There may be strong evidence to suggest that the UN could be branded as the Biblical Beast, and to make any of its resolution 666 to show it as serving the interests of those who are hostile to Islam.

But there is nothing new in this. After all, the UN resolution that approved the partition of Palestine was far more instrumental in giving the land of Palestine to the Jews and making seven hundred thousand Arabs refugees. Its number has no association with Satan! There is much that can be said against the US and its consistently hostile attitude to Muslims and Islam. Is the US what our reader calls the Biblical Dragon? I have no answer to that question, and I do not think that we need an answer to it. God warns us about the attitude of such hostile forces:

"They shall not cease to fight you until they force you to renounce your faith, if they can." [the Cow — "Al-Baqarah" 2: 217]

The fact is that there are sufficient warnings in the Qur'an, and in the Sunnah of the Prophet, peace be upon him. And these should keep us on our guard as to how to deal with those who are hostile to Islam, and those who try to undermine the Muslims and their position in the world. But we are often heedless of these. Yet there will come a day when, as the Prophet, peace be upon him, has indicated, the Muslims will be on the ascendance again, and they will beat off, with God's help, all the might of the forces marshaled against them. But we should not relax, waiting for any future event like the coming of Jesus a second time. We should do our part now, before death overtakes us. It may be that God will give us victory in our lifetime, or He may make our work a factor in a future victory of Islam. When we do our part, we earn our reward from Him and that is all that matters.

If we indulge in relating prophecies to actual events, how can we be sure of our interpretations? If we say that the coming of Jesus will not be long, that begs the question: "What is long?" Will he be coming in 20 years time or after 2000 years? If it is the latter, will that be long? When the Jews of Madinah declared to the pagan Arabs that they were expecting the last Prophet, peace be upon him, to appear soon, and they were referring to Prophet Muhammad, peace be upon him, they told them that "he would come very close to the Last Hour." The term, "the Last Hour" refers to the Day of Judgement. Muhammad, peace be upon him, was sent with his message over 1400 years ago, and human life has continued. It may go on for only a few days or for several million years and be still close.

We can go on over this, but the discussion is immaterial. What is important for us as individuals is to know that we have a limited time in this life, and that we should use this time to our best advantage. That is achieved when we try hard to make our objective in everything we do to please God and benefit His creatures. If we keep that in mind, we will be certain to be successful when we meet Him. That is the greatest prize.

Prophecies: Relating Prophecies To the End Of the World

All famous religious traditions speak of a great earthquake that follows a great war. The Prophet Muhammad, peace be upon him, gives a unique prophecy in the sense that he spoke of the earth reversing its axis and rotation (refer to Al-Bukhari 7121). Is there any other Hadith, which may give us a hint on what will cause our planet to change rotation? A massive underground oil field explosion could almost certainly spin the earth out of control causing the sun to rise in the west.

The Hadith which you have referred to is related by Al-Bukhari on the authority of Abu-Hurairah who quotes the Prophet, peace be upon him, as saying: "The Day of Judgement does not take place until two great camps engage in a war which causes a great number of casualties on both sides, and both the camps advocate the same message, and until around thirty liars and impostors have appeared, everyone of whom claiming to be a messenger of Allah; and true knowledge becomes scarce and earthquakes frequent; and time becomes short and trials increase and numerous killings are witnessed; and you have plenty of money to the extent that a wealthy person worries whether he will find someone to accept his Zakah and he offers it to another person and the latter says, 'I have no need for it'; and people take pride in constructing high-rise buildings; and a man would pass by the grave of another and say: 'I wish I was in this place'; and until the sun rises from the west. When it rises there and people see it, they all will become believers. At that time, no soul will benefit by believing if it had not acted on its belief. When the hour will fall, two people might have extended a garment between them but could not complete its sale or its folding; and a man would have expressed the milk of his she-camel but could not drink it; and a man would have filled his water container but could not drink it; and a man would raise food to his mouth but could not eat it."

As you see, the Hadith gives a very vivid description of the suddenness with which the end of human life occurs. People are taken unawares, doing their normal daily activities, but when the time comes, everything freezes in place to the extent that if a person is raising some food to his mouth to eat, he cannot eat it. The Hadith does not mention a particular earthquake of any special magnitude. It simply speaks of earthquakes becoming frequent. There is no indication in the Hadith that all these aspects will occur at the same time. It is not necessary that the frequency of earthquakes should come hand in hand with people being wealthy to the extent that no one is in need of charity. Nor should either indication of the approach of the Day

of Judgement be also accompanied by people wishing that they were dead, because death seems to be more comforting than living.

The Hadith, however, tells us that the sun will certainly be made to rise in the west and at that particular time, it is of no use to believe in Allah, if one has not believed in Him beforehand. That indicates the moment when all actions will be of no consequence. The Day of Judgement has arrived and the duration of life with the test it involves is over.

Whether an explosion causes the rising of the sun from the west that may take place underground or over-ground we are not told. Such an explosion, as you say, may cause the earth to spin "out of control", but Allah will still be in control of the earth and the universe. How will Allah make the sun to rise from the west is not explained to us in this Hadith. We do not need to go into the details of that, because knowing the details need not affect our firm belief that Allah is able to cause the sun to rise in the west. He is also able to bring that about in numerous ways. How He chooses to accomplish that purpose of His is His business.

Prophet Jesus: A Question Of Superiority?

It is argued that Prophet Jesus, peace be upon him, is superior to other prophets, since he was born out of immaculate conception and that he did no sin. All other prophets were normal human beings. What is your comment?

As Muslims, we entertain no doubt that Jesus, peace be upon him, was a great and noble prophet. He was born to his pure, virgin mother, Mary, may Allah be pleased with her. We do not know of her having been married to anyone. In fact, a Muslim will immediately deny that because he believes that Mary was a virgin when she conceived. Everyone in her community knew her to be a virgin. They were surprised when she was delivered of her baby and went back to her people holding her newborn on her arm. They were shocked and asked for an explanation. At that moment, the baby himself answered them, explaining that he was created by Allah's will, without a father. That he talked to them when he was so young provided the clearest proof to them that his mother was not a sinner.

Furthermore, we believe in all prophets and messengers. Allah has chosen to give us a brief or a detailed account of 23 prophets and the noble line of Prophethood ends with Muhammad, peace be upon him, who is the last of all prophets. Allah also tells us in the Qur'an that He has sent other prophets and messengers to other nations and He has chosen not to tell us anything about them. He, however, says that He has sent a messenger to every nation. Muhammad, peace be upon him, was sent to all mankind.

Five among the prophets Allah has named in the Qur'an are distinguished by their being men of "very strong resolve and determination." According to chronological order of their respective missions, these five are Noah, Ibrahim, Moses, Jesus and Muhammad, peace be upon them and all the other prophets and messengers.

As Muslims, we believe in all these prophets, respect and revere them as men who dedicated their lives to convey Allah's message and to provide a perfect, practical example for people to follow. We accept nothing of the stories which people of other religions relate about any of them, accusing them of committing any sort of sin. It is sufficient to remember here that the Jews reduced the position of prophets Dawood and Sulaiman to that of kings. If they were impudent enough to deprive these two noble prophets of that status, then it is not surprising that they could spread any sort of fabricated stories about them. We believe in no such stories. We declare that we believe in all these prophets, drawing no distinction between them. We should

remember that Allah describes as disbelievers those who try to draw a line of distinction between prophets and declare that they are ready to believe in some while they deny others.

"The Messenger has believed in the guidance which has been sent down to him from his Lord, and those who believe in the Messenger have also sincerely accepted the same. They all believe in Allah, His Angels, His Books and His Messengers. And they say: We do not discriminate against any of His Messengers. We have heard the Message and submitted to it. Our Lord, we look up to Thee for forgiveness, for to Thee we shall all return." [Al-Baqarah - The Cow – "Al-Baqarah" 2: 285]

Allah does not accept of us any attempt to elevate any group of prophets over others on any basis. I hope that I have made this very clear. May I now ask: how can anyone imagine that he could judge prophets and put some of them on a level, which is higher or lower than that of others? Such a judgment can only be done by a superior. If human beings assume such a task, they are actually making a claim of being superior to prophets. That is totally unacceptable. The only one who is superior to prophets is their Maker, Allah, who is the only God in the universe. If one tries to draw distinction between prophets, his attitude is akin to that of the Jews who have declared at one stage that they were not ready to accept Islam because the Qur'anic revelations were brought to Prophet Muhammad, peace be upon him, by Angel Gabriel, who was their enemy. Had the Qur'anic revelations been conveyed to Prophet Muhammad, peace be upon him, by Michael or some other angel, they would have accepted Islam. Such ludicrous and impudent claims can be accepted from no one. Allah has denounced the Jews for making such a statement.

There is no such thing as "immaculate conception." It is true that Mary became pregnant without having had intercourse with any man. It was Allah's will to create Jesus without a father. However, Adam was created without either a father or a mother. Although Adam was a prophet, nobody has suggested that he was superior to all other prophets and all mankind because of the way he was created. Indeed, the creation of man gives him a superior position on earth and that is the reason for putting man in charge of this planet. He is entrusted with building and establishing the proper human life on earth, which is achievable through the implementation of Allah's law revealed to us through the prophets.

Moreover, what sin are we talking about in the normal conception, which comes as a result of intercourse between husband and wife? Allah has given us the sexual desire and has directed us how to fulfill it in a legitimate way, i.e. through marriage, and to make use of it for ensuring the survival of human kind. When people deviate from that clean way and indulge in promiscuity, they commit sins. But there is no sin in the act itself, as such. If sex is practiced only within the bonds of marriage, between a man and his wife, there is nothing to feel ashamed of that, nor is any blame attached to any one as a result of it. Therefore, to suggest that Jesus did no sin because he was not conceived as a result of intercourse infers that all other human beings are sinners because they fulfill their sexual desires. Marriage, which is a legitimate way of fulfilling it, becomes sinful. That is not only absurd, it runs contrary to what Allah states in the Qur'an. He describes the believers as people who maintain their chastity and indulge in sexual fulfillment only with their wives, when no blame is attached to them. Whoever makes claims of the sort you have mentioned suggests that they should be blamed for that. That is ludicrous.

Moreover, what sin can be attached to human being as a result of an action done by his parents? In Islam, an illegitimate child bears nothing of the blame attached to his parents. It is true that they have indulged in sin, but he is blameless. When we understand this principle, the absurdity of the suggestion that prophets other than Jesus are inferior to him because every one of them was born through a normal

pregnancy, taking place between a married couple becomes even more manifest. There is no doubt that Jesus was a great prophet and a great messenger of Allah. Therefore, he must be always held in the greatest esteem. But to make him superior to other prophets as a result of the unique way of his creation is not acceptable.

Prophet Jesus: His Crucifixion & the Related Stories

I have a question about Jesus. I do know that he ascended to heaven before crucifixion, and that God replaced him with a look-alike. The Christians believe that he was raised to heaven three days after the crucifixion. They speak about his meeting people and disappearing after the crucifixion. I have no doubt that Jesus himself was not crucified, but I cannot explain the disappearance of a body from the grave and that people saw him later. Is it all made up? Why would people lie about something like this? May I ask who is to blame for the crucifixion: the Jews, the Romans, or both?

The Islamic and Christian versions of how Jesus' term on earth came to its end are widely different. Whereas Christians believe that he was crucified and remained on the cross for sometime, buried and then rose from the dead, the Qur'an denies that the crucifixion ever took place. When we have reports that are in conflict with what is clearly stated in the Qur'an, we disregard such reports and confine ourselves to the Qur'anic statement, without moving beyond it even by a hairbreadth.

Another basic point is that when a Qur'anic statement refers to something that is beyond our perception, we accept such a statement as it is, without giving it a definitive interpretation unless we have proper support for it in an authentic Hadith. In this connection, we do not try to go into any details about how Jesus was raised, and what this raising means.

On the point of Jesus, the Qur'an makes the following statement:

"They boast: 'We have killed the Christ Jesus, son of Mary, God's Messenger.' They did not kill him, and neither did they crucify him, but it only seemed to them [as if it had been] so... For, of a certainty, they did not kill him. No, God raised him up to Himself. God is indeed almighty, wise." [Women — "An-Nis'a" 4: 157-8]

There is a definitive statement in these verses that Jesus was neither crucified, nor killed in any different way. Hence any suggestion about his meeting a violent end resulting in his death is unacceptable on grounds of its being in conflict with the Qur'anic statement that denies this altogether. Since the crucifixion did not take place we cannot apportion blame for it, holding anyone responsible. But we know from history that the Jews and the Romans were partners in plotting against Jesus, and God will make both to account for their deeds.

There is a further statement that it was made to appear to them that they did so. This statement does not specify how this happened, and what form it took. Many people suggest that a look-alike was shown to them and this other person was crucified or killed in Jesus' place. Some people go further than this and suggest that Judas, the disciple who betrayed Jesus, was the one who was made to appear like him. It may be so, because the Qur'anic statement admits such an interpretation, but this is only one way of interpreting this statement. It could be understood in different ways, such as the whole episode of Jesus' enemies taking him and killing him was a mere illusion. Indeed, it could have several plausible interpretations. Since we do not have any clear statement by the Prophet, peace be upon him, explaining how this happened, we do not go into it, because whatever we say will remain no more than

conjecture. We accept the Qur'anic statement as it is, because it is sufficient for us to have a clear idea that Jesus was not killed, but saved by God who raised him to Himself.

When we accept this, the whole point about the absence of a body becomes of little importance. Whether Jesus truly appeared to some people and ate with them is something that Islamic sources are silent on. Hence, we do not engage in any discussion of it. We confine ourselves to the import of the true Qur'anic statement.

Prophet Jesus: Is He Dead Or Lifted To High Place?

As a Muslim, is it wrong to say that the Prophet Jesus, peace be upon him, is dead? I am referring here to a translation of verse 33 of Surah 19, which mentions Jesus referring to the day when he dies. Please comment.

The verse to which you have referred is translated by Yousuf Ali as follows:

“Peace be to me the day I was born, the day that I die, and the day that I should be raised up to life again.” [Mary — “Mariam” 19: 33]

This is a pretty accurate translation, but it does not signify that Jesus has actually died. The verse quotes a supplication by Jesus when he was a young baby, speaking to people about his miraculous birth.

Note how the fact of his birth is expressed in the past tense, because it is an event that had already happened. The other two events of his death and resurrection are expressed in the present tense, which signifies the future. So the reference to Jesus' death here is a reference to a future event with regard to the point in time when he was speaking. It could then mean his death after his second coming, as is the view of the overwhelming majority of scholars. It may also be taken as a reference to a death occurring much sooner at the end of the time allowed to Jesus in this life.

There are a number of scholars who believe that the Prophet Jesus, peace be upon him, died naturally like all people. They accept without question the fact expressed clearly in the Qur'an that Jesus was neither killed nor crucified by his enemies. God had rescued him and allowed him to complete his life. He later died and was buried normally as all dead people. To these scholars, the Hadiths, which speak of Jesus' second coming, are lacking in authenticity. They also interpret the reference in the Qur'an to him being raised by God as meaning giving him a high position among human beings and other creations which he certainly had as one of the messengers endowed with strong resolve. These scholars do not find any strong evidence supporting the concept of Jesus being raised physically, alive, to stay for a period of time in heaven before coming back again. Hence they conclude that he must have died like all human beings.

Other scholars take the Qur'anic statements literally, particularly when they refer to Jesus being raised to a high place. They also accept the Hadiths speaking of his second coming as authentic. Since nothing is impossible for God to accomplish, they take the meaning of all relevant statements together and conclude that Jesus was raised to heaven after God saved him from his enemies, and that he will come back to complete his appointed time of life on earth, at the end of which he would die like all human beings.

A Muslim may take either view, provided he makes a proper study of the evidence given in support of each. He may hold whichever conclusion he may come to at the end. On the other hand, a Muslim may prefer not to concern himself with this issue, believing instead that it is within God's power to raise anyone to heaven where he

may stay alive for any length of time and then He may bring him back when He chooses.

The concept of whether Jesus is still alive or whether he died is not central to Islamic faith. A Muslim may choose either view honestly or choose not to have a view in this matter, considering that there are scholars supporting each view. Since neither view is essential to Islamic faith, we may accept either without fear of encroaching on basic Islamic beliefs.

What a Muslim may not accept is the concept of crucifixion, which is categorically denied in the Qur'an, as God says: ***"They have neither killed nor crucified him, although it was made to appear so to them."*** God is certainly able to accomplish His purpose with ease, no matter what people may assert.

Prophet Jesus: Islamic View On His Death

I have been told that Prophet Jesus did not die like other people die, and that he will return to this world before the Day of Judgement to complete his mission. I am also told that he will ultimately die and will be buried next to Prophet Muhammad, peace be upon him, in Madinah. Is there any reference to this in the Qur'an, or Hadith?

With regard to the special circumstances and the particular events surrounding the death of Prophet Jesus Christ, peace be upon him, and the end of his term in this life, we cannot say anything without clear evidence from Qur'an and Sunnah. Anyone who ventures any opinion without supporting it with such evidence indulges in an exercise which can be highly censured.

To start with, we believe that Prophet Jesus, or Issa, as he is called in the Qur'an, was born to his chaste and virgin mother, Marium. This is clearly stated in the Qur'an, in the Surah which has her name as its title. An angel came to Marium in the shape of a man and told her that he was sent as a messenger to her from her Lord with the specific task of giving her a son. When she exclaimed how could she give birth when no man had ever touched her, the angel told her that this was easy for our Lord to accomplish. God wanted the future son of Marium to be a proof of His mercy to Mankind and a sign, which helps people to believe in Him.

The conversation between Marium and the angel is reported in verses 17-21 of Surah No. 19 in the Qur'an. This Surah goes on to describe how Marium continued her pregnancy and how she gave birth to her child who was able to speak to his people when he was still in the cradle, on the very first day of his birth. Marium was told not to utter a word that day. When her people expressed surprise at her having a baby when she was a virgin, it was Issa, the newborn child who answered them in the words reported in Verses 30-33 of the said Surah.

"He said: Behold, I am a servant of God. He has vouchsafed to me revelation and made me a prophet, and made me blessed wherever I may be. And he has enjoined upon me prayer and charity as long as I live, and He has endowed me with piety toward my mother. And He has not made me haughty or bereft of grace. Hence, peace was upon me when I was born, and will be upon me on the day of my death, and on the day when I shall be raised to life again." [Mary — "Marium" 19: 30-33]

Although these words are given in the past tense, Issa, the newborn child, outlined to them his future mission, as if he was saying to them that has decreed that he was to fulfill this role in his future days.

With such clear evidence in the Qur'an, Muslims of all schools of thought and all generations, ever since the advent of Islam, believe in the virgin birth of Issa. No one questions it because each such question entails raising doubts about something, which the Qur'an states clearly. No believer in Islam may do that.

The Qur'an is also clear in denying that Issa was ever crucified or killed. After reporting that the Jews used to boast that they had slain Issa, son of Mary, the Qur'an states:

"They did not slay him, and neither did they crucify him, but it was made to look so to them." [Woman — "An-Nis'a" 4: 157]

This long verse of Surah entitled "An-Nis'a" or "Women" ends with a repeated denial that Issa was ever killed.

"For, of a certainty, they did not slay him: nay God raised him up to Himself." [Woman — "An-Nis'a" 4: 158]

There are clear statements denying that Issa was crucified or killed. We know specifically what happened to him: ***"raised him to Himself."***

How did this "raising" of Jesus take place, we do not know. Nor do we know how a woman may get pregnant without having any relationship with a man; she is still a virgin. What we know is that God is able to accomplish His purpose the way He likes. His ability does not only take the shape of the natural phenomena, which are familiar to us. There are in our own world certain phenomena, which are not that familiar to us. Moreover, we know only what happens in our own world. What happens elsewhere in the universe may take other forms, which are bound to seem to us supernatural. That is because we consider only what we know to be natural. As far as God and His laws are concerned, everything is natural, since it is within His power.

As for the Second Coming of Issa, we have authentic Hadiths, which speak of this very clearly. Abu Hurairah quotes the Prophet, peace be upon him, as saying: "By Him Who holds my soul in His hand, the son of Mary is about to come down among you as a just arbiter. He will break the cross, kill the pig and abolish the protection tax [i.e. Jaziyah]. Money will be so abundant that no one will take it. One prostration to God is better for a human being than the whole world with all that it contains." Related by Al-Bukhari and Muslim]. As you realize, a Hadith related by Al-Bukhari and Muslim is highly authentic. The import of Hadith is that Jesus Christ, in his Second Coming, will preach message of Islam since it is the final and complete version of God's message preached by all prophets. This is what is indicated by the Prophet's statement that Issa will break the cross, meaning that he will not accept the doctrine of trinity. His killing of the pig means that he will re-establish divine law in its purity. The abolishment of the protection tax means that people will have no choice other than to follow the message of Islam or to be enemies of it. One act of worship, done in perfect sincerity, is better than the whole world. That is the very concept of Islam, or submission to God.

Prophet Jesus: Trinity & the Reaction Of Mary

How did Mary, Jesus' mother, escape punishment when she was accused of adultery? How did she react when people started to call her son, Jesus, son of God?

Mary was never accused of adultery and she was never guilty of any such offense. As we read the story of Jesus' birth in the Qur'an, it is clear that when Mary, the pure and blessed virgin, carried her child and went to her people, they were shocked. However, she did as she was commanded: she indicated to them that she had made

a vow not to speak, and allowed her child to speak. As God enabled him to speak clearly right from the moment of his birth, he clearly stated his position and his mother's position. When people saw such a newborn speaking so eloquently, they realized that his conception and birth was through a special act of God and his mother was free of blame.

As for the other point, Christians did not start to call Jesus Son of God until three centuries later, when Constantine embraced Christianity and forced this belief on it. He killed all bishops who refused to follow his line. By this time, Mary was long dead.

Prophet Muhammad: Addressing Prayers To the Prophet

1. It is our belief that the Prophet, peace be upon him, will make on the Day of Judgement recommendations to Allah for the forgiveness of his followers. Keeping this in mind, it is appropriate to supplicate and request the Prophet, peace be upon him, to recommend us for forgiveness? Could you also please explain whether there are differences of opinion among leading scholars in this respect, i.e., addressing Allah through an intermediary.

2. Is it true that to pray Allah to forgive our sins taking into consideration the love and affection Allah bears to the Prophet, peace be upon him, is a form of polytheism? I am at a loss to understand how it could be so. How then can we ask the Prophet, peace be upon him, on the Day of Judgement to plead for us, when Allah Himself is ever closer of access to us on that day?

The first point, which I would like to make regarding this question which comes up time after time, is: Who needs an intermediary? Allah Himself tells us in the Qur'an that He is near to us and that He always answers prayers by His servants. He instructs the Prophet, peace be upon him, in the following term:

"If My servants ask you about Me, I am near, I answer the prayer of anyone who prays to Me. Let them, then, respond to Me and believe in Me so that they may be rightly guided." [the Cow — "Al-Baqarah" 2: 186].

We also read in the Qur'an

"Your Lord says: Pray to Me and I will respond to you." [the Believers — "Al-Mu'min" 40: 60]

There are several verses in the Qur'an which emphasize the fact that Allah answers prayers when we pray to Him. Furthermore, the instructions to address Him directly are very clear in the Qur'an and the Sunnah. Therefore, who needs an intermediary?

Muslim scholars and those non-Muslims who study Islam agree that one of the sources of strength of the faith of Islam is the direct relationship it establishes between every individual and Allah. You are undoubtedly aware that Islam does not establish or recognize any clerical order. Individual responsibility is a fundamental principle of Islam and its correlation is the direct access, which Islam establishes between the individual and his Lord.

Furthermore, Islam tells us that our salvation in the hereafter depends on our actions. The Prophet, peace be upon him, tells his own daughter: "Fatimah, work [for your salvation], because I will be of no benefit to you in front of Allah." Ask yourself: when do you need an intermediary to achieve a certain end? The answer will be that an intermediary may be needed when you do not have a direct access to the person

to whom you want to put your case, or when your position in relation to him is very weak. In the latter case, you seek the help of someone who has some influence on the person concerned. Does either type apply to Allah? The answer is definitely not.

It is an aspect of Allah's grace that He has given every single one of us direct access to Him. We address Him with our prayers, whether these prayers relate to matters of this world or of the hereafter. He listens to us and answers all our prayers. Moreover, in relation to Allah, we have an equal standing. It is our actions that draw us closer to Him. When any person addresses Allah, with sincerity and humility, he is certain to have his prayers answered. Indeed, Allah answers the prayers of people who may have been a short while earlier non-believers.

The point is when they address Him; they recognize his Lordship over them and over the whole universe. When they seek His help they also recognize that the Godhead belongs to Him. At that very moment of praying to Him, they, either directly or indirectly, believe in Him and in His power.

He gives us in the Qur'an the example of the people who find themselves in a boat in the sea, and fierce wind blows and they are about to drown. At that moment, they pray to Him with total sincerity and devotion: Save us and we will ever be thankful to You. He saves them, but they nevertheless turn away from Him. He also describes himself as the One Who responds to a person in dire need when he prays to Him. It is to be noted that this last description comes within the context of enumerating some of the most prominent of Allah's attributes. He does not describe Himself as answering the prayers of believers, but of those who are in dire need. The only requirement is that they recognize His Lordship over them, and the fact that they address their prayers to Him is such recognition.

When we realize that by addressing a prayer to Allah we are demonstrating our recognition of His Lordship over the universe, it stands to reason that addressing our prayers through an intermediary is a form of associating an intermediary to Allah as a partner. Allah accepts no partners.

He says in a Qudsi Hadith: "I am in no need of any partner. I abandon anyone who associates a partner with Me. He can take what he wants from that partner."

Prophet Muhammad: Appealing To the Prophet

Back home, front walls of mosques are adorned with inscriptions of "Ya Allah" on the right and "Ya Muhammad" on the left. Here in Saudi Arabia the "Ya" is omitted. Could you please explain why? May I also ask whether it is proper to do as certain people persistently do which is to say "Ya Rasool Allah" whenever they begin something or change their position. Some people request a person who is going to Madinah for visiting Prophet's Mosque there to convey his greetings to the Prophet, peace be upon him. Is that permissible? Finally, may I ask what should one say when one stands near the Prophet's grave in Madinah?

"Ya" is an Arabic model word, which signifies address or appeal. Only a present, living being can be addressed. Since the Prophet, peace be upon him, has died, and he is not with us any more, to address him with "Ya" is wrong. If it is meant by way of appeal, it is even worse. We may appeal only to Allah for help, because Allah is ever living and He is present wherever we are. The Prophet, peace be upon him, can do nothing for us until the Day of Judgement when he may intercede with Allah on our behalf. His intercession, however, will not apply to anyone who strays away from His guidance. He has taught us to appeal only to Allah. He has also taught us not to treat him on equal footing with Allah. When we put the two inscriptions which you have

mentioned "Ya Allah" and "Ya Muhammad" we are treating the Prophet, peace be upon him, on the same level as Allah. This is wrong and contrary to Prophet's own guidance and teachings. As I have said repeatedly in this column, our love of the Prophet, peace be upon him, can best be demonstrated by following his guidance as his companions did. None of his companions used to address him in such a form after his death.

What those people who say "Ya Rasool Allah" actually do is to appeal to the Prophet, peace be upon him, to facilitate for them whatever they want to do. They fall in effect in the pit of polytheism against which the Prophet, peace be upon him, has consistently warned us. I cannot understand why such people repeat such a phrase if they were truly Muslims, if they truly valued the teachings of the Prophet, peace be upon him. There is simply no Islamic basis whatsoever for their habit. It is only Allah that can help them, and they should appeal only to Him. In other words, they should say "Ya Allah".

It is permissible to convey to the Prophet, peace be upon him, the greetings of people who ask us to do so. When we stand near to his grave in Madinah we say in an audible voice: "Messenger of Allah, Mr. X or Mrs. Y extends his or her greetings to you." What we ourselves should say on our own behalf is "Peace be to you [Assalamo Alaikum], messenger of Allah." We may add our testimony that he has conveyed Allah's message complete and has given us good counsel. We must guard against any idolatrous practices, such as touching the stones of his tomb or rubbing our faces or bodies against these stones. Such practices are simply rituals of stone worship, which are alien to Islam.

Prophet Muhammad: As A Man — A Husband the Most Caring ***Commentary By Adil Salahi — Arab News***

The Prophet, peace be upon him, was given a special dispensation by God, allowing him to marry any number of women he wished. He married Khadeejah, his first wife, when he was in his mid-twenties and lived with her for 25 years, without ever giving a thought to having another wife, although having several wives was normal practice in Arabia at the time. Islam restricted this to a maximum of four wives at a time. But the Prophet, peace be upon him, was exempt from this restriction. After Khadeejah's death he married other women, and at the time of his death, he was married to nine women. These marriages often had social, political or legislative reasons, but we will not discuss this aspect now. We are only concerned with the fact that it is not easy for any man to keep several wives happy at all times. It is natural for a bigamist to love one wife more than the other, and the Prophet, peace be upon him, made it clear that such feelings are not within man's control. Therefore, we are not accountable for them. However, Islam requires everyone to maintain absolute fairness in his treatment of his wives.

The Prophet, peace be upon him, was a model of fairness, favoring none of his wives over the rest, despite the fact that he loved Ayesha more than the rest. He was always kind and caring with each and every one of his wives, looking after their needs and ensuring that they had what they wanted. This does not mean that they were living in luxury. Far from it. When things were hard, he might spend a whole month and no cooked meal would be served in any of his homes. But happiness is not dependent on wealth.

There are many Hadiths that speak of the Prophet's treatment of his wives, and how he looked after them. But a question is always asked about how they felt toward each other. The Prophet's wives were ordinary women, with all the feelings, desires and aspirations of a woman. Hence, every one wanted to be the favorite, even though they knew that being closer to the Prophet's heart would not give her any preferential

treatment. Yet there were jealousies between them. They might press their personal advantages at one time or another. How did the Prophet, peace be upon him, react?

Anas ibn Malik reports: "The Prophet, peace be upon him, was at the home of one of his wives when another sent a plate full of food. As the messenger carrying it entered, he was hit on his hand and the plate dropped and was broken in two halves. The Prophet, peace be upon him, took the two parts and joined them together, and collected the dropped food, saying to his guests: "Your mother has been jealous! Come and eat." They all shared in eating. He then detained the messenger who brought the food, until his wife who broke the plate brought her own plate, and he gave it to the messenger, leaving the broken plate in the home of the one who broke it." [Related by al-Bukhari, Ahmad, Abu Dawood, Al-Tirmithi and Ibn Majah].

We see the Prophet, peace be upon him, dealing with the situation in a very practical way. First of all, he comments on the incident saying no more than the fact that his wife in whose home the incident took place felt jealous. She wanted to be the hostess, and felt disappointed that another of the Prophet's wives was ahead of her in providing the food to his guests. Hence, she deliberately hit the carrier's hand so that the food would be dropped. A woman is seldom able to control her jealousy. In this incident, she felt that her right to be the hostess is being taken away from her and she would not stand that. The Prophet, peace be upon him, reacted in a most understanding way. He did not blame or rebuke her or make a scene. He only stated the fact and described her to his guests as their mother. This is the status given by God to all the Prophet's wives:

"The Prophet, peace be upon him, has a higher claim on the believers than their own selves, and his wives are their mothers." [the Clans — "Al-Ahzab" 33: 6]

Reminding them of the fact meant that they would not talk about the incident, because every one is ready to overlook a failing of his mother.

The other aspect of the Prophet's attitude is his detention of the person who brought the food until the plate was replaced. The lady who broke it gave her own plate instead, and he kept the broken plate in her home. Thus, the incident was over and dealt with.

That the Prophet's wives should be jealous of one another is perfectly natural. They were not competing for the love of an ordinary man. He was God's Messenger, the last Prophet, peace be upon him, whose behavior and practice was to provide a model to be followed by all future generations. When he once mentioned jealousy to Aichi, she said: "How could one like me not be jealous when she is married to one like you?"

Such jealousy could mean that they could be angry with him. We should not take this in any light other than that of a strict marital relationship. This will help us understand the following Hadith reported by Ayesha: "God's Messenger, peace be upon him, said to me once: 'I know when you are pleased with me and when you are displeased.' I asked him: 'How do you know that?' He said: 'If you are pleased with me you say, "No, by the Lord of Muhammad," and when you are displeased with me you say, "No, by the Lord of Abraham."' I said: 'Yes, this is true. By God, I only leave out your name.'" [Related by Al-Bukhari, Muslim and Ahmad].

This gives us a picture of the sort of marital love in the Prophet's homes. That Ayesha might be displeased with the Prophet, peace be upon him, has nothing to do with his role as a Prophet, peace be upon him, and God's Messenger. It is only with regard to their private matters as a husband and wife. Since he had so many other wives, it was natural that matters could arise which awaken a woman's jealousy. In such situations, she did not sulk or do anything to displease him, because of his status as

God's Messenger who had a stronger claim on every Muslim, including his wives, than their own souls. She only refrained from mentioning his name when she wanted to assert something.

This is perfectly understandable since the Prophet, peace be upon him, accommodated all her wishes. Jabir reports: "God's Messenger, peace be upon him, was an easy man. If Aichi desired something, he would gratify her. This is how he sent her with Abd Al-Rahman [her brother] to start her Umrah at Al-Taneem." [Related by Muslim and Ibn Hibban].

This was the rule the Prophet, peace be upon him, applied with all his wives. When any of them desired something that was permissible, he would carry out their wishes. The incident to which this Hadith refers happened on the Prophet's pilgrimage, when all his wives were with him. The people accompanying him chose to perform the pilgrimage on its own, or the Umrah and the pilgrimage together, or started with an Umrah to be followed by the pilgrimage. Ayesha was of the last group, but shortly before arriving in Makkah, she started her period, which meant that she could not perform her Umrah. The Prophet, peace be upon him, told her to change her ritual to doing the pilgrimage, which she did. When the pilgrimage was over and the people started to get ready to travel back home, she complained that people had done both duties of Umrah and pilgrimage while she had done only the pilgrimage. The Prophet, peace be upon him, told her that in her situation, what she did was sufficient for both duties, but she was upset, feeling that she has missed out. Hence the Prophet, peace be upon him, told her to go with her brother to the nearest point outside the Haram area where she could start the Umrah. This is the basis of the permission to do this, which millions and millions of Muslims have followed over the years.

Prophet Muhammad: As A Man — A Smiling Face

Commentary By Adil Salahi, Arab News

We quoted last week more than one Hadith in which the Prophet's companion reporting it asserts that the Prophet, peace be upon him, was frequently seen smiling. While a smile on one's face always promotes good social relations, it is important to know in what situations the Prophet, peace be upon him, would smile, and with whom of his companions. When we look at authentic Hadiths mentioning the Prophet's smile or laughter, we realize that he often smiled and spread an easy and relaxed atmosphere. Jareer ibn Abdullah Al-Bujali says: "The Prophet, peace be upon him, never kept me waiting since I embraced Islam. Whenever he saw me, he smiled. I complained to him that I could not be stable on horseback. He struck his hand on my chest and prayed: 'My Lord! Give him stability and endow him with guidance so as to guide others aright.'" [Related by Al-Bukhari, Muslim, Ahmad, Al-Tirmithi and Ibn Majah].

We understand from this Hadith that the Prophet, peace be upon him, maintained an easy relationship with his companions, welcoming them whenever they came to him and caring for them whatever their complaint was. Even a newcomer to Islam was always welcome. In this Hadith the reporter mentions that the Prophet, peace be upon him, welcomed him every time he visited him, and never denied him admittance. To Arabs, this was a sign of honor because even a tribal chief may keep his visitors waiting while he attends to some business, or some private matter. Moreover, the Prophet's companions put to him their complaints, even though they might have nothing to do with religion. Jareer's complaint was about his riding, and that he found it difficult to be stable on horseback. The Prophet, peace be upon him, always cared for his companions, and prayed for them. We know that whenever the Prophet, peace be upon him, prayed to God to grant someone a particular thing, that person would get it in abundance. The Prophet, peace be upon him, prayed to God to

help Jareer with his problem and to make him a source of guidance to others. He certainly achieved both.

We have mentioned this Hadith, however, in connection with the situations that brought a smile to the Prophet's face. It tells us that he met his companions with a smile, which was certain to please them and spread a friendly atmosphere in the Prophet's presence.

A special situation might bring more than a smile to the Prophet's face. Anas reports that Umm Sulaym carried a dagger on the day of the Battle of Hunain. When the Prophet, peace be upon him, saw her carrying the dagger, he asked her why she carried it. She said: 'If any idolater comes near me, I will stab him in his abdomen.' The Prophet, peace be upon him, laughed. She said to him: 'Messenger of God! Kill those that joined us from among Al-Tulaqa' whom you set free, because they deserted you in battle.' The Prophet, peace be upon him, said: 'Umm Sulaym! God has given us what we need and more.'" [Related by Muslim and Ahmad].

The Prophet, peace be upon him, combined the roles of God's Messenger, head of state and army commander at the same time. Nevertheless, he was aware of most of what his companions did on any occasion. Here we see him noticing a woman carrying a dagger on the day of battle. Some women always went with the Muslim army to provide support, such as looking after the wounded, providing water and other needs. They normally stayed behind the lines. However, on some occasions, they took part in the actual fighting, particularly when the going was tough for Muslims, as in the case of the Battles of Uhud and Hunain.

Most probably this conversation between the Prophet, peace be upon him, and Umm Sulaym took place after the battle was over. This is indicated by the latter part of discussion, when Umm Sulaym suggested that the deserters should be punished. The battle went very badly for Muslims at first, as they were taken by surprise, and they felt that their army was large enough to secure victory. There was much chaos and retreat in the Muslim side at first. However, the Prophet, peace be upon him, and a small group with him remained steadfast and they were able to regain the initiative. Perhaps it was at this stage that Umm Sulaym, and may be other women, felt the need to be armed. Hence, she carried the dagger, ready to pierce it into any enemy soldier who came near her.

The Prophet, peace be upon him, laughed at the suggestion, but it was not the sort of laughter that is injurious to one who is doing her best to support Islam. It was a relaxed occasion, when the Muslim army had gained victory.

Umm Sulaym was a committed Muslim who placed the interests of Islam above all considerations, including ties of kinship. Hence, she made her suggestion to the Prophet, peace be upon him, to kill the deserters. She speaks about those deserters from among Al-Tulaqa', which was the name given to the people of Makkah when they surrendered to the Prophet, peace be upon him. They had opposed him most actively, waging war on several occasions, and forging alliances with others, for the specific objective of wiping out Islam from the face of the earth. When they surrendered, the Prophet, peace be upon him, asked them: "What do you think I will do with you?" They said: "Whatever you wish! You are a noble brother and the son of a noble brother." The Prophet, peace be upon him, said: "You may go free. You are pardoned." The Arabic word the Prophet, peace be upon him, used was Al-Tulaqa', which means, "the ones set free." When the Prophet, peace be upon him, prepared to march to meet other enemies who were preparing to attack Muslims, they joined the Prophet, peace be upon him, hoping to make some gains and have a share of the booty, which they felt, was bound to come. But when the going was tough, they deserted. The Prophet, peace be upon him, was not keen on punishment. Since

God's help was forthcoming, he did not wish to punish those people. Instead he placed his trust in God and thanked Him for the victory He had granted him.

The Prophet's attitude contrasts with that of any commander who would feel that his army should be purged of anyone who deserts once. Such a deserter could not be relied on in future. Rather than dismiss or punish these deserters, the Prophet, peace be upon him, pardoned them yet again. When it was time to distribute the booty gained in that battle, which was very plentiful, the Prophet, peace be upon him, gave some of their leading figures great gifts to strengthen them in following Islam. Thus, he gained their good will after they had long been hostile to Islam.

Prophet Muhammad: As a Man — All Smiles & Delight

Commentary By Adil Salahi — Arab News

Sometimes people think of the Prophet, peace be upon him, as too serious, hardly ever smiling. How could he be otherwise when he had to face much opposition to contend with? Moreover, he had to deliver God's message, teach his companions how to change their lives in order to put their new faith into practice, and look after his community. The tasks he had to attend to were too heavy for even a group of people, and his duties were enormous. As his mission was very serious, he could not be expected to be anything other than serious.

This, however, is a wrong conclusion to draw. There is no doubt that the burden the Prophet, peace be upon him, shouldered was heavy. God says to him: ***"We shall bestow upon you a weighty message."*** (73: 5) Yet the Prophet, peace be upon him, was happy with the mission he was assigned, attending to all its duties with enthusiasm, caring for all people. He never disdained to speak to anyone explaining God's message and calling on them to believe in God's oneness. Two Hadiths tell us much about the Prophet's nature and how he felt.

The first is reported by Abdullah ibn Al-Harith ibn Jaz' who says: "I have never seen anyone more smiling than God's messenger, peace be upon him." This is related by Ahmad, Al-Tirmithi and Al-Baghawi. Another version of this Hadith says: "I have never seen anyone more joking or smiling than God's messenger. Indeed, a young child's family would look forward to his joking." The second Hadith is reported by Ayesha, his wife, who says: "I have never seen the Prophet, peace be upon him, laughing with all his body so as to see the back of his mouth. He would only smile." (Related by Al-Bukhari, Ahmad and Al-Baghawi).

Together these two Hadiths give us a good idea of what the Prophet, peace be upon him, was like. His manners were easy and he smiled often. Smiling came naturally to him that his companions found him the one who smiles most among them. Needless to say, this helped them to approach him more easily, telling him about all their problems. They were not too shy to approach him when they needed guidance about any matter, whether related to religion or to life matters generally. His smiles were ready for children, for whom he always cared. He would make them laugh and smile, that their parents would always look forward to him seeing their children. This gives us a picture of a man who cared for all people around him, radiating happiness.

At the same time, he did not indulge in the sort of hearty laughter that could lose people's respect. He only smiled. But his smiling did not betray a reserved nature, struggling to control one's emotions. On the contrary, when the Prophet, peace be upon him, smiled, his face radiated with happiness. Kaab ibn Malik, a companion of the Prophet, peace be upon him, who was a poet, describes the Prophet's delight as follows: "When God's messenger was happy, his face beamed with delight, as if his face was a piece of the full moon. We recognized this from him." (Related by Al-Bukhari, Muslim, Ahmad and Al-Tirmithi). Yet he did not go beyond smiling. This

means it was the sort of smile that radiated and brought a happy feeling to all around, without losing self-control.

Abdullah ibn Omar, one of the Prophet's companions who was close to him reporting a large number of Hadiths, mentions that people could tell the Prophet's feelings by looking at him. His face expressed what he felt, whether happiness or anger. "The Prophet's pleasure and anger showed in his face. If he was pleased, his face was like the reflection of a mirror on a wall. And if he was angry, his color goes and his face darkens." (Related by Ibn Hibban).

It is very important to remember this Hadith when we talk about the Prophet's self-control. It was not the sort of controlling one's emotions so that people would not know what he felt or what he thought. There are such people with whom one does not know where one stands. But the Prophet, peace be upon him, did not indulge in too extravagant expression of his emotions. He certainly reflected his happiness and his displeasure, but without giving his emotions too much reign. A poet describes him in the following terms: "His laugh is a smile, his walking is easy, and his sleep is light." This gives us an image of a person who is moderate in all his moods, but at the same time, he is easy natured, smiling all the time to give warmth to his relations with people.

It may be asked: What things would make the Prophet, peace be upon him, smile? The answer is that he smiled in all situations that give a sense of pleasure. A good example is that given by his wife, Ayesha, who said: "The Prophet, peace be upon him, came into my place one day feeling delighted. He said: Ayesha. Have you heard of Mujazziz Al-Mudliji? He entered and found Ussamah and Zayd covering them with blanket, which covered their heads and left their feet visible. He said: These feet belong to each other." (Related by Al-Bukhari, Ahmad, Abu Dawood, Al-Tirmithi, Al-Nasa'ie and Ibn Majah).

The Prophet, peace be upon him, was wondering at this man, Mujazziz, who belonged to the Mudlij tribe whose people were known as the best ones in Arabia to recognize likeness. They would identify a man they see for the first time as belonging to such and such tribe, and they may be able to even place him in his own family in that tribe. Needless to say, some of them were better skilled than others in this respect.

They normally relied on studying the features of a person, looking for distinctive lines and particular aspects. But in this Hadith, the man recognized the close relationship between the two men from their feet. Ussamah was Zaid's son. As the man entered, their heads and faces were covered by the blanket, but their feet were visible. Immediately Mujazziz told of their relation, saying that the one belongs to the other. This is certainly amazing. It made the Prophet, peace be upon him, wonder and gave him a feeling of delight that his wife immediately recognized.

Prophet Muhammad: As A Man — Compassionate To All People ***Commentary By Adil Salahi — Arab News***

Compassion was the main characteristic of the Prophet Muhammad, peace be upon him. It influenced all his actions in all situations. Indeed it influenced the way he dealt with his enemies. While he never despaired of anyone being able to accept the truth of the divine message, he was so delighted with every newcomer to Islam. He felt that by adopting Islam, a person does not only set himself on the right course to a better type of life in this world, but also hopes to earn God's mercy on the Day of Judgment. Hence, the Prophet, peace be upon him, was keen to address even his most hardened opponents, explaining to them the essence of his message, and calling on them to believe in God's oneness.

When the going was hard and the unbelievers were putting up fierce opposition to his call, persecuting his followers and subjecting them to torture, it was tempting to invoke God's curses on those who sought to suppress the truth and persecuted its advocates. It is only natural that the oppressed should seek God's help against their oppressors. And certainly the Muslims were oppressed, like they are today in many parts of the world. Hence, the Prophet's companions who found themselves under immense pressure sought his help in dealing with their difficulty. Abu Hurairah mentions: "It was said to the Prophet, peace be upon him: 'God's Messenger! Pray to God against the idolaters.' He replied: 'I have not been sent to curse people; I have been sent as mercy to mankind.'" [Related by Muslim and by Al-Bukhari].

This is how the Prophet, peace be upon him, saw his mission. It was an act of grace and mercy by God to all mankind. As such, it cannot fit with invoking God's curses on any group of people, even though they may be opposed to Islam and using all their power to undermine it. If a certain person deserved to be cursed because of his evil deeds, this does not justify saying a general curse, even against idolaters who worshipped statues instead of God. Yet the Prophet's view of his mission is not something that he himself invented. Had it been so, opponents of Islam might use it as a cause for criticizing the Prophet, peace be upon him. But it is God who has described him as such, saying:

"We have sent you as a [manifestation of Our] grace toward all the worlds."
[Prophets — "Al-Anbiy'a" 21: 107]

The Prophet, peace be upon him, understood this well and endeavored to enhance his native quality of compassion so as to be merciful and compassionate to all people at all times. Even his enemies realized this and benefited by his compassion.

Muslims must view their mission in the same light. They are the advocates of a message delivered by a messenger whom God endowed with compassion. They have to demonstrate this quality in all their dealings, with all people. They are not hostile to any group or race; rather they are the bearers of the message of mercy. Our task is to present this message to all as the Prophet, peace be upon him, did from the moment he was entrusted with it to the last day of his blessed life. Our duty is to follow his example, not to divert the Islamic message into uncharted ways of hostility or hatred.

One of the best examples of the Prophet's mercy was when he traveled to Taif to try to win its people to Islam. His reception there was very hostile. The chiefs of the city spoke very harshly to him and they set their lads and slaves to chase him out of the city. They threw stones at him and chased him until his feet were bleeding. When he was on his way back, he sat to rest and addressed a very passionate prayer to God for help. Two angels came to him and offered to do his bidding. One of them said to him: "If you wish, I will close these two mountains over them and crush them all." The Prophet, peace be upon him, would have nothing of this. He said: "I hope that God will bring out of their offspring people who worship Him alone, associating no partners with Him."

The Prophet's companions recognized this quality and benefited by it on every occasion. They loved the Prophet, peace be upon him, as no one loves someone unrelated to him. They also recognized that being close to him was a source of blessing. Numerous are the incidents that confirm this. Sharid Al-Hamdani narrates one example: "We were with the Prophet, peace be upon him, on his trip of the Farewell Pilgrimage. Once as I was walking, I heard the steps of a camel behind me. I turned round and I saw the Prophet, peace be upon him. When he saw me, he said: 'Is that you, Sharid?' I answered in the affirmative. He said: 'Would you like to ride with me?' I said, 'Yes,' although I was not feeling any tiredness. I only hoped for

receiving some blessings by being with God's Messenger on his mount. He sat his camel down and I mounted with him." [Related by Al-Baghawi].

There are several versions of this Hadith, one of which does not give the details of how Sharid got to ride with the Prophet, but mentions further details. "I was behind the Prophet, peace be upon him, on his camel when he asked me if I could recite some poetry by Ummayyah ibn Abi Al-Salt. I answered in the affirmative and he told me to recite it. I recited one line of Ummayyah's poetry, and He said, 'How fine.' I recited another and then another. Each time he said, 'How fine.' I kept reciting until I completed one hundred lines of his poetry when the Prophet, peace be upon him, said: 'Ummayyah could almost have been a Muslim.' He then kept silent. So I said no more." [Related by Muslim, Ahmad and Al-Tirmithi]

We should explain that Ummayyah ibn Abi Al-Salt was a fine poet who died shortly before the advent of Islam. His poetry is full of wisdom, and it praises universal virtues. The Prophet, peace be upon him, admired only such poetry, although he was a fine judge of literary talent. Here we see him approving fine words of wisdom by someone who lived before Islam, giving him the highest praise of being close to what Islam teaches.

As for the occasion on which this recitation of poetry occurred, it reflects the Prophet's care for his companions. As he saw one of them walk alone, he offered to take him on his camel. Needless to say, this would make the camel slower, as its load would double. But it would not affect the camel much as camels are able to carry such loads. Nevertheless, the Prophet's gesture was one of compassion, which Sharid gratefully accepted, hoping for blessings that result from being close to the Prophet, peace be upon him.

Prophet Muhammad: As A Man — Crying In Grief For Child & Friend ***Commentary By Adil Salahi — Arab News***

It is well known that the Prophet, peace be upon him, suffered bereavement on many occasions. When he was very young, he experienced the loss of very close relatives. He lost his mother when he was six, and his grandfather who looked after him at the age of eight. He also lost his two sons when they were very young. When he had a third son, the only child born to him by a woman other than his first wife, Khadeejah, that child, Ibrahim, lived less than a year and a half. He also lost three of his four daughters during his lifetime. But he also suffered the loss of some of his grandchildren. As a loving parent and caring prophet, each loss caused him much grief, but he was always resigned to God's will, accepting it with patience.

Ussamah reports: "The son of one of the Prophet's daughters was about to die when she sent for him requesting him to go over to her. He sent her a message saying: 'Whatever God takes away or gives belongs to Him. He determines everything at its appropriate time. She should be patient and resigned to God's will.' When this message was delivered to her, she asked the messenger who brought it to go back to the Prophet, peace be upon him, and tell him that she requested him by God to come over. He then stood up and we all stood with him. He went to her accompanied by Sa'ad ibn Ubada and Ubayy ibn Kaab, I think. The dying child was placed on the Prophet's lap as life was almost departing from him. The Prophet's eyes were tearful. Sa'ad ibn Ubada said to him: 'What is this, Messenger of God?' He replied: 'This is compassion which God places in the hearts of those He chooses from among His servants. God will bestow His mercy on those of His servants who are compassionate.'" [Related by Al-Bukhari, Muslim, Ahmad and Abu Dawood].

Some people may wonder why the Prophet, peace be upon him, did not go to his daughter when she sent for him the first time, although he was told the reason for

her urgent call. In fact, it was understandable. The Prophet, peace be upon him, was attended by a group of his companions and he could not just leave them and go. Hence, he sent her a consoling message, reminding her that death is determined by God's will and we must accept it with resignation, no matter how close and beloved the dying person is. His daughter, Zainab, was keen that the Prophet, peace be upon him, should attend her dying son. Hence, she sent the messenger back with an oath requesting him to come over. Therefore three of his companions go with him as he proceeds to go. The child was suffering, as anyone would be in the throes of death. His mother wanted the Prophet, peace be upon him, to pray for him so that his suffering would be lightened. The Prophet, peace be upon him, could not withhold his tears as he saw his grandson about to die. Yet his companions wonder at his crying, because a man is not expected to cry, particularly in the Arabian society at the time. Hence the Prophet, peace be upon him, explains that crying in such a situation was the mark of compassion and it should be treated as such. Compassionate people are sure to receive God's mercy, because they are softhearted people who will help others in their difficulties.

The Prophet, peace be upon him, was reported to cry in other situations as well. Ayesha reports: "The Prophet, peace be upon him, kissed Osman ibn Maz'oon when he died, and he was crying as he did so, or indeed his eyes were pouring with tears." [Related by Ahmad, Abu Dawood, Al-Tirmithi and Ibn Majah]

Uthman ibn Maz'oon was one of the very early Muslims, and was very close to the Prophet, peace be upon him. Hence, it is not surprising that the Prophet, peace be upon him, should be extremely saddened by his death. However, the Prophet, peace be upon him, expressed his feelings properly, with tearful eyes, but no wailing or lamenting, which is forbidden in Islam.

On another occasion the Prophet, peace be upon him, was told that Sa'ad ibn Ubada was ill. Sa'ad was the chief of the Khazraj, one of the two main tribes of the Ansar. "The Prophet, peace be upon him, went to inquire after him, accompanied by Abd Al-Rahman ibn Auf, Sa'ad ibn Abi Waqas and Abdullah ibn Masood. When he went in, Sa'ad was unconscious. The Prophet, peace be upon him, asked: 'Has he died?' The people attending him answered in the negative. The Prophet's eyes were tearful. Those attending also cried as they saw the Prophet, peace be upon him, cry. He said to them: 'Do you hear me? God does not punish anyone for a tearful eye or for sad feelings. But He punishes or forgives for what this might do. [He pointed to his tongue]. ...'" [Related by Al-Bukhari and Muslim].

Sa'ad ibn Ubada was very close to the Prophet, peace be upon him. As the chief of his tribe, he rendered good service to the cause of Islam. The Prophet, peace be upon him, appreciated his contribution and that of Sa'ad ibn Mo'adh, the chief of the other Ansari tribe, the Aws. It was apparent that Sa'ad's illness was serious, as he lost consciousness, to the extent that the Prophet, peace be upon him, wondered on arrival whether he was already dead. As he realized the extent of Sa'ad's illness, his eyes were tearful, and this caused all those attending him to cry as well.

The Prophet, peace be upon him, took that opportunity to explain what is acceptable and what is not on such sad occasions. He made it clear that feelings and crying are perfectly permissible. They do not incur God's displeasure, as they are natural phenomena. It is the wailing and lamenting, which are people's own actions and indeed, it is those who wail and lament that have to answer to God for their actions.

When the Byzantine Empire was contemplating an attack on the Muslim state, the Prophet, peace be upon him, sent a force to meet any attacking army. This led to what is known in Islamic history as the Battle of Mu'tah. The Muslim force was no more than 3000, led by Zayd ibn Harithah. The Prophet's instructions specified that in case Zayd was killed, then the command would go to Jaffer ibn Abi Talib, and in

case of his death, and then Abdullah ibn Rawahah will take the command. In case of Abdullah meeting the same end, the army should choose a commander. As it happened, when the Muslim troops met the Byzantine army, they were outnumbered by more than 30 to one. Still a battle took place and soon the three commanders fell one after the other. The command was taken over by Khalid ibn Al-Waleed who managed to withdraw with the army suffering little further losses.

What was the Prophet's reaction to the news? Before we speak about that, we should remember that Zayd, the first commander, was gifted to the Prophet, peace be upon him, as a slave when he was still a young lad. The Prophet, peace be upon him, subsequently set him free and adopted him as a son in pre-Islamic days. When the Prophet, peace be upon him, started to receive his revelations, Zayd was the first man to declare his belief in him as God's Messenger and was, as such, the first Muslim after the Prophet, peace be upon him. The second commander, Jaffer, was the Prophet's own cousin. He had only recently returned after 15 years' absence in Abyssinia, where he and a group of the Prophet's companions established an outpost for Islam away from Arabia. Abdullah ibn Rawahah was one of the early figures among the Ansar and a devoted servant of Islam. All three were killed on the same day. How did the Prophet, peace be upon him, react to the news of their death?

We have three Hadiths mentioning his reaction. Anas ibn Malik reports: "The Prophet, peace be upon him, announced the death of Zayd, Jaffer and Abdullah ibn Rawahah to the Muslim community before the messenger delivering the news arrived in Madinah. He said: 'Zayd took up the banner first, but he was soon hit, and Jaffer took it over. Again he was hit, and it was taken by Ibn Rawahah and he was hit.' The Prophet's eyes were pouring with tears. He then said: 'Then the banner was taken up by one of God's swords, and they continued to fight until God bestowed His grace.'" [Related by Al-Bukhari and Ahmad].

The second report is given by Ayesha, the Prophet's wife: "When the news of the death of Zayd ibn Harithah, Jaffer ibn Abi Talib and Abdullah ibn Rawahah was given to the Prophet, peace be upon him, he sat down with grief clearly visible in his face, as I looked at him. ..." [Related by Al-Bukhari and Muslim].

Khalid ibn Salamah Al-Makhzoomi gives us the third report: "When Zayd ibn Harithah was killed, the Prophet, peace be upon him, went to his home. When Zaid's daughter saw him coming, she cried as she came toward him. The Prophet, peace be upon him, also cried. Some of his companions asked: 'What! [Are you crying], Messenger of God?' He said: 'It is all an expression of missing a loved one.'" [Related by Ibn Hibban, Ibn Sa'ad and Al-Baghawi].

These three Hadiths confirm that the Prophet's grief was acute as he received the news of the death of his three companions who were very close to him. That some people wondered at him crying is not surprising, particularly in a society that considered crying to be unbecoming of a man. But the Prophet, peace be upon him, explained that it is perfectly natural for a man to miss a loved one and to cry at the news of death. What Islam does not approve of is wailing and lamentation of the type many people do. To be saddened by the death of a close relative or friend is natural, and to express such grief with tears is also natural. What is not natural is to exaggerate one's calamity by crying out loud, lamenting, and calling out to the deceased and appealing to him or her to return. All such actions are unacceptable from the Islamic point of view.

The Prophet, peace be upon him, is reported to have cried on other occasions. One such occasion was when he visited his mother's grave. His mother had died when he was only six years of age, but this visit must have taken place when he was in his late fifties, as the Hadith reporter, Abu Hurairah, joined the Prophet, peace be upon him, nearly four years before he passed away. The Hadith states: "The Prophet, peace

be upon him, visited his mother's grave and he cried, as did those who were with him. Then he said: 'I requested God's permission to pray for her forgiveness, but He has not permitted me to do so. I then sought His permission to visit her grave and He has granted me that. You too should visit graves, because such visits remind you of the Day of Judgment.'

This Hadith gives us an insight into the type of person the Prophet, peace be upon him, was. Half a century after his mother's death, he was still keen to visit her grave and he cried there. What a soft heart that makes those who were present with him also cry! That God did not permit him to pray for his mother's forgiveness means that a Muslim cannot seek forgiveness for a person who died a non-Muslim. The Prophet, peace be upon him, also makes clear that the objective of visiting the graves of dead relatives is the reminder that we will die and will be brought back to life when we will receive reward or punishment. Such visits then provide motivation to do good so as to ensure a happy life after death.

Prophet Muhammad: As A Man — Loving & Tender With Children
Commentary By Adil Salahi — Arab News

The compassion of the Prophet, peace be upon him, radiated in all situations. As Arabia was largely a desert land, its people had some roughness in their character and temperament. The Prophet, peace be upon him, always tried to soften their attitudes, so that compassion would replace severity in their dealings with others. The Prophet, peace be upon him, would go further than that and demonstrate practically what would draw the attentions of people to a virtue he wished them to adopt. He had penetrative insight into people's characters. So, he gave each one what that person certainly needed. He might have made it come naturally so that his interlocutor would not take it as pointed criticism. The important thing was that the Prophet, peace be upon him, gave them what was certain to improve their characters and their relations with others.

The Prophet, peace be upon him, received many of the tribal chiefs from all over Arabia. He knew that some of them felt that they should demonstrate their toughness in order to retain their positions. One of these was Al-Aqra' ibn Habis of the Tameem tribe. The Prophet, peace be upon him, realized that he was a hard man who felt that he should show no softness. The Prophet, peace be upon him, wanted to give him a piece of advice. Abu Hurairah reports: "The Prophet, peace be upon him, kissed Al-Hasan ibn Ali when Al-Aqra' ibn Habis Al-Tameem was sitting with him. Al-Aqra' said to him: 'I have ten children and I never kissed any of them.' The Prophet, peace be upon him, looked at him and said: 'A person who shows no compassion will receive none.'" [Related by Al-Bukhari, Muslim, Abu Dawood, Al-Tirmithi and Ahmad]

We note that the Prophet, peace be upon him, deliberately showed his loving tenderness in front of his audience, even when they included some tribal chiefs of note. Al-Hasan was the Prophet's grandson as his mother was Fatimah, the Prophet's youngest daughter. He certainly loved Al-Hasan dearly and enjoyed playing with him. Since God has made him a fine example for Muslims and ordered them to follow his practice, the Prophet, peace be upon him, was keen to demonstrate the fine qualities that increased mutual love and care within the family and the community. Kissing his grandson in front of a tribal chief and other guests pointed out to such men, some of whom were known for their hardness, that manly qualities are not inconsistent with love and compassion toward the young.

Al-Aqra' was surprised. The Prophet, peace be upon him, was the overall leader of a much larger community than his own tribe, but he shows tenderness toward the young in a way that, to Al-Aqra', was inconsistent with his position. Hence, he remarked that he never kissed any of his ten children. That is nothing to boast of.

Hence, the Prophet's comment that unless you are merciful and compassionate, you should not expect any such emotion from other people.

But the Prophet, peace be upon him, demonstrated such compassion on numerous occasions so that it should be widely reported and people would follow his example. Al-Baraa' ibn Azib reports: "I saw the Prophet, peace be upon him, carrying Al-Hasan ibn Ali on his shoulder and saying: 'My Lord! I love this boy, so please love him as well.' [Related by Al-Bukhari, Muslim, Ahmad and Ibn Majah].

He apparently did this on several occasions, but it was not limited to Al-Hasan or his brother Al-Husain. The Prophet, peace be upon him, loved Ussamah ibn Zayd very dearly. Zayd was in former times his adopted son, until Islam outlawed adoption altogether. From that moment, Zayd reverted to his original name as Zayd ibn Harithah, but he remained very dear to the Prophet, peace be upon him. His son Ussamah was also a favorite of the Prophet, peace be upon him, particularly because his mother was Umm Ayman, who was the Prophet's nurse in his early years. Ussamah reports that the Prophet, peace be upon him, used to take him and Al-Hasan and say: 'My Lord! Love them as I love them.' [Related by Al-Bukhari and Ahmad].

For the Prophet, peace be upon him, to pray to God in this way suggests that those children were very dear to him. He wanted them to be loved by God. Needless to say, when God loves someone, that person is certain to enjoy the best that this life could offer as well as a great destiny in the life to come. God answered every prayer the Prophet, peace be upon him, said in the best way that it could be answered.

But the Prophet's care for young children did not stop with boys who were close to him. Indeed he cared for all children, but those who were related to him enjoyed his love in a very noticeable way. Abu Qatadah Al-Sulami reports: "The Prophet, peace be upon him, prayed carrying Umama bint Zainab, his daughter: When he was standing he carried her, but when he prostrated himself, he put her on the floor." [Related by Al-Bukhari, Muslim, Ahmad, Abu Dawood and Al-Nassaie]. Another version of this Hadith quotes Abu Qatadah as saying: "I saw the Prophet, peace be upon him, leading a congregational prayer while carrying on his shoulder Umama bint Abi Al-Aas, whose mother was his daughter Zainab. When he bowed in Ruku', he put her on the floor, and when he arose from prostration, he carried her." [Related by Muslim].

This is a highly authentic Hadith that shows that the Prophet, peace be upon him, also cared for girls, as much as he cared for boys. Umama was his granddaughter. He did not only show that he loved her, but he carried her as he was leading an obligatory congregational prayer. This he did in a society where until recently people received the birth of a girl with too much gloom, and often buried little girls alive for fear of poverty. Yet the Prophet, peace be upon him, demonstrated his love of the girl in the best way, carrying her while he was leading the prayer.

Even today, many people would frown if it were suggested to them that they could carry a child while praying. They would object even more strongly if the child is a girl. Some people would even suggest that carrying a boy in prayer is permissible, but not a girl. In fact the Prophet, peace be upon him, did this to demonstrate the opposite, because Islam does not differentiate between girls and boys. All children have equal rights that must be fulfilled by their parents, families and the Muslim community.

Prophet Muhammad: As A Man — Perfect Role Model In All Situations

Commentary By Adil Salahi — Arab News

The Prophet, peace be upon him, was the perfect role model in all situations, including those that do not have a religious aspect. This is due to the fact that he lived in accordance with the Qur'an and was keen to implement its values and principles. A well-known Hadith speaks of Ayesha being asked about the Prophet's manners. Her answer was simple: "His manners were the Qur'an." What she meant was that the Prophet, peace be upon him, was keen to implement the Qur'an, its morality and social values in every situation.

The Prophet, peace be upon him, read the Qur'an in all situations, and reflected on its meanings in order to give a practical example of putting the Qur'an into practice. Moreover, the Prophet, peace be upon him, appreciated the Qur'an as no one else could do, since he had the experience of receiving it from on high. Needless to say, no one could recite the Qur'an better than the Prophet, peace be upon him. Yet, he sometimes asked some of his companions to read the Qur'an for him. Abdullah ibn Massoud reports: "The Prophet, peace be upon him, said to me: 'Read something of the Qur'an for me.' I said: 'Messenger of God! You want me to read for you when it is to you that the Qur'an was revealed from on high?' He said: 'Yes.' I read Surah 4, Women, until I reached the verse that says:

'How will it be [on Judgment Day] when We shall bring a witness from every community, and call you as a witness against these people?' [Women — "An-Nis'a" 4: 41]

He said to me: 'This will do for now.' I looked at him and I saw his eyes tearful." [Related by Al-Bukhari, Muslim, Al-Tirmithi and others.]

Several points need to be highlighted in this Hadith. The first is that the Prophet, peace be upon him, wanted to listen to the Qur'an being read by someone else. He chose Abdullah ibn Massoud who was one of the best of his companions in reading the Qur'an. In fact, the Prophet, peace be upon him, said once: "Whoever wants to listen to the Qur'an as fresh as it is when revealed should listen to Ibn Massoud." This is a great testimony for Abdullah.

One version of this Hadith mentions that when Abdullah wondered how could he read for the Prophet, peace be upon him, who received its revelation, the Prophet, peace be upon him, said to him: "I like to listen to the Qur'an being read by others." Scholars mention that this was due to the fact that the Prophet, peace be upon him, wanted to reflect on the meanings of the verses being read. Thus the Prophet, peace be upon him, sets the thing clear for us: When the Qur'an is being read, people should listen carefully and reflect on its meaning. Careful listening to the Qur'an brings God's mercy, as He specifically mentions:

"When the Qur'an is recited, hearken to it, and listen in silence, so that you may be graced with God's mercy." [Heights — "Al-A'raf" 7: 204]

Why was the Prophet, peace be upon him, in tears as he listened? When a person listens to the Qur'an feeling his own humility in God's presence, he is often close to tears. He knows that he has had many slips and errors, and he can hope for God's forgiveness better when he feels himself humble. Although the Prophet, peace be upon him, did not do any act of disobedience to God, either deliberately or accidentally, he was only human, and as such, he felt that he might have fell short of fulfilling the task assigned to him. But perhaps it was the verse being read that gave him tears. It speaks of the Day of Judgment, when a witness is brought forward from every community. The Prophet, peace be upon him, will be the witness of his own

community. It is a difficult task, because his testimony will determine their fate, and the Prophet, peace be upon him, was so keen that his community should earn God's acceptance and pleasure. Therefore, he feared that those who fell short might not benefit by him as a witness. The position he would find himself in, giving testimony in front of God is awesome indeed, and he feared the outcome. Hence, his tears.

But perhaps the situation that brings a person closest to God is during prayer. When one is attentive to prayer, thinking of God and his position in front of Him, he feels his humility. It is this closeness to God, and feeling His great presence, and one's own worthlessness that makes one realize that one has missed so many chances of drawing closer to Him. This is true of all of us: We often prefer comfort to the fulfillment of duty, and we often yield to temptation. While this is not true of the Prophet, peace be upon him, who seized every opportunity to draw nearer to God, his keen awareness of God and His greatness often brought tears to his eyes. Abdullah ibn Al-Shikhkheer reports: "I went close to the Prophet, peace be upon him, as he was praying, and I heard him making a noise similar to that of something boiling in a pan, as he was crying." [Related by Ahmad, Abu Dawood, Al-Nassaie and Al-Tirmithi].

Being in tears during one's worship is perfectly understandable. The Prophet, peace be upon him, has been reported to be in tears in his worship on many occasions. But this reflected his sensitive approach to the Qur'an and Islamic worship generally. Perhaps his attitude to the Qur'an is best summed in the Hadith reported by one of his companions: "People said to the Prophet, peace be upon him, 'Messenger of God! You have grown gray! He said: 'Surah Hood and its sisters have made me grow gray.'" [Related by Al-Tirmithi].

Another version of this Hadith mentions that it was Abu Bakr who made this remark about the Prophet, peace be upon him, having gray hair. He answered him: "It is so because of Surahs Hood [10], Al-Waqiah [56], Al-Mursalat [77], Al-Naba' [78] and At-Takvir [81]."

The Prophet's remarks about these Surahs refer to what they include of the description of the Day of Judgment and what people may face on that day. It is certainly a fearsome day and what will happen to those who are deprived of God's grace sends fear into the hearts of all believers. Moreover, these Surahs speak of the universal upheaval that will accompany the approach of the Day of Judgment. This is when everything will be in a state of destruction. What could man, a weak creature, do on that day. Only a true believer hopes to be safe. It is looking at what happens on that day that gave the Prophet, peace be upon him, such fear of the outcome as to make him grow gray.

Prophet Muhammad: As a Man — Things That Made the Prophet Angry

Commentary By Adil Salahi — Arab News

We mentioned elsewhere that the Prophet, peace be upon him, never got angry for anything personal. No matter what unbelievers said about him, leveling any false accusations against him, he would always control himself, showing no sign of overreaction. Indeed, he kept his cool in all situations. However, if some violation of the limits God has ordered to be observed occurred, the Prophet, peace be upon him, could be very angry, and his anger showed in his face.

The contrast between the two situations is clear. If the matter were personal, he would tolerate it without difficulty. His self-control ensured that he would never overreact. He was certain that even his worst enemies realized that he always told the truth. But he could not tolerate that what God has ordered should be deliberately violated. His anger in such situations was visible, but he still expressed himself in

decent language, never allowing himself to utter a word that was unworthy of a messenger delivering God's message to mankind. We have several reports of situations that made him angry, and we will look at these.

Zayd ibn Thabit reports: "The Prophet, peace be upon him, chose a place where he went out at night to pray. Some men saw him doing that and they prayed with him. They came every night to do that. One night, the Prophet, peace be upon him, did not come out to join them. They started to make some noises, like little coughs, and then they raised their voices, and even threw pebbles at his door. He came out to them angry and said: "Look you people! You continued doing what you did until I thought it might be made obligatory for you. Pray in your own home, because the best prayer a person can offer is that he offers at home, except for obligatory prayers." (Related by Al-Bukhari, Abu Dawood and Al-Nassaie).

What angered the Prophet, peace be upon him, in this incident is that his companions tried every means to get him to come out to lead them in night prayer, which is not an obligatory one. Some of them resorted to impolite means, first raising their voices and then throwing some pebbles at his door. We need to remember that some of the Prophet's companions were uncultivated Bedouins who lacked polite manners, until Islam gave them the best manners people could have. They were insisting on doing a voluntary worship in a particular way. This is wrong because it imposes a duty where there is none. Hence the Prophet, peace be upon him, told them that he feared that this night prayer would become obligatory to them. And if it were made obligatory, it would have applied to all generations of Muslims. Thus, their action would have committed them and others to more than what God wished to assign to them as worship duty.

The Prophet, peace be upon him, also told them to pray at home, saying that this is the best prayer, except for obligatory prayer that is much better offered with the congregation in the mosque. Offering voluntary prayer at home is better for several reasons. The first is that prayer gives light to the place where it is offered. If obligatory prayer is offered at the mosque with the congregation, then the proper way to ensure that the light of prayer and worship spreads in our homes is to offer the Sunnah and voluntary prayer at home.

Another very important reason is that when voluntary prayer is offered at home, it is more sincere. This is not to say that when offered in the mosque it is not sincere, but there is certainly no element of show off when we offer voluntary prayer in the privacy of our own homes. We may mention here the incident when one person testified to the fine character of another person in front of Omar, the second caliph. Omar asked him the basis of his knowledge, mentioning three ways of knowing a person well. These are being his next-door neighbor, traveling with him or having regular financial dealings. When the man answered in the negative to all three, Omar said to him: "Perhaps you are speaking highly of him because you might have seen him in the mosque reading the Qur'an?" When the man answered this question in the affirmative, Omar said to him: "You may go now. You do not really know the man." So, it is easy to gain a reputation of piety when one offers voluntary worship in the mosque. Hence, the Prophet, peace be upon him, tells us that the best such prayer is that which is offered at home.

A further reason is that one provides a good example for one's children and other family members to follow. It will encourage them to offer voluntary prayers, which strengthens their faith and increases their reward.

The Prophet, peace be upon him, might get angry at something said or done by one of his companions, which suggests the violation of God's law. Zayd ibn Khalid reports: "A man asked the Prophet, peace be upon him, about what one might find in the street, without knowing its owner. What to do with it. The Prophet, peace be upon

him, said to him: 'Publicize it for a year, and then make sure to know its description and spend it. Should its owner come up, give it back to him.' The man said: 'What about a lost sheep?' The Prophet, peace be upon him, said: 'It belongs to you, your brother or the wolf.' The man further asked: 'What about a lost camel?' The Prophet's face was reddened with anger at this question, then he said to the man: 'What do you want with it? It has its own hoofs and drink until its owner finds it.'" (Related by Al-Bukhari, Muslim, Abu Dawood, Al-Tirmithi and Ibn Majah).

This Hadith gives details of the rulings concerning lost articles or animals and what to do with them. However, it tells us that the Prophet, peace be upon him, was angry when asked about a lost camel. There is a good reason for his anger. The first thing the Hadith tells is that if one picks up a lost article, he should publicize the fact for a year, so that if the owner comes back looking for it, he would know where to find it. After a year the person who found it may sell it and spend its price, either using the price himself or giving it to charity, but he continues to be responsible for it. If the owner turns up after a year, the one who found it must give him the price he sold it for, unless he had given it away to charity and the owner agrees to his action. If he does not agree, he has to refund it to him. He will certainly earn the reward of his charity.

If it is a sheep or a similar animal that cannot defend itself, or is bound to fall prey to beasts, then one can slaughter it for food, or look after it, or sell it. If the owner turns up, he compensates him or gives it back. But if it is a camel or a similar animal, such as a horse, then there is little danger that it would come to much harm. It should be left alone until its owner finds it.

The Prophet's anger was due to the implied suggestion in the question that the one who finds a camel could do with it what is done with a sheep. This is an attitude of a person keen on taking an easy gain. The Prophet, peace be upon him, points out to the man that a lost camel is unlikely to harm it or to be in any danger. It can tolerate being without water for a long time. Hence, it is better left alone.

Prophet Muhammad: As A Man — Thunderbolt Striking the Arrogant
Commentary By Adil Salahi — Arab News

The Prophet, peace be upon him, was always ready to address his message to all people. He never allowed the position of any person to deter him from attempting to make Islam known to him and inviting him to accept it. All people have the same nature that is receptive to the call of faith. When they listen to it with an open mind, they are bound to respond positively to it. It is only when they let their immediate interests and concerns interfere that they might take a negative attitude. Otherwise, it is ingrained in human nature that it should believe in its Creator, the Supreme Being who created the universe and conducts its affairs.

The Prophet, peace be upon him, never hesitated to address with his message anyone who would listen. People who had their high positions might give a response that is less than positive, but that would not deter the Prophet, peace be upon him. Anas reports: "The Prophet, peace be upon him, sent one of his companions to a man of high position to put to him the message of Islam and invite him to believe in God Almighty. The man said to the Prophet's emissary: 'What is this Lord of yours in whom you want me to believe? Is He made of iron, copper, silver or gold?' The emissary went back to the Prophet, peace be upon him, and reported to him. He sent him again to the man, and the man repeated the same question. This occurred a third time and the emissary came back to the Prophet, peace be upon him, to report on the man's arrogance. The Prophet, peace be upon him, said to him: 'God Almighty has sent a thunderbolt which hit your man and burned him. Soon afterward a Qur'anic verse was revealed stating:

"The thunder extols His limitless glory and praises Him, and so do the angels, in awe of Him. He hurls the thunderbolts to smite with them whom He wills. Yet they stubbornly argue about God. His might is both stern and wise."
 [Thunder — "Ar-Ra'd" 13: 13] "

Another version of this incident mentions that when the companion went back to the Prophet, peace be upon him, to report on his second mission, he said: 'Messenger of God! This man is too intransigent.' Nevertheless the Prophet, peace be upon him, sent him the third time. "He repeated his address to him. As the man was speaking to him God sent a cloud over his head. It then thundered and a thunderbolt fell of it which took away the bone of his skull." [Related by Al-Tabarani and Al-Bazzar].

While the focus of our attention here is the fact that the Prophet, peace be upon him, did everything he could to make the message of Islam known to all and sundry, we should not lose sight of the fact that God speeded the punishment of this arrogant man when he repeatedly talked about God in a derogatory way, asking from what He was made of.

Another case of Islamic advocacy during the Prophet's lifetime was that of Abd Al-Rahman ibn Auf, one of the main figures among the Prophet's companions. Indeed he was one of the ten companions of the Prophet, peace be upon him, who were specifically given the happiest news of all, which is admission into heaven. Of course all the Prophet's companions have been given this news in more than one verse of the Qur'an, but the Prophet, peace be upon him, singled out these ten on a particular occasion. This gives them a special distinction.

The Prophet, peace be upon him, called in Abd Al-Rahman ibn Auf and said to him: "Get ready, as I want to send you on a mission." This was in the month of Sh'aban in year 6 of the Islamic calendar. He sent him at the head of a force of 700 of his companions on an expedition to Dumat Al-Jandal, where the Kalb tribe lived. Dumat Al-Jandal was some 450-km to the north of Madinah, on the route to Syria. As they were about to leave, the Prophet, peace be upon him, gave them clear instructions, saying: "Fight all together in God's cause against those who deny Him. Do not commit any injustice, or treachery, and do not disfigure any dead person. Do not kill a child. This is God's order to you and the practice of His Prophet, peace be upon him, as he sets you the example to follow." The Prophet, peace be upon him, then gave Abd Al-Rahman the banner and he set on his mission.

When Abd Al-Rahman was in Dumat Al-Jandal with his men, he called on its people to accept Islam, continuing this for three days. On the third day, Al-Asbagh ibn Amr Al-Kalbi declared his acceptance of Islam. He was the chief of the tribe and he was a Christian. Abd Al-Rahman wrote to the Prophet, peace be upon him, informing him of this and requesting his instructions. He sent his letter with a man from Juhaynah called Rafi' ibn Makeeth. The Prophet, peace be upon him, replied telling Abd Al-Rahman to marry Al-Asbagh's daughter, Tumadir. He did and she gave him a son known as Abu Salamah.

In the last few years of his life, the Prophet, peace be upon him, sent many missions to different tribes and areas. By that time, Madinah was secure and opponents of Islam were largely weakened. There was no danger threatening the Muslim State, particularly after the signing of the Al-Hudaybiyah peace treaty with the Quraish. Hence, the Prophet, peace be upon him, dispatched his companions to address people and tell them about Islam, making it clear to them that it was God's final message and that they were required to follow it.

One of the missions the Prophet, peace be upon him, sent was led by Amr ibn Al-Aas, who only accepted Islam in year 7 or early in year 8. His destination was the tribe of Baliyy, because Amr's mother belonged to that tribe which lived in north

Arabia. The Prophet, peace be upon him, felt that they would be more responsive to Amr, considering his maternal relationship with them. As Amr arrived at a place well known as Al-Salasil, near the quarters of the Judham tribe, he feared that the group with him was too small and he entertained some foreboding. Therefore, he sent message to the Prophet, peace be upon him, requesting support. The Prophet, peace be upon him, sent him Abu Ubaidah ibn Al-Jarrah at the head of a force that included some of the very early and most distinguished Muslims, including Abu Bakr and Omar. The Prophet, peace be upon him, told Abu Ubaidah not to allow disagreement between him and Amr. Therefore, when Abu Ubaidah joined up with Amr, the latter insisted that he was the commander, as Abu Ubaidah was sent as support. Abu Ubaidah suggested that each would command the unit sent with him, but Amr refused. Therefore, Abu Ubaidah agreed to be under Amr's command.

This is just an example of how the Prophet's companions, particularly the early ones, used to carry out his orders to the letter. By any standard, Abu Ubaidah should have been the commander, and it would have been honorable for Amr to be under him, particularly considering that his group included some of the most distinguished of the Prophet's companions. But since the Prophet, peace be upon him, told him not to disagree with Amr, he accepted his command.

Prophet Muhammad: Blessing Young Children ***Commentary By Adil Salahi — Arab News***

Whenever a woman companion of the Prophet, peace be upon him, gave birth to a child, she made sure to take the child to the Prophet, peace be upon him, to bless. This was normal because the Prophet's companions realized that every prayer by the Prophet, peace be upon him, is answered. And if he prayed that their child to be spared evil and harm and to have of God's favors and blessings, then the child would certainly be given plenty of these and spared much harm. We have many reports of mothers taking their children to the Prophet, peace be upon him. One of these was Zainab bint Humayd who took her son, Abdullah ibn Hisham, to the Prophet, peace be upon him, when he was young. She asked the Prophet, peace be upon him, to "accept a pledge from the child. The Prophet, peace be upon him, said that he was too young. However, he rubbed his head and prayed for him." [Related by Al-Bukhari].

This Hadith shows the mother's keenness that her young son, who must have been in his early years, should be ranked among those who gave their pledges to the Prophet, peace be upon him. However, as a young child, he would not have understood what such a pledge meant in commitment to the Islamic cause. Hence, the Prophet, peace be upon him, explained to her that pledges by such young children were not required, and could not be accepted. Nevertheless, the Prophet, peace be upon him, was kind to both the mother and child. He gave the child a gesture of endearment, rubbing his head, and prayed for him. This must have greatly pleased his mother.

Another Hadith mentions a child who is not named, which suggests that it was unknown to the Hadith reporter who was none other than Ayesha, the Prophet's wife. She says: "The Prophet, peace be upon him, was brought a boy, and he kissed him, then said: 'They [meaning young children] are causes to be stingy and cowardly, yet they are part of the sustenance granted by God Almighty.'" [Related by Al-Tirmithi, Ibn Majah, Al-Hakim and Al-Baghawi].

The fact that the child in this report is not mentioned by name suggests that it was common practice that the Prophet, peace be upon him, saw young children who were brought to him for his blessing. The Prophet, peace be upon him, would always take the child, kiss him or give him a loving gesture, or show his care in some other way. He would always pray for the child. In this case, the Prophet, peace be upon him,

makes some comments, giving his companions insight into what motivates people to take certain attitudes. He describes young children as being the cause of stinginess and cowardice. It is natural for parents of young children to give the upbringing of their children top priority in their lives. Thus, they want to ensure a good future for them. Today, parents want to educate their children and give them a good start in life. They may save for their children's future. They may be keen to buy some property, so that they would have a comfortable family home, and they choose the best education they can afford for their children. This is all very good, but its correlative is that parents are not as forthcoming to help with good causes, as they would have been if they did not have young children to care for. The same is the case with their readiness to join an army engaged in a campaign for God's cause. While a Muslim normally thinks of the two great prospects of either achieving victory for Islam or being a martyr, when he has young children he thinks first of their future and this may cause him to hesitate before joining up in such a campaign.

Yet a true believer takes good care of his young children, knowing that his life is always subject to God's will and that the welfare of his young children is in God's hand. He might have any plan for their future, but even the best of plans and preparations might come to nothing unless God grants them success. Many are the children of good parents who lose their way in life despite the best of help given by their parents. On the other hand, many are those who are deprived of parents' good care yet grow up to be very successful. Hence, if we trust the future of our children to God, and do what is expected of us, always aiming to earn God's pleasure, ready to sacrifice for His cause when sacrifice is called for, then He may give our children and us more than we expect.

The Prophet, peace be upon him, took care of all his companions, but he showed much more care for young ones. Jabir ibn Abdullah was young when the Prophet, peace be upon him, arrived in Madinah, yet he was a close companion of the Prophet, peace be upon him. He related a large number of Hadiths, but one of these dates back to the time when he was still a young lad. He reports: "I prayed the two prayers of Zuhr and Asr with the Prophet, peace be upon him. When we finished, he said to us: 'Stay where you are.' He was given a jar of sweet as a gift. He gave each one of his companions a spoonful. When it was my turn and I was young, he gave me a spoonful, then said: 'Would you like some more?' I said: 'Yes, please.' He gave me a second spoonful for my young age. He continued to give everyone a spoonful until all had had a share." [Related by Ahmad and Ibn Majah].

Here we see the Prophet, peace be upon him, sharing with all those who were present the sweet that was given to him as a gift. However, he gives the child among his companion twice as much as he gives an adult, because children like sweets. In other situations, a child might be passed by, or at best given a similar share to that of an adult, but the Prophet, peace be upon him, gives the child more as a gesture of kindness. We are not told how big was the jar, or how many of his companions were with him, but many other incidents speak of a small amount going round to a large number of people when the Prophet, peace be upon him, shared it out himself. This was an aspect of blessing given to him. In more detailed reports of this incident we are told that the gift was given by Ukaydir, the chief of Doomat Al-Jandal, a town to the north of Madinah. Ibn Majah mentions this Hadith in the chapter on medicine, under the subheading of honey, which suggests that the jar contained honey. Whatever it was, the Prophet's companions enjoyed it. Checked this far

Prophet Muhammad: Dispute Over the Inheritance Of His Assets

Is it true that there was some tension between Abu Bakr and Fatimah? It is said that Ali did not pledge his allegiance to Abu Bakr until after Fatimah had died? Is this true?

No there was no tension between Fatimah and Abu Bakr. There could never be. Both were aware of the position of the other. However, after the Prophet's death Fatimah sent Abu Bakr a word requesting to have the property that belonged to the Prophet, peace be upon him, in Fadak and other areas. Abu Bakr told her that he heard the Prophet, peace be upon him, saying: "We Prophets are never inherited. Whatever property we leave behind is disposed of as charity." Neither Abu Bakr nor Fatimah would have gone against this Hadith.

That would have been an act of disobedience and neither of them disobeyed the Prophet, peace be upon him, in any way. It is not true either that Ali delayed his pledge of allegiance to Abu Bakr for any time after the latter assumed office as caliph.

Prophet Muhammad: Exemplary Conduct & Surah Abasa

The Qur'an states very clearly that the Prophet, peace be upon him, had the highest standard of moral values and good behavior. As such, it is not in line with this standard that he behaves to the blind man in the manner, which is stated in the first few verses of Surah 80. Since the Qur'an frequently addresses the Muslim community through an address made directly to the Prophet, we should understand these verses as meant for the community, although they are phrased as an address to the Prophet himself. It is only by a clear statement in the Qur'an, that we may accept that an action not commensurate with the Qur'anic description of the Prophet's manners might have been done by the Prophet, peace be upon him. Please comment.

That the Prophet, peace be upon him, had the highest standard of morals and the best type of manners is certainly true, and evidenced by Qur'anic statements. However, it is also true that in the incident referred to in Surah 80, referring to the special case of his blind companion, the Prophet's behavior was called into question. There is no contradiction between the two.

To remind ourselves of this incident, we may mention that the Prophet, peace be upon him, was once sitting with some of the elders in his tribe, Quraish, which was the strongest and wealthiest in Arabia. He was trying to persuade them to believe in Islam, as it is the true religion and the only way to ensure happiness in the life to come. At that moment, his companion, Abdullah ibn Umm Maktoom, a blind man, came to him and, not knowing how the Prophet, peace be upon him, was occupied, he asked him repeatedly to teach him something of the Qur'an. The Prophet, peace be upon him, did not like to be distracted from the task at hand, and he ignored the blind man. As the man repeated his request, a clear sign of displeasure was visible on the Prophet's face. He did not wish to be interrupted. Needless to say, the blind man was not aware of the Prophet's feelings, since he did not express with words what he felt. Yet the Qur'an mentions this incident, censuring the behavior of the Prophet, peace be upon him, in this case, because he placed his own desire that those unbelievers should embrace Islam above his duty to teach his Muslim companions what they needed to learn of the Qur'an and Islam in general.

To suggest that this whole incident did not take place only on the basis of the description of the Prophet, peace be upon him, as having a supreme standard of moral values is incorrect. Indeed the Prophet, peace be upon him, had such a standard, which does not preclude that he should feel irritated by something or another. The result of his irritation was not felt by the man concerned, who did not see the Prophet's face changing color and was not rebuked verbally by the Prophet, peace be upon him. Yet the Qur'an wants the Prophet, peace be upon him, to maintain a much higher standard of values. It is a standard that does not look at people's position in this world. It looks at their hearts and faith. Thus a poor blind

person who wants to learn about his faith, Islam, is to be given priority over those rich influential people who have not yet accepted the faith. Whatever benefit they would give to Islam as a result of their belief is immaterial. The person who has already accepted the faith is more important on account of his faith. The Prophet, peace be upon him, is not responsible for making people believe in God. His responsibility is to convey God's message to mankind. They then decide what position to take.

Thus the Prophet's position is outlined clearly. That he was corrected on this point does not detract from the fact that his standard of moral values and his manners were of the highest order. We should not read into this more than there is, denying an incident, which God has used to teach the Prophet, peace be upon him, and his followers an important principle of Islam.

Prophet Muhammad: Faith Of the Parents Of the Prophet

It is well known that the people of Makkah were idolaters before the Prophet Muhammad, peace be upon him, was sent to them. Were the Prophet's parents and grandparents also unbelievers?

The overwhelming majority of the people of Makkah were idolaters before the Prophet Muhammad, peace be upon him, was sent to them with God's message. Some individuals questioned the validity of idol worship and felt that this could not be a true religion. Some traveled far and wide in pursuit of the true religion. Some simply rejected idol worship without finding an alternative. However, many of the Arabs at the time felt that their idols were merely an intermediary between them and God. They realized that God is 'far above all those they worshipped' but they thought they needed these in order to draw them closer to God.

There is nothing particularly authentic about the faith followed by the Prophet's parents and grandfather. It is said that the Prophet's grandfather, Abd Al-Muttalib, believed that God is one. This is perhaps taken on the basis of his encounter with Abrahah, the army commander who tried to destroy the Ka'abah. When Abrahah was amazed that Abd Al-Muttalib did not plead with him to spare the Ka'abah and expressed his feeling of amazement, Abd al-Muttalib said to him: "This House of worship has its Lord who will protect it." When he left him, he went with some Arab notables to the Ka'abah and prayed hard to God appealing to Him to defend His house of worship.

Abd Al-Muttalib died when the Prophet, peace be upon him, was only eight years of age. As for the Prophet's parents, his father died before he was born, and he was six when his mother died. As such the message did not reach them. God does not punish anyone for not believing in him unless His message has been conveyed to that person.

Prophet Muhammad: Greeting the Prophet

Recently I visited the Prophet's Mosque in Madinah. Having prayed two rak'ahs, I wanted to greet the Prophet, peace be upon him. Instead of offering my greetings directly to him, I prayed to Allah to convey my greetings to the Prophet, peace be upon him, when He wills. My reasons for doing so are: We, Muslims, are ordered to treat all prophets alike; if we believe that Prophet Muhammad, peace be upon him, gets his life back to answer our greetings, so should other prophets; I believe that no mortal gets his life back until Allah so desires in order to give an example through such a miracle. I should be grateful for your comments.

Your offering two rak'ahs as greetings to the Prophet's Mosque is commendable. The best place in the [Prophet's] mosque to offer prayers is, of course, the area between what used to be the Prophet's home, where he is buried, and the place where his pulpit used to be. The Prophet, peace be upon him, describes this area in an authentic Hadith as "garden of heaven." Following that, the proper procedure is to walk to visit the grave of the Prophet, peace be upon him, and the graves of his two companions, Abu Bakr and Omar, who are buried next to him. One should stand at a short distance from the grave of the Prophet, peace be upon him, and address him politely, in a low voice, in these words: "Peace be to you, messenger of Allah, with Allah's mercy and blessings." A Hadith classified as "good" related by Abu Dawood on the authority of Abu Hurairah quotes the Prophet, peace be upon him, as saying: "When anyone greets me, Allah gives me back my spirit so that I am able to reply to his greetings."

Every Muslim knows that Allah has mentioned in the Qur'an that Muhammad, His Messenger, is only a human being who has been chosen by Allah to convey His message to mankind. Everything applicable to human beings was applicable to Muhammad in his lifetime. Allah states in the Qur'an addressing the Prophet: You are certainly going to die, and they are also going to die. He also says, 'Muhammad is only a messenger before whom other messengers of Allah have passed away'. Should he die or be slain would you turn back on your heels? We also know that the Prophet, peace be upon him, has died and has been buried in his grave. This does not conflict with the Hadith quoted above and related by Abu Dawood. The fact that Allah gives the Prophet, peace be upon him, his spirit back does not mean that he returns to life in the same way as he was before his death. Otherwise, he would be living like us but confined in his grave. This is not a position, which Allah gives to His messenger.

The possibility of a different sort of life is not difficult to understand when we remember that an authentic Hadith states: "Prophets are alive in their graves and they pray." Also, Allah states in the Qur'an of martyrs: "Do not think of those who have been killed fighting for Allah's cause as dead. They are alive with their Lord." We, however, do not know anything about the nature of that life. It is a matter, which concerns the world of the spirit. This is a world of which Allah has chosen not to give us any knowledge. The proper attitude of a Muslim, however, when he considers something which is relevant to that world is to accept any Qur'anic statement or authentic Hadith on the subject of its face value. We know that Allah is able to do all things. Nothing stated by Allah or the Prophet, peace be upon him, on the subject of the soul and the spirit is beyond Allah's ability. The fact that we do not comprehend its nature is no reason not to accept it.

Prophet Muhammad: His Ascension To Heaven — A Reassurance

Recently I came across a book by Maudoodi in which Prophet's night journey from Makkah to Jerusalem and his Ascension from there to heaven is viewed in ordinary political terms. It is likened to a king summoning one of his state governors to an audience in which the affairs of the state are discussed. In his view, Verses 24-37 of Surah 17 provide a summing up of the directives which were to provide the basic principles of Islamic society. I referred to the writings of several commentators on the Qur'an, but I could not find anything to substantiate this view. I would be grateful for your comments.

I believe you did not find anything to refute this view either. Hence, this view represents a reading by a scholar of a particular event in the life of Prophet Muhammad, peace be upon him. The fact that this event was of far reaching significance means that Muslim scholars in every generation find themselves

speaking about it, explaining its importance, as they see it. There is nothing to prevent a scholar who has achieved such eminence as Maudoodi from reading a particular event in the life of the Prophet, peace be upon him, in terms which makes its significance more readily appreciated by his contemporary readers. I must admit that I have not seen this book by Maudoodi in which you read his interpretation of the event. Yet, the way he describes it, as you have quoted, seems to be very interesting. I am reproducing here what you have quoted from his book:

"Rulers of the earth are used to calling governors on certain occasions to give them special instructions on various issues. Allah, the ruler of the universe, has done something of this type. The Prophets are the governors deputed to the earth, a small state of His Kingdom. On special occasions, Allah personally gave directives to governors He had appointed. Such audiences were granted to Prophets Abraham, Moses and Jesus [peace be upon them all]. The night journey of Prophet Muhammad, peace be upon him, and his Ascension to heaven also conforms to this pattern. After the difficult phase it went through in Makkah, Islam was about to establish its own nation state in Madinah. At such an important juncture, Allah invited His Prophet, peace be upon him, in order to give him the constitution and the manifesto of that nation. Responding to the invitation, Prophet Muhammad, peace be upon him, presented himself before the Lord. That was the essence of his Ascension to heaven."

Most commentators on the Qur'an look at the Prophet's night journey and Ascension to heaven as a mission of comfort to the Prophet, peace be upon him. He had been working hard for the message Allah had entrusted to him for ten years, meeting every conceivable sort of opposition from his people in Makkah. At times, their opposition weighed heavily on him. He was distressed by their stubborn refusal to realize that he only wanted their happiness. His two main sources of support, his wife, Lady Khadeejah, and his uncle, Abu Talib, died late in the tenth year or early in the eleventh year of the start of his mission. By losing them, he lost both the public support provided by Abu Talib, the chief of the Hashemite clan of Quraish, and the internal comfort at home provided by a loving, caring and devoted wife. It was natural that the Prophet, a human being, should experience a deep feeling of sorrow for their loss. In his wisdom, Allah had determined that it was time for the new message to stand alone, requiring no outside support, with its primary advocate, Allah's messenger, managing his affairs on his own. He - limitless He is in His Glory - took both Khadeejah and Abu Talib away and the Prophet, peace be upon him, was alone. Commentators on the Qur'an view the night journey in terms of a new source of comfort, encouragement and reassurance to the Prophet, peace be upon him. On this trip, he saw many of the great manifestations of Allah's greatness. His resolve to carry on with his message was sharpened and his determination was never to show any weakening.

This is the traditional way of looking at the Prophet's night journey and it is supported by some Qur'anic verses which refer to it.

As quoted by you, Maudoodi looks at this highly significant event from a futuristic point of view. He looks at what was to come, rather than what had happened in the past. Within three years of that trip, the Islamic state in Madinah was established. Every state needs a constitution, and this applies, in a rather stronger measure, to an ideological state. The Surah 17 is entitled, the "Night Journey," and it opens with a reference to the trip, glorifying Allah for having taken the Prophet, peace be upon him, on it and pointing out that the Prophet, peace be upon him, was made to see some of the signs Allah has in the universe. The verses to which Maudoodi refers provide an outline of the moral and social code of the Muslim community. They were the first detailed Qur'anic account of the boundaries within which the Muslim community will have to live. Indeed, they give a sense of the moral fabric of the

Muslim society. Maudoodi's vision is, then, a fresh approach to a great event. It is the merit of its futuristic outlook, which fits more perfectly with the nature of the Islamic message. Allah could have comforted His messenger for the losses he had suffered in a variety of ways. Giving him an outline of the moral and social code of his future state gave him much more than comforting condolence. It gave him the sense of the continuity of his message and a feeling of the task ahead. Maudoodi, thus, has offered us something new, something which makes us appreciate in a far better way a momentous event in the life of Prophet Muhammad, peace be upon him. May Allah bless Maudoodi's soul and shower His mercy on him.

The analogy with a governor being summoned for an audience with the king is also interesting because it makes the event closer to our minds to understand and appreciate. The relationship between Allah and His messenger is far closer than that of a sovereign and one of his governors. In any state, the governor could be sacked at any time. In the Kingdom of the Most Supreme, the governor, or, Allah's messenger, is the perfect choice. Hence, he would not suffer anything like the fall from grace many governors endure.

Prophet Muhammad: His Birth

A scholar said that when the Prophet, peace be upon him, was born, he did not need to be washed or to have his umbilical cord cut because it was already cut. Is this true?

Such stories have no basis. People who wish to give the Prophet, peace be upon him, a supernatural image invent them. But he is a normal human being whom God has favored with carrying and delivering His message to mankind. Some people want to present an image of the Prophet, peace be upon him, which is too pure, but this is wrong because he was a normal human being in every sense, but God has perfected his character in order that he would be able to undertake his task properly.

Prophet Muhammad: His Birthday Celebrations — Illegal In KSA

Why is celebrating the Prophet's birthday illegal in Saudi Arabia, but not in other Muslim countries including the Gulf states? What about celebrating the centenary of the Kingdom? Why is it considered an act of polytheism, or shirk, to visit the graves of religious scholars in Saudi Arabia, when it is not so in other countries?

We cannot equate the celebration of the Prophet's birthday with the marking of national days. No one has ever suggested that the marking of the national day, or the centenary of the Kingdom of Saudi Arabia, has any religious significance. No one imagines that God will reward him for marking such days. But people celebrate the Prophet's birthday thinking that it is part of the religion of Islam, and that they will be rewarded for observing it. This is the point at issue. When we remember that neither the Prophet, peace be upon him, nor any of his companions or their successors marked the day with any celebration, or called for its marking, we realize that marking it is not part of Islamic worship.

Anyone who calls for it to be considered in such light is grossly mistaken. Scholars are unanimous that visiting graves and graveyards is a Sunnah, and its purpose is to remind us of the Day of Resurrection.

But such a visit should either be general, i.e. visiting the graveyard or personal with each person visiting the graves of their relatives. But to visit the graves of people who are often elevated to the rank of saints is wrong and could be a form of polytheism. What happens on such visits is that people think that the dead person has a special rank that enables him to bring benefit to his visitors, or that he has a position of favor

with God and he can intercede with God on our behalf. Such a belief is totally unacceptable. To start with, we do not know how God will judge that dead person. Moreover, dead people cannot do anything for themselves, let alone on behalf of other people. In fact the living can do some good for the dead by praying for them and appealing to God to forgive them.

Prophet Muhammad: His Birthday Celebrations

My uncle has a large number of followers. Every month, he performs a celebration of the Prophet's birthday when he feeds the poor with money he collects from his followers. He recently asked me to make a hut for him in the graveyard where he lives alone. He also asked me to erect a wall around the grave of my deceased father. Please comment.

There is no doubt that Prophet Muhammad, peace be upon him, conveyed to us Allah's final message and the code of living He wants us to implement in our lives. Every Muslim, therefore, loves the Prophet, peace be upon him, more than he loves his parents or himself. Without the Prophet's teachings, humanity would have lived in darkness. Our love of the Prophet, peace be upon him, and the position of honor given to him must conform to what he has taught. Suppose that you have two children and one of them is obedient and dutiful and the other is not that dutiful. When you are asked who of your children loves you best, you are bound to answer that the one who is dutiful loves you much more than his brother. You consider the dutifulness of the first son the mark of his love to you. This is indeed the truth. If your other son professes everyday that he loves you very much and he kisses your hand when he goes out or when you come home, but nevertheless does not abide by your wishes or do your bidding, you do not take his protestations of love very seriously. Therefore, our love of the Prophet, peace be upon him, must be measured by the same yardstick. If we follow the Prophet's guidance and abide by his teachings and implement what he wants us to implement, then we love the Prophet, peace be upon him. If we are satisfied by professing that we love him and we try to give the proof of that by holding parties to celebrate his birth, then our claims are devoid of any substance.

As for celebrating the Prophet's birthday, whether done every year or every month or every week, that can only be judged according to the Prophet's guidance. We have nothing in what the Prophet, peace be upon him, has said or done to indicate that he has celebrated his own birthday. None of his companions or the generation, which succeeded him, held any such celebrations at any time or in any form. Therefore, we can only say that this celebration is an innovation, which earns no reward.

I am afraid that your uncle's desire to live in the graveyard is very strange. The place of a learned Muslim is within his community to whom he tries to explain the Islamic teachings and whom he encourages to follow the Prophet's example. To erect a wall around a grave or indeed to do anything with a grave which is a mark of distinction is strongly discouraged. A grave must be simple and raised only about a foot over the ground and should not have a pyramid like shape. Its top should be flat. Tombs are not allowed in Islam.

Prophet Muhammad: His Children & Grandchildren

Could you please tell us something about the Prophet's children and grandchildren?

The Prophet, peace be upon him, had six children born to his first wife, Khadeejah. The two boys, Al-Qassim and Abdullah, died in early childhood. After the Arab tradition, the Prophet, peace be upon him, used to be called Abul-Qassim, meaning, "Father of al-Qassim".

Khadeejah also gave the Prophet, peace be upon him, four daughters: Zainab, the eldest was married to Abu Al-Ass ibn Ar-Rabie and gave birth to one boy, Ali and one girl Umamah. Zainab died in the eighth year of the Islamic calendar, i.e. two years before the Prophet, peace be upon him.

The Prophet's second daughter Ruqayyah was married to Osman ibn Affan, who later became the third caliph. She traveled with him to Abyssinia in the first Muslim emigration. She gave birth to one boy, Abdullah, who died at the age of six. Ruqayyah died at the time when the Muslims fought the battle of Badr.

The Prophet's third daughter was Umm Qulthum, who was married to Osman after her sister's death. She did not have any children and died in the ninth year of the Islamic calendar, about eighteen months before the Prophet, peace be upon him.

Fatimah was the Prophet's youngest daughter. She married Ali and gave birth to two sons, Al-Hassan and Al-Hussein, and two daughters Umm Qulthum and Zainab. Fatimah died six months after the Prophet, peace be upon him.

As has already been mentioned, all six children were born to Khadeejah, the Prophet's first wife. The only other child born to the Prophet, peace be upon him, was Ibrahim, whose mother Maria, was the Coptic woman sent as a gift to the Prophet, peace be upon him, by the ruler of Egypt. The Prophet, peace be upon him, freed her and married her. She gave him this son who lived only sixteen months.

Prophet Muhammad: His Companions & Their Ranking

1. The companions of the Prophet, peace be upon him, have been praised in the Qur'an and by the Prophet, peace be upon him, for their glorious deeds in support of the message of Islam. When a Muslim mentions any of the companions of the Prophet, he is supposed to pray for them that Allah may be pleased with them. In view of this, is it fair for any Muslim to criticize the actions of some or all the companions of the Prophet, if such actions have proved to be mistaken? Does such criticism affect the faith of a Muslim, or does it cause him or her any harm?

2. A Hadith quotes the Prophet, peace be upon him, as saying to Khalid ibn Al-Waleed that should he be able to spend the weight of Mound Uhud in gold, he would not attain the merit of any of the Prophet's companions. Since Khalid himself was one of the Prophet's companions, does this Hadith mean that only some of the companions are considered as giving guidance, which we should follow?

1. As you have said, Allah has praised the companions of the Prophet, peace be upon him, in the Qur'an describing them as keeping a tough attitude toward the disbeliever, treating one another with mutual compassion; you always see them bowing and prostrating themselves before Allah, seeking His grace and pleasure, etc. The Prophet, peace be upon him, also praised his companions for their dedication and courage in the defense of Islam. He also said that the best generation among his followers is that of his companions followed by their successors and the generation after that. Those three generations will remain better than any subsequent generations of Muslims. The companions of the Prophet, peace be upon him, were human beings who could make mistakes, errors, in judgment and could commit sins. It is undeniable that they were less liable to do this last thing than other Muslims, but the fact remains that some of them could be tempted to do so. But if you look at the record on every one of them, you will find them firm believers, dedicated to the cause of Islam, ready to defend it, even if its defense meant the loss of their lives. As such, they deserve all praise from us, because they have helped

provide an ideal example of what human society will be like when Islam will be implemented.

Criticism of any of the companions of the Prophet, peace be upon him, is most unbecoming of any believer. To start with, no one can aspire to the position of the companions of the Prophet, because of the great honor which they had of actively supporting the Prophet, peace be upon him, in his efforts to make the world of Allah triumphant. In every circle or society, criticism of an honorable personality by a lesser person looks particularly odd. When such superiority is dictated by the service given to the cause of Islam, the criticism becomes repugnant.

You know that Khalid ibn Al-Waleed embraced Islam rather late, perhaps in the seventh year of the Prophet's emigration to Madinah. He had a quarrel with one of the companions of the Prophet, peace be upon him. The Prophet, peace be upon him, said to him: "Leave my companions alone. If you were to spend all that the earth contains in gold, you would not make a person reach the standard of anyone of them or even half his standard."

The general rule about such criticism is that Allah will hold the person who makes it to account. If it is unjustified, then he will make him do justice to the person so criticized or abused. In this life, such criticism does not speak well of the person who does it. Indeed, it raises a question mark about his sincerity. Whether it affects his faith or not is another matter. He may truly be a believer in the message of Islam but his criticism tells of his bad taste.

2. The Hadith you have mentioned is authentic. It is related by Al-Bukhari and others. Its version in Al-Bukhari's Saheeh does not mention a particular incident, which gave occasion to it. It simply quotes the Prophet, peace be upon him, as saying: "If one of you would spend in charity the weight of Mound Uhud, he would not attain the reward of one mudd spent by any of them, nor half of it." The term mudd refers to a measure used in Arabia at the time for any commodity, which is bought and sold by volume.

There is a particular incident which led to this statement by the Prophet, peace be upon him. It involved the renowned commander Khalid ibn Al-Waleed, and Abdurrahman ibn Auf — one of the ten companions of the Prophet, peace be upon him, to whom he gave the happiest news of all that they would certainly be admitted into heaven. Apparently Khalid said something unpleasant to Abdurrahman, and the Prophet, peace be upon him, told him to quit that, adding this statement about the rank of his companions. Of course Khalid was one of the Prophet's companions. These are the ones mentioned in the Qur'an as having higher rank. God says:

"Not equal are those of you who spent and fought [in God's cause] before the victory [and those who did not do so]; they are of a higher degree than those who would spend and fight [only] after it — although God has promised the ultimate good to all. God is aware of all that you do." [Iron — "Al-Hadid" 57: 10]

In relation to the Prophet's companions, the state that separates the two groups is the victory which saw Makkah with its tribe that held the sway in Arabia, and the Quraish's surrender to Islam. However, verse lays down a principle that applies to the relative merit of believers of all times who strive in God's cause before and/or after success has been achieved. Those who strive hard to help achieve that success are higher in rank than those who join the Islamic community after it has gained mastery. The first group are the ones who put in a real struggle, risking their lives and properly exposing themselves and their families to danger and risks of all kinds. Hence, they are identified more closely with the Islamic call. They are the ones who are ready to sacrifice their all again for their faith, should that be necessary.

Of course Khalid ibn Al-Waleed was among those who accepted Islam before the surrender of Makkah. However, he only did so about a year earlier, while Abdurrahman ibn Auf was among those who accepted Islam in the very early period. He was a young man then, and he showed great determination to support the Islamic cause in all situations. Hence he earned a high rank among the Prophet's companions. Those who are among the pioneers always have an advantage over those who come later.

As for guidance, the Prophet's companions provide for us an example of how to follow the teachings of Islam and the Prophet's guidance with determination and diligence. They do not provide guidance on their own behest. That is provided by God in the Qur'an and by the Prophet, peace be upon him, in the Hadith and Sunnah.

Prophet Muhammad: His Family & Its Status

What is the status of the members of the Prophet's family? What has he said about their importance? May I also ask about the significance of the tragedy of Karbala in Islam?

No special status is accorded to any human being other than Prophet Muhammad, Allah's messenger, peace be upon him, who has conveyed to mankind the last divine message. While members of his household are to be respected and honored if they were true Muslims, they do not have any type of special status. Each one of them is required to observe Islamic duties like every other Muslim. Similarly they are required to refrain from what Allah has forbidden. The Prophet, peace be upon him, addresses his daughter and his uncle saying: "Fatimah, work for your future life, because I will avail you nothing on the Day of Judgement. Al-Abbas, you are the uncle of Allah's messenger but work for your future, because I will avail you nothing on the Day of Judgement." While this Hadith urges members of the Prophet's family to work for their future life, the Prophet, peace be upon him, has made it clear that no member of his family is exempt from any punishment for a sin he or she may commit.

It so happened at the time of the Prophet, peace be upon him, that a noble woman of the tribe of Makhzood was guilty of stealing. People tried to intercede with the Prophet, peace be upon him, in order not to enforce the ordained punishment for stealing on her. The Prophet, peace be upon him, refused all their entreaties. He said: "By Allah, if Fatimah, the daughter of Muhammad, peace be upon him, would steal I would have her hand chopped off."

The battle of Karbala resulted in a terrible tragedy since it claimed the life of Al-Hussein ibn Ali, the Prophet's grandson and some members of his family. That was a grave error committed by a battalion of the Muslim army loyal to the second caliph of the Umayyid dynasty, Yazeed ibn Mu'awaiya. However, neither the battle itself nor its outcome has any religious significance. Its tragic outcome was a source of grief and suffering to all Muslims, but we need not attach to it any other significance. We must remember that this tragedy took place about 50 years after the Prophet, peace be upon him, had passed away. The religion of Islam was revealed complete to the Prophet, peace be upon him, who conveyed it to us in its fullness. Nothing could be added to it by any person or as a result of any event.

Prophet Muhammad: His Hair & Its Reverence

I have seen in some houses and mosques in India and Pakistan hairs, which are said to be from the beard of Prophet Muhammad, peace be upon him. One hair is preserved in a decorative bottle with a glass top. It is displayed on a certain day every year, coinciding with the birth anniversary of the Prophet. People from the surrounding area come to view

the hair and pass file very respectfully paying homage. Some touch the box or kiss it and then rub their hands on their faces and bodies, hoping for a blessing. It is also believed that the preserved hair grows inside the box. Its custodian cuts the grown hair and gives it to another mosque to make a similar box for a similar display. Please comment.

Let us begin first by assuming that this hair has actually been taken from the Prophet's beard. What then? It remains a hair, which cannot bring any benefit or cause any harm. We have not heard of any companion of the Prophet, peace be upon him, who has taken anything that has been cut off or fell off the body of the Prophet, peace be upon him, to preserve it for reverence or to keep it to one's family. When the Prophet, peace be upon him, offered his pilgrimage, he went to Makkah with his hair long. He shaved his head there in order to release himself from the state of consecration, as pilgrims do. If there were any benefits to be gained from preserving his fallen off hair, his companions would have competed to take his hair or to distribute it among themselves. None of them ever contemplated the idea. Similarly the Prophet, peace be upon him, clipped his nails regularly, but we have no report that anyone of his wives or companions preserved any of his nail clippings.

We must not forget that the companions of the Prophet, peace be upon him, had a much keener insight into what is acceptable and what is unacceptable in Islam than any one of us. The Prophet, peace be upon him, lived among them and they loved him as true Muslims should love the Prophet, demonstrating practically that they were always prepared to sacrifice themselves to defend him against his enemies, so that he might complete his mission and convey Allah's message to mankind. They, however, did not consider the body of the Prophet, peace be upon him, as an object which should be sanctified. Hence, had this hair been truly taken from the Prophet's beard or head, it should have been buried, as it is recommended to do with any part of a human body which falls off or are cut off or amputated.

Is it not time for people of this day and age who claim to follow Prophet Muhammad, peace be upon him, and believe in his message to question some of their practices in order to find out whether they are in line with the teachings of the Prophet? These rituals that are done annually in connection with this hair should certainly be questioned. Is it not time that somebody in the community asks: If we do all this with a hair that we claim to have fallen off the beard of the Prophet, why is his body buried? The Prophet's wives, uncles, cousins, and companions would have taken care to preserve his body and keep it for future generations to receive blessings. But they have done nothing of that sort because they knew that such an action would have been un-Islamic.

Moreover, if the body of the Prophet, peace be upon him, or any part of it should have been an object for preservation and reverence, would Allah have allowed it to be buried? The fact is that Islam does not allow any such practices. Hence, the Prophet, peace be upon him, was keen to explain to his companions that he should be buried in the same manner as other mortals. Moreover, Prophets are always buried in the same spot where they die. Hence, a grave was dug for the Prophet, peace be upon him, in the room of his wife, Ayesha, may Allah be pleased with her. His body was not kept for any length of time for viewing or blessing or paying homage. His closest companion supervised the preparation of the body for burial, without any delay. Hence, the honorable thing to do with this hair, if it was truly from the Prophet, is to bury it.

It may be argued that there is no harm in people showing their love of the Prophet, peace be upon him, in this way, even if there is some doubt about the origin of the hair. The question to be asked here is whether this is the right way of showing our love of the Prophet, peace be upon him. Throughout the ages Muslim scholars have

been unanimous in telling us that the proper way to demonstrate our love of the Prophet, peace be upon him, is to follow his guidance, implement his Sunnah and advocate his message. You do not need a trace of his body in order to do that. You persevere that you love the Prophet, peace be upon him, more if you follow his guidance more conscientiously. If you do not implement his teachings, no reverence to this hair, or indeed any part of his body or his person, would be of any use to you on the Day of Judgement, when Allah will question you about your actions and about following the Prophet's guidance.

Prophet Muhammad: His Incision By Angels

Is it true that the Prophet, peace be upon him, had four operations conducted by angels to remove all negative things from him and to replace them with elements of justice, humanity and love?

I do not know about four operations done to the Prophet, peace be upon him, by angels. There is a very well known report that at the age of five, the Prophet, peace be upon him, was met by two men in white robes who placed him on the ground and caused an incision in his chest. They removed his heart and washed it in iced water, which they had in a gold pot. They removed a small black piece and said that it was Satan's element. There is another report, which suggests that the same thing was done to the Prophet, peace be upon him, when he was 50. However, this latter report is much less known than the earlier one. I have not heard that there were any more occasions in the life of the Prophet, peace be upon him, when he was operated on.

We cannot say for certain that this report is absolutely authentic although it is invariably reported in the books, which relate the events of the Prophet's life.

What we do know, however, is that evil is not concentrated in any particular spot within the human body so that the removal of that spot would mean that the person concerned would not entertain any evil. The thoughts of evil are initiated in man's minds just like good thoughts. To make a man pure of evil requires a total change of his character, so that he becomes one of the angels. This is not possible since Allah has not willed it to happen.

Prophet Muhammad: His Intense Concern About Unbelievers

In the name of God, the Merciful, the Beneficent

Ta Seen Meem. These are verses of the Book that makes things clear. Would you, perhaps, torment yourself to death (with grief) because they would not believe? If We will, We can send down to them from the skies a sign before which their necks will remain bent in submission.

[the Poets "Al-Shu'ara": 26: 1-4] Commentary by Sayyid Qutb —
Translated & Edited by Adil Salahi

The Surah begins with three separate Arabic letters Ta Seen Meem, indicating that the verses of the Qur'an, the book that sets things in full clarity, including the present Surah, are made out of such letters. These letters are available to those who deny divine revelation, and they cannot produce out of them anything similar to this clear book.

The nature of the book is discussed in the beginning and the end of the Surah, just like it is discussed in every Surah, which has a similar beginning using similar separate letters.

The Surah then addresses the Prophet, peace be upon him, who is concerned about the idolaters and is saddened by their rejection of his message and the Qur'an. It

comforts the Prophet, peace be upon him, telling him that the whole matter is not worth all his concern. God could have easily forced them to believe by showing them some clear sign that they would not be able to resist:

"Would you, perhaps, torment yourself to death [with grief] because they would not believe? If We will, We can send down to them from the skies a sign before which their necks will remain bent in submission to it."

There is here a note of remonstrance with the Prophet, peace be upon him, for showing too much concern about the unbelievers and their attitude: ***"Would you, perhaps, torment yourself to death [with grief] because they would not believe?"*** The Prophet, peace be upon him, is shown here to be suffering as a result of their attitude, because of his certainty that their rejection would inevitably incur punishment. Since those people were his own clan and community, he takes the matter to heart and feels very heavy at the inevitable prospect. God, however, is too caring to leave him to his grief, which weighs heavily on him. The Surah tells him that his responsibility does not include bringing them into the fold of believers. Had it been God's will, He would have sent down a miraculous, overpowering sign that would have left all their arguments meaningless, and they would have had no option but to declare their belief in God and submission to Him. The verse gives a graphic picture of their submission to such a sign: ***"Their necks will remain bent in submission."*** The picture here shows their necks permanently bent and they can never look up.

But God Almighty has not chosen to give such compelling sign with His last message. He has made its overpowering sign the Qur'an, a complete and perfect code of living that is miraculous in every aspect.

The Qur'an is miraculous in its construction and artistic presentation, maintaining the same features of excellence at the same level throughout. Thus, it is totally unlike human works where we note variation of standard, power and level even by the same author and within the same work. By contrast the Qur'an maintains its artistic characteristics at the same level throughout, which indicates that it is the work of the One who is not influenced by changing situations and temporary circumstances.

Prophet Muhammad: His Intercession On the Day Of Judgement

1. People back home maintain that the Prophet's intercession on their behalf on the Day of Judgement will land them in heaven. Please comment.

People should rely only on their own good actions and avoidance of what is forbidden. If their actions are good, and then they can hope to receive Allah's grace and be admitted into heaven. Indulging into sinful practices, in the hope that the Prophet, peace be upon him, will intercede on their behalf is wrong, because that is no guarantee. Besides, if you need the intervention of a highly positioned person to have a particular purpose of yours accomplished, you try to please that person, so that he would use his influence on your behalf.

How is it that people allow themselves to act against the Prophet's teachings and seriously offend him, then hope for his intercession on their behalf? Is not that too presumptuous?

Prophet Muhammad: His Names — Five

There is a Hadith which suggests that Prophet Muhammad, peace be upon him, had three names, Al-Aaqib, Al-Hashir and Al-Mahi. Are these titles of the Prophet, not to be used by any other person? My name is Hassar.

The Hadith, to which you have referred mentions five names of the Prophet, peace be upon him. Although the Hadith states that these are 'names', the context suggests that these are qualities or attributes, rather than proper nouns. It is well known that Arabic names are chosen for their meaning. Hence the usage of the word 'names' in this context is not surprising. Indeed the same word is often used in reference to God's attributes.

The Hadith you mentioned may be translated as follows: "I have five names: I am **Muhammad**, and I am **Ahmad**, and I am **Al-Mahi** with whom God erases disbelief, and I am **Al-Hashir** following whom human beings are raised from their graves and I am **Al-Aaqib**." [Related by Al-Bukhari, At-Tirmithi, Malik and Ahmad.] Let us now consider these names and what they mean, as explained by commentators on Hadith.

'Muhammad' is derived from the root hamd, which means 'praise'. This is the Prophet's name God uses in the Qur'an. The form itself indicates plenty. So the name mentions an important quality of the Prophet, peace be upon him which is his frequent praise of God and his glorification of his Lord. He used to praise God after he had had something to eat or drink, after his supplication and on arrival after a journey. 'Ahmad' is derived from the same root, but indicates preference. Hence it means that he praised God much more than anyone else. It is said that all prophets used to praise God very frequently, but Prophet Muhammad, peace be upon him, is the best among them in that quality.

'Al-Mahi' means the one who 'erases something clean.' The Hadith itself indicates to what this quality of the Prophet, peace be upon him, applies, as he says: "I am Al-Mahi with whom God erases disbelief." It is said that what is meant here is that he causes disbelief to disappear totally from the Arabian Peninsula. Other scholars suggest that the erasing of disbelief is a gradual process, which is completed when Jesus Christ comes for the second time. The fact that some people will go back to disbelief after that does not detract from the fact that he will have caused its total eradication.

I feel that we should take this meaning in a wider perspective. The fact is that with the message of Prophet Muhammad, peace be upon him, disbelief no longer has any solid foundation. Whenever challenged, disbelief cannot provide any argument to justify its standpoint. Whatever logic it uses to defend itself will be seen to lack coherence and substance. It will always be recognized as false. For this reason we see how the enemies of Islam always use brutal force to suppress its message. In some Muslim countries dictatorial regimes have been suppressing the advocates of Islamic revival for many years and gaining the approval of Western 'democracies' for their brutal tactics that include torture and killing of innocent people. That testifies to the fact that disbelief cannot even convince its own advocates with its argument. Hence it is always bound to be defeated and erased from people's minds and hearts.

'Al-Hashir' means 'the gatherer,' but in an Islamic context it refers to the gathering of all creatures on the Day of Judgement when they are raised from their graves. We have reports which confirm that Prophet Muhammad, peace be upon him, will be the first to rise from the grave on that day. In other Hadith the Prophet, peace be upon him, is quoted to have said: "I am the first to come up when the earth is split [i.e. on the day of resurrection.]" Scholars also refer to the fact that he is the final messenger to be sent to mankind as relevant here. Since no other messenger will be sent, then it follows that the resurrection should come after him.

'Al-Aaqib' means the final. This is a reference to the fact that the line of Prophethood has been completed with the message of Prophet Muhammad. In some versions of this Hadith an insert is added so that it reads: "I am Al-Aaqib after whom there will be no prophet, and who is described by God, as 'kind, compassionate.'"

These names were not used as names of anyone before Prophet Muhammad, except for the fact that the name 'Muhammad' was used by four people who learned that a prophet would be sent to mankind having that name. Each one of them had a son born to him shortly afterward. Each one called his son, Muhammad, hoping that he would be the new prophet.

The Prophet, peace be upon him, has encouraged his followers to call their children after him. Hence the names Muhammad and Ahmad are very common in the Muslim world. The other three names are of a special type, which makes them unsuitable to use as names. Who would wish to call his son with a name, which means the 'eraser' or 'gatherer' or 'the final'? Even when used for the Prophet, peace be upon him, they needed explanation. Hence you do not find them used by Muslim people. I realize that my reader thinks he has the second of these names, but his name is 'Hasser' which means 'a person who is not wearing a head cover.'

Prophet Muhammad: His Names [Rather Say Attributes] — Ninety-nine

Could you please clarify whether it is true that Prophet Muhammad, peace be upon him, also has 99 names. To my knowledge, this is true of God only. Please comment.

The Prophet, peace be upon him, is called by several names, but the name he was given at birth was Muhammad. His mother reports that she heard a voice telling her that she was carrying a boy who would be the best of mankind, and that she should call him Muhammad. His grandfather wanted to call him Ahmad. Both these names, Muhammad & Ahmad, which are mentioned in the Qur'an, are derived from a root that signifies praise. Muhammad in particular means 'one who is often praised'. From the same root a further name is derived, which is Mahmood. The Prophet, peace be upon him, is also called by other names, but these are mostly attributes or qualities which he is known to have had. An example of these is Mustafa, which means 'chosen'. Furthermore, he is described in the Qur'an by certain qualities, and some people claim that these are also names of his. This is not true, because some of these are attributes of God, such as Rauf and Raheem, which mean kind and compassionate respectively. When these are used on their own, they refer to God, not to the Prophet, peace be upon him.

To find 99 names and qualities by which to call the Prophet, peace be upon him, will require some arbitrary usage of such qualities. Besides, there is nothing to be gained by such an exercise. We know that the Prophet, peace be upon him, combined the best qualities that could be found in the best of people. To give him a name for each such quality is a totally unnecessary exercise. People, however, think that by doing so they demonstrate their great love of the Prophet, peace be upon him. The fact is that such love is best demonstrated by following the Prophet's example, not by singing his praises, much worthy of praise as he certainly is.

Prophet Muhammad: His Special Privilege

1. How accurate is the report that wherever the Prophet, peace be upon him, went in daytime, a cloud overshadowed him, as well as angels, so that he did not feel the hot sun in the summer?
2. I have read in a book that the stools and urine of the Prophet, peace be upon him, were not impure. How far is this true?

1, The report about a cloud overshadowing the Prophet, peace be upon him, is mentioned in connection with the meeting between the Prophet, peace be upon him, and the Christian monk Bahirah, when the Prophet, peace be upon him, was traveling with his uncle, Abu Talib, to Syria. At that time, the Prophet, peace be upon

him, was only 12 years old. The reports concerning the whole episode are not particularly authentic.

Although the Prophet's companions have reported everything that was connected with the Prophet, they do not particularly mention anything about a cloud overshadowing him wherever he went. Hence, such matter should not be given excessive importance.

2. Some people tend to ascribe certain things, which they consider as virtues to the Prophet, without having any sound basis for them. The point you have raised is one such thing. Recently, I answered a question on whether it is true that the Prophet, peace be upon him, had no shadow. I said then that it was a false notion and that it neither gave a distinction to the Prophet, peace be upon him, to have no shadow nor did it detract from his honor and position to have a shadow.

To say that Prophet's urine and stools were not impure is just an attempt to say that the Prophet, peace be upon him, was unlike other human beings or to ascribe to him an air of holiness which he was keen to dispel. Certainly, it is not true at all to suggest that what he discharged as a human being was any different from what is discharged by other people. He certainly washed his clothes from any impurity and he was keen to purify himself every time he went to the toilet. To suggest otherwise, is to deviate from the teachings of the Prophet, peace be upon him.

Prophet Muhammad: His Wives

Could you please explain how many wives the Prophet, peace be upon him, did actually marry and what were the reasons for his marriages.

Lady Khadija and Lady Ayesha were the best known of the Prophet's wives. He married Lady Khadija when he was twenty-five. Some reports put her age at the time of his marriage at forty, but this is most probably not correct considering that she gave the Prophet, peace be upon him, no fewer than six children, some of whom were born more than ten years after their marriage. All indications suggest that she was much younger than that, perhaps in her early thirties. He was married to her for twenty-five years during which he did not get married to anyone else. She died ten years after the Prophet, peace be upon him, started to receive revelations from Allah, and three years before his emigration from Makkah to Madinah. The Prophet, peace be upon him, continued to have good memories of his marriage to Lady Khadija right to the end of his blessed life.

After Lady Khadija's death, the Prophet, peace be upon him, was married to two women, Lady Sawdah, who was in middle age when he married and Lady Ayesha, the daughter of his most intimate friend, Abu Bakr. Lady Ayesha was young at that time, with many reports putting her age at nine or ten. It must be borne in mind that such reports could not have been accurate in a largely illiterate community where there was no registration of births or deaths. But from the total sum of the reports that mention Lady Ayesha, her early childhood, youth, marriage and later life, we can conclude on very reliable authority that she was well in her teens when she got married to the Prophet, peace be upon him.

I have mentioned in the past that many of the Prophet's marriages were motivated by political, social or legislative considerations. As we have mentioned, Lady Ayesha was the daughter of Abu Bakr, the Prophet's friend and successor. He was also married to Lady Hafsa, the daughter of Omar ibn Al-Khattab, the second ruler of the Muslim state after Abu Bakr. So, both of the first two of the rightly guided caliphs had their daughters married to the Prophet, peace be upon him. The third and fourth, Osman and Ali, were married to the Prophet's daughters.

The Prophet, peace be upon him, also married Umm Habibah, the daughter of Abu Sufian, the leader of Quraish who was waging a most determined fight against Islam. Lady Umm Habibah had emigrated to Abyssinia a few years earlier when the Prophet, peace be upon him, advised a group of his companions to travel and settle there. During her stay in that faraway country, Umm Habibah's husband died. She was in a very difficult situation, having no relations in Abyssinia, with her father leading Quraish and other Arabian tribes in a fight to exterminate Islam. Learning of her plight, the Prophet, peace be upon him, sent one of his companions to Negus, the ruler of Abyssinia who had accepted Islam, to arrange his marriage to Lady Habibah and send her to him. That was a marriage even Abu Sufian, her father, could be proud of.

The Prophet, peace be upon him, also married Umm Salamah, the widow of one of his valiant companions, who was left with children to look after and practically no one to support her.

Two marriages had clear political motives. The first was the Prophet's marriage to Lady Juwairiyah, the daughter of a Tribal chief who had raised an army to fight the Prophet, peace be upon him. The Muslims preempted his attempt and managed to inflict a heavy defeat on him and his tribe of Almustalaq. Many of the men in that tribe were taken captive, and as was the common practice at that time, prisoners of war were made slaves. The Prophet, peace be upon him, hated slavery and freed every slave who came into his possession. When the Prophet, peace be upon him, married Lady Juwairiyah, his companions felt that they could not keep the Prophet's "in-laws" as their slaves. Therefore, they refrained from taking any one of them and let them free. It was said of Lady Juwairiyah that probably no woman brought her tribe greater blessings.

The other marriage to be mentioned in this connection was the Prophet's matrimonial union with Lady Safiyah, the daughter of Huyai ibn Akhtab, a Jewish scholar who was dedicated to fighting the Prophet, peace be upon him, and Islam. In fact, it was Huyai who worked hard to forge an alliance of Arabian and Jewish tribes which marched on Madinah to try to eliminate the Muslim community altogether. That was the alliance, which tried to attack the Muslims in what is known as "the expedition of the Moat [Ghazwa-e-Khandaq]." Huyai was executed along with the Jews of Huraithah after victory was granted by God to Muslims. A couple of years later, Safiyah's Jewish husband was killed in the Battle of Khaybar. After the battle, the Prophet, peace be upon him, married her to help normalize the relations with those Jews who continued to live in Arabia. In fact, Lady Safiyah fell to the Prophet, peace be upon him, as a slave as part of his share of what the Muslims gained as a result of the battle. He, however, offered her freedom if she would accept Islam, which she did, and he married her.

Now about the Prophet's marriage to Lady Zainab, who was known by the title, "Mother of the Poor", because she was so keen to help every poor person. She was married to the Prophet, peace be upon him, for only two months before she passed away. The other marriage was to Lady Maimounah, which took place after the Prophet, peace be upon him, and the Muslims went for their Umrah, a few months before the conquest of Makkah.

One marriage, which had clear legislative purpose, was that which saw the Prophet, peace be upon him, married, by God's own order, to Lady Zainab bint Jahsh. Before Islam and well into the early years of the Muslim settlement in Madinah, the Arabs used to recognize adoption as giving full parental status. Thus, if a couple adopted a child, he was considered their own son or daughter in every respect. Islam, however, stopped adoption and considered it a forbidden practice, which could give no legal effect to any relationship. The Prophet, peace be upon him, had adopted, in pre-Islamic days, a young man who had been gifted to him as a slave. The young man

was known as Zaid ibn Harithah. He declared his adoption of Zaid, who was subsequently known as Zaid ibn Muhammad. It is perhaps worth mentioning here that Zaid was the first man to adopt Islam. When the prohibition of adoption was declared, Zaid reverted to his original name and was known ever since as Zaid ibn Harithah, after his real father.

The Prophet, peace be upon him, had married Zaid to Lady Zainab, the daughter of his paternal aunt. However, Zainab was rather unhappy about the marriage, because of Zaid's former slave status. Zaid was very uneasy about the marriage and asked the Prophet's permission to divorce her. At this point, the Prophet, peace be upon him, was ordered to allow the divorce to go through and to marry Zainab after her waiting period was over. The Prophet, peace be upon him, was very reluctant to do so, because of what people might say about his marrying his former "daughter-in-law". But God wanted to demonstrate in practice the absolute invalidity of adoption in the most practical manner. God declares in the Qur'an:

"When Zaid had accomplished his purpose with her, We married her off to you so that there would be no objection for believers in respect of their adopted sons' wives once they have accomplished their purpose with them. God's command must be done." [the Clans — "Al-Ahzab" 33: 37]

A few verses later, God declared:

"Muhammad is not the father of any of your men, but he is God's messenger and the seal of the prophets." [the Clans — "Al-Ahzab" 33: 40]

I hope I have made this question clear to you.

Prophet Muhammad: Man & Prophet, Peace Be Upon Him

"Muhammad is only a messenger: other messengers have passed away before him. If, then, he dies or is slain, will you turn about on your heels? He that turns about on his heels will not harm Allah in any way. Allah will reward those who are grateful (to Him)".

(the House of Imran, "Aale Imran": 3:144] Commentary by Sayyid Qutb — Translated & Edited by Adil Salahi.

This verse refers to a particular incident, which took place during the battle of Uhud. The Prophet, peace be upon him, had stationed a detachment of his soldiers on top of the mountain behind the Muslim army. They were the rearguard, equipped with bows and arrows to repel any attack, which might be launched against the Muslim army from behind. When the battle appeared to be all over, most of them left their positions, against the express orders of the Prophet, peace be upon him.

A battalion of the enemy forces were thus able to go round the mountain and attack the Muslims from behind. The Prophet, peace be upon him, himself was injured: his front teeth were broken, and he was wounded in his face and was bleeding. The situation became chaotic and the Muslim army was in disarray. At this moment, someone cried out 'Muhammad is killed'. That was a great shock to Muslims. Many of them turned round to go back to Madinah. They went up into the mountain, shattered, defeated in despair. However, the Prophet, peace be upon him, himself with a small group of his companions stood firm. He called his companions as they turned round. When they heard him, they began to rally. Allah helped them regain their moral strength and allowed them to be overtaken by momentary slumber to give them a feeling of strength, security and reassurance, as will be explained later.

This incident which caused the Muslims to fall in such disarray and to suffer such a lapse of concentration is used in the Qur'an to drive home to the Muslims certain

fundamental principles. A number of facts about life and death and the history of divine faith and its advocates are outlined within its context:

"Muhammad is only a messenger: other messengers have passed away before him. If, then, he dies or is slain, will you turn about on your heels? He that turns about on his heels will not harm Allah in any way. Allah will reward those who are grateful to Him." [the Family Of Imran — "Aale Imran" 3: 144

Muhammad is only a messenger, having been preceded by all other messengers. He will die as other messengers have died before him. This is an elementary fact. How is it that you have shown yourselves oblivious of this fact when it stared you in the face during the battle?

Muhammad is a messenger of Allah, entrusted with the task of conveying His message. Allah is eternal and His word never dies. The believers should never contemplate turning about on their heels if the messenger who has come to convey to them Allah's word dies or gets killed. This is also an elementary fact, which the Muslims overlooked, in the great confusion they experienced. It is not right that believers should overlook such an elementary fact.

Human beings die and perish, while the faith survives. The way of life Allah has designed for mankind has its own entity; it is independent of those who convey it to people, be they messengers or [other] believers. Every Muslim loves Allah's Messenger, peace be upon him. His companions loved him as no one had ever been loved before. They were ready to sacrifice their lives in order to spare him the slightest pain. One of his companions, Abu Dujanah, made of himself a shield to protect the Prophet, peace be upon him, and was hit by numerous arrows in his back and never stirred. Only nine of his companions were close to him when he was target of a determined attack by the disbelievers, and those nine continued to defend him most courageously, until they were killed, one after the other. Many others in every generation and in all places continue to love him with all their hearts and they feel the great passion of love every time he is mentioned. Every Muslim who loves Muhammad, peace be upon him, in such a way is required to distinguish between the Prophet, peace be upon him, himself as a person and the faith he has conveyed to mankind and left intact for all people to accept and implement. It derives its continuity from Allah who never dies.

The message is much older than its advocate: ***"Muhammad is only a messenger: other messengers have passed away before him."*** They all preached the same message, the roots of which go back to the beginning of history. It starts with the beginning of human life, providing mankind with guidance and peace from the very first day of their existence.

The message is also greater than its advocate and lasts longer. Many of its advocates have come and gone, while it continues to serve as guidance to succeeding generations. Its followers have their link with its Originator, who has sent messengers to convey it to mankind. He is Everlasting and believers address their prayers to Him. None of them may turn about on his heels or turn his back to Allah's guidance. This explains the stern warning implicit in this verse: ***"If, then, he dies or is slain, will you turn about on your heels? He that turns about on his heels will not harm Allah in any way. Allah will reward those who are grateful to Him."***

The vivid description of turning back is to be noted: "Will you turn about on your heels?" The physical movement depicted here brings alive the meaning of abandoning faith as if we see it with our own eyes. The verse does not refer to the physical turning away as a result of defeat in battle. It is more concerned with the psychological turning about when a voice cried out that Muhammad was killed. Some

Muslims felt that there was no use in fighting the polytheists, since the death of Muhammad, peace be upon him, signaled the end of this faith and the end of combating polytheism. The psychological effect is delineated in terms of turning about on one's heels, which was a movement that actually took place during the battle. It is this very attitude against which An-Nadhr Ibn Anas, a companion of the Prophet, peace be upon him, warned his fellow Muslims when he saw that many of them had laid down their arms. When they said to him in reply to his question about their attitude, that Muhammad is dead, he said: "What use is life to you after he has died? Get up and die for the cause for which Allah's Messenger, peace be upon him, has sacrificed his life."

"He who turns about on his heels will not harm Allah in any way." It is indeed he who is the loser. He who deviates from the path of faith harms himself and causes Allah no harm. Allah is in no need of mankind or their worship. It is out of His grace that He has given His servants this constitution for their own good and happiness. Every one who turns his back on it suffers from confusion and misery. Everything is thus set on the wrong footing. Life itself becomes deviant. People suffer the evil consequences of turning away from the only constitution, which provides harmony in human life and achieves harmony between man, his nature and the universe around him.

Allah will reward those who are grateful to Him. They know the great bounty Allah has given His servants by establishing for them this code of living. They show their gratitude to Him by following this code and praising Allah. They reap the benefits of this way of life and achieve total happiness. This is good reward for their gratitude. But they also have an increase of happiness with the reward they receive from Allah in the Hereafter. That is a much greater reward, and, unlike everything enjoyed in this world, it is everlasting.

Prophet Muhammad: Only A Human Being, Peace Be Upon Him

You have emphasized on several occasions that Prophet Muhammad, peace be upon him, was an ordinary human being. It is well known that a person who accomplishes some extraordinary things is himself extraordinary. Prophet Muhammad, peace be upon him, received revelations from Allah, sent to heaven, met Allah and conversed with Him. How can he be projected as an ordinary human being? I fear that this might be a slip into disrespect. Please comment.

I have indeed said that Prophet Muhammad, peace be upon him, was and continued to be an ordinary human being throughout his life. This is indeed what he has been required to declare to his people when they made absurd demands that he should accomplish some supernatural things to prove his Prophethood. Allah instructs him in Surah 17 entitled "The Night Journey": ***"Say: limitless in His glory is my Lord! Am I anything but a human messenger?"*** The final verse of Surah 18 entitled "The Cave" gives this instruction to the Prophet: ***"Say: I am but a mortal man like all of you. It has been revealed to me that your God is the One and only God."*** In both the verses, the emphasis is placed on the fact that Prophet Muhammad, peace be upon him, was an ordinary human being, a mortal, who had been chosen for the noble task of being Allah's messenger. He himself made no claim whatsoever to being anything other than a human being that has been given a divine message to convey to mankind.

If we were to claim that he had a superhuman status, should we not ask what status would that be? We can only think of an angel, or that of a god. Far being from him to make any claim to Godhood. We should never contemplate for a moment that anyone, including Prophet Muhammad, peace be upon him, had any divine status of any sort. The only alternative would be that he was an angel. He certainly was not,

because he had all the characteristics of human beings. Let us remember that angels have not been given the power to choose attitudes and actions. They simply "do not disobey Allah whatever He commands them, and they do what they are bidden." It simply does not occur to an angel to disobey. Human beings, on the other hand, have always the choice of doing what God likes them to do or of disobeying Him. This ability to choose is the distinctive quality of human beings, which enables them to earn admittance into heaven if they consistently choose what pleases Allah. They certainly experience temptation to disobey Him and it is through rising above that temptation that they prove their worth. Prophet Muhammad, peace be upon him, was certainly a human being and he shared with all humans all their qualities and characteristics. He would love and hate, experience happiness and distress, satisfaction and irritation, calmness and anger, etc.

The Prophet, peace be upon him, was great because he was able to conduct his life in the way he did despite experiencing all the feelings and emotions of human beings and working within their limitations. You say that he was extraordinary because he did extraordinary things. He certainly was favored with receiving Allah's message and being assigned the task of conveying it. That is why we are required to declare that we believe that he was Allah's messenger. If we do not, then we are not Muslims. But that is as far as it goes. He gave us a living example of what a perfect human being is like. We can follow his example in every respect. Indeed, we should try to do so. But we should remember that Prophet Muhammad, peace be upon him, did not choose to have revelations, it was Allah who chose him to be His last messenger to mankind and sent down His revelations to him. Nor did Prophet Muhammad, peace be upon him, have any say in his ascension to heaven: it was Allah who wished to favor him with that to give him reassurance, at a time when he certainly needed that reassurance. He decidedly did not meet with Allah nor did he converse with Him. Allah only revealed what He wished to reveal to him through the Archangel Gabriel. What we are told about his ascension to heaven in the Qur'an is that he "has seen some of the greatest signs of his Lord." No human beings has ever spoken to Allah directly except Prophet Moses. We must not confuse matters.

When we stress the humanity of Prophet Muhammad, peace be upon him, we are not being disrespectful to him. Indeed, we love him and respect him so much because he has been a means for us to have divine guidance which enables us to earn reward from Allah and ensures for us a happier life in the next world.

Prophet Muhammad: Sensing People's Concerns

Commentary By Adil Salahi — Arab News

The Prophet, peace be upon him, had an eye to what people felt and what they might be going through. He encouraged his companions to express their feelings, so that he would address their concerns if that were within his ability. If they desired anything legitimate or permissible, he would help them to have it. Sometimes the Prophet, peace be upon him, received delegations from other tribes, who wanted to find out about Islam. Then there were Muslims wanting to learn more about their faith so that they could relay it to their people. We have many Hadiths about the visits of such delegations, each giving some insight into what the Prophet, peace be upon him, emphasized to people whose stay with him was limited. Malik ibn Al-Huwayrith was a member of one such delegation, and he reports:

"We visited the Prophet, peace be upon him, and we were all young men of similar age. We stayed with him for twenty days. He then sensed that we missed our families, so he questioned us about our people whom we left behind. He was both caring and compassionate. He said to us: 'Go back to your people and teach them, and explain to them their duties. Pray as you have seen me pray. When a prayer is

due let one of you call the Athan, and let your eldest lead you in prayer.'" [Related by Al-Bukhari, Muslim, Ahmad and Al-Nassaie].

The reporter of this Hadith was a young man who visited the Prophet, peace be upon him, with some friends and stayed with him for 20 days. Since the members of this delegation were all young men, of similar age, and learned from the Prophet, peace be upon him, over the same period, they were equally qualified in their knowledge of Islam and the standard of their recitation of the Qur'an. Hence the Prophet, peace be upon him, told them whom to choose as their leader in prayer. Normally, the imam who leads the congregational prayer should be the one who recites the Qur'an best. If two or more were of equal standard, then the one who knows more about Islam and its teachings is preferred. Should there be two or more of similar standard, then the eldest. The next aspect of preference when all these are equal is the one who is known to be more God-fearing. If several people equally meet all these qualities, then the congregation may choose any of them.

All this applies when there is no one that qualifies on other basis. Normally, the leader of prayer is the ruler, or his deputy, or the local governor, or the regular imam in a mosque. If a congregational prayer is held in a house, then the house owner is to lead the prayer, unless he asks one of his guests to take over.

But we note also in this Hadith how the Prophet, peace be upon him, was keenly aware of the concerns of the delegation. Realizing that those young men must have left behind people who were close to them, he asked them about their families and friends. As they told him, he must have shown the sort of care that merits the reporter's description, "he was caring and compassionate." He did not wish to detain them further, although any young Muslim would have greatly benefited by remaining close to the Prophet, peace be upon him. He let them go back, instructing them on how to instruct their people and give them the knowledge of Islam they gathered during their stay in Madinah.

That the Prophet, peace be upon him, was caring is reflected in many situations. Sometimes we feel that Islamic requirements, as explained by some scholars, are difficult. People insist on asking more than what is sufficient, feeling that the more they ask people to do the more God-fearing and righteous they will be. But the Prophet's guidance shows that he always preferred the easier option, as long as it was permissible. Even in matters of worship, he always impressed on his followers to choose the easier option. Abu Hurairah quotes the Prophet, peace be upon him, as saying: "When any of you leads the prayer in a congregation, let him make his prayer light and short, for the congregation may include a sick or weak or elderly person. If you are praying alone, you may make your prayer as long as you wish." [Related by the six except Ibn Majah, and also by Malik and Ahmad].

The Prophet, peace be upon him, here explains why the imam must make the congregational prayer light. It is to care for the weaker elements in the group. People may be sick, tired, weak, having pressing business, etc. Such people will not be comfortable if the prayer is made long. Hence the Prophet, peace be upon him, says that when we pray individually, we can make our prayer as long as we desire, but when we lead a congregation, then the prayer should not be made difficult, even for an elderly or sick person.

The Prophet, peace be upon him, also provides practical guidance on this question. Anas ibn Malik reports: "The Prophet, peace be upon him, said: 'I begin a prayer intending to make it long. I then hear a child crying, and I make my prayer short, because I know that the child's mother would be too concerned as she hears it cry.'"

In such a situation, the Prophet, peace be upon him, makes his prayer short for a totally different reason. He may be aware that everyone in the congregation is able

and happy to offer a long prayer. Needless to say, hearing the Prophet, peace be upon him, reciting the Qur'an in prayer is in itself a joy, and joining him in prayer is a great act of worship. Hence, his companions were always happy to stand behind him in prayer. But then the cry of a child makes him change his intention and opt for a short but complete prayer. While the Prophet, peace be upon him, could be aware that the child is in no danger and would not come to any harm if he cries a little, he realizes that his crying, worried lest the child be in trouble, would inevitably distract the child's mother. Hence, the Prophet, peace be upon him, shortens his prayer to allow her to attend to her child. Thus, the whole congregation finds their prayer subject to the needs of a young child expressing distress and demanding care. Only the compassion of the Prophet, peace be upon him, allows this. He was indeed compassionate, as God describes him in the Qur'an:

"Indeed there has come to you a Messenger from among yourselves: One who grieves much that you should suffer; one who is full of concern for you; and who is tender and full of compassion toward the believers." [Repentance — "At-Tauba" 9: 128]

Prophet Muhammad: Was Muhammad, Peace Be Upon Him, Infallible?

We know that the Prophet, peace be upon him, never committed a sin. We also know that he had never made a mistake as far as religious teachings are concerned. Did he ever make a mistake in worldly matters, keeping in view the story of the blind man and that of the palm tree as well as his divorce of one of his wives before marrying her anew.

As far as the infallibility of the prophets is concerned, Muslim scholars are unanimous that Allah has protected His prophets and messengers against committing any grave sin, either before or after their Prophethood. The overwhelming majority of scholars are also agreed that all prophets and messengers have been also protected against committing any trivial sin, although such sins do not affect their honorable positions or detract from their honor. The fact is that Allah has made prophets, men of exemplary conduct. Allah directs us to follow their example in always avoiding anything, which is unbecoming of a man of the highest moral standards. He says in the Qur'an, referring to the prophets: These are the men, Allah has rightly guided. Then follow you their guidance. Hence, according to majority of Muslim scholars, Allah has protected all prophets against committing any sin, grave or trivial.

Worldly matters, however, are left to personal discretion. Our respect of the people Allah has chosen to be the prophets should prevent us from speaking of any action made by a prophet in such matters as a mistake. We know, for example, that Prophet Muhammad, peace be upon him, used his discretion and expressed his opinion in any ordinary matter. In the battle of Badr, the Prophet, peace be upon him, chose a certain spot for the Muslim army to encamp. That spot was not suitable from the strategic point of view. One of his companions asked him: "Messenger of Allah, has this spot where you have encamped been chosen for you by Allah, or is it your personal choice?" When the Prophet, peace be upon him, informed him that it was the latter, the man counseled the Prophet, peace be upon him, to move to another spot, explaining his reasons for his own choice. The Prophet, peace be upon him, recognized that the man's advice was sound and gave his order to the army to move in accordance with that advice.

The same applies to the incident when the Prophet, peace be upon him, suggested to farmers that it might be better if they left palm date trees without doing a particular thing they habitually did to them. When they complained later that the trees did not yield as they normally did, the Prophet, peace be upon him, said his widely quoted

statement: "You know the affairs of your world better." The two incidents belong definitely to the realm of worldly affairs on which religion gives us no instructions. In such matters we use our own discretion. The same applies to the Prophet, peace be upon him.

Not so in the story of the blind man. He was a believer who asked the Prophet, peace be upon him, to teach him Islam when the Prophet, peace be upon him, was busy with a group of the Quraish leaders, trying to explain to them the nature of his message and impressing on them the need to become Muslims. The Prophet, peace be upon him, was not happy about being interrupted by the blind man and his face changed color. Obviously, the blind man could not see that. Allah reproached the Prophet, peace be upon him, for doing so, informing him that he should have attended to the person who has already accepted the faith in preference to those high class people who had not. This is a matter which is directly relevant to the attitude of the Prophet, peace be upon him, or indeed any advocate of Islam, in situation where his attention is claimed by conflicting concerns. Allah gives us the instructions to follow, making it absolutely plain that a poor, blind believer who may be looked upon by others as a man of no importance must be given priority over non-believers, regardless of their high position in society. It is a matter concerned with values. Hence, it is Allah who rules on this.

Some people misinterpret this incident so as to quote it in order to prove that the Prophet, peace be upon him, committed a sin. Indeed when the Prophet, peace be upon him, went out of his way to explain the message of Islam to those non-believers, he was only fulfilling the duty Allah had imposed on him. At no time did he ever think that the blind man had no claim on his attention. He simply wished that he could have waited a little until he had finished with the people to whom he was talking. The Qur'anic verses which describe this incident do not suggest in any way that the Prophet, peace be upon him, committed a sin or an offense. They simply direct the Prophet, peace be upon him, to the proper course of action and inform him that the people to whom he was talking would not accept the message of Islam.

It is not true that the Prophet, peace be upon him, remarried any of his wives after having divorced her. What happened is that the Prophet's wives joined in a common request that he should provide for them more of the comforts and luxuries of life. Since he never thought of these trivialities except as trivialities, and he had not the means to grant their request, he was so distressed that he left them for a month without coming near anyone of them. He gave them the choice to either stay with him and accept the standard of living he could afford. That would ensure great reward from Allah in the life to come. If any of them opted for the easy comforts of this life she had only to make her choice known and the Prophet, peace be upon him, would have divorced her and given her what she desired. All of them chose to remain with the Prophet, peace be upon him, and were happy to accept whatever he could give them. They were indeed the happiest of women because they were married to the man Allah had chosen to convey His final message to mankind.

Now we cannot describe this incident or the choice offered by the Prophet, peace be upon him, to his wives as a mistaken action. It is simply a development, which took place in the Prophet's household. He himself was the example of kindness itself. He afforded his wives the sort of treatment, which is synonymous with love, care and thoughtfulness. As human beings, they might occasionally be jealous of one another, or might form alliances. The Prophet, peace be upon him, was the kindest of all husbands. His kindness was shown equally to all his wives.

Prophet Muhammad: What Can the Prophet Do For Us In This World?

Could you please comment on the practice of many people who appeal to the Prophet, peace be upon him, when they visit his grave in Madinah,

addressing him as "Ya Muhammad" or "Ya Rasool Allah", or "Oh Shah-e-Madinah", etc., and then ask him to accomplish certain things for them such as solving some problems or curing some diseases, or giving them children, etc. Many believe that the Prophet, peace be upon him, is still alive inside his grave and that he is able to pray to God on behalf of those people.

There is no doubt that the Prophet Muhammad, peace be upon him, was the noblest soul to walk this earth. God has given him the greatest position in the history of the human race when He required every believer to bear witness to the truth of His message at the same time as he declared his firm belief in the Oneness of God. Thus, every believer is required to declare: "I bear witness that Muhammad is God's messenger." God has ensured that the Prophet Muhammad, peace be upon him, would be held with the greatest respect by all believers in all generations until the Day of Judgement. There is no need, then, to try to add to this honor by inventing anything that God has not sanctioned or the Prophet, peace be upon him, has not outlined. No addition is admitted in matters of religion. Islam makes it very clear that the Prophet, peace be upon him, was only a human being, a good servant of God who delivered His message in full, as he received it from on high. Therefore, he has only the position of a human being and all the limitations of human beings apply to him. That is the reason why his life on earth ended in the same way, as is the case with all human beings. He died and was buried. He will be resurrected with the rest of mankind at the appointed hour. The honor God will bestow on him on that day is also well identified. But in the intervening period between his death and his resurrection, he has no function or power to do anything for those who are alive. His noble life was certainly a great blessing for all humanity in his generation and for the rest of time. Those who follow his teachings will be able to enjoy happiness in this life as well as in the life to come. But at this moment in time, he is a dead human being. It is a great affront to the Prophet Muhammad, peace be upon him, to try to give him the position of partnership with God or to bestow on him attributes that belong to God alone. For example, it is God alone who has an eternal life. That is the reason why The Eternal is one of the main attributes of God. To say that the Prophet Muhammad, peace be upon him, is still alive and will continue to be alive until the Day of Judgement is to make him share that attribute which belongs to God alone. That is unacceptable.

What is the status of the Prophet Muhammad, peace be upon him, now? Just like any human being whose life is over, he is dead. But death is a stage between two forms of life. The Prophet, peace be upon him, has told us that after his death he would be in some sort of a state that is unlike this life of ours or the life to come after resurrection.

We do not know anything about that status except that it is not one where the Prophet, peace be upon him, is able to respond to any appeal or fulfill any need. To suggest that he is, means giving him power that belongs to God alone. Besides, the Prophet, peace be upon him, strove harder since the day he began to receive divine revelations to the last day of his blessed life to establish the concept of the Oneness of God as it should be held by believers. He has told us that we must only appeal to God, pray to Him in all situations, ask His help and fear His punishment. So, to try to give the Prophet Muhammad, peace be upon him, the status of a partner with God is to disobey him and to contradict everything he did to establish the concept of God's Oneness. As I have already said, that is certainly an affront to him. There is no doubt that those who stand at the Prophet's burial place and appeal to him to fulfill certain needs, such as to give them babies or to cure them from disease or to solve problems, are guilty of a sin that takes them outside the place of Islam altogether. Such requests can only be fulfilled by God and must always be addressed to Him alone. But people do this also with so many human beings that they elevate to the

position of saints, making the grave of each one of them a shrine which they visit regularly, particularly on death anniversaries. They go there to pray, eat, spend days in what they consider to be worship and appeal to those dead people to grant them their wishes. They hold their marriages there because they believe that would ensure the success of such marriages. Married couples try to have a pregnancy conceived on such occasions. All such activities fly directly in the face of what the Prophet, peace be upon him, has taught us. All these practices are aspects of shirk which is gravest of sins a human being can commit. Shirk is to associate partners with God. People who are involved in such practices are guilty of such shirk. They create of those dead people partners with God and believe that they are able to benefit them. Those dead people have no power to benefit their own souls. Indeed, it is the living that can benefit the dead by praying to God for them.

We must always be clear in our minds that God is One who has no partners in any shape or form. There is no intermediary between ourselves and God. We can address our supplication to Him and He has promised to answer us. Therefore, why put any intermediary between us and Him? Why disobey Him when we are in need of His help? Imagine that an employee has a request to make and he wants his boss to grant that request. Suppose that the boss has made specific instructions on how such requests should be put to him. Can we imagine that the employee would act in total disregard of those instructions and put his request in the very method that his boss has made it clear he would not accept? That is exactly what human beings do with God Himself.

He has told them that He accepts no partners. He is quoted to have said: ***"I am the least in need of any partner. If any of My servants attributes a partner to Me, I abandon him to that partner."*** What happens when people address their supplication to God through a saint is that God abandons them to that dead person to answer them. God makes it clear in the Qur'an that those who are dead in their graves cannot hear. He tells His messenger: ***"You certainly have no ability to make those in the graves hear you."*** Yet people continue to go to these graves and put their cases to their dwellers. Their requests will remain there, unheard and unanswered.

Prophets: Are They Sinless?

A well-known concept says that prophets are sinless, but a tradition of the Prophet, peace be upon him, says that all human beings are sinners. Please comment.

You speak of a well-known concept, but I do not know it. Speaking to the Prophet, Allah says in the Qur'an:

"Know that there is no deity save Allah and seek forgiveness for your sins, and for the believers, men and women. ..." [Muhammad 47: 19].

If Allah tells the Prophet, peace be upon him, to include in his supplication a prayer for forgiveness of his own sin, then the concept you are speaking about is false. We know, however, that Allah has forgiven the Prophet, peace be upon him, all his sins, even before they are committed. We also know that the Prophet, peace be upon him, was the most obedient of Allah's servants.

Once Ayesha saw the Prophet, peace be upon him, standing up in worship in the middle of the night, despite being tired. She asked him, why did he make such a great effort when he has already been forgiven all his sins. He replied rhetorically: "Should I not, then, be a grateful servant of Allah?"

The Hadith to which you are referring is authentic. It states: "All human beings are prone to error and the best of those who err are those who repent."

Prophets: Difference Between Prophets & Messengers

1. What is the difference between a prophet and a messenger?
2. According to Muhammad Iqbal, a prophet may be defined as, "a type of mystic consciousness in which unitary experience tends to overflow its boundaries and seeks opportunities of redirecting or refreshing the forces of collective life." Do you agree with this definition? How do we differentiate between the prophet and messenger?

1. A messenger is a prophet who is given a message to deliver to his people, or to mankind, as in the case of Prophet Muhammad, peace be upon him. A prophet may not have a message of his own, but rather he endorses the message of an earlier or contemporary messenger.

2. I am grateful that you have given the reference from which you have quoted this definition which occurs, as you have stated, in Iqbal's *The Reconstruction of Religious Thought in Islam* [Chapter 5, pp. 125]. Unfortunately, I could not manage to obtain a copy of this book in order to look at it in the context where it occurs. Hence I will not be able to discuss this definition in detail.

Let me say, however, that Iqbal was a man who realized that Muslims could not hope to regain their position in the world unless they live their faith and implement it in their lives. The question of the Muslim nation or community, which combines strength with self-reliance and is able to free itself from the colonialism was one of his main preoccupation. He embodied his ideas in poetry and philosophical thinking. Hence, when we read Iqbal we have to make allowance for the type of expression he chose to give his ideas.

Moreover, Iqbal tended toward Sufism or mysticism and on this I cannot agree with him. If we look at the definition you have quoted we are bound to realize the difficulty that arises from the use of poetic phrases like, "mystic consciousness, unitary experience, and collective life." What do such phrases mean exactly?

When you define something you have to use words and phrases that have clear and precise meaning that leaves no room for controversy. The phrases that we encounter here are totally lacking in precision. May be the problem is with the translation of the text. May be the difficulty arises from trying to use poetic language to express philosophical thoughts. May be the mystic tradition has influenced Iqbal's mode of expression. Or may be the ambiguity is due to all these factors combined. The fact is that the definition, as you have quoted it, does not tell us what is a prophet. It may pass as a definition of Prophethood, but even then it is lacking in clarity and precision. It does not speak of a person but of "consciousness" and "experience." But then are we quoting Iqbal out of context? In such matters which are closely related to faith, it is always better to confine ourselves to what we are told in the Qur'an or the Hadith. When we do so we define a prophet as a human being chosen by God to receive revelations and to explain these to his community or to all mankind. Such revelations emphasize that human beings must submit themselves to God and conduct their lives in accordance with what He requires of them.

The number of prophets is unknown to us, because God has chosen to tell us the names of a few of them and has made it clear that there were others about whom He has decided not to tell us. A prophet is described by God as one who brings happy news and gives warnings. He warns against rejecting God and disobeying him, while the happy news he gives to those who submit themselves to God and do as He requires them to do.

Every community has received such warnings and promises at one time or another. It is up to them to take heed or not.

A messenger, on the other hand, is a prophet who is given a message to convey either to his community or to mankind generally. Only the Prophet Muhammad, peace be upon him, with whom the line of Prophethood comes to its final end, was given a message for all humanity. Former messengers had their messages to convey to their own communities. Thus a prophet may have a message of his own, in which case he is a messenger, or he simply endorses a message given to a previous messenger.

We do not need to go into any mysterious definition to understand what a prophet is and what his task is like. Islam has no mystery. It is people who try to give a mysterious color to some aspects of it, which often makes something, which is simple sound, complicated. This is not a proper way of clarifying things.

I do not say that Iqbal did that but the definition you have quoted is far removed from this simple notion. It is always better to stick to the simplicity that is characteristic of this great religion.

Prophets: Does Al-Khizr Relieve Distress?

What does the Qur'an say about the Prophet Khizr. Is it true that he can appear at any time and place to relieve people's distress? Is he an angel or a human being?

The Qur'an does not mention Al- Khizr by name. It is generally thought that he was the pious man the Prophet Moses met after a long journey in search for him, as mentioned in Surah 18, Al-Kahf. He did some strange actions, which Moses could not refrain from protesting against, despite having given him solemn promises not to ask about anything he did until he supplied the information of his own accord.

We do not know whether this man was truly named Al- Khizr or he was someone else. We do not know whether Al- Khizr was a prophet. God makes it clear that he sent prophets and messengers about whom He has chosen not to tell us.

As for the qualities you have mentioned, these are some of the inventions that people have coined without basis. Nothing of this is true.

Prophets: Making Distinction Between Prophets

In my home country people often refer to Prophet Muhammad, peace be upon him, as the best of all God's messengers. They use terms like Ashraf Al-Anbiya and Sayyid Al-Mursaleen. However, in more than one verse of the Qur'an there is clear indication that believers must never draw any distinction between God's messengers. How can the said descriptions of Prophet Muhammad, peace be upon him, which seem to be reiterated by all scholars, be reconciled with this Qur'anic order?

When you read the verses that require all believers not to draw distinction between God's messengers, you recognize that they refer to belief, not to ranks among prophets whom God chose as His messengers to mankind. Thus, the verse in Surah 2 reads:

"The Messenger believes in what has been revealed to him by his Lord, and so do the believers. Each one of them believes in God, His angels, His books, and His messengers. We make no distinction between any of His messengers. And

they say, 'We hear and we obey. Grant us forgiveness, Our Lord; to You we shall all return' [the Cow — "Al-Baqarah" 2: 285]

You note the change of address in the verse with the first two sentences, which report the attitude of God's messengers. The last sentence quotes all believers who make no distinction between God's messengers, but believe in them all as bearers of God's messages to mankind.

The following verse is even clearer in its reference to belief:

"Those who deny God and His messengers, and want to make a distinction between belief in God and belief in His messengers, and say: 'We believe in some but we deny others,' and want to pursue a path in between - those, in truth, are unbelievers." [Women — "An-Nis'a" 4: 150-151]

This means that a Muslim cannot speak of a prophet in a way that appears to be of no consequence if he did not believe in him. Thus, an Arab Muslim cannot refer to Prophet Moses and say: 'Well, he was a messenger to the Jews and I am not concerned with him.' Such an attitude brings the person concerned into disbelief in God. We must believe in all God's prophets and messengers, drawing no distinction whatsoever between them.

As for rank, some prophets and messengers are certainly given a higher one. God mentions in the Qur'an that he has given preference to some prophets. He says:

"Those are the Messengers! We have exalted some of them above others. To some God spoke directly, and some He raised in rank. We gave Jesus, the son of Mary, clear signs and strengthened him with the Holy Spirit." [the Cow — "Al-Baqarah" 2: 253]

The verse speaks of some aspects of the honor with which God favored some of His messengers, such as Moses to whom God spoke directly and Jesus whom He strengthened with the Holy Spirit. Abraham was granted the great honor of having the line of Prophethood in his seed. Needless to say, Muhammad has been honored with being the one who brings the line of Prophethood to its close, with his message applicable for the rest of time.

God also refers to messengers who were endowed with great resolve. These were Noah, Abraham, Moses, Jesus and Muhammad, peace be upon them and all other prophets and messengers. Since they have been given such greater resolve, they are of a higher rank.

Prophets: Moosa In Madyan & Company Of Shuaib

When the Prophet Moses was in Madyan as a guest of the Prophet Shuaib, did either of them know that Moses would be one of the greatest prophets? Was Moses receiving any religious training while he was in Madyan?

We do not know anything more than what we have in the Qur'an, and the Sunnah about the relation between Moses and Shuaib. Both were prophets and messengers of God. At the time when Moses was with Shuaib, where he stayed for 8-10 years, he had not yet received his message.

Did that stay involve religious training? Maybe only in as far as Moses was a believer who worshipped God alone. There might have been other instances of prophets sent to different communities at the same time, but we have no reliable information on this.

Prophets: Scholarly View Upon Women As Prophets

Were there any woman prophets? If not, why?

Some scholars are of the view that Lady Mary; Jesus' mother was herself a prophet. They also maintain that the mother of prophet Moses was also a prophet. They support their view with reference in the Qur'an to the fact that Allah inspired both ladies on certain occasions. The Arabic term used for "inspire" in both cases is the same one which also means "revealed to." As this is attributed to Allah, in both cases, the relevant verse may be rendered as "We revealed to" Moses' mother or Lady Mary. Such revelation, then, indicates that both ladies were prophets.

Prophets: Their Number

Who was the first Prophet and to whom was he sent? How many prophets did God send altogether?

The first Prophet was Adam, and he was sent to mankind. We do not know the exact number of prophets and messengers God sent to people because He says in the Qur'an that some of His messengers have not been mentioned by Him.

We know only about those mentioned in the Qur'an, and they number 25 only. But there were many more.

Punishment: Amputation — A Punishment To Fit the Crime

In the name of God, the Merciful, the Beneficent

"As for the man or woman who is guilty of theft, cut off their hands in retribution for what they have earned, as an exemplary punishment ordained by Allah. Allah is Almighty, Wise. But whoever repents after having thus done wrong, and makes amends, shall have his repentance accepted by Allah. Allah is Much forgiving, Merciful. Do you not know that to Allah belongs the kingdom of the heavens and the earth? He punishes whom He wills and he forgives whom He wills. Allah has power over all things."

[the Repast — "Al-Ma'idah": 5: 38-40] Commentary by Sayyid Qutb — Translated & Edited by Adil Salahi..

When someone thinks of stealing, he actually thinks of increasing what he owns at the expense of someone else. He feels that what he earns legitimately is too little for him and, therefore, he wishes to add to it in an illegitimate way. The fruits of his own labor do not satisfy his greed and he wants to appear to be wealthy or to get himself in a position where he does not need to work or where he is assured of a comfortable life in future. In short, the motive for stealing is to increase one's income or one's wealth. Islam counters this motive by prescribing the punishment of cutting of the thief's hand or leg, since such a punishment will markedly decrease the thief's ability to work and reduce his income and wealth. When a thief is punished according to Islam, his ability to show off is greatly curtailed and his need to work hard is much greater. Moreover, his worry about his future is infinitely greater.

We see, then, that by prescribing the punishment of cutting off a thief's hand, Islamic law counters the psychological motives of theft with even stronger psychological factors, which resist the temptation to steal. If, nevertheless, a person yields to temptation and is guilty of stealing, the severity of the punishment will have lasting effects on him to prevent a repeat. This is the basis for the Islamic punishment of theft. It is indeed the best basis for punishing this crime, ever since the creation of mankind.

Most legal codes punish theft with imprisonment, a punishment that has miserably failed in combating crime in general and theft in particular. The failure is due to the fact that imprisonment does not strengthen any psychological influence on a thief to turn him away from stealing. It does not prevent him from work and earning except for the duration of his time of imprisonment, when he has no need to earn since his basic needs are met. When he is discharged, he can go back to his work. Indeed, he has every chance to increase his wealth by both legitimate and illegitimate means. He can easily pretend to be a man of honor and integrity to secure the help of others. If eventually, he achieves his goal, well and good; or that is what he thinks. If not, his loss is minimal.

On the other hand, if a person guilty of stealing has his hand cut off, his punishment drastically reduces his ability to work and earn. This means, in practical terms, that his chances of increasing his income are totally lost, while a drastic reduction in income is most probable. He will not be able to win people's confidence as his own hand tells of his past crime. The unmistakable result, then, is that a thief will definitely end up in a loss if he is punished with cutting off his hand, while he is more likely to profit if he receives a prison sentence. It is in human nature that people do not hesitate to do what is likely to bring them profit and to refrain from something, which makes loss a certainty.

I wonder at those who claim that the Islamic punishment for theft is not suitable to our present society in view of the great advancement achieved by mankind. Do progress and advancement mean that we should encourage and reward a thief and allow people to live in fear? Or do they mean that we should work hard so that thieves and dropouts get away with the fruits of our labor? Or do they mean that we ignore the findings of science and human nature as well as the results of human experience and the conclusions of logical thinking in favor of an argument which is supported by new evidence, simply because it receives much propaganda?

If effectiveness in reducing crime is the criterion, which makes a certain punishment fitting to an age of progress and advancement, then imprisonment should be abolished as a punishment for theft and replaced by cutting off hands of thieves. This is because the latter is supported by undeniable psychological evidence, human nature and experience as well as logic. Imprisonment as a punishment is supported by none of these.

The basis of this Islamic punishment is a thorough study of human nature and human thinking. It is then, suitable for both the individual and community because it reduces crime and increases security. As such, it is the best and the fairest punishment.

Despite all this, some people object to the Islamic punishment for theft, because they find it cruel. Indeed, this is their only argument. But it is indeed a hollow argument, because no punishment is effective if it is felt not to be serious. Indeed, a punishment must be stern if it is truly a punishment.

In prescribing a severe punishment for theft, Allah, the most Compassionate and Merciful, says:

"As for the man or woman who is guilty of theft, cut off their hands in retribution for what they have earned, as an exemplary punishment ordained by God. God is Almighty, Wise." [Table Spread — "Al-Ma'idah" 5: 38]

The setting up of a deterrent example is intended, because to provide a deterrent is an act of mercy to anyone who contemplates stealing as he stops short of doing it. It is also an act of mercy to the community as a whole, because it increases its security. No one can claim to be more merciful to people than their Creator. Practical

experience shows that over the first century of Islam, only very few hands were cut off in punishment of theft. That is because the Islamic society with its stern punishment and adequate safeguards and provisions produced only very few thieves.

But Allah wants to leave the door open to anyone to repent and refrain from committing any crime in future, provided that he does not stop at this rather negative aspect but goes on to do what is positively good:

"But whoever repents after having thus done wrong, and makes amends, shall have his repentance accepted by God. God is Much-forgiving, Merciful."
[Table Spread — "Al-Ma'idah" 5: 39]

Wrongdoing is an action, which is both positive and evil. Therefore, it is not sufficient that a wrongdoer stops doing what is wrong. He should go further than that and do something, which is both positive and good. In Islamic law, however, the matter goes further than that. Man is a creature who has to have something to do.

If he stops doing evil without moving on to do good, he feels himself to be in a vacuum which may turn him back toward evil. But when he is positive and does good action, then he moves far from evil. This is an important aspect of the Islamic method of educating people and cultivating goodness in them.

Finally, the Surah states the overall principle of punishment in this life and in the hereafter. Allah, the Creator and Owner of the universe, can 'will' anything and determine the fate of every creature. It is He who enacts legislation for people to implement in their lives, and it is He who rewards them for their actions both in this life and in the Hereafter: "Do you not know that to Allah belongs the kingdom of the heavens and the earth? He punishes whom He wills and He forgives whom He wills. Allah has power over all things." It is then a single authority of dominion which issues legislation in this life and administers reward and retribution in the life to come. There is no division or multiplicity of authority. Indeed, human life can only be set right when the authority to legislate and to reward is united in both this life and the life to come.

Punishment: Amputation — Suspension Of the Punishment

When the Muslim State was stricken by famine, Caliph Omar suspended the enforcement of punishment for theft. The servants of the son of Hatib ibn Abu Baltt'ah stole a camel which belonged to a man of the tribe of Muzaynah. When they were proven guilty, Omar ordered their hands to be cut off. However, on learning that their master kept them hungry, Omar stopped the enforcement of this punishment. He further punished their master, imposing on him a fine equivalent to the price of two camels. It is within this context that we should view the punishments imposed by Islam as a part of comprehensive system which provides guarantees for all.

We cannot properly understand the wisdom behind a particular point of detail in Islam unless we understand the nature of this system, its basic principles and its guarantees. Moreover, details of the Islamic system should not be implemented in isolation to the rest of the system. We cannot simply take one legal provision or one principle of Islam and try to implement it in a social setup, which is not Islamic. Such an attempt is useless, nor can such an action be considered an implementation of Islam.

Punishment: An Eye For An Eye, A Tooth For A Tooth

In the name of God, the Merciful, the Beneficent

"Indeed, We did reveal the Torah, containing guidance and light. By it did the prophets, who had surrendered themselves to Allah, judge among the Jews, and so did the divines and the rabbis; they gave judgment in accordance with what had been entrusted to their care of Allah's scriptures and to which they themselves were witnesses. No, have no fear of men but fear Me; and do not barter away My revelations for a paltry price. Those who do not judge in accordance with what Allah has revealed are indeed disbelievers. In it (i.e. the Torah) We decreed for them a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and a (similar) retribution for wounds. But for [those who do not act] in accordance with what Allah has revealed are indeed wrongdoers."

[the Repast, "Al-Ma'idah": 5: 44-45). Commentary by Sayyid Qutb — Translated & Edited by Adil Salahi.

Every religion revealed by Allah comprises three essential aspects: a faith, which settles deep into the mind, a set of worship rituals and a law to regulate human life. The implementation of Allah's law will always be met by opposition from people in authority, those who pursue their own interest or their vain desires and the deluded masses who may find the implementation of Allah's law a heavy burden. Allah addresses His servants to whose care He entrusts the implementation of His law not to fear any human beings or their resistance, they should fear Allah alone.

Allah also knows that some of those who are charged with the safekeeping and implementation of Allah's law may find worldly temptations too strong to resist. As they realize that people with power or money and those who seek all types of pleasure oppose Allah's legislation, they may flatter them in order to gain something of the riches and pleasures of this world. Professional clerics in all generations have yielded to such temptation as did some Jewish rabbis. Allah addresses all those saying to them: ***"Do not barter away My revelations for a paltry price."*** This is the price they get in return for their silence or for their distortion of Allah's revelations or for issuing doubtful rulings. Indeed, every price offered is paltry, even if it includes all that is in this world. How could it be described otherwise, when it is no more than a position, a salary, a title and a petty interest for which faith is bartered away and hell purchased?

Nothing is more wicked than treachery by a person who is in a position of trust and nothing is more vile than the distortion of facts by a witness. Those who are given the title, "religious men" do commit such treachery and distortion. They remain idle when they are called upon to work for the implementation of Allah's revelation and they lift words out of context in order to please those in power at the expense of Allah's revelation.

In a most decisive, definitive and general statement, Allah tell us: ***"Those who do not judge in accordance with what Allah has revealed are indeed disbelievers."*** The generality of this statement makes it absolutely unrestricted to time or place. The ruling is definitive and applicable to everyone who does not judge according to Allah's revelation, regardless of where and in what period he lives.

The reason is the one we have already explained. A person whose judgment is at variance with Allah's revelation denies the Godhood of Allah. A basic quality of Godhood is the authority to legislate. Whoever observes something other than Allah's revelation in his judgment does not only reject a particular aspect of Allah's Godhood but also claims for himself certain qualities of Godhood. If that is not disbelief, I

wonder what is. For what use is a verbal claim of being a believer or submitting to Allah, when action denies such a claim?

Any argument about this definitive, decisive and general ruling is not more than an attempt to avoid facing the reality. To try to give this ruling a different interpretation is simply an attempt to lift words out of their context. Such arguments change nothing of Allah's clear and definitive judgment.

Having explained this basic rule in all divine faiths, the Surah gives some examples of the law contained in the Torah which Allah had revealed so that on its basis, prophets, divines and rabbis judge among the Jews: ***"In it We decreed for them a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and a [similar] retribution for wounds."***

These provisions outlined in the Torah have been retained in Islamic law as an integral part of it, since it is meant to be the law of all mankind, till the end of time. It is true that these provisions may not be implemented except in the land of Islam, but this is only for practical reasons. Islamic authority cannot implement these provisions beyond the borders of the land of Islam. Whenever and wherever Muslim rulers can implement these laws, they are required to do so. Since Islamic law is a code for all mankind in all generations, one provision has been added to them under Islam. This is the one to which reference is made in the following Qur'anic statement: ***"But for him who forgoes it out of charity it will atone for some of his sins."*** This was not included in the law of the Torah. Retaliation was inevitable. No one could waive it or forgo it. Hence no atonement of sins could be achieved through such a charitable gesture.

A word on the concept of retaliation in punishment for injuries that may not go amiss. The basic principle, which is established through this concept, is that of equality of human beings and equality before the law. No law other than that of Allah acknowledges such an equality so as to make the punishment equal to the crime and to remove all considerations of class, position, lineage and race. It is a principle which is amplified by its comprehensive application: ***"A life for a life, an eye for an eye, a nose for a nose, and ear for an ear, a tooth for a tooth, and a [similar] retribution for wounds."*** No distinction between rulers and ruled, or between one class and another. All are equal before Allah's law, since they all descend from one single soul created by Allah.

This great principle established by Allah's law is the true and complete declaration of the birth of man when all human beings are considered equal, subject to the same law, which rules on the basis of absolute equality. It is the first declaration of its kind. Human laws have lagged behind for tens of centuries before they began to aspire to rise to its level, but even then, their aspirations remained both partial and theoretical. As for practical application, they continued to lag behind.

The Jews, in whose scriptures, the Torah, this great principle was established, deviated from it in their relations with other people. They used to say: "We are subject to no restrictions in relations with the Gentiles." They also deviated from it in their own internal relations, as we have already explained when two Jewish tribes in Madinah, Quraithah and An-Nadheer established a system of blood money, which gave the victorious twice as much as it, gave the defeated. Prophet Muhammad, peace be upon him, brought them back to the implementation of Allah's law based on equality. He put them all on the same level.

Apart from its being a declaration of the birth of man, retaliation on the basis of equality is a most effective deterrent which makes anyone who contemplates killing another or causing him bodily harm think twice before putting his thoughts into action. He knows that regardless of his position, family connections, class or race, he

will be executed for killing and he will suffer the same bodily harm as he causes. If he cuts off the hand or the leg of another person, he will have his own hand or leg cut off; and if he destroys an eye, an ear, a nose or a tooth, a similar organ of his will be destroyed. But he may not hesitate that long when he realizes that all that could happen to him is a period of imprisonment, long as it may be. His own physical agony or handicap is so different from putting up with a period of punishment.

Moreover, retaliation on the basis of equality is the sort of punishment, which appeals to human nature. It quenches the desire for revenge, which may be fueled by blind fury, and it pacifies hearts and heals wounds. Some people may accept blood money while others insist on retaliation.

Under Islam, divine legislation takes full account of human nature, as it has been done in the Torah. Having ensured the satisfactory punishment of retaliation, Islam appeals to the benevolent element in human nature to encourage charitable forbearance: ***"But for him who forgoes it out of charity, it will atone for some of his sins."*** It is up to the next of kin of a person who has been killed or to the injured person himself in all cases of wounds and injuries to be charitable and to forgo retaliation. It is up to either person, out of his own free choice, to forgo his right to retaliation and to accept blood money in place of it, or to forgo both. If he does, Allah will forgive him some or all of his sins. It should be added, however, that even if such a person forgoes retaliation for blood money, the Muslim ruler may enforce a lesser punishment, as he deems fit, on the killer.

Punishment: For Drug Smugglers

What should be the punishment for drug smugglers in the light of the Qur'an and the Sunnah?

There is a small number of offenses for which specific punishments have been prescribed. These include theft, fornication and adultery, accusing a chaste woman of adultery without providing proper evidence, murder, etc. This list includes only seven such offenses, but scholars have spoken at length on these with regard to whether the punishment is prescribed in all cases or not. What we need to say about these offenses and their punishment is that when these offenses have been proven beyond doubt, in accordance with Islamic procedure and requirements, then the punishment must be enforced. No one can reduce it or pardon the offender in any circumstances.

As you realize, there is a large number of other offenses which people may commit. None of these has a punishment prescribed by God. This means that the punishment is discretionary. It is, therefore, up to the judge to determine the punishment to be applied in every specific case. He should take into consideration the motives and the circumstances that led to the committing of the offense. The ruler in a Muslim state has an overall say in such matters. Therefore, an Islamic government can determine certain discretionary punishments for certain crimes. These may differ from one community to another and from one generation to another. Indeed, they may be applied selectively. The more horrible a crime or an offense, the more severe its punishment. Discretionary punishments may be graded in severity and may include the capital punishment for specific crimes. It is agreed by all schools of thought. [Generally speaking, offenses affecting the society at large are deemed more serious than personal crimes.]

Therefore, if the government of an Islamic state determines that drug smuggling is causing great harm to its population, then it can easily implement the severest punishment on those who pay no regard whatsoever to the interest of the people and try to seek personal gain at the expense of the health of the nation and cause endless

damage to its youth. It is certainly commendable that more and more governments in the Muslim world are enforcing the death punishment for drug trafficking.

Punishment: In the Hereafter

Who will get more punishment in the hereafter: A person who has studied the Qur'an but does not follow its teachings or the one who is totally ignorant of it?

I simply do not know what answer to give you. It is not for me or any human being to decide what punishment is given by God to any person. What we should realize is that God is aware of even the most momentary thought that floats in a person's mind, whatever circumstances he may find himself in. He judges us not only on the basis of our actions, but He also takes into consideration our intentions and our motives behind what we do.

The other thing is that we tend to emphasize punishment far too strongly in our thinking. This is not a proper Islamic attitude. What Islam teaches us is to always maintain a balance between the two possibilities of punishment for sin and earning God's forgiveness. God describes Himself as the most merciful and describes His punishment as severe. But He also tells us that His mercy may be bestowed on anyone who does not associate partners with Him. The more diligent we are in the fulfillment of the obligations He has imposed on us, the better our chances of receiving His mercy and His forgiveness of our sins.

A Muslim must always try to make his behavior a credit to his faith. If his actions fall short of what Islam requires, he should be keen to make it known that Islam should not be blamed for his own actions. The fault is his, not that of his faith.

Punishment: Natural Disaster Tsunami — Wrong Interpretations

Could you please comment on the recent floods that took place in Asia. I live in Canada and Christian leaders here are saying that the disaster shows that Muslims, Hindus and Buddhists are on the wrong tracks, because only Christians have been largely spared the disaster. Could this be due to the fact that the social welfare system in their countries is better than what we see in many Muslim countries?

In principle, no one can speak for God unless he receives revelations from on high. Since no one receives revelations except a prophet, and Prophethood has been sealed with the end of the Prophet Muhammad's life, then no one speaks for God with any authority. This means that no one can say that such and such an event means that God wants this or that. Therefore, if someone suggests that God's purpose behind a particular event or the working of any phenomenon is to accomplish a particular objective, then such a person is assuming the mantle of God's spokesman. No one has been given such an authority.

What we can say is that God has a definite purpose behind any event, and His purpose is known only to Himself unless He wishes to make it known to us in one way or another. We can add our understanding of what the event may achieve, without ever attributing this understanding to God.

Leaders of different religions suggested that the tsunami disaster, which resulted in the death of nearly a quarter of a million people, was a punishment by God. I do not think that it is right from the Islamic point of view to make such a statement. If it is a punishment, then was everyone who died in the disaster a sinner deserving such a punishment? Besides, since when is the death of a person considered a punishment? The best people in human history, the prophets chosen by God to

deliver His message, have all died. Were they punished? Or is it the form of death that is the punishment? The Prophet's own uncle was disfigured after he was killed in battle. Some of the noblest people met very tragic or violent deaths, but this does not reflect on their standing with God.

Or is it the collective death of such a number of people that condemns a community or a religion? Natural and man-made disasters are frequent in history and they affect all communities and all faiths. Christian leaders who say that since the number of Christian deaths in the tsunami disaster is low, then the Christian faith is the true one, should remember that the two world wars of the twentieth century, which resulted in millions of deaths, affected mainly Christian countries in Europe. Does that mean that the Christian faith was wrong in the last century and good in the present one? Other disasters affected Christian Europe over the centuries, such as the plague, the Black Death, and repeated wars. Earthquakes and hurricanes are frequent in the US. Which of these calamities were divine punishment and which were not?

The fact is that God has operated certain laws and natural phenomena in this world, and these may bring about some natural disasters in different areas at different times. Such disasters may affect people of all faiths. These should remind all mankind that they should believe in God's Oneness and worship Him alone if they want to be spared His punishment in the life to come.

The tsunami disaster was the result of a powerful earthquake lasting no more than a few seconds, yet drowning people many thousand miles away. Imagine what will be the state of the world should God cause an earthquake, ten times more powerful and lasting minutes instead of seconds? Let us reflect on the Surah that begins with these verses:

"When the earth is rocked by her [final] earthquake, when the earth shakes off her burdens, and man asks: 'What is the matter with her?'" [the Earthquake — "Az-Zalzaal" 99: 1-3]

This is a reference to an earthquake that ends human life and ushers the Day of Judgment. We need to keep the arrival of that day in front of our minds, because such remembrance will make us more cautious, allowing ourselves only what is lawful

Punishment: Natural Disasters — Are They Punishment Or Ghazab?

Can we say that frequent occurrences of natural disasters such as floods and cyclones are manifestations of Allah's anger with some people and He punishes them with these disasters? As it is understood from the Qur'an, when Allah chooses to inflict a collective punishment on some people, there is a definite purpose to be served by that punishment. Can we determine such a purpose in what happens these days? If not, can we still consider such disasters as the working of Allah's wrath, or "ghazab"?

Allah mentions in the Qur'an that He has caused a Pharaoh and his people to suffer a number of natural disasters, including floods and attacks by waves of locusts and other insects. He described those events as clear and detailed signs of His power, but the Pharaoh and his people continued to be arrogant and maintained their criminal practices. It is noteworthy that these events are described in the Qur'an as "clear and detailed signs." A sign is sent to a people in order to remind them of Allah's existence and power so that they may come to believe in Him. We cannot equate such a sign with what you have termed "ghazab" or collective punishment visited on some people. A sign is sent in order to make people respond positively.

Therefore, the positive response is the one sought for. A collective punishment is bound to defeat that purpose, particularly if it leaves a community in total ruin.

It is also mentioned in the Qur'an that Allah had destroyed complete nations with natural disasters or some other form of punishment because they arrogantly refused to follow the prophets and the messengers sent to them. The people of Noah, for example, were destroyed with the flood, while the people of A'ad were destroyed by winds, and the people of Thamud by an earthquake accompanied by a heart piercing sound. The fact that Allah mentions these punishments to us serves as a reminder that He is able to inflict similar punishments on us if we defy His orders and continue to do so unrepentantly. We should always be in fear of Allah and try our best to please Him. Exerting such effort is certain to spare us the collective punishment.

Having said that, I should explain that volcanoes, cyclones, floods and other forms of natural disasters take place as a result of natural laws, which Allah has set in operation. They may be caused when the fine balance Allah has set in the universe as a whole is upset. However, when a cyclone hits certain areas, we cannot say that the people of that area have earned such a punishment by Allah. How can we tell? After all, cyclones regularly hit parts of Bangladesh when the people there are certainly better than those who live in other parts of the world. Allah is the most just of judges. If He punishes some people, His punishment is just. It does not follow that those were the only people who deserved punishment. Allah may choose to delay the punishment of others until the Day of Judgement. No one who disobeys Allah may escape punishment, unless He chooses to forgive him or her. Therefore, we should always be in fear of incurring Allah's anger, lest His punishment takes us unawares. The Prophet, peace be upon him, used to appeal to Allah for protection against natural disasters. For example, when the Prophet, peace be upon him, heard thunder or a thunderbolt, he used to say: "My Lord, do not kill us with Your wrath and do not send us to perdition by inflicting suffering on us. Spare us all that, our Lord."

In short, we should always maintain a balance between realization that Allah controls all natural laws and He can easily inflict on us any type of punishment He may choose. His punishment is always just.

On the other hand, we do not feel happy to see any community smitten by a natural disaster, even though it is an unbelieving community. As Muslims, we would much better have that community respond to Allah's call than to see it smitten by His anger. What we should guard against is to appoint ourselves as judges of others, claiming that a particular community deserves punishment by Allah while another community has not reached that stage. Allah alone judges people in accordance with what He knows of their situation and their intentions.

Punishment: Prohibitions — Degrees Of Punishment Vary

Are there degrees of prohibition, or are all forbidden things punished in the same way? Many people will take interest from banks; they would never eat pork or drink wine. When you ask them the reason for their abstention, they would answer clearly that drinking wine and eating pork are forbidden. If you tell them that the same is true of interest, they try to find excuses.

There are indeed degrees of prohibition. To start with, there is the category of 'reprehensible,' or 'Makrooh' actions, which denotes that something should be avoided, although no punishment is incurred for doing it. There is the category of 'Haram' or forbidden which groups all actions that expose the person who does them to punishment by God. Even in this category there are grades. We cannot say that looking at a picture of a naked woman is the same as gazing at her in person, or

either action is the same as committing adultery. There are different categories of forbidden matters within the same area. They are not punished in the same way.

Similarly, being granted forgiveness for committing them requires different things. In the Hereafter, they are also treated differently. Smaller offenses are more easily forgiven. It is true that God may forgive a person a great load of sins, if He so pleases, but forgiving smaller offenses is much easier to secure. In the three examples you have mentioned, drinking is a much more serious offense than eating pork. Drinking incurs a specific punishment in this life, which must be inflicted once the offense is proven according to the recognized procedures of Islamic law. Eating pork does not incur such a punishment, but it is clearly forbidden. God will punish for it.

All usurious actions are clearly forbidden. Indeed the prohibition is stated most emphatically in the Qur'an with a warning to desist immediately or face a war waged by God and His messenger. Nothing can be more serious than that. Even within this there are differences. We cannot say that a person who lends money to a poor farmer at an exorbitant rate and keeps increasing rate for the farmer's delayed repayment until he deprives the farmer of his farm is the same as one who takes bank interest. Both are forbidden and come within what the Prophet, peace be upon him, has cursed in connection with usury. The severity of the offense is different in the two cases.

Punishment: Stoning For Adultery — Not A Qur'anic Decree

I read in a book entitled Punishment in Islamic Law by Muhammad Al-Awa that a Qur'anic verse was abrogated. He refers to this in his discussion of stoning as the punishment for adultery. He also says: "Omar asked the Prophet, peace be upon him, to allow him to write the abrogated verse but the Prophet, peace be upon him, refused." Am I to infer from what the author says that the Prophet, peace be upon him, could have hidden from us a Qur'anic verse that Allah has revealed to him. Please clarify.

Dr. Muhammad Al-Awa is a close friend of mine and over the years I have had the privilege of discussing with him a good number of Islamic issues, particularly their legal aspects, as Dr. Al-Awa is a distinguished lawyer in addition to his being an Islamic scholar. I have consulted what he has written in the book you have mentioned as well as in other books of his, particularly his priceless work, Fundamentals of the Islamic Criminal Law.

Let me first of all tell you that at no point does Dr. Al-Awa imply what you have inferred. I would have certainly asserted that on the basis of my personal knowledge of the man. But I referred to his writings in order to find out whether such an inference on your part can be justified. Again I say without hesitation that your inference cannot be supported on the basis of what Dr. Al-Awa has written. Your inference is, therefore, wrong because it is based on lack of knowledge of what is meant by abrogation which is known in Islamic terminology as "naskh". In order to make things clear, I will first refer briefly to the particular case of the relevant verse before I discuss the concept of abrogation in general.

The verse in question is said to indicate in clear terms the prescribed punishment for adultery, which means an illegitimate sexual intercourse between a married man and a married woman other than his wife. When this offense is proven either by a confession made voluntarily by the offenders or by the testimony of four witnesses who state under oath that they have seen the couple actually committing the offense, the offenders are punished by stoning to death. This punishment is agreed by scholars and there is no question about it. Some scholars say that its basis is a verse of the Qur'an which was revealed stating this punishment, but later this verse was

abrogated verbally, but its import continued to be retained. This is stated by scholars of Hadith who attribute to Omar saying that he would have written this verse by the side of the Qur'an, except for his fear that people might think that he has added something to Allah's book. Dr. Al-Awa mentions this without discussing it in detail. He, however, argues that the basis of this punishment is the Sunnah, not this verse, whether or not it was actually revealed and subsequently abrogated. We have very clear statements by the Prophet, peace be upon him, specifying the punishment for married adulterers and we have also his practical example as he enforced this punishment on them. Dr. Al-Awa's argument is most valid, and there is no doubt that the basis of the punishment of stoning for married adulterers is the Sunnah, not the Qur'an.

The concept of abrogation is well known, because Allah revealed the Qur'an over a period of 23 years. There were certain rules and regulations, which needed a gradual approach. The clearest example of abrogation is the direction the Muslims face when they pray. At one stage, they were commanded to face Jerusalem in their prayers. In the second year after the Prophet's settlement in Madinah, this was changed by a specific order by Allah to the Prophet, peace be upon him, and to all Muslims to turn toward the Ka'abah whenever they wish to pray. The first order to face Jerusalem is not stated in the Qur'an, but the second which abrogates the first and determines the new direction of the Qiblah is contained in the Qur'an where Allah refers to the first direction as His own order. As you are well aware, the Prophet, peace be upon him, does not make an order to Muslims on his own initiative. He only obeys what is revealed to him. Revelations to the Prophet, peace be upon him, were not limited to the Qur'an. Other things were revealed to him either by inspiration or instruction. Allah tells us in the Qur'an that the Prophet, peace be upon him,

"does not speak out of his own fancy. It is all an inspiration sent down to him." [the Star — "An-Najm" 53: 3-4]

Therefore, what the Prophet, peace be upon him, teaches us is part of our religion. It is not something that he has determined by himself. It is certainly revealed to him. When something is abrogated, that abrogation comes through revelation of equal status. A Qur'anic order may be abrogated with a new Qur'anic order, and an order contained in a Hadith can be abrogated either by the Qur'an or by a subsequent Hadith.

As the Qur'an was being revealed, it molded the first Muslim community in such a way which makes that community an example to be followed by all Muslim generations. The Qur'an took that community by the hand and guided it through different stages of development. Therefore, the concept of abrogation was necessary as the community moved from one stage to another in its advocacy and implementation of the new faith. The initial orders which required the Muslims to do something, and the subsequent ones which changed that requirement or practice, have been retained, because they are of immense value to us when we study the life and the work of that first Muslim community.

I hope that I have clarified this concept adequately. May I come back to your inference, which you expressed, in the following words: "I infer that the Prophet, peace be upon him, could have hidden from us a verse that Allah revealed to him." May I tell you that this is very serious indeed. The Prophet, peace be upon him, has conveyed Allah's message to us complete. He has not hesitated to convey anything revealed to him, even though it might have stirred endless tally to his mission, conveying to us every detail Allah has given him. Every Muslim should believe so, otherwise his statement that he believes in Prophet Muhammad, peace be upon him, as Allah's messenger will be called in question. The Prophet, peace be upon him, has also given us good counsel to follow the divine constitution which was revealed to

him. May Allah give him the greatest of regard and blessing He gives to any other messenger of His.

Punishment: When Islam's Message Is Not Known To the People

What is the position of the people who do not get to know about Islam and as such die non-Muslims, such as those tribes in the middle of jungles in Africa or Latin America? Are they still punished for not adopting the Islamic faith? Some people argue that Islam has addressed those people, and perhaps known to their ancestors who might have rejected it. Now the present generation may not have known about it at all, due to the decline in the fortunes of the Muslims all over the world.

To start with I have a general rule which I abide by, and that is I am not prepared to outline the fate of any person or community, Muslim or non-Muslim, whatever they may be. What happens in the Hereafter is determined by God, and He is the most fair and just of judges and most compassionate and merciful to all His creatures.

It is true that there are some criteria, which we may apply in order to know the fate of those who take certain attitudes, but I feel that it is not the role of a human being to apply such criteria. It is enough to only know these criteria in order to avoid what incurs God's displeasure.

Having said that, I may add that it is important that Muslims should fulfill their duty of conveying the message of Islam to all mankind. They should attempt at making it clear to them that God requires them to believe in His Oneness and in the message He entrusted to His last Messenger, the Prophet Muhammad, peace be upon him.

If Muslims do not do that, they fail in their duty and they will have to account to God for their failure. Now if Islam does not reach a certain individual or tribe or community in the way Muhammad, peace be upon him, addressed his people with it, such people cannot be treated as those who have learnt about it. This is what God has committed Himself to apply.

The important thing to realize is that this applies to individuals and community alike. If one individual has not heard about Islam and did not have the means to learn its message, while his people did, he is judged differently by God, because God is most fair and most just. Therefore, it is not sufficient that former generations have learnt about Islam to condemn present ones, which did not. The matter does not stop at that.

This might have led them to believe that certain practices, which are unacceptable from the Islamic point of view, are essential Islamic teachings. God judges all people according to what He knows of their situation. We trust to His justice, because of what is stated in the Qur'an: *"Your Lord does not deal unjustly with anyone."*

Punishment: When Islam's Message Is Not Presented As It Should Be

Muslims are expected to convey the message of Islam to all mankind. Yet, many people living today will go through life with little knowledge of Islam, if any. I wonder how will God judge them on the Day of Judgement.

There is no doubt that the message of Islam is addressed by God to all mankind. Everyone is called upon to believe in it, declaring that there is no deity except God, and that Muhammad is God's messenger. This, however, places a duty on Muslims to make message of Islam known to people and to call on them to believe in it. This was the duty of the Prophet, peace be upon him, while he was alive. He certainly delivered his message complete, intact. After he passed away, his companions and

his followers undertook the task. It will continue to be undertaken by his followers in succeeding generations.

Having said that, the fact remains that the message of Islam does not reach many people, or if it reaches them, it is presented in a distorted image. How are such people to believe in Islam? Obviously, they are not expected to do so, because people believe in a message if they are convinced of its truth. If they are not, how are they to be blamed for not accepting it? Hence, it is the duty of the Muslim community to make the message of Islam known to people.

Scholars are in agreement that people who do not receive the message of Islam, or obtain only a distorted image of it, are not held responsible for that failure.

Thus, they are not to account for something that was not of their own making. Scholars agree that the responsibility for this lies at the doorsteps of the Muslims themselves. Conveying God's message is a duty incumbent on every Muslim as an individual and as a member of the community. However, the responsibility is more communal than individual. As for the people who do not receive the message of Islam in its true image, they are not treated like those who lived before the advent of Islam. God states in the Qur'an that He would not punish anyone for not believing in Him until they have been sent a message.

That means that they should actually receive the message in order to be accountable under its provisions. Many people living today do not receive the message of Islam, as it should be presented. God will deal with such people on the Day of Judgement on the basis of His justice and mercy. He is the Most Just of Judges and the Most Merciful.

Our Dialogue

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