

**FATAWA ISLAMIYAH
ISLAMIC VERDICTS**

فتاوى إسلامية

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[Volume 5]

**INSURANCE & OTHER ISSUES,
ENDOWMENTS, GIFTS, WILLS,
INHERITANCE, SLAVERY & MARRIAGE**

From the Noble Scholars:

**Shaykh 'Abdul-'Aziz bin 'Abdullah bin Baz
Shaykh Muhammad bin Salih Al-'Uthaimin
Shaykh 'Abdullah bin 'Abdur-Rahman Al-Jibreen**

Along with:

**The Permanent Committee and
the decisions of the *Fiqh* Council**

Collected by

Muhammad bin 'Abdul-'Aziz al-Musnad



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Insurance & Other Issues

Ruling about Life and Property Insurance

Q What is the ruling on insurance, whether it be life insurance or property insurance?

A Insuring one's life and property is forbidden; it is not permissible due to the fact that *Al-Gharar*^[1] and usury are involved therein. And Allah — the Almighty, the All-Powerful — has forbidden all types of dealings that involve usury and dealings in which there is *Al-Gharar*, as a mercy for the (Muslim) community and a protection for them from what is harmful to them. Allah — Most Glorified, Most High says:

﴿وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا﴾

“whereas Allah has permitted trading and forbidden Riba”
(usury).^[2]

And it has been authentically reported from the Messenger of Allah ﷺ that he forbade selling *Al-Gharar*. And Allah is the Granter of success.

Ibn Baz

The Ruling on Insuring Cars

Q A questioner is asking about the ruling on insuring cars, since the daily car rental agencies in airports insure their cars. So if a person rented a car from them, he would pay approximately thirty Riyals as insurance on the car, so that, if

[1] *Al-Gharar*: The selling of that which is not present, such as selling fish before they are caught, or selling birds before they are caught etc.

[2] *Al-Baqarah* 2:275

the car was involved in an accident, the company will bear the cost of the repair, if it was the fault of the one who rented the car. Advise us, and may Allah reward you with goodness.



Insurance is, in my opinion, harmful, because the company might take sums of money from the insured every year without doing anything for them, and they might not require it (the money) for repairs or anything else. They might take only small sums of money from others and lose large amounts on it. There are some car owners who have little faith and fear of Allah, Most High. So when one of them insures his car, he does not care what happens, so he exposes himself to risks and drives carelessly, which results in accidents and believing people are killed and property which should be respected is destroyed — but that does not bother him, because he knows that the company will bear the responsibility for the result of his actions. So I say that this insurance is not permissible under any circumstances for these reasons and others, whether upon cars, lives, properties or other things.

Ibn Jibreen

The Ruling on Commercial Insurance



Q If a businessman makes a deal with a foreign company for rice, sugar or tea, for example, the businessman takes out insurance on the property against shipwreck, fire and catastrophe, he pays the insurance at a rate of two percent against the value of the property. Then when the property arrives, if any loss has occurred, he applies to the insurance companies and they reimburse him for the value of the loss. Even if the ship sinks, the insurance company will compensate him for the whole value of the property. What is the ruling?



A If the matter is as mentioned, then that is the type of commercial insurance that is forbidden, because of the excessive harm and the gambling it includes — and both of these

are major sins. May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Difference Between Cooperative Insurance and Commercial Insurance

Q Cooperative insurance is sometimes described as the lawful alternative to commercial insurance. In what ways do the two types differ? And what is it that makes commercial insurance forbidden and cooperative insurance permissible?

A The term “Cooperative Insurance” does not mean compensation, it only means mutual cooperation in times of affliction and accidents. As for commercial insurance, the aim of it is profit and it is a form of gambling, which Allah — Almighty, All-Powerful — has forbidden in His Book, and He has mentioned it along with (drinking) alcohol, *Ansab* (i.e. idols), and seeking decision through diving arrows. This is the difference, and this is why you find that when a man lends a person a Dinar and the borrower does not return it until a year or more or less has passed, this would be correct, but if he gave him a Dinar in compensation for each Dinar, this would be wrong and forbidden. So the person’s intention has an influence on changing a transaction from forbidden to permissible.

Ibn ‘Uthaimin

Al-Wadi'ah (Trusts)

If the Entrusted Sum was Lost Without Injustice on the Part of the Trustee, He is not Responsible

Q A person says: "I was in a foreign country and a brother gave me a sum of money to take care of as a trust, until he should return from his travels, knowing that if this sum was found in my possession at the airport, it would be confiscated from me, because that country does not allow this money to be taken out, since it is in excess of the permitted amount. So the money was found in my possession and taken from me — bearing in mind that I put it with some of my own money, which was also confiscated from me, what is the ruling on returning this money?"

A Deposit is a trust and if it was lost while in one's hands without injustice on his part, then there is no obligation upon him; and if the matter is as you state, then you are not obliged to compensate him. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Utilizing Trusts and Investing Them

Q A person entrusted a sum of money to me and I used this money to invest, then when the owner of the money came to me, I returned his money to him in full, but I did not inform him of how I had benefitted from his money was my use of it permissible or not?

A If someone entrusted a sum of money to you, then you are not allowed to use it except with his permission and it is incumbent upon you to take care of it, just as you would take care of anything else. But if you used it without his permission,

you must ask his permission, and if he agreed (then well and good), but if he did not, then give him the profit on his money, or come to an agreement with him that you will pay him half or so, because it is permissible for the Muslims to make settlements between them, unless it is a settlement which forbids what is permissible or permits what is forbidden.

Ibn Baz

Al-Luqatah (Lost Property)

Lost Property Must be Announced for a Whole Year

Q I found some lost gold and sold it and then gave its value in charity, and my intention when doing so was — if I found its owner — and he did not accept this, that I give him its value, because I found it in the middle of a big city. Am I guilty of any sin in doing this?

A It is incumbent upon you and others who find any important lost property, to announce it for a whole year in the meeting places of the people two or three times a month. If its owner becomes known, it must be given to him. If he is not known, then it is yours after a year, because the Prophet ﷺ ordered this. The exception to this is if it was found in the *Haraman*,^[1] in which case, he is not entitled to keep it, but must announce it constantly, so that its owner may become known. Or, he is to submit it to the responsible authorities in the *Haraman*, so that they may take care of it for its owner, based upon the words of the Prophet ﷺ in Makkah:

«لَا تَجْلُ سَاقِطُهَا إِلَّا لِمُشِيدٍ»

“It is not permissible (to take) the things which are dropped

^[1] *Haraman*: The Two Sacred places i.e., Makkah and Al-Madinah.

therein, except to announce” (them).^[1]

and his words:

«إِنِّي حَرَمْتُ الْمَدِينَةَ كَمَا حَرَّمَ إِبْرَاهِيمُ مَكَّةَ»

“I have made Al-Madinah sacred, just as Ibrahim made Makkah sacred.”^[2]

However, if the lost item is something insignificant and unimportant to its owner, such as a rope, a shoelace or a small amount of money, then it is not obligatory to announce it, and the one who found it is entitled to utilize it or give it in charity on behalf of its owner. An exception from this ruling is the lost camel and other animals which are prohibited, such as small beasts of prey, like the wolf etc., as it is not permissible to take them, based upon the words of the Prophet ﷺ:

«دَعَهَا فَإِنَّ مَعَهَا حِذَاءَهَا وَسِقَاءَهَا تَرُدُّ الْمَاءَ وَتَأْكُلُ الشَّجَرَ حَتَّى يَجِدَهَا رَبُّهَا»

“Leave them for they have their feet and their stomachs, so they can go down to the water and eat trees until their master finds them.”^[3]

And Allah is the Granter of success.

Ibn Baz

The Ruling on Lost Property Which Has not Been Announced



I found a sum of Riyals and I took it and spent it; what should I do now?



It is incumbent upon you to announce it, then once you have announced it two or three times a month for a whole

[1] Al-Bukhari no. 2434 and Muslim no. 1355.


[2] Al-Bukhari no. 2129 and Muslim no. 1360.


[3] Al-Bukhari no. 2428 and Muslim no. 1722.

year, by saying: “To whom do these Dirhams belong which were lost in such-and-such a place?” — in public gathering places and around their doors or in the markets. Once a year has passed over your announcements, it is permissible for you to keep it. And if the owner comes and identifies it by its precise description, you must give it to him, because it is the same as a trust with you, so if he comes, you must give it to him. However, if you did not announce it and you used it and kept silent, you must give it in charity in order to exonerate yourself, with the intention of giving it on behalf of its owner, because you did not do the thing necessary to make it lawful to you — which is to announce it — then he will receive the reward of it, by Allah’s Permission — the Almighty, the All-Powerful — And Allah is the Granter of success.

Ibn Baz

What Should a Person do, Who Finds Lost Property?

 A righteous man was travelling on the road and he found a sum of money but he did not find anyone to claim it, so he is asking what he should do with it?

 He must announce it in the public gathering places of the two nearest towns to the road on which he found the money and in other places where he thinks that he might find its owner among the residents. If a year passes without him finding the owner, he may keep it, or he may hold it with him until he finds its owner, or he may give it in charity on behalf of its owner. If he found him after that, he should inform him of what he has done. If he approved of it being given in charity, in that case, there is no harm. If he objected to it, he must return it to him and the charity will be his, or if he spent it like the rest of his money, he must reimburse its owner once he becomes known to him.

The Permanent Committee

He Sold a Cow and it Returned to Him

Q A man said that he sold a cow to a man whom he did not know, then the cow bolted from the house of the buyer to his house, and since he did not know the buyer, he sold it (again) and consumed its price. He asks now what must he do in consequence?

A The ruling on this cow — the questioner having disposed of it — is that it is lost property. And since he mentions that he sold it and consumed its price, he must announce it in the markets and public meeting places for a year. If the owner turns up, he must inform him of what happened and give him the value of the cow he sold. If he does not come, he may give its value in charity with the intention of the reward being for its owner, in case he should become known and requests it and does not accept its having been given in charity.

The Permanent Committee

Lost Property in the Sacred Places

Q A person found a watch in the Sacred City of Makkah and it has been with him now for over four years. What is the solution regarding it? Should he return it to the Sacred City again, or give its value in charity to one of the poor, having established its worth with the watch sellers? May Allah reward you with the greatest goodness.

A It is not permissible to take lost property in the Sacred Places, except for one who intends to announce it, according to the saying of the Prophet ﷺ:

«لَا تَحِلُّ سَاقِطَتُهَا إِلَّا لِمُنْشِدٍ»


“It is not permissible (to take) the things which are dropped therein, except to announce (them).”^[1]


^[1] Al-Bukhari no. 2434 and Muslim no. 1355.

So it is incumbent upon this person to submit the lost property to the High Court in Makkah so that it may be forwarded to the Committee Responsible for Lost Property in the Sacred City. Having done that and turned in repentance to Allah, Most Glorified for his neglect — since he did not previously announce it — he will be free of blame. And through Allah is attained success.

Ibn Baz


It is Lawful to Give Charity on Their Behalf

 A number of years ago, I took the sum of one hundred Saudi Riyals from a number of my colleagues, after which, I traveled to another area and forgot those colleagues and they also forgot me. Now I do not know where they are, so what should I do with the sum of money which is my responsibility? Inform me and may Allah reward you with goodness.

 If the matter is as you have mentioned in your question, which is that you forgot the owners of the hundred (Riyals), then it is lawful for you to give charity on their behalf. Then if you remembered any of them, you must give him his right, unless he approves of your having given it in charity on his behalf. In that case, you will be absolved from blame and you and them will be rewarded.

Ibn Baz

He Made Inquiries About Him, But He Did Not Find Him

 I used to work in Jordan before the year 1950 C.E. and I went on vacation to the Kingdom and purchased a wool cloak from my colleague, whose name was 'Ubaid Al-Mutairi for the sum of fifteen Jordanian Dinars, on the understanding that I would pay him this sum after I return from my

vacation. So I left, and when I returned from my vacation, I did not find my colleague from whom I had purchased the cloak. I asked about him and was told that he had gone on holiday to Kuwait, but he did not return. After that, I left my job in Jordan and returned to the Kingdom, having left my address with my other colleagues there, so that they might inform him if he should return, but he has not contacted me, nor requested his right since that time, and I do not know anything about him whatsoever, so what should I do when I am indebted to this man for the sum of fifteen Jordanian Dinars?



The answer is that you must ask those who know him and exert all your efforts until you find his address and then send him the sum of money which is in your possession, or travel to him in Kuwait in order to give him his right, based on the saying of the Prophet ﷺ:

«كُلُّ الْمُسْلِمِ عَلَى الْمُسْلِمِ حَرَامٌ دَمُهُ وَمَالُهُ وَعِرْضُهُ»

“All of the Muslim is sacred to the Muslim; his blood, his property and his honor.”^[1]

It is not permissible for you to be negligent in this matter. If you fail and are unable to find him in Kuwait or anywhere else, then give charity on his behalf in trust for him. Then if you find him, give him the choice between receiving his right — in which case, the reward of the charity will be for you — or his giving the money in charity — in which case, the reward will be for him, according to the Words of Allah, Most High:

﴿وَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

“So keep your duty to Allah and fear Him as much as you can.”^[2]

[1] Muslim no. 2564.

[2] At-Taghabun 64:16

and the Words of Him, the Almighty, the All-Powerful:

﴿لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

"Allah burdens not a person beyond his scope."^[1]

Ibn Baz

He Returned, But He Did Not Find Him

Q I built a house for myself four years ago. I purchased marble for the walls and there remained the sum of one thousand five hundred Riyals outstanding to the owner of the marble's account. But when I went after some time to pay the sum, I did not find the owner of the first establishment, but it had been transferred to the property of another person. How can I pay the money to the previous owner of the establishment, bearing in mind that I purchased the marble from an employee in the establishment, not from the owner directly, so I do not know the owner of the establishment personally, since my dealings were directly with the employee. I have asked about the previous owner of the establishment, but I did not receive any answer — and I have tried more than once? I request you to kindly inform me what is the legal way to pay this sum, so that I may absolve myself of responsibility in the matter. May Allah reward you with the best of rewards.

A You must increase your inquiries and investigations regarding the owner of this establishment, if you know the name of the establishment and its location, because most likely the neighboring establishments will know him and they will inform you of his name, his address, telephone number and so on. Therefore you must complete the inquiries regarding him and follow up the information regarding him and when he moved etc, so that you will be absolved of responsibility. But if you are unable to do that having tried your utmost without

^[1] *Al-Baqarah* 2:286

result, then give the sum in charity on behalf of the owner, as a trust, then if you find him after that, give him the choice between a reward in the Hereafter and returning his trust to him, in which case, the reward (of the charity) will be for you. And Allah knows best.

Ibn Jibreen

You Must Turn to Allah in Repentance and Seek His Forgiveness

Q A woman found a piece of gold in the Sacred City of Makkah, she took it and added it to her gold and sold it all. Later, she regretted this, so what is incumbent upon her, may Allah reward you with goodness?

A She must give its value to the court along with a description of the gold, for it may be that its owner will come and ask the Committee Responsible for Lost Property about it. If the time passed is considerable, then she should give it in charity on behalf of its owner with the (right) intention. Haply, that will be enough — if Allah wills — along with her turning in repentance and seeking forgiveness. If it occurred recently, then she should give the sum to the Court and the Court will give it to the Committee.

Ibn Baz

***Al-Laqit* (Abandoned Infants)**

The Ruling on Attributing Kinship to an Abandoned Infant Whom One Has Adopted as a Son

Q The following question was received by the General Presidency for the Administrations of Scientific Researches, Religious Verdicts, Preaching and Guidance:

A man asks: “We bring to your attention the case of one of

our relatives who adopted an abandoned male child, brought him up, educated him and acted with kindness towards him. Acting upon his own judgement and out of affection, he named him Yusuf, then the adoptive father died in Az-Zubair without children to inherit from him and the (adopted) son became of legal age and entered the Dhahran Technical Institute. The family members consulted each other over changing the name of the child; some of them were of the opinion that his name should be changed, while others did not think that it was important and feared the mixing up of family trees and mistakes in inheritance. I request that you deliver a legal judgement for me on this matter, so that we may proceed in the light of the ruling.”



The Committee replied as follows:

It is not permissible in Islamic Law to add the foundling to the family tree of the one who adopted him, by calling the adopted child by the name of the adoptive parent, claiming a father-son relationship between the foundling and his foster parent and ascribing for him ties to his tribe, as has been mentioned in the (above) request for a legal ruling. This is because of the lying, falsehood, mixing of family trees, the serious consequences to male-female relations and the alteration to the line of inheritance, by depriving the one who has a right and giving the one who has no right, and permitting the forbidden and forbidding the permissible in matters of *Khalwah*,^[1] marriage, and other such unlawful abuses and transgression of the limits of the Islamic Law which that includes. This is why Allah forbade the attribution of a boy's paternity to a man other than his father, and the Prophet ﷺ cursed the one who attributes paternity to a man other than his father or to other than his slave master. Allah, Most High says:

﴿ مَا جَعَلَ اللَّهُ لِرَجُلٍ مِّن قَلْبَيْنِ فِي جَوْفَيْهِ وَمَا جَعَلَ أَزْوَاجَكُمْ الَّتِي تَظَاهَرُونَ

^[1] *Khalwah*: Seclusion of unrelated males and females.

مِنْهُمْ أُمَّهَاتِكُمْ وَمَا جَعَلَ أَدْعِيَاءَكُمْ أَبْنَاءَكُمْ ذَلِكَمْ قَوْلُكُمْ بِأَفْوَاهِكُمْ وَاللَّهُ يَقُولُ
الْحَقُّ وَهُوَ يَهْدِي السَّبِيلَ ﴿٤١﴾ أَدْعُوهُمْ لِأَبَائِهِمْ هُوَ أَقْسَطُ عِنْدَ اللَّهِ فَإِنْ لَمْ
تَعْلَمُوا آبَاءَهُمْ فَإِخْوَانُكُمْ فِي الدِّينِ وَمَوَالِيكُمْ وَلَيْسَ عَلَيْكُمْ جُنَاحٌ فِيمَا
أَخْطَأْتُمْ بِهِ وَلَكِنْ مَا تَعَمَّدَتْ قُلُوبُكُمْ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا ﴿٤٢﴾

Allāh has not made for any man two hearts inside his body. Neither has He made your wives whom you declare to be like your mothers' backs, your real mothers [Az-Zihār is the saying of a husband to his wife, "You are to me like the back of my mother," i.e., you are unlawful for me to approach] "Nor has He made your adopted sons your real sons. That is but your saying with your mouths. But Allah says the truth, and He guides to the (Right) Way. Call them (adopted sons) by (the names of) their fathers: that is more just with Allah. But if you know not their father's (names, call them) your brothers in faith and Mawalikum (your freed slaves). And there is no sin on you if you make a mistake therein, except in regard to what your hearts deliberately intend. And Allah is Ever Oft-Forgiving, Most Merciful."^[1]

and the Prophet ﷺ said:

«مَنْ ادَّعَى إِلَى غَيْرِ أَبِيهِ وَهُوَ يَعْلَمُ فَالْجَنَّةُ عَلَيْهِ حَرَامٌ»

"Whoever knowingly attributed paternity to other than his father will be forbidden entry into Paradise."^[2]

And he ﷺ said:

«مَنْ ادَّعَى إِلَى غَيْرِ أَبِيهِ أَوْ اتَّمَى إِلَى غَيْرِ مَوْلَاهِ فَعَلَيْهِ لَعْنَةُ اللَّهِ الْمُسْتَابِعَةُ
إِلَى يَوْمِ الْقِيَامَةِ»

"Whoever knowingly attributed paternity to other than his father, or claimed to be the son of other than his slave master, upon him

[1] Al-Ahزاب 33:4-5.

[2] Al-Bukhari 4326, 4327 and Muslim no. 63.

will be Allah's unremitting curse until the Day of Resurrection.^[1]

So the personal judgement of the one seeking the legal ruling^[2] in naming him was faulty and must not continue. Action must be undertaken to change it, in accordance with the (revealed) texts regarding the prohibition of such action, the Wisdom of which we have mentioned. As for affection towards the foundling, bringing him up and showing kindness towards him, it is well known that these things are encouraged in Islamic Law. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.


The Permanent Committee


^[1] Abu Dawud no. 5115 and At-Tirmithi no. 2120.

^[2] Actually, his relative.

The Book of *Waqf* (Endowments)


He Bequeathed His Land as an Endowment to His Sons and His Grandsons

 A man died leaving five sons and five daughters and he bequeathed his agricultural land as an endowment — on condition that it will not be bought or sold — to his sons and his grandsons and their descendants only. Are the sons of the daughters considered to be descendants of the donor, who inherit, or not? Likewise, do the sons of the descendants of the daughters inherit or not? Advise me, and may Allah reward you with goodness.

 There is disagreement among the scholars regarding this question: Are the sons of the daughters included with the sons of the sons? There are two opinions on it — and therefore it is appropriate to accept the view of the Islamic Law Courts — if Allah wills — because in most cases, this question leads to dispute and the way to solve such disputes is through the Court. May Allah grant success to us all.

Ibn Baz

The Ruling on Transferring an Endowment When it Ceases to Benefit

 My mother has a house which is an endowment and this house has become very old, so that it is no longer fit for habitation, so I wish to transfer the endowment and sell the house, placing its price in a mosque, or charitable organization or any other kind of charitable work. Is it permissible for

me to do so?




It is not permissible for you to dispose of this endowment, nor to transfer it to something other than what was specified by the donor. If the benefits from it have ceased, it is permissible to transfer it to something else like it, or whatever fulfills its function, such as land, a shop or date-palms, its proceeds being utilized in the same cause as the proceeds from the house — and this should be done through the Court in the town in which the endowment is situated.

Ibn Baz


The Ruling on Heirs Dividing up the Endowment of Their Grandfather When its Benefit Ceases


Q A person named Sa'id donated a small piece of land as an endowment and it was his custom to give charity from the profits on this land on the night of the 27th of Ramadhan. After Sa'id died, his son, Salim Sa'id inherited from him and continued according to (his father's) custom. After Salim Sa'id died, he left behind a son, Muhammad Salim, and Muhammad Salim Sa'id continued according to the custom of his grandfather and his father. Then Muhammad Salim Sa'id died and left behind two sons, 'Ali Muhammad Salim Sa'id and Haidar Muhammad Salim Sa'id and 'Ali Muhammad Salim Sa'id continued according to the custom of his father and his grandfather. After the death of 'Ali Muhammad Salim Sa'id and Haidar Muhammad Salim Sa'id, 'Ali Muhammad Salim left behind three sons and Haidar left behind three sons. Is it permissible for the sons of 'Ali Muhammad Salim Sa'id and Haidar Muhammad Salim Sa'id to divide up this piece of land, so that it becomes like an inheritance between them, or must it continue to be an endowment generation after generation?

 If the situation is as mentioned, then it is not permissible for the heirs to divide up the land endowment between them. Even if the thing which was endowed had ceased to be, its value would still remain an endowment and its yield would be utilized for the purpose of righteous deeds which require financial support and no one is found to pay for them. Examples of which are the repair and restoration of mosques or building them, or providing water for them, or furnishing them, or other services which the people of the town require, or it could be used as a source of charity for the poor members of the donor's family and others. And may peace and blessings of Allah be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Endowments Are Not Inherited

 A person says that his grandfather donated land as an endowment which was twelve and a half *Ma'ad*^[1] by one eighth of a *Ma'ad* and the endowment was for a well. Before him, his grandfather and his father (donated the same endowment) and he did not leave anything else besides this. Now the well has ceased working and is no longer required, because the water flows from artesian pipes, while we desperately need this endowment. Is it permissible for us to use this endowment or not?

 If the situation is as described regarding the endowment on the well, and it is no longer required, the piece of land must remain as an endowment and its yield must be spent on facilities for the people of the area where the well is situated. Examples of which include building a mosque, or its renovation, or building a center for Qur'an memorization, or helping the poor and needy of the town and the needy kin of the donor. These have more right than others to take from the yield of this endowment.

^[1] *Ma'ad*: A measurement.

If the lawful benefits required that the land be sold, due to it no longer being useful or being of little use, and its price is used to buy some other piece of land which provides a greater revenue, then there is no objection to that. This is the case, after obtaining the permission of the judge in that town, then spending the income from the purchased land on what we have mentioned above. As for the heirs of the donor, they have no right upon it since they are his heirs, for endowments are not inherited. But there is no objection to them being given assistance from its revenue if they are poor, as was mentioned earlier. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and friends.

The Permanent Committee

The Ruling on Disposing of an Endowment in a Different Way than Intended by the Donor, When That is Not Possible

Q A person says: "There is a piece of agricultural land whose produce was made into an endowment for providing a meal to break the fast in Ramadhan only. Then it happened that there was no one left to take on the responsibility of managing the endowment but I.

I am an employee in a district far from this town and there is no one in the town who can take my place by preparing it for those who break their fast with it. Also, the people of our town work as animal herders in places which it is impossible for me to ascertain, and they do not gather except on 'Eid or on Fridays. So even if I prepared it, I would not find anyone to eat it. Therefore, is it permissible for me to distribute it as grain to those who deserve it, or to sell it and buy dates with its price, so that I may distribute them to those who deserve it?



If the situation is as you say, that there is no one to take charge of this endowment except you and you are unable to undertake its preparation yourself and cannot find anyone to take your place in that, and that, even if you prepared it, there would be no one to eat it in this town, then it is permissible for you to distribute it as grain in Ramadhan to those who deserve it in your town, if that is possible. If it is not, then in the nearest town to that of the endowment and it is also permissible for you to buy dates with its price in order to distribute them. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

It is Not Permissible for the Custodian of the Endowment to Take Anything From its Revenue if He is Rich

Q My grandmother — my mother's mother — has a house which she put in charge of my mother when she died, for the purpose of providing sacrifices;^[1] during the lifetime of my mother, sometimes it produced a sacrifice and sometimes it did not, due to its dilapidated state. So when death approached my mother, she entrusted me with the task of restoring it. I asked her heirs to allow me to use money from the inheritance for the purpose of renovating the house and they permitted me to do so. She left one thousand two hundred Riyals, so I undertook the task of repairing the house in accordance with the instructions left for me by my mother, that is my intention, and I repaired it using my own money so that the house should appear like prosperous houses. Now the income flowing from it is much more than is required for the sacrifice. My question is, is it permissible for me — by virtue of the fact that I have revived something

[1] Meaning it would be rented out and its price would be used for animals on 'Eid.

which was dead — or for whom is it permissible, and she — i.e., my mother — has another dilapidated house, so may I collect the income from this and combine it with the other?




Bearing in mind that your mother entrusted you with rebuilding this house which belonged to your grandmother and she had previously placed your mother in charge of it for the purpose of providing sacrifices, and that after obtaining the permission of the heirs, you rebuilt the house from the inheritance left to them and from your own private funds — as for the money donated by the heirs to the owner of the house, it is a charity, while what you spent on the house is the implementation of what you were charged with by your mother and so you have performed an act of charity towards you grandmother. Based upon this, the income from this house which was previously restored and the execution of the commission with which you were charged, and whatever remained after that, is to be used in the cause of what the legal trustee considers to be charitable deeds — and the poor from among her kin have more right to charity from it than others. Should any dispute occur regarding it, it must be referred to the Islamic Court. As for the other house which you mentioned as belonging to your grandmother and being dilapidated, if it is subject to (the same terms as) the first house, then we have informed you of its ruling. However, if it was part of the inheritance and not of the endowed house, it is a matter for the heirs: If they permit you to join it to the endowed house, then its ruling will be the same as that of the endowed house, but if they do not permit you to do so, then it is up to the heirs, according to Allah's Judgement. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Graves Are an Endowment for Those Who Are Buried Therein

Q I have a plot of agricultural land and on the eastern edge of it is a piece of land belonging to my farm that is bordered in the west by my farm, and in the east by a path. To the north and south is the property of someone else. I wanted to cultivate it, but when I prepared the foundations of the building, I found some old graves in which nothing remained except the remnants of some bones. Since I am in need of this land I request that you study this case and give a ruling for me regarding it.


 It is clear from what you have said that the land about which you are asking is a graveyard and that your farm borders it in the west and that it is not part of your farm. Since you have found some old graves in it while digging it, and the graves contain bones, according to your own admission, then the land is not your property, nor does it belong to your farm. In fact, it is an endowment for those who are buried therein, and it is not permissible for you or anyone else to own it or to benefit from its land, either from housing, farming, building, erecting tents or any other such thing. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Land on Which There is an old Grave Whose Inhabitant is Not Known


Q There is a grave in a corner of my land and the inhabitant of this grave is unknown. The Judge of this town and three old men stood with me at this grave while it was clarified that the grave was in the south-east corner of my land, that it was extremely old, it is not known that the corner in which it was located was an actual graveyard, but.


the land to the south of my land was a graveyard and burials did not cease there until the number of cars increased and they began to drive around it.

 Since the matter is as you have mentioned, that the grave is old and the inhabitant is unknown, and none of the old people who stood with the Judge knows when the occupant was buried and that next to the grave, to the south, lies a graveyard in which burials only ceased after the number of cars increased, the land of this grave must be walled off and it must be excluded from the surrounding land which the person seeking a ruling owns — according to what he says — and that is because the land is originally uncultivated land and the grave was put in that state, especially since there is a public graveyard next to it, according to what has been mentioned. As for the graveyard which is to the south of the land where the grave is situated, if it is not surrounded by a wall, then it is incumbent upon His Excellency, the Judge to define its limits and raise the matter of its being walled off with the concerned authorities. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon all his family and Companions.

The Permanent Committee

The Ruling on Taking Something From a Graveyard for the Benefit of a Main Road

 There is a road that the city of Jubail is planning to widen, and it is opposed by a section of a graveyard. Is it permissible to take anything from the graveyard for the benefit of the road or not?

 It is well known that the dead have inviolable rights — just as the living do — and that the graves of the dead are their abodes, that it is the responsibility of those in authority to take care of the graveyards by repairing and protecting them from deterioration and interfering with them

in ways which conflict with the obligation to observe the sanctity of its inhabitants. Cutting off any of these ways conflicts with the obligation to observe their sanctity and protect them. Therefore, it is not permissible to take anything from it, except due to some legal justification.

What has been mentioned regarding the plan of the Municipality of this city to straighten the road, necessitating that they take something from the graveyard is not considered a legal justification for this due to (the following reasons):

- 1) The defilement of the sanctity of the dead and the violation of their abodes.
- 2) That the aforementioned city does not suffer from congestion of cars and traffic to an extent that would make this an urgent requirement.
- 3) That the widening of the proposed road according to what has been specified in the plan will expand the width of the road to thirty and a half meters, and it is possible to decrease this width to the extent that the requirement can be fulfilled without violating the dignity of the occupants of the graveyard. Accordingly, the Committee has determined that it is not permissible to take anything from the graveyard for the purpose of straightening the road where it passes by its south side, because of the (aforementioned) reasons against it. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and his Companions.

The Permanent Committee

The Sanctity of the Dead Muslim is the Same as That of the Living

Q If a man wanted to build a house, extend one, or erect any other building in a stretch of land on his farm, but while building, he found one, two, three, four or more graves

— what should he do?

A Originally, they were buried in land which was uncultivated, of which they became possessors when they were buried therein, so it is not permissible to interfere with them, neither by excavating them, nor by making a path or road, nor abusing them. They must be surrounded by a wall and it must not be allowed for anyone to mistreat or abuse them, and they must be protected for the sake of the dignity of their inhabitants. This is because the sanctity of the deceased Muslim is the same as his sanctity while he was alive. And may peace be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Retracting Endowments

Q A man donated a very large piece of land when he was in good health in order that it be made into a graveyard. No one has been buried in it as yet. The person who donated the land has been retired since the year 1386 A.H. and he has no land other than this, except a house for him and his family. Is it permissible for him to go back on it, or a part of it, or not?

A It is not permissible to go back on (the promise of) land which he donated, nor a part of it, because it ceased to be the property of the donor once it was given as an endowment, it may only be utilized for the purpose for which it was given. So if it was needed for the purpose of burials in that area (then it must be used so), and if not, it must be sold and its price used to buy a graveyard in another area. It should not be disposed of without a Judge knowing about the area in which the piece of land endowed lies. And the weakening of your (financial) situation following retirement does not allow you to take back an endowment; and Allah, Most Glorified, Most High will reward you and recompense you with goodness for what you

have spent. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

He Donated Land For a *Masjid*, Then He Wanted to Take it Back

Q A man promised to grant a piece of land for a school to be built on it, except that this was conditional upon his being allowed to go back on a previous promise to donate it for the building of an *'Eid* mosque on it. Should he choose to give it for the building of an *'Eid* mosque, in fulfillment of the first promise, or give it to the Ministry of Education, for the building of a school on it, bearing in mind that there is already a mosque for the performance of *'Eid* prayers in the area?

A If the man did indeed give the piece of land for the construction of an *'Eid* mosque on it, then it belongs to the *'Eid* mosque and he may not take back his gift. But if he only promised a piece of land for building a mosque, then he may choose whether or not to fulfill his promise. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Endowments to Those Who Have Not Yet Come of Age and Including the Endowment in the Third of its Donor

Q My father died — may Allah have mercy on him — and I found among his papers a will which specifies that he bequeathed a sum to one of his daughters, but she had died no older than thirteen. Is an endowment to one who has not come of age correct? And if it is correct, is it permissible to prefer her over her brothers who were present at the time of the endowment? And if you confirm the correctness of the

endowment, is it included in the third of my father, or is it made separate?



Having examined the will, it was found that the bequest mentioned by the person requesting a ruling from his father to his daughter is correct. And having studied the question and the will, the Committee has found nothing that would necessitate its invalidation, and this sum should be separate, not included in the third of her father, as mentioned by the questioner. Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Transferring the Funds of One Mosque to Another



There is a mosque in the United States of America for which money was collected and then it was built, after which there remained a large amount from its funds and in another area, there is a mosque around which there lives a large Islamic community and it requires the building of a library and a school and some subsidiary buildings. Some of those who are undertaking it wish to take something from the funds which are present with the people who built the first mosque. The people of the first mosque object, arguing that the funds belong to the first mosque and they say that if *Shaikh* 'Abdul-'Aziz bin Baz rules that it is permissible to transfer funds from that mosque to this, then we will not object to it. We request you to advise us on this.





If the first mosque for which funds were collected has been completed and is in no need of the money, then the excess funds may be used for the building project of the second mosque, including its additional buildings, such as libraries, toilets and the like, as the scholars have stipulated in the

chapters on endowments. Since it falls into the same category as the mosque for which charity was given, and it is well known that those who give charity did so with the intention of sharing in building one of the Houses of Allah, so what remains from it may be used for something the same. If there is no mosque which requires the expenditure of these extra funds, it may be utilized for the benefit of the general Muslim populace, such as schools, hospices, charities for the poor and such like. And Allah is the Granter of success.

Ibn Baz

It is Better for an Endowment to be Spent on the Thing For Which it Was Specified

 A man paid some money to the committee of a mosque and it was said to him that this money would be used for building things such as toilets, but the majority of the committee later considered that they needed to spend the money on something other than that specified by the owner of the money, or that they were in no need. What is the ruling?

 It is preferable and more prudent that it be spent on the thing specified by the one who gave it, if it was some prescribed thing, such as toilets or something else allowed. However, if the committee established for building the mosque considered that need or necessity called for it being spent on building the mosque, there is no sin in that — Allah Willing — because building a mosque is better, and of greater benefit than building toilets near a mosque. This is only because building a mosque is the primary goal, while building toilets falls under the category of means and support facilitating the performance of prayer, and increasing the number of worshippers. And Allah knows best.

Ibn Baz

The Ruling on the Endowment of Buildings Which Were Built With Loans From the Property Development Fund

Q Is it permissible to endow buildings which were constructed with loans from the Property Development Fund, while they are still mortgaged to the Fund?

A There is disagreement on this question among the scholars, based upon another question, which is: Is a mortgage binding if the ownership of the item has not yet been transferred or not? So those who said that it is not binding except by possession, said that it is correct to give it as an endowment or dispose of it in any other way which entails transfer of ownership, due to its being a mortgaged property whose ownership has not been transferred.

Those who said that the mortgage is binding even if the borrower has not acquired it, they say that endowing it is not correct, nor disposal of it in any other way which entails transfer of its ownership.

Based upon this, it is more prudent not to endow it until the money for it has been paid to the bank, in order to avoid the disagreement of the scholars and to act in accordance with the noble *Hadith*:

«الْمُسْلِمُونَ عَلَى شُرُوطِهِمْ»

“The Muslims must abide by their conditions (of purchase and sale).”^[1]

Ibn Baz

The Ruling on an Endowment if its Benefits Cease

Q My father was entrusted with the endowment of a sum invested in a hand mill and when the hand mill was no

^[1] Abu Dawud no. 3594 and At-Tirmithi no. 1352.

longer used, it was invested in a grinder, which also subsequently ceased to operate. There remained the sum of four hundred Riyals from the cost of the parts after repair of the hand mill, its housing and the grinder. Then my father died, so what should I do with the remaining money?

A The remainder from (the sale of) its parts should be used for some public utility which is needed by the people which no one is providing. Or, it should be spend on something such as a water dispenser at the door of a mosque, in a public thoroughfare, or a share in the building of an artesian well, or its repair so that the people may benefit from its water, or the repair of a mosque, or the purchase of carpets for it, if there is no one to undertake this task, or there is, but it is not possible for him to collect the necessary funds. If it is not easy for him to properly dispose of the remainder in one of these ways, or he does not find the revenue sufficient for any public utility which no one has provided, he may give it in charity to the poor. But in this case he must raise the matter of the distribution with His Excellency, the Judge of the town to appoint a trustworthy overseer, who knows about matters regarding distribution, so he may be responsible for its protection and distribution. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

He Sold a House, Then it Became Evident That it Was an Endowment

Q I sold a mud-brick house of mine which I had inherited from my father and its income was meant to provide for the slaughter of animals sacrifice. My father had inherited it from his mother and I after him, on the understanding that sacrifices be slaughtered using the income from its rent. After I came of age, I saw the document and regretted having sold

it and I explained to the purchaser he must return the house and take back his money, but he refused and if he refused to accept the house along with the endowment for slaughter, have I absolved myself of blame? What is the answer of Your Eminence to this legal problem?



Our view is that you should have the buyer summoned to the Court and explain to the Judge what happened, and that you were not aware that the house was a bequest, and you did not become aware of it until after you had come of age — bearing in mind that there is blame upon the seller who was entrusted with the sale and did not make sure that he was free (to do so). This is because endowments cannot be sold, unless the benefit from them has ceased. In any event, you will find a suitable solution with the Judge, if Allah, Most High wills.

Ibn Jibreen

Endowments Cannot be Sold



My father died — may Allah have mercy on him — and he had been left a small, private house by his parents. They charged him with the responsibility of slaughtering for them from the rent of the house throughout his life, then his sons who came after him were to be entrusted with this, but my father sold this house and then he died before he could dispose of its price, so it was included in the inheritance. So now we have a different house which was the property of my father, which he left to us and it has not been sold up to now. The question is: How do we deal with this will, bearing in mind that the value of my grandfather's own house is not more than fifty thousand Riyals. And is it permissible to invest the value of the house for them in some good works, or to share in the building of a mosque? May Allah reward you with goodness.




My view is that this case be referred to the Court for them to decide the matter, because it is not permissible to sell


endowments, if person has endowed it and designated its profit to be spent on slaughtering animals. However, if he has not endowed it, then it remains the property of the heirs, but this slaughter must be performed from its income forever. So the questioner must refer to the Court in this matter.

Ibn 'Uthaimin

He Endowed a House in Order to Prevent His Nephew From Inheriting

 The following question reached the General Presidency for the Administrations of Scientific Researches, Religious Verdicts, Preaching and Guidance:

A man asks, saying that he has a wife, a mother, a half sister and a cousin who will inherit from him and that his cousin is estranged from him, does not contact him and does not help him and that he (the questioner) owns a house which he wishes to give as an endowment to his mother, his wife and his sister. Then after their death, the endowment of the house will revert to some permanent charitable authority, such as mosques, for example, and that the aim of this is only to prevent his cousin from inheriting. So he asks: Is it permissible for him to do this?

 The Permanent Committee for Scientific Investigations and Religious Verdicts gave the following answer:

“The Two *Shaykhs* (Al-Bukhari and Muslim) have narrated in their *Sahihs*, on the authority of ‘Umar bin Al-Khattab, may Allah be pleased with him, that the Prophet ﷺ said:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ، وَإِنَّمَا لِكُلِّ امْرِئٍ مَّا نَوَىٰ»

“Deeds are by intentions, and every person shall have what he intended.”^[1]


[1] Al-Bukhari no. 1 and Muslim no. 1907.


The one seeking the legal ruling has made it clear that he intends by his action only to prevent his cousin from receiving anything. Therefore, we do not see that this action is permissible under the circumstances mentioned, with regard to his intention. For even though he is the son of his uncle, and not an heir at the moment due to the money being wholly claimed by those with the right of inheritance before him, he might be an heir in the future. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.”

The Permanent Committee

Al-Hibah (Gifts) and Al-'Atiyyah (Presents)

It is Permissible for a Husband to Give His wife a Gift as He Wishes

 A man wishes to present his wife with a gift from his property — whether it is a little or a lot — either money, property or gold. If he disposes of it in this way, does this harm his heirs who come after him? And what limits have been set by the Islamic Law for its disposal which must not be exceeded, is it a quarter or a third? And vice versa If the one giving the gift is a woman from her own private money, what is the limit that she may dispose of according to Islamic Law? Advise me and may Allah reward you with goodness.

 It is permissible for the husband to give his wife a gift while he is healthy and living, as he wishes, as a reward for her patience, or her good service, if he did not do so to the detriment of other heirs, and it is not restricted to a quarter of his property nor anything else. Similarly regarding the wife, it is permissible for her to give her husband whatever she wishes from her property or her dowry, according to the Words of Allah, Most High:

﴿إِن طِبَنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَّرِيئًا﴾

“But if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allah has made it lawful).”^[1]

But it is not permissible to do so if he is ill, because that is considered a bequest to an heir.

Ibn Jibreen

A Husband's Gift

Q My wife is infertile and so am I, and my family dislikes her. I intended to sell her a quarter of my house so that they cannot expel her after my death. If this is forbidden, what should I do to atone for my sin?

A If she has already paid you the sum for which you sold her one quarter of the house, there is no objection to it and that will be a part of the property ownership, and then after your death, she will have a share in the inheritance and they will not be able to expel her. And if it was a gift from you to her without payment which she deserves due to her good behavior towards you and her patience with you, you are entitled to do this also, and your family may not expel her when you have given her this money or this portion. In any case, there is no objection to this for these reasons and other similar reasons.


Ibn Jibreen

A Sister's Gift

Q My father has been dead for some time and we have a house in his name. We decided to sell the house and divide up the legacy, but one of my sisters wants to relinquish her right to me in order to help me to marry — bearing in


^[1] *An-Nisa'* 4:4.


mind that she is (already) married and that she and her husband live comfortably. Is this permissible? Benefit me (with advice) and may Allah benefit you.

 There is no sin if you accept this gift from your sister — which is her share of the house — in order to help you to marry, if she is of age. This is because the evidences from the Book (of Allah) and the *Sunnah* prove that it is permissible for a woman to give a portion of her property to her near relatives and to others. Likewise, it is permissible for her to give charity, if she is of age. And Allah is the Granter of success.

Ibn Baz


This Gift is Permissible


 A woman received her share of an inheritance after the death of her father and she gave it to her full brother; bearing in mind that she has eight children — male and female — is a gift such as this permissible in the Islamic Law — and what is the amount of the share of her children?

 If this woman who gave this gift was in perfect health, then it is permissible for her to dispose of her property as she wishes and the children do not have a right in this inheritance, as long as the mother is alive. But if she died, then his estate would be divided as required by the Islamic Law.

Ibn 'Uthaimin

Showing Favoritism When Giving Gifts

 Is it permissible for the head of the house to favor some of his heirs over others? We request Your Excellency to advise us.

 It is permissible for a person to prefer some of his heirs over others, if this preference is while he is in good health, except in the case of his children. It is not permissible for him to

prefer some of them over others, except between the male and the female, because he may give the male twice what he gives the female. This is based upon the words of the Prophet ﷺ:

«فَاتَّقُوا اللَّهَ وَاعْدِلُوا بَيْنَ أَوْلَادِكُمْ»

“Fear Allah and act with justice between your children.”^[1]

So if he gives one of his sons hundred Dirhams for example, he must give the others hundred Dirhams and give the girls fifty Dirhams each, or take back the hundred Dirhams which he gave to his first son. Yes, assuming that all of his children — male and female — had reached the age of maturity and they permitted him to favor (one of them), there is no objection to this and we have mentioned this regarding the spending which is not obligatory.

As for the obligatory spending, he must give all of them their rights. But if it happened that one of his sons needed to marry and he paid the dowry for him, because the son could not pay it, in this case, he would not be required to give the others what he had given to the one who needed to get married, because marrying off (one’s children) is a part of providing financial support.

In this connection, I would like to draw attention to something which some of the people do out of ignorance: A person has children who have reached marriageable age and so he marries them off, while he has other small children and he leaves for them after his death the same sum which he spent in marrying the grownup ones. This is forbidden and impermissible, because this bequest is a bequest for an heir and it is not permissible for the heir to receive a bequest. The Prophet ﷺ said:

«إِنَّ اللَّهَ قَدْ أَعْطَى كُلَّ ذِي حَقٍّ حَقَّهُ فَلَا وَصِيَّةَ لِيُورِثِ»

“Verily Allah gave every deserving person his right, so there is no bequest for the heir.”^[2]


[1] Al-Bukhari no. 2587 and Muslim no. 1623.


[2] Abu Dawud no. 2870 and At-Tirmithi no. 2120.

So if he said: "I bequeathed to them this money because I have helped their brothers get married with the same amount," then we say: "If those young ones reach the age of marriage before you die, then help them get married with the same amount as you did with their brothers. And if they do not reach the age of marriage, then it is not an obligation upon you to help them get married."

Ibn 'Uthaimin

The One Who Takes Back His Gift is Like a Dog

 I have a brother who came to visit when I was working in a city outside the country in which we and our family reside. I gave him a gift of a sum of money, as an act of kindness, I did not intend it to be a loan, nor did I intend to ask for it back later. He knew that and he took the money and returned to our country where he and our family lived and he used this money to marry. His wife lived with him for a time, after which, there occurred some trouble between him and her and his wife became disobedient towards him. After that, my brother made a bequest to me for the sum (which I had given him) as a debt upon him and he had it attested to. After that, he lived for some time, then Allah took his soul. When I returned to my country following my brother's death, I was informed of the bequest. My brother's wife requested me to produce her share from the legacy of her husband, and I claimed from her the sum which my brother had bequeathed to me, which was the amount I had previously given to him as an act of kindness. And in fact, she presented her share of the inheritance, which was the debt my brother had bequeathed to me, and I took it from her and then she took her share from the legacy.

 If you gave it to him as a charity from you and he accepted it, knowing that it was a charity, then it should not be returned to you, according to the words of the Prophet ﷺ:

«الْعَائِدُ فِي هَبْتِهِ كَالْكَلْبِ يَعُودُ فِي قَيْئِهِ»

“The one who takes back his gift is like a dog that swallows its vomit.”^[1]

According to this, the ruling on this sum of money is that it belongs to him, so you must return it to the heirs. If you are one of the heirs, you have a share of it by inheritance. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

^[1] Al-Bukhari no. 2588 and At-Tirmithi no. 1298.

The Book of Al-Wasaya (Wills and Testaments)

The Amount of the Will and its Timing

Q When is it prescribed to write a will? And has the Islamic Law defined the amount of money for that?

A A will is prescribed at all times if the person has anything to leave, and he must do it quickly, because it has been confirmed from the Prophet ﷺ that he said:

«مَا حَقُّ امْرِئٍ مُسْلِمٍ، لَهُ شَيْءٌ يُرِيدُ أَنْ يُوصِيَ فِيهِ، يَبِيتُ لَيْلَتَيْنِ، إِلَّا
وَوَصِيَّتُهُ مَكْتُوبَةٌ عِنْدَهُ»

“It is not right for a Muslim man who has anything he wants to bequeath to stay anywhere for two nights unless he has a will with him.”^[1]

This proves that it is prescribed to hurry to make one’s will if one has anything he would like to leave. The maximum which it is permissible to bequeath is a third, according to the words of the Prophet ﷺ, in the *Hadith* of Sa’d, may Allah be pleased with him:

«الثُّلُثُ وَالثُّلُثُ كَثِيرٌ»

“One third — and a third is a lot.”^[2]

Ibn ‘Abbas, may Allah be pleased with him, said: “If the people would but reduce (their bequests) from a third to a quarter, because the Messenger ﷺ said:

[1] Al-Bukhari no. 2738 and Muslim no. 1627.

[2] Al-Bukhari no. 2744 and Muslim no. 1628.

«الثُّلُثُ وَالثُّلُثُ كَثِيرٌ»

“One third — and a third is a lot.”^[1]

And (Abu Bakr) As-Siddiq, may Allah be pleased with him, bequeathed a fifth. So if a person bequeathed a quarter or a fifth, it is better than a third, especially if the wealth is substantial. If he bequeathed a third, there is no sin.

Ibn Baz

The Ruling on Leaving a Will and its Legal Wording

Q Is it obligatory to write a will? And does it require witnesses? And since I do not know the legal wording, I request that you guide me to it, and may Allah reward you with goodness.



The will is written according to the following wording:

“I, the undersigned do hereby testify that none has the right to be worshipped except Allah, Alone without partners, and that Muhammad is His servant and His Messenger and that ‘Isa is the servant of Allah and His Messenger and His Word, which He bestowed on Mary and a spirit (*Ruh*) created by Him, and that Paradise is true and Hell is true and that the Hour (i.e., the Day of Resurrection) will come and there is no doubt in it, and that Allah will send forth those in the graves.

I advise those whom I leave behind of my family and my descendants and all of my kin to fear Allah, the elimination of discord, obedience to Allah and His Messenger, mutual recommendation to the truth and patient perseverance upon it. And I advise them with the same advice which Ibrahim and Ya‘qub, peace be upon them, gave to their sons:

﴿يَبْنَؤُا اِنَّ اللّٰهَ اَصْطَفٰى لَكُمْ الدّٰىنَ فَلَا تَمُوْثُنَّ اِلَّا وَاَسْمٰهُمُ سَلِيْمُوْنَ ﴿١٣٢﴾﴾

^[1] Al-Bukhari no. 2744 and Muslim no. 1628.

“O my sons! Allah has chosen for you the (true) religion, then die not except in the faith of Islam (as Muslims).”^[1]

Then he should mention what he must leave from one third of his wealth or less than that, or a specific amount which is not more than a third and he should make his legal obligations clear, and mention the trustee of that. A will is not obligatory, but it is highly recommended if one wishes to bequeath anything, according to what has been confirmed in the Two *Sahih*s, on the authority of Ibn ‘Umar — may Allah be pleased with him — from the Prophet ﷺ that he said:

«مَا حَقُّ امْرِئٍ مُسْلِمٍ، لَهُ شَيْءٌ يُرِيدُ أَنْ يُوصِيَ فِيهِ، بَيْتٌ لَيْلَتَيْنِ، إِلَّا
وَوَصِيَّتَهُ مَكْتُوبَةٌ عِنْدَهُ»

“It is not right for a Muslim man who has anything he wants to bequeath to stay anywhere for two nights unless he has a will with him.”^[2]

However, if he has debts or rights which he must pay for which there are no written records to confirm for their recipients, he must testify to them, so that the rights of the people are not lost. He must then call two just witnesses to his will and it should be attested by someone whom he trusts among the scholars, so that it may be depended upon, and he should not suffice himself with his written hand only, because it may be unclear to the authorities, and it might not be easy for those among the reliable people whom he knows (to understand it). And Allah is the Granter of success.

One is Bound by the Provisions Made by the Deceased in His Will



Prior to his death, a man bequeathed a quarter of his wealth to be divided as follows:

^[1] *Al-Baqarah* 2:132

^[2] *Al-Bukhari* no. 2738 and *Muslim* no. 1627.

- 1) An animal to be slaughtered for him every year.
- 2) Charities for the poor and needy.
- 3) Righteous works and charitable projects.

— the wealth from which he bequeathed a quarter amounts to some real estate and some small balances in a number of banks. My question is: Is it permissible for us to spend what he bequeathed on the building of a mosque only, or are we bound by the provisions mentioned by the one who made the bequest only?



It is obligatory in a will such as this to be bound by the provisions mentioned by the one who made the bequest. The same for all legal wills, it is obligatory to be bound by the provisions mentioned by the one who made the bequest and to implement them as much as one is able. And Allah is the Granter of success.

Ibn Baz

The Will Must Be Executed



A man died and made a bequest that the income from one of his houses be used for slaughtering an animal and a pilgrimage to be performed on his behalf every year, if it was possible, or every other year. And if there was any excess, it should be used in righteous works. The question is: Is the performance of the Hajj which was willed obligatory, so long as there is a person willing to perform it on his behalf, but one has doubts about him, since he is only performing the pilgrimage for the sake of some financial return. Would it be better to spend the equivalent amount of this money in righteous works, such as building a mosque and other such things or not?



It is obligatory to implement the provisions which the one making the bequest willed, because Hajj is one of those acts which brings one closer to Allah and it is upon the trustee to

use his judgement and to appoint one who appears to be a good and righteous person, who desires to perform the Hajj in order to draw closer to Allah, Most Glorified — not for the sake of money. It is Allah, Most Glorified Who holds the knowledge of all things secret and Who recompenses them.

Ibn Baz

There is no Bequest for an Heir

Q My father wrote (in his will) that a farm was to be owned by his son after him. Bearing in mind that he has four daughters in addition to this son, is it permissible for him to do that? And if the farm was divided up between the son and the four daughters, how would the division be?

A Allah, the Almighty, the All-Powerful has explained in His Book how the estate of the deceased is divided up, saying:

﴿يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ﴾

“Allah commands you as regards your children’s (inheritance): to the male, a portion equal to that of two females”^[1]

The Prophet ﷺ said:

«إِنَّ اللَّهَ قَدْ أَعْطَى كُلَّ ذِي حَقٍّ حَقَّهُ فَلَا وَصِيَّةَ لِرِوَاثٍ»

“Verily Allah gave every deserving person his right, so there is no bequest for the heir.”^[2]

According to this, the bequest of this father to his son is an invalid one and it is not permissible to implement it — unless all of the heirs agree to this. In that case, there is no objection. If they do not agree, then this farm must be returned to the inheritance and be divided amongst the heirs, as Allah, the Almighty, the All-Powerful has commanded, and the division must be among all of the heirs. If he has no heirs aside from this

^[1] An-Nisa’ 4:11

^[2] Abu Dawud no. 2870.

son and these daughters, then it (the inheritance) will be divided between them, for the male a portion equal to that of two females. So the value of this farm and whatever else the deceased has left must be divided into shares, for each daughter one share and for each son two shares.

Ibn 'Uthaimin

The Ruling on Bequests of Less Than One Third

Q It is well known that it is permissible for a person to bequeath a third of his property, but is it permissible to bequeath less than a third, if that person possesses great wealth and what are the purposes for which this bequest must be spent? And is the slaughter considered to be an obligation which must be included in the bequest?

A It has been confirmed from the Prophet ﷺ that he said to Sa'd bin Abi Waqqas, may Allah be pleased with him — when Sa'd asked him while he was ill if he should bequeath two thirds of his wealth: “No.” So Sa'd said: “Then half?” The Prophet ﷺ replied: “No.” So Sa'd said: “Then one third?” He ﷺ answered:

«الثلثُ والثلثُ كثيرٌ إنك أن تذرَ ورثتكَ أغنياءَ خيرٌ من أن تذرَهُم عالةً يتكفونَ الناسَ»

One third — and a third is a lot. It is better for you to leave your heirs wealthy than to leave them impoverished and begging from the people.^[1]

It has been confirmed from Ibn 'Abbas, may Allah be pleased with him, that he said: If the people would but reduce (their bequests) from a third to a quarter, because the Messenger ﷺ said:

«الثلثُ والثلثُ كثيرٌ»

[1] Al-Bukhari no. 1295 and Muslim no. 1628.

“One third — and a third is a lot.”^[1]

And (Abu Bakr) As-Siddiq, may Allah be pleased with him, bequeathed a fifth, so it is clear from what we have mentioned that a third is the maximum limit for bequests and charity when one is ill.

As for bequeathing less than one third, there is no minimum amount for it. It is permissible for the benefactor to bequeath whatever he sees fit from his wealth, on condition that it does not exceed one third. If he bequeaths less than a third, such as a quarter, a fifth, a sixth or the like, then it is better, especially if his wealth is great. It is better that the bequest be for the purpose of good deeds, such as the poor and needy, the wayfarers, those who participate in *Jihad* in Allah’s Cause, the building of mosques, Islamic schools, charity to one’s kinfolk and other such charitable works. If it has been specified in his will that an animal be slaughtered for him and for whomever he pleases among his family, then there is no objection to this, because it is one of the lawful deeds by which one draws closer to Allah. Another such deed would be helping those who wish to marry and have not the means, and those with debts who have no means to pay them, and other such deeds. And Allah is the Granter of success.

Ibn Baz

The Ruling on Slaughtering an Animal on Behalf of the Deceased According to His Will Every Year

Q What is the rule on slaughtering an animal on behalf of the deceased in accordance with his will every year? Is it permissible or not?

A It has been confirmed in the Islamic Law that it is permissible for the deceased to extract a sum from his

^[1] Al-Bukhari 2744 and Muslim no. 1628.

wealth for the purpose of distributing it as charity and good deeds, the reward of which reaches the deceased, such as *Hajj*, *Jihad* and (building and maintaining) mosques, (printing) books of (Islamic) knowledge, maintaining family ties, hospitality, (charity) to the poor and needy and the debtors and so on. Slaughtering an animal may be compared to this, because it is a form of charity and there is great virtue in it. However, in this day and age, there is little need for it and people are vying with each other over it, so that it has become difficult for the poor to get anything from it.

Therefore, in my view they should not vie with one another over this, and it should be restricted to certain times and places, and the rest of the wealth used for the aforementioned good deeds.

Ibn Jibreen

A Forbidden and Invalid Bequest

Q A man fathered two sons and bequeathed a house to be owned by one of them, then he married after the death of his wife and fathered a son. What is his share of the inheritance?

A To this man who fathered two sons and left a house to be owned by one of them, we say, that this bequest of his is forbidden and invalid. This is because it apportions to one of the heirs something from his wealth, and because it entails partiality towards one of his sons over another, and both of these things are forbidden. As for the first, it is because bequests for heirs are forbidden, since it transgresses the limits set by Allah, the Almighty, the All-Powerful. Because He, Most Glorified, Most High apportioned inheritances in accordance with His Knowledge and His Wisdom. He says, in the first Verse dealing with inheritance:

﴿ءَابَاؤُكُمْ وَأَبْنَاؤُكُمْ لَا تَدْرُونَ أَيُّهُمْ أَقْرَبُ لَكُمْ نَفْعًا فَرِيضَةٌ مِّنَ اللَّهِ إِنَّ اللَّهَ

كَانَ عَلِيمًا حَكِيمًا ﴿١١﴾

“You know not which of them, whether your parents or your children, are nearest to you in benefit; (these fixed shares) are ordained by Allah. And Allah is Ever All-Knower, All-Wise.”^[1]

And in the second Verse, He says:

﴿تِلْكَ حُدُودُ اللَّهِ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ يُدْخِلْهُ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا وَذَلِكَ الْفَوْزُ الْعَظِيمُ ﴿١٣﴾
وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ وَيَتَعَدَّ حُدُودَهُ يُدْخِلْهُ نَارًا خَالِدًا فِيهَا وَلَهُ عَذَابٌ مُهِينٌ ﴿١٤﴾﴾

“These are the limits (set by) Allah, and whosoever obeys Allah and His Messenger will be admitted to Gardens under which rivers flow (in Paradise), to abide therein, and that will be the great success. And whosoever disobeys Allah and His Messenger and transgresses His limits, He will cast him into the Fire, to abide therein; and he shall have a disgraceful torment.”^[2]

and in the third Verse, He says:

﴿يُبَيِّنُ اللَّهُ لَكُمْ أَنْ تَضِلُّوا وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ ﴿١٧﴾﴾

“(Thus) does Allah make clear to you (His Law) lest you go astray. And Allah is the All-Knower of everything.”^[3]

As for the second matter, which is the display of partiality towards one son over another, it is an act of injustice and wrongdoing and it is reported in the Two *Sahih*s, on the authority of An-Nu‘man bin Bashir, may Allah be pleased with him, that his father gave him a gift and his mother (i.e. the mother of An-Nu‘man) said: “I will not be happy until you call upon the Prophet ﷺ to witness it.” An-Nu‘man bin Bashir, may Allah be pleased with him, said: “So my father took me to the Messenger of Allah ﷺ and said: “O Messenger of Allah! I testify that I have given a gift of such-and-such from my property to

[1] *An-Nisa'* 4:11.

[2] *An-Nisa'* 4:13-14.

[3] *An-Nisa'* 4:176.

An-Nu'man," and the Prophet ﷺ said:

«أَكَلَّ بَنِيكَ فَذَنْحَلْتَ مِثْلَمَا نَحَلْتَ النُّعْمَانَ؟»

"Have you given the same as you gave to An-Nu'man to all of your sons?"

He replied: "No." The Prophet ﷺ said:

«فَأَشْهَدْ عَلَيَّ هَذَا غَيْرِي»

"Then ask someone else to witness it."

He ﷺ said:

«أَيَسْرُوكَ أَنْ يَكُونُوا إِلَيْكَ فِي الْبِرِّ سَوَاءً؟»

"Would you like them to display equal obedience to you?"

He said: "Yes." He ﷺ said:

«فَلَا إِذَا»

"Then do not do it."^[1]

And the Prophet ﷺ said:

«فَاتَّقُوا اللَّهَ وَاعْدِلُوا بَيْنَ أَوْلَادِكُمْ»

"Fear Allah and act with justice between your children."^[2]

From this it is clear that it is not permissible to prefer one child over another, because this is unjust.


As for the questioner mentioning that this man married after the death of his wife, and fathered a son, so what is his share of the inheritance? It is not possible to reply to that, until the inheritance has been defined and it has been ascertained who are the heirs and what he is entitled to from the remainder of the inheritance.


Ibn 'Uthaimin

[1] Al-Bukhari no. 2587 and Muslim no. 1623.

[2] Al-Bukhari no. 2587 and Muslim no. 1623.


The Excess Income From a Bequest is Divided Among the Heirs

 A man bequeathed a quarter of his property for the purpose of slaughtering two animals, the remainder to be divided between his children, with the male receiving a portion equal to that of two females. The executor of the will purchased a shop from that quarter, from the rental of which he bought the two slaughter animals. He divided the remainder of the rental between the children of the testator, with the male receiving double the share as the female, in accordance with the wording of the will. As for what remained of the quarter after purchasing the shop — which amounted to twenty thousand Riyals — the executor of the will produced a lot of profit from it — so should this profit be distributed among the heirs, according to the will, or should it be subject to the (the provision of) the quarter and nothing from it be distributed among the heirs?

 If the situation is as described, then all of the profit from the twenty thousand Riyals is considered excess from the income of the will and it is divided between the heirs, according to the wording of the will. This is because the object (of the bequest) is that two animals be slaughtered from the profit every year and any revenue beyond that is considered excess — whether the slaughter of the two animals was paid for from the rental of the shop, or from the profit of the twenty thousand. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

He Took His Wife's Money and Then Bequeathed it to Her After His Death

 This man, during his life, took the rightful property of his wife and devoured it, then at the time of his death, he bequeathed

to her some cubits of land which he owned as recompense for what he had taken during his life. Is this permissible or not?



If the rightful property of his wife which he took during his life is confirmed as being his liability, then the cubits of land which he bequeathed to his wife from his property as recompense for what he had taken from her during his life is permissible, if the value of what he bequeathed to her is equivalent to the right which is confirmed in his liabilities, and it is from the original sum of the legacy, not from the third.

The Permanent Committee

He Died and He Had Not Bequeathed Anything




A man with a family possessed wealth, and all of his children were legal minors, the eldest of them being eight years old. He died suddenly and he did not bequeath any of his property — bearing in mind that if he had remembered to make a will before his death and matters pertaining thereto, he would have bequeathed something. Is it permissible to take anything from his wealth, or is it enough (to spend from it) on righteous deeds, such as *Hajj*, *Umrah*, animal sacrifice and the like? Please advise us.




It is not necessary for the heirs to take anything from his property, but if they do, taking a specific amount jointly, such as a third, or a quarter or the like, or they take a fixed amount of Dirhams and give them as charity on his behalf, or purchase for him some real estate, that would be an endowment for Allah's Face — Most Glorified, Most High — and if its income is spent on charitable projects and good deeds, they will be rewarded for it, and that is an act of righteousness to one's parents, but it is only right for those who are of mature age to do this. As for the legal minors and the one who is grown but not legally competent, it is not permissible for their guardian to remove anything from his share. And Allah is the Granter of success.

Ibn Baz


He Bequeathed a Fifth of His Wealth and With the Exception of a House, Then He Sold it and Bought Another

 A man bequeathed a fifth of what he had left — with the exception of a residential house for his family — according to the laws of inheritance. But before he died, he disposed of the house by selling it and buying another one, then he sold the second one and bought a third one and so on. Then he died and he had one house which was the home of his family. The question is, is the house included in the fifth and does it fall under the ruling of the first house or not?

 If the matter is as mentioned in the question, then the house which was with him when he died would be in place of the first house which he excepted in the will and it is not included in the fifth. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Will Must be Implemented in Accordance With the Bequest of the Testator According to the Limits of the Third

 A man says: “The property of my father was divided between my sisters in the year 1373 A.H. and the share of each one of them came to seven *Qirats*.^[1] One of them took it upon herself to vow her aforementioned share to my sons, although she had made a bequest which was for two cows whose meat was to be distributed among the poor and needy after her death. And she repeated this vow and this bequest many times. Then in the year 1394 A.H. she went to the Mercy of Allah. I request your advice regarding this vow

^[1] *Qirat*: A measure or share.

and this bequest.”



As regards her vowing, her share of the inheritance from her father to your sons, you may have confirmed this by the Judge in the town where the property lies.

As for the bequest which she made for the slaughter of two cows, their meat to be distributed among the poor and needy after her death; since she has died, her bequest must be implemented in accordance with her wishes — as mentioned in the question — if they are confirmed by lawful evidence and the value of the two cows does not exceed one third of her estate. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Will Was Lost After the Death of the Testator, Then it Was Found Again After the Inheritance Had Been Distributed



A person says: “My father became ill in the year 1391 AH. and on the 29th of Thul Qa’dah in that year, he bequeathed a third of his property as an endowment and he made me the executor, fearful that his illness might be terminal. But by the Power of Allah, Most Glorified, Most High, he lived for four years after Allah cured him of this illness. Allah, Most Glorified, Most High took him in the year 1395 AH., and I — after the writing of the will in which my father made me responsible for the (aforementioned) third and after Allah had cured him — thought that the will was invalidated and when we searched for it, we did not find it. After we had become tired of looking and searching for it in vain, we disregarded the matter because the testator was alive, still being sustained (by Allah) and in good health. But Allah ordained that death come to him after an illness on the 2nd of Thul Qa’dah 1395 AH. He died without leaving a will

— may Allah have mercy on him. The property which he left amounts to thirty two thousand, one hundred and forty eight (32,148) Riyals. The distribution of the inheritance was completed among the heirs — two wives, two daughters and four sons — and nothing remained of the money after all the heirs had taken their share. Then on the 10th of Jumada Ath-Thani 1396 AH., we found the will document which had been written in the year 1391 AH., during his first illness, and in which he made me the executor of a third of his property. We are now at a loss regarding this matter; the property has been distributed and we do not know what to do, and we fear that we have sinned. Bearing in mind that the deceased was blessed with righteous children whose intention is to show obedience to their parents, what is the ruling?”




If the matter is as stated, then the equivalent of a third of the estate must be recovered from the money which the heirs received, which comes to ten thousand, seven hundred and sixteen Riyals. A third of each one's share must be taken from him, and the resulting total is one third of the deceased's estate. This is to be entrusted to the legal executor of the estate, who must implement (its distribution) in accordance with his legal bequest, if it is confirmed by evidence, or the affirmation of the heirs. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Money Which Has Been Bequeathed For An Innovation

Q A person says: “I have heard some students of (religious) knowledge in the Sacred City of Al-Madinah saying that hiring a person to recite the Qur'an with the intention of (benefitting) the deceased is not legislated. Since this is widespread in some countries, what should be done

with the money which was left for reading the Qur'an with the intention of (benefitting) the deceased.

 Hiring someone to recite the Qur'an with the intention of (benefitting) the deceased, in accordance with a bequest which he has made, is one of those innovated matters. It is not permissible to do this, nor is it correct, according to the words of the Prophet ﷺ:


«مَنْ أَحَدَثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ مِنْهُ فَهُوَ رَدٌّ»

“Whoever performed a deed which is not from this matter (i.e., religion) of ours, will have it rejected.”^[1]

As for the money which the deceased bequeathed to hire a reciter, with the intention of (benefitting) the deceased, it should be spent on charitable deeds. If he has poor descendants, he may give enough charity to them to cover their needs. Likewise, whoever needs help among those who are learning the Qur'an and the students of Islamic knowledge, they have more right to help from this money, and similarly with the other types of good works. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on a Bequest Made for the Purpose of Preventing the Sons From Inheriting

 A man has eight sons, six of them obedient to Allah and two of them disobedient to Allah — they do not fast or pray and they are disrespectful to their parents. Because of this, he wrote in his will that they will not inherit anything which he left, unless they turn in repentance to Allah before he is taken from them (i.e., until he dies). I request advice regarding the correctness of this will.”

^[1] Al-Bukhari no. 2697 and Muslim no. 1718.



This will is not permissible, because it contradicts the requirements of the Islamic Law and justice which Allah commanded — especially between sons, according to the *Hadith* narrated by Ahmad and Abu Dawud — may Allah have mercy on them — on the authority of Abu Umamah, may Allah be pleased with him, in which the Messenger of Allah ﷺ said:

«إِنَّ اللَّهَ فَدَّ أَعْطَى كُلَّ ذِي حَقٍّ حَقَّهُ فَلَا وَصِيَّةَ لِرِوَارِثِ»

“Verily Allah gave every deserving person his right, so there is no bequest for the heir.”^[1]

And, the *Hadith* narrated by Al-Bukhari and Muslim — may Allah have mercy on them — on the authority of An-Nu‘man bin Bashir, may Allah be pleased with him, in which it is stated that his father came to the Prophet ﷺ and said: “I have given a gift of a slave of mine to this, my son.” The Prophet ﷺ said:

«أَكَلَّ وَلَدَكَ نَحْلَتُهُ مِثْلَ هَذَا؟»

“Have you given each son a gift like the one you gave to this one?”

He said: “No.” He ﷺ said:

«فَارْجِعْهُ»

“Then return it.”

In the wording of Muslim, he added:

«اتَّقُوا اللَّهَ وَاعْدِلُوا فِي أَوْلَادِكُمْ»

“Fear Allah and act with justice between your sons.”^[2]

If it is confirmed — with a legal confirmation — that which necessitates a verdict of disbelief on them, such as abandoning prayer, at the time of the death of their father, then there is no inheritance for them, even if it was not so willed for them, according to the words of the Prophet ﷺ:

[1] Abu Dawud no. 2870.

[2] Al-Bukhari no. 2587 and Muslim no. 1623.

«لَا يَرِثُ الْمُسْلِمُ الْكَافِرَ وَلَا الْكَافِرُ الْمُسْلِمَ»

“The Muslim does not inherit the disbeliever, neither does the disbeliever inherit the Muslim.”^[1]

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Making a Bequest for Organizing a Banquet After Death

Q Some people organize banquets and slaughter animals when their relatives die and they pay the expenses of these banquets from the property of the deceased. What is the ruling on this? And if the deceased bequests that such banquets as these are organized after his death, does the Islamic Law require that this bequest be implemented?

A A bequest for organizing a banquet after death is an innovation and one of the deeds of the *Jahiliyyah*. Likewise, the family of the deceased organizing the aforementioned banquets — even without a bequest — is detested and it is not permissible. This is according to the *Hadith* confirmed on the authority of Jarir bin ‘Abdullah Al-Bajli, may Allah be pleased with him, in which he said: “We used to prepare a gathering for the family of the deceased and make food for them after the burial because of their lamenting (the dead).” (Narrated by Imam Ahmad with a *Hasan* chain of narration). Also because this contradicts what Allah has legislated for the support of the family of the deceased, which is that people should prepare food for them, as they are too busy with the calamity which has befallen them. This is according the *Hadith* which has been confirmed from the Prophet ﷺ, that when he heard of the martyrdom of Ja‘far bin Abu Talib, may Allah be

^[1] Al-Bukhari no. 6764 and Muslim no. 1614.

pleased with him, at the Battle of Mu'tah he said to his family:

«اصْنَعُوا لآلِ جَعْفَرٍ طَعَامًا فَقَدْ أَتَاهُمْ مَا يَشْغُلُهُمْ»

“Prepare food for the family of Ja'far, because something has come to them which makes them too preoccupied (to prepare food).”^[1]

Ibn Baz

The Ruling on One Who Makes a Bequest for an Animal to be Slaughtered After His Death

Q A person says that his mother wrote a bequest to her son before her death, that he slaughter an animal after she died — that he should slaughter it and invite her neighbors, the people of her community, those who attended the funeral and helped in digging the grave and burying her therein to eat it. Should I undertake to fulfill her bequest?

A If the intention of this slaughter is only to maintain neighborly and family ties and reward those who helped to prepare her, then we do not see any objection to the implementation of her bequest, and there is no sin upon those who eat it. Whether this bequest of her's was implemented using her money or her son's money, it would appear that it makes no difference to its permissibility. However if it is a continuing custom, such as those who customarily slaughter an animal for the dead one week after their demise, or forty days, or a year and so on, or in order to hold a wake for the deceased, then this is not permissible, because of the innovation and contradiction to the Islamic Law which it entails. Therefore, such a bequest as this should not be implemented. And Allah knows best. And may peace and blessings be upon our Prophet, Muhammad and upon all his family and Companions.

The Permanent Committee

[1] Abu Dawud no. 3132, At-Tirmithi no. 998 and Ibn Majah 1610.

An Imam Willed That He be Buried in the Qiblah of the Mosque

Q There is a congregational mosque which had an *Imam* and he willed before his death that, when he died, they should bury him facing towards the *Qiblah* of the mosque. Is this Correct?

A This bequest is invalid and it is not permissible for him to be buried in the mosque, nor in its *Qiblah* — so this bequest is invalid and this person must be buried in the cemetery with the (rest of) the people.

As for burial inside the mosques, this was forbidden by the Prophet ﷺ. He also forbade building mosques over graves, and he cursed those who do so — and this was when he was on his deathbed, warning his community, and he ﷺ mentioned that it was from the deeds of the Jews and Christians, and it leads to the association of partners with Allah, the Almighty, the All-Powerful. This is because building mosques over graveyards and burying the dead therein leads to associating the occupants of these graves as partners with Allah, the Almighty, the All-Powerful. And by doing this, the people think that the inhabitants of graves in the mosques can benefit and harm them, and that they possess special qualities which necessitate that one draw near to them by acts of obedience to other than Allah, Most Glorified, Most High. So it is incumbent upon the Muslims to beware of this gravely serious phenomenon and that the mosques be free of graves, erected upon a foundation of *Tawhid* and correct beliefs. Allah, Most Glorified, Most High says:

﴿وَأَنَّ الْمَسَاجِدَ لِلَّهِ فَلَا تَدْعُوا مَعَ اللَّهِ أَحَدًا﴾

“And the mosques are for Allah (Alone): so invoke not anyone along with Allah.”^[1]

^[1] *Al-Jinn* 72:18.

Therefore, the mosques must be for Allah, Most Glorified, Most High, free from the manifestations of *Shirk* and acts of worship therein should be for Allah, Alone, without partners. This is what is incumbent upon the Muslims. And Allah is the Granter of success.

Ibn 'Uthaimin

The Book of *Al-Fara'idh* (The Shares of Inheritance)

Payment of Debts Before the Inheritance is Distributed

Q I inherited a sum of money from a close relative of mine and the other heirs included his (i.e., the deceased's) daughter and two wives. Then it became clear after some time that the deceased had many debts and the rest of the heirs refused to take part in the payment of his debts. But my heart felt compassion for the deceased and the responsibility for this before Allah, Most High, so I decided to do business with the money which I had so that I might increase it and pay the debts which were upon him, because his debts amounted to more than the money which I had. What is the ruling?

A It is not permissible for the heirs of the deceased to take anything from his estate except after the payment of his debts, because when Allah, Most High mentioned inheritance, He said:

﴿مِنْ بَعْدِ وَصِيَّتِهِ يُؤْتَى بِهَا أَوْ دَيْنًا﴾

"After the payment of legacies he may have bequeathed or debts".^[1]

Based upon this, the heirs have no right to anything from the property of their testator, except after the payment of his debt. So if they divided up the inheritance in ignorance of this debt, then it became apparent, every one of them must return what he inherited for the purpose of paying his (the deceased's) debt. If any of them refused to do so, he is a sinner and a transgressor against the deceased and against the creditor. So if you have

^[1] *An-Nisa'* 4:11.

already undertaken this action to trade with what you hold from the inheritance, in order to increase it so that you can pay the debts owed by the deceased, then this is an act of personal judgement, and since it occurred as a result of personal judgement on your part, I hope that you will not be guilty of sin in doing it. And you must pay the debt from the original money which you inherited and from its profits, but such an action as you have done is not permissible, because it is not your right to dispose of money which does not belong to you; however, since you did it as a result of personal judgement, I hope that you will not be a sinner.

Ibn 'Uthaimin

A Woman Died Before Performing *Hajj*

All praise and thanks be to Allah, Alone; as for what follows: The Permanent Committee for Scientific Researches and Religious Verdicts studied a letter received from a seeker of information named Qasim bin Hamdan and the question is:

Q “A woman died and left a small sum of money and the heirs desire to know what is the inheritance of each of them — this is one point. The other point is, the aforementioned woman who died did not perform the obligatory rites of *Hajj* and some of her heirs would prefer to designate someone to perform *Hajj* on her behalf before the shares of inheritance are distributed, while others do not agree to this, except after a legal ruling has been sought and it is known what is the legal position, so we await your reply.”

A If the matter is as stated, then a sufficient amount must be paid from her inheritance so that one can perform *Hajj* and *'Umrah* on her behalf. Her debts must be paid from what remains after that — if she has any debts. Then her bequests must be implemented — if she has made any bequests. As for what remains after that, it is divided into two: A half goes to the husband and the remainder goes to the father and there is

nothing for her sisters because the presence of a father causes them to forfeit any rights. As for the daughter who died before her, she does not inherit anything from her mother, because one of the conditions of inheritance is proof of the presence of the heir at the time of death of the testator, and that (condition) is missing here. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Muslim Does Not Inherit From the Disbeliever

Q A family composed of a father, a mother and they have eight children — four males and four females, and they were all Christians. Three of the sons and one daughter accepted Islam and then their father died, leaving a large inheritance amounting to approximately eighteen million Saudi Riyals. Do the sons who accepted Islam have a right to inherit from their father who died as a disbeliever?

A If the matter is thus, then the Muslim children whose father died as a disbeliever do not inherit. This is based upon the narration of Al-Bukhari and Muslim, on the authority of Usamah bin Zaid, may Allah be pleased with him, who reported that the Prophet ﷺ said:

«لَا يَرِثُ الْمُسْلِمُ الْكَافِرَ وَلَا الْكَافِرُ الْمُسْلِمَ»

“The Muslim does not inherit the disbeliever, neither does the disbeliever inherit the Muslim.”^[1]

And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

^[1] Al-Bukhari no. 6764 and Muslim no. 1614.

The Muslim Son Does Not Inherit From the Property of a Disbelieving Father

Q If a father used to strictly observe the five prayers and the pillars of Islam, but he considered it permissible to make vows and slaughter animals for the inhabitants of tombs and mausoleums, may his son take anything from his wealth by which he may build his future, or may he inherit from him or not?

A Any legally capable person among the Muslims who believed that it is permissible to make vows and slaughter for the inhabitants of the graves (should know that) this belief of his is *Shirk* which takes him out of the fold of Islam. Such person must be called to repent for three days and relations with him must be severed: If he does so, (all well and good), but if not, he should be killed.

As for the son taking from his father what he requires to build his future, and (as regards) his being his heir after his death in the same question which was asked, that is based upon knowledge of the true position of the father and his situation at the time of his death: If his father died upon these beliefs and it is not known that he turned to Allah in repentance, then he may not inherit from him, according to the words of the Prophet ﷺ:

«لَا يَرِثُ الْمُسْلِمُ الْكَافِرَ وَلَا الْكَافِرُ الْمُسْلِمَ»


“The Muslim does not inherit the disbeliever, neither does the disbeliever inherit the Muslim.”^[1]


And it is permissible for the son to accept whatever his father gave willingly from his wealth while he is alive.

The Permanent Committee

^[1] Al-Bukhari no. 6764 and Muslim no. 1614.

The Sons of a *Mushrik* Who Affirm Allah's Oneness May not Inherit from him

 A man prays and fasts and performs all of the pillars of Islam, but in spite of all this, he supplicates to other than Allah, by making *Tawassul* through *Walis*, he seeks help from them, and believes that they are able to bring him benefits and protect him from harm. Inform us — may Allah reward you with goodness — may his sons who affirm the Oneness of Allah and do not associate any partners with Allah inherit from him? Also what is the ruling on them?

 Whoever prayed, fasted and performed the pillars of Islam, except that he seeks help from the dead and the absent living and the angels and the like, is a *Mushrik* and if he was advised, but he did not accept (the advice) and remained determined upon this until his death, he is a *Mushrik*, guilty of major *Shirk*, which takes him out of the fold of Islam. So he should not be washed, nor should the funeral prayer be prayed over him, nor should he be buried in the graveyard of the Muslims, nor should prayer for forgiveness be made for him, nor should his sons, nor his father, nor his brothers nor any other Muslim who affirms the Oneness of Allah inherit from him, due to the difference in their religion, based upon the saying of the Prophet ﷺ:

«لَا يَرِثُ الْمُسْلِمُ الْكَافِرَ وَلَا الْكَافِرُ الْمُسْلِمَ»

“The Muslim does not inherit the disbeliever, neither does the disbeliever inherit the Muslim.”^[1]

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

^[1] Al-Bukhari no. 6764 and Muslim no. 1614.

The Ruling on Giving Charity From an Inheritance Without the Knowledge of the Heirs

Q My mother died and she had left with me fourteen thousand (14,000) Riyals as a loan in Allah's Cause. I request you to guide me as to how I should deal with it and how to divide it among the heirs: The number of males is three, all of them men and the number of females is one. She died when she was in the care of her husband — that is, not divorced. So how should I distribute the money between the heirs when they are as stated above: A husband, three sons and one daughter? And may I give anything of it in charity without the agreement of the heirs, or with their knowledge? Advise me and may Allah reward you with goodness.

A You must pay the money to the heirs and you are one of them. For the husband is a quarter of it, three-thousand five-hundred, and the rest is divided between the three sons and the daughter: One-thousand five-hundred for the daughter and three-thousand for each son. It is not permissible for you to give anything of it in charity without the agreement of the heirs, unless your mother bequeathed something. It is obligatory to implement her bequest, if it was witnessed by two just persons and it was for a third of the estate or less. And Allah is the Granter of success.

Ibn Baz

The Inheritance of a Wife Whose Marriage Was not Consummated

Q A certain person proposed to a young, virgin girl and the contract was completed, but before he consummated the marriage with her, this man died and left behind an inheritance. He had no children, nor any close relatives, nor any heirs apart from the wife with whom he had contracted the marriage. Does she inherit from him, even though he had

not consummated the marriage with her?

A Yes, she does inherit from him, even if he had not consummated the marriage with her, according to the generality of the Words of Allah, Most High:

﴿وَلَهُرَبِّ الرَّبِيعِ مِمَّا تَرَكَتُمْ إِنْ لَمْ يَكُنْ لَكُمْ وَلَدٌ فَإِنْ كَانَ لَكُمْ
وَلَدٌ فَلَهُنَّ الثَّمَنُ مِمَّا تَرَكَتُمْ مِنْ بَعْدِ وَصِيَّتِي تَوْصُونَ بِهَا أَوْ دَيْنٍ﴾

“In that which you leave, their (your wives) share is a fourth if you leave no child; but if you leave a child, they get an eighth of that which you leave after payment of legacies that you may have bequeathed or debts.”^[1]

So the wife is a wife, simply by virtue of a correct contract. Therefore if the correct contract is completed and her husband dies leaving her a widow, she inherits from him and she is obliged to observe the waiting period of death — even if he did not consummate the marriage with her — and the whole of the dowry is for her. What remains after her share of the inheritance goes to the male with the most right. And in this matter about which the questioner asked, since this deceased person has no heirs, neither those with the right of *Al-Furudh*^[2] nor those with the right of *Al-‘Asabat*,^[3] so whatever exceeded the share of the wife will be in *Bait Al-Mal*^[4] because *Bait Al-Mal* is the place where all money without a specific owner is directed.

Ibn ‘Uthaimin

The Inheritance of the Divorcee

Q Does the divorced woman, whose (former) husband has died suddenly, inherit anything if it is during her

[1] *An-Nisa’* 4:12

[2] *Al-Furudh*: Those with a right of inheritance described in the Qur’an. In the Noble Qur’an, six kinds of shares are fixed. These are: A half, a fourth, an eighth, two-thirds, a third and a sixth.

[3] *Al-‘Asabat*: Those with a right of inheritance apart from *Al-Furudh*.

[4] *Bait Al-Mal*: Treasury.

prescribed period of waiting ('Iddah), or after the expiry of that period?



If a divorced woman's husband dies suddenly, she is either in the waiting period of a divorce which is not final (*Ar-Raj'ah*), or one which is final. If the divorce is of the former type, then she falls under the ruling of a wife and she transfers from the waiting period of divorce to the waiting period of death. And *Raja'i* divorce is when the wife was divorced after the marriage was consummated, without recompense, and the divorce was the first or second one. So if her husband died, she inherits him, according to the Words of Allah, Most High:

﴿وَالْمُطَلَّقَاتُ يَرْصِدْنَ بِأَنْفُسِهِنَّ ثَلَاثَةَ قُرُوءٍ وَلَا يَحِلُّ لَهُنَّ أَنْ يَكْتُمْنَ مَا خَلَقَ اللَّهُ فِي أَرْحَامِهِنَّ إِنْ كُنَّ يُؤْمِنَنَّ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَيُعَوِّدُنَّ أَحَقَّ بِرَيْبِهِنَّ فِي ذَلِكَ إِنْ أَرَادُوا إِصْلَاحًا وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ﴾

"And divorced women shall wait (as regards their marriage) for three menstrual periods, and it is not lawful for them to conceal what Allah has created in their wombs, if they believe in Allah and the Last Day. And their husbands have the better right to take them back in that period, if they wish for reconciliation. And they (women) have rights (over their husbands as regards living expenses, etc.) similar (to those of their husbands) over them (as regards obedience and respect, etc.) to what is reasonable"^[1]

And the Words of Him, Most High:

﴿يَا أَيُّهَا النَّبِيُّ إِذَا طَلَّقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ لِعَدَّتِهِنَّ وَأَحْصُوا الْعِدَّةَ وَاتَّقُوا اللَّهَ رَبَّكُمْ لَا تُخْرِجُوهُنَّ مِنْ بُيُوتِهِنَّ وَلَا يُخْرَجْنَ إِلَّا أَنْ يَأْتِيَنَّ بِفَحِشَةٍ مُبِينَةٍ وَتِلْكَ حُدُودُ اللَّهِ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَقَدْ ظَلَمَ نَفْسَهُ لَا تَدْرِي لَعَلَّ اللَّهَ يُحْدِثُ بَعْدَ ذَلِكَ أَمْرًا﴾

"O Prophet! When you divorce women, divorce them at their

^[1] Al-Baqarah 2:228.

'Iddah (prescribed periods) and count (accurately) their 'Iddah (periods). And fear Allah your Lord (O Muslims). And turn them not out of their (husband's) homes nor shall they (themselves) leave, except in case they are guilty of some open illegal sexual intercourse. And those are the set limits of Allah. And whosoever transgresses the set limits of Allah, then indeed he has wronged himself. You (the one who divorces his wife) know not it may be that Allah will afterward bring some new thing to pass (i.e. to return her back to you if that was the first or second divorce)."^[1]

So Allah, Most Glorious is He and Most High, ordered the divorced woman to remain at the home of her husband during the waiting period, and He said:

﴿لَا تَدْرِي لَعَلَّ اللَّهَ يُحْدِثُ بَعْدَ ذَلِكَ أَمْرًا﴾

"You (the one who divorces his wife) know not it may be that Allah will afterward bring some new thing to pass"^[2]

By which is meant *Ar-Raj'ah*.

However, if the divorcee whose husband has died suddenly is irrevocably divorced, as in the case of a woman who is divorced for the third time, or she has given her husband a recompense so that he will divorce her, or if she was in the waiting period of annulment, not divorce, then she does not inherit from him, nor does she transfer from the waiting period of divorce to the waiting period of death.

However, there are situations in which the irrevocably divorced woman inherits from her husband; such as when her husband divorces her during his terminal illness, in order to prevent her from inheriting. In this situation, she will inherit from him, even if her period of waiting has expired, so long as she has not remarried, and if she has remarried, there is no inheritance for her.

Ibn 'Uthaimin

[1] *At-Talaq* 65:1.

[2] *At-Talaq* 65:1.

The Inheritance of the Divorced Woman Also

Q Does a divorced woman inherit from the property of her husband, if he died before the end of her period of waiting?

A If the divorce is *Raj'ah* and her husband died before the end of her waiting period, then she inherits from him with the legal right of *Al-Furudh*. However, if she has completed her period of waiting, then there is no inheritance for her, and likewise if the divorce is irrevocable and *Raj'ah* is not possible, such as the woman who has been divorced through payment of money, or the woman who has been divorced for the third time and their like among the irrevocably divorced women. They have no inheritance from the husband who divorced them, because at the time of his death, they are not his wives. However, an exception from this is the woman who is divorced by her husband during his terminal illness, in order to prevent her from inheriting, for she will inherit from him during her waiting period or after it, as long as she has not remarried, even if the divorce is irrevocable — according to the more correct of two opinions held by the scholars — in order to invalidate his intention. And Allah is the Granter of success.

Ibn Baz

The Inheritance of the Hermaphrodite

Q What is the share of the hermaphrodite in inheritance? Does he take the share of a male, or the share of a female?

A The hermaphrodite is one whose sexual identity is unclear, whether male or female. So if he dies while (the hermaphrodite is) still a minor, then he reaches maturity and he is of indeterminate sex, he will be given half the share of a male and half the share of a female, or if (he has) not (reached maturity), he will be given the share of whichever is more obvious and it will be deferred until he reaches maturity, so that hopefully, his case will become clear.

Ibn Jibreen

The Inheritance of One Who Died While His Father Was Alive

Q What is the ruling of the Islamic Law on a man who died while his father is still alive, thereby preventing his sons from the inheritance, even though his young sons are poor? Is it permissible for us to give them anything, in spite of the objections of the others?

A It is lawful for a man, if his son dies while he is still alive and leaves behind children, to bequeath something to them, as long as it is less than a third of the estate, even if their uncles objected to that, because a man has the right to dispose of a third of his wealth after his death as he wishes. So if his grandsons do not inherit from him, it is preferred that he bequeath to them the inheritance of their father, whether it be a third, or less, according to his judgement. But if he does not do so, there is nothing for them, unless their uncles permit it.

Ibn Jibreen

The Wife of the Deceased Does Not Inherit From the Property of Her Father-in-Law

Q Is it permissible for the wife of the deceased to inherit from the property of the deceased's father?

A The wife of the deceased does not inherit from the property of her father-in-law if he dies while his father is still living. However, if his father dies before him, she inherits from her husband what he inherited from his father during his life. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Grandsons do Not Inherit From Their Grandfather Along With Their Uncles

Q Do the grandsons inherit from their grandfather along with his sons?

A The grandsons do not inherit from their grandfather along with their uncles, because they are excluded by them, according to the consensus of the scholars.

The Permanent Committee

Q A man died before his father and he has sons and brothers. After this, his father died; do the sons have a right to inherit from their grandfather, or not?

A The grandsons do not have any inheritance along with their uncles, the sons of the deceased, according to the consensus of the Muslims, based upon the words of the Prophet ﷺ:

«الْحَقُّوا الْفَرَائِضَ بِأَهْلِهَا فَمَا بَقِيَ فَهُوَ لِأَوْلَى رَجُلٍ ذَكَرٍ»

“Pay Al-Fara'idh to those who have the right to it, and regarding what remains, it is for the most deserving male.”^[1]

And the meaning of his words: “the most deserving male” is the closest of his kin and there is no doubt that the sons are nearer to the deceased than the grandsons, unless he bequeaths something to them up to a third or less, then there is no objection to that if the bequest is confirmed by legal evidence.

Ibn Baz

The Father Excludes the Brothers from the Inheritance

Q My eldest son, who was ten years old died after a road accident and the *Diyah*^[2] was received. Does his father

^[1] Al-Bukhari no. 6732 and Muslim no. 1615.

^[2] *Diyah*: Financial compensation for injuries inflicted.

has the right to dispose of the shares of the two younger brothers for the deceased, or must it be placed in a deposit until they come of age and dispose of it, bearing in mind that we intended to spend the *Diyah* in good deeds for the sake of the boy. But the father fears that the two boys will spend the money on things other than charity after they come of age?



All of the *Diyah* is divided between you and his father: A sixth for you and the remainder for his father, so they have no right to anything of the *Diyah*, according to the consensus of the scholars, because the father excludes them from inheriting. And Allah is the Granter of success.

Ibn Baz

The Daughters of the Full Brother do not Inherit from the Deceased Uncle When There are Males

Q A man was taken by Allah and he did not have a wife, nor any descendants but he has nephews and nieces from his full brother who died previously. Do the children of the brother — males and female — inherit from their deceased uncle?



If the situation is as mentioned by the questioner, then the whole of the inheritance is for the sons of the full brother, without the daughters, according to the consensus of the Muslims, based upon the words of the Prophet ﷺ:

«الْحَقُّوا الْفَرَائِضَ بِأَهْلِهَا فَمَا بَقِيَ فَهُوَ لِأَوْلَى رَجُلٍ ذَكَرٍ»

“Pay *Al-Fara'idh* to those who have the right to it, and regarding what remains, it is for the most deserving male.”^[1]

— And since the daughters of the brother are not from those with a right to *Al-Fara'idh*, nor *Al-Asabah*, but from those kindred by blood, according to the consensus of the scholars.

Ibn Baz

[1] Al-Bukhari no. 6732 and Muslim no. 1615.

The Pension of the Retired Person is for His Children Only


Q A man says: "We are three full brothers who share in all of our properties. One of us died and he had three sons. We still share our living expenses together, as we used to do up to the date of this ruling. The deceased has a Government pension in the names of his sons; is this income included in our agreement and do the sons follow what their father used to do regarding all of the previous properties and those subsequent to his death, or does this income remain in their names only?"

A The retirement pension which is for the sons of your brother is their private property and whichever of them is of full legal age and chooses to include his portion in this agreement and share with you in living expenses, it is permissible for him to do so. And whichever of them was a minor, his guardian is allowed to accept joining in this mixing and sharing in living expenses, in order to protect the interests of the minor — and such is the case regarding all of the properties of these sons — which they earned by their hands or inherited, for example. Each of them is free to choose whether to join this sharing of expenses, investments, disposal of resources and benefits. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee


The Expenses of Your Brother are Taken from His Share of the Estate


Q We are three brothers who studied in the university while our father was alive, except our youngest brother, who was in High School when our father died. Do the costs of his studies come out of his inheritance or not?"

 The studying expenses of this young man are the same as his eating, drinking, clothing and matrimonial expenses — they are paid from his money, whether it be money he owned before the death of his father, or they are from his share of the estate of his father. However, if it happened that he had nothing, or his father did not leave anything, then his expenses would be the responsibility of whoever provided for him among his kin.


Ibn ‘Uthaimin


Questions Pertaining to *Al-Furudh*

 A man died, leaving two sons, two daughters, a wife, a full brother and a full sister. What is the share of each one of them?

 The first thing to be done with the property of the deceased is to pay his debts, if he has any, then to implement his legal bequests, if he made any. The remainder is then divided into eight parts for the heirs — and it is also correct to divide it into forty-eight shares: An eighth — six shares — for the wife; for each son, fourteen shares and for each daughter, seven shares. And there is nothing for the full brother or the full sister, because of the division to the male heir.

The Permanent Committee

 A man died, leaving a father, a daughter, a full brother, two half brothers from the father, and a full sister. How will the inheritance be divided up?

 The division of the inheritance will be in two halves: One for the daughter as *Fardh* and the other for the father as *Fardh* and *‘Asabah*. There is nothing for the brothers because the father excludes them, according to the consensus of the scholars.

However, if the deceased has any confirmed debts, they must be paid from the estate before distribution among the heirs. Then, if anything remains, it is for the heirs according to the

aforementioned division. Likewise, if the deceased has made any confirmed legal bequests, they must be discharged before the distribution of the estate among the heirs — up to one third, or less. And the deceased is not permitted to bequeath more than a third; if he does so, the excess will not be implemented, except with the agreement of the legally capable heirs who are of legal age. The evidence for giving priority to the debts and bequests over the heirs is in the Words of Allah, Most High:

﴿يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ﴾

“Allah commands you as regards your children’s (inheritance): to the male, a portion equal to that of two females”^[1]

up to His Words:

﴿مِن بَعْدِ وَصِيَّتِهِ يُوصِي بِهَا أَوْ دَيْنًا﴾

“After the payment of legacies he may have bequeathed or debts.”^[2]

Ibn Baz

Q A woman died, leaving the sons of a half brother and the sons of an uncle. Which of them inherits and which does not inherit, and what is the share of each of them?

A If the sons of her brother who are present are the sons of a paternal half brother, then they are *Al-‘Asabah* and there is nothing for the sons of her uncle. However, if they are the sons of a maternal half brother, then they have nothing, because they are blood relations and the inheritance will be for the sons of her uncle, if they are the sons of a full uncle, or the sons of the father’s uncle. If some of them are sons of a full uncle and the others are sons of the father’s uncle, then the inheritance is for the sons of the full uncle, if they are on the same level. If some of them are closer than others, then the inheritance is for the closest only and the

^[1] *An-Nisa’* 4:11.

^[2] *An-Nisa’* 4:11.

more distant gets nothing — whether he is the son of a full uncle or the son of the father’s uncle, according to the words of the Prophet ﷺ:

«مَا أَحْرَزَ الْوَلَدُ أَوْ الْوَالِدُ فَهُوَ لِعَصْبَتِهِ مَنْ كَانَ»

“Whatever a father or son obtained (by inheritance) it goes to his ‘Asabah and it does not matter what the degree of the ‘Asabah’s relationship is.”^[1]

and his words:

«الْحَقُّوا الْفَرَائِضَ بِأَهْلِهَا فَمَا بَقِيَ فَهُوَ لِأَوْلَى رَجُلٍ ذَكَرٍ»

“Pay Al-Fara’idh to those who have the right to it, and regarding what remains, it is for the most deserving male.”^[2]

And the meaning of “the most deserving” is the closest in kinship. And Allah is the Granter of success.

Ibn Baz



A man died, leaving a son, two daughters, a father, a full sister and a wife. What is the share of each one of them?



Priority must be given regarding his estate to the payment of his debts, if he has any, then the implementation of his legal bequests, if he has made any. What remains after that will be for the heirs, divided into twenty-four parts, and it is correct to divide it into ninety-six shares: An eighth for the wife, or twelve shares from ninety six shares, for the father, one sixth, or sixteen shares from ninety-six shares, for each daughter, seventeen shares from ninety-six shares, for the son, thirty shares from ninety-six shares and nothing for the full sister, due to the division to the male heir — who is the son, and the presence of the origin of the male heir — who is the father.

^[1] Abu Dawud no. 2917 and Ibn Majah no. 2732.

^[2] Al-Bukhari no. 6732 and Muslim no. 1615.

Q The father of the aforementioned deceased died, leaving a daughter, a grandson and two granddaughters belonging to his son and two full brothers. What is the share of each one of them?

A Priority must be given regarding his estate to the payment of his debts, if he has any, then the implementation of his legal bequests, if he has made any. What remains after that will be for the heirs, divided into two parts and it is correct to divide it into eight shares: For the daughter is a half, or four shares and the remaining four shares are distributed among the grandsons and granddaughters belonging to the son: For the grandson, two shares and for each girl, one share and nothing for the two full brothers because of the presence of the division to the male heir — who is the son. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Q A woman says: “My mother died, leaving me, her sister from her mother and father (i.e., a full sister) and three sons and a daughter belonging to my maternal uncle from her father and mother. What is the ruling?”

A If the situation is as you describe, then the inheritance which your mother left — may Allah have mercy on her — will be divided between you and her sister — one half each. There is nothing for the sons of her brother, because her sister in matters such as these, excludes the brother's sons. But if your mother bequeathed anything, her bequest has priority over you and over her sister, if it is a third or less in a legal manner. And if she had any confirmed debts, then pay them before the bequest and before dividing up the inheritance between yourself and her sister.

Ibn Baz

The Book of Slavery

The Wisdom Behind the Legality of Slavery



They say: Why does Islam not outlaw slavery?



To Allah belongs the Most Complete Knowledge, Wisdom, Subtlety and Mercy. He has complete Knowledge of the affairs of His creation and He is Most Merciful to His creatures, Most Wise in His creating and legislating, and He has legislated for mankind what is right for them in this world and in the Hereafter, and what will provide true happiness, freedom and equality. But this is within a just framework, and comprehensive guidance, and within limits by which the rights of Allah and the rights of the creatures are not lost. And He sent His Messengers with this Legislation, as bearers of glad tidings and warners, so whoever followed His Path and was guided by the guidance of His Messenger, he will be deserving of Blessings and will achieve success and happiness. And whoever refused to follow the path of righteousness will be afflicted by the things which he hates, such as death or slavery, as the administration of justice, and in order to achieve security and peace, and to protect individuals, their honor, and their property. For these reasons, He legislated *Jihad* in order to cut off the hand of the arrogant ones and to prevent the elements of corruption, to cleanse the earth of the unjust — And whichever of them falls into the hands of the Muslims as captive, it is up to their leader to choose whether to kill him — if he is guilty of excessive evil and there is little hope of his reform — or to forgive him, or accept a ransom from him, if his owner is of a kind and just disposition and makes it easy for him to pay the ransom — or to enslave him. Such enslavement is proper if he thinks that by him remaining among the Muslims he might improve and

straighten out his crookedness. It allows him to gain knowledge of the path of guidance and reason, and to believe in it and submit to it, by seeing the fairness of the Muslims towards him, their good relations with him and their courteous treatment of him. He will then also hear the revealed texts of the Laws of Islam and its good manners, so that his heart may be expanded (i.e., enlightened, assured and gladdened with guidance) towards Islam and Allah will make him love faith and hate disbelief, sinfulness and disobedience. At this point, he will begin a new life with the Muslims and he will have the right to obtain his freedom through a deed (of emancipation) as Allah, Most High says:

﴿وَالَّذِينَ يَبْتَغُونَ الْكِتَابَ مِمَّا مَلَكَتْ أَيْمَانُكُمْ فَكَاتِبُوهُمْ إِنْ عَلِمْتُمْ فِيهِمْ خَيْرًا
وَأَتَوْهُمْ مِنْ مَالِ اللَّهِ الَّذِي آتَاكُمْ﴾

“And such of your slaves as seek a writing (of emancipation), give them such writing, if you find that there is good and honesty in them. And give them something (yourselves) out of the wealth of Allah which He has bestowed upon you.”^[1]

— or by manumission as expiation of an oath, or *Zihar*,^[2] or a vow, or such like, or by manumission seeking Allah’s Face and hoping for His Reward on the Day of Resurrection, or other types of emancipation.

By this it is known that the basis of slavery is only through prisoners-of-war or captives obtained when fighting *Jihad* against the disbelievers. Its purpose is to reform those enslaved by removing them from an evil environment and allowing them to live in a Muslim society, who will guide them to the path of goodness, save them from the clutches of evil, purify them from the filth of disbelief and misguidance, and make them deserving of a life of freedom in which they enjoy security and peace. So the ruling on slavery in Islam is that it is like a washroom or a

[1] *An-Nur* 24:33

[2] *Zihar*: When the husband says to his wife: “You are to me like the back of my mother.”

public bath, which those who have been enslaved enter from one door in order to wash the dirt from themselves, then they leave by another door in a state of purity and deliverance from disease.

The Permanent Committee

The Ruling on Slavery Today

Q Is it permissible to have slaves today, when there are no lawful Islamic wars, or was this particular to the time of the Prophet ﷺ only, due to the lawful Islamic wars which existed? And what is the evidence?

A There is no doubt that the wars which took place between the Prophet ﷺ and the disbelievers were lawful Islamic wars, and some of those taken prisoners from among the disbelievers were enslaved. Lawful Islamic wars between the Muslims and the disbelievers continued through the time of the rightly guided Caliphs and those who came after them in the first three centuries whose goodness was attested to. They treated the captives of war in the same manner in which they were treated in the time of the Prophet ﷺ, such as forgiveness to those captured, accepting ransom, slavery or death, based upon the opinion of the leader, as to whether there was any benefit to the Muslims, acting in accordance with the Qur'an and in obedience to the Sunnah of the Messenger of Allah ﷺ.

Indeed, the practice of taking captives continued in accordance with the custom of the Prophet ﷺ in his time, by the consensus of the scholars. So if any lawful Islamic war took place today between the Muslims and the disbelievers, and the Muslims were victorious therein and they took some of the disbelievers prisoners, it is for the leader of the Muslims to rule on those taken captive, either forgiveness, ransom, death or slavery, according to what he considers to be beneficial to the Muslims, in accordance with the Qur'an and the Sunnah. And if there are no lawful Islamic wars, then it is not permissible to establish or

institute slavery. As for one whose slavery has been confirmed as a result of a previous lawful Islamic war and his slavery continued through birth and inheritance, he remains a slave until he is granted the opportunity to obtain his freedom. And Allah is the Granter of success.

The Permanent Committee



The Book of Marriage

The Rulings on Looking, Seclusion and Mixing

The Ruling on a Man Looking at the Face of His Sister-in-Law

Q There are some among those who call to “civilization” who claim that it is permissible for a man to look at the face of his sister-in-law and they cite some evidences for this. How correct is this and how does Your Eminence reply to this and counter it?

A The brother’s wife is like any other unrelated woman; it is not permissible for his brother to look at her, like the wife of the paternal uncle or the maternal uncle. And it is not permissible to be alone with any of them, as is the case with all unrelated women, nor may one of them reveal herself to her husband’s brother, or his paternal uncle or maternal uncle or to travel or be alone with them, based upon the generality of the Words of Allah, Most Glorified:

﴿وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسَأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ ذَلِكُمْ أَطْهَرُ لِقُلُوبِكُمْ وَقُلُوبِهِنَّ﴾

“And when you ask for anything you want, ask them from behind a screen: that is purer for your hearts and for their hearts”^[1]

And it is general for the wives of the Prophet ﷺ and other women, according to the most correct opinion of the scholars — and His Words:

^[1] Al-Ahzab 33:53.

﴿قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَ لَهُمْ إِنَّ اللَّهَ خَبِيرٌ بِمَا يَصْنَعُونَ ﴿٣١﴾ وَقُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَى جُيُوبِهِنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ أَوْ أَبْنَاءِهِنَّ أَوْ أَبْنَاءِ بُعُولَتِهِنَّ أَوْ إِخْوَانِهِنَّ أَوْ بَنِي إِخْوَانِهِنَّ أَوْ بَنَاتِ أَخَوَاتِهِنَّ أَوْ نِسَائِهِنَّ أَوْ مَا مَلَكَتْ أَيْمَانُهُنَّ أَوْ التَّلَبِيعِ غَيْرِ أُولَى الْإِرْبَةِ مِنَ الرِّجَالِ أَوِ الطِّفْلِ الَّذِينَ لَمْ يَظْهَرُوا عَلَى عَوْرَاتِ النِّسَاءِ﴾

“Tell the believing men to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts, etc.). That is purer for them. Verily, Allah is All-Aware of what they do. And tell the believing women to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts, etc.) and not to show off their adornment except only that which is apparent and to draw their veils all over Juyubihinna (i.e. their bodies, faces, necks and bosoms, etc.) and not to reveal their adornment except to their husbands, or their fathers, or their husband’s fathers, or their sons, or their husband’s sons, or their brothers or their brother’s sons, or their sister’s sons, or their (Muslim) women (i.e. their sisters in Islam), or the (female) slaves whom their right hands possess, or old male servants who lack vigor, or small children who have no sense of feminine sex”^[1]

And the Words of Allah, Most High:

﴿يَا أَيُّهَا النَّبِيُّ قُلْ لَأَزُوجِكُمْ وَبَنَاتِكُمْ وَنِسَاءَ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلْبَابِهِنَّ ذَلِكَ آدَبٌ أَنْ يَعْرِفْنَ فَلَا يُؤْذِينَ﴾

“O Prophet! Tell your wives and your daughters and the women of the believers to draw their cloaks (veils) all over their bodies (i.e. screen themselves completely except the eyes or one eye to see the

[1] An-Nur 24:30-31.

way). That will be better, that they should be known (as free respectable women) so as not to be annoyed.^[1]

And the words of the Prophet ﷺ:

«لَا تُسَافِرِ الْمَرْأَةُ إِلَّا مَعَ ذِي مَحْرَمٍ»

“A woman may not travel except with a Mahram.”^[2] ^[3]

And the words of the Prophet ﷺ:


«لَا يَخْلُونَ رَجُلٌ بِامْرَأَةٍ إِلَّا كَانَ ثَالِثُهُمَا الشَّيْطَانُ»


“A man should not be alone with a woman, for verily Satan makes a third.”^[4]

(It is also forbidden) due to the fact that when she shows her face to her husband's brother, it is a cause of temptation (*Fitnah*) and means to that which Allah has forbidden (i.e. adultery). And these matters — Allah knows best — are the wisdom behind the obligation of the *Hijab*^[5] and the prohibition of looking and seclusion, because the face is the where beauties and charms are concentrated. And Allah is the Granter of success.

Ibn Baz

The Ruling on Looking at Women

 Is a man punished for looking at women in the Sacred City (of Makkah), even if it is without desire and without pleasure, bearing in mind that it is women who attract looks?

 The truth is that the problem of women is a big problem in the Sacred City, because there are some women who

[1] *Al-Ahzab* 33:59.

[2] *Al-Bukhari* no. 1862.

[3] *Mahram*: A male relative whom she is not allowed to marry.

[4] *At-Tirmithi* no. 2165 and *Ahmad* no. 1/18.

[5] *Hijab*: Woman's dress code.

come to this place — which is a place of worship and humility — in a manner which causes temptation (*Fitnah*) for those who would not (otherwise) be tempted. The woman comes displaying her charms, perfumed and possibly showing by her movements that she is flirting with men, and this is a detestable action outside the Sacred Mosque, so what about inside the Sacred Mosque?

My advice to those (women) who hear or read it is to fear Allah, Most High within themselves and to respect the House of Allah, the Almighty, the All-Powerful by keeping it free from acts of disobedience therein. As for the men, if they see a woman behaving in an impermissible manner, they should advise her, reproach her, or inform those who are able to prevent her and reproach her. And there is goodness within the people — all praise and thanks be to Allah.

But having said this, we say: It is incumbent upon the man to avert his gaze as much as he is able:


﴿قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ﴾

“Tell the believing men to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts, etc.)” [1]

Therefore, he should avert his gaze as much as he is able, especially if he senses feelings of pleasure or lust within himself, then it is obligatory for him to avert his gaze more and more — and in this regard, the people differ greatly.

Ibn ‘Uthaimin

The Ruling on Deliberately Looking at Women in the *Haram*

 What is the ruling, if a man goes out to (Friday) prayer in the Sacred Mosque and he prays near the women’s

[1] An-Nur 24:30.

area and it happened that he looked at their faces many times?



It has been reported that it is forbidden for men to be near to women in prayer, for the best row for men is the first and the worst for them is the last, that is, because it is near the women. The best row for women is the last and the worst is the first, which is because it is near the men. So it is forbidden for men to deliberately look at women in the mosque and it is incumbent upon the woman in the mosque to veil herself and enter a screened area, which men may not enter. That is if she chooses to pray in the mosque and she went out without beautifying herself — but her home is better for her.

Ibn Jibreen

The Ruling on a Male Student Greeting a Female Student With Salutations of Peace



I am a male university student and sometimes, I give salutations of peace (i.e. saying: “*As-Salamu ‘Alaykum*”) to the girls. Is the salutation of a (male) student to his female colleagues in college permissible or forbidden?



First of all, it is not permissible to study with girls within the same class, within the same school and at the same desks. Indeed, this is one of the major causes of temptation (*Fitnah*). This mixing is not permissible for the male or the female student, because of the temptations involved in it. As for giving salutations of peace, there is no objection to greeting her with the lawful Islamic salutation of peace which does not lead to the causes of temptation. Likewise, there is no sin in her giving salutations to him, without shaking hands, because shaking hands with an unrelated woman is not permissible. Rather, the salutation should be offered from a distance, wearing a *Hijab* and abstaining from the causes of temptation (*Fitnah*) and without them being alone together. So there is no objection to the lawful Islamic greeting in which there is no

temptation (*Fitnah*). However, if his giving salutations to her or her giving salutations to him is likely to lead to temptation, that is, his being aroused and feeling desire, which Allah has forbidden, then that is forbidden by the Islamic Law. And Allah is the Granter of success.

Ibn Baz

The Ruling on Watching Unveiled Women on the Television

Q (A lady) is asking about the ruling on (men) watching unveiled women on the television.

A It is not permissible to watch naked women, scantily clad women or unveiled women on the television and similarly, men whose thighs are uncovered — neither on the television, nor on video, nor at the cinema, nor anywhere else. Indeed, it is incumbent upon people to avert their gaze and to avoid looking, because this is a cause of temptation (*Fitnah*), corruption of the hearts, and deviation from guidance, as Allah, Most High says:

﴿قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَى لَهُمْ إِنَّ اللَّهَ خَبِيرٌ بِمَا يَصْنَعُونَ﴾ (٢٠) وَقُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ ﴿٢١﴾

“Tell the believing men to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts, etc.). That is purer for them. Verily, Allah is All-Aware of what they do. And tell the believing women to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts, etc.)^[1]”

And in the *Hadith*, the Chosen One, i.e. Muhammad says:

«النَّظْرَةُ سَهْمٌ مِنْ سِهَامِ إبْلِيسَ»

“Looking (at the opposite sex) is an arrow from the arrows of

[1] *An-Nur* 24:30-31.

Iblis."^[1]

So the danger of looking is a great one of which it is necessary to beware, and people should protect themselves from it. The only things which should be watched on the television are those things which are of benefit, such as religious or scientific talks and arts and crafts programs, or other such things which are of benefit to the viewer. As for watching forbidden things, it is not permissible.

Ibn Baz

The Ruling on Looking at Women on the Television

Q What is the ruling on a man looking at an unrelated woman, and a woman looking at an unrelated man, while watching the television?

A It is not permissible, because in most cases, the women who appear on television are unveiled and display parts of their '*Awrah*,^[2] and the men are handsome models of fashionable adornment and this incites temptation (*Fitnah*) and corruption in most cases.

The Permanent Committee

The Ruling on Looking at Pictures of Women in Magazines

Q What is the ruling on looking at pictures of women in newspapers and magazines and other such things?

A It is not allowed for a Muslim to look at the faces of women, nor to any other part of their '*Awrah*, whether in magazines or anything else. This is because of the temptation (*Fitnah*) which that causes. Rather, he is obliged to avert his gaze

[1] Al-Mustadrak 4/314 no. 7875.

[2] '*Awrah*: Parts of the body which must remain covered from public gaze.

from it, in accordance with the generality of the legal evidences which forbid that, and because of the fear of temptation, just as he (should) avert his gaze in the streets and other places. And Allah is the Granter of success.

Ibn Baz

It is Forbidden to Watch These Serials

Q What is the ruling on listening to music and singing? And what is the ruling on watching serials in which women appear unveiled?

A The ruling on that is one of forbiddance and prohibition, because of the turning away from the Path of Allah which that involves, the sickness of the hearts and the occurrence of those evil deeds which Allah, the Almighty, the All-Powerful has forbidden. Allah, the Almighty, the All-Powerful says:

﴿وَمَنْ الْتَأَسَّ مِنْ يَشْتَرِي لَهْوَ الْحَدِيثِ يُضِلَّ عَن سَبِيلِ اللَّهِ يَغْيِرَ عِلْمَهُ وَيَتَّخِذَهَا هُزُوًا أُولَئِكَ لَهُمْ عَذَابٌ مُّهِينٌ ﴿٧﴾ وَإِذَا تُتْلَىٰ عَلَيْهِ آيَاتُنَا وَلَّىٰ مُسْتَكْبِرًا كَأَن لَّمْ يَسْمَعْهَا كَأَنَّ فِي أُذُنَيْهِ وَقْرًا فَبَسَّرَهُ بَعْدَآبِ أَلْسِنَةٍ ﴿٨﴾﴾

“And of mankind is he who purchases idle talks (Al-Lahw Al-Hadith) to mislead (men) from the Path of Allah without knowledge, and takes it (the Path of Allah, or the Verses of the Qur’an) by way of mockery. For such there will be a humiliating torment (in the Hellfire). And when Our Verses (of the Qur’an) are recited to such a one, he turns away in pride, as if he heard them not as if there were deafness in his ear. So announce to him a painful torment.”^[1]

In these two Noble Verses is an indication that listening to instruments of *Al-Lahw* (i.e. musical instruments etc.), and singing, are causes of going astray, leading people astray, taking the Verses of Allah in jest, and turning away in arrogance from

^[1] *Luqman* 31:6-7.

hearing the Verses of Allah. Allah has promised those who do this that they will suffer a humiliating punishment and a painful chastisement.

Most of the scholars have explained the expression *Lahw al-Hadith* (idle talk) in the Verse as meaning singing, musical instruments and every voice which turns people away from the Path of Allah.

It is reported in *Sahih Al-Bukhari* — may Allah have mercy on him — from the Prophet ﷺ that he said:

«لَيَكُونَنَّ مِنْ أُمَّتِي أَقْوَامٌ يَسْتَحِلُّونَ الْحِرَّ وَالْحَرِيرَ وَالْخَمْرَ وَالْمَعَازِفَ»

“There will be among my community a people who will deem permissible *Al-Hir*, (the wearing of) silk (by men), alcoholic drinks and musical instruments.”^[1]

Al-Hir refers to unlawful sexual intercourse. Regarding silk, it is well known that it is forbidden for men. Regarding alcohol, it is well known: It is everything which causes drunkenness and it is forbidden to all. As for musical instruments, they are the instruments of idle talk, such as the lute, the drum and the *Tanbur*^[2] and the like, as explained by the book *An-Nihayah* and *Al-Qamus*. The word *Al-'Azf* means playing such instruments, and *Al-'Azif* means the singer and the musician.

It is incumbent upon every Muslim — male and female — to avoid these evil things and beware of them. Similarly, watching serials which include unveiled women is forbidden because of the great danger which it entails to the viewer, including sickness of the heart and the loss of honor and self-respect. It may also lead to those things which Allah has forbidden, whether the watcher is a man or a woman. May Allah grant success to all in achieving that which pleases Him, and safety from the causes of His Wrath.

Ibn Baz

[1] Al-Bukhari no. 5590.

[2] *Tanbur*: A long-necked stringed instrument resembling a mandolin.

The Ruling on Looking at Women in Magazines

Q Is it permissible for the Muslim to look at the pictures of women in magazines? Is the forbiddance the same — regardless of whether he looked at her in person or looked at her in magazines? Advise us.

A There is no doubt that looking at unveiled women is one of the causes of temptation (*Fitnah*), and it calls to committing evil acts. This is why Allah commanded women to screen themselves in His Words:

﴿وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَىٰ جُيُوبِهِنَّ﴾

“...and to draw their veils all over Juyubihinna (i.e., their bodies, faces, necks and bosoms, etc.)”^[1]

There is no doubt that looking at pictures of naked, or partially-clothed women is also a cause of spreading trial and temptation, and based upon this, it is forbidden to look at every picture which causes corruption or leads to it, whether in films, newspapers, magazines or other such things.

Ibn Jibreen

The Ruling on Reading Immoral Magazines

Q What is ruling on reading magazines that show women who are not dressed properly, and what is the ruling on looking at these pictures?

A We advise every Muslim to avoid temptations and its causes, in order to guard his religion, which is his protection against sin. There is no doubt that viewing pictures of scantily-clad, beautiful women is one of the strongest incentives to commit adultery and temptations to commit evil deeds. This is because it evokes feelings of desire and prompts

^[1] *An-Nur* 24:31.

one to try to contact them or others like them, and to expend all one's efforts in trying to attain this, due to the intensity of desire. So it is most befitting for the Muslim to advise himself to protect and preserve himself from all that may impair his good conduct.

Ibn Jibreen

The Ruling on Looking at Women in Films

Q Is it permissible to look at a picture of a naked woman in a magazine, or in a film?

A It is not permissible to look at pictures of unrelated naked women, nor is it permissible to buy films or magazines in which there are such pictures. Indeed, they must be burnt so that evil is not spread, and adultery and fornication do not become prevalent due to the existence of its causes.

Ibn Jibreen

The Ruling on Acquiring Pictures of Women

Q Some people acquire pictures of unrelated women and look at them in order to get pleasure from them, claiming that these are only pictures and not real. What is the ruling on this?

A This kind of carelessness is very dangerous, because when a man looks at a woman, whether it be through the film media or through the newspapers or other things, it must lead to temptation (*Fitnah*) in his heart, which leads him to deliberately look at actual women, and this has been observed. It has come to us that there are young men who acquire pictures of beautiful women in order to obtain gratification or get pleasure from looking at them. This proves the great temptation and trial involved in looking at these pictures, so it is not permissible for a man to look at these pictures, whether they are in magazines, newspapers or anything else, because in that there is temptation

and trial (*Fitnah*), which harms him in his religion and attaches his heart to looking at women, and he continues to look at them in person. And Allah knows best.

Ibn 'Uthaimin

Looking at Women in the Different Kinds of Media

Q What is the ruling on men looking at the faces and bodies of women, such as actresses and singers seen on the television, cinema and video screens, or pictures on paper.

A Looking at them is forbidden because of the trial and temptation (*Fitnah*) it includes, and the Noble Verse from *Surah An-Nur*, which is Allah's Words:

﴿قُلْ لِلْمُؤْمِنِينَ يَعْضُوا مِنْ أَنْصُرِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَى لَهُمْ إِنَّ اللَّهَ خَبِيرٌ
بِمَا يَصْنَعُونَ﴾

"Tell the believing men to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts, etc.). That is purer for them. Verily, Allah is All-Aware of what they do."^[1]

This includes women in pictures and others, whether they are on paper, on the screen or anywhere else.

Ibn Baz

The Reason for The Prohibition of Shaking Hands With Unrelated Women

Q Why did Islam forbid shaking hands with women for a man who is not a *Mahram* for them? And is ablution nullified by shaking hands without desire?

^[1] *An-Nur* 24:30.



Islam forbade this because it is a trial and a temptation (*Fitnah*) of the greatest kind for a man to touch the skin of a woman who is not related to him. Everything which leads to trials and temptations has been prohibited by Allah. This is why He commanded us to avert our gaze, in order to avoid corruption. As for one who touched a woman, it does not invalidate his ablution, even if he did so with desire, unless *Mathi*^[1] or *Mani*^[2] was emitted. If it was *Mani*, he must perform complete ablution (*Ghusl*) and if it was *Mathi*, he must wash his penis and testicles and then perform ablution (*Wudhu*).

Ibn 'Uthaimin

The Ruling on Shaking Hands With One's Brother's Wife



Is it permissible for a man's brothers to shake hands with his wife, without being alone with her, only in the presence of the sisters and the parents, and usually, it happens during celebrations, such as *'Eid* and the like?



It is not permissible for a man's brothers, his paternal or maternal uncles, or his cousins, to shake hands with their brothers' wives, or their maternal or paternal uncles' wives. They are like the rest of the unrelated women, because the brother is not a *Mahram* for his brother's wife and likewise, the paternal uncle is not a *Mahram* for his brother's son's wife, nor is the maternal uncle a *Mahram* for his sister's son's wife, nor are the sons of the paternal uncle *Mahrams* for the wives of their cousins, according to the saying of the Prophet ﷺ:

«إِنِّي لَا أَصَافِحُ النِّسَاءَ»

“Verily, I do not shake hands with women.”^[3]

[1] *Mathi*: Pre-seminal fluid.

[2] *Mani*: Semen.

[3] Ibn Majah no. 2874 and An-Nasa'i no. 4186.

And 'A'ishah, may Allah be pleased with her, said: "By Allah, the hand of the Messenger of Allah ﷺ never touched the hand of a woman. He did not accept the pledge of allegiance from women except in words."

— and because shaking hands with unrelated women might lead to some temptation (*Fitnah*) over them, like looking at them, or even more so. As for the *Mahrams*, there is no objection to them shaking their hands, such as the sister, the paternal aunt, the father's wife and the son's wife. And Allah is the Granter of success.

Ibn Baz

The Ruling on Shaking Hands With Other Than the *Mahram*

Q Some men are in the habit of shaking hands with relatives whom they are not a *Mahram* to. But they do it by way of kinship or neighborliness. What is the ruling on this? And is it enough for him if she places a piece of cloth over her hand, with the intention of screening her hand?

A It is not permissible for a man to shake hands with a woman who is unrelated to him, even if she placed a piece of cloth over her hand when shaking hands. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Shaking Hands With an Unrelated Woman Through a Barrier

Q Is it permissible for me to shake hands with an unrelated woman, if she places a barrier (i.e., gloves, cloth etc.) over her hands and what is the evidence, may you be rewarded? And is the ruling on the woman who is of

advanced age the same as the ruling on the young woman?



It is not permissible for a man to shake hands with an unrelated woman for whom he is not a *Mahram*, whether directly, or through a barrier, because this is a form of trial and temptation (*Fitnah*) and Allah, Most High says:

﴿وَلَا تَقْرَبُوا الزِّنَىٰ إِنَّكُمْ كَأَنْ فَحِشَةً وَسَاءَ سَبِيلًا﴾

“And come not near to the unlawful sexual intercourse. Verily, it is a Fahishah (i.e. anything that transgresses its limits (a great sin)), and an evil way (that leads one to Hell unless Allah forgives him).”^[1]

This Verse proves that it is incumbent upon us to abandon everything which leads to *Zina* (adultery and fornication), whether it be *Zina* of the private parts — and that is the greater sin — or other (such as of the eyes etc.). And there is no doubt that when a man touches an unrelated woman’s hand, it may excite feelings of desire, in addition to the fact that it has been reported in a *Hadith* that there is a promise of stern punishment for one who shakes hands with a woman to whom he is not a *Mahram* — and there is no difference in this between the young woman and the old woman. This is because, as it is said: For every lost insignificant thing, there is a finder.^[2] Also, people’s understanding of the measure by which one would differentiate between a young woman and an old woman may differ: One of them might say: “This woman is old,” while another might say: “This woman is young.”

Ibn ‘Uthaimin

^[1] *Al-Isra’* 17:32

^[2] That is, even though a woman might be advanced in years and most men would not choose to have intimate relations with her, there might well be a minority who would do so.

The Ruling on Shaking Hands With an Old Woman

Q What is the ruling on shaking hands with an unrelated woman if she is old? Likewise, what is the ruling, if she places a barrier over her hand, such as a garment or the like?

A It is not permissible to shake hands with women to whom a man is not a *Mahram*, under any circumstances — whether they are young women or old women and whether the one shaking hands is a young man or an old man. This is because of the danger of temptation (*Fitnah*) involved in doing so for both of them.

It has been authentically reported from the Prophet ﷺ that he said:

«إِنِّي لَا أَصَافِحُ النِّسَاءَ»

“Verily, I do not shake hands with women.”^[1]

‘A’ishah, may Allah be pleased with her, said: “By Allah, the hand of the Messenger of Allah ﷺ never touched the hand of a woman. He did not accept the pledge of allegiance from women except in words.”

There is no difference whether she shakes hands with a barrier or without a barrier, due to the generality of the evidences, and in order to prevent the means which lead to temptation and trial (*Fitnah*). And Allah is the Granter of success.

Ibn Baz

The Ruling on Kissing and Shaking Hands With Female Relatives for Whom One is Not a *Mahram*

Q Every so often, I visit my family and my kin after having been away from them. Sometimes this is after a period of six months, and sometimes, a whole year and when I reach the house, the women greet me (young and old) with kisses

^[1] Ibn Majah no. 2874 and An-Nasa’i no. 4186.

which make me bashful and embarrassed and in truth, it is said that this is an extremely common custom in our society, and that it does not mean anything in our family, since it does not resemble, in their opinion, committing a sin. However, I — who have acquired a good degree of Islamic education, all praise and thanks be to Allah — remain embarrassed and confused regarding this matter. The question is: How can I avoid kissing the women, bearing in mind that, if I were to shake hands with them, they would be extremely angry with me and they would say: “He does not respect us,” and: “He hates us,” and: “He doesn’t love us.” (i.e., the love that exists between families, not the love between a man and a woman). Would I be considered to have committed a sin if I kissed them, bearing in mind that I do not have an evil intention in doing so?



It is not permissible for a Muslim to kiss or shake hands with women other than his wife and those whom he cannot marry due to reasons of lineage. In fact, this is a forbidden act and a cause of trial and temptation (*Fitnah*) and the existence of evil deeds (such as adultery and fornication) and it has been confirmed from the Prophet ﷺ that he said:

«إِنِّي لَا أَصَافِحُ النِّسَاءَ»

“Verily, I do not shake hands with women.”^[1]

And ‘A’ishah, may Allah be pleased with her, said: “By Allah, the hand of the Messenger of Allah ﷺ never touched the hand of a woman. He did not accept the pledge of allegiance from women except in words.”

And a worse sin than shaking hands is kissing them, whether they are daughters of the paternal uncle, daughters of the maternal uncle or neighbors, or from any part of the tribe — all of this is forbidden according to the consensus of the Muslims,


^[1] Ibn Majah no. 2874 and An-Nasa’i no. 4186.


and it is one of the greatest causes of the occurrence of prohibited evil deeds (such as fornication and adultery).

Therefore, it is incumbent upon the Muslims to beware of this and to convince all of the women — among the family and others — who are accustomed to doing it, that it is forbidden, even though it may be the custom of the people. And it is not permissible for a Muslim man or woman to do it, even if it be the custom of their kin or their fellow citizens. Indeed, they must reject it and warn the community to content themselves with speech when offering salutations of peace — without shaking hands and without kissing.

Ibn Baz

The Ruling on Shaking Hands With the Non-Mahram, Sitting With Them and Kissing Them

 I live at present in the city of Riyadh and I have kin there to whom I am very closely related. Among them are the daughters of my maternal aunt and the wives of my paternal uncles and their daughters. When I visit them, I offer salutations of peace to them and kiss them and they sit with me and they are unveiled, and I am uncomfortable with this custom. Bearing in mind that this custom is widespread in the southern areas, what is your view regarding this custom and what should I do? Advise me, and may Allah reward you with goodness.

 This is an evil, reprehensible custom which is incompatible with the pure Islamic Law. It is not permissible to kiss them or shake hands with them, because the wives of your paternal uncles, the daughters of your paternal uncle, and the daughters of your maternal uncle are not unlawful in marriage for you. So it is incumbent upon them to veil themselves from you and not to show their beauty to you, in accordance with the Words of Allah, Most Glorified:

﴿وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسْأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ ذَلِكُمْ أَطْهَرُ لِقُلُوبِكُمْ وَقُلُوبِهِنَّ﴾

"And when you ask for anything you want, ask them from behind a screen: that is purer for your hearts and for their hearts"^[1]

This Verse is general, its meaning includes the wives of the Prophet ﷺ and other women, according to the most correct of two opinions held by the scholars. Whoever said that it applies only to the wives of the Prophet ﷺ, his saying is false and there is no evidence for it. And He, Most Glorified says in *Surah An-Nur*:

﴿وَلَا يَبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ﴾

"...and not to reveal their adornment except to their husbands, or their fathers, or their husband's fathers."^[2]

And you are not one of those who is exempted; indeed, you are unrelated (*Ajnabi*) to the daughters of your paternal uncle, your maternal uncle, and the wives of your paternal uncles. This means that you are not a *Mahram* for them. So it is incumbent upon you to inform them of what we have said and read this ruling to them so that they excuse you (from kissing and shaking hands) and so that they know the ruling of the Islamic Law on this, and that it is sufficient to offer salutations of peace to them by words, without kissing or shaking hands. This is because of the Verse which we have mentioned and the words of the Prophet ﷺ:

«إِنِّي لَا أَصَافِحُ النِّسَاءَ»

"Verily, I do not shake hands with women."^[3]

And the words of 'A'ishah, may Allah be pleased with her: "By Allah, the hand of the Messenger of Allah ﷺ never touched the

[1] *Al-Ahzab* 33:53.

[2] *An-Nur* 24:31.

[3] *Ibn Majah* no. 2874 and *An-Nasa'i* no. 4186.

hand of a woman. He did not accept the pledge of allegiance from women except in words.”

And the confirmed narration in *Sahih Muslim*, on the authority of ‘A’ishah, may Allah be pleased with her, in the story of the lie,^[1] in which she said: “When I heard the voice of Safwan bin Al-Mu’attal, I veiled my face and he had seen me before the *Hijab* (became compulsory).”

This proves that the women used to cover their faces after the Verse of *Al-Hijab* was revealed. May Allah improve the situation of the Muslims and bless them with understanding in the religion. And Allah is the Granter of success.

Ibn Baz

It is Permissible for a Man to Kiss His Daughter

Q Is it permissible for a man to kiss his daughter, once she has grown up and reached the age of maturity — whether she is married or unmarried — and whether the kiss is on her cheek or on her mouth or elsewhere? And if she kisses him in these places, what is the ruling?

A There is no sin in a man kissing his small or adult daughter without desire, on condition that it is on the cheek if she is an adult. This is according to the confirmed narration on the authority of Abu Bakr As-Siddiq, may Allah be pleased with him, in which it is stated that he kissed his daughter, ‘A’ishah, may Allah be pleased with her, on her cheek.

Kissing on the mouth could lead to the arousal of sexual desire, so it is better and more prudent to avoid it. Similarly, the daughter may kiss her father on his nose or on his head, without desire. As for with desire, that is forbidden by all, without any

^[1] This refers to the occasion when ‘A’ishah, may Allah be pleased with her, was inadvertently left behind on a journey and was found and led to safety by Safwan bin Al-Mu’attal, may Allah be pleased with him, and the hypocrites of Al-Madinah accused her of committing adultery with him.

dispute, due to the element of temptation and trial (*Fitnah*) it would include, and in order to prevent what may lead to evil deeds (unlawful sexual acts).

Ibn Baz

The Ruling on Speaking to a Woman on the Telephone

Q What is the ruling if a young, unmarried man spoke with a young unmarried woman on the telephone?

A It is not permissible to speak with an unrelated woman in a manner which may excite desire, such as by speaking words of love, flirting and subduing one's voice, whether on the telephone or otherwise. This is in accordance with the Words of Allah, Most High:

﴿فَلَا تَخْضَعْنَ بِالْقَوْلِ فَيَطْمَعَ الَّذِي فِي قَلْبِهِ مَرَضٌ وَقُلْنَ قَوْلًا مَّعْرُوفًا﴾

“then be not soft in speech, lest he in whose heart is a disease (of hypocrisy, or evil desire for adultery, etc.) should be moved with desire...”^[1]

As for speaking when there is a need, there is no objection to it, as long as it is free from corruption, but only in cases of necessity.

Ibn Jibreen

The Ruling on Correspondence Between the Sexes

Q If a man corresponds with an unrelated woman, and they come to love each other, is this action considered to be forbidden?

A This action is not permissible, because it excites desire between the two, and incites the urge to arrange meetings and telephone calls. Very often, this flirting and correspondence

^[1] *Al-Ahzab* 33:32.

causes trials and temptations, and implants a love of fornication in the heart, which plunges one into committing acts of unlawful sexual intercourse, or causes them. So we advise those who desire to benefit themselves, to protect themselves against correspondence and telephone calls and the like, in order to preserve one's religion and honor. And Allah is the Granter of success.

Ibn Jibreen

Seclusion With an Unrelated Woman is Forbidden

Q There is a certain degree of carelessness among some people over speaking with unrelated women. For example, a man came to the house of his friend and he did not find him; and so the wife began to talk to this man who had arrived (the friend of her husband), and she admitted him in the sitting room and brought coffee and tea for him. Is this permissible, bearing in mind that there was no one in the house except this wife?

A It is not permissible for a woman to permit an unrelated man to enter the house of her husband during his absence, even if he is a friend of her husband, and even if he is trustworthy and dependable. This is because this includes seclusion with an unrelated woman, and it has been reported in the *Hadith*:

«لَا يَخْلُونَ رَجُلٌ بِامْرَأَةٍ إِلَّا كَانَ تَالِفَهُمَا الشَّيْطَانُ»

"A man does not sit alone with a woman, except that Satan makes a third."^[1]

Likewise, it is forbidden for a man to ask his friend's wife to let him in and serve him, even if the man is confident of his own trustworthiness and religiousness, due to the fear of Satan whispering to him and joining them.

^[1] At-Tirmithi no. 2165 and Ahmad 1/18.

It is incumbent upon the husband to warn his wife against admitting any man unrelated (to her) into the house, even if he is one of his kin, in accordance with the saying of the Prophet ﷺ:

«إِيَّاكُمْ وَالذُّخُولَ عَلَى النِّسَاءِ»

“Beware of entering upon women.”

They said: “O Messenger of Allah! What do you say regarding *Al-Hamu*?” He ﷺ replied:

«الْحَمُّ الْمَوْتُ»

“*Al-Hamu* is death (i.e., it may result in ruin for the family).”^[1]

Al-Hamu refers to the husband’s brother or one of his kin,^[2] therefore it is even more necessary in the case of others.

Ibn Jibreen

The Ruling on Relations Before Marriage



What is the ruling of the relationship of a person with his Fiancée?



If what is meant by the saying of the questioner “before marriage” before consummating it, and after the contract is made, then there is no sin, because after the contract is made, she will be his wife, even if it has not been consummated. However, if it was before the contract, and during the proposal or before it, then it is forbidden, impermissible, because it is not allowed for a man to enjoy the company of a woman who is unrelated to him, neither by speech, nor by looking at her, nor by being alone with her.

This is because it has been confirmed from the Prophet ﷺ that

[1] Al-Bukhari no. 5232 and Muslim no. 2172.

[2] That is, other than his father and his sons. Usually *Al-Hamu* refers to the wife’s brother-in-law. They are only those who could have married her if she had not been married.

he said:

«لَا يَخْلُونَ رَجُلٌ بِامْرَأَةٍ إِلَّا وَمَعَهَا ذُو مَحْرَمٍ، وَلَا تُسَافِرِ الْمَرْأَةُ إِلَّا مَعَ ذِي مَحْرَمٍ»

“No man should stay with a lady in seclusion except in the presence of a *Dhū-Mahram*. A woman should not travel except with a *Dhū-Mahram*”^[1]

In short, it may be said that there is no sin in meeting after the contract has been made. But if it is before the contract, even if it is after the proposal and her acceptance, it is not permissible, and he is forbidden to her because she is not related to him until he makes the contract with her.

Ibn ‘Uthaimin

A Woman May not Travel Except With a *Mahram*

Q What is the ruling of the Islamic Law on a female servant traveling without a *Mahram*. Is it her coming from her country without a *Mahram* that is forbidden, or her presence in the house in which she is serving alone, without a *Mahram*?

A It is not permissible for a woman to travel without a *Mahram*, whether she is a servant or anything else, because the Prophet ﷺ said:

«لَا تُسَافِرِ الْمَرْأَةُ إِلَّا مَعَ ذِي مَحْرَمٍ»

“A woman may not travel without a *Mahram*.”^[2]

As for her presence in the house, she does not require a *Mahram*, but it is not allowed for a man who is not related to her to be alone with her, because the Prophet ﷺ said:

[1] Muslim no. 1341.

[2] Al-Bukhari no. 1863 and Muslim no. 1338.

«لَا يَخْلُونَ رَجُلٌ بِامْرَأَةٍ إِلَّا مَعَ ذِي مَحْرَمٍ»

“A man may not be secluded with a woman except with a Mahram.”^[1]

And he ﷺ said:

«لَا يَخْلُونَ أَحَدُكُمْ بِامْرَأَةٍ فَإِنَّ الشَّيْطَانَ ثَالِثُهُمَا»

“A man should not be alone with a woman, for verily Satan makes a third.”^[2]

Narrated by Imam Ahmad with an authentic chain of narrators, on the authority of ‘Umar, may Allah be pleased with him.

Ibn Baz

The Ruling on Bringing a Female Servant From Abroad Without a Mahram

Q What is the ruling on bringing a female servant from abroad without a *Mahram*, if she is a Muslim. This occurs frequently with many people, even those who are considered students of (Islamic) knowledge, and they justify it by saying that they are forced to do it by circumstances. Some of them claim that the sin of her journey without a *Mahram* falls upon her, or upon the procurement office? I request that you make this matter clear for us, and may Allah preserve you and reward you with goodness.

A Bringing a female servant without a *Mahram* is an act of disobedience to the Messenger of Allah ﷺ, because it has been authentically reported from him that he said:

«لَا تُسَافِرِ الْمَرْأَةُ إِلَّا مَعَ ذِي مَحْرَمٍ»

“A woman may not travel without a Mahram.”^[3]

[1] Al-Bukhari no. 5233 and Muslim no. 1341.

[2] At-Tirmithi no. 2165 and Ahmad 1/18.

[3] Al-Bukhari no. 1862 and Muslim no. 1338.

Her coming without a *Mahram* might be a cause of trial and temptation (*Fitnah*) — from her, and for her, and the causes of trial and temptation are forbidden, because whatever leads to that which is forbidden is (itself) forbidden.

As for the carelessness of some people in this matter, it is a calamity and there is no evidence for them in their claim that it is out of necessity. Because even if we accept that it is necessary to have a servant, it is not necessary for her to come without a *Mahram*. Similarly, there is no evidence in the claim of some that the sin of her journey without a *Mahram* is upon her, or upon the procurement office, because whoever opened the door to one who commits a forbidden act is a partner with him in his sin, due to his having helped him in it. Allah, Most High says:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾

“Help you one another in Al-Birr and At-Taqwa (virtue, righteousness and piety); but do not help one another in sin and transgression.”^[1]

Allah, Most High and His Messenger commanded us to command all that is good and forbid all that is evil, and bringing a servant without a *Mahram* is confirming evil, not condemning it. I ask Allah, Most High that He guide us all to His Straight Path, the Path of those among the Prophets, the truthful ones, the martyrs and the righteous, upon whom He has bestowed His Grace.

Ibn ‘Uthaimin

The Ruling on a Woman Staying in a Foreign Country Without a *Mahram*

Q My question is about a woman working and living without a *Mahram* in a country other than her own, bearing in mind that I work presently in the Kingdom and in my place of work, they are all women and I live in an internal

^[1] *Al-Ma'idah* 5:2.

section belonging to the place of work and they are all women there as well, all praise and thanks be to Allah. There is no mixing of the sexes or anything that would cause Allah, the Almighty, the All-Powerful to be Angry — neither in the workplace, nor in the accommodation. I have tried to bring my brother as a legal *Mahram* for me, but I have not been successful. So what is the ruling in Islamic Law for my present position, and my residence here without a *Mahram*, bearing in mind that I first of all sought guidance from Allah, the Almighty, the All-Powerful much before coming here, and I felt that Allah made many matters easy for me. Secondly, the situation in my country, with regard to mixing of the sexes and immorality in the workplace, do not encourage an observant Muslim person to continue therein — in the light of what I have mentioned, what is your opinion?



We ask Allah to grant us and you success and to improve our circumstances. As for what you have done, there is no objection to it, because there is no harm and no sin in a woman living in a country without a *Mahram*, especially if there is no danger in it. Since the work is among women and protected from men — which is something that Allah, the Almighty, the All-Powerful has permitted — or in an internal section, living among women; there is no sin in any of this.

However, it is prohibited for you to travel alone, so do not travel except with a *Mahram* and do not come (to the country) without a *Mahram*. If you have come from your country without a *Mahram*, you must turn to Allah in repentance and seek forgiveness and you must not repeat it. If you wish to travel, you must have a *Mahram*; therefore, be patient until a *Mahram* comes, in accordance with the words of the Prophet ﷺ:

«لَا تُسَافِرِ الْمَرْأَةُ إِلَّا مَعَ ذِي مَحْرَمٍ»

“A woman may not travel except with a *Mahram*.”^[1]

[1] Al-Bukhari no. 1862 and Muslim no. 1338.

If it is easy to find a *Mahram* among the family or by marrying, then your husband will be a *Mahram* for you when travelling. So the matter is in Allah's Hand. You must do what you are able to do when travelling, until such time as a *Mahram* is available. As for living among women and working in a permissible job, there is no sin in it, all praise and thanks be to Allah.

There is no doubt that a woman travelling without a *Mahram* is a grave matter, in which there is danger, trial, and temptation (*Fitnah*). Therefore, we advise our sisters in Islam to beware of it, and to not travel without a *Mahram*. We also advise them to beware of mixing with men, working with men and being alone with men. It is necessary to beware of all of these things, whether it be in hospitals or anywhere else.

My advice to all is not to bring a woman except with a *Mahram*. Such woman should not travel except with a *Mahram*, nor should she work with men, nor be alone with any man except her *Mahram*, because it is a path to temptation and trial (*Fitnah*) and the Messenger ﷺ prohibited that, and he forbade it, saying:

«لَا يَخْلُونَ أَحَدَكُمْ بِامْرَأَةٍ فَإِنَّ الشَّيْطَانَ ثَالِثُهُمَا»

"A man does not sit alone with a woman, except that Satan makes a third."^[1]

What is meant by this, is that it is incumbent upon a woman and her guardians to take care to preserve her honor and to avoid the causes of temptation and trial (*Fitnah*).

As for working, there is no objection to a woman working in a permissible job, which does not harm her religion and does not cause trial and temptation (*Fitnah*) with men.

Ibn Baz

[1] At-Tirmithi no. 2165 and Ahmad 1/18.

A Legal Verdict in the Ruling on Using Schoolgirls in Musical Dancing Shows in What are Known as National Celebrations and the Like, and is it Permissible to Force Them to Take Part in Them?^[1]

In the Name of Allah, the Most Beneficent, the Most Merciful
 From: ‘Abdul-‘Aziz bin ‘Abdullah bin Baz,
 To: The respected brother, the Editor of *Al-Mujtama’* Magazine,
 May the Peace and Blessings and Mercy of Allah be upon you;
 as to what follows:

I have studied the questions submitted by you to me and they have been shown to The Permanent Committee for Scientific Research and Religious Verdicts, and they have produced verdict no. 3831 on 12/07/1401 AH, regarding them, which is attached to this letter. May Allah grant us and you success in serving His religion and protecting it, verily He is All-hearing, Responsive. And may the Peace and Blessings and Mercy of Allah be upon you.

The General President for the
 Administration of Scientific Research,
 Religious Verdicts, Preaching and Guidance

In the Name of Allah, the Most Beneficent, the Most Merciful
 All praise and thanks be to Allah and may peace and blessings be upon His Messenger and upon his family and Companions;
 as to what follows:

The Permanent Committee for Scientific Research and Religious Verdicts has examined the questions submitted by the Kuwaiti magazine, *Al-Mujtama’*, to His Excellency, the Director General, which were referred to them with the no. 812, on 03/05/1401 AH. and they have answered every one of them as follows:

^[1] *Al-Mujtama’* Magazine (issue no. 531).

Q 1. Is it permissible to use high-school girls, middle-school girls and primary-school girls in musical dancing shows, wearing tight trousers, which show the limbs of the body and display its charms, and dresses whose length is only two hand spans?

A That is not permissible, because it involves revealing their 'Awrah and displaying their charms, by wearing short, tight clothing and because it necessitates vain dancing and music. These are both widespread evils which incite lust on the part of those attending the shows, and provoke a desire to commit illegal sexual acts (i.e., adultery and fornication) and acts of depravity, and it destroys their morals.

These shows have unpleasant prior and subsequent activities and they have rehearsals, training the students in dancing and music in these seductive clothes, until they have mastered this loathsome art, in preparation for the shows, and in order to assure success in this sphere of evil to please those who attend.

This has despicable consequences which may end with them — or many of them — taking what they have been trained for as a profession from whose income they earn their living in the world of vain deeds and shamelessness.

Q 2. Is the guardian of the student guilty of sin in allowing her to take part?

A Everyone whom Allah has made a guardian is responsible for those in his care. The guardian of a student, whether her father, or whoever takes his place is responsible for her. If he educates her in an Islamic way, then he has educated her well and protected her from the dangers of evil and corruption, Allah will write for him a recompense and a reward and preserve his standing and protect his honor.

If he does not educate her well, or is careless in it, or is incited towards areas of temptation (*Fitnah*) and the abysses of vain pursuits — he has committed a sin by offending the person over

whom Allah made him guardian. The result for him will be evil and the harvest which he will reap from his bad behavior is failure in the life of this world and punishment in the Hereafter, unless Allah covers him with His Mercy.

Q 3. Do government authorities have the right to force the students to do this, by claiming that they are national celebrations?

A There can be no prosperity for communities and no advancement for them, nor any order in their affairs, nor protection of their existence, except through authorities who guide them and rule them well, according to the way of the Book of Allah, Most High and the guidance of His Messenger, Muhammad ﷺ. This includes belief, word, deed, and judging between them in their disputes with success granted by Allah, Most Glorified.

There is no support for the rulers or the authorities, nor any respect due to them, nor any esteem, except through peoples whose affairs they make their concern in all aspects of life — in religious matters, in matters of integrity, knowledge, culture, industry, farming, strength and ability — in all matters by which communities grow and advance by which its foundations are strengthened. In this way they become good examples, to which the eyes of the people of understanding will turn in wonder and those who know its situation will be struck with awe at it.

In accordance with the measure of the efforts expended in goodness and good governance of their peoples, by those in authority over them, and the improvements which they achieve for them, they will reap the fruits of it in strength, might, prestige and increased standing. According to the measure of how much the people respond to the call of the reformers among those placed in authority over them, to do good and their cooperation with them in achieving it, they will find happiness, ease, comfort, repose etc.

So, it is incumbent upon the rulers of the Muslims and those

charged with authority over them to govern their peoples in an Islamic manner, taking the Messenger of Allah ﷺ as their model and being guided by his guidance and following the example of the rightly guided Caliphs, so that they and their peoples may achieve happiness and be thankful for the end result in the life of this world and in the Hereafter, being cautious of acting in contradiction to the Law of Islam and its Straight Path.

By their own hands, they contribute to their destruction, by following their vain desires and imitating the disbelieving nations in methods of governing their peoples, in their customs, in their perverted morals and their culture, by introducing them to vain deeds and shamelessness in the education establishments and the mixing of males and females therein, and other such types of corruption and evil.

This is because if they do these things, their ties of unity will be diminished and their strength will be weakened, and they will care little for Allah, and so Allah will scorn them and the Word of (Allah's) Punishment will be justified against them — and that is the recompense of the corrupters.

Lastly, there is no saying of man more beautiful, nor more complete, nor wiser, nor broader in meaning than the counsel and advice of him who was given the most comprehensive Words (i.e., the Qur'an) — peace and blessings of Allah be upon him — when he said:

«أَلَا كُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ، فَإِلَامًا الْأَعْظَمُ الَّذِي عَلَى النَّاسِ رَاعٍ وَهُوَ مَسْئُولٌ عَنْ رَعِيَّتِهِ، وَالرَّجُلُ رَاعٍ عَلَى أَهْلِ بَيْتِهِ وَهُوَ مَسْئُولٌ عَنْ رَعِيَّتِهِ، وَالْمَرْأَةُ رَاعِيَةٌ عَلَى أَهْلِ بَيْتِ زَوْجِهَا وَوَلَدِهِ وَهِيَ مَسْئُولَةٌ عَنْهُمْ، وَعَبْدُ الرَّجُلِ رَاعٍ عَلَى مَالِ سَيِّدِهِ وَهُوَ مَسْئُولٌ عَنْهُ، أَلَا فَكُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ»

“Verily, every one of you is a guardian and every one of you will be asked about his charge. So it is the Imam who is a guardian of his congregation and who is responsible for them, and a man is the

guardian of his family and he will be asked about his charges, and a woman is the guardian of her husband and his children and she will be asked about them, and a man's slave is a guardian of his master's property and he will be asked about it. Verily, each of you is a guardian and he will be asked about his charge."^[1]

He ﷺ also said:

«مَا مِنْ عَبْدٍ يَسْتَرْعِيهِ اللَّهُ رَعِيَةً فَلَمْ يَحْطُهَا بِنُصْحِهِ إِلَّا لَمْ يَجِدْ رَائِحَةَ الْجَنَّةِ»

"Any servant whom Allah has given authority over some people, and he does not look after them in an honest manner, will never have even the smell of Paradise."^[2]

-and in another version:

«مَا مِنْ وَالٍ يَلِي رَعِيَةً مِنَ الْمُسْلِمِينَ فَيَمُوتُ وَهُوَ غَاشٌّ لَهُمْ إِلَّا حَرَّمَ اللَّهُ عَلَيْهِ الْجَنَّةَ»

"Any guardian who rules his charges among the Muslims and he dies while he is cheating them, Allah will forbid Paradise to him."^[3]

So the guardian whom Allah has given custodianship over people should fear Allah, advise them, and judge between them with honesty, because he will be asked about them.

And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.


The Permanent Committee


[1] Al-Bukhari no. 7138 and Muslim no. 1829.

[2] Al-Bukhari no. 7150 and Muslim no. 142.

[3] Al-Bukhari no. 7151 and Muslim no. 142.

My Wife's Sisters Unveil Themselves to Me When I am Driving Them in My Car

 I would like to inform you that I married a girl who has three sisters who are younger than she, and I live with my wife's father in order to help him in his affairs, but the problem is that on many occasions, we mix in the house when eating. And my wife's sisters join us, and they have their heads covered and their faces unveiled. And sometimes, I drive one of them to school, or to college or the library. What is the ruling of the Islamic Law on this?

 There is no sin for you in living with your wife's father due to the aforementioned reason, which is to help him in his affairs, or for any other permissible reason. But your wife's sisters must veil themselves from you and cover their faces because the face is the greatest beauty and He, Most Glorified says in *Surah An-Nur*:

﴿وَلَا يَبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ﴾

"and not to reveal their adornment except to their husbands, or their fathers, or their husband's fathers"^[1]

And it is not permissible to be alone with any of them or to go with one of them to the school, or the library alone with her, according to the words of the Prophet ﷺ:

«لَا يَخْلُونَ رَجُلٌ بِامْرَأَةٍ إِلَّا وَمَعَهَا ذُو مَحْرَمٍ»

"A man may not be secluded with a woman except with a Mahram."^[2]

And his words:

«لَا يَخْلُونَ رَجُلٌ بِامْرَأَةٍ إِلَّا كَانَ تَالِيَهُمَا الشَّيْطَانُ»

^[1] *An-Nur* 24:31.


^[2] Muslim no. 1341.


“A man should not be alone with a woman, for verily Satan makes a third.”^[1]

So if you want to take one of them to school, then there must be a third person with you so you are not alone, and through his presence you will be safe from Satan’s incitement to evil — may Allah protect us from his evil whisperings.

Ibn Baz


The Sister’s Husband is not a *Mahram*


 Is it permissible for my sister to veil herself from her cousin, who is a *Nasib* for us, that is, that he will marry his daughter to my brother, bearing in mind that the marriage has not yet taken place. Advise us.

 Your sister must veil herself from her uncle’s son, who is not her *Mahram* even if he is a *Nasib*, and even if he married his daughter to her brother. This is because the sister’s husband is unrelated, as is the brother’s father-in-law and others like them.

Ibn Jibreen

The Ruling on a Veiled Woman Sitting With Men

 One of my friends says that she is forced to sit with some men from her family without a *Mahram* and she is veiled with a complete *Hijab*. They greet her and her sons with salutations of peace when her husband is absent and he knows this, however she is not happy with this situation, but circumstances compel her.

 We advise this woman not to sit with these unrelated men, even if they are from her family, and even if she has covered her face or anything else. Although it might be allowed,

^[1] At-Tirmithi no. 2165 and Ahmad 1/18.

if it was simply offering salutations of peace from behind a wall or a screen, or among women. And the agreement of the husband is not considered a permission for this sitting and fraternization. However the matter is less serious than seclusion or sitting while displaying (her charms), but being far away is more fitting, and it is better for a woman not to see men, and for them not to see her. And Allah is the One Who from Whom help is sought.

Ibn Jibreen

Al-Hamu is More Dangerous

Q I and my brothers live in one house and we are — all praise and thanks be to Allah — obedient to the Commands of Allah and the commands of his Messenger ﷺ. But we are suffering from a custom of ours which we inherited from our fathers and our grandfathers. That is that the men sit together with women, that is, the brothers together with their wives. A zealous person in the observation of the religion advised us, but we did not pay attention to him, because he is new to the religion and I spoke to my father one day, saying: “We should not do this detestable thing; in fact, it is incumbent upon us to stop it,” but my father said: “By Allah, if you do this thing, I will leave you and not sit with you.” Likewise, one of my brothers agrees with my father in this matter, so I request guidance and advice from your Eminence — and am I right in taking this position?



Yes, you are right in refusing to take part in this evil custom, which contradicts the evidences of the (revealed) texts (i.e., the Qur’an and Sunnah). For it is an obligation upon the wives to veil themselves from their husbands’ brothers and it is not permissible for them to reveal their faces in front of their husbands’ brothers. Just as it is not permissible for them to reveal their faces to unrelated men in the market.

In fact, their revealing their faces to their husbands' brothers is more dangerous, because the husband's brother is in the house, either living there, or as a visitor and a guest, or such like. So if he enters the house, it will not be objected to, nor will it be considered surprising, so the danger of it is greater.

This is why the Prophet ﷺ warned against entering upon women, saying:

«إِيَّاكُمْ وَالذُّخُولَ عَلَى النِّسَاءِ»

“Beware of entering upon women.”

They said: “O Messenger of Allah! What do you say regarding *Al-Hamu*?” He ﷺ replied:

«الْحَمُّ الْمَوْتُ»

“Al-Hamu is death.”^[1]

That is, it is incumbent upon us to flee from it as a person flees from death. And these words — I mean his saying: “*Al-Hamu* is death” — are among the most momentous words of warning against it. I say: Verily, your action, i.e., your rejecting this deed, which is the custom of the people is correct. As for the saying of your father: “If you do this thing (i.e., veiling the women from their husbands' brothers), I will not stay with you,” I advise him to submit to the truth and not to care about the customs which contradict it. And he should fear Allah, the Almighty, the All-Powerful and be the first to order this deed — I mean the order for the women to be veiled from those who are not *Mahrams*, so that he may be a guardian and undertake his guardianship in the best manner. For a man is a guardian in his house and he will be asked about his charges.

Ibn ‘Uthaimin

^[1] Al-Bukhari no. 5232 and Muslim no. 2172.

The Ruling on Mixing With Women With the Claim of Having a Blameless Intention

Q We have a bad custom, which is the mixing of men with women. The reason is that we work with them in many occupations and look at them, and they do their work without their faces being veiled. We say that our intention is blameless, so someone of us will look at the face of his full brother's wife and he considers her to be like his full sister, whom he is unable to marry, and he considers the wives of his neighbors to be in the same position as women he cannot marry. A man in our society lives with his full brother and his uncle's son, and other members of his family with the men and women eating and drinking together. What is the ruling?

A These matters belong to the customs of the first *Jahiliyyah*^[1] and it is an obligation, according to Islamic Law, for the woman not to uncover her face except to those who are *Mahrms* for her. Similarly, it is an obligation upon a woman not to mix with men who are unrelated to her when she is unveiled, and it is also incumbent upon her not to be secluded in any place with a man to whom she is unrelated — that is, one who is not a *Mahram* for her. There is no doubt that mixing of men and women in the manner which you have described is in contradiction to the Islamic Law, because it causes an infinite amount of corruption. And Allah is the Granter of success.

Ibn Baz

The Driver of Families and Women

Q What is the ruling on a driver mixing with a family, with the women and the young girls, and going out with them to the shops and schools?

^[1] *Jahiliyyah*: The Days of Ignorance, prior to the start of the mission of Prophet Muhammad (ﷺ).



It has been authentically reported in a *Hadith* that the Prophet ﷺ said:

«لَا يَحْلُونَ رَجُلٌ بِامْرَأَةٍ إِلَّا كَانَ ثَالِثَهُمَا الشَّيْطَانُ»

“A man does not sit alone with a woman, except that Satan makes a third.”^[1]

Seclusion usually takes place in the house, the car, the market, a shop or the like.

When they are alone together, there is no guarantee that their conversation will not turn to forbidden things, or things which arouse desire. Although there exists a sense of piety in some men and women, a fear of Allah, a hatred of disobedience and breach of faith, yet, Satan interferes between them and makes it easy for them to sin. He opens the doors to lust for them, but the (righteous) servant is safer and more protected from that.

Ibn Jibreen

The Ruling on Mixing in Hospitals

Q I work in a hospital and the nature of my work demands constant mixing and speaking with women. What is the ruling on this? And what is the ruling on shaking hands with an unrelated woman, especially in Ramadhan?

A First of all, you must make every effort to stay away from this society and avoid it, in favor of work connected only with men, which keeps you away from mixing with women. If that is difficult for you, you must take care to prevent the mixing of women — even doctors — with men, even if they are their colleagues. You must also raise this matter with those who have the authority to prevent it. If you are unable to do so, then you must refrain, as much as possible from looking (at women) and shaking hands with them and the like, because that may

^[1] At-Tirmithi no. 2175 and Ahmad 1/18.

lead to forbidden acts, even if one has a good intention and a pure heart.

Ibn Jibreen

Mixing is Forbidden

Q Here in Britain, a meeting is held in one of the schools for the parents and guardians of the students, which is attended by men and women. Is it permissible for the Muslim woman to attend this meeting without a *Mahram*, when there are men present, bearing in mind that one brother says that it is permissible, citing as evidence the *Hadith* of Abu Hurairah, may Allah be pleased with him, recorded in *Sahih Al-Bukhari* and *Sahih Muslim*, in which it is mentioned that a man came to the Prophet ﷺ and he requested someone to take him in as a guest, so a man from among of the *Ansar* took him in as a guest and he mentioned that the *Ansari* man and his wife sat with him and they showed him that they were eating. I request enlightenment in this matter.

A In this matter, it is apparent from the question that there is mixing of men and women. Mixing of men and women leads to trial and temptation (*Fitnah*) and evil and it is, in my opinion, not allowed.


However, if there was a need for the presence of women with men, then it is a must that the women be placed on one side and the men on the other, and that the women wear the Islamic *Hijab*, so that their bodies are completely covered, even their faces. As for the *Hadith* which the questioner mentioned, there is no mixing (of the sexes) in it, for the man was only with his wife in one part of his house, while the guest was in the guest quarters.


However, the matter of the *Hijab* is well known: It was not one of the foremost matters regarding the legislation; it was only

legislated about five or six years after the migration of the Prophet ﷺ and no *Hadith* has been narrated in which it appears that the *Hijab* was not worn, therefore it must be understood that this was before the Verses of the *Hijab* were revealed.

Ibn 'Uthaimin


The Ruling on the Doctor Examining an Unrelated Woman


 I am a man who has been married for more than five years and my wife has not given birth, so we decided to go to the doctor and he began his examination and tests on me, and the result was that I am in good health, so that left my wife to be examined. Would I be guilty of sin if I presented her to the doctor for examination?

 It is not permissible for a man to examine a woman in matters regarding the *'Awwrah*, except in cases of necessity and straitened circumstances. There is no necessity here, since it is possible to delay the examination until you find a woman knowledgeable in women's matters — and they are many, both inside and outside the country.

Ibn Jibreen

The Ruling on Mixing in Public Transport

 The means of transport in our country are collective and mixed, and sometimes it happens that one touches a woman, without intending or wishing to do so, but it is the result of crowding. Are we guilty of sin in this? And what should we do, when we have no means of transport except this, and we are unable to dispense with it?

 It is incumbent upon a man to stay away from touching women and being crowded with them so that his body is in contact with their bodies, even if it be through a barrier,

because it is an incentive to trial and temptation (*Fitnah*). A human being is not protected from sin, and he might think he is able to protect himself from this, and that he is not affected by it. But Satan reaches every part of the human body as blood reaches it, so it is possible that some impulse may emanate from him which corrupts his affairs. But if a person is compelled by absolute necessity to do this, and he takes care not to be affected by it, I hope that there will be no objection to it. But in my opinion, it is not possible to be compelled by absolute necessity to do this, since it is possible to request a place in which there is no contact with women, even if it means remaining standing; and in this way, he will escape from this problem, which causes trial and temptation (*Fitnah*). It is an obligation upon a man to fear Allah, Most High as much as he is able and not to be negligent in these matters.

Ibn 'Uthaimin

The Ruling on Entering Markets in Which Men and Women Mix

Q Is it permissible for a Muslim to enter a market when he knows that in the market there are women wearing flimsy, revealing clothes and that there is mixing (of men and women) which is displeasing to Allah, the Almighty, the All-Powerful?

A No one should enter such a market as this, unless it is to command good and forbid evil, or for some pressing need. If he does so, he must avert his gaze and avoid the causes of trial and temptation (*Fitnah*), taking care to preserve his honor and his religion, and abstaining from all means of evil.

It is, however, incumbent upon those who are able, to denounce those things which deserve censure, according to the Words of Allah, Glorious is He and Most High:

﴿وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ﴾

“The believers, men and women, are Awliya’ (helpers, supporters, friends, protectors) of one another; they enjoin (on the people) Al-Ma’ruf (i.e., Islamic Monotheism and all that Islam orders one to do), and forbid (people) from Al-Munkar (i.e., polytheism and disbelief of all kinds, and all that Islam has forbidden).”^[1]

And His saying:

﴿وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ﴾ (١٦٤)

“Let there arise out of you a group of people inviting to all that is good (Islam), enjoining Al-Ma’ruf (i.e., Islamic Monotheism and all that Islam orders one to do) and forbidding Al-Munkar (polytheism and disbelief and all that Islam has forbidden). And it is they who are the successful.”^[2]

And the Verses with this meaning are many.

Similarly, the Prophet ﷺ said:

«إِنَّ النَّاسَ إِذَا رَأَوْا الْمُنْكَرَ فَلَا يُعَيِّرُونَهُ أَوْ شَكَ أَنْ يَعْمَهُمُ اللَّهُ بِعِقَابِهِ»

“When people see an evil and they do not change it, they are soon to all suffer a punishment from Allah.”^[3]

This was recorded by Imam Ahmad and some of the *Sunan* compilers, from Abu Bakr as-Siddiq, may Allah be pleased with him, with an authentic chain of narration.

He ﷺ also said:

«مَنْ رَأَى مِنْكُمْ مُنْكَرًا فَلْيُغَيِّرْهُ بِيَدِهِ فَإِنْ لَمْ يَسْتَطِعْ فَبِلِسَانِهِ فَإِنْ لَمْ يَسْتَطِعْ فَبِقَلْبِهِ وَذَلِكَ أَضْعَفُ الْإِيمَانِ»

“Whoever saw something objectionable, he should change it with his hand; if he is unable to do so, then by speaking (against it); if

[1] At-Taubah 9:71.

[2] Al 'Imran 3:104.


[3] Ibn Majah no. 4005 and Abu Dawud no. 4338.


he is unable to do so, then (he should hate it) with his heart - and this is the weakest form of faith."^[1]

This was recorded by Imam Muslim in his *Sahih*. And the *Hadiths* bearing this meaning are numerous. And Allah is the Granter of success.

Ibn Baz

The Ruling on Mixing Between Men and Women in Factories and Offices

 What is the ruling on women working like men in factories or offices which are not Islamic? And what is the ruling on a Muslim woman faced with a life-threatening disease, whose treatment leads to her being disrobed in the aforementioned places, even if it be in Islamic countries, where the doctors are all men?

 As for the ruling on the mixing of men and women in factories and offices when they are disbelievers in non-Muslim countries, it is not permissible, but there is something in them which is worse than that, which is their disbelief in Allah, All-Powerful, Most High. So it is not surprising that such detestable acts as these should occur among them. As for the mixing of Muslim men and women in Islamic countries, it is forbidden and it is incumbent upon those responsible in the places where mixing takes place, to work towards separating the men and women into different departments, because of the moral corrupting factors of mixing, which are well known to those with even the least perception. As for a man disrobing a woman for the purpose of treating her, if necessity warrants treatment and there is no one to treat her except a man, then it is permissible, but it should take place in the presence of her husband, if that is possible. If it is not, then there are women from among her immediate family members, and she may not be

^[1] Muslim no. 49.

disrobed except as is necessary for his examination of her body. And the basis of the permission for this is in the facilitation of the Islamic Law and the removal of difficulty from the (Muslim) community in cases of necessity, as in the Words of Allah, Most High:

﴿مَا يُرِيدُ اللَّهُ لِيَجْعَلَ عَلَيْكُمْ مِنْ حَرَجٍ﴾

“Allah does not want to place you in difficulty”^[1]

and His Words:

﴿وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ﴾

“And [Allah] has not laid upon you in religion any hardship”^[2]

The Permanent Committee

The Ruling on a Woman Working in a Place Where There is Mixing of the Sexes

Q Is it permissible for a young woman to work where there is mixing with men, bearing in mind that there are women other than her in the same place?

A It is my opinion that it is not permissible for men and women to mix in places of government employment, places of private employment, or government or private schools. This is because mixing results in much corruption, even if it be only the loss of modesty in the women and the loss of respect from the men. When men and women mix, men lose their respect for women and the women act immodestly before them. And this (I mean mixing between men and women) is opposed to what is necessitated by the Islamic Law and is opposed to what the righteous *Salaf* used to follow. Do you not know that the Prophet ﷺ designated a special place for the women when they went out to perform the ‘Eid prayer, so that they did not

[1] *Al-Ma'idah* 5:6.

[2] *Al-Hajj* 22:78.

mix with the men, as it is reported in the authentic *Hadith*? — (It is reported) that when the Prophet ﷺ addressed the men, he descended and went to the women and warned them (against sin) and reminded them (of Allah) and this proves that they could not hear the sermon of the Prophet ﷺ, or that they heard it, but did not comprehend what they heard from the Messenger of Allah ﷺ. Also, do you not know that the Prophet ﷺ said:

«خَيْرُ صُفُوفِ الرِّجَالِ أَوْلَاهَا وَشَرُّهَا آخِرُهَا وَخَيْرُ صُفُوفِ النِّسَاءِ آخِرُهَا وَشَرُّهَا أَوْلَاهَا»

“The best rows for the women are those in the rear and the worst of them are those in the front, while the best rows for men are those in the front and the worst are those in the rear.”^[1]

It is only due to the nearness of the first rows of the women to the men that they are the worst of rows — and it is because the last rows put the women further away from the men, that are the best rows. And if this is the case in communal worship, then what of situations other than worship, when it is known that when a person is engaged in worship, he is as far as he can be from sexual desire? So how will it be if the mixing takes place in situations other than worship and Satan reaches every part of the human body as blood reaches it? Then it is not unlikely that temptation and great evil will arise during this mixing. So I call upon our brothers to abstain from mixing and to realize that it is one of the most dangerous things for men, as the Messenger ﷺ said:

«مَا تَرَكْتُ بَعْدِي فِتْنَةً أَضَرَّ عَلَى الرِّجَالِ مِنَ النِّسَاءِ»

“I have left behind me no greater trial and temptation (Fitnah) to men than women.”^[2]

And we, all praise and thanks be to Allah — we, the Muslims — have a particular distinction over others by which we must

[1] Muslim no. 440.

[2] Al-Bukhari no. 5096 and Muslim no. 2740.

distinguish ourselves, and we must praise and thank Allah, Most Glorified, Most High that He has favored us with it. We must know that we should follow the Law of Allah, the Most Wise, Who knows what is right for the creatures and their countries, and we must know that those who flee from the Path of Allah, the Almighty, the All-Powerful and from the Legislation of Allah, they are astray and their way will lead to corruption. This is why we hear that those communities whose men and women used to mix freely are now trying their best to rid themselves of this, but how can they expect to return to their original state from such a distant place? We ask Allah, Most High to protect our country and the Muslim countries from every iniquity, evil and trial.

Ibn 'Uthaimin

The Ruling on Mixing in Education

All praise and thanks be to Allah and may peace and blessings be upon the Messenger of Allah; as for what follows:

I have read the article published by the newspaper *As-Siyasah*, issued on the 24th Rajab 1404 AH., edition no. 5644 and ascribed to the Principal of the University of San'a', 'Abdul-'Aziz Al-Maqalih, in which he claimed that the request to have the female students separated from the male students is contrary to the Islamic Law. He cited as evidence for the permissibility of mixing the fact that the Muslims in the time of the Prophet ﷺ used to offer the prayers in one mosque — the man with the woman; and he said: "Therefore, education must be carried out in one place."

I was amazed that such words should come from the Principal of an Islamic University in an Islamic country, when it was requested from him that he should direct his people — men and women — towards that in which happiness and salvation is found in the life of this world and in the Hereafter. For verily, we are for Allah and verily, to Him shall we return, and there is

no power nor strength except in Allah.

There is no doubt that these words are a great outrage against the Islamic Law, because the Islamic Law does not call for mixing (of men and women) so that (as he claims) the request to prevent it is in contradiction to it. In fact, it forbids it with a strict forbiddance, as Allah says:

﴿وَقَرْنَ فِي بُيُوتِكُنَّ وَلَا تَبَرَّجْنَ تَبَرُّجَ الْجَاهِلِيَّةِ الْأُولَى﴾

“And stay in your houses, and do not display yourselves like that of the times of ignorance”^[1]

and He, Most High says:

﴿يَا أَيُّهَا النَّبِيُّ قُلْ لَأَزْوَاجَكُمْ وَبَنَاتِكُمْ وَسَاءَ الْمُؤْمِنِينَ يَدِينَنَّ عَلَيْهِنَّ مِنْ جَلْبَابِهِنَّ ذَلِكَ آدَبٌ أَنْ يُعْرَفْنَ فَلَا يُؤْذَيْنَ وَكَانَ اللَّهُ عَفُورًا رَحِيمًا﴾

“O Prophet! Tell your wives and your daughters and the women of the believers to draw their cloaks (veils) all over their bodies (i.e. screen themselves completely except the eyes or one eye to see the way). That will be better, that they should be known (as free respectable women) so as not to be annoyed. And Allah is Ever Oft-Forgiving, Most Merciful.”^[2]

and He, Most Glorified says:

﴿وَقُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَى جُيُوبِهِنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ أَوْ أَبْنَاءِ بُعُولَتِهِنَّ أَوْ إِخْوَانِهِنَّ أَوْ بَنِي إِخْوَانِهِنَّ أَوْ نِسَائِهِنَّ أَوْ مَا مَلَكَتْ أَيْمَانُهُنَّ﴾

“And tell the believing women to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts, etc.) and not to show off their adornment except only that which is apparent (like both eyes for necessity to see the way,

[1] Al-Ahzab 33:33.

[2] Al-Ahzab 33:59.

or outer palms of hands or one eye or dress like veil, gloves, headcover, apron, etc.), and to draw their veils all over *Juyubihinna* (i.e. their bodies, faces, necks and bosoms, etc.) and not to reveal their adornment except to their husbands, or their fathers, or their husband's fathers, or their sons, or their husband's sons, or their brothers or their brother's sons, or their sister's sons, or their (Muslim) women (i.e. their sisters in Islam), or the (female) slaves whom their right hands possess"^[1]

up to His Words:

﴿وَلَا يَضْرِبْنَ بِأَرْجُلِهِنَّ لِيُعْلَمَ مَا يُخْفِينَ مِنْ زِينَتِهِنَّ وَتُوبُوا إِلَى اللَّهِ جَمِيعًا أَيَّهَ الْمُؤْمِنُونَ لَعَلَّكُمْ تُفْلِحُونَ﴾

"...And let them not stamp their feet so as to reveal what they hide of their adornment. And all of you beg Allah to forgive you all, O believers, that you may be successful."^[2]

and He, Most High says:

﴿وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسَأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ ذَلِكُمْ أَطْهَرُ لِقُلُوبِكُمْ وَقُلُوبِهِنَّ﴾

"And when you ask (his wives) for anything you want, ask them from behind a screen: that is purer for your hearts and for their hearts."^[3]

In these Noble Verses, there is a clear indication that the Islamic Law requires women to stay in their houses, in order to beware of temptation and trial (*Fitnah*), unless there is some need which calls for her to go out. Then Allah, Most Glorified warned them (i.e., women) against displaying themselves as they used to display themselves during *Jahiliyyah*, which was that they would reveal their beauty and their charms among men; and it has been authentically reported on the authority of Usamah bin

[1] *An-Nur* 24:31.

[2] *An-Nur* 24:31.

[3] *Al-Ahzab* 33:53.

Zaid, may Allah be pleased with them, that the Prophet ﷺ said:

«مَا تَرَكْتُ بَعْدِي فِتْنَةً أَضَرَّ عَلَى الرَّجَالِ مِنَ النِّسَاءِ»

“I have left behind me no greater trial and temptation (Fitnah) to men than women.”^[1]

Muslim also narrated it in his *Sahih*, on the authority of Usamah and also from Sa‘id bin Zaid bin ‘Amr bin Nufail — may Allah be pleased with all of them.

It is reported in *Sahih Muslim*, on the authority of Abu Sa‘id Al-Khudri, may Allah be pleased with him, from the Prophet ﷺ that he said:

«إِنَّ الدُّنْيَا حُلُوَّةٌ حَصْرَةٌ وَإِنَّ اللَّهَ مُسْتَخْلِفُكُمْ فِيهَا، فَيَنْظُرُ كَيْفَ تَعْمَلُونَ، فَاتَّقُوا الدُّنْيَا وَاتَّقُوا النِّسَاءَ، فَإِنَّ أَوَّلَ فِتْنَةٍ بَنَى إِسْرَائِيلَ كَانَتْ فِي النِّسَاءِ»

“Verily the life of this world is (like the) beauty of plants,^[2] and Allah places you in it, generation after generation, observing what you do, so beware of the life of this world, and beware of women, because, the first temptation and trial (Fitnah) of the Children of Israel was by women.”^[3]

The Messenger of Allah ﷺ spoke the truth, because the temptation that occurs because of them is great, especially in these times, when most of them have removed the *Hijab* and display themselves as women used to do during *Jahiliyyah*, and because of this, there has been an increase in corruption and evil deeds. It also has caused young men and women to have an aversion to marriage — which Allah has legislated for them — in many countries.

Allah, Most Glorified has made it clear that the *Hijab* is purer for everyone’s heart, which proves that its removal is nearer to uncleanness of their hearts and a perversion from the Path of Truth.

[1] Al-Bukhari no. 5096 and Muslim no. 2740.

[2] That is, their pleasant appearance, or the speed at which they grow, then pass away.

[3] Muslim no. 2742.

It is well known that female students sitting with male students in classrooms is one of the greatest causes of temptation, and one of the causes of abandoning the *Hijab* which Allah has legislated for the believing women. He has forbidden them from revealing their beauty to men other than those whom Allah, Most Glorified has mentioned in the aforementioned Verse in *Surah An-Nur*. And whoever claimed that the command to wear the *Hijab* is only for the Mothers of the Believers,^[1] has erred far from the truth and contradicted the many evidences which show that it is general, and he has contradicted the Words of Allah, Most High:

﴿ذَلِكَ لَكُمْ أَطْهَرُ لِقُلُوبِكُمْ وَقُلُوبِهِنَّ﴾

“...that is purer for your hearts and for their hearts.”^[2]

So, it is not permissible to say: The *Hijab* is purer for the hearts of the Mothers of the Believers, may Allah be pleased with them, and the men among the Companions, may Allah be pleased with them, and not those who came after them. For there is no doubt that those who came after them are more in need of the *Hijab* than the Mothers of the Believers and the men among the Companions, may Allah be pleased with them, since there is a great difference between them regarding the strength of their faith and their understanding of the truth, because the Companions, may Allah be pleased with them — the men and women — (and among them are the Mothers of the Believers) are the best of mankind after the Prophets, peace be upon them, and the best of generations, according to the words of the Prophet ﷺ reported in the Two *Sahih*s.

So if the *Hijab* is purer for their hearts, then those after them are more in need of this purification and more deprived of it than those before them. Also, it is not permissible to claim that the texts of the Qur'an and Sunnah refer to a particular person from

[1] Mothers of the Believers: The wives of the Prophet (ﷺ).

[2] *Al-Ahzab* 33:53.

the (Muslim) community without some authentic evidence which proves the particularization. This is because it is general, for all of the community in the time of the Prophet ﷺ and after him until the Day of Resurrection. Allah, Most Glorified, sent His Messenger ﷺ to the Jinn and mankind in his time and after them until the Day of Resurrection. He the Almighty, the All-Powerful says:

﴿قُلْ يَا أَيُّهَا النَّاسُ إِنِّي رَسُولُ اللَّهِ إِلَيْكُمْ جَمِيعًا﴾

“Say: O mankind! Verily, I am sent to you all as the Messenger of Allah...”^[1]

and He, Most Glorified says:

﴿وَمَا أَرْسَلْنَاكَ إِلَّا كَافَّةً لِّلنَّاسِ بَشِيرًا وَنَذِيرًا﴾

“And We have not sent you except as a giver of glad tidings and a warner to all mankind, but most of men know not.”^[2]

And likewise, the Noble Qur’an was not revealed (only) for the people of the time of the Prophet ﷺ, but for them and those who came after them whom Allah’s Book reaches. He, Most High says:

﴿هَذَا بَلَدٌ بَلَّغٌ لِّلنَّاسِ وَلِيُنذِرُوا بِهِ. وَلِيَعْلَمُوا أَنَّمَا هُوَ إِلَهُهُ وَوَحْدَهُ. وَلِيَذَّكَّرَ أُولُو الْأَلْبَابِ﴾

“This is a Message for mankind, in order that they may be warned thereby, and that they may know that He is the only One Ilah (God — Allah) and that men of understanding may take heed.”^[3]

and He, the Almighty, the All-Powerful says:

﴿وَأَوْحَىٰ إِلَيَّ هَذَا الْقُرْآنَ لِأُنذِرَكُمْ بِهِ. وَمَنْ يَّبْلُغْ﴾

[1] Al-A’raf 7:158.

[2] Saba’ 34:28.

[3] Ibrahim 14:52.

“This Qur’an has been revealed to me that I may therewith warn you and whomsoever it may reach.”^[1]

The women at the time of the Prophet ﷺ did not indulge in mixing with the men — neither in the mosque, nor in the markets — the kind of mixing which is prohibited by the reformers today and which the Qur’an, the Sunnah and the scholars of the Muslim nation warn against, in order to beware of the *Fitnah* of it.

In fact, the women in the mosque of the Prophet ﷺ used to pray behind the men in the rows farthest from the men, and he ﷺ used to say:

«خَيْرُ صُفُوفِ الرَّجَالِ أَوْلَاهَا وَشَرُّهَا آخِرُهَا وَخَيْرُ صُفُوفِ النِّسَاءِ آخِرُهَا
وَشَرُّهَا أَوْلَاهَا»

“The best rows for the women are those in the rear and the worst of them those in the front, while the best rows for men are those in the front and the worst are those in the rear.”^[2]

— in order to warn them against the trial and temptation of the last rows of the men by being in the first rows of the women.

The men at the time of the Prophet ﷺ were ordered to delay their departure from the mosque in order to allow the women to leave without their mixing with the men at the doors of the mosque, in spite of the (strong) faith and piety of all of them — men and women — so what of the situation of those who came after them? And the women were forbidden to claim the path, but were ordered to stay close to the sides of the path, in order to avoid contact with the men and the temptation of them touching each other when walking on the path; and Allah, Most Glorified commanded the believing women to draw their cloaks all over their bodies in order to cover their adornments and beauty with them, so as to avoid the trial and temptation of

[1] *Al-An’am* 6:19.

[2] Muslim no. 440.

(revealing) them. He, Most Glorified, forbade them from revealing their adornments and beauty to other than those specified by Allah, Most Glorified in His Grand Book (i.e., the Qur'an), in order to prevent the causes of trial and temptation (*Fitnah*), to encourage the causes of purity, and to avoid the appearance of corruption and mixing (of the sexes).

So how can it be accepted for the Principal of the University of San'a' — may Allah guide his reasoning after having said all this — to call for mixing and to claim that Islam calls for it and that the precincts of the university are like the mosque and that the times of study are like the times of prayer, when it is well known that the difference is great and the distance between them is great, to anyone who understands what Allah has commanded and what He has forbidden, and knows the Wisdom of Him, Most Glorified in legislating for His creatures and the rulings and judgements which He has expounded in His Grand Book for men and women.

And how can it be permissible for anyone to say that a female student sitting in the place of a male student in the classroom is the same as her sitting with her sisters behind the men. No one with even the slightest grasp of faith and understanding, who knows what he is saying would claim this. This is if we accept the presence of the legally-mandated *Hijab* — so how would it be if they were sitting with the male students in the classroom, while unveiled and displaying their charms, with alluring or suggestive looks and the kind of speech which leads to trial and temptation being exchanged? Allah is the One from whom we ask, and there is no power nor strength except in Allah; Allah, Most High says:

﴿فَإِنَّهَا لَا تَعْمَى الْأَبْصَارُ وَلَكِنْ تَعْمَى الْقُلُوبُ الَّتِي فِي الصُّدُورِ﴾

“Verily it is not the eyes that grow blind, but it is the hearts which are in the breasts that grow blind.”^[1]

^[1] Al-Hajj 22:46.

As for his saying: “And the fact is that the Muslims, since the time of the Prophet ﷺ have offered the prayer in one mosque. Therefore, education must be carried out in one place.”

The answer to this is to say that this is correct, except that the women were at the back of the mosque, wearing the *Hijab*, taking care and protecting themselves against the causes of trial and temptation (*Fitnah*), while the men were at the front of the mosque; so they could hear the admonitions and sermons and take part in the prayer and learn the rulings of their religion from what they heard and saw.

On the day of ‘*Eid*, the Prophet ﷺ used to go to them after admonishing the men and remind them, due to their being far away, and therefore experiencing difficulty in hearing his sermon. And there is no problem in any of this, nor any sin. The problem is in the saying of the Principal of San‘a’ University — may Allah guide him and reform his heart and grant him success in his religion: “Therefore, education must be carried out in one place.” How can it be permissible for him to compare education in our time to women’s prayer behind men in one mosque, when there is a vast difference between the current, well known state of education and the state of the women’s prayer behind men at the time of the Prophet ﷺ. This is why the reformers call for women to be separated from men in educational areas and to be alone and the men to be alone, so that they may receive knowledge from the female teachers with complete ease, without wearing *Hijab* or a cloak. Because studying time is long in comparison to prayer time and because the acquisition of knowledge from female teachers in a private place is safer for all and farther for them (i.e., the women) from the causes of trial and temptation. It also makes the men safer from being tempted by them, because the seclusion of young men from young women in educational areas — as well as being safer for them from temptation — is more likely to result in them attaining the aim of their studies and being able to concentrate on them and pay good attention to their professors

and acquire knowledge from them. This is far from the distraction of looking at young women and thinking about them and the exchange of poisonous glances and words which incite immorality.

As for his claim — may Allah reform him — that the call for segregating the female students from the male students is narrow-minded, and in contradiction with the Islamic Law: This is an unacceptable claim. In fact, that is the essence of advice for Allah's sake and for His creatures, for prudence in His religion, acting upon the aforementioned Qur'anic Verses and the two noble *Hadiths*.

So my advice to the Principal of San'a' University is to fear Allah, the Almighty, the All-Powerful and to turn in repentance to Him, for what he has said, and to return to rightness and truth. Because returning to that is the essence of virtue and the evidence for the pursuit of the student of knowledge for truth and justice.

We ask Allah, Most Glorified to guide us all to the path of integrity and honor and that He protect us, and all of the Muslims, from speaking about Him without knowledge, and from the possibilities of *Al-Fitan* (temptations and trials) and the whisperings of Satan. As we ask Him, Most Glorified, to grant success to the Muslims' scholars and their leaders in every place in which there is goodness for the countries and for the worshippers — in the life of this world and in the Hereafter — and that He guide us all to His Straight Path. Verily, He is Most Generous, Most Noble. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions and those who followed them faithfully until the Day of Judgement.

Shaikh 'Abdul-'Aziz bin Baz,
General President for the Administrations of
Scientific Research, Religious Verdicts,
Preaching and Guidance.

The Danger of Mixing of the Sexes in Schools and Universities

Q A young man says that he is from a wealthy family and he studies in a mixed school, which has enabled him to form shameful relationships with the opposite sex and he was drowning in acts of disobedience. What should he do so that he may be plucked from his current situation? And is there any repentance for him? And (if so,) what are the conditions of this repentance?



In this question there are two issues:

The first is the advice we are required to direct to the authorities in the Muslim countries. For it is they who have made it possible for their children to study in mixed schools: This practice is contrary to the Islamic Law and the Muslims should not follow it. The Prophet ﷺ said:

«خَيْرُ صُفُوفِ النِّسَاءِ آخِرُهَا وَشَرُّهَا أَوَّلُهَا»

“The best rows for the women are those in the rear and the worst of them are those in the front,”^[1]

This is because the first row is close to the men and the last row is far from them. So if maintaining a distance between men and women and segregating them is desirable even in places of worship such as prayer, in which the worshipper feels that he is standing before his Lord, far removed from matters relating to the life of this world, then how will it be if the mixing is in schools? Is not maintaining a distance and abandoning mixing even more necessary? Verily, the mixing of men with women is a great trial and temptation (*Fitnah*), which our enemies have made to look attractive to us, so that many of us have fallen into it.

^[1] Muslim no. 440.

In *Sahih Al-Bukhari*, it is reported on the authority of Umm Salamah, may Allah be pleased with her, that she said: "The Messenger of Allah ﷺ would make the *Taslim* and the women would stand up when he finished his *Taslim* and he would remain in his place for a while before standing." She said: "We consider — and Allah knows best — that this was so that the women could leave before the men encountered them."

Verily, it is incumbent upon the authorities in Muslim countries to make this matter a priority, and protect their people from the causes of evil and temptation, because Allah, Most High will ask them about those of whom they were given charge. And they should know that when they obey Allah, Most High and implement His Law in every matter, great and small, Allah, Most High will unite the hearts (of their people) upon them and fill them with love and good counsel for them, and make their affairs easy for them, and subject their people to them with loyalty and obedience.

The Muslim people must think — both rulers and ruled — about the evil and corruption which has resulted from this mixing. The clearest example of this and the greatest testament is what this questioner has mentioned regarding the shameful relationships of whose consequences and sins he now seeks to be free from.

The temptation of mixing may be ended by an honest intention, and a firm will for improvement. That is by building schools, institutes, colleges and universities specially for women, in which men are not allowed to work or study. Since the women are sisters of the men, they have the right to learn what is of benefit to them, as do the men. But it is their right upon us that their areas of study be separated from the men's study areas.

It is reported in *Sahih Al-Bukhari*, on the authority of Abu Sa'id Al-Khudri, may Allah be pleased with him, that he said: "A woman came to the Messenger of Allah ﷺ and said: "O Messenger of Allah! The men have taken your sayings (*Hadith*), so make for us a day on which we may come to you, so that you

teach us what Allah has taught you.” He said:

«اجْتَمَعْنَ فِي يَوْمٍ كَذَا وَكَذَا فِي مَكَانٍ كَذَا وَكَذَا»

“Gather on such-and-such a day in such-and such place.”^[1]

So they gathered and the Messenger of Allah ﷺ came to them and he taught them what Allah had taught him.”

It is clear that women should be taught separately in a specially designated place, since he did not say to them: “Why do you not attend with the men?” I ask Allah, Most High that He grant the Muslims in general, success in following the path which the Prophet ﷺ and his Companions followed in order to attain honor and high rank in the life of this world and in the Hereafter.

As for the second matter, it is the question of the inquirer who mentions that he is drowning in acts of disobedience due to the shameful relationships which he has formed with the opposite sex: What should he do, is there any repentance for him and what are the conditions for repentance? I would like to give him the glad tidings that the door to repentance is open for every penitent person and that Allah loves the penitent ones and forgives all the sins of those who repent of them. He, Most High says:

﴿قُلْ يٰعِبَادِيَ الَّذِينَ أَسْرَفُوا عَلَىٰ أَنفُسِهِمْ لَا تَقْنَطُوا مِن رَّحْمَةِ اللَّهِ إِنَّ اللَّهَ يَغْفِرُ
الذُّنُوبَ جَمِيعًا إِنَّهُ هُوَ الْغَفُورُ الرَّحِيمُ﴾

“Say: O My servants who have transgressed against themselves (by committing evil deeds and sins)! Despair not of the Mercy of Allah: verily, Allah forgives all sins. Truly, He is Oft-Returning, Most Merciful.”^[2]

So if you repent of this deed which you have done, then Allah, Most High will replace your evil deeds with good deeds; Allah,

[1] Al-Bukhari no. 7310 and Muslim no. 2633.

[2] Az-Zumar 39:53.

Most High says:

﴿وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا ﴿٧٨﴾ يُضْعَفُ لَهُ الْعَذَابُ يَوْمَ الْقِيَامَةِ وَيَخْلُدُ فِيهِ مُهَانًا ﴿٧٩﴾ إِلَّا مَنْ تَابَ وَآمَنَ وَعَمِلَ عَمَلًا صَالِحًا فَأُولَئِكَ يُبَدِّلُ اللَّهُ سَيِّئَاتِهِمْ حَسَنَاتٍ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا ﴿٨٠﴾ وَمَنْ تَابَ وَعَمِلَ صَالِحًا فَإِنَّهُ يَتُوبُ إِلَى اللَّهِ مَتَابًا ﴿٨١﴾﴾

And those who invoke not any other ilāh (god) along with Allāh, nor kill such person as Allāh has forbidden, except for just cause, nor commit illegal sexual intercourse — and whoever does this shall receive the punishment. The torment will be doubled to him on the Day of Resurrection, and he will abide therein in disgrace; Except those who repent and believe (in Islāmic Monotheism), and do righteous deeds; for those, Allāh will change their sins into good deeds, and Allāh is Oft-Forgiving, Most Merciful. And whosoever repents and does righteous good deeds; then verily, he repents towards Allāh with true repentance”.^[1]

As for the conditions of repentance, they are five:

The first condition: That the repentance be purely and sincerely for Allah, the Almighty, the All-Powerful — without any display for others in it — and without fear of any person among the created beings. Rather, it is done desiring Allah’s Pleasure, because every deed through which a person tries to approach his Lord, which is not performed purely and sincerely for Him is vain and invalid, because Allah, Most High says, in the *Hadith Qudsi*:

«أَنَا أَعْنَى الشُّرَكَاءِ عَنِ الشُّرْكِ مَنْ عَمِلَ عَمَلًا أَشْرَكَ فِيهِ مَعِيَ غَيْرِي تَرَكْتُهُ وَشُرْكَهُ»

“I have no need of partners, whoever does any deed in which he associates partners with Me, I will reject him and his Shirk.”^[2]

[1] *Al-Furqan* 25:68-71.

[2] Muslim no. 2985.

The second condition: To regret the sin which he has committed and be affected by it, and to consider oneself to have been wrong in doing so, so that he feels that he is in need of Allah's Forgiveness.

The third condition: To refrain from his sin if he was still doing it. Because there is no repentance as long as one persists in the sin; so if a sinner said: "I repent of the sin," while he is still doing it, that would be considered to be mocking Allah, the Almighty, the All-Powerful. If you addressed any created being saying: "I regret the ill-mannered way in which I have treated you," while you continued to treat him in a bad way, it would be as if you were mocking him. And the Lord, the Almighty, the All-Powerful is Greater and Mightier than that you should claim to have repented of your sins, while you are still committing them.

The fourth condition: To have the firm resolve not to repeat the sin in future.

The fifth condition: That the repentance take place at a time when it is acceptable from the one repenting, being before a person sees death approaching and before the sun rises in the west. Because if it is after the sun rises in the west, it will be of no benefit, according to the Words of Allah, Most High:

﴿ هَلْ يَنْظُرُونَ إِلَّا أَنْ تَأْتِيَهُمُ الْمَلَائِكَةُ أَوْ يَأْتِيَ رَبُّكَ أَوْ يَأْتِيَ بَعْضُ آيَاتِ رَبِّكَ يَوْمَ يَأْتِي بَعْضُ آيَاتِ رَبِّكَ لَا يَنْفَعُ نَفْسًا إِيْمَانُهَا لَوَ تَكُنَّ ءَامَنَتْ مِنْ قَبْلُ أَوْ كَسَبَتْ فِي إِيمَانِهَا خَيْرًا قُلِ انظُرُوا إِنَّا مُنظِرُونَ ﴿١٥٨﴾ ﴾

"Do they then wait for anything other than that the angels should come to them, or that your Lord (Allāh) should come, or that some of the Signs of your Lord should come (i.e. portents of the Hour, e.g., rising of the sun from the west)! The day that some of the Signs of your Lord do come, no good will it do to a person to believe then, if he believed not before, nor earned good (by performing deeds of righteousness) through his Faith. Say: "Wait you! we (too) are waiting."^[1]

[1] Al-An'am 6:158.

and this word “some” refers to the rising of the sun in the west. Likewise, when death approaches, because Allah, Most High says:

﴿وَلَيْسَتِ التَّوْبَةُ لِلَّذِينَ يَعْمَلُونَ السَّيِّئَاتِ حَتَّىٰ إِذَا حَضَرَ أَحَدَهُمُ الْمَوْتُ قَالَ إِنِّي تُبْتُ الْكُفْرَ وَلَا الَّذِينَ يَمُوتُونَ وَهُمْ كُفَّارٌ أُولَٰئِكَ أَعْتَدْنَا لَهُمْ عَذَابًا أَلِيمًا﴾

“And of no effect is the repentance of those who continue to do evil deeds until death faces one of them and he says: “Now I repent;” nor of those who die while they are disbelievers. For them We have prepared a painful torment.”^[1]

These are the five conditions, if they are achieved by you, then your repentance will be accepted, if Allah wills.

Ibn ‘Uthaimin

The Ruling on Studying in Mixed Schools

Q I am a student studying abroad and the university in which I study is mixed (men and women). My question is: Is it permissible for me to study in this university?

A We advise the Muslim who desires salvation for himself to avoid the causes of evil and temptation; and there is no doubt that mixing with young women in schools is one of the causes which lead to the occurrence of corruption and the spread of adultery and fornication. If a person tries to preserve himself, he will encounter difficulty; but if a person is put to trial by this, he must be vigilant, keep away (from the source of temptation), avert his gaze, protect his private parts and avoid being near women as much as he can. And Allah knows best.

Ibn Jibreen

^[1] An-Nisa’ 4:18.

Islam's Position on Mixed Education

Q What is the position of Islam regarding university education in some Muslim countries in which there exists immorality, sinfulness and much disbelief, and where there are completely naked young women, and weak, corrupted and misguided young men, and open mixing (of the sexes) — in a manner which is both degrading and shameless, and is unacceptable in Islam. In fact, the teaching authorities in the universities encourage it. In some of the colleges in these universities, there is not even a mosque where one may prostrate to Allah Alone. And there is an official, obligatory dress code, which is the dress of the polytheists from Europe, and it is not permitted for any student to enter an examination without this dress, such as wearing a *Qamis*^[1] and *Imamah*,^[2] because they consider this as backwardness and ignorance. What is the ruling?

A First of all, acquiring beneficial knowledge is *Fardh Kifayah*^[3] so it is an obligation upon the people — especially those in authority over them — to organize a community of men and women from among them to learn what is required in different spheres of knowledge. They must also make the way easy for them, so that the community may carry on the preservation of its culture, cure its ills and to keep clear of dangerous pitfalls. If that is achieved, then the community is free from blame and it is hoped that they will be rewarded. If not, it is feared that they will be put to trial and the Word of (Allah's) Punishment will be justified against them.

Secondly, the mixing of male and female students and male and female teachers in places of education is forbidden. This is

^[1] *Qamis*: A long shirt or garment.

^[2] *Imamah*: Headdress, turban.

^[3] *Fardh Kifayah*: A collective responsibility upon the community, which is considered to have been fulfilled if some of them undertake it.

because of the trial and temptation (*Fitnah*), the arousal of desire, and the occurrence of immorality which result from it. Sins are multiplied and crimes increase if the female teachers or the female students reveal anything of their *'Awwrah* or wear transparent clothes which reveal what is beneath them, or if they wear tight clothes which outline their parts, or if they flirt with the male students or the teachers, and joke with them, or other such behavior. All of this weakens respect and esteem, and causes a loss of honor and dignity.

Therefore, it is incumbent upon the authorities to assign institutes, schools and colleges for male students and likewise for female students. This is so, in order to preserve their religion and to prevent weakening of respect, esteem, honor and dignity and to prevent chaos in relations between the sexes. Then those people with a sense of honor and religion among the teaching profession and the student body are able to organize their affairs, without impediment or harassment. If the authorities do not fulfill their obligations and segregation of male and female students is not attained in the field of education and they do not prevent the transparently-dressed, scantily-clad women, it is not permissible to join such bodies as these, unless one considers that he has the ability to reduce sin and lessen evil through advice and mutual cooperation with others like himself among his colleagues and teachers and he is able to guard himself from temptation.

The Permanent Committee

The Ruling on Studying in Mixed Universities in Order to Call to Allah

Q Is it permissible to for a man to study in a university in which men and women mix in one place, bearing in mind that the student has an active role in calling to Allah?



It is my view that it is not permissible for a person — man or woman — to study in mixed schools; this is because of

the great danger to his modesty, reputation and morals, because a human being, whatever may be his reputation, morals and innocence, if there is a woman sitting next to his chair — and especially if she is beautiful and revealing her beauty — is unlikely to be safe from temptation and evil and everything which leads to temptation and evil is forbidden and is impermissible. So we ask Allah, Most Glorified, Most High, for our Muslim brothers that they protect them from such matters as these which bring nothing but evil, temptation and corruption to their young men. And if no other university is found except this one, he should leave his studies in order to study in another country in which there is no such mixing. So I do not consider it permissible, although someone else might hold another opinion.

Ibn 'Uthaimin

The Ruling on Teaching in Mixed Schools

Q Is the teacher who teaches in a mixed section of boys and girls, or only girls — but they are in their teens — guilty of sin, if he looks at them?



It is incumbent upon a man to avert his gaze from looking at women; Allah, Most High says:

﴿قُلِ لِلْمُؤْمِنِينَ يَعْضُوا مِنْ أَبْصَارِهِمْ وَحَفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَ لَهُمْ إِنَّ اللَّهَ خَبِيرٌ بِمَا يَصْنَعُونَ﴾

“Tell the believing men to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts). That is purer for them. Verily, Allāh is All-Aware of what they do.”^[1]

and Imams Muslim, Abu Dawud and others reported on the authority of Jarir bin 'Abdullah, may Allah be pleased with him,

^[1] An-Nur 24:30.

that he said: "I asked the Messenger of Allah ﷺ about an inadvertent look (at a woman) and he said:

«اضْرَفْ بَصْرَكَ»

"Avert your eyes."^[1]

The wording is that of Abu Dawud. Mixing of males and females is not permissible in education, because it leads to the occurrence of immoral acts between them.

The Permanent Committee

The Danger of Women Teaching Boys in Primary School

By His Eminence Shaikh 'Abdul-'Aziz bin Baz

I examined the article published by the newspaper, 'Al-Madinah', issue no. 3898, dated 30th Safar 1397 AH., written by one who calls herself "Nurah Bint...", under the heading: "Face-to-face."

The essence of what this Nurah said is that she had a meeting — along with a number of women — with the Dean of the College of Education in Jeddah, Fa'izah Ad-Dibagh and this Nurah attributed to Fa'izah that she expressed surprise that female teachers did not undertake the teaching of our boys at the primary school level, even if only up to the fifth grade. This Nurah supported her due to the reasons to which she (Fa'izah) alluded in her speech. I — while offering my thanks to Fa'izah, Nurah and their colleagues for their concern regarding the matter of educating our young boys and their desire for their wellbeing — consider that it is my duty to call attention to the dangers and unhealthy results of this suggestion which is that if women undertake the teaching of boys at the primary school level, it will lead to their mixing with boys who have reached the

[1] Muslim no. 2159/45 and Abu Dawud no. 2148.

age of puberty and boys who have reached maturity, because some boys do not enter primary school except when they have reached the age of puberty and some of them might even be adults. When a boy reaches ten years of age, he is considered to have started puberty, and naturally, he feels inclined towards women, because the like of him may marry and do what a man does.

There is also another matter, which is that the education of boys by women at the primary school level leads to mixing, which continues to the other levels, and this opens the door to mixing at all levels without a doubt. The consequences of mixed schooling, including all manner of corruption and unhealthy results, which those who have had this kind of education in other countries have observed. And every person with even the slightest knowledge of the legal evidences and of the situation of the (Muslim) community in these times who has an Islamic understanding of our sons and daughters knows this, without any doubt. I consider this suggestion to have been placed by Satan or one of his agents on the tongues of the aforementioned Fa'izah and Nurah and it is doubtlessly one which will please our enemies and the enemies of Islam and one to which they call openly and in secret.

For this reason, I consider that it is necessary that this door be completely closed and that our sons continue to be taught by men at all levels, just as our daughters should continue to be taught by women teachers at all levels. In this way we may preserve our religion and our sons and daughters and prevent this retroactive step from our enemies. And it is sufficient from our honorable female teachers that they exert all of their efforts, with complete sincerity, honesty and perseverance in the education of our daughters. And it is incumbent upon the men to exert all of their efforts, with complete sincerity, honesty and perseverance in the education of our sons at all levels. And it is well known that men are more patient in teaching boys and stronger therein and better at it than female teachers at all levels

of teaching, just as it is well known that the boys at primary school level and above respect a male teacher and honor him and listen better and more completely to what he says, than if the teacher was a woman. In addition, there is in all of this, the training of a boy in the manners of men, their nobility, patience and strength. And it has been authentically reported from the Prophet ﷺ that he said:

«مُرُوا أَوْلَادَكُمْ بِالصَّلَاةِ وَهُمْ أَبْنَاءُ سَبْعِ سِنِينَ وَاصْرِبُوهُمْ عَلَيْهَا وَهُمْ أَبْنَاءُ عَشْرِ سِنِينَ وَفَرِّقُوا بَيْنَهُمْ فِي الْمَضَاجِعِ»

“Order your sons to pray from seven years old, and beat them (if they do not do so) by ten years; and put them in separate beds.”^[1]

This noble *Hadith* proves what we have said regarding the great danger of mixing between boys and girls at all levels. And the proofs for this from the Book (of Allah) and the *Sunnah* and the present situation of the (Muslim) community are numerous. We see no need to mention them here, for reasons of brevity. And in the knowledge of our government — may Allah grant them success — and in the knowledge of His Excellency, the Minister of Education and the knowledge of His Eminence, the Director General of Girls’ Education and the wisdom of all of them (in understanding these matters), Allah has granted them success which needs no elaboration.

I ask Allah that He grant us success in all matters in which there is righteousness and salvation for the community and righteousness for us, and for our young men, and women, and happiness for them, in the life of this world and in the Hereafter. Verily, He is All-hearing, Near. And may peace be upon our Prophet, Muhammad and upon all his family and Companions.

Ibn Baz

[1] Abu Dawud no. 495 and Ahmad 2/187.

The Path of Safety From the Trial and Temptation (*Fitnah*) of Women

Q I am a young man of nineteen years and not married and I am much affected by the beauty of women. What should I do so that I may keep away from women, because it is women who claim my attention, so that I think of them all the time?

A You must avert your gaze from looking at women and stop thinking about them and remember what Allah has promised to the chaste people, and those who abstain from forbidden deeds. You must also marry as soon as possible, because that makes it easier to avert one's glance and is a greater protection for the private parts. Thus these thoughts will be stopped and you will be able to confine yourself to what is permissible and lawful. And Allah knows best.

Ibn Jibreen

Miscellaneous Rulings on Marriage

The Ruling on Masturbation

Q What is the ruling on Masturbation?

A It is incumbent upon every Muslim to avoid masturbation, because practicing it is in contradiction to the Words of Allah, the Almighty, the All-Powerful:

﴿وَالَّذِينَ هُمْ لِفُرُوجِهِمْ حَافِظُونَ ﴿٥﴾ إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ ﴿٦﴾ فَمَنْ أَتَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعَادُونَ ﴿٧﴾﴾

“And those who guard their chastity (i.e. private parts, from illegal sexual acts). Except from their wives or (the slaves) that their right hands possess, — for then, they are free from blame;. But whoever seeks beyond that, then those are the transgressors.”^[1]

^[1] Al-Mu'minin 23:5-7.

— and due to the many harmful effects of masturbation. And Allah is the Granter of success.

Ibn 'Uthaimin

The Suitable Age For Marriage

Q What is the suitable age for marriage for men and women, because some young women do not accept marriage from those who are older than them? Likewise, some men do not marry women who are older than them. We request a response and may Allah reward you with goodness.

A I advise young women not to refuse marriage from a man due to his age, such as his being ten, twenty or thirty years older than her. This is not a reason, because the Prophet ﷺ married 'A'ishah, may Allah be pleased with her, when he was fifty-three years old and she was a girl of nine years old. So being older does not harm. There is no sin in the woman being older, nor any sin in the man being older, because the Prophet ﷺ married Khadijah, may Allah be pleased with her, when she was forty years old and he was twenty-five years old, before the Revelation came to him ﷺ; that is, she, may Allah be pleased with her, was fifteen years older than him. Then he married 'A'ishah, may Allah be pleased with her, when she was small — six or seven years old and he consummated the marriage with her when she was nine years old and he was fifty-three years old.

Many of those who speak on the radio or the television deter people from marriage between men and women of differing ages — this is all wrong and saying such things is not permissible for them. It is obligatory for a woman to look at the (prospective) husband, and if he is righteous and suitable, she should agree, even if he is older than her. Similarly, a man should devote himself to finding a righteous, religious woman, even if she is older than him, if she is still young and still fertile. In short, the age should not be an excuse and it should not be considered something shameful, as long as the man is righteous and the

woman is righteous. May Allah reform the situation of us all.

Ibn Baz

Marrying Those Not Closely Related is Better

Q I was approached by one of my kin, but I have heard that marriage to those not closely related is better for the future of the children and other reasons. What is your opinion on this?

A This rule has been mentioned by some scholars. They pointed to what has been mentioned regarding the fact that heredity has an influence. There is no doubt that heredity does have an influence in the creation of man and his physical makeup. This is why, when a man came to the Prophet ﷺ and said: “O Messenger of Allah! My wife has given birth to a black boy.” He was suggesting regarding this woman: “How can the boy be black, when both his parents are white.” The Messenger of Allah ﷺ said to him:

«هَلْ لَكَ مِنْ إِبِلٍ؟»

“Do you have any camels?”

He said: “Yes.” The Prophet ﷺ said:

«فَمَا أَلْوَانُهَا؟»

“What are their colors?”

He said: “Red.” The Prophet ﷺ said:

«هَلْ فِيهَا مِنْ أَوْرَقٍ؟»

“Are there any among them that are brown?”

He said: “Yes.” The Prophet ﷺ said:

«فَأَنَّى لَهَا ذَلِكَ؟»

“So from where did they get this”?

The man said: "Perhaps they inherited it." The Prophet ﷺ said:

«ابْنُكَ هَذَا لَعَلَّهُ نَزَعَهُ عِرْقُ»

"(Likewise,) perhaps this son of yours inherited it."^[1]

This proves that heredity has an influence and there is no doubt in this. But the Prophet ﷺ said:

«تُنكَحُ الْمَرْأَةُ لِأَرْبَعٍ: لِمَالِهَا، وَلِحَسَبِهَا، وَجَمَالِهَا، وَلِدِينِهَا، فَظَفَرُ
بِذَاتِ الدِّينِ تَرَبَّتْ يَدَاكَ»

"You marry women for four reasons: her wealth, her nobility, her beauty and her religion. So try to get one who is religious, may your hand be covered with dust."^[2]

So the starting point in proposing to a woman is to look at her religion, and the more religious and the more beautiful she is, the more suitable she is, whether she be a close relative or distant. This is because the religious wife protects him regarding his property, his children and his house and the beautiful fulfills his needs and diverts his gaze, so that he does not look at anyone else with her. And Allah knows best.

Ibn 'Uthaimin

Infertility is of Two Types



What is your Eminence opinion regarding one who says: "Infertility may be cured," when Allah says:

﴿وَيَجْعَلُ مَنْ يَشَاءُ عَقِيمًا﴾


"and He renders barren whom He wills."^[3]

May Allah reward you with goodness.

[1] Al-Bukhari no. 5305 and Muslim no.1500.


[2] Al-Bukhari no. 5090 and Muslim no. 1466.


[3] Ash-Shura 42:50.

 Our opinion is that infertility is of two types: One for which there is some cause — and this may be treated — and one which is congenital that is, that Allah created that person infertile — and this cannot be cured, and even if it was treated, it will be of no benefit, because Allah willed that he be infertile and there is none who can oppose His Decree.

Ibn 'Uthaimin

There is no Necessity For a Medical Examination Before Marriage

 I want to marry my paternal uncle's daughter, but she and some of my close companions advised me to have a medical examination so that we may rest assured regarding the genes of heredity. Does this involve any interference in Allah's Decree and His Divine Predestination? And what is the ruling of the religion on this examination, may Allah grant you success?

 There is no need for this examination and you should both have a good opinion of Allah, for Allah, Most Glorified says, in the narration attributed to Him by the Prophet ﷺ:

«أَنَا عِنْدَ ظَنِّ عَبْدِي بِي»


"I am according to how My servant perceives Me."^[1]


And also because the examination might give an untrue result. May Allah free us and you from every evil.

Ibn Baz

[1] Al-Bukhari no. 7505 and Muslim no. 2675.

The Ruling on Giving a Daughter in Marriage to One Who Does Not Pray

 One of my kin has proposed to my daughter and I am under an obligation to him,^[1] but he is addicted to alcohol and he keeps company with bad people and prays little, or does not pray at all. He is also addicted to watching videos and television and other time-wasting devices and I am in difficulty regarding him. I request clarification of the ruling of Islam in the matter.

 If the person proposing to your daughter is as you have described him, then it is not permissible for you to give her in marriage to him, because she is a trust in your hands, so it is incumbent for you to choose for her the most righteous man in his religion and his character.

It is not permissible for a person who does not pray to be married to a Muslim woman who does pray, since he is not a suitable match for her, because abandoning prayer is an act of major disbelief, according to the saying of the Prophet ﷺ:

«بَيْنَ الرَّجُلِ وَبَيْنَ الشُّرْكِ وَالْكَفْرِ تَرْكُ الصَّلَاةِ»

“Between a man and polytheism and disbelief is the abandonment of prayer.”^[2]

And the saying of the Prophet ﷺ:

«الْعَهْدُ الَّذِي بَيْنَنَا وَبَيْنَهُمُ الصَّلَاةُ فَمَنْ تَرَكَهَا فَقَدْ كَفَرَ»

“The covenant between us and them is prayer; whoever abandons it has committed an act of disbelief.”^[3]

Narrated by Imam Ahmad and the compilers of the *Sunan*, with an authentic chain of narrators.

[1] For example, for having lent him money, or shown some kindness to him etc.

[2] Muslim no. 82.

[3] At-Tirmithi no. 2621.

There are many other evidences in the Book (of Allah) and the Sunnah which prove the disbelief of one who abandons prayer, even if he does not reject its obligation, according to the most correct of two opinions held by the scholars. However, if he rejects its obligation or mocked it, then he is guilty of major disbelief according to the consensus of the Muslims.

As for one who drinks alcohol but prays, he is not guilty of disbelief by doing this, as long as he does not claim that it is permissible, but he has committed a major sin and he has gone astray thereby. Therefore, it is lawful for you not to give her in marriage to him, even if he prays, due to his sin and because he might lead his wife and children to this great crime.

We ask Allah to improve the situation of the Muslims and guide them to His Straight Path, and to preserve us and them from obeying vain desires and Satan, for verily, He is Most Generous, Most Noble.

Ibn Baz

Marriage First

Q There is a widespread custom of a young woman or her father refusing those who propose to her until she has completed her high school or university education, or so that she may study for a number of years. What is the ruling on that? And what is your advice to those who do so, so that the young women might reach the age of thirty or more without marrying?

A My advice to all young men and women is to marry without delay and to hasten to it, if conditions permit, as the Prophet ﷺ said:

«يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغْضُ لِلْبَصْرِ وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وِجَاءٌ»

“O you young men! Those among you who have the means and the

ability should marry, because it restrains the eyes (from evil glances) and preserves the private parts (from immorality). And whoever is unable to do so, should fast because it is a protection for him.”^[1]

And he ﷺ said:

«إِذَا خَطَبَ إِلَيْكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَرَوْجُوهُ إِلَّا تَفْعَلُوا تَكُنْ فِتْنَةٌ فِي الْأَرْضِ وَفَسَادٌ عَرِيضٌ»

“If one whose religion and character pleases you proposes to you, then marry (your daughter to) him. If you do not do so, it will be a cause of trial in the land and great corruption.”^[2]

Narrated by At-Tirmithi with a *Hasan* chain of narrators.

And he ﷺ said:

«تَزَوَّجُوا الْوَدُودَ الْوَالِدَ فَإِنِّي مُكَائِرٌ بِكُمْ الْأُمَّمَ يَوْمَ الْقِيَامَةِ»

“Marry productive, loving women, because I will have the largest number of followers on the Day of Resurrection.”^[3]

Narrated by Imam Ahmad and authenticated by Ibn Hibban.”

It is also necessary due to the many benefits indicated by the Prophet ﷺ, such as averting one’s gaze, protecting the private parts (from sin), increasing the size of the Muslim community, and safety from great corruption and evil consequences. May Allah grant all of the Muslims success in attaining that wherein lies righteousness in the matter of their religion and their earthly life. Verily, He is All-hearing, Near.

Ibn Baz

[1] Al-Bukhari no. 5066 and Muslim no. 1400.

[2] At-Tirmithi no. 1084.

[3] Abu Dawud no. 2050, An-Nasa’i no. 3229, Ahmad 3/158, 245 and Ibn Hibban no. 4028.

The Ruling on Refusing to Give a Young Woman in Marriage so That She Can Complete Her Education

Q There is a widespread custom, which is a young woman or her father refusing proposals of suitors, so that she can complete her high school or university education, or, so that she can study for a number of years. What is the ruling on this, and what is your advice to those who do it? And what is your advice to those who delay it such that the young women might reach the age of thirty or more without marrying?

A The ruling on that is that it is contrary to the order of the Prophet ﷺ, because the Prophet ﷺ said:

«إِذَا أَتَاكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَأَنْكِحُوهُ»

“If one whose religion and character pleases you proposes to you, then marry (your daughter to) him.”^[1]

And he ﷺ said:

«يَا مَعْشَرَ الشَّبَابِ مَنْ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغْضُ لِلْبَصْرِ وَأَحصَنُ لِلْفَرْجِ»

“O you young men! Those among you who have the means and the ability should marry, because it restrains the eyes (from evil glances) and preserves the private parts (from immorality).”^[2]

Refusing marriage causes loss of the benefits of marriage, so my advice to my Muslim brothers who are guardians of women and to my adult Muslim sisters is not to refuse marriage in order to complete their education or teaching. However, it is possible for a woman to make it a condition of marriage that she be allowed to continue her studies until she has completed them, and likewise to continue to teach for a year or two, as long as she is

^[1] At-Tirmithi no. 1084.

^[2] Al-Bukhari no. 5066 and Muslim no. 1400.

not busy with children and there is no objection to this. Although the idea of a woman progressing in university studies in subjects for which there is no need should be examined. I consider that if a woman has completed primary school level and is able to read and write sufficiently well to benefit from this knowledge in reading the Book of Allah, its explanation and recitation and the *Hadiths* of the Prophet ﷺ and their explanation, then that is enough. Unless she is studying knowledge which is essential for the people, such as medicine and the like — as long as there is nothing dangerous, such as mixing or other things.

Ibn 'Uthaimin

The Ruling on a Young Woman's Guardian Refusing to Give Her in Marriage

Q A person proposed marriage to a young woman and her guardian refused, with the intention of forbidding her to marry. What is the ruling of Islam on this? Deliver a legal verdict for us, may Allah reward you.

A It is an obligation upon the guardians to give their charges in marriage early if they are proposed to by suitable men and they accept, according to the words of the Prophet ﷺ:

«إِذَا حَاطَبَ إِلَيْكُمْ مَنْ تَرَضَوْنَ دِينَهُ وَحُلُقَهُ فَرُوجُوهُ إِلَّا تَفَعَّلُوا تَكُنْ فِتْنَةً فِي الْأَرْضِ وَفَسَادًا عَرِيضًا»

“If one whose religion and character pleases you proposes to you, then marry (your daughter to) him. If you do not do so, it will be a cause of trial in the land and great corruption.”^[1]

So it is not permissible to prevent them from marrying, in order to give them in marriage to those whom they do not accept, such as their cousins or others, nor in order to ask for a lot of money or other things which have not been legislated by Allah

^[1] At-Tirmithi no. 1084.

and His Messenger ﷺ.

It is incumbent upon the authorities, such as the governors and the judges, to prevent those who are known to refuse one, while permitting another guardian to marry his charges, and to permit other guardians to give them in marriage, starting with the nearest relatives and then the next nearest. They must do this in order to prevent injustice, to implement justice, and to protect the young men and women from doing what Allah has forbidden (unlawful sexual relations) due to being prevented from marriage by their guardians' injustice. We ask Allah that he guide us all and make us choose truth over vain desires, for verily, He is All-hearing, ready to answer.

Ibn Baz

Praying Two *Rak'ahs* Before Intercourse With One's Wife

Q What is the ruling on praying two *Rak'ahs* before having sexual intercourse on the wedding night?

A Some of the Companions, may Allah be pleased with them, prayed two *Rak'ahs* before having sexual intercourse with their wives on the first night. But I know of no authentic *Sunnah* from the Messenger of Allah ﷺ regarding this. The *Sunnah* is to touch the woman on the forehead and ask Allah for her goodness and the goodness of what she brings to him, and to seek refuge with Allah from her evil and the evil of what is ordained for him. And if he fears in this case that the woman will run away from him, he should touch her forehead, as if he wants to draw close to her and kiss her, then supplicate to Allah with this supplication in secret, so that she does not hear it, because some women might imagine something (bad) if she heard her husband saying: "I seek refuge with You from her evil and the evil of what is ordained for him," and say: "Is there evil in me?"

Ibn 'Uthaimin

The Ruling on Coitus Interruptus (Al-'Azl) ^[1]



What is the ruling on coitus interruptus, whether with an excuse or without an excuse?



Coitus interruptus with an excuse is permissible such as in time of war, while in enemy territory one feels the need to have sex, in the following conditions: 1. He can have sex with his wife and withdraw his penis before ejaculation, fearing that she does not get pregnant and in case of defeat in war go to enemy as slave-girl and the child will ultimately be borne slave. 2. He can have sex with his slave-girl not to get her pregnant, so that he sell her. And the essence of this is in the *Hadith* narrated by Al-Bukhari, on the authority of Jabir, may Allah be pleased with him, in which he said: "We used to practice coitus interruptus in the time of the Messenger of Allah ﷺ when the Qur'an was being revealed." He also narrated on the authority of Malik bin Anas, on the authority of Az-Zuhri, on the authority of Ibn Muhairiz, on the authority of Abu Sa'id Al-Khudri, may Allah be pleased with him, that he said: "We acquired some (female) captives and we were practicing coitus interruptus and we asked the Messenger of Allah ﷺ (about it) and he said:

«أَوْ إِنَّكُمْ لَتَفْعَلُونَ؟»

"Do you do it?"

He said it three times.

«مَا مِنْ نَسَمَةٍ كَائِنَةٍ إِلَى يَوْمِ الْقِيَامَةِ إِلَّا هِيَ كَائِنَةٌ»

"There will be no living person until the Day of Resurrection, except that it is written that it will be, and so it is created."^[2]

It was also narrated by Abu Dawud that a man said: "O Messenger of Allah! I have a slave girl and I practice coitus

[1] Coitus Interruptus: Withdrawal of the penis from the vagina just before ejaculation.

[2] Al-Bukhari no. 5210, and Muslim no. 1438.

interruptus with her, because I dislike that she should become pregnant. But I want (from her) what men want from her; and the Jews say that coitus interruptus is the minor form of burying alive.” He ﷺ replied:

«كَذَبَتْ يَهُودُ لَوْ أَرَادَ اللَّهُ أَنْ يَخْلُقَهُ مَا اسْتَطَعْتَ أَنْ تَصْرِفَهُ»

“The Jews told a lie, for if Allah wishes to create it, you would not be able to turn it away.”^[1]

As for coitus interruptus without an excuse, it is permissible with his slave girl without her permission. This was determined by Imam Ahmad and it is the view of Imams Malik, Abu Hanifah and Ash-Shafi‘i. Because she (slave girl) has no rights regarding sexual intercourse, nor over the child. Likewise she has no right to request a share (of his inheritance) or financial provision, so that having no right to refuse coitus interruptus is more fitting.

As for his free wife, he may not practice coitus interruptus with her without her permission; and the essence of this is found in the *Hadith* narrated by Imams Ahmad and Ibn Majah, on the authority of ‘Umar bin Al-Khattab, may Allah be pleased with him, who said: “Allah’s Messenger forbade coitus interruptus with a free woman, unless with her permission.” Al-Majd — may Allah, Most High have mercy on him — said: “There is some doubt in its chain of narrators.” — and because she has a right regarding the child and there is harm for her in coitus interruptus, so it is not permissible without her permission.

Shaikh Al-Islam Ibn Taimiyyah — may Allah, Most High have mercy on him — said: “The *Mathhab* of the four Imams is that it is permissible, if the woman allows it.”

The Permanent Committee

^[1] Abu Dawud no. 2171.

The Ruling on Coitus Interruptus and How it is Done

Q When is coitus interruptus required and how is it done?

A Imams Ahmad and Ibn Majah narrated on the authority of ‘Umar bin Al-Khattab, may Allah be pleased with him, that he said: “The Messenger of Allah ﷺ forbade the practice of coitus interruptus with a free woman, unless she permits it.” And ‘Abdur-Razzaq in his *Musannaf*, and Al-Baihaqi narrated on the authority of Ibn ‘Abbas, may Allah be pleased with them, that he said: “He forbade coitus interruptus with a free woman, unless she permits it.” This proves that it is permitted to practice coitus interruptus with a free woman if she permits it, and it is prohibited if she forbids it. And that coitus interruptus with a slave girl does not require her permission, although bearing in mind that it should not be done unless there is some pressing need or urgency. Regarding the manner of coitus interruptus, is to withdraw at the time of ejaculation of sperms so that it comes out outside the vagina.

And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Contraception in Cases of Necessity and on Coitus Interruptus

Q An experienced Muslim doctor informed a woman that she should not get pregnant, because if she gets pregnant, she will die when giving birth. Her husband has no other wife besides her and they are both in the prime of youth — neither of them can do without the other. Is it permissible for that woman to use contraceptive pills, or for her husband to practice coitus interruptus when they have

sexual intercourse?



First of all, the ruling on taking contraceptive pills differs according to the women's situation and this subject has been researched in a meeting of the Committee of the Highest Scholars of the Kingdom of Saudi Arabia. They have issued a comprehensive report on this.

Secondly, evidence for the permissibility of coitus interruptus has been reported: Jabir, may Allah be pleased with him, said: "We used to practice coitus interruptus at the time of the Messenger of Allah ﷺ when the Qur'an was being revealed."

And in Muslim's version: "We used to practice coitus interruptus at the time of the Messenger of Allah ﷺ when the Qur'an was being revealed, and he was informed of this, and he did not prohibit it."

Thirdly, taking contraceptive pills and practicing coitus interruptus do not prevent the creation of humankind which Allah has ordained. The essence of this is in the narration of Jabir, may Allah be pleased with him, in which a man came to the Prophet ﷺ and said: "I have a slave girl and she is our servant and she waters our date palms and I have sex with her, but I dislike for her to get pregnant." He ﷺ said:

«اغْرُلْ عَنْهَا إِنْ شِئْتَ فَإِنَّهُ سَيَأْتِيهَا مَا قُدِّرَ لَهَا»

"You may practice coitus interruptus with her, if you wish, because whatever was ordained for her will come."^[1]

There is also the narration of Abu Sa'id (Al-Khudri), may Allah be pleased with him, in which he said: "We went out with the Messenger of Allah ﷺ in the battle of Bani Al-Mustaliq and we acquired captives from among the Arabs. We desired the women, and absence (from our wives) became hard upon us, and we wanted to practice coitus interruptus, so we asked Allah's Messenger ﷺ about this and he said:

[1] Muslim no. 1439 and Abu Dawud no. 2173.

«مَا عَلَيْكُمْ أَنْ لَا تَفْعَلُوا مَا مِنْ نَسَمَةٍ كَائِنَةٍ إِلَى يَوْمِ الْقِيَامَةِ إِلَّا وَهِيَ كَائِنَةٌ»

“It is not forbidden for you to do so, for verily, Allah has written those whom He will create until the Day of Resurrection.”^[1]

These two *Hadiths* and others carrying the same meaning prove that (coitus interruptus) is permissible and taking contraceptive pills is included in the meaning of *Al-'Azl*.

Fourthly, what has been said by this experienced, Muslim doctor, that if this woman becomes pregnant, she will die during the delivery, is not correct, because knowledge of the times of death is a part of the unseen, which is known only to Allah. He, Most High says:

﴿إِنَّ اللَّهَ عِنْدَهُ عِلْمُ السَّاعَةِ وَيُنَزِّلُ الْغَيْثَ وَيَعْلَمُ مَا فِي الْأَرْحَامِ وَمَا تَدْرِي نَفْسٌ مِمَّاذَا تَكْسِبُ غَدًا وَمَا تَدْرِي نَفْسٌ بِأَيِّ أَرْضٍ تَمُوتُ﴾

“Verily, Allāh, with Him (Alone) is the knowledge of the Hour, He sends down the rain, and knows that which is in the wombs. No person knows what he will earn tomorrow, and no person knows in what land he will die.”^[2]

The Permanent Committee

The Husband is Required to Provide

Q If the wife has a job and she receives a good salary, is it incumbent upon the husband to provide for her? And what will the situation be, if his income is little?

A It is an obligation upon the husband to provide for his wife, even if she has a good salary, because his providing for her is in return for the pleasure which he gets from her — even though his income may be little, unless the woman is good-natured and is indulgent towards her husband regarding

^[1] Al-Bukhari no. 2542. and Muslim no. 1438.

^[2] *Luqman* 31:34.

provision, then the matter is up to her.

Ibn 'Uthaimin

It is Not Incumbent Upon the Husband to Pay for the Treatment of His Wife

Q Is it a legal obligation upon a man to meet the cost of his wife's treatment? And what is the ruling on one who refuses her treatment?

A It is not an obligation upon the husband to pay the cost of his wife's treatment, nor the cost of the medicines, nor the doctor's fee, because this is not a part of her normal essential needs; rather it is something temporary, so it is not required of him. This is what the scholars of *Fiqh* have said. However, this might be revised, in favor of the prevailing conditions, since the custom in these times is that the husband undertakes this, so if he did it as a custom, it would be an act of generosity, virtue and righteousness.

Ibn Jibreen

Sustenance and Marriage Are Written

Q Are sustenance and marriage written in *Al-Lawh Al-Mahfuz*?

A Everything from the time when Allah created the Pen, until the Day of Resurrection is written in *Al-Lawh Al-Mahfuz*, because as soon as Allah had created the Pen, He commanded it saying: "Write." It said: "What should I write, my Lord?" Allah said: "Write the record of all that will be." So it wrote at that time everything that will be until the commencement of the Hour."

It has been confirmed from the Prophet ﷺ that when four months have elapsed, Allah sends an angel to the fetus in the womb of its mother who blows into it its spirit and writes his

sustenance, his life-span, his deeds and whether he will be wretched or happy.

So, sustenance is also written, and it does not increase or decrease (from what is written). Among the means (of attaining sustenance) which a man performs is striving to find sustenance, as Allah, Most High says:

﴿هُوَ الَّذِي جَعَلَ لَكُمُ الْأَرْضَ ذَلُولًا فَامْشُوا فِي مَنَاكِبِهَا وَكُلُوا مِن رِّزْقِهِ وَإِلَيْهِ
الُّشُورُ ﴿١٥﴾﴾

“He it is Who has made the earth subservient to you (i.e. easy for you to walk, to live and to do agriculture on it); so walk in the path thereof and eat of His provision. And to Him will be the Resurrection.” [1]

Also among the causes (of attaining sustenance) is maintaining family ties, such as obedience to parents and keeping (good) relations with family members, because the Prophet ﷺ said:

«مَنْ أَحَبَّ أَنْ يُبْسَطَ لَهُ فِي رِزْقِهِ وَيُنْسَأَ لَهُ فِي أَثَرِهِ فَلْيَصِلْ رَحِمَهُ»

“Whoever loved that his provision be expanded and the term of his life extended should maintain family ties.” [2]

Also among the causes is fear of Allah, the Almighty, the All-Powerful, as He, Most High says:

﴿وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مَخْرَجًا ﴿١﴾ وَيَرْزُقْهُ مِن حَيْثُ لَا يَحْسَبُ﴾

“And whosoever fears Allāh and keeps his duty to Him, He will make a way for him to get out (from every difficulty). And He will provide him from (sources) he never could imagine.” [3]

And do not say: “Sustenance is written and fixed so I will not do anything of the causes which lead to it,” because this is a form of weakness and inability; wisdom and strength are shown by

[1] Al-Mulk 67:15.

[2] Al-Bukhari no. 5986. and Muslim no. 2557.

[3] At-Talaq 65:2-3.

striving to obtain your sustenance and whatever benefits you in your religion and in your worldly affairs.

The Prophet ﷺ said:


«الْكَيْسُ مَنْ دَانَ نَفْسَهُ وَعَمِلَ لِمَا بَعْدَ الْمَوْتِ، وَالْعَاجِزُ مَنْ أَتْبَعَ نَفْسَهُ هَوَاهَا وَتَمَتَّى عَلَى اللَّهِ»


“The wise person is one who holds himself accountable and works for what comes after death. And the weak, impotent person is one whose self follows its vain desires and he (simply) puts his hope in Allah.”^[1]

Just as sustenance is written and ordained according to its causes, likewise marriage is written and ordained. And it has been decreed that each of them will be the spouse of the other. Nothing in the earth or the heaven is hidden from Allah, Most High.

Ibn ‘Uthaimin

The Ruling on Being Disinclined to Marry for the Purpose of Devoting Oneself to Allah

 Some young men excuse their reluctance to marry on the fact that it interferes with their worship and their devotion to Allah. What is your comment on this?

 Our comment on this excuse is that it is weak; indeed, it is dead, because the Prophet ﷺ rejected refusal of marriage in order to devote oneself to Allah for those of the Companions who wanted to do it and he said:

«لَكِنِّي أَصَلِّي وَأَنَامُ، وَأَصُومُ وَأَفْطِرُ، وَأَتَزَوَّجُ النِّسَاءَ، فَمَنْ رَغِبَ عَنِّي فَلَيْسَ مِنِّي»

“I fast and I break my fast; I stand (in the night prayer) and I sleep; and I marry women, so whoever disliked my Sunnah is not

^[1] At-Tirmithi no. 2459, Ibn Majah no. 4260 and Ahmad 4/124.

from me.”^[1]

Those people should know that marriage is a form of worship; indeed it is one of the best forms of worship, so much so that, some of the scholars — may Allah have mercy on them — have declared that marriage with desire is better than supererogatory acts of worship.

Many of the scholars have declared that it is an obligation — that is, marriage — and there is no doubt that the reward of the obligatory deed is greater than the reward of the preferred deed and the obligatory deed is more loved by Allah than the supererogatory, as Allah, Most High says, in the *Hadith Qudsi*:

«وَمَا تَقَرَّبَ إِلَيَّ عَبْدِي بِشَيْءٍ أَحَبَّ إِلَيَّ مِمَّا افْتَرَضْتُهُ عَلَيْهِ وَمَا زَالَ عَبْدِي يَتَقَرَّبُ إِلَيَّ بِالنَّوَافِلِ حَتَّى أُحِبَّهُ»

“My servant does not come nearer to Me by anything more beloved to Me than those acts which I have enjoined upon him. And My servant continues to draw closer to Me by supererogatory acts until I love him.”^[2]

In this *Hadith* there is evidence that Allah, Most High loves obligatory acts more than He loves the supererogatory.

So we advise these young men who use this weak excuse — or rather, this dead excuse — to fear Allah, the Almighty, the All-Powerful and to marry, in obedience to the command of the Messenger of Allah ﷺ and following his *Sunnah* and the *Sunnah* of his brothers among the Messengers, peace be upon them, and in order to increase the numbers in the Muslim community, and so that Allah may benefit it through them.

Ibn ‘Uthaimin

^[1] Al-Bukhari no. 5063, Muslim no. 1401 and Ahmad 3/259.

^[2] Al-Bukhari no. 6502 and Al-Bayhaqi no. 346.

The Ruling on Marriage by Correspondence or via the Telephone

Q Is marriage via the telephone or by correspondence binding and accepted? Meaning that the father gives his daughter in marriage via the telephone or via a specific letter?

A Marriage is not contracted via the telephone, nor by correspondence; rather, the husband and the (bride's) guardian must attend, along with the witnesses — and this cannot be completed via the telephone or by correspondence. Yes, it might be completed through correspondence, if the contractor appoints a proxy to contract it for him — if he is in another country. In these circumstances, it is required that the document appointing the proxy be an authorized document, as established by the Islamic Law.

Ibn 'Uthaimin

Ad-Dayyuth is One Who Accepts Sin on the Part of His Wife

Q Is *Ad-Dayyuth* the one who speaks about what passes between him and his wife when they are alone, or who is *Ad-Dayyuth*, according to the correct view of the true Islamic religion? May Allah reward you with goodness.

A *Ad-Dayyuth* is one who accepts sin on the part of his wife, by approving of her committing adultery and does not prevent her from doing so, nor does he become angry for Allah's sake, due to his lack of honor and self-respect, and weakness of faith. As for one who rebuked her and prevented her from sinning, he is not called *Ad-Dayyuth*.

Ibn Baz

He Has Doubts About His Wife Because of the Children's Lack of Resemblance (to Him)

Q I am a married man whose wife has borne him six children, but after this, I have doubts about her good behavior, because of some of the children's lack of resemblance to me. Is this considered a cause for doubting her, or not? And what should I do?

A If your wife has given birth to a child whose resemblance necessitates doubt, you should not pay any attention to it, because it has been confirmed in the Two *Sahihs* that a man came to the Prophet ﷺ and said: "O Messenger of Allah! My wife has given birth to a black boy..." — and the man and his wife were not of this color, so he was revealing the doubt in his mind — The Messenger of Allah ﷺ said to him:

«أَلَاكَ إِبِلٌ»

"Do you have any camels?"

He said: "Yes." The Prophet ﷺ said:

«مَا أَلْوَانُهَا؟»

"What are their colors?"

He said: "Red." The Prophet ﷺ said:

«هَلْ فِيهَا مِنْ أَوْرَقٍ؟»

"Are there any among them that are brown?"

He said: "Yes." The Prophet ﷺ said:

«أَتَى لَهَا ذَلِكَ؟»

"So from where did they get this?"

The man said: "Perhaps they inherited it." The Prophet ﷺ said:

«وَهَذَا عَسَى أَنْ يَكُونَ نَزَعَهُ عِرْقٌ»

"(Likewise,) perhaps this son of yours inherited it."^[1]

[1] Al-Bukhari no. 5305 and Muslim no. 1500.

So you do not know — it might be that this likeness among your children which surprised you — is from your forefathers or your wife's forefathers. So do not pay it any heed and seek refuge with Allah from the accursed Satan. And as long as your wife is righteous and honorable, you should not harbor doubts about her.

Ibn 'Uthaimin

The Shortest Term of a Pregnancy

Q I was absent from my wife for a whole year and she did not know where I was. After a long time, I returned to her and remained with her for eight months and twenty-five days. She gave birth to a boy during this period of time when I was living with her and I was in doubt concerning the shortfall of five days from the ninth month. Advise me, what should I do?

A There is no occasion for doubt in a woman giving birth in less than nine months; and the shortest term of a pregnancy is six months, as Allah, Most Glorified says:

﴿وَحَمْلُهُ وَفَصْلُهُ ثَلَاثُونَ شَهْرًا﴾

“And the bearing of him, and the weaning of him is thirty months”^[1]

and He, the Almighty, the All-Powerful says:

﴿وَفَصْلُهُ فِي عَامَيْنِ﴾

“and his weaning is in two years”^[2]

This proves that the shortest period of a pregnancy is six months, so if the woman gave birth in the seventh month or afterwards, then there is no doubt in that. And Allah is the Granter of success.

Ibn Baz

^[1] Al-Ahqaf 46:15.

^[2] Luqman 31:14.

The Ruling on One Who Was Absent From His Wife For Four Years, Then She Bore Him a Son

Q A man was absent from his wife for four years, then she bore him a son after the aforementioned period; is the child attributed to him, bearing in mind that his wife is free, not a slave?

A If he had intercourse with her, then the child is attributed to the husband, according to the most authoritative of opinions held by the scholars, based upon the saying of the Prophet ﷺ:

«الْوَلَدُ لِلْفِرَاشِ»

“The child belongs to the bed (on which he was born - i.e., to the man who owns it).”^[1]

And the husband may reject it, if he knows that it is not from him, by which he makes an allegation of adultery against his wife.

Ibn Baz


The Ruling on Masturbation and the Verdict of Shaikh Al-Qaradhawi on its Permissibility

Q The question of masturbation: Shaikh Al-Qaradhawi says:^[2] “It has been narrated from Imam Ahmad bin Hanbal that he considered semen to be a waste product of the body and so its emission is permitted, like venesection.” And Ibn Hazm held and supported this view. Is it true that Imam Ahmad bin Hanbal permitted masturbation in all circumstances? And (if so,) what is his evidence? There is in this a trial regarding which we complain to Allah, which is

[1] Al-Bukhari no. 6818 and Muslim no. 1458.

[2] In his book, *Al-Halal Wal-Haram fil Islam*.

that the young men have been afflicted by this deed and have forgotten fasting, which was ordered in these circumstances (i.e., being unmarried) and that some of them have informed us that they make a shape from material and cotton, like the shape of the front and back of a woman or a young girl and with this shape, the young man affects intercourse by inserting his penis into it... etc.

 Masturbation is forbidden, according to the most correct opinion of the scholars and it is the saying of the majority of them, based upon the Words of Allah, Most High:

﴿وَالَّذِينَ هُمْ لِفُرُوجِهِمْ حَافِظُونَ ﴿٥﴾ إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ ﴿٦﴾ فَمَنْ ابْتَغَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعَادُونَ ﴿٧﴾﴾

“And those who guard their chastity (i.e. private parts, from illegal sexual acts). Except from their wives or (the slaves) that their right hands possess, — for then, they are free from blame; But whoever seeks beyond that, then those are the transgressors;”^[1]

So Allah, Most Glorified praises the one who guards his private parts and does not consummate his desires except with his wife or his slave girl, and He ordained that whoever fulfilled his desires in any other way — whatever it was — is a transgressor and has exceeded what Allah has permitted for him.

Masturbation is included in the generality of this, as pointed out by Al-Hafiz Ibn Kathir and others. This is because there is much harm in doing it and unhealthy consequences, such as loss of strength and weakness of the nerves. And the Islamic Law prohibits that which is harmful to man in his religion, his body, his wealth and his honor.

Al-Muwaffaq Ibn Qudamah, may Allah have mercy upon him, said, in his book, *Al-Mughni*: “If he practices masturbation with

^[1] *Al-Mu'minun* 23:5-7.

his hand, he has committed a forbidden act, but it does not invalidate his fasting, unless he ejaculates; if he ejaculates, then he invalidates his fasting, because it falls into the category of kissing.” (What he means by “it falls into the category of kissing,” is that he ejaculates because of it; as for kissing without ejaculation, it does not invalidate fasting).

Shaikh Al-Islam, Ibn Taimiyyah, may Allah have mercy upon him, said, in *Majmu' Al-Fatawa*: “As for masturbation, it is forbidden, according to the majority of scholars and it is the more correct of two sayings in the *Mathhab* of Imam Ahmad, which is why he censures the one who does it. According to the other saying, it is detested (*Makruh*) and not forbidden, but most of them do not allow it, even if it is out of fear of it leading to fornication or anything else.”^[1]

The great scholar Muhammad Al-Amin Ash-Shanqiti, may Allah have mercy upon him said, in his *Tafsir, Adhwa' Al-Bayan*: “The Third Issue: You should know that there is no doubt that the Verse of:

﴿قَدْ أَفْلَحَ الْمُؤْمِنُونَ﴾

“Successful indeed are the Believers”^[2]

﴿فَمَنْ أَتَعَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعَادُونَ﴾

“But whoever seeks beyond that, then those are the transgressors”^[3]

— proves by its generality, the prohibition of masturbation, which is commonly known as *Jald 'Umairah* and it is also called *Al-Khadhkhadhah*, because whoever gratifies himself by his hand, until he ejaculates semen thereby, has sought beyond what Allah has permitted. So he is one of the transgressors, according to the wording of the aforementioned Noble Verse and in *Surah*

[1] *Majmu' Al-Fatawa*, volume 34, page 328.

[2] *Al-Mu'minin* 23:1.

[3] *Al-Mu'minin* 23:7.

Al-Ma'arij. And Ibn Kathir said that Ash-Shafi'i and those who followed him cited this Verse as evidence for the prohibition of masturbation." [1]

Al-Qurtubi said: "Muhammad bin 'Abdul-Hakam said: "I heard Ibn 'Abdul-'Aziz saying: "I asked Malik about a man who practices masturbation and he recited this Verse:

﴿وَالَّذِينَ هُمْ لِأَفْوَاجِهِمْ حَافِظُونَ﴾

"And those who guard their chastity" (i.e., private parts from illegal sexual acts)[2]

up to His Words:

﴿الْعَادُونَ﴾

"the transgressors." [3]

Al-Qurtubi, may Allah pardon him and forgive him. said: "It appears to me that the citing of Malik, Ash-Shafi'i and others of this Verse as evidence for the prohibition of *Jald 'Umairah*, which is masturbation, is a correct inference from the Book of Allah, which is proved by the clear meaning of the Qur'an; and nothing in the Book (of Allah) or the *Sunnah* contradicts it. And the narration from Imam Ahmad, the scholar, the revered and pious, in which he declared masturbation to be permissible, was based upon analogy, for he said: 'It is the discharge of waste products from the body, which necessity dictates must be removed, so it is permissible, as weighed by analogy with venesection and cupping (*Hijamah*), as one of the poets said:

If you arrive at a place where there is no loved one,

Then masturbate, for there is neither shame nor sin in it'

This contradicts the correct view, even though the one who said it (i.e., Imam Ahmad) occupies a position of high standing,

[1] *Adhwa' Al-Bayan*.

[2] *Al-Mu'minin* 23:5.

[3] *Al-Mu'minin* 23:7.

because it is an analogy which contradicts the clear, general meaning of the Qur'an, and analogy in such cases is invalidated by what is known as *Fasad Al-'Itibar*,^[1] as we have explained in this blessed book many times, and wherein we mentioned the words of the writer of *Maraqi As-Su'ud*:

Contradicting the text (of the Qur'an and Sunnah),
Or the consensus (of the scholars),
Is (clearly) *Fasid Al-'Itibar* to every perceptive person,
So Allah, All-Powerful, Most High says:

﴿وَالَّذِينَ هُمْ لِأُزْوَجِهِمْ حَافِظُونَ﴾

“And those who guard their chastity (i.e., private parts from illegal sexual acts).”^[2]

And He did not exempt from this, except the two types mentioned in His Words:

﴿إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ﴾

“Except from their wives or (the slaves) which their right hands possess.”^[3]

And He declared blame on those who do not reserve their private parts for their wives and slaves only. Then He used a wording which is general and all-inclusive for other than the aforementioned two types and which proves that it is forbidden — and that is the Words of Allah:

﴿فَمَنِ ابْتَغَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعَادُونَ﴾

“But whoever seeks beyond that, then those are the transgressors”^[4]

And there is no doubt that this generality clearly encompasses the one who masturbates, and it is not permissible to refrain

[1] *Fasad Al-'Itibar*: Analogy which contradicts the Qur'an and the Sunnah.

[2] *Al-Mu'minun* 23:5.

[3] *Al-Mu'minun* 23:6.

[4] *Al-Mu'minun* 23:7.

from the generality of the Qur'an without an evidence from the Book (of Allah) or a *Sunnah* which necessitates recourse to it. As for analogy which contradicts it, it is *Fasid Al-'Itibar*, as we have explained — and the knowledge is with Allah, Most High."

Abul Fadhl 'Abdullah bin Muhammad bin As-Siddiq Al-Hasani Al-Idrisi said, in his book, '*Al-Istiqsa' Li Adillah Tahrir Al-Istimna' Aw Al-'Adah As-Sirriyyah Min An-Nahiyatain Ad-Diniyyah Was-Sihhiyyah*': "The First Chapter: Regarding the Forbiddance of Masturbation and the Explanation of its Evidence: The Malikis, the Shafi'is, the Hanafis and the majority of the scholars held that masturbation is forbidden and this is the correct teaching, other than which it is not permissible to say, and there are proofs for it, as will be explained by Allah's Power:

The First Proof:

The Words of Allah, Most High:

﴿وَالَّذِينَ هُمْ لِأَفْوَاجِهِمْ حَفِظُونَ ﴿٥﴾ إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ ﴿٦﴾ فَإِنَّهُمْ غَيْرُ مُلْتَمِسِينَ ﴿٦﴾ فَمَنْ ابْتَغَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعَادُونَ ﴿٧﴾﴾

"And those who guard their chastity (i.e., private parts, from illegal sexual acts). Except from their wives or (the slaves) that their right hands possess, — for then, they are free from blame; But whoever seeks beyond that, then those are the transgressors; [1]"

The aspect of proof in these Noble Verses is apparent, because Allah, Most High praises the believers for guarding their private parts from that which He has forbidden, and He informs us that there is no sin or blame on them in approaching their wives and slave girls — which is excepted from the generality of guarding the private parts, for which He praises them.

Then He continues with His Words:

[1] *Al-Mu'minun* 23:5-7.

﴿فَمَنْ ابْتَغَى﴾

“But whoever Ibtagha”

﴿وَرَاءَ ذَلِكَ﴾

“That is, seeks beyond that”

That is, other than that which was mentioned — the wives and slave girls.

﴿فَأُولَئِكَ هُمُ الْعَادُونَ﴾

“then they are the transgressors”

That is, the wrongdoers, who exceed the permissible and transgress the forbidden, because the transgressor is one who exceeds the limits and one who exceeds the limits set by Allah is a wrongdoer, according to the evidence of Allah’s Words:

﴿وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَأُولَئِكَ هُمُ الظَّالِمُونَ﴾ (٢٢٩)

“And whoever transgresses the limits ordained by Allāh, then such are the Zālimūn (wrongdoers).”^[1]

This Verse is general in its prohibition of anything besides the two categories of wives and slave girls; and there is no doubt that masturbation is not one of these. So it is forbidden, and then one who seeks it is a wrongdoer according to the Words of the Qur’an.”

Then he spoke at great length on the evidences, until he said:

“The Sixth Proof: It has been confirmed by medical science that masturbation causes many illnesses, such as weakness of the eyesight, and it drastically reduces its normal sharpness; it also weakens the organs of reproduction and causes partial or complete impotence, so that the one who does it becomes like a woman, due to his loss of the most important characteristic of manhood with which Allah has preferred a man over a woman. Then he cannot marry, and even if he did marry, he would not

^[1] Al-Baqarah 2:229.

be able to perform his conjugal duties as required. So the woman would have to look for another, because he is unable to have sex with her — and in this there are obvious causes of evil. Also, it causes general weakness in the nerves, as a result of the strain resulting from this practice. It also causes disorder in the digestive tract and weakens its action and disturbs its regularity. It also halts the development of the organs, especially the penis and the testicles, so that they do not reach their normal limits of development. Also, it causes seminal vesicle inflammation in the testicles, which leads to premature ejaculation on the part of the one who practices it, so that he ejaculates even by touching something with the slightest touch of his penis. Also, it causes pain in the spinal column, which is the *Sulb*, (loins) from which sperm is emitted. And the result of this pain is curvature and crookedness of the spine. It also makes the semen of the one who practices it more diluted, so that having been viscous and thick, as is normally the case with a man's semen, it now becomes thin and devoid of spermatazoa, or there might remain some small, feeble spermatazoa, from which it is difficult to achieve pregnancy (and even if it occurs,) the fetus will be weak, which is why we find the child of the one who masturbates — if any are born to him — to be weak, manifesting illnesses, unlike other children, who were born of normal semen. It also causes trembling in the limbs, such as the legs. And it causes weakness in the cerebral cells, so that the powers of perception of the one who practices it are reduced and his understanding is diminished, having been formerly intelligent; and the weakness of the cerebral cells might be so much, that he becomes mentally defective.”

By this, it should be clear to the questioner that masturbation is forbidden, without a doubt, due to the aforementioned evidences and harmful effects. And ejaculation through the use of (female) private parts fashioned from cotton and the like is subject to the same ruling. And Allah knows best.

Rulings Regarding the Suitor and the Woman to Whom Marriage is Proposed

If the Suitor Dies Before the Contract is Made


Q A man proposed marriage to a woman and her family agreed to, and they agreed with him upon the dowry, but he did not pay it, then he died. What is the ruling on this? Does the aforementioned woman inherit from him and mourn for him?

A If the situation is as you have described it in the question, and the marriage contract was not made between them, with the consent of the (woman's) guardian and the acceptance of the suitor and the fulfillment of the well known conditions and the absence of any objections on the part of the couple, then the aforementioned woman does not inherit from him, nor is she obliged to observe a waiting period or mourning. This is because she is not her suitor's wife; rather, she is unrelated to him, since the legal marriage contract was not made, only the proposal came from him and agreement was reached with her relatives regarding the dowry. This alone is not considered marriage and there is no difference of opinion in this regard among the scholars — may Allah have mercy on them. And if the family of the woman to whom marriage was proposed received any money from him, they must return it to his heirs.

Ibn Baz

It is Allowed For the Suitor to See the Woman to Whom He Has Proposed


Q Is it permissible for my sister to veil herself from my paternal uncle's son, who might in the future be her husband, but she is not his wife at present, although we wish to give her in marriage to him, according to the *Sunnah* of Allah and His Messenger?


 Yes, it is incumbent upon her to cover herself from her paternal uncle's son and others who are *Ajanib* (permissible for her to marry), even if he has proposed to her, or you have decided to make the contract for him with her.

But it is the right of every suitor who wishes to marry any woman to look at her, without being alone with her, which may lead to his marrying her. As for sitting with him and continually unveiling herself in front of him, and his being alone with her, based upon a promise made regarding her and such like — this is not permissible until the contract has been made.

Ibn Jibreen

If She Refuses to Abide by Legal Commands

 I proposed to a woman three years ago and during this period, I used to write to her that — Allah Willing — after marriage, I would not allow her to work in a mixed environment, nor to shake hands with men who were not *Mahrams* for her. I would provide her with Qur'anic Verses and *Hadiths* and legal verdicts regarding these matters and others. But she would always reply that she would greet the sons of her maternal and paternal uncles and the neighbors' sons and that she would work in a place where there was mixing with men and she considered this to be a condition, so that there should be no dispute after marriage and she considered my guidance to her to be an imposition of my opinion on her I request Your Eminence to guide me and advise me what I should do.

 You have done well in the conditions which you have placed upon her, because it is incumbent upon Muslim woman to veil herself from every man who is not a *Mahram* for her and not to shake hands with them, according to the Words of Allah, Most High:

﴿وَإِذَا سَأَلْتُمُوهُنَّ مَتَاعًا فَسَأَلُوهُنَّ مِنْ وَرَاءِ حِجَابٍ ذَلِكُمْ أَطْهَرُ لِقَائِكُمْ﴾

وَقُلُوبِهِمْ

“And when you ask (his wives) for anything you want, ask them from behind a screen, that is purer for your hearts and for their hearts.”^[1]

This Verse includes the wives of the Prophet ﷺ and others, as is fundamental regarding the address of the Lawgiver, because Allah sent His Messenger ﷺ to all mankind, so it is not permissible to particularize one of them with a legal ruling without a specific evidence which proves that, and because the reason for Allah’s mentioning it — which is to purify the hearts of all — and every Muslim, male and female is in need of it.

Among other proofs of this are the Words of Allah, the Almighty, the All-Powerful:

﴿يَأْتِيهَا النَّبِيُّ قُلٌّ لِّأَزْوَاجِكَ وَبَنَاتِكَ وَنِسَاءِ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلْبَابِهِنَّ ۚ ذَٰلِكَ أَدْنَىٰ أَنْ يُعْرَفْنَ فَلَا يُؤْذَيْنَ ۗ وَكَانَ اللَّهُ غَفُورًا رَّحِيمًا ﴿٥٩﴾﴾

“O Prophet! Tell your wives and your daughters and the women of the believers to draw their cloaks (veils) all over their bodies (i.e. screen themselves completely except the eyes or one eye to see the way). That will be better that they should be known (as free respectable women) so as not to be annoyed. And Allāh is Ever Oft-Forgiving, Most Merciful.”^[2]

And the Words of Him, the Almighty, the All-Powerful in Surah An-Nur:

﴿وَقُلْ لِّلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ مِنْهَا وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَىٰ جُجُوبِهِنَّ ۗ وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ أَوْ أَبْنَاءِهِنَّ أَوْ أَبْنَاءِ بُعُولَتِهِنَّ﴾

“And tell the believing women to lower their gaze (from looking at

^[1] Al-Ahzab 33:53.

^[2] Al-Ahzab 33:59.

forbidden things), and protect their private parts (from illegal sexual acts) and not to show off their adornment except that which is apparent (like both eyes for necessity to see the way, or outer palms of hands or one eye or dress like veil, gloves, headcover, apron), and to draw their veils all over Juyūbihinna (i.e. their bodies, faces, necks and bosoms) and not to reveal their adornment except to their husbands, or their fathers, or their husband's fathers, or their sons, or their husband's sons."^[1]

— up to the Words of Him, Most Glorified:

﴿وَلَا يَضْرِبْنَ بِأَرْجُلِهِنَّ لِيُعْلَمَ مَا يُخْفِينَ مِنْ زِينَتِهِنَّ وَتُوبُوا إِلَى اللَّهِ جَمِيعًا أَيُّهَا الْمُؤْمِنُونَ لَعَلَّكُمْ تُفْلِحُونَ﴾

“And let them not stamp their feet so as to reveal what they hide of their adornment. And all of you beg Allāh to forgive you all, O believers, that you may be successful.”^[2]

And *Al-Bu‘ulah* are their husbands and *Az-Zinah* includes natural beauty, such as the face, the hands, the head, the feet and other parts of the body. It also includes acquired beauty, such as jewelry, as is clear from the Words of Him, Most Glorified:

﴿وَلَا يَضْرِبْنَ بِأَرْجُلِهِنَّ لِيُعْلَمَ مَا يُخْفِينَ مِنْ زِينَتِهِنَّ﴾

“And let them not stamp their feet so as to reveal what they hide of their adornment”^[3]

The meaning of beauty here, is the bracelet worn on the ankle. This is because showing natural and acquired beauty is one of the causes of trial and temptation (*Fitnah*) to men. Similarly, being soft in speech when talking to men is a cause of temptation and desire for those men in whose hearts there is a disease, as Allah, Most Glorified says:

[1] *An-Nūr* 24:31.

[2] *An-Nūr* 24:31.

[3] *An-Nūr* 24:31.

﴿يٰۤاَيُّهَا النِّسَاءُ الَّذِي لَسْتُنَّ كَأَحَدٍ مِّنَ النِّسَاءِ اِنْ اَتَقَيْتُنَّ فَلَآ تَخْضَعْنَ بِالْقَوْلِ فَيَطْمَعَ
الَّذِي فِي قَلْبِهِ مَرَضٌ وَقُلْنَ قَوْلًا مَّعْرُوفًا﴾ (٣٢)

“O wives of the Prophet! You are not like any other women. If you keep your duty (to Allāh), then be not soft in speech, lest he in whose heart is a disease (of hypocrisy, or evil desire for adultery) should be moved with desire, but speak in an honourable manner.”^[1]

So He, Most Glorified forbade them from softening their voices and He commanded them to speak in an honorable manner, which means in moderate tones, without lowering the voice and without vain words. If the wives of the Prophet ﷺ were forbidden from softening their voices and men were forbidden from speaking to them except from behind a screen, even though they were the most chaste of women and the most God-fearing, then it is even more fitting to fear *Fitnah* for other women, if they soften their voices or remove their veils.

Likewise, women shaking hands with men other than their *Mahrams* is not permissible due to the causes of *Fitnah* it includes, and it has been confirmed from the Prophet ﷺ that he said:

«إِنِّي لَا أَصَافِحُ النِّسَاءَ»

“Verily, I do not shake hands with women.”^[2]

And ‘A’ishah, may Allah be pleased with her, said: “By Allah, the hand of the Messenger of Allah ﷺ never touched the hand of a woman. He did not accept the pledge of allegiance from women except in words.”

Therefore, it is incumbent upon all Muslim women to adhere to the Law of Allah and to preserve themselves from doing what Allah has forbidden for them, and to beware of the causes of

[1] *Al-Ahzab* 33:32.

[2] Ibn Majah no. 2874 and An-Nasa’i no. 4186.

Fitnah. It is an obligation upon their guardians to make them adhere to this and to guide them to the causes of salvation, happiness and the praiseworthy end result. This is in accordance with the Words of Allah, Most Glorified:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ﴾

“Help you one another in *Al-Birr* and *At-Taqwa* (virtue, righteousness and piety)^[1]”

And the Words of Him, the Almighty, the All-Powerful:

﴿وَالْعَصْرِ ﴿١﴾ إِنَّ الْإِنْسَانَ لِرَبِّهِ لَكَنُفٍ ﴿٢﴾ إِلَّا الَّذِينَ ءَامَنُوا وَعَمِلُوا الصَّالِحَاتِ ﴿٣﴾ وَتَوَّصَوْا بِالْحَقِّ وَتَوَّصَوْا بِالصَّبْرِ ﴿٤﴾﴾

“By *Al-‘Asr* (the time) Verily, man is in loss, Except those who believe (in *Islāmic Monotheism*) and do righteous good deeds, and recommend one another to the truth [i.e. order one another to perform all kinds of good deeds (*Al-Ma‘rūf*) which Allāh has ordained, and abstain from all kinds of sins and evil deeds (*Al-Munkar*) which Allāh has forbidden], and recommend one another to patience (for the sufferings, harms, and injuries which one may encounter in Allāh’s Cause during preaching His religion of *Islāmic Monotheism* or *Jihād*).”^[2]

And the Words of Him, the Almighty, the All-Powerful:

﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَىٰ بَعْضٍ وَبِمَا أَنفَقُوا مِنْ أَمْوَالِهِمْ﴾

“Men are the protectors and maintainers of women, because Allāh has made one of them to excel the other, and because they spend (to support them) from their means”^[3]

And the Words of Him, the Almighty, the All-Powerful:

﴿وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ

[1] *Al-Ma‘idah* 5:2.

[2] *Al-‘Asr* 103:1-3.

[3] *An-Nisa’* 4:34.

الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ وَرَسُولَهُ أُولَئِكَ سَيَرْحَمُهُمُ اللَّهُ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ ﴿٧١﴾

“The believers, men and women, are Auliyā’ (helpers, supporters, friends, protectors) of one another; they enjoin (on the people) Al-Ma’rūf (i.e. Islāmic Monotheism and all that Islām orders one to do), and forbid (people) from Al-Munkar (i.e. polytheism and disbelief of all kinds, and all that Islām has forbidden); they perform As-Salāt (Iqāmat-as-Salāt), and give the Zakāt, and obey Allāh and His Messenger (ﷺ). Allāh will have His Mercy on them. Surely, Allāh is All-Mighty, All-Wise.”^[1]

So Allah, Most Glorified has made clear in these Verses the obligation to cooperate with one another in enjoining righteousness and piety, and to recommend one another to the truth, and to patiently persevere in pursuit of it. He explained in *Surah Al-‘Asr* that complete benefit, perfect happiness and security from loss are for those who believe and do righteous deeds, and recommend each other to truth and patient perseverance in pursuit of it. This, He also made clear in the other Verse, which is the Saying of Him, the Almighty, the All-Powerful:

﴿وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ﴾

“The believers, men and women, are Auliyā’ (helpers, supporters, friends, protectors) of one another;”^[2]

— that complete mercy will only be attained by those who are steadfast in following His religion, and in obedience to Him and His Messenger ﷺ.

So it is incumbent upon the believing men and women to hold fast to the Law of Allah, and to remain steadfast upon it, and to beware of violating it — in this way the success will be attained by everyone as Allah has promised to the believing men and women in His Words:

[1] *At-Tawbah* 9:71.

[2] *At-Tawbah* 9:71.

﴿وَعَدَ اللَّهُ الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا وَمَسَاكِنَ طَيِّبَةً فِي جَنَّاتِ عَدْنٍ وَرِضْوَانٌ مِّنَ اللَّهِ أَكْبَرُ ذَلِكَ هُوَ الْفَوْزُ الْعَظِيمُ﴾

“Allāh has promised the believers — men and women, — Gardens under which rivers flow to dwell therein forever, and beautiful mansions in Gardens of ‘Adn (Eden Paradise). But the greatest bliss is the Good Pleasure of Allāh. That is the supreme success.”^[1]

We ask Allah that He grant success to us, and to all of the Muslims, and guide us, and keep us firm upon the truth. We advise you, the questioner, to seek another woman from among the observant believing women, instead of your fiancée, who refuses to observe the Legal Commandments (of Allah). Rejoice at the good news of goodness and an excellent result, if you are sincere in your quest and fear Allah therein, as Allah, the Almighty, the All-Powerful says:

﴿وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مَخْرَجًا وَيَرْزُقْهُ مِنْ حَيْثُ لَا يَحْتَسِبُ﴾

“And whosoever fears Allāh and keeps his duty to Him, He will make a way for him to get out (from every difficulty). And He will provide him from (sources) he never could imagine.”^[2]

And the Words of Him, Most Glorified:

﴿وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مِنْ أَمْرِهِ يُسْرًا﴾

“and whosoever fears Allāh and keeps his duty to Him, He will make his matter easy for him.”^[3]

May Allah make your path easy, fulfill your need, may He make the end result good for us and for you, guide your fiancée, grant that she may achieve success in adhering to the truth, and we

[1] At-Tawbah 9:72.

[2] At-Talaq 65:2-3.

[3] At-Talaq 65:4.

ask Him to protect her from the evil of herself and Satan. Verily, He is All-hearing, Near.

Ibn Baz

What it is Permissible for the Suitor to See of His Fiancée Before the Wedding

Q If a man makes a proposal of marriage to a young woman, is it obligatory for him to see her? Also, is it correct for the young woman to uncover her hair and to reveal her beauty more for her fiancé? Advise us, and may Allah benefit you.

A There is no objection, but it is not obligatory. Rather, it is preferred for him to see her, and for her to see him. This is because the Prophet ﷺ ordered the suitor to look at her, because that is more likely to produce harmony between them, so if she uncovers her face, hands and head for him, there is no objection, according to the most correct opinion.

Some of the scholars said that it is sufficient for him to see her face and hands, but the most correct opinion is that there is no objection to him seeing her head, face, hands and feet, according to the aforementioned *Hadith*. But it is not permissible for him to do so, while being alone with her; rather, her father, her brother or another must be present with her. This is because the Prophet ﷺ said:

«لَا يَخْلُونَ رَجُلٌ بِامْرَأَةٍ إِلَّا وَمَعَهَا ذُو مَحْرَمٍ»

"A man may not be secluded with a woman except with a Mahram."^[1]

He ﷺ also said:

«لَا يَخْلُونَ رَجُلٌ بِامْرَأَةٍ إِلَّا كَانَ تَالِيَهُمَا الشَّيْطَانُ»

"A man should not be alone with a woman, for verily Satan

^[1] Muslim no. 1341.

makes a third."^[1]

Narrated by Imam Muslim with an authentic chain of narrators, on the authority of 'Umar, may Allah be pleased with him."

Ibn Baz

Looking at a Woman Without Her Knowledge

Q Some of those seeking marriage request a picture of the young woman or to see her in person, or it is arranged for him to see her on some occasion when she is unaware of it. Is this permissible?

A It is not permissible for the suitor to be given a picture of the young woman, because of the dangers that includes. He might play around with this picture, and the picture does not give a true likeness of the one photographed. How many times does a person see a picture and it is far from the true likeness of the subject? Also, the picture might show the woman when she is beautified and wearing make up, more than is natural, and so the husband is misled by her; then if he sees her and she does not look as she did in the picture, he may refuse her. So there will be a negative reaction to this wife.

As for looking at her in person or its being arranged for him to see her on some occasion without her knowing, there is no objection to this; indeed it is one of those things which is required, so that he may know what is his situation, however, there must be conditions attached to this:

The first is that he is not alone with her.

The second is that his looking be practical, not for pleasure and gratification.

The third is that he feels that he is most likely to accept, if she pleases him.

Ibn 'Uthaimin

^[1] At-Tirmithi no. 2165 and Ahmad 1/18.

How Can I Become Acquainted With My Fiancée?

Q When I go to propose to a young woman, how may I speak to her, in order to know her beliefs, her piety, her character and her manners? And is it permissible for me to sit with her?

A It is permissible for the suitor to look at the woman to whom he is proposing, but without being alone with her, because the *Sunnah* has been authentically reported from the Prophet ﷺ to that effect. He may ask her and her guardian about what is important to him regarding matters related to marriage.

Ibn Baz

The Ruling on a Suitor Denying That He is Married to Another

Q Is it a condition for the validity of marriage that the man who wishes to marry a woman inform her that he is married to another, if he was not asked about it? And is there any consequence if he denies it when asked?

A A man is not required to inform his wife or her family that he is married, if they do not ask him. But in most cases, this is known, because marriage is only completed after some time and after investigations and inquiries have been made of both the husband and the wife, and their suitability has been established. But it is not permissible to conceal anything. So if it happens that one of the two spouses lies, and the other one had built his or her acceptance upon it, then that spouse has a choice: If he mentioned that he was not married and he lied about it, she may have the marriage annulled; and if they said that she was a virgin when she was in fact a matron, he has the option to complete the marriage or leave her.

Ibn Jibreen

The Ruling on Wearing a (*Diblah*) Wedding Ring

Q What is the ruling on wearing a ring known as a *Diblah* on the right hand for the suitor and on the left hand for the fiancée, bearing in mind that this *Diblah* is not made of gold?

A We know of no basis for this deed in the Islamic Law so it is better to leave it, whether the *Diblah* is made of silver or anything else; but if it is made of gold, then it is forbidden for a man, because the Messenger ﷺ forbade men from wearing gold rings.

Ibn Baz

The Opinion Which Counts is That of the Woman to Whom Marriage is Proposed

Q Two persons proposed marriage to a young woman. She and her mother approved of one of them, but the father approved of the other one and a dispute occurred between them, so which of them has priority in acceptance?

A The one with priority in acceptance is the one of whom the young woman approved. So if she chooses a person, and her father or her mother chooses another person, the (valid) opinion is that of the woman to whom marriage is proposed, because it is she who will live with the husband and share his life. However, if it happened that she chose one who is not suitable in his religion and his character, then her opinion should not be accepted, even if she refused the one whom the father chose. Then she would remain unmarried, according to the statement of the Prophet ﷺ:

«إِذَا خَطَبَ إِلَيْكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَرَوْجُوهُ إِلَّا تَفْعَلُوا تَكُنْ فِتْنَةٌ فِي الْأَرْضِ وَفَسَادٌ عَرِيضٌ»

“If someone whose religion and character are pleasing to you comes to you, then marry him (to your daughters), for if you do not, it

will be a (cause of) temptation and trial (Fitnah and great corruption) in the land.”^[1]

And should the father and mother disagree, the mother choosing one and the father choosing the other, then it is for the daughter to decide in the matter.

Ibn ‘Uthaimin

Those Whom it is Forbidden to Marry

Q Allah, Most High says, in *Surah An-Nisa*:

﴿وَلَا تَنْكِحُوا مَا نَكَحَ آبَاؤُكُمْ مِنَ النِّسَاءِ إِلَّا مَا قَدْ سَلَفَ إِنَّهُ كَانَ
فَنَجَسَةً وَمَقْتًا وَسَاءَ سَبِيلًا﴾⁽²²⁾


“And marry not women whom your fathers married, except what has already passed; indeed it was shameful and most hateful, and an evil way.”^[2]

— up to the Words of Him, Most High:

﴿وَأَنْ تَجْمَعُوا بَيْنَ الْأُخْتَيْنِ إِلَّا مَا قَدْ سَلَفَ إِنَّ اللَّهَ كَانَ غَفُورًا
رَحِيمًا﴾⁽²³⁾

“and two sisters in wedlock at the same time, except for what has already passed; verily, Allāh is Oft-Forgiving, Most Merciful.”^[3]

What does this mean?

 In these Noble Verses, Allah, the Almighty, the All-Powerful explains those whom it is forbidden to marry; and the reasons for the prohibition in these Verses are attributable to three things:

1. The lineage;

^[1] At-Tirmithi no. 1084.

^[2] *An-Nisa*’4:22.

^[3] *An-Nisa*’4:23.

2. Foster relationships (i.e., through suckling);
3. Relationship by marriage.

So the Words of Allah, Most High

﴿وَلَا تَنْكِحُوا مَا نَكَحَ آبَاؤُكُمْ مِنَ النِّسَاءِ إِلَّا مَا قَدْ سَلَفَ﴾

“And marry not women whom your fathers married, except what has already passed;”^[1]

inform us that it is not permissible for a person to marry those women whom his father, his grandfather, or his antecedents have married, regardless of whether it was the grandfather from the mother’s side or from the father’s side, and whether he had had sexual relations with her or not.

So if a man makes a proper marriage contract with a woman, she is forbidden to his sons, the sons of his sons, and the sons of his daughters, or their descendants.

And in the Words of Him, Most High:

﴿حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ وَبَنَاتُكُمْ وَأَخَوَاتُكُمْ وَعَمَّاتُكُمْ وَخَالَاتُكُمْ وَبَنَاتُ الْأَخِ وَبَنَاتُ الْأُخْتِ﴾

“Forbidden to you (for marriage) are: your mothers, your daughters, your sisters, your father’s sisters, your mother’s sisters, your brother’s daughters, your sister’s daughters”^[2]

there is an explanation of prohibitions based upon lineage and they are seven: (1) The mothers, and their ancestors from the grandmothers, on the father’s side or from the mother’s; (2) and the daughters and their descendants from the daughters of their son, or from their daughters’ daughters and their descendants; (3) and the sisters, whether they be full sisters, half-sisters of the father or the mother; (4) and the paternal aunts, who are the fathers’ sisters, the grandfathers’ sisters and their antecedents, whether they are full paternal aunts, aunts on the father’s side

[1] An-Nisa’4:22.

[2] An-Nisa’4:23.

or the mother's side. The full paternal aunts are sisters of your father from his mother and father and the paternal aunts from his father's side are his sisters from his father, while the paternal aunts from the mother's side are the sisters from the mother. (5) The maternal aunts are the sisters of the mother, and the grandmother, and their antecedents, whether they are full aunts, or from the father's side or the mother's side. The full maternal aunts are the sisters of your mother from her mother and father, while the maternal aunts on the father's side are her sisters from her father and the maternal aunts on the mother's side are sisters of the mother.

And you should know that every person's maternal aunt or paternal aunt is a maternal aunt or a paternal aunt for him and for his descendants. Therefore, the paternal aunt of your father is your paternal aunt and the maternal aunt of your father is your maternal aunt. Similarly, the paternal aunt of your mother is your paternal aunt and the maternal aunt of your mother is your maternal aunt. Likewise, the paternal aunts of your grandfathers and grandmothers are your paternal aunts, and the maternal aunts of your grandfathers and grandmothers are your maternal aunts; (6) and the brother's daughters and their descendants, whether he is a full brother, or a brother on the mother's side or the father's side, she is forbidden to you, and her granddaughter is forbidden to you, and the daughter of her son is forbidden to you, as are her descendants; (7) and the same applies to the daughters of the sister. Those seven are from the lineage

﴿حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ وَبَنَاتُكُمْ وَأَخَوَاتُكُمْ وَعَمَّاتُكُمْ وَخَالَاتُكُمْ وَبَنَاتُ الْأَخِ وَبَنَاتُ الْأُخْتِ﴾

"Forbidden to you (for marriage) are: your mothers, your daughters, your sisters, your father's sisters, your mother's sisters, your brother's daughters, your sister's daughters."^[1]

^[1] An-Nisa' 4:23.

And if you wish to include them all, then say: It is forbidden for a person to marry women from the direct line of the parents and their descendants and from the children and their descendants, and from the offspring of the father and the mother and from the descendants of the grandfather and the grandmother, especially for their offspring.

And in the Words of Allah, Most High:

﴿وَأُمَّهَاتُكُمُ اللَّاتِي أَرْضَعْنَكُمْ وَأَخَوَاتُكُم مِّنَ الرَّضَاعَةِ﴾

"Your foster mothers who suckled you, your foster milk suckling sisters,"^[1]

is an indication of what is forbidden due to foster relationships; and the Prophet ﷺ said:

«يَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

"What is unlawful by reason of lineage is unlawful by reason of fostering."^[2]

So those whom it is forbidden to marry due to lineage, it is forbidden to marry their like among the foster relations, and they are: The mothers, the daughters, the sisters, the paternal aunts, the maternal aunts, the brother's daughters and the sister's daughters. So their like among the foster relations are forbidden, according to the words of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

"What is unlawful by reason of lineage is unlawful by reason of fostering."

And the Words of Allah, Most High:

﴿وَأُمَّهَاتُكُمُ اللَّاتِي فِي حُجُورِكُمْ مِّنَ نِّسَابِكُمْ الَّتِي دَخَلْتُم بِهِنَّ فَإِن لَّمْ تَكُونُوا دَخَلْتُم بِهِنَّ فَلَا جُنَاحَ عَلَيْكُمْ وَحَلَائِلُ أَبَائِكُمُ

[1] An-Nisa'4:23.

[2] Al-Bukhari no. 2645 and Muslim no. 1444.

الَّذِينَ مِنْ أَصْلَابِكُمْ ﴿١﴾

“Your wives’ mothers, your stepdaughters under your guardianship, born of your wives unto whom you have gone in — but there is no sin on you if you have not gone in unto them (to marry their daughters), — the wives of your sons who (spring) from your own loins.”^[1]

These three are forbidden due to relationship by marriage and: “The mothers of your women” means that it is forbidden for a man to marry his wife’s mother, her grandmother and their antecedents, whether it is from the father’s side or the mother’s side — and they are forbidden to him simply by the marriage contract.

So if a man makes a contract with a woman, her mother is forbidden to him and he becomes a *Marham* for her, even if he did not have sex with her — that is, even if he did not have sex with the girl. So if it happened that the girl died or he divorced her, he would be a *Marham* for her mother. And if it happened that he delayed having sex with the woman he had married, he becomes a *Marham* for her mother and she may uncover her face before him, and he may travel with her and be alone with her, and there is no sin in this, because the wife’s mother and her grandmother are forbidden simply due to the marriage contract, according to the generality of the Words of Him, Most High:

﴿وَأُمَّهَاتُ نِسَائِكُمْ﴾

“Your wives’ mothers,”

and the woman is included among the women of the husband simply by the contract.

And His Words:

﴿وَرَبِّبْتُكُمْ النَّتِي فِي حُجُورِكُمْ مِّنْ نِّسَائِكُمُ الَّتِي دَخَلْتُمْ بِهِنَّ﴾

^[1] An-Nisa’4:23.

“your stepdaughters under your guardianship, born of your wives unto whom you have gone in.”^[1]

— What is meant by this is the daughters of the wife, her children’s daughters, and their descendants. So when a person marries a woman, her daughters from another man are forbidden to him and are among those he is a *Mahram* for; likewise the daughters of her sons and daughters; so her son’s daughter and her daughter’s daughter are like her daughter, but Allah, the Almighty, the All-Powerful has imposed two conditions here:

﴿رَبِّبِكُمْ الَّتِي فِي حُجُورِكُمْ مِّنْ نِّسَائِكُمُ الَّتِي دَخَلْتُم بِهِنَّ﴾

“Your stepdaughters under your guardianship, born of your wives unto whom you have gone in.”

So He has imposed a condition regarding the forbiddance of the step-daughter, which is that she be under a person’s guardianship. And He has imposed another condition, which is that he has entered upon her mother, that is, had sexual intercourse with her.

As for the first condition, it is, according to the majority of the scholars, general and not to be understood from the Verse, which is why they said that the daughter of the wife with whom the husband has had sexual intercourse is forbidden to him, even if she is not under his guardianship.

As for the second condition, which is the Words of Him, Most High:

﴿الَّتِي دَخَلْتُم بِهِنَّ﴾

“unto whom you have gone in”

— it is an intended condition, which is why Allah, Most High mentioned what is understood by it, but He did not mention what is understood by His Words:

﴿الَّتِي دَخَلْتُم بِهِنَّ﴾

^[1] *An-Nisa*’4:23.

“unto whom you have gone in”

which proves that His Words:

﴿الَّتِي فِي حُجُورِكُمْ﴾

“under your guardianship,”

are not to be taken literally.

﴿الَّتِي فِي حُجُورِكُمْ﴾

“under your guardianship,”

As for His Words:

﴿الَّتِي دَخَلْتُمْ بِهِنَّ﴾

“unto whom you have gone in”

Allah has taken into account its meaning, because He says:

﴿فَإِنْ لَمْ تَكُونُوا دَخَلْتُمْ بِهِنَّ فَلَا جُنَاحَ عَلَيْكُمْ﴾

“but there is no sin on you if you have not gone in unto them (to marry their daughters),”

As for His Words:

﴿وَحَلَائِلُ أَبْنَائِكُمُ الَّذِينَ مِنْ أَصْنَابِكُمْ﴾

“the wives of your sons who (spring) from your own loins,”

— what is meant by that is that the son’s wife and her descendants are forbidden to his father, simply due to the marriage contract, and the wife of the grandson is forbidden to his grandfather, simply due to the contract. Therefore, if a person makes a lawful contract with a woman, then divorces her, she immediately becomes forbidden to his father and his grandfather and their antecedents, according to the generality of the Words of Allah, Most High:

﴿وَحَلَائِلُ أَبْنَائِكُمُ الَّذِينَ مِنْ أَصْنَابِكُمْ﴾

“the wives of your sons who (spring) from your own loins,”

— and the woman becomes a wife to her husband simply by the contract.

These three causes necessitate forbiddance: Lineage, fostering (i.e., suckling) and relationships by marriage. Those forbidden due to lineage are seven and those forbidden due to fostering are the same as those forbidden due to lineage, according to the saying of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“What is unlawful by reason of lineage is unlawful by reason of fostering.”^[1]

And those forbidden due to relationships by marriage are four mentioned in the Words of Allah, Most High:

﴿وَلَا تَنْكِحُوا مَا نَكَحَ آبَاؤُكُمْ مِنَ النِّسَاءِ﴾

“And marry not women whom your fathers married,”^[2]

and the Words of Him, Most High:

﴿وَأُمَّهَاتُ نِسَائِكُمْ وَرَبِّبَاتِكُمُ الَّتِي فِي حُجُورِكُمْ مِمَّنْ نِسَائِكُمُ الَّتِي دَخَلْتُمُ
بِهِنَّ﴾

“your wives’ mothers, your stepdaughters under your guardianship, born of your wives unto whom you have gone in”^[3]

The fourth is in the Words of Him, Most High:

﴿وَحَلَائِلُ أَبْنَائِكُمُ الَّذِينَ مِنْ أَصْلَابِكُمْ﴾

“the wives of your sons who (spring) from your own loins,”

As for the Words of Him, Most High:

﴿وَأَنْ تَجْمَعُوا بَيْنَ الْأُخْتَيْنِ﴾

[1] Al-Bukhari no. 2645 and Muslim no. 1444.

[2] An-Nisa’4:23.

[3] An-Nisa’4:23.

“and two sisters in wedlock at the same time,”

— this prohibition is not a permanent prohibition, because the prohibition is of being married to them at the same time, so the wife’s sister is not forbidden to the husband, but it is forbidden for him to be married to her and to her sister, which is why Allah, Most High says:

﴿وَأَنْ تَجْمَعُوا بَيْنَ الْأُخْتَيْنِ﴾

“and two sisters in wedlock at the same time.”

and He does not say: “the sisters of your women.”

Therefore, if a man was irrevocably divorced from his wife by the completion of the waiting period, then he may marry her sister, because what is forbidden is to marry two sisters at the same time; so it is forbidden to marry a woman and her paternal aunt together, or a woman and her maternal aunt, as has been confirmed in the *Hadith* from the Messenger of Allah ﷺ. So those whom it is forbidden to marry at the same time are three: Two sisters, a woman and her paternal aunt and a woman and her maternal aunt. As for the daughters of the paternal aunt and the maternal aunt, that is, if a woman is another daughter of a paternal uncle or another daughter of a maternal uncle, it is permissible to marry them both.

Ibn ‘Uthaimin

This Woman is Unrelated to You

Q I am a man of forty-eight years of age and I was afflicted by illness and I have no wife, but I have a colleague and a friend at work who is a Muslim; and I was in need of help and care, so this friend helped me by transferring me to his house, and his wife is a religious Muslim, who reads the Qur’an and she took care of me while I was ill. Then when I was well and Allah, Most Glorified, Most High had cured me — all praise be to Him forever — I wanted his wife to be a sister to me, for I have no sisters at all. So we placed the Book

of Allah in our hands and vowed upon Allah's Book that this woman was my sister and was forbidden to me in all circumstances. All of this took place with the agreement of her husband and all of her sons and daughters and the agreement of my family. So now I consider her to be my true sister. Is it right for me to hold her hand and is it right for me to be a *Marham* for her during the *Hajj*, when most of my family and her family are aware of this matter? I request a reply as to what the legal Islamic ruling is.



Whatever services your friend and his wife rendered for you, you are not a *Marham* for his wife because of that deed — she is unrelated to you. A person can only be a *Marham* due to family ties, fostering or relationship by marriage — within clear limits defined by the texts of the Islamic Law. It is not permissible for you to touch her with your hand or with any of your limbs, nor is it correct for you to be a *Marham* for her on the journey to *Hajj* or any other journey. And it is forbidden for you to be alone with her, even if she allowed it and her husband and her family approved. Your situation with her is the same as your situation with any woman who is unrelated to you. The only right which she, her husband and her family have upon you is that you thank them and reward them for the service they rendered to you by physical help in work, giving money and good treatment, advice and guidance and other such deeds which are at your disposal and within your ability to perform, and of which they are in need. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Blood May Not Be Compared With Milk Regarding the Spreading of Prohibition



If a woman required blood and it was taken from a person unrelated to her, then she became well and that

person wished to marry her, is it permissible?

A Yes. It is permissible for a person to marry a woman who has been given his blood because blood is not (the same as) milk, that we might say that it prohibits (marriage). What prohibits (marriage) is milk on condition that it takes place in the first two years, before weaning occurs. And it has been confirmed from the Prophet ﷺ that he said:

«يَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“What is unlawful by reason of lineage is unlawful by reason of fostering.”^[1]

Ibn ‘Uthaimin

Q The following question was received by the General Presidency for the Administrations of Scientific Research, Religious Verdicts, Preaching and Guidance: A man says that his wife was ill and her condition necessitated a blood transfusion, and the hospital took blood from him for his wife, so he is asking if this will affect his married life with her.

A The Permanent Committee for Scientific Research and Religious Verdicts answered as follows: It seems probable that the questioner has in his mind some analogy between blood and milk, which causes prohibition (of marriage between foster brother and sister) and this analogy is incorrect for two reasons: The first is that blood is not a nutrient like milk. The second is that what causes prohibition according to the texts (of the Qur’an and *Sunnah*) is breast-feeding with milk on two conditions:

The first is that the breast-feeding is repeated five times or more. The second condition is that it takes place during the first two years. In accordance with this, there is therefore no effect on

^[1] Al-Bukhari no. 2645 and Muslim no. 1444.

your married life with your wife from the blood which was taken from you to her. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Marrying a Full Brother's Sister Through Fostering

Q I wish to marry the daughter of my paternal aunt, bearing in mind that my brother, who is one year older than I, was breast-fed by my paternal aunt more than once. But as for me, I was never breast-fed by my aunt and my aunt's daughter was never breast-fed by my mother. Is it permissible for me to marry my aunt's daughter, or have I become a brother to her?



The answer to this question is derived from the saying of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“What is unlawful by reason of lineage is unlawful by reason of fostering.”^[1]

This means that breast-feeding makes unlawful that which kinship makes unlawful, because lineage is kinship and I have a comment regarding this word which I would like to make soon, if Allah, Most High wills. In this *Hadith* there is evidence that it is permissible for you to marry the daughter of your paternal aunt who breast-fed your brother, because there is no connection between you and her, so you are not her brother, since you were not breast-fed by her mother and she was not breast-fed by your mother, so she is not your sister. Prohibition only occurs for the one who is breast-fed and his descendants. I mean that breast-feeding only affects the one who is breast-fed and his

[1] Al-Bukhari no. 2645 and Muslim no. 1444.

descendants. As for his brothers and sisters and their antecedents the prohibition does not extend to them. The prohibition extends from the side of the one who is breast-fed, to him and to his descendants, and from the side of the woman who breast-fed him, and from the side of those related by her milk. That is, the woman who breast-fed him will be a mother for him, and her mother will be a grandmother for him, and her father will be a grandfather for him, and her brothers will be maternal uncles for him, and her sisters will be maternal aunts for him.

Similarly, one who is the source of a woman's milk, that is her husband, her owner (if she is a slave) or one who has had sex with her in error, is likewise a father and his sons are brothers to the one who was breast-fed, and his brothers will be uncles and his sisters aunts.

We derived all of this from the saying of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“What is unlawful by reason of lineage is unlawful by reason of fostering.”^[1]

As for what I promised (to speak about) a short while ago regarding the word *An-Nasab*, it is that many of the common people only understand the word *Al-Ansab* (lineage) or the word *Al-Arham* (close relatives) to mean the kin of the husband and the wife, so that a man will say: “These are my *Ansab*, or my *Arham*,” because he has married from among them — and this is an error, both in terms of language and of the Islamic Law, because *Al-Ansab* are the kin from the father's side or the mother's side and *Al-Arham* are likewise the kin from the father's side or the mother's side. As for the kin of the spouse, they are known as *Ashar* (in-laws), not *Ansab*. Allah, Most High says:

﴿وَهُوَ الَّذِي خَلَقَ مِنَ الْمَاءِ بَشَرًا فَجَعَلَهُ نَسَبًا وَصِهْرًا ۗ وَكَانَ رَبُّكَ قَدِيرًا﴾

[1] Al-Bukhari no. 2645 and Muslim no. 1444.

“And it is He Who has created man from water, and has appointed for him kindred by blood, and kindred by marriage. And your Lord is Ever All-Powerful to do what He wills.”^[1]

— Allah has declared the relationship between mankind to be based upon lineage and marriage. And they are two categories, that is to say, each of them is similar to the other, not the same as it.

I wanted to draw attention to this, so that the people will understand what is intended by the Islamic legal terms and not fall into error regarding them.

Ibn ‘Uthaimin

The Forebears of the Husband are *Mahrms* for His Wife

Q Is the husband’s maternal grandfather considered to be a *Marham* for the wife?

A All of the husband’s forebears from his father’s side and his mother’s side are *Mahrms* for his wife, according to the Words of Allah, Most Glorified:

﴿وَحَلَائِلُ أَبْنَائِكُمُ الَّذِينَ مِنْ أَصْلَابِكُمْ﴾

“the wives of your sons who (spring) from your own loins.”^[2]

And the *Hala’il* (mentioned in the Verse) are the wives; and the male offspring of the daughters are known as sons of their grandfather from the mother’s side, as is proven by the authentic *Hadith* of the Prophet ﷺ in which he said to Al-Hasan bin ‘Ali, may Allah be pleased with him:

«إِنَّ ابْنِي هَذَا سَيِّدٌ»

“Verily, this son of mine is a *Sayyid* (i.e. a leader or chief).”^[3]

[1] *Al-Furqan* 25:54.

[2] *An-Nisa*’4:23.

[3] *Al-Bukhari* no. 2704.

And he was referring to his daughter, Fatimah's son — may peace and blessings be upon him and may Allah be pleased with her and her two sons, Al-Hasan and Al-Husain.

And Allah, the All-Powerful, Most High has made clear that 'Isa, the son of Mary is the descendant of Nuh and Ibrahim, peace be upon them, in His Words:

﴿وَوَهَبْنَا لَهُ إِسْحَاقَ وَيَعْقُوبَ كُلًّا هَدَيْنَا وَنُوحًا هَدَيْنَا مِنْ قَبْلُ وَمِنْ ذُرِّيَّتِهِ دَاوُدَ وَسُلَيْمَانَ﴾

“And We bestowed upon him (i.e. Ibrahim) Ishaq and Ya'qub, each of them We guided and before him, We guided Nuh, and among his progeny Dawud, Sulaiman...”^[1] — up to His Words:

﴿وَزَكَرِيَّا وَيَحْيَىٰ وَعِيسَىٰ وَإِيلَاسَ كُلٌّ مِنَ الصَّالِحِينَ﴾

“And Zakariyya and Yahya and 'Isa and Ilyas, each of them was of the righteous.”^[2]

And it is well known that 'Isa did not have a father; rather he was the son of a woman, and he is from the descendants of Adam and from the descendants of Nuh and Ibrahim, peace be upon him. As for the Words of Him, Most Glorified:

﴿الَّذِينَ مِنْ أَسْلَابِكُمْ﴾

“who (spring) from your own loins.”^[3]

And what is meant by this is the exclusion of the adopted sons, whom the people of *Jahiliyyah* used to refer to as their sons; and Allah forbade this in His Words:

﴿ادْعُوهُمْ لِآبَائِهِمْ هُوَ أَقْسَطُ عِنْدَ اللَّهِ﴾

“Call them (adopted sons) by (the names of) their fathers, that is more just with Allāh.”^[4]

Ibn Baz

[1] Al-An'am 6/84.

[2] Al-An'am 6/85.

[3] An-Nisa' 4:23.

[4] Al-Ahzab 33:5.

The Ruling on Marrying the Daughters of the Father's Wife by Another Man

Q My father married another woman and she bore him a daughter, then he divorced her and she married another man and bore him sons and daughters. The question is: Is it permissible for me to marry one of the daughters from the other man? Advise me and may Allah reward you with goodness.

A There is no sin in that, as long as there are no ties through breast-feeding between you and her, nor any ties of kinship which would prohibit it. Her daughters are only forbidden to your father, because they are step-daughters for him, since he has had sexual intercourse with their mother. And Allah is the Granter of success.

Ibn Baz

The Ruling on Marrying the Sister of a Sister From a Foster Relationship

Q I have cousins from a paternal uncle and their elder sister was breast-fed by my mother, and I have a sister who is older than I, who was breast-fed by their mother. After the passage of time, I proposed marriage to my paternal uncle's youngest daughter, who was not breast-fed by my mother. Is it permissible for me to be united (in marriage) with her, bearing in mind that I was not breast-fed by my uncle's wife?

A If the matter is as you have stated in the question, then there is no sin in you marrying your paternal uncle's daughter, who was not breast-fed by your mother, when there is no other foster relationship between you and her, nor any ties of kinship which would make her forbidden to you. And Allah is the Granter of success.

Ibn Baz

The Ruling on Marrying the Wife's Sister's Daughter After the Death of the Wife or (Marrying) Her Paternal or Maternal Aunt

Q Is it permissible for a man whose wife has died, to marry her brother's daughter, or her sister's daughter or her paternal aunt or her maternal aunt or their daughters?

A It is permissible due to the loss of the cause of the prohibition, which is combining two close relatives, which leads to the cutting of family ties. So if a man divorces his wife, or she dies, her sister, her brother's daughter, her sister's daughter, her paternal aunt and her maternal aunt and the daughters of the aforementioned become permissible for him.

Ibn Jibreen

Breast-feeding Once Does Not Engender Prohibition

Q I wish to marry my paternal uncle's daughter, but before I proposed to her, her sister said that she had breast-fed me, but she does not know how many times, although my mother said that she only remembers her breast-feeding me once and she does not remember any other occasion. After confirming from my mother that she only fed me once, I proposed to my uncle's daughter and fixed a date for the wedding. Now I am not sure whether to complete the marriage, since it has not been confirmed that she breast-fed me five times, or whether I should divorce her before having sexual relations with her.

A Do not divorce her, since the breast-feeding which would prohibit marriage — which is five times, each feeding involving the nipple being held onto and sucked and then released — has not been confirmed. If such breast-feeding was confirmed, this wife would be your maternal aunt — the sister of your uncle through fostering. But since it has not been

confirmed that she breast-fed you more than once, she is not forbidden, so hold onto your wife and fear Allah, and avoid doubts and skepticism, because essentially it is permissible, and there is no evidence that it is otherwise.

Ibn Jibreen

The Ruling on Marrying the Daughters of the Sister's Co-Spouse

Q My sister is the wife of a man who has another wife and each of them breast-fed the other's sons. The first wife has daughters that are grown-up, and they were not breast-fed by my sister, so is it permissible for me to marry one of them or not?

A If the matter is as you have mentioned in the question, then there is no sin upon you in marrying one of the daughters of your sister's co-spouse, as long as your sister did not breast-feed them, and there is no family tie, or other tie through fostering which would make them forbidden to you. And Allah is the Granter of success.

Ibn Baz

There is no Objection to This Marriage

Q His Eminence Shaikh 'Abdul 'Azeez Bin Baz, After salutations of Allah's peace, mercy and blessings upon you, I would like to inform you that the son of my sister, 'Adnan, wishes to marry one of my daughters, but there is a problem which prevents me from agreeing to this, which is that his mother (my full sister) breast-fed all of my younger brothers who were born after me. At the same time, my mother breast-fed my sister's sons, who are older than 'Adnan (his full brothers). I inform you that I will follow your Eminency legal verdict regarding whether or not there is any prohibition, bearing in mind that he was not breast-fed by

my mother, as were his brothers.



And may Allah's peace, mercy and blessings be upon you; as for what follows:

If the matter is as you have stated in the question, there is no sin in the aforementioned 'Adnan marrying one of your daughters, since there are no ties of kinship or fostering which would forbid that. May Allah grant success to all in following that which pleases Him. And may Allah's peace, mercy and blessings be upon you.

Ibn Baz

There is no Objection to Marrying Your Brother's Foster Sister



Is it permissible for me to marry a young woman whose elder sister is my younger brother's foster sister? May Allah reward you with the best of rewards.



There is no objection to marrying your brother's foster sister, if it was your brother who was breast-fed by her mother and you were not breast-fed (by her). Likewise, if the one who breast-fed, the sister of the young woman was breast-fed by your mother, then the young woman is permitted to you and her sister's having been breast-fed by your mother would not harm you, nor the breast-feeding of your brother by her mother. And Allah knows best.

Ibn Jibreen

The Ruling on Marrying the Daughter of the Sister's Husband



Is it permissible for me to marry a young woman whose father is my sister's husband, but she is not my sister's daughter, but the daughter of my sister's husband, bearing in mind that she says to me: "You are my uncle," and her age is

eighteen years — and I fear to say to her: “I am not your uncle.” So is it permissible for me to be frank with her regarding this and to marry her? Advise me and may Allah benefit you.



Yes, it is permissible for you to marry this girl, since she is not of your kin and her father is unrelated, even though he is the husband of your sister, and her mother is unrelated, even though she is your sister’s co-spouse. So you are not the uncle of this girl, therefore it is permissible for you to marry her. And it is Allah Who grants success.

Ibn Jibreen

The Ruling on Marrying a Wife’s Daughters From Another Man



A man married a woman and she bore him daughters, then he divorced her and another man married her and she bore him daughters also. Should the daughters of the second husband veil themselves from the first husband. And if they must veil themselves, is it permissible for him to marry from them?



If a man marries a woman and has sexual intercourse with her, he is permanently forbidden from marrying her daughters or the daughters of her children and their descendants, whether they are from a previous or a subsequent husband, according to the Words of Allah, Most High:

﴿حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتِكُمْ﴾

“Forbidden to you (for marriage) are: your mothers,”^[1]

— up to His Words:

﴿وَرَبِّبَاتِكُمُ اللَّاتِي فِي حُجُورِكُم مِّن نِّسَائِكُمُ اللَّاتِي دَخَلْتُم بِهِنَّ﴾

^[1] An-Nisa’4:23.

“your stepdaughters under your guardianship, born of your wives unto whom you have gone in.”^[1]

and the stepdaughters here are the daughters of the wife, and the husband is considered a *Marham* for the daughters of the woman he married and with whom he had sexual intercourse, so they do not have to veil themselves from him. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Giving the Daughter in Marriage to the Father's Maternal Uncle and the Ruling on Marrying the Paternal Uncle's Daughter by One Who Was Breast-fed With Her Once

Q Is it permissible for a man to give his daughter in marriage to the maternal uncle of his father, and is it permissible for him to marry the daughter of his paternal uncle, who was breast-fed for one day or a part of it with him?

A Regarding the first question, it is not permissible for the questioner to give his daughter in marriage to his father's maternal uncle, because his father's maternal uncle is the maternal uncle to him and his descendants — both his offspring and the succeeding generations, based upon the generality of Allah, Most High's Words:

﴿وَبَنَاتُ الْأَخْتِ﴾

“your sister's daughters.”^[2]

So the uncle may not marry the sister's daughters, or even their descendants.

^[1] *An-Nisa'* 4:23.

^[2] *An-Nisa'* 4:23.

As for the second question, if the aforementioned breast-feeding took place five times or more, and it was during the first two years, then this breast-feeding constitutes forbiddance. And it is not permissible for the questioner to marry his paternal uncle's cousin who was breast-fed with him or with one of his brothers. However, if it was less than five times, or it was after the first two years, then there is no effect from it. And what is considered by the Islamic Law to be fostering is that the child sucks the milk from the breast, and if he leaves it, that is considered one feed. Then if he returns to it, that is considered a second feed and so on, until he completes five. In light of this, it is clear that what constitutes fostering is what we have mentioned, not that it was a day or part of a day, because the child might complete what is considered to be fostering by the Islamic Law within less than an hour, or the fostering which extends prohibition (of marriage) might not be completed in five days or more. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

What is Forbidden Due to Fostering

Q There are two women, one of whom has a son and the other a daughter and it happened that they breast-fed each other's children. So who among the brothers of those who were breast-fed is permissible for the other? Advise us and may Allah reward you with goodness.

A If a woman breast-feeds a child five times or more during the first two years, the breast-fed child becomes a son for her, and for her husband, the owner of the milk. All of the woman's children from her husband, the owner of the milk — and those from any other (previous or future husband) brothers of this foster child and the children of the husband, the owner of the milk from the breast-feeding woman or another — become brothers of the foster child and her brothers become maternal

uncles to him. The brothers of the husband, the owner of the milk, become paternal uncles to him, and the woman's father becomes a grandfather to the foster child, and her mother becomes a grandmother to the foster child, and the father of the husband, the owner of the milk, becomes a grandfather to the foster child, and his mother a grandmother to the foster child, according to the Words of Allah, Almighty, Most High in *Surah An-Nisa'*, regarding those to whom marriage is forbidden:

﴿وَأُمَّهَاتُكُمُ اللَّاتِي أَرْضَعْنَكُمْ وَأَخَوَاتُكُم مِّنَ الرَّضَاعَةِ﴾

“your foster mothers who suckled you, your foster milk suckling sisters.”^[1]

—and the saying of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“What is unlawful by reason of lineage is unlawful by reason of fostering.”^[2]

—and the saying of the Prophet ﷺ:

«لَا رَضَاعَ إِلَّا فِي الْحَوْلَيْنِ»

“There is no fostering except within the first two years.”^[3]

— and the authentic *Hadith* in *Sahih Muslim* — may Allah have mercy on him — on the authority of ‘A’ishah, may Allah be pleased with her, which states: “It was revealed in the Qur’an that breast-feeding ten times caused prohibition (of marriage), then it was abrogated and replaced by five times, then the Prophet ﷺ died and the matter remained thus.” Narrated by At-Tirmithi with this wording, and the essence of it is in *Sahih Muslim*.

Ibn Baz

[1] *An-Nisa'* 4:23.

[2] Al-Bukhari no. 2645 and Muslim no. 1444.

[3] *Dar Qutni* 4/103 no. 4318 and Al-Bayhaqi 7/462.

The Ruling on Marrying the Wife of the Paternal Uncle or the Maternal Uncle After Divorce or Death

Q Is the wife of the paternal uncle (the father's full brother) permissible for his brother's son after she is divorced? And is the wife of the maternal uncle (the mother's full brother) permissible for his sister's son after she is divorced?

A It is permissible for a man to marry his paternal, or maternal uncle's wife after she is divorced. Similarly, his brother's wife and his brother's son (may marry), if he divorces her and her waiting period is over. Those that are forbidden for him are his son's wife or his grandfather's wife, or his grandson's wife, because she is forbidden to him in perpetuity.

Ibn Jibreen

What is Unlawful by Reason of Lineage is Unlawful by Reason of Fostering

Q I inform your Eminence that my mother was married to a man before my father, she bore him a son. She breast-fed a sister of hers along with this boy, and the breast-feeding lasted for around a week. Then my mother was separated from this man and she was taken (in marriage) by my father. Is it permissible for us, the sons of the second man, to marry from the daughters of our maternal aunt who was breast-fed by our mother, or not?

A It is not permissible for you to marry the daughters of this maternal aunt of yours, because by the aforementioned fostering, she has become a sister to you and you have become maternal uncles to her children; and it has been authentically reported from the Messenger of Allah ﷺ that he said:

«يَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“What is unlawful by reason of lineage is unlawful by reason of fostering.”^[1]

Ibn Baz

The Ruling on Marrying the Wife of the Wife’s Father

Q There are two men, the first married the daughter of the second, then the mother of the daughter — the wife of the second — died and he married another, then the man died. My question is: Is it correct for the first man to marry the wife of his wife’s father? And what is the ruling regarding divorcing the daughter and her father’s wife taking her place.

A It is permissible for the first man to marry the wife of his wife’s father, if she is not a mother to his wife. There is no sin upon him in marrying her, even if the daughter of her husband is with him, because there is no relation between the two wives, i.e., between his first wife and the wife of her father. What is forbidden is combining two sisters in marriage, or a woman and her maternal aunt, or a woman and her paternal aunt. Anything other than this is permissible according to the Words of Allah, Most High:

﴿وَأَجَلَ لَكُمْ مَا وَرَاءَ ذَلِكَ أَنْ تَسْتَفُوا بِأَمْوَالِكُمْ﴾

“All others are lawful, provided you seek (them in marriage) with Mahr (bridal-money given by the husband to his wife at the time of marriage) from your property.”^[2]

and if it is permissible for a man to combine a woman and the wife of her father in marriage, then it is more fitting that he marry the wife of her father after parting from his wife.

As for the mother and her daughter, if the daughter is the wife, then her mother is permanently forbidden to him, simply due to

^[1] Al-Bukhari no. 2645 and Muslim no. 1444.

^[2] An-Nisa’4:24.

the marriage contract, even if the mother is the wife and her husband has entered upon her (i.e., had sexual intercourse with her). This is because the daughter is permanently forbidden to him, and if he has not had sexual intercourse with her, she is forbidden to him until he parts from her mother, according to the Words of Allah, Most High:

﴿وَأُمَّهَاتُ نِسَائِكُمْ وَرَبِّبَاتِكُمُ اللَّاتِي فِي حُجُورِكُمْ مِّن نِّسَائِكُمُ اللَّاتِي دَخَلْتُم بِهِنَّ فَإِن لَّمْ تَكُونُوا دَخَلْتُم بِهِنَّ فَلَا جُنَاحَ عَلَيْكُمْ﴾

“your wives’ mothers, your stepdaughters under your guardianship, born of your wives unto whom you have gone in” but there is no sin on you if you have not gone in unto them (to marry their daughters).^[1]

— up to His Words:

﴿وَأَن تَجْمَعُوا بَيْنَ الْأُخْتَيْنِ إِلَّا مَا قَدْ سَلَفَ﴾

“and two sisters in wedlock at the same time, except for what has already passed.”^[2]

— and it has been authentically reported from the Prophet ﷺ that he said:

«لَا يُجْمَعُ بَيْنَ الْمَرْأَةِ وَعَمَّتِهَا وَلَا بَيْنَ الْمَرْأَةِ وَخَالَتِهَا»

“It is not permissible to combine (in marriage) a woman and her paternal aunt, nor between a woman and her maternal aunt.”^[3]

Ibn ‘Uthaimin

His Father Married Her Mother, is She Permissible For Him?




A man married a woman, then she married another man and she bore him a daughter. Then the mother died and

[1] An-Nisa’4:23.

[2] An-Nisa’4:23.

[3] Al-Bukhari no. 5109 and Muslim no. 1408.

the daughter was left behind; but the first man, who had married her mother married another woman, and she bore him a son, and the son proposed marriage to this girl — the daughter of the woman whom his father had married. What is the ruling on marrying her?

 It is permissible for the son to marry the aforementioned daughter, even though his father had married her mother, according to the Words of Allah, Most Glorified, Most High:

﴿وَأَحَلَّ لَكُمْ مَا وَرَأَىٰ ذَٰلِكُمْ﴾


“All others are lawful, provided you seek (them in marriage)”^[1]

And the aforementioned girl is not one of those forbidden women mentioned in the Verse, nor in any *Sunnah*. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

This Breast-feeding Does not Prohibit Marriage

Q I am a young man of sixteen years of age and I want to marry my paternal uncle’s daughter, but I have discovered that her younger sister was breast-fed by my elder sister. So is it permissible for me to marry her, bearing in mind that she was not breast-fed by my mother?

 There is no objection if you marry her, and there is no harm from her younger sister previously being breast-fed by your sister. This is because she is considered to be unrelated, since she was not breast-fed by your mother, and you were not breast-fed by her mother, nor by any of her sisters. So there is no kinship between you. As for her younger sister, she is not permissible for you, nor is she permissible for any of your

^[1] *An-Nisa’* 4:24.

brothers, since she was breast-fed by your mother, so she has become your sister.

Ibn Jibreen

I was Breast-fed With My Paternal Uncle's Daughter, Can I Marry Their Sisters?


Q I am a young man who was breast-fed along with the eldest of my paternal uncle's daughters, and after her, other sisters were born, and she has now married. Is it permissible for me, or for one of my brothers to seek the hand of one of her sisters?

A If your breast-feeding from the wife of your maternal uncle occurred five times or more during the first two years of your life, then all of your maternal uncle's daughters will be sisters to you and you may not marry any of them. As for your brothers who were not breast-fed by your maternal uncle's wife, there is no sin in them marrying the daughters of your maternal uncle, as long as your uncle's daughters were not breast-fed by your brothers' mother, nor by your father's wife, nor by your sisters. In short, there is no sin on your brothers if they marry the daughters of your maternal uncle, as long as there is no foster relationship between them which would prohibit it. As for your having been breast-fed by the wife of your maternal uncle, that is particular for you and it does not necessitate prohibition of your uncle's daughters to your brothers. And Allah is the Granter of success.

Ibn Baz

The Divorced Woman Uncovers Her Face Before the Father of Her First Husband

Q Is it permissible for the divorced woman, who has married another man, to uncover her face before the father of her first husband?

 It is permissible for her to do this, since he is a *Marham* to her, even if his son has divorced her, or left her a widow, whether they were all from lineage or fostering, according to the Words of Allah, the Almighty, the All-Powerful:

﴿وَلَا تَنْكِحُوا مَا نَكَحَ آبَاؤُكُمْ مِنَ النِّسَاءِ﴾

“And marry not women whom your fathers married.”^[1]

— and the Words of Him, Most Glorified, in which He makes clear those women whom it is forbidden to marry:

﴿وَحَلَائِلَ أَبْنَائِكُمُ الَّذِينَ مِنْ أَصْلَابِكُمْ﴾

“the wives of your sons who (spring) from your own loins.”^[2]


and: “who spring from your own loins” excludes adopted sons. Some of the Arabs in the *Jahiliyyah* used to adopt boys, so Allah excluded them by this condition and invalidated adoption in Islam. As for fostering, the ruling on it is the same as that of lineage, according to the *Hadith* of the Prophet ﷺ:


«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“What is unlawful by reason of lineage is unlawful by reason of fostering.”^[3]

Ibn Baz

***Al-Qawa'id* Are the Elderly Women, Not Those Who Remain in Their Houses**

 My paternal uncle's wife is a *Qa'idah* (i.e., she does not work and stays in the house), so is it permissible for her to unveil herself in front of me?

 The answer to this question may be taken from the Words of Allah, Most High:

[1] *An-Nisa*'4:22.

[2] *An-Nisa*'4:23.

[3] Al-Bukhari no. 2645 and Muslim no. 1444.

﴿وَالْقَوَاعِدُ مِنَ النِّسَاءِ الَّتِي لَا يَرْجُونَ نِكَاحًا فَلَيْسَ عَلَيْهِنَّ جُنَاحٌ أَنْ يَضَعْنَ
يَبَاهُتَهُنَّ عِيْرًا مَتَرِحَاتٍ رِزْنًا وَأَنْ يَسْتَعْفِفْنَ خَيْرٌ لَهُنَّ﴾

“And as for women past childbearing who do not expect wedlock, it is no sin on them if they discard their (outer) clothing in such a way as not to show their adornment. But to refrain (i.e. not to discard their outer clothing) is better for them.”^[1]

What is intended by *Al-Qawa'id* is elderly women —

﴿الَّتِي لَا يَرْجُونَ نِكَاحًا﴾

“who do not expect wedlock.”

that is, none of them hopes to be married because of her advanced age. There is no sin upon her if she removes her cloak, without revealing anything of her beauty. As for one who has retired from work while she is still a young woman, she is not included in this Verse. The wisdom in this is clear, because the *Qa'idah* (the elderly woman) is one who does not expect to marry, who does not attract glances, and does not incite desire for her, so no temptation will occur due to looking at her.

Ibn 'Uthaimin


Wilayah (Guardianship) in Marriage

Marriage is Not Correct Without a *Wali* (Guardian)

Q I am forty years of age. Two and a half years ago, I took up religious studies and I was proposed to by a young man and he was able, through subterfuge to be alone with me, saying: “You are my wife; and the proof is that some of the scholars permit marriage without an announcement and its declaration at a later date. Also, it is sanctioned by the *Mathhab* of Imam Malik, who said: ‘One who married without public announcement should not be flogged.’” So

[1] *An-Nur* 24:60.

what is the ruling, particularly, since I live alone and I forbade him to visit me, but he said: "You are my wife, how can you forbid me?" And when I requested him to bring two witnesses and my father, he claimed that he was looking for two witnesses who would keep the matter secret for the time being, so that his wife would not know, because he wanted to inform her himself later.

 Marriage is not correct except with a guardian (*Wali*) and it is not permissible for anyone to marry a woman without a guardian from her paternal relations, in order of right, according to the lawful sequence. And marriage without a guardian is invalid and incorrect. This is proved by the Book (of Allah) and the *Sunnah*: Allah, the Almighty, the All-Powerful says:

﴿وَلَا تَنْكِحُوا الْمُشْرِكَاتِ حَتَّىٰ يُؤْمِنَ وَلَا أُمَّةٌ مُّؤْمِنَةٌ حَيْرٌ مِّنْ مُّشْرِكَةٍ وَلَا
أَعْبَجْتُمْ وَلَا تُنكِحُوا الْمُشْرِكِينَ حَتَّىٰ يُؤْمِنُوا﴾

"And do not marry *Al-Mushrikāt* (idolatresses) till they believe (worship Allāh Alone). And indeed a slave woman who believes is better than a (free) *Mushrikah* (idolatress), even though she pleases you. And give not (your daughters) in marriage to *Al-Mushrikūn* till they believe (in Allāh Alone).^[1]

— and regarding the husband He says: "Do not marry *al-mushrikat* (idolatresses etc.)..." while regarding the wife, He says: "And give not (your daughters) in marriage to *Al-Mushrikun* (idolaters etc.)..." This proves that the wife may not independently give herself in marriage.

And Allah, Most High says:

﴿وَأَنْكِحُوا الْأَيْمَىٰ مِنكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ﴾

"And marry those among you who are single (i.e. a man who has no wife and the woman who has no husband) and (also marry)

^[1] *Al-Baqarah* 2:221.

the Sālihūn (pious, fit and capable ones) of your (male) slaves”^[1]

— and He says: “Give in marriage...” directing His address to the guardians regarding giving those who are single in marriage.

And He, Most High says:

﴿فَلَا تَعْضَلُوهُمْ أَن يَنْكَحْنَ أَزْوَاجَهُنَّ إِذَا تَرَاضَوْا بَيْنَهُمْ بِالْمَعْرُوفِ﴾

“do not prevent them from marrying their (former) husbands, if they mutually agree on reasonable basis.”^[2]

— and if it was not that the guardian was a condition, there would be no effect from his prevention. And the Prophet ﷺ said:

«لَا نِكَاحَ إِلَّا بِوَالِيٍّ»

“There is no marriage without a guardian (Wali).”^[3]

And he ﷺ said:

«لَا تُنْكَحُ الْأَيِّمُ حَتَّى تُسْتَأْمَرَ وَلَا تُنْكَحُ الْبِكْرُ حَتَّى تُسْتَأْذَنَ»

“A single woman (who has already been married) must not be married until she is consulted, and a virgin must not be married until her permission is sought.”^[4]

They said: “O Messenger of Allah ﷺ: How may her (i.e., the virgin’s) consent be solicited?” He ﷺ said:

«أَنْ تَسْكُتَ»

“By her silence.”

Based upon this, the saying of this man who achieved seclusion with this woman by this tack: “You are my wife,” (is not correct) and she is not by this saying his wife. Rather, there must be a guardian. As for announcing the marriage and proclaiming it,

[1] An-Nur 24:32.

[2] Al-Baqarah 2:232.

[3] Abu Dawud no. 2085 and At-Tirmithi no. 1101.


[4] Al-Bukhari no. 5136 and Muslim no. 1419.


scholars are divided regarding it. Some of the scholars hold that it must be announced, while others say that its being witnessed is enough without it being announced.

Whichever it is, the claim of this man that the questioner is his wife is an untrue claim, without any foundation to it in the Islamic Law. Therefore it is incumbent upon this woman to contact her family so that they may prevent this man from her.

Ibn 'Uthaimin

A Woman May Not Give Herself in Marriage

 When I was young and had not yet reached the age of maturity, my grandfather gave me in marriage to his grandson against my will. Then when the time of the wedding came, I refused to go to him, problems occurred, and the matter reached the Court and they ruled in my favor, that this contract be annulled. However, my paternal uncle, the father of this young man is determined that I should marry his son, but I refused and no one is bold enough to propose to me, due to fear of my uncle's aggressiveness. Should I go to the Court to contract marriage for myself to the one who proposed to me during the life of my father. And is marriage without a guardian correct, since I have no guardian except this uncle?

 You must go to the Court which annulled your first marriage and inform the Judge that your uncle has prevented you from marrying suitable men to force and coerce you to accept his son. Then when his refusal and coercion over a long period has been confirmed to the Judge, he will remove his guardianship and grant it to the guardian who comes after him, or he may take charge of the contract himself, for the legal authority is the guardian for the one who has no guardian. But it is not permissible for you to make a contract for yourself, according to the *Hadith* which states:

«لَا تَزُوجُ الْمَرْأَةَ الْمَرْأَةَ وَلَا تَزُوجُ الْمَرْأَةَ نَفْسَهَا»

“A woman may not give a woman in marriage, nor may a woman give herself in marriage.”^[1]


and the *Hadith*:


«لَا نِكَاحَ إِلَّا بِوَالِيٍّ»

“There is no marriage without a guardian (*Wali*).”^[2]

Ibn Jibreen

If a Father Refuses to Give His Daughters in Marriage to Suitable Men

 We are a group of girls who are sisters and we live in one house, and frequently suitors for our hands from among the religious young men have been rejected; and our father is suffering from mental illness. May the Judge in this situation take charge of the marriage contracts for us?

 Yes, if the guardian refuses to give a woman in marriage to a man who is suitable in his religion and his character. This is because guardianship passes to the one who comes after him among the paternal family members, the one with the greatest right, then the next one. And if they refused to give them in marriage, as most often happens, then the guardianship passes to the legal Judge and he gives the woman in marriage, and if the matter reaches him and he knows that her guardians have refused to give her in marriage, he must give her in marriage, because he has a general guardianship, as long as no particular guardianship is present.

The scholars of Islamic Jurisprudence (*Fiqh*) — may Allah have mercy on them — have mentioned that if the guardian

^[1] Ibn Majah no. 1882.

^[2] Abu Dawud no. 2085 and At-Tirmithi no. 1101.

repeatedly refuses appropriate suitors, he will be considered a sinner due to this, and his fairness will be lost, as well his right to guardianship. Indeed, it is recognized in the *Mathhab* of Imam Ahmad that his right to be an Imam will be lost, and so he may not lead the Muslims in congregational prayer and this is a very serious matter.

Some people — as we have indicated earlier — refuse appropriate suitors for those over whom Allah has granted them guardianship but the girl may be shy to approach a judge in order to request that he give her in marriage — and this situation exists at present — but she must compare between those things which promote good and those things which cause evil; which is the greater cause of evil: To remain without a husband and for this guardian to arbitrarily exercise control over her according to his mood and his whim, then when she grows older and few propose to her, he gives her in marriage (to whom he wills), or to approach the Judge, with the request that he give her in marriage, especially since this is her legal right?

There is no doubt that the second choice — which is that she approach the Judge and request that he give her in marriage — is preferable, because this is her right and because in approaching the Judge and the Judge's giving her in marriage there is a benefit for other girls too, because they will step forward as she has done, and because by approaching the Judge, she serves as a deterrent to those wrongdoers who commit injustice against those whom Allah has placed under their guardianship, by refusing to give them in marriage to appropriate suitors. That is to say, there are three benefits in this:

— A benefit to the woman, so that she does not remain unmarried.

— A benefit to others, if she opens up the door for women who are waiting for someone to make the approach so that they may follow her.

— Holding in check those unjust guardians who exercise control

arbitrary over their daughters or those women over whom Allah has made them guardians.

Another benefit therein is the implementation of the order of the Messenger of Allah ﷺ, who said:

«إِذَا خَطَبَ إِلَيْكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَرُجُوهُ إِلَّا تَفْعَلُوا تَكُنْ فِتْنَةً فِي الْأَرْضِ وَفَسَادًا عَرِيضًا»

“If one whose religion and character pleases you proposes to you, then marry (your daughter to) him. If you do not do so, it will be a cause of trial (Fitnah and great corruption) in the land.”^[1]

There is one other particular benefit, which is the fulfillment of the desires of those suitors who propose to women and who are suitable with regard to their religion and character.

Ibn ‘Uthaimin

The Disbelieving Father May Not be A Guardian of His Daughter in Marriage

Q A young Muslim man wants to marry a Muslim girl, but her father, who is a habitual drinker, and an apostate always refuses. Is it permissible for this father to contract the marriage of his daughter?

A If she is a Muslim, then there is no objection to the young Muslim man marrying her. But her father may not be her guardian if he is a disbeliever; instead, her brother may give her in marriage, if she has a good brother, or her paternal uncle, or her paternal cousin, or her brother’s son — if she has paternal Muslim relatives — then the nearest of them may give her in marriage. And if there is no one besides the disbelieving father, the Judge may give her in marriage.

Ibn Baz

[1] At-Tirmithi no. 1084.

The One With the Greatest Right of Guardianship When Giving a Girl in Marriage

Q I am a woman in her thirties, and I am orphaned of both my parents, and I have no close (male) relatives apart from the following:

1. The son of my full paternal uncle (my sister's husband).
2. A maternal uncle, the full brother of my mother.
3. The sons of my sisters, who are adults.
4. The sons of my father's paternal uncles.

Which of them is a *Marham* for me, and which of them has the right to give me in marriage?

A The one with the greatest right of guardianship over you in marriage is your full paternal uncle's son, since he is the closest paternal relative, according to what you have mentioned in the question. As for your maternal uncle and the sons of your sisters, they are not guardians in marriage, because they are not paternal relatives, although they are *Mahrams* for you. As for the sons of your father's paternal uncles, they are guardians for you in marriage after your full paternal uncle's son, but they are not *Mahrams* for you, because it is permissible for each one of them to marry you, if there is no objection due to a fostering relationship or a relationship by marriage.

Ibn Baz

Who Will be The Guardian For the Marriage of the Orphan Girl?

Q To His Eminence, the *Shaikh*: Who will take charge of contracting the marriage of a girl whose father has died, in order of preference, may Allah reward you?


A If she has no guardian, then her grandfather — her father's father — if he is alive. If she has no grandfather,


then her full brothers — the sons of her father and mother, then her brother from her father's side, then her full brother's son, then the son of her brother from her father's side, then the full paternal uncle, then the paternal uncle from the father's side and so on. However, if her father is present, he has preference.

Ibn Baz

Rulings on the Wedding Contract

Delegating Someone to Make the Marriage Contract is Permissible

 A man may marry by himself, but is it permissible to appoint someone else to contract a marriage for him? And is it necessary to identify the groom in case of delegation? And what are the conditions of delegation in marriage, if it is permissible?


 Yes, it is permissible for a person to appoint someone to accept a marriage contract for him, saying: "I appoint so-and-so to accept a contract of marriage for me with Miss so-and-so..." but he must identify to him the woman whom he wishes to marry, and he may not say, for example: "I appoint you to find a wife for me and make a contract with her..." because this is ignorance wherein lies a risk. It might result in regret and it might cause a split between the husband and wife. This is because not every woman who is attractive to the proxy is attractive to the one who delegated him. Therefore the bride with whom the proxy was appointed to contract the marriage must be identified. Likewise, it is permissible for the woman's guardian to appoint a proxy to contract marriage for the woman in his charge with so-and-so. But the husband must also be identified and he must be well known to the guardian, and to the woman, and be acceptable (to them). So it is clear from this that appointing a proxy to contract a marriage is permissible, whether the proxy is appointed by the groom to accept marriage


from a certain woman, or by the guardian of the bride to give the woman in his charge in marriage to a certain man.

And the conditions of appointing a proxy are that the proxy is one to whom it is permissible to delegate the responsibility of contracting this marriage. So if he appointed a woman to do this, it would not be correct, because it is not possible for a woman to be charged with making a marriage contract by herself. But if he appointed a rational man to do it, there is no sin in that.

Ibn 'Uthaimin

The Ruling on Contracting a Marriage With a Menstruating Woman

 I am a young girl whose marriage contract to a young man was written some time ago, and it happened that on that day I had my monthly period, but I did not agree until I had asked the *Mumallik*, whether a contract in such circumstances was permissible or not. The *Mumallik* replied that it was permissible, but I am not convinced by this contract, so I request your advice as to whether the contract is correct or not. And is it necessary for me to repeat it, in case it is not valid? Advise me.

 A contract of marriage made upon a woman when she is menstruating is permissible and correct and there is no objection to it. This is because the essence in the matter of contracts is that they are permissible and correct, unless there is some evidence for their prohibition and there is no evidence for the prohibition of contracting marriage to a woman when she is menstruating. And if the case is thus, then the aforementioned contract is correct and there is no objection to it. And at this point we must know the difference between a marriage contract and a divorce. Divorce is not permissible at the time of menstruation; indeed, it is forbidden. And the Messenger of Allah ﷺ was angry at it, when he was informed that 'Abdullah

bin ‘Umar bin Al-Khattab, may Allah be pleased with them, divorced his wife when she was menstruating. The Prophet ﷺ ordered him to return her and to leave her until she was purified, then she menstruated and was purified, then, if he wished, to hold onto her or to divorce her, which is in accordance with the Words of Allah, the Almighty, the All-Powerful:

﴿يَا أَيُّهَا النَّبِيُّ إِذَا طَلَقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ لِعَدَّتِهِنَّ وَأَحْصُوا الْعِدَّةَ وَاتَّقُوا اللَّهَ رَبَّكُمْ لَا تُخْرِجُوهُنَّ مِنْ بُيُوتِهِنَّ وَلَا يَخْرُجْنَ إِلَّا أَنْ يَأْتِيَنَّ بِفَحْشَةٍ مُبِينَةٍ وَتِلْكَ حُدُودُ اللَّهِ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَقَدْ ظَلَمَ نَفْسَهُ﴾

“O Prophet (ﷺ)! When you divorce women, divorce them at their ‘Iddah (prescribed periods) and count (accurately) their ‘Iddah (periods). And fear Allāh your Lord (O Muslims). And turn them not out of their (husband’s) homes nor shall they (themselves) leave, except in case they are guilty of some open illegal sexual intercourse. And those are the set limits of Allāh. And whosoever transgresses the set limits of Allāh, then indeed he has wronged himself.”^[1]

So it is not permissible for a man to divorce his wife when she is menstruating, nor to divorce her during her purified period when he has had sexual intercourse with her, unless it becomes clear that she is pregnant; and if it becomes clear that she is pregnant, then he has the choice to divorce her when he wishes, and then divorce will take place.

It is very strange that it has become common among the general populace that a pregnant woman may not be divorced and this is not correct. The divorce of a pregnant woman is correct and it is the clearest type of divorce, which is why it is permissible for a person to divorce a pregnant woman, even if he has had sexual intercourse with her recently — as opposed to the woman who is not pregnant, because if he has had sexual intercourse with her,

[1] At-Talaq 65:1.

he must wait until she menstruates, then becomes purified, or it becomes clear that she is pregnant; and Allah, the Almighty, the All-Powerful has said in *Surah At-Talaq*:

﴿وَأُولَاتُ الْأَحْمَالِ أَجَلُهُنَّ أَنْ يَضَعْنَ حَمْلَهُنَّ﴾

“And for those who are pregnant (whether they are divorced or their husbands are dead), their ‘Iddah (prescribed period) is until they lay down their burden.” [1]

— and this is a clear evidence that the divorce of a pregnant woman is correct. And in some versions of the *Hadith* of Ibn ‘Umar, may Allah be pleased with them, it was said:

«مُرَّةٌ فَلْيَرَا جَعَهَا ثُمَّ يُطَلِّقْهَا طَاهِرًا أَوْ حَامِلًا»

“Order him that he must return her, then divorce her when she is purified or pregnant.” [2]

And if it is clear that the contract of marriage to a menstruating women is permissible and correct, then I consider that he should not take up residence with her before she is purified, because there is a danger that he may fall into the commission of a prohibited act at the time of menstruation, because he might be unable to control himself, especially if he is a young man. So he should wait until she is purified and take up residence with his wife while she is in a state in which he may have sexual intercourse with her. And Allah knows best.

Ibn ‘Uthaimin

The Ruling on Contracting a Marriage With a Woman Who is Pregnant Due to Illegal Sexual Intercourse

Q What is the ruling on contracting a marriage with a woman, a non-virgin who is in the eighth month of pregnancy as a result of illegal sexual intercourse? Is the

[1] *At-Talaq* 65:4.

[2] Al-Bukhari no. 5251 and Muslim no. 1471.

contract considered to be invalid or incorrect, because two scholars in our community have disputed in this matter, one of them declaring the contract to be invalid, while the other declared it to be correct, although he said that it is forbidden for the one who married her to have sexual intercourse with her until after she delivers her baby?



If a man marries a woman who is pregnant as a result of illegal sexual intercourse, his marriage is invalid and it is forbidden for him to have sexual intercourse with her, according to the generality of Allah, Most High's Words:

﴿وَلَا تَقْرَبُوا عُقْدَةَ الزَّكَاحِ حَتَّىٰ يَبْلُغَ الْكِتَابُ أَجْلَهُ﴾

“And do not consummate the marriage until the term prescribed is fulfilled.”^[1]

﴿وَأُولَاتِ الْأَمَمَالِ أَجَلُهُنَّ أَنْ يَضَعْنَ حَمْلَهُنَّ﴾

“And for those who are pregnant (whether they are divorced or their husbands are dead), their ‘Iddah (prescribed period) is until they lay down their burden.”^[2]

and the generality of the words of the Prophet ﷺ:

«لَا يَحِلُّ لِأَمْرِيءٍ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ أَنْ يُسْقِيَ مَاءَهُ زَرْعَ غَيْرِهِ»

“It is not permissible for a man who believes in Allah and the Last Day to irrigate the crop of another man with his water.”^[3]

Narrated by Abu Dawud and graded *Sahih* by At-Tirmithi and Ibn Hibban.

And the generality of the words of the Prophet ﷺ:

«لَا تُؤْطَأُ حَامِلٌ حَتَّىٰ تَضَعَ»

“A pregnant woman should not be engaged in sexual intercourse

[1] Al-Baqarah 2:235.

[2] At-Talaq 65:4.

[3] Abu Dawud no. 2158, At-Tirmithi no. 1131 and Ahmad no. 4:108.

(with another man) until she delivers.”^[1]

This was the saying of Malik and Ahmad — may Allah be pleased with them both. Abu Hanifah and Ash-Shafi‘i (in one narration attributed to him) said that the contract is correct, although Abu Hanifah said that it is forbidden for him to have sexual intercourse with her until she delivers the baby, according to the aforementioned *Hadiths*. Ash-Shafi‘i permitted sexual intercourse with her, because the water (semen) of adultery is not a prevention for him, and the child is not attributed to the adulterer, according to the words of the Prophet ﷺ:

«وَلِلْعَاہِرِ الْحَجَرُ»

“and stoning is for the adulterer.”^[2]

— and likewise his parenthood is not attributed to the man who marries her, because what she has, belongs to his bed after the pregnancy. From this the reason for the difference of opinion between these two *Shaikhs* is clear, and that each of them has spoken according to the ruling of the Imam whom he follows. However, the correct view is the first, according to the generality of the two Verses and the *Hadiths* which prove its forbiddance.

The Permanent Committee

The Ruling on Contracting a Marriage by Telephone

Q If the pillars and conditions of marriage are fulfilled, except that the guardian and the groom are in different countries, is it permissible to contract the marriage by telephone or not?

A Bearing in mind the proliferation these days of deception and cheating and the skill of some people in imitating others’ speech and their ability to precisely mimic the voices of others — there is even one of them who can imitate a number of

^[1] Abu Dawud no. 2157.

^[2] Al-Bukhari no. 6818. and Muslim no. 1458.

males and females, young and old and speak in their voices and in their different languages, making the listener believe that the speakers are a number of people, and they are not but one person — and bearing in mind the goal of the Islamic Law, which is to protect people's chastity and preserve their honor and prudence therein, more than prudence in contracts of other transactions — the Permanent Committee considers that no dependence be placed in marriage contracts regarding consent, acceptance and delegation on telephonic transmissions, in order to attain the objectives of the Islamic Law and to increase the attention paid to preserving chastity and honor, so that foolish people may not waste their time and those who convince themselves to cheat and deceive.

The Permanent Committee


He Made a Contract With His Wife using a Borrowed Name


Q I made a marriage contract with my wife using a borrowed name, which is the name of her deceased sister, due to the fact that my wife's birth is not registered and we do not know her age. What is the ruling on this?

A Such an action should not be taken, because of the lying entailed by it, which is her identifying herself by her sister's name and this is a lie. As regards the contract, it is correct, because it took place in specific circumstances known to the guardian, the groom and the woman with whom the marriage was contracted. However, we advise our brothers and warn them against achieving their objectives through lies and cheating, because this is the way of the hypocrites. And we advise him to go to the registrar of marriages and change the woman's name to the true name. And Allah knows best.

Ibn 'Uthaimin

What is Permitted For the Husband After the Contract and Before Living With Her


 What is permissible for the husband with his wife after making *'Aqd Al-Qiran* and before setting up house with her?


 Everything which is permissible for a husband who has moved in with his wife is permissible for him, including looking, kissing, being alone with her, travelling with her, sexual intercourse etc.

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions

The Permanent Committee

There is no Need For Renewal

 Her husband died after she bore him two children, then a man proposed marriage to her with whom she had a relationship and meetings, so her paternal uncle and guardian decided not to give her in marriage to him. Then he (the guardian) gave her in marriage to one of her relatives who quickly paid the dowry and the contract was completed with her against her will. After the marriage, consent, agreement and acceptance took place. So is there any sin upon the two witnesses regarding this contract by force? And is it permissible to renew the contract?

 There is no objection to this contract which was completed between the two spouses, by mutual consent and agreement, and the fulfillment of the conditions and pillars. However, her guardians made a mistake by leaving her with that unrelated man before the contract, as a friend and companion for her when she was alone, because care for the *Mahram* necessitates preventing from mixing and preventing seclusion with unrelated men. At any rate, since the contract was completed with one of her relatives and she accepted him —

even though it was after the contract — and agreement was reached, there is no objection and no need to renew it. And Allah is the Granter of success.

Ibn Jibreen

Hitting the Wife Does not Invalidate the Marriage Contract

Q Does hitting the wife invalidate the marriage contract?

A It does not invalidate it, but it is forbidden to hit her without reason. However, if there was a reason, which is fear of disobedience by the wife, then Allah, Most High says:

﴿وَالَّذِي تَخَافُونَ نُشُوزَهُنَّ فَعِظُوهُنَّ وَأَهْجُرُوهُنَّ فِي الْمَصَاحِجِ وَأَضْرِبُوهُنَّ﴾

“As to those women on whose part you see ill conduct, admonish them (first), (next) refuse to share their beds, (and last) beat them (lightly, if it is useful).”^[1]

The scholars say that hitting means without excessive force, hitting in order to enforce discipline. So if he hit her in these circumstances, then the marriage remains sound and is not invalidated, because she committed its cause, which is disobedience.

Ibn Jibreen

Declaring the Wife Forbidden Before the Contract Does not Affect the Marriage

Q A man proposed to a woman and he did not make the contract with her, then due to anger between him and her father, he said: “She is forbidden to me, like my mother and my sister.” Then he and her father came to terms and he

^[1] *An-Nisa’* 4:34.

made the contract with her with a certain sum paid as a dowry by (mutual) consent and choice. Is there any obligation upon him regarding the prohibition which he imposed upon himself before the contract? And if there is any atonement, what is the nature of it?



There is no effect of this declaration of prohibition on the marriage contract, since it occurred before it was made, therefore there is no necessity for him to perform the atonement of *Zihar*, since it took place before the girl became the wife of the man who declared her prohibited upon himself. He is only required to perform atonement for *Al-Yamin* according to the Words of Allah, Most High:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تَحْرِمُوا طَيِّبَاتِ مَا أَحَلَّ اللَّهُ لَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ ﴿٨٧﴾ وَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا وَاتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ ﴿٨٨﴾ لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ فَكَفِّرَتُمْهُ إِطْعَامَ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تَطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفْرَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ﴾

“O you who believe! Make not unlawful the *Tayyibāt* (all that is good as regards foods, things, deeds, beliefs, persons) which Allāh has made lawful to you, and transgress not. Verily, Allāh does not like the transgressors. And eat of the things which Allāh has provided for you, lawful and good, and fear Allāh in Whom you believe. Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten *Masākīn* (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn.”^[1]

[1] *Al-Ma'idah* 5:87,89.

— And the Words of Him, Most High:

﴿يَا أَيُّهَا النَّبِيُّ لِمَ تُحَرِّمُ مَا أَحَلَّ اللَّهُ لَكَ تَبْتَغِي مَرْضَاتَ أَزْوَاجِكَ وَاللَّهُ غَفُورٌ رَحِيمٌ ﴿١﴾
 قَدْ فَرَضَ اللَّهُ لَكُمْ تَحِلَّةَ أَيْمَانِكُمْ وَاللَّهُ مَوْلَاكُمْ وَهُوَ الْعَلِيمُ الْحَكِيمُ ﴿٢﴾﴾

“O Prophet! Why do you forbid (for yourself) that which Allāh has allowed to you, seeking to please your wives? And Allāh is Oft-Forgiving, Most Merciful. Allāh has already ordained for you (O men) the absolution from your oaths. And Allāh is your Maulā (Lord, or Master, or Protector) and He is the All-Knower, the All-Wise.”^[1]

So whoever declared a prohibition such as this must feed ten poor persons on a scale of the average for the food of his family, giving each of the ten persons one half of a *Sa'* of wheat, dates, rice or the like, or he should clothe ten poor persons, or free a slave. If he is unable to do any of these things, he must fast for three consecutive days. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Conditions of Marriage and Defects

The Ruling on Preventing a Woman From Going With her Husband

Q When a young man proposes marriage to the girl of some family, the father of the girl insists on the payment of a large dowry and when agreement on marriage is reached and the young man marries her, the father of the girl refuses to allow her to accompany her husband to his house, so that she remains in his service. This causes great distress to the wife: Should she go to the house of her husband, or should she remain in the house of her father?

^[1] *At-Tahrim* 66:1-2.

This has caused many problems. I request from your Eminence that you guide the people to what is correct regarding these matters.



Allah, Most Glorified, Most High has ordained for His worshippers to make the dowry small and be economical therein, and likewise the wedding celebrations, so that every person is able to marry with ease and facility. In this way mutual cooperation in good deeds and striving the utmost for chastity of young men and women will be achieved.

We have written about this more than once, in implementation of the obligation to advise and recommend one another to the truth. The Board of Senior Scholars has released resolutions and recommendations on this subject consisting of encouragement to decrease the dowry and not to spend large sums on wedding celebrations, and encouraging the community to do everything possible to make it easy for young men to get married.

I would like to take this opportunity to advise all of my Muslim brothers to cooperate in this matter and to encourage one another in it, so that marriage increases, illegal sexual intercourse decreases, and it becomes easier for young men and women to protect their chastity and avert their eyes. There is no doubt that marriage is the greatest means to do that, as the Prophet ﷺ said:

«يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغْضُ لِلْبَصْرِ وَأَخْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وَجَاءٌ»

“O you young men! Those among you who can afford it should marry, for it restrains the eyes (from casting evil glances) and preserves one from immorality; but he who cannot afford it should observe fasting, for it is a means of controlling the sexual desire.”^[1]

And it has been authentically reported from the Messenger of Allah ﷺ that he said:

^[1] Al-Bukhari no. 5066 and Muslim no. 1400.

«مَنْ كَانَ فِي حَاجَةِ أَخِيهِ كَانَ اللَّهُ فِي حَاجَتِهِ»

“Whoever meets the needs of his brother, Allah will meet his needs.”^[1]

And he ﷺ said:

«وَاللَّهُ فِي عَوْنِ الْعَبْدِ مَا كَانَ الْعَبْدُ فِي عَوْنِ أَخِيهِ»

“Allah helps the servant as long as the servant helps his brother.”^[2]

Allah, Most Glorified, Most High commanded His worshippers to cooperate with one another in righteousness and piety, and He praised those of His worshippers who encourage others to the truth, and patience, saying:

﴿وَالْعَصْرِ ﴿١﴾ إِنَّ الْإِنْسَانَ لِرَبِّهِ لَكَنُفٍ ﴿٢﴾ إِلَّا الَّذِينَ ءَامَنُوا وَعَمِلُوا الصَّالِحَاتِ ﴿٣﴾ وَتَوَاصَوْا بِالْحَقِّ وَتَوَاصَوْا بِالصَّبْرِ ﴿٤﴾﴾

“By Al-‘Asr (the time). Verily, man is in loss, Except those who believe (in Islāmic Monotheism) and do righteous good deeds, and recommend one another to the truth [i.e. order one another to perform all kinds of good deeds (Al-Ma‘rūf) which Allāh has ordained, and abstain from all kinds of sins and evil deeds (Al-Munkar) which Allāh has forbidden], and recommend one another to patience (for the sufferings, harms, and injuries which one may encounter in Allāh’s Cause during preaching His religion of Islāmic Monotheism or Jihād).^[3]

There is no doubt that cooperating in reducing the cost of dowries and wedding celebrations, and recommending people to do so is included in this topic.

Among the benefits of decreasing the cost of dowries and wedding celebrations is that the number of young men and

^[1] Al-Bukhari no. 2442 and Muslim no. 2580.

^[2] Muslim no. 2699.

^[3] Al-‘Asr 103:1-3

women getting married will increase and the number remaining single will decrease. (It promotes) protection of the private parts (from illegal sexual acts) and restraint of the eyes (from evil glances), decreases immoral deeds and increases the numbers of the (Muslim) community, as the Prophet ﷺ said:

«تَزَوَّجُوا الْوُدُودَ الْوُلُودَ فَإِنِّي مُكَائِرٌ بِكُمْ الْأُمَّمَ يَوْمَ الْقِيَامَةِ»

“Marry productive, loving women, because I will have the largest number of followers on the Day of Resurrection.”^[1]

As for the woman’s father or her brother preventing her from going with her husband in order that she serve him, or herd his sheep or his camels, it is detestable and it is not permissible. It is incumbent upon the guardian to help unite the family and bring the husband and wife together, and likewise, it is an obligation upon him to beware of causing a split between them without a legal cause. And my advice to the guardians of women is to hasten to give those under their care in marriage to suitable men, even if they be poor, and to help them in that, in accordance with the Words of Allah, Most Glorified:

﴿وَأَنْكَحُوا الْأَيْمَانَ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ إِنْ يَكُونُوا فُقَرَاءَ يُعْنِهِمُ اللَّهُ مِنْ فَضْلِهِ﴾

“And marry those among you who are single (i.e. a man who has no wife and the woman who has no husband) and (also marry) the Sālīhūn (pious, fit and capable ones) of your (male) slaves and maid-servants (female slaves). If they be poor, Allāh will enrich them out of His bounty.”^[2]

So Allah, Most Glorified has commanded us in this Verse to marry those who are single and those who are pious, fit and capable among the male and female servants. He informed us — and He is Truthful in His information — that this is a cause of

^[1] Abu Dawud no. 2050, An-Nasa’i no. 3229, Ahmad 3/158, 245, and Ibn Hibban no. 4028.

^[2] An-Nur 24:32.

virtue for the poor, so that the spouses and the guardians may be assured that poverty does not prevent marriage; indeed, it is a cause of sustenance and wealth. We ask Allah that He grant success to the Muslims in (achieving) all goodness.

Ibn Baz

A Condition in Marriage

Q Some guardians impose as a condition on their daughters' husbands at the time of making the marriage contract that they must allow their wives to continue their education, and to work after graduation. Is this condition permissible? And what is the ruling if it is not implemented after marriage?

A Any condition imposed upon the husband to which he agreed — as long as it is not forbidden in the Islamic Law — is an obligation upon him. That is, he is obliged to implement it, according to the words of the Prophet ﷺ:

«إِنَّ أَحَقَّ الشَّرُوطِ أَنْ يُوفَى بِهِ مَا اسْتَحَلَّتُمْ بِهِ الْفُرُوجَ»

“Verily, the condition having most right to be fulfilled is one by which you make the private parts (of the spouse) permissible.”^[1]

But the wife and her family should not impose conditions such as the one mentioned in the question; rather, they should leave the matter to be agreed upon by the husband and wife after the contract. It is well known that a man marries a woman in order to be a wife who brings up his children and to improve his living conditions, not to be a worker whom he only sees sometimes. Therefore facilitation and refraining from imposing such conditions is more fitting and preferable.

Ibn ‘Uthaimin

[1] Al-Bukahri no. 2721 and Muslim no. 1418.

Permissible Conditions Must be Fulfilled

Q If the wife imposes upon the husband the condition that he will not prevent her from teaching, and he agreed to this condition, and after he agreed, she accepted his proposal of marriage because he had agreed to it. Is he required to support her and her children when she is working? And is it permissible for him to take anything from her salary without her consent? And if the woman is religious, and she does not wish to hear singing and music, but the husband and his family insist upon listening to singing, saying that one who does not listen to singing is unstable, is it allowed for a wife to remain in the house of her family in these circumstances?

A If a woman imposed a condition on her suitor that he will not prevent her from teaching or studying, and he accepted this, and then married her upon this condition, then it is a correct condition and he may not prevent her from doing so after he takes up residence with her. This is based upon the words of the Prophet ﷺ:

«إِنَّ أَحَقَّ الشَّرْطِ أَنْ يُوفَى بِهِ مَا اسْتَحَلَّتُمْ بِهِ الْفُرُوجَ»

“Verily, the condition having most right to be fulfilled is one by which you make the private parts (of the spouse) permissible.”^[1]

If he prevents her, she is free to choose: If she wishes, she may stay with him and if she wishes, she may request that the legal Judge annuls the marriage.

As for the husband and his family’s listening to singing and music, that does not annul the marriage. But she must advise them and inform them that it is forbidden, and she must not attend these detested gatherings with them, as the Prophet ﷺ said:

«الَّذِينَ النَّصِيحَةُ»

^[1] Al-Bukhari no. 2721 and Muslim no. 1418.

“The religion is giving advice.”^[1]

— And he ﷺ said:

«مَنْ رَأَى مِنْكُمْ مُنْكَرًا فَلْيُغَيِّرْهُ بِيَدِهِ فَإِنْ لَمْ يَسْتَطِعْ فَبِلِسَانِهِ فَإِنْ لَمْ يَسْتَطِعْ فَبِقَلْبِهِ وَذَلِكَ أَضْعَفُ الْإِيمَانِ»

“If any of you sees an evil, he should change it by his hand; if he is unable to do so, then by his tongue; if he is unable to do (even) this, then he should hate it in his heart; this is the weakest form of faith.”^[2]

The Verses and *Hadiths* on this subject are numerous. It is a duty upon the husband to support her and her children, and he has no right to take anything from her salary, except with her permission and agreement, and she may not go out to her family’s house or any other place without his permission. And Allah is the Granter of success.

Ibn Baz

It is Not Necessary That Blood Flows When the Virgin is Deflowered

Q If a person married a Muslim girl who prays, and on the wedding night, no blood flowed from her at the time of sexual intercourse; and I have heard a medical opinion which states that there are a few or rare cases when blood does not flow at the time of deflowering her virginity. In case where she is not virgin, is it permissible to continue the marriage, or is it recommended to break the bond, even if it is expected that she would be a good wife?



It is not required at the first sexual encounter that the blood of virginity be seen, because often the woman is old, or it might have dropped with the flow of menstrual blood, or

^[1] Muslim no. 55.

^[2] Muslim no. 49.

due to a strenuous activity like jumping etc. So we advise you to keep your wife, and have a good opinion of her, and be a good companion to her, especially since you expect that she will be a good wife, if Allah wills.

Ibn Jibreen

Signs of Virginity Can be Lost Due to Reasons other Than Sexual Intercourse

Q A young man made *'Aqd Al-Qiran* with a young woman and when he had sexual intercourse with her, he found that she was not a virgin, although he is certain that she has not been married, so he was overcome by doubts about her. So what should he do, should he divorce her? Or should he speak frankly with her and demand to know the truth? What do you advise him to do?

A We think that you should not attach any importance to this, because the signs of virginity can be lost due to causes other than sexual intercourse, such as by physical exercise, profuse menstrual bleeding, or the insertion of a finger (e.g., during medical examinations).


At the same time, there is no objection to asking the girl about the reason for the loss of virginity and if she claims innocence and denies illegal sexual intercourse, then you must believe her. If she claims sexual intercourse took place in error or by force, then she is excused. But if she admits illegal sexual intercourse and shows remorse and repentance, then Allah accepts the repentance of His worshippers.

Ibn Jibreen

He Married Her, Then He Discovered That She was Ugly

Q I did not see my wife until after the wedding; and after I had moved in with her, I discovered that she is ugly and has a bad odor. Am I guilty of sin if I divorce her and marry


another, because I cannot afford to marry two?


 There is no sin upon you — Allah Willing — in this, because you will not find repose or happiness with a person to whom you find yourself averse, and with whom you hate to live. There is no doubt that a smell such as this is included in the faults or defects for which a husband has the right of annulment, and the return of what he has spent, due to the aversion and disgust which you feel for something which you dislike.

Allah has made divorce permissible when there are reasons for it. And the manner of divorce in accordance with the *Sunnah* has been explained in the Qur'an and *Hadith* and no sin or objection has been mentioned regarding it. The sin is only upon the guardians of the wife, who covered up these defects in her. And Allah knows best.

Ibn Jibreen

Impotence and Marriage

 I am a young man of twenty-two years of age and I am afflicted by impotence — sexual weakness, which is approximately thirty-five percent. After medical examinations, I was prescribed some medicines to invigorate me, and in truth, they do stimulate sometimes. For this reason, I am asking if I would be guilty of sin in using these medicines? And I am also asking if I would be guilty of sin if I married a lawful girl?

 You must accept what Allah, Most High has created and ordained, because there exists a great difference in the levels of desire found in mankind. Some have intense physical desires and strong lusts and others a little or a lot less so. There are also those without any physical desires. I do not think that these medicines will provide an effect which will last for your whole life; they only increase desire for a short time. Then the

normal state returns. If you have the desire for marriage, even if it be slight, then you may marry, and it is sufficient that you are able to perform sexual intercourse, even if only once in a month or once in two months.

Ibn Jibreen

The Husband's Covering Defects in Himself is a Form of Cheating and Deception

Q Allah, Most High ordained for me the illness known as *Al-Bihaq*, but He was Kind to me, in that he made most of its appearance on the skin in places which are hidden on my body. This illness began when I was twenty years old and I have endeavored to find a cure, but Allah has not permitted me until now to be cured, due to wisdom known only to Him, Most Glorified. Fifteen years later, I proposed marriage and at that time there were three patches visible on the back of my right hand, in addition to others on parts of my body which were covered. Throughout the period of the engagement, which lasted for six months, I did not want to be open with my fiancée or her family regarding this disease, fearful that they would renounce their acceptance of me. I thought that since it was visible on my right hand, and they saw it throughout the period of the engagement, then that should be an indication to them that it might be present on other parts of my body.

In these circumstances, the marriage was completed, but when my wife moved to the marital abode and saw the illness which has afflicted my body, it offended her and she became extremely rebellious, considering that I had deceived her by not being completely frank with her. This made her feel that she only acquired distress and loss in this marriage contract. I accept that I met her insolence with harshness and severity at times and by beating at other times, but she did not ask to be parted from me. After some years of living in pain with me had passed, she accepted what Allah had ordained for me and

she resigned herself to the situation. And now she has borne three children and our marriage has lasted for thirteen years. But often, I strongly repent that the marriage was completed in this way, so much so that I desired that she should ask me for a separation, so that I might not be guilty of injustice to her. Was I unjust in not being open about the disease afflicting my body, in spite of the fact that it was visible on my hand during the period of the engagement? And was my marriage in these circumstances correct? Or am I obliged to do anything else now?



There is no doubt that not being open with her about the disease which afflicted you, or what was hidden of that disease, was a deception and a form of cheating. And regarding the patch on your right hand, we do not know if it is plainly visible and is an evidence of this disease, or whether it is small and hidden and was not an evidence of the disease, or whether it is in a shape which might be thought to be a scar from a burn or some such thing. In short, our advice is that you should have made clear to her and to her family what was hidden from them in this matter. As for your treatment of her after that, you were guilty of sin, but the right belongs only to her and there is nothing you can do now except ask for her forgiveness for covering up this defect of yours in the past. As for the harsh manner in which you treated her, if she pardons you for it and forgives you — and we hope that she will pardon you and forgive you — there is great goodness therein, according to the Words of Allah, Most High:

﴿فَمَنْ عَفَا وَأَصْلَحَ فَأَجْرُهُ عَلَى اللَّهِ﴾

“but whoever forgives and makes reconciliation, his reward is with Allāh.”^[1]

— and the Words of Him, Most High, in which He describes the people of Paradise:

﴿وَالْعَافِينَ عَنِ النَّاسِ﴾

^[1] Ash-Shurah 42:40.

“and who pardon men”^[1]

So forgiveness along with reconciliation is goodness, and in it there is a great reward with Allah, Most Glorified, Most High. So my advice to you is to exonerate yourself from your wife, asking her to forgive you. And my advice to her is to pardon you, because she is the mother of your children and the life between you and her is a partnership now. And we ask that Allah, Most High that He accept the repentance of all.

Ibn ‘Uthaimin

Compatibility Between the Husband and Wife

Regarding Giving High-born Women in Marriage to Low-born Men

All praise be to Allah and may peace and blessings be upon His servant and His Messenger, our Prophet, Muhammad and upon his family and Companions. As for what follows: Verily, it is an objectionable thing that some of those who claim to belong to the tribe of Bani Hashim say that none are suitable for them, and they do not marry (their daughters to) except to their own, nor do they marry except from among their own. This is a grave error, a great ignorance and injustice towards the woman, and it is a means of legislating something which Allah and His Messenger did not legislate. Allah, Most High says:

﴿يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَىٰكُمْ﴾

“O mankind! We have created you from a male and a female, and made you into nations and tribes that you may know one another. Verily, the most honourable of you with Allāh is that (believer) who has *At-Taqwā* [i.e. he is one of the *Muttaqūn* (the pious)]^[2]

[1] Aal-Imran 3:134.

[2] Al-Hujrat 49:13.

— and He, Most Glorified says:

﴿ إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ ﴾

“The believers are nothing else than brothers (in Islāmic religion).”^[1]

and He says:

﴿ وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ ﴾

“The believers, men and women, are Auliya’ (helpers, supporters, friends, protectors) of one another.”^[2]

and He says:

﴿ فَاسْتَجَابَ لَهُمْ رَبُّهُمْ أَنِّي لَا أُضِيعُ عَمَلَ عَمِلٍ مِّنْكُمْ مِّنْ ذَكَرٍ أَوْ أُنْثَىٰ بَعْضُكُم مِّنْ بَعْضٍ ﴾

“So their Lord accepted of them (their supplication and answered them), “Never will I allow to be lost the work of any of you, be he male or female. You are (members) one of another.”^[3]

and the Messenger of Allah ﷺ said:

«أَلَا لَا فَضْلَ لِعَرَبِيٍّ عَلَىٰ أَعْجَمِيٍّ وَلَا لِعَجَمِيٍّ عَلَىٰ عَرَبِيٍّ وَلَا لِأَحْمَرَ عَلَىٰ أَسْوَدَ وَلَا لِأَسْوَدَ عَلَىٰ أَحْمَرَ إِلَّا بِالتَّقْوَىٰ»

“There is no superiority for an Arab over a non-Arab, nor for a non-Arab over an Arab, nor for a white person over a black person, nor for a black person over a white person, except in piety.”^[4]

«النَّاسُ بَنُو آدَمَ وَخَلَقَ اللَّهُ آدَمَ مِنَ التُّرَابِ»

“Mankind is from Adam and Adam was made from dust.”^[5]

[1] Al-Hujrat 49:10.

[2] At-Taubah 9:71.

[3] Aal-Imran 3:195.

[4] Ahmad no 5/411.

[5] At-Tirmithi no. 3270.

— and he ﷺ said:

«أَلَا إِنَّ آلَ أَبِي يَعْنِي فَلَانًا لَيْسُوا لِي بِأَوْلِيَاءَ إِنَّمَا وَلِيِّيَ اللَّهُ وَصَالِحِ
الْمُؤْمِنِينَ»

“Verily, the family of Bani so-and-so are not my friends; my friend is only Allah and the pious believers.”^[1]

— and the Prophet ﷺ said:

«إِذَا خَطَبَ إِلَيْكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَرَوْجُوهُ إِلَّا تَفْعَلُوا تَكُنْ فِتْنَةً فِي
الْأَرْضِ وَفَسَادٌ عَرِيضٌ»

“If one whose religion and character pleases you proposes to you, then marry (your daughter to) him. If you do not do so, it will be a cause of trial in the land and great corruption.”^[2]

Narrated by At-Tirmithi and others with a *Hasan* chain of narrators.

The Prophet ﷺ gave Zainab Bint Jahsh Al-Asadiyyah in marriage to Zaid bin Harithah, his freed slave, and he gave Fatimah Bint Qais Al-Qurashiyyah to Usamah bin Zaid and he and his parents were freed slaves.

Bilal bin Rabah Al-Habashi married the sister of ‘Abdur-Rahman Ibn ‘Awf Az-Zuhriyyah Al-Qurashiyyah. Abu Huthaifah bin ‘Utbah bin Rabi’ah Al-Qurashi gave the daughter of his brother, Al-Waleed to Salim, his servant — and he was the freed slave of a woman from the *Ansar* — and Allah, Most High has said:

﴿وَالطَّيِّبَاتُ لِلطَّيِّبِينَ وَالطَّيِّبُونَ لِلطَّيِّبَاتِ﴾

“Good statements are for good people (or good women for good men) and good people for good statements (or good men for good women)”^[3]

[1] Al-Bukhari no. 5990 and Muslim no. 215.

[2] At-Tirmithi no. 1084.

[3] An-Nur 24:26.

Likewise, the Prophet ﷺ gave his two daughters, Ruqayyah and Umm Kulthum in marriage to 'Uthman, and he married Abu Al-'As bin Ar-Rabi' to his daughter, Zainab and they were both from the tribe of Bani 'Abdi Shams and not from Bani Hashim.

'Ali married 'Umar bin Al-Khattab to his daughter, Umm Kulthum, and he was 'Adawi, not Hashimi. 'Abdullah bin 'Amr bin 'Uthman married Fatimah, the daughter of Al-Husain bin 'Ali and he was Umawi, not Hashimi, and Mus'ab bin Az-Zubair married her sister, Sakinah and he was not Hashimi; in fact, he was Asadi, from Asad Quraish.

Al-Miqdad bin Al-Aswad Dhaba'ah married the daughter of Az-Zubair bin 'Abdil-Muttalib Al-Hashimiyah, the daughter of the paternal uncle of the Prophet ﷺ — and he (Al-Miqdad) was Kindi, not Hashimi.

This was something which happened frequently. The objective here is to make the falseness clear in what some of the Hashimis claim. They claim there is a prohibition of giving a Hashimi woman in marriage to a non—Hashimi man — or that it is hated, when all that is obligatory in this matter is consideration of his suitability in religion. For what separated Abu Talib and Abu Lahab was their not being Muslim, and what brought Salman Al-Farisi, Suhaib Ar-Rumi and Bilal Al-Habashi was only faith, righteousness, piety, following the Islamic Law and keeping to the Straight Path. And among the results of this ignorance and this groundless behavior is the confinement of Hashimi women and preventing them from marrying, or delaying that. This leads to undesirable results, such as corruption and halting or declining birth rates — and Allah, Most High says:

﴿وَأَنْكِحُوا الْأَيَامَىٰ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ ۚ إِنَّ يَكُونُوا فُقَرَاءَ يُغْنِيهِمُ اللَّهُ مِنْ فَضْلِهِ ۗ وَاللَّهُ وَسِعَ عِلْمَهُ﴾ (٣٢)

“And marry those among you who are single (i.e., a man who has no wife and the woman who has no husband) and (also marry)

the Sālihūn (pious, fit and capable ones) of your (male) slaves and maid-servants (female slaves). If they be poor, Allāh will enrich them out of His bounty. And Allāh is All-Sufficient for His creatures' needs, All-Knowing (about the state of the people).”^[1]

So He commanded us to marry the single men and women, which is an open command, including the rich and the poor and all types of Muslims. Since Islamic Law encourages marriage, then it is incumbent upon the Muslims to hasten towards implementing the Command of Allah and the command of His Messenger, since the Messenger of Allah ﷺ said:

«يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغْضُ لِلْبَصَرِ وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وِجَاءٌ»

“O you young men! Those among you who can support a wife should marry, for it restrains the eyes (from casting evil glances) and preserves one from immorality; but he who cannot afford it should observe fasting, for it is a means of controlling the sexual desire.”^[2]

Therefore, it is incumbent upon the guardians to hasten to give their daughters, their sisters and their sons in marriage, so that each can fulfill his role in this life, and corruption and crime will decrease. It is well known that hindering women from getting married or delaying that, is a cause of spreading and increasing crimes against public morals, which are destructive elements (in society). So (I say): O you worshippers of Allah! Fear Allah regarding yourselves and those over whom Allah has given you authority. Your daughters, sisters, and others, and your Muslim brothers — and strive altogether towards achieving goodness and happiness in the society. Strive to help one another to achieve the means of growth and increase, and to remove the causes that increase crime, and know that you are responsible, and that you will be held accountable and recompensed

^[1] An-Nur 24:32.

^[2] Al-Bukhari no. 5066 and Muslim no. 1400.

according to your deeds. Allah, Most High says:

﴿فَوَرَبِّكَ لَنَسْأَلَنَّهُمْ أَجْمَعِينَ ﴿٩٢﴾ عَمَّا كَانُوا يَعْمَلُونَ ﴿٩٣﴾﴾

“So, by your Lord, (O Muhammad ﷺ), We shall certainly call all of them to account. For all that they used to do.”^[1]

— and He, the Almighty, the All-Powerful says:

﴿وَلِلَّهِ مَا فِي السَّمَوَاتِ وَمَا فِي الْأَرْضِ لِيَجْزِيَ الَّذِينَ أَسْتَوُوا بِمَا عَمِلُوا وَيَجْزِيَ الَّذِينَ أَحْسَنُوا بِالْحَقِّ ﴿٦٦﴾﴾

“And to Allāh belongs all that is in the heavens and all that is in the earth, that He may requite those who do evil with that which they have done (i.e. punish them in Hell), and reward those who do good, with what is best (i.e. Paradise)”.^[2]

So hasten to give your daughters and your sons in marriage, following the example of your Prophet ﷺ and his noble Companions, may Allah be pleased with them, and those who follow their guidance and their path.

I advise you to reduce the costs of marriage, and not to be extravagant in the payment of dowries, and to be economical in the expenses of the wedding and the celebrations. Strive to choose righteous, pious, honorable and chaste wives. May Allah bless us all with understanding in the religion and keep us firm upon it. May He protect us and you and all of the Muslims from the evil of ourselves and the wickedness of our deeds, and may He ward protect us all from the deviations of trials and temptations — what is seen of them and what is hidden. We ask Him to reform those in authority over the Muslims and to reform (others) by them; verily, He is Able to do that. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

Ibn Baz

^[1] *Al-Hijr* 15:92-93.

^[2] *An-Najm* 53:31.

Al-Qabili and Al-Khadhiri and the Ruling on Marriage Between Them

Q A questioner is asking about the meaning of the people's saying: *Qabili* and *Khadheeri* and the ruling on marriage between them.

A This question is a secondary one and it is well known to the people. The *Qabili* is one who has a well known tribe to which he belongs, such as *Qahtani*, *Subai'i*, *Tamimi*, *Qurashi*, *Hashimi* and the like — this is known as a *Qabili*, because he belongs to a *Qabilah* (tribe). It is also said: *Qabali*, as one says: *Hanafi*, *Rab'i* and the like, relating to the tribe to which he belongs.

Al-Khadhiri is known exclusively to the people in *Najd* and I do not know of it except in *Najd* — and it means one who has no known tribe to which he belongs; he is an Arab, but he has no known tribe, i.e., it is not known that he is *Qahtani* or *Tamimi*, or *Qurashi*, but he is an Arab, his language is Arabic, he is from the Arabs, and he lives among them. Even though his origins and his community are well known. The *Mawla* according to the understanding of the Arabs, is one who was originally a slave, but who was given his freedom. These are known as *Al-Mawali*. *Al-'Ajm* are those who are not descended from Arabs; one is called *A'jami* (singular) and they are those who are from non-Arab roots, not from Arab roots.

They are known as *A'ajim* and the ruling in Allah's religion is that there is no superiority for any of these over any other except in piety, whether he is called a *Qabali* or a *Khadhiri* or a *Mawla* or an *A'jami* — they are all on an equal level. There is no superiority for this one over that one, nor for that one over this one, except in piety, as the Prophet ﷺ said:

«أَلَا لَا فَضْلَ لِعَرَبِيٍّ عَلَىٰ أَعْجَمِيٍّ وَلَا لِعَجَمِيٍّ عَلَىٰ عَرَبِيٍّ وَلَا لِأَحْمَرَ عَلَىٰ أَسْوَدَ وَلَا أَسْوَدَ عَلَىٰ أَحْمَرَ إِلَّا بِالتَّقْوَىٰ»

“There is no superiority for an Arab over a non-Arab, nor for a non-Arab over an Arab except in piety, nor for a red person over a black person, nor for a black person over a red person, except in piety.”^[1]

— and as Allah, Most Glorified says:

﴿يَتَأْتِيهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتَقْوَمُ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ﴾

“O mankind! We have created you from a male and a female, and made you into nations and tribes that you may know one another. Verily, the most honourable of you with Allāh is that (believer) who has *At-Taqwā* [i.e. he is one of the *Muttaqūn* (the pious)]. Verily, Allāh is All-Knowing, All-Aware.”^[2]

However, it is the ancient custom of the Arabs that they marry their daughters to the tribes whom they know, and some of them refuse to marry them to those who are not from a tribe known to them, and this remains the custom of the people.

Some of them might be tolerant and marry the *Khadheeri*, the *Mawla* or the *Ajami* as happened in the time of the Prophet ﷺ. The Prophet ﷺ married Usamah bin Zaid bin Harithah — who was his servant and his freed slave — to Fatimah Bint Qais may Allah be pleased with her — and she was from the tribe of *Quraish* as was Abu Huthaifah bin ‘Utbah. He did not care that he was a freed slave; and this was the practice among the Companions, may Allah be pleased with them, and of many who came after them.

But after that, the people — especially those in Najd and in some other places — might refuse to do this and be vehement about it, according to the customs they have inherited from their fathers and forefathers; and it might be that some of them feared harm from some of their tribe if they asked them: “Why

[1] Ahmad 5/411.

[2] *Al-Hujurat* 49:13.

did you marry so-and-so? This could result in harm to our tribe and mixing and loss of our lineage and other things!” They might make some excuses that might be acceptable in certain circumstances, and there is no harm in this, and the matter is simple. What is important is to choose someone who is suitable for marriage in his religion and his character. If such a person is found, it is he who should be chosen — whether he is Arab, non-Arab, a freed slave, a *Khadhiri* or otherwise; and this is the cornerstone of the matter. And if some of the people do not wish to marry except from their tribe, we do not know of any sin in it. And Allah is the Granter of success.

Ibn Baz

The Ruling on Giving an Illegitimate Child in Marriage

Q A man married his daughter to another, then it became clear that the husband was an illegitimate child. What is the ruling?

A If he is a Muslim, then the marriage is correct, because there is nothing upon him of the sin of his mother and the man who committed adultery with her, according to the Words of Allah, Most High:

﴿أَلَا نُنَزِّرُهَا بِرِزْقٍ وَأَنْزِلُهَا بِرِزْقٍ وَأَنْزِلُهَا بِرِزْقٍ﴾

“That no burdened person (with sins) shall bear the burden (sins) of another.”^[1]

— and because there is no shame on him, if he goes straight on the religion of Allah and if he models himself on standards of behavior which are pleasing (to Allah), according to Allah’s Words:

^[1] *An-Najm* 53:38.

﴿يَأَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ﴾ (٢١)

“O mankind! We have created you from a male and a female, and made you into nations and tribes that you may know one another. Verily, the most honourable of you with Allāh is that (believer) who has At-Taqwā [i.e. he is one of the Muttaqūn (the pious)]. Verily, Allāh is All-Knowing, All-Aware.”^[1]

— and the words of the Prophet ﷺ, when he was asked about the most noble of people, he said:

«أَتْقَاهُمْ»

“The most pious of them...”

— and he ﷺ said:

«مَنْ بَطَأَ بِهِ عَمَلُهُ لَمْ يُسْرِعْ بِهِ نَسَبُهُ»

“Whoever was slow in performing (righteous) deeds, his lineage will not avail him.”^[2]

— and it was reported that he ﷺ said:

«إِذَا خَطَبَ إِلَيْكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَرَوْجُوهُ إِلَّا تَفَعَّلُوا تَكُنْ فِتْنَةٌ فِي الْأَرْضِ وَفَسَادٌ عَرِيضٌ»

“If one whose religion and character pleases you proposes to you, then marry (your daughter to) him. If you do not do so, it will be a cause of trial in the land and great corruption.”^[3]

Ibn Baz

[1] Al-Hujurat 49:13.

[2] Muslim no. 2699.

[3] At-Tirmithi no. 1084.

He Married Him (to a Girl in His Care) in the Belief That He Was of Noble Lineage Then it Became Evident That He Was Not

Q A man proposed marriage to the daughter of another man claiming that he was from a noble lineage, so he married him (to her). Then it became evident that he was not from a noble lineage. What is the ruling?

A If the conditions in the aforementioned marriage contract were fulfilled, then the marriage is correct. But if the guardian of the woman made it a condition that the suitor be high-born, then it became clear that the case was otherwise, he has the choice, if he wishes, to leave his charge with him or, if he wishes, to demand a divorce.

If he has already had sexual intercourse with her, then the whole dowry is for her, since he made her permissible through sexual relations with her. If he refused to divorce her, they must take the case to the Islamic Court Judge, that he may examine their case in the light of the Islamic Law, according to the words of the Prophet ﷺ:

«إِنَّ أَحَقَّ الشُّرُوطِ أَنْ يُوفَى بِهِ مَا اسْتَحَلَّتُمْ بِهِ الْقُرُوجَ»

“Verily, the condition with the most right to be fulfilled is that by which sexual intercourse is deemed lawful (i.e. marriage).”^[1]

If he did not impose this as a condition, but simply believed his words and he did not consider it to be a condition of agreement to the marriage, then he has no choice as far as I am aware, in the Islamic Law. Because no conditions were made between them. The Arabs are suitable for each other, whether they are of a noble lineage or not. And a group of the scholars say that the Muslims are all suitable for each other, if they are straight in their religion, whether the husband is Arab and she is non-Arab,

^[1] Al-Bukhari no. 2721 and Muslim no. 1418.

or a freed slave and likewise, vice versa. And this is a very strong opinion, based upon the aforementioned legal evidences.

Ibn Baz

The Ruling on the Slave Marrying a Free Woman

Q A man married a free woman, on the understanding that he was a free man, then it became clear that he was a slave. What is the ruling?

A If the matter is as stated in the question, then the woman has the choice: If she wishes to remain with him, that is her right.; and if she wishes an annulment, that is her right, because his being a slave is a great harm to her, and he has cheated her, by not making clear the truth. So she must choose, based upon what has been confirmed in the authentic *Hadith* reported on the authority of ‘A’ishah, may Allah be pleased with her, in which it is stated that when Barirah, may Allah be pleased with her, was freed, while she was married to her husband, Mughith — who was a slave, may Allah be pleased with him, — the Prophet ﷺ gave her the choice and she chose herself (i.e., to be free from her husband).

The woman in the question has more right to choose, because she has been deceived, since she did not know that her husband was a slave. It has been authentically reported from the Prophet ﷺ that he said:

«الْمُسْلِمُ أَخُو الْمُسْلِمِ، لَا يَظْلِمُهُ وَلَا يَخْذُلُهُ وَلَا يَحْقِرُهُ»

“The Muslim is the brother of the Muslim; he should neither oppress him, nor despise him, nor him, nor forsake him.”^[1]

— And he ﷺ said:

«مَنْ غَشَّنَا فَلَيْسَ مِنَّا»

[1] Muslim no. 2564 and Muslim no. 1927.

“Whoever cheated us is not one of us.”^[1]

This man has cheated her and hidden from her his true status, and lied to her, by making it appear to her that he was free.

If he has already had sexual intercourse with her, the dowry is for her, due to the fact that he had sexual relations with her. If they should disagree, they should raise the matter with the Islamic Judge, to examine their situation in accordance with the Islamic Law.

Ibn Baz

Rulings on Marrying Jewish and Christian Women

The Ruling on Marrying Women From the People of the Book

Q What is the ruling on marrying women from the People of the Book?

A The ruling on that it is permitted, according to the majority of scholars, based upon the Words of Allah, Most Glorified, in *Surah Al-Ma'idah*:

﴿وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ إِذَا آتَيْنَهُنَّ
أُجُورَهُنَّ مُحْصِنِينَ غَيْرَ مُسْلِفِينَ وَلَا مُتَّخِذِي أَخْدَانٍ وَمَنْ يَكْفُرْ بِالْإِيمَانِ فَقَدْ
حَبِطَ عَمَلُهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَسِرِينَ﴾

“(Lawful to you in marriage) are chaste women from the believers and chaste women from those who were given the Scripture (Jews and Christians) before your time when you have given their due Mahr (bridal-money given by the husband to his wife at the time of marriage), desiring chastity (i.e., taking them in legal wedlock) not committing illegal sexual intercourse, nor taking them as girlfriends. And whosoever disbelieves in Faith [i.e. in the Oneness of Allāh and in all the other Articles of Faith, i.e. His (Allāh’s)

^[1] Muslim no. 101.

Angels, His Holy Books, His Messengers, the Day of Resurrection and Al-Qadar (Divine Preordainments)], then fruitless is his work; and in the Hereafter he will be among the losers.”^[1]

Al-Muhsanah (referred to in this Verse) is the free, chaste woman, according to the most correct opinion of the scholars of *Tafsir*. *Al-Hafiz* Ibn Kathir — may Allah have mercy on him — said, regarding the *Tafsir* of this Verse: “And His Words:

﴿وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ﴾

“*And Al-Muhsanat from among the believing women.*”^[2]

That is, Allah has made it permissible for you to marry free, chaste, believing women; and this was mentioned as an introduction to what comes after it, which is the Saying of Him, Most High:

﴿وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِن قَبْلِكُمْ﴾

“*and Al-Muhsanat from those who were given the Scripture before your time.*”^[3]

It was said that what is meant is the free *Muhsanat*, as opposed to the slave women; this was reported by Ibn Jarir (At-Tabari) on the authority of Mujahid. Mujahid only said ‘the free *Muhsanat*’ — and it is possible that what he intended by it was what was reported from him, while it is also possible that what he meant by the free woman was the chaste woman, as in the other narration from him. That is the saying of the majority here. And it is more likely, so that it does not include in it the *Thimmiyyah* who, in spite of being free, is not chaste, but completely immoral, so that her husband receives what is described in the simile as dates of inferior quality and poor measure. It is apparent from the Verse that what is intended by *Al-Muhsanat* is the women who abstain from illegal sexual

^[1] *Al-Ma'idah* 5:5.

^[2] *Al-Ma'idah* 5:5.

^[3] *Al-Ma'idah* 5:5.

intercourse, as Allah, Most High says in the other Verse:

﴿مُحْصَنَاتٍ غَيْرَ مُسْلِفَاتٍ وَلَا مُتَّخِذَاتِ أَخْدَانٍ﴾

“they (the above said slave-girls) should be chaste, not committing illegal sex, nor taking boyfriends.”^[1]

Then the commentators and the scholars differed regarding His Words:

﴿وَلَا تَنْكِحُوا الْمُشْرِكَاتِ حَتَّى يُؤْمِنَ﴾

“And do not marry *Al-Mushrikāt* (idolatresses) till they believe (worship Allāh Alone)”^[2]

— does this include every chaste, Jewish and Christian woman, whether she is a free woman or a slave, as reported by Ibn Jarir from a group of the *Salaf*, who explained *Al-Muhsanah* as meaning a chaste woman. And it was said that what is meant by the People of the Scripture here are the Jewish women; and this is the *Mathhab* of Imam Ash-Shafi‘i. And it was said that what is meant is the *Thimmiyyat* — not the women from among those who are at war with the Muslims, based upon the Words of Allah, Most High:

﴿فَنَبِّئُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ﴾

“Fight against those who (1) believe not in Allāh, (2) nor in the Last Day.”^[3]

And ‘Abdullah bin ‘Umar, may Allah be pleased with them, was of the opinion that it was not permissible to marry a Christian woman, saying: ‘I do not know of any *Shirk* greater than to say: “Verily, my Lord is ‘Isa” while Allah, Most High has said:

﴿وَلَا تَنْكِحُوا الْمُشْرِكَاتِ حَتَّى يُؤْمِنَ﴾

“And do not marry *Al-Mushrikāt* (idolatresses) till they believe

[1] *An-Nisa*’ 4:25.

[2] *Al-Baqarah* 2:221.

[3] *At-Taubah* 9:29.

(worship Allāh Alone)^[1]

And Ibn Abi Hatim said: ‘My father narrated to us: Muhammad bin Sulaiman Al-Mu‘addib narrated to us: Al-Qasim bin Malik (that is, Al-Mazani) informed us: Isma‘il bin Sami’ narrated to us from Abu Malik Al-Ghifari: This Verse:

﴿وَلَا تَنْكِحُوا الْمُشْرِكَاتِ حَتَّىٰ يُؤْمِنَ﴾

“And do not marry Al-Mushrikāt (idolatresses) till they believe (worship Allāh Alone).^[2]

was revealed, and so the people avoided them until the following Verse:

﴿وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِن قَبْلِكُمْ﴾

“and Al-Muhsanat from those who were given the Scripture before your time”^[3]

— then the people married women from among the People of the Scripture. And a number of the Companions married Christian women, and they did not see any objection in that, based upon this noble Verse:

﴿وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِن قَبْلِكُمْ﴾

“and Al-Muhsanat from those who were given the Scripture before your time”^[4]

So they deemed that this Verse referred particularly to the Noble Verse [which is in Surah Al-Baqarah]:

﴿وَلَا تَنْكِحُوا الْمُشْرِكَاتِ حَتَّىٰ يُؤْمِنَ﴾

“And do not marry Al-Mushrikat (idolatresses etc.) till they believe.”^[5]

[1] Al-Baqarah 2:221.

[2] Al-Baqarah 2:221.

[3] Al-Mai’dah 5:5.

[4] Al-Mai’dah 5:5.

[5] Al-Baqarah 2:221.

— if it was said that the Jewish and Christian women were included in its generality, and if not, then there is no contradiction between the former and the latter, because the People of the Book have been mentioned separately from the polytheists in more than one place, as in the Words of Allah, Most High:

﴿لَمْ يَكُنِ الَّذِينَ كَفَرُوا مِنْ أَهْلِ الْكِتَابِ وَالْمُشْرِكِينَ مُنْفَكِينَ حَتَّىٰ تَأْتِيَهُمُ
الْبَيِّنَةُ﴾

“Those who disbelieve from among the people of the Scripture (Jews and Christians) and Al-Mushrikūn, were not going to leave (their disbelief) until there came to them clear evidence.”^[1]

— and His Words:

﴿وَقُلْ لِلَّذِينَ أُوتُوا الْكِتَابَ وَالْأُمِّيِّينَ ءَأَسْلَمْتُمْ ؕ فَإِنْ أَسْلَمُوا فَقَدِ اهْتَدَوْا﴾

“And say to those who were given the Scripture (Jews and Christians) and to those who are illiterates (Arab pagans): “Do you (also) submit yourselves (to Allāh in Islām)?” If they do, they are rightly guided.”^[2]

— Thus ends the quote from *Al-Hafiz* Ibn Kathir — may Allah have mercy on him — regarding the meaning.

Abu Muhammad Muwaffaq Ad-Din ‘Abdullah bin Ahmad bin Qudamah Al-Hanbali — may Allah have mercy on him — said, in his book, *Al-Mughni*: “There is no difference of opinion — all praise and thanks be to Allah — among the scholars regarding the permissibility of marrying free women from among the People of the Scripture. Those from whom this was reported include: ‘Umar, ‘Uthman, Talhah, Huthaifah, Salman, Jabir and others. Ibn Al-Munthir said: ‘And it has not been authentically reported from anyone among the early generations that he forbade it.’ And Al-Khallal reported via, with a chain of narration, that Huthaifah, Talhah, Al-Jarud bin Al-Ma‘la and

^[1] *Al-Baiyyinah* 98:1.

^[2] *Aal-‘Imran* 3:20.

Uthainah Al-'Abdi married women from among the People of the Book — and all of the scholars said this, though *Al-Imamiyyah* forbade it, clinging to the Words of Allah, Most High:

﴿وَلَا تَنْكِحُوا الْمُشْرِكَاتِ حَتَّىٰ يُؤْمِنَ﴾

“And do not marry *Al-Mushrikāt* (idolatresses) till they believe (worship Allāh Alone).”^[1]

— and His Words:

﴿وَلَا تُنْسِكُوا بِعِصَمِ الْكَوَافِرِ﴾

“Likewise hold not the disbelieving women as wives.”^[2]

— and the Words of Him, Most High:

﴿الْيَوْمَ أُحِلَّ لَكُمُ الطَّيِّبَاتُ﴾

“Made lawful to you this day are *At-Tayyibāt* [all kinds of *Halāl* (lawful)].”^[3]

— up to His Words:

﴿وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِن قَبْلِكُمْ إِذَا ءَاتَيْنَهُنَّ أَجْرَهُنَّ﴾

“(Lawful to you in marriage) are chaste women from the believers and chaste women from those who were given the Scripture (Jews and Christians) before your time when you have given their due *Mahr* (bridal-money given by the husband to his wife at the time of marriage).”^[4]

— and the consensus of the Companions, may Allah be pleased with them. As for the Words of Him, Most Glorified:

[1] *Al-Baqarah* 2:221.

[2] *Al-Mumtahanah* 60:10.

[3] *Al-Ma'idah* 5:5.

[4] *Al-Ma'idah* 5:5.

﴿وَلَا تَنْكِحُوا الْمُشْرِكَةَ﴾

“and do not marry *Al-Musrhikat* (idolatresses etc).”^[1]

it is reported on the authority of Ibn ‘Abbas, may Allah be pleased with them, that it was abrogated by the Verse which is in *Surah Al-Ma’idah*. Likewise, this (abrogation) should be in the other Verse, because they are both of earlier origin, while the Verse in *Surah Al-Ma’idah* was revealed after them. Others said that this is not abrogated, because the word *Al-Mushrikun* does not include in its general meaning encompass the People of the Scripture, the evidence for which is the Saying of Allah, Most Glorified:

﴿لَمْ يَكُنِ الَّذِينَ كَفَرُوا مِنْ أَهْلِ الْكِتَابِ وَالْمُشْرِكِينَ مُنْفَكِينَ حَتَّىٰ تَأْتِيَهُمُ
الْبَيِّنَةُ﴾

“Those who disbelieve from among the people of the Scripture (Jews and Christians) and *Al-Mushrikūn*, were not going to leave (their disbelief) until there came to them clear evidence.”^[2]

— and He says:

﴿إِنَّ الَّذِينَ كَفَرُوا مِنْ أَهْلِ الْكِتَابِ وَالْمُشْرِكِينَ﴾

“Verily, those who disbelieve (in the religion of Islām, the Qur’ān and Prophet Muhammad ﷺ) from among the people of the Scripture (Jews and Christians) and *Al-Mushrikūn*.”^[3]

— and He says:

﴿مَا يَوَدُّ الَّذِينَ كَفَرُوا مِنْ أَهْلِ الْكِتَابِ وَلَا الْمُشْرِكِينَ أَنْ يُنَزَّلَ عَلَيْكُمْ
مِنْ خَيْرٍ مِنْ رَبِّكُمْ﴾

“Neither those who disbelieve among the people of the Scripture (Jews and Christians) nor *Al-Mushrikūn* (the idolaters,

^[1] *Al-Baqarah* 2:221.

^[2] *Al-Baiyyinah* 98:1.

^[3] *Al-Baiyyinah* 98:6.

polytheists, disbelievers in the Oneness of Allāh, pagans) like that there should be sent down unto you any good from your Lord."^[1]

And the whole of the Qur'an distinguishes between them, which proves that the word: *Al-Mushrikun* in its generality does not include the People of the Scripture.

This is the meaning of the saying of Sa'id bin Jubair and Qatadah, and because that which they cite as evidence is general, regarding every disbelieving woman and our Verse is particular, regarding the permissibility of (marrying women from) the People of the Scripture. And that which is particular must be given precedence. If this is confirmed, then it is better not to marry Jewish and Christian women, because 'Umar, may Allah be pleased with him, said to those who married women from among the People of the Scripture: 'Divorce them!' And they divorced them, except Huthaifah, may Allah be pleased with him. So, 'Umar, may Allah be pleased with him, said to him: 'Divorce her!' He replied: 'Do you testify that she is forbidden?' He said: 'She is (like) wine. Divorce her!' He said: 'Do you testify that she is forbidden?' He replied: 'She is (like) wine.' He said: 'I know that she is (like) wine, but she is permissible.' Then later, he divorced her and it was said to him: 'Why did you not divorce her when 'Umar commanded you?' He replied: 'I disliked for the people to see that I obeyed a command which was not incumbent upon me.' And possibly he loved her and so she tempted him, or perhaps they had a child, which inclined him towards her." Thus ends the quote from the words of the writer of *Al-Mughni* — may Allah have mercy on him.

And the essence of what Al-Hafiz Ibn Kathir and the writer of *Al-Mughni* — may Allah's Mercy be upon both of them — have said, is that there is no contradiction between the Words of Allah, Most Glorified in *Surah Al-Baqarah*:

﴿وَلَا تَنْكِحُوا الْمُشْرِكِيْنَ حَتَّىٰ يُؤْمِنَ﴾

^[1] *Al-Baqarah* 2:105.

“And do not marry Al-Mushrikāt (idolatresses) till they believe (worship Allāh Alone).”^[1]

and the Words of Him, Most High in Surah Al-Ma'idah:

﴿الْيَوْمَ أُحِلَّ لَكُمْ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حِلٌّ لَكُمْ وَطَعَامُكُمْ حِلٌّ لَهُمْ وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِن قَبْلِكُمْ﴾

“Made lawful to you this day are At-Tayyibāt [all kinds of Halāl (lawful) foods, which Allāh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them. (Lawful to you in marriage) are chaste women from the believers and chaste women from those who were given the Scripture (Jews and Christians) before your time when you have given their due Mahr (bridal-money given by the husband to his wife at the time of marriage).”^[2]

for two reasons: The first is that the word *Al-Mushrikun* does not, in general, include the People of the Book. Because Allah, Most Glorified distinguishes between them in many Verses, such as the Words of Him, the Almighty, the All-Powerful:

﴿لَمْ يَكُنِ الَّذِينَ كَفَرُوا مِنْ أَهْلِ الْكِتَابِ وَالْمُشْرِكِينَ مُنْفَكِينَ﴾

“Those who disbelieve from among the people of the Scripture (Jews and Christians) and Al-Mushrikūn, were not going to leave (their disbelief).”^[3]

— and the Words of Him, Most Glorified:

﴿إِنَّ الَّذِينَ كَفَرُوا مِنْ أَهْلِ الْكِتَابِ وَالْمُشْرِكِينَ فِي نَارِ جَهَنَّمَ خَالِدِينَ فِيهَا﴾

“Verily, those who disbelieve (in the religion of Islām, the Qur’ān and Prophet Muhammad ﷺ) from among the people of the

[1] Al-Baqarah 2:221.

[2] Al-Ma'idah 5:5.

[3] Al-Baiyyinah 98:1.

Scripture (Jews and Christians) and Al-Mushrikūn, will abide in the fire of Hell."^[1]

— and the Words of Him, the Almighty, the All-Powerful:

﴿مَا يُوَدُّ الَّذِينَ كَفَرُوا مِنْ أَهْلِ الْكِتَابِ وَلَا الْمُشْرِكِينَ أَنْ يُنَزَّلَ عَلَيْكُمْ مِنْ خَيْرٍ مِمَّنْ رَزَقَكُمْ﴾

"Neither those who disbelieve among the people of the Scripture (Jews and Christians) nor Al-Mushrikūn (the idolaters, polytheists, disbelievers in the Oneness of Allāh, pagans) like that there should be sent down unto you any good from your Lord."^[2]

— and other Verses which distinguish between the People of the Scripture and the polytheists (*Mushrikun*). And for this reason, the *Muhsanat* from among the People of the Scripture are not included among the polytheist women whom it is forbidden to marry in *Surah Al-Baqarah* — so there remains no conflict between the two Verses.

However, this view is open to question; it is more accurate to say that the People of the Book are always included among the *Mushrikun*, their men and their women, because they are disbelievers and polytheists without doubt, which is why they are forbidden to enter the Sacred Mosque, according to the Words of Him, the Almighty, the All-Powerful:

﴿يَتَأْتِيهَا الَّذِينَ ءَامَنُوا إِنَّمَا الْمُشْرِكُونَ نَجَسٌ فَلَا يَقْرَبُوا الْمَسْجِدَ الْحَرَامَ بَعْدَ عَامِهِمْ هَذَا﴾

"O you who believe (in Allāh's Oneness and in His Messenger Muhammad ﷺ)! Verily, the Mushrikūn (polytheists, pagans, idolaters, disbelievers in the Oneness of Allāh, and in the Message of Muhammad ﷺ) are Najasun (impure). So let them not come near Al-Masjid Al-Harām (at Makkah) after this year."^[3]

[1] *Al-Baiyyinah* 98:6.

[2] *Al-Baqarah* 2:105.

[3] *At-Taubah* 9:28.

And if the People of the Book were not included in the name “*Al-Mushrikun*” in general, this Verse would not include them; and when Allah, Most Glorified mentioned the beliefs of the Jews and Christians in *Surah Bara’ah*, He said after that:

﴿وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا إِلَهًا وَاحِدًا لَا إِلَهَ إِلَّا هُوَ سُبْحَانَهُ عَمَّا يُشْرِكُونَ﴾

“and (they also took as their Lord) Messiah, son of Maryam (Mary), while they (Jews and Christians) were commanded [in the *Taurāt* (Torah) and the *Injil* (Gospel)] to worship none but One *Ilāh* (God — *Allāh*), *Lā ilāha illa Huwa* (none has the right to be worshipped but He). Glorified is He (far above is He) from having the partners they associate (with Him).”^[1]

So, He described all of them as polytheists, because the Jews said: “Uzair is the son of Allah” and the Christians said: “The Messiah is the son of Allah.” — and because all of them took their monks and their rabbis as lords beside Allah and all of this is the ugliest kind of *Shirk* and the Verses which carry the meaning are numerous.

The second reason is that the Verse in *Surah Al-Ma’idah* is particular (i.e., an explanation) for the Verse in *Surah Al-Baqarah* and the particular is given preference and takes precedence over the general, as is well known in the (study of) the fundamentals, and there is absolute agreement upon it. And this is the correct view. From this it is clear that the *Muhsanat* from among the People of the Book are permissible for the Muslims and are not included among the polytheist women (*Al-Mushrikat*) to whom marriage is forbidden, according to the majority of scholars; indeed they are almost unanimous, according to what we have mentioned from the words of the author of *Al-Mughni*.

But not marrying them and dispensing with them in favor of *Muhsanat* from among the believing women is better and

^[1] *At-Taubah* 9:31.

preferable, based upon what was said by the Commander of the Faithful, 'Umar bin Al-Khattab, his son, 'Abdullah and a number of the righteous *Salaf*, may Allah be pleased with them. And because there is danger in marrying women from the People of the Scripture, especially in these times, in which ignorance of Islam has become the norm, and the number of righteous men with understanding of the religion has decreased, and predilection towards women and listening to them and displaying obedience to them in all things has increased — except as Allah wills.

So, it is feared for the husband that his Jewish or Christian wife may draw him towards her religion and morals, as it is feared for their children. And Allah is the One from whom we ask for help.

If it was asked: Then what is the wisdom behind permitting marriage from the *Muhsanat* among the People of the Book for the Muslim men and the prohibition of marrying Muslim women for the men among the People of the Book? The answer to that — and Allah knows best — is to say that when the Muslims declared their belief in Allah and His Messengers, including Musa the son of 'Imran, and 'Isa the son of Mary, peace be upon them, and what was revealed to them, including the *Tawrah*, revealed to Musa and the *Injil*, revealed to 'Isa — when they had believed in all of this, Allah made the *Muhsanat* from among the women of the People of the Book permissible for them, as a Grace and Mercy from Him and of His complete Benevolence towards them.

When the People of the Book disbelieved in Muhammad ﷺ and the Mighty Book which was revealed to him, that is, the Qur'an, Allah forbade for them the women of the Muslims, until such time as they believe in His Prophet and Messenger, Muhammad ﷺ, the Last of the Prophets and Messengers. So if they believe in him, our women will be permissible for them, and they will have what we have, and what is incumbent upon us will be incumbent upon them.

And Allah, Most Glorified is the Most Just Arbitrator Who sees all of the affairs of His creatures, Who knows best what is right

for them and Who is Wise in all things. Exalted, Hallowed and Far Above the saying of those who are astray, the disbelievers and all of the polytheists.

There is another wisdom, which is that the woman is weak and quick to submit to her husband. So, if it was made permissible for the Muslim woman to marry men from among the People of the Book, it would, in most cases, lead her to the religion of her husband. So, the Wisdom of Allah, Most Glorified requires that it be forbidden.

Ibn Baz

The Ruling on Marrying a Jewish or Christian Woman

Q Does Islam permit marriage to a Jewish or Christian woman when a Muslim man lives in a Christian country and needs someone to help him in his life and fears that he will go astray (i.e., commit sin)?


A It is permissible to marry a Jewish or Christian woman, if she is a *Muhsanah* (i.e., chaste) and not immoral, because Allah has imposed the condition that they be *Muhsanat*. So if the Jewish or Christian woman is known to be chaste and far removed from the means of immorality, it is permissible, because Allah has allowed that, permitting for us their women and their food.

However, in these times, much evil is feared for those who marry them, because they might call him to their religion and it could cause his children to become Christians; so the danger is great, therefore it is safer for the believer not to marry her. And also because she is not safe in herself — in most cases — from committing immoral acts and from the children of others (which she bears) being attributed to him (the husband). Therefore, it is safest for him — even if it appears that she is not of immoral character and that she is a *Muhsanah* — not to marry her and to

strive to the utmost of his ability to marry a believing Muslim woman. However, if he is in need of this, there is no objection to it, so that he may thereby remain chaste and avert his glance and (he should) strive to call her to Islam, and avoid the evil of her, and her drawing him or his children towards disbelief.

Ibn Baz


Two Conditions For Marrying a Jewish or Christian Woman

 Allah, Most High says:

﴿الْيَوْمَ أُحِلَّ لَكُمْ الْطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَلٌ لَكُمْ وَطَعَامُكُمْ حَلَلٌ لَهُمْ وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِن قَبْلِكُمْ﴾

“Made lawful to you this day are At-Tayyibāt [all kinds of Halāl (lawful) foods, which Allāh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them. (Lawful to you in marriage) are chaste women from the believers and chaste women from those who were given the Scripture (Jews and Christians) before your time.”^[1]

The Verse is a declaration of the validity of marriage to a Jewish or Christian woman. Is this applicable to the Jewish or Christian woman now, when she says: “My Lord is ‘Isa,” i.e., when she is a polytheist?

 It is apparent from this Verse that it is permissible to marry the women of the People of the Scripture, from among the Jews and Christians, on the condition that she is free from illegal sexual intercourse, and all that leads to it. It is well known that the People of the Book submit to their Scriptures, even though they are abrogated by this Law delivered by

^[1] Al-Ma'idah 5:5.

Muhammad ﷺ, and this Verse is considered to be an explanation for the Words of Allah, Most High:

﴿وَلَا تَنْكِحُوا الْمُشْرِكَاتِ حَتَّىٰ يُؤْمِنَ﴾

“And do not marry Al-Mushrikāt (idolatresses) till they believe (worship Allāh Alone).”^[1]

and His Words:

﴿وَلَا تُمْسِكُوا بِعَصَمِ الْكُوفَرِ﴾

“Likewise hold not the disbelieving women as wives.”^[2]

In spite of this, some of the Companions, may Allah be pleased with them, expressed their dislike of this type of marriage. ‘Umar, may Allah be pleased with him, forbade it, saying: “I fear that they may undertake marriage with fornicating women.” However, the majority hold that it is permissible — on condition of chastity and protection of the (marital) bed (i.e., from the children of adulterous relationships being attributed to the husband).

Ibn Jibreen

Marrying a Jewish or Christian Woman in Accordance With the Islamic Law

Q I am studying in France and I wish to marry a French Christian girl; what are the conditions for this marriage? And how should the dowry be paid? And is the marriage valid without it? Likewise, I would like to know the differences between secular marriage and Islamic marriage. I am from Morocco and I live in France and have nothing but my student grant.

A It is permissible for the Muslim to marry a woman from among the People of the Book, whether Jewish or

^[1] Al-Baqarah 2:221.

^[2] Al-Mumtahanah 60:10.

Christian, according to the Words of Allah, Most High:

﴿وَطَعَامَ الَّذِينَ أُوتُوا الْكِتَابَ حِلٌّ لَكُمْ وَطَعَامُكُمْ حِلٌّ لَهُمْ وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِن قَبْلِكُمْ إِذَا آتَيْتُمُوهُنَّ أُجُورَهُنَّ مُحْصِنِينَ غَيْرَ مُسَفِحِينَ وَلَا مُتَّخِذِي أَخْدَانٍ﴾

"The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them. (Lawful to you in marriage) are chaste women from the believers and chaste women from those who were given the Scripture (Jews and Christians) before your time when you have given their due Mahr (bridal-money given by the husband to his wife at the time of marriage), desiring chastity (i.e. taking them in legal wedlock) not committing illegal sexual intercourse, nor taking them as girlfriends."^[1]

And marriage to a Jewish or Christian woman must be completed in accordance with the Islamic Law, because the Muslim must live in accordance with what the Islamic Law has made incumbent upon him — and marriage without a contract is not valid, because Allah, Most Glorified, Most High has made its permissibility conditional upon the payment of wealth; He, Most High says, after mentioning those things forbidden in marriage:

﴿وَأُحِلَّ لَكُمْ مَا وَرَاءَ ذَلِكَ أَن تَبْتَغُوا بِأَمْوَالِكُمْ مُحْصِنِينَ غَيْرَ مُسَفِحِينَ﴾

"All others are lawful, provided you seek (them in marriage) with Mahr (bridal-money given by the husband to his wife at the time of marriage) from your property, desiring chastity, not committing illegal sexual intercourse."^[2]

As for the request of the questioner to know the difference between secular marriage and Islamic marriage, the difference between them is that the Islamic marriage is one which conforms to the Islamic Law, by having its conditions fulfilled

[1] Al-Ma'idah 5:5.

[2] An-Nisa' 4:24.

and by the absence of those things which make it impermissible.

As for secular marriage, it is based upon the agreement of the secularists and it is not permissible for the Muslim to make a contract with a woman except in accordance with the Islamic marriage, because the Muslim is obliged to follow the Islamic Law. So, if he marries in accordance with secular marriage, and the Islamic legal conditions are not fulfilled therein, and those things which make it impermissible are not avoided, then the marriage is invalid and this marriage does not make the woman permissible to him and the rulings of lawful Islamic marriage do not follow from it.

Ibn 'Uthaimin

The Ruling on Announcing Marriage in a Church

Q Is it permissible for the believer to announce his marriage to a Christian woman in a church and at the hands of a priest, after marrying her in accordance with the Sunnah of Allah and His Messenger in an English marriage office?

A It is not permissible for the believer to announce his marriage to a Muslim woman or a Christian woman in the church, nor at the hands of a priest, even if it is after marrying her in accordance with the Sunnah of Allah and His Messenger. This is because of the imitation of the Christians included in their marriage ceremonies, the glorification of their rituals, their places of worship, showing reverence to their scholars and their worshippers, and honoring them, according to the words of the Prophet ﷺ:

«مَنْ تَشَبَهَ بِقَوْمٍ فَهُوَ مِنْهُمْ»

“Whoever imitates a people, he is one of them.”^[1]

Narrated by Imam Ahmad with a *hasan* chain of narrators.

The Permanent Committee

[1] Abu Dawud no. 4031 and Ahmad 2/50..

Rulings on the Dowry

Excessive Dowry Payments

Q Some people — may Allah guide them — are excessive in their demands for the dowry and seek large sums of money when they give their daughters in marriage, in addition to some other conditions; are these sums of money which are taken permissible or forbidden?

A It is legislated that one should lighten and reduce the dowry, and not compete therein, in accordance with the many *Hadiths* which have been related in this regard, and in order to facilitate marriage, and to guard the chastity of the young men and women.

It is not permissible for the (women's) guardians to stipulate payment of a sum of money for themselves, because they have no right to this. Rather the right belongs to the woman alone, except for the father, it is permissible for him to impose conditions which do not harm the girl and do not hinder her marriage. If he leaves that, it is better and preferred for him, for Allah, Most Glorified, Most High has said:

﴿وَأَنْكَحُوا الْأَيْمَىٰ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ ۖ إِنْ يَكُونُوا فُقَرَاءَ يُعْنِهِمُ اللَّهُ مِنْ فَضْلِهِ﴾

“And marry those among you who are single (i.e. a man who has no wife and the woman who has no husband) and (also marry) the Sālihūn (pious, fit and capable ones) of your (male) slaves and maid-servants (female slaves). If they be poor, Allāh will enrich them out of His bounty.”^[1]

— and the Prophet ﷺ said, in the *Hadith* of ‘Uqbah bin ‘Amir, may Allah be pleased with him:

[1] *An-Nur* 24:32.

«خَيْرُ الصَّدَاقِ أَيْسَرُهُ»

“The best dowry is the simplest one.”^[1]

— and the Prophet ﷺ said, when he wished to marry one of his Companions, may Allah be pleased with them, to a woman who had offered herself in marriage to him ﷺ:

«الْتَمِسْ وَلَوْ كَانَ خَاتَمًا مِنْ حَدِيدٍ»

“Search for something, even if it is only an iron ring.”^[2]

When he did not find anything, he married him to her on condition that he teaches her the *Surahs* from the Qur’an which he enumerated for the suitor. The dowry of his wives was five hundred Dirhams (which is equivalent to approximately one hundred and thirty Riyals today), and the dowry of his daughters was four hundred Dirhams, (which is equivalent to approximately one hundred Riyals today). And Allah, Most High has said:

﴿لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ﴾

“Indeed in the Messenger of Allāh (Muhammad ﷺ) you have a good example.”^[3]

The more the expenses are decreased and made simpler, the easier it becomes for men and women to be chaste, sins of evil deeds become less, and the Muslim community increases in numbers.

The more expenses are increased, and the rivalry of the people increases regarding dowries, the more marriage will decrease and the more illegal sexual intercourse will increase, and the more young men and women will be unable to marry — except those whom Allah wills. Therefore, my advice to all of the Muslims in every place is to facilitate marriage and to make it easy and to

[1] Abu Dawud no. 2117 and Al-Mustadrak for Al-Hakim 2/182 no. 2742.

[2] Al-Bukhari no. 5135 and Muslim no. 1425.


[3] Al-Ahzab 33:21.


cooperate therein, and to avoid seeking large dowries, and also to avoid lavish expenditure on the marriage celebrations and to be content with the lawful Islamic celebration, which does not cost the husband and wife much.

May Allah improve the situation of all the Muslims and grant them success in holding fast to the Sunnah in all matters.

Ibn Baz

The Most Blessed Marriage is the Least Expensive One

 What is your opinion regarding excessive dowries and extravagance in marriage celebrations, especially the preparations for what is known as the honeymoon, because of the heavy expenses involved therein. Does the Islamic Law allow this?

 Extravagance in dowry payments and wedding celebrations are all in conflict with the Islamic Law, because the most blessed marriage is the least expensive one; and the more the expenses are decreased, the more the blessings are increased. And in most cases, this is a matter which falls upon the women, because it is the women who impose excessive dowries on their husbands. If a simple dowry is offered, the woman will say: "No, our daughter should have such-and-such." Likewise, extravagance in wedding celebrations is one of those things which Islamic Law has prohibited, and it is included in the Words of Allah, Most High:

﴿وَلَا تُسْرِفُوا إِنَّهُ لَا يُحِبُّ الْمُسْرِفِينَ﴾

"but waste not by extravagance, certainly He (Allāh) likes not Al-Musrifūn (those who waste by extravagance)."^[1]

— and many women impose this upon their husbands, saying:

^[1] Al-A'raf 7:31.

“In the party of so-and-so, such-and-such, this took place.” But it is obligatory in a matter such as this that it be in accordance with Islamic Law, and a person should not exceed its limits nor be extravagant, because Allah, Most High has prohibited extravagance, saying:

﴿ إِنَّهُ لَا يُحِبُّ الْمُسْرِفِينَ ﴾

“certainly He (Allāh) likes not Al-Musrifūn (those who waste by extravagance).”^[1]

As for what is said regarding the honeymoon, it is more evil and more hated, because it is imitation of non-Muslims, and a great amount of wealth wasted by it. It also causes loss in many religious matters, especially if they spend it in non-Islamic countries, because they return with habits and customs which are harmful to them and to their society. These matters are causes of anxiety for the (Muslim) community. However, if he traveled with his wife to perform ‘Umrah or to al-Madinah, there is no objection, Allah Willing.

Ibn ‘Uthaimin

The Solution to the Problem of Excessive Dowries

Q Excessive dowries are a social problem for which a solution must be found. What is your opinion regarding this serious problem?

A There is no doubt that excessive dowries are a social problem which necessitate cooperation between the government, the scholars and the eminent people in the country in order to solve it. It has been confirmed in the *Hadith* of ‘A’ishah, may Allah be pleased with her, that the Prophet ﷺ did not give more than five hundred Dirhams as a dowry to any of his wives and he ﷺ is an example to be followed in his sayings and his actions. It has been reported from him ﷺ that he said:

^[1] Al-A’raf 7:31.

«خَيْرُ الصَّدَاقِ أَيْسَرُهُ»

“The best dowry is the simplest one.”^[1]

— and he ﷺ said:

«أَبْرَكُهُنَّ أَيْسَرُهُنَّ مُهُورًا»

“The most blessed of them is the one who takes the simplest dowry.”^[2]

The Prophet ﷺ married one of his Companions, may Allah be pleased with them, to a woman on the understanding that he would teach her something from the Qur’an, when he did not find any wealth to give her.

The *Hadiths* from the Prophet ﷺ and the narrations from the righteous *Salaf* all prove the lawfulness of being flexible regarding the dowry, and not being extravagant in the wedding celebrations. There is no doubt that competing in these matters will enable the young men and women to get married earlier, and it will engender chastity in many young men and women, and protect society from the machinations of Satan and his whisperings. This is according to the words of the Prophet ﷺ:

«يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغْضُ لِلْبَصَرِ وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وِجَاءٌ»

“O you young men! Those among you who can afford to marry should do so, for it restrains the eyes (from casting evil glances) and preserves one from immorality; but he who cannot afford it should observe fasting, for it is a means of controlling the sexual desire.”^[3]

Ibn Baz

[1] Abu Dawud no. 2117 and Al-Mustadrak for Al-Hakim 2/182 no. 2742.

[2] Al-Mughni 2/40 no. 9.

[3] Al-Bukhari no. 5066 and Muslim no. 1400.

The Condition of the Dowry Has the Most Right to be Fulfilled

Q Is it correct to pay a part of the dowry at a later date, because I do not possess the whole sum?

A It is permissible for a person to marry a woman with a dowry which he specifies, whether it be paid immediately or at a later date. He may also come to an agreement with his wife to delay the whole dowry, or to delay some of it. If they agree to this, and make a contract to that effect, then it is incumbent upon each of them to fulfill the conditions imposed on him or her, according to the words of the Prophet ﷺ:

«أَحَقُّ الشَّرْوَطِ أَنْ تُوفُوا بِهِ مَا اسْتَحَلَلْتُمْ بِهِ الْفُرُوجَ»

“Verily, the condition having most right to be fulfilled is one by which you make the private parts (of the spouse) permissible.”^[1]

Ibn ‘Uthaimin

The Ruling on Delaying the Dowry

Q What is the ruling on delaying the dowry given to the woman in the Islamic Law? Is it forbidden or permissible?

A There is no objection to delaying the dowry. If, for example, there was an agreement on the payment of ten thousand Riyals immediately, and ten or twenty thousand later, then the Muslims must abide by their conditions; the Messenger of Allah ﷺ said:

«أَحَقُّ مَا أَوْفَيْتُمْ مِنَ الشَّرْوَطِ مَا اسْتَحَلَلْتُمْ بِهِ الْفُرُوجَ»

“The condition having most right to be fulfilled is one by which you make the private parts (of the spouse) permissible.”^[2]

^[1] Al-Bukhari no. 2721 and Muslim no. 1418.

^[2] Al-Bukhari no. 2721 and Muslim no. 1418.

If it is a delayed dowry for a certain date or when getting divorce or upon death. And Allah is the Granter of success.

Ibn Baz

Delaying the Dowry is Permissible

Q Is it permissible to delay (payment of the dowry) in marriage or not?

A It is permissible to delay a part of the dowry for some benefit, whether it is a little or a lot, and it is permissible to fix the period of time during which the husband must pay. And if it is not defined, then it must be paid if divorce or death (of the husband) occurs (i.e., from his estate).

Ibn Jibreen

Money Must be Paid in Marriage

Q Is it permissible for the Muslim to give his daughter in marriage to a man for Allah's sake, and not to take a dowry for it?

A Money must be present in case of marriage, according to the Words of Allah, Most Glorified, Most High:

﴿وَأَحِلَّ لَكُمْ مَا وَرَاءَ ذَلِكَ أَنْ تَبْتَغُوا بِأَمْوَالِكُمْ﴾

"All others are lawful, provided you seek (them in marriage) with Mahr (bridal-money given by the husband to his wife at the time of marriage) from your property."^[1]

— and the words of the Prophet ﷺ in the *Hadith* of Sahl bin Sa'd, may Allah be pleased with him, whose authenticity is agreed upon (by Imams Al-Bukhari and Muslim) to the one who proposed marriage to a woman who offered herself to the Prophet ﷺ:

^[1] *An-Nisa'* 4:24.

«الْتَمَسْ وَلَوْ كَانَ خَاتَمًا مِنْ حَدِيدٍ»

“Search for something, even if it is only an iron ring.”^[1]

When a man marries a woman without a dowry, then the woman must be given a substitute for a monetary dowry: It is permissible (for example,) to marry a woman on the understanding that he will teach her something from the Qur'an or *Hadith*, or some kind of useful knowledge. This is because the Prophet ﷺ married the aforementioned suitor to the woman who offered herself to him, on the understanding that he would teach her something from the Qur'an, when he could not find any wealth. The dowry is a woman's right; but when she waives this right, if she is of sound mind and of full legal age, that is correct, according to the Words of Allah, the Almighty, the All-Powerful:

﴿وَأْتُوا النِّسَاءَ صُدُقَتِهِنَّ نِحْلَةً﴾

“And give to the women (whom you marry) their Mahr (obligatory bridal-money given by the husband to his wife at the time of marriage) with a good heart.”^[2]

Ibn Baz

The Ruling on Marrying With the Money of a Father Who Deals in Usury or Interest

Q All praise and thanks be to Allah, for He has blessed me with guidance and I am about to marry at this time. But the problem is that my father — may Allah guide him - deals in usury (*Riba*) and he will help me financially in the matter of this marriage. So now I am in a dilemma, because I do not possess the sum of the dowry, and at the same time, I am hesitant to accept my father's assistance because of his unlawful money.

[1] Al-Bukhari no. 5135 and Muslim no. 1425.

[2] *An-Nisa'* 4:4.

This means that I will continue to live without a life partner for the coming years. So what should I do?



I would like to share a useful rule with the questioner and the readers, which is that what is forbidden due to the manner of its acquisition, is forbidden only to the one who acquires it. As for something which is in itself forbidden, it is forbidden to the one who acquires it and to others.

As an example of this, if a person literally took somebody's money and wanted to give it to another, in order to buy something, or as a gift, we would say that this is unlawful, because this money is in itself forbidden.

As for a method of earning which is unlawful, such as through usury or cheating or other such things, this is unlawful for the one who earns it and it is not unlawful for the one who takes it from him by right. And the evidence for this is that the Prophet ﷺ used to accept gifts from the Jews and accept their invitations and eat from their food and buy from them; and it is well known that the Jews deal in usury, as Allah has mentioned regarding them in the Qur'an.

Based upon this rule, I say to this questioner: Take all that you need for marriage from your father's money for it is lawful for you, not unlawful and the sin is only upon your father. And I ask Allah, Most Glorified, Most High to bless him with guidance and repentance and abstention from usury. And your father should know that Allah, Most High says in His Noble Book:

﴿الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ﴾

“Those who eat Ribā will not stand (on the Day of Resurrection) except like the standing of a person beaten by Shaitān (Satan).”^[1]


^[1] Al-Baqarah 2:275.


So what do they think is the meaning of this Verse? The scholars of *Tafsir* say that when those who devour usury are sent forth on the Day of Resurrection, they will stand like one whom Allah has beaten into insanity. That is a more severe punishment, by which they will be humiliated before the people on the Day of Resurrection.

Some of the later scholars said that the meaning of the Verse is that those who devour usury practice these dealings like the behavior of an insane person, in that it takes over their reason, their thoughts and their bodies, and distracts them from everything. Whether or not the Verse carries this meaning, the meaning which we know is the first, for it is agreed upon by the majority of the scholars and the commentators, which is that they will be punished in this world by this greed and miserliness, and in the Hereafter they will receive that (aforementioned) punishment.

Ibn 'Uthaimin

If the Husband Dies Before the Marriage is Consummated, the Wife is Entitled to the Complete Dowry

 A husband died after making his marriage contract, but before consummating the marriage in accordance with the Islamic Law. Is it permissible for the family of the husband to take back the dowry he paid to the family of the bride?

 If the husband died before consummating the marriage with his wife, she is entitled to keep the whole of the dowry which was agreed upon, simply due to the death of her husband. Because it is the right of the wife to receive the dowry in full in the event of the husband's death, just as the full dowry becomes her right once he has sexual intercourse with her — whether he has paid anything of it or not. It is not the right of the husband's father or his mother to take anything of the

dowry, neither a little nor a lot. May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

He Paid a Part of the Dowry, Then He Left

Q One of my relatives proposed marriage to my sister and he paid part of the dowry. Then after a year, he left her and married another. What is the ruling on this sum which he paid as a part of the dowry? Is it his right or is it my sister's?

A He paid this sum to you by his free will and his choice, then he left it to you after rejecting marriage with you. This proves that he has remitted it to you, so you are entitled to it in return for the proposal and the acceptance, and in return for this period of time during which he kept your daughter restrained (from marriage), and because he has left it, and not sought its return. However, if he asks for it, you are free to return it or a part of it, according to your agreement. And Allah knows best.

Ibn Jibreen

The Wedding Party and What is Detested in Celebrations

The Ruling on Writing *Bismillah* on Invitation Cards

Q What is the ruling on writing *Bismillah* on wedding invitation cards, bearing in mind that they will be thrown in the streets or in waste paper baskets?

A Writing *Bismillah* on cards and other messages is allowed, based upon the narration from the Prophet ﷺ

in which he said:

«كُلُّ أَمْرٍ ذِي بَالٍ لَا يُبْدَأُ فِيهِ بِبِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ فَهُوَ أَبْتَرٌ»

“Any important matter which does not start with “Bismillah” is a matter which is cut off (from every good thing).”^[1]

— and because he ﷺ used to begin his letters with the *Tasmiyyah*. It is not permissible for one who receives a card or letter in which Allah’s Name, or a Qur’anic Verse is mentioned to throw it in the rubbish or refuse, or to put it in an undesirable place. Likewise, it is not permissible to abuse newspapers and other such things, or throw them in the rubbish, nor to use them as eating mats for food, nor as wrappers for things, due to the fact that they contain mention of Allah’s Name, the Almighty, the All-Powerful and because doing that involves sin. As for the writer, there is no sin upon him. May Allah grant the Muslims success in attaining all goodness.

Ibn Baz

The Ruling on Holding wedding Parties in Hotels



What is your Eminence’s opinion regarding the parties which are held in hotels?



There are wrongdoings in the parties which are held in hotels, and there are many objections to them, including:

1. In most cases, there is waste and extravagance in them for which there is no need.
2. And that leads to overspending in holding celebrations in hotels, and excess, and the attendance of those for whom there is no need.
3. And that it could lead to mixing between men and women from the hotel or otherwise, and this mixing is disgraceful and detestable. For this reason, the Board of Senior

[1] 'Irwa'ul-Ghalil 1/29 and Ad-Durrul-Manthoor 1/31.

Scholars has issued a resolution which has been submitted to His Majesty the King, advising him that wedding celebrations and parties in hotels should be prohibited, and that the people should hold their celebrations and parties in their houses, and not to pay the expenses of holding them in hotels, due to the evils which result from such celebrations.

Likewise, the banquet halls which are rented for great sums of money. All of this was contained in the advice: That as a kindness and courtesy to the people and in order to save money, and prevent waste and squandering, they should be prohibited, so that average people can enter into marriage without being put to great expenses. Because if someone saw his cousin or one of his relatives spending in the hotels and in the large celebrations, he will either emulate and follow him, and incur debts and burdensome expenses, or he will delay marriage or refrain from it, fearful of such expenses.

So my advice to all of the Muslims is not to hold wedding parties in hotels and not to hold them in expensive banqueting halls, only in halls where the expenses are low. Or to hold them at home or in relatives houses, if possible.

Ibn Baz

Extravagance in the Payment of Dowries and Waste in Wedding Parties

Resolution No. 52, Date: 4th Rabi' Ath-Thani 1397 AH.

All praise and thanks be to Allah, Alone and may peace and blessings be upon him after whom there is no Prophet; as for what follows:

During its tenth session in the city of Riyadh held between 21st Rabi' Al-Awwal 1397 AH. and 4th Rabi' Ath-Thani 1397 AH., the Council of Senior Scholars of the Board studied the report prepared by the Permanent Committee from the Council of

Senior Scholars on the subject of setting limits on the dowries of women, in accordance with the requirement of His Highness, the Deputy Head of the Council of Ministers. This was brought to the attention of the Board of Senior Scholars, so that they might inform His Highness of what had been decided, and they reviewed part of what was submitted to the responsible authorities. The topic was regarding the insistence of people on extravagance in the payment of dowries and their competitiveness in displaying luxury, and waste, and exceeding all limits in wedding parties, and that which accompanies them. This includes grand and excessive illuminations, and music and singing in loud voices, with forbidden musical instruments which may last all night, even sometimes being louder than the voices of the *Mu'aththin's* for *Fajr* prayer. This included the celebrations which precede them, such as engagement celebrations and the celebrations for *'Aqd Al-Qiran*.

They reviewed what was written regarding the encouragement, to reduce the dowries and to be moderate in spending, and to avoid waste and squandering, including the Words of Allah, Most High:

﴿وَلَا تُبَدِّرْ تَبَدِيرًا ۚ إِنَّ الْمُبَدِّرِينَ كَانُوا إِخْوَانَ الشَّيَاطِينِ وَكَانَ الشَّيْطَانُ لِرَبِّهِ
كَفُورًا﴾

"But spend not wastefully (your wealth) in the manner of a spendthrift. Verily, the spendthrifts are brothers of the Shayatin (devils), and Shaitan (Devil-Satan) is ever ungrateful to his Lord."^[1]

And the words of the Prophet ﷺ in the *Hadith* narrated by Muslim, Abu Dawud and An-Nasa'i, on the authority of Abu Salamah bin 'Abdur-Rahman, may Allah be pleased with him, who said: "I asked 'A'ishah, may Allah be pleased with her, the wife of the Prophet ﷺ how much the dowry of the Messenger of Allah ﷺ was, and she said: "His dowry to his wives was twelve

[1] *Isra'* 17:26-27.

Uqiyyah and one *Nashsh*.” She asked: “Do you know what a *Nashsh* is?” He said: “No.” She said: “A *Nashsh* is half an *Uqiyyah* and that (i.e., the full amount) is five hundred *Dirhams*.” And ‘Umar, may Allah be pleased with him, said: “I do not know that the Prophet ﷺ married any of his wives nor gave any daughters in marriage for a dowry of more than twelve *Uqiyyah*.” (At-Tirmithi said that the *Hadith* is *Hasan Sahih*).

And it has been confirmed in the *Sahihan* and elsewhere on the authority of Abu Hurairah, may Allah be pleased with him, that the Prophet ﷺ gave a woman in marriage to a man for what he had memorized from the Qur’an.

And At-Tirmithi narrated — and he declared the narration to be authentic — that ‘Umar said: “Do not be excessive in women’s dowries, because if it were a noble deed in the life of this world or piety to Allah, the Prophet ﷺ would have been the first of you to do it, and the Messenger of Allah ﷺ did not give a dowry to any of his wives, nor accept a dowry for any of his daughters, of more than twelve *Uqiyyah*. And a man may be put to trial by the dowry of his wife, so that he feels enmity within himself and so that he says: ‘I have been put to great expense for you.’”

And the *Hadiths* and the narrations from the Companions, may Allah be pleased with them, which encourage moderation in spending and prohibit excessiveness are numerous and well known.

Based upon this, and because of what results from this persistence in being extravagant in the payment of dowries, competing with each other in incurring expense in the wedding celebrations, exceeding all rational bounds, and the number of times they are held — both before and after the marriage — and because of the accompanying forbidden matters which call to the destruction of morals: such as singing and the mixing of men and women at times, and the direct contact of men when serving women in the hotels when parties are held therein, which are considered the most abominable evils and the results to this oversight leads in this area, such as the inability of many people to pay for marriage, which leads to marriage from societies with

different morals and customs with our society, and (this leads to) much deviation in beliefs and morals; indeed, this abominable excess might even lead to deviation (of morals) in young men and women. Due to all of this, the Committee of the Board of Senior Scholars considers that it is essential to impose a firm and judicious solution to this problem as follows:

1. The Committee considers that the singing and playing of musical instruments and hiring of male and female singers and voice amplification which take place in these parties must be prohibited, because this is detested and forbidden, and it must be prevented, and those who do it must be punished.
2. Mixing of men and women in wedding parties, and in other places, must be prohibited, and the husband must be prevented from joining his wife when she is among unveiled women. Those responsible for this, including the husband and the guardians of the wife, must be punished for it, with a punishment that will prevent the occurrence of such evil things.
3. Wasting money and exceeding the limits in spending on marriage celebrations must be forbidden, and people must be warned against it by the Judge authorized to solemnize marriage contracts, and through the various media. The people must be encouraged to reduce the dowries, and wasting it should be firmly rebuked from the pulpits of the mosques, and in the meetings in which Islamic knowledge is discussed and taught and in the Islamic educational programs which are broadcasted via electronic media.
4. The majority of the Committee hold the view that those who openly squander money in wedding celebrations should be punished, and that he be referred to the courts, in order that anyone who has exceeded the limits be rebuked by whatever punishment the Islamic Judge sees as a fitting deterrent and preventive measure. This will help rein in the people's defiance in this alarming matter, because there are

among the people some who will not be prevented except by being punished. May Allah grant success to the one in authority in solving the problems of the community by that which improves it, rooting out the causes of deviation, and in carrying out a punishment on every dissenter which will be sufficient to restrain him.

5. The Committee holds the view that people should be encouraged to decrease dowries, they should be encouraged from the pulpits of the mosques and in the news media, and examples should be mentioned of anyone who might be cited as models to be emulated in making marriage easy — if they can be found — who returned a part of the dowry that was given to them, or who contented themselves with a humble celebration, in order to serve as an influential example.
6. The Committee considers that one of the most effective ways of controlling extravagance and waste, is for the leaders among the people — such as the *'Amirs*, the scholars, and other eminent personages and notables — to set an example in this matter. For as long as they do not avoid waste, and show pomp and splendor and squandering, the people will not avoid it, because they will follow their leaders and the notables in their community. Therefore it is incumbent upon those in authority to begin with themselves in this matter, and to order those in their charge — before others — to do likewise and confirm this, in emulation of the Messenger of Allah ﷺ and his Companions, may Allah be pleased with them, and in order to safeguard their communities, so as to avoid single males and females — which will result in the spread of perverted morals, and the pervasion of corruption.

Those in authority are responsible before Allah regarding this matter, and it is an obligation upon them to stop evil, and to prevent the causes which hinder young men from getting married, and to cure them by that which will root out this

phenomenon.

And may Allah help the Government and grant them the ability — through the abundant means which He has given them, and their firm desire for improvement — to root out all that causes harm to this society and any deviations therein.

May Allah grant them success in rendering His religion victorious and elevating His Word, and in making His servants righteous, and may He reward them with the most abundant of rewards in this world and in the Hereafter.

And may peace and blessings be upon Muhammad and upon his family and Companions.

The Council of the Senior Scholars

The Ruling on Singing, the *Rababah*, the *Duff* and the *Tabl* in Marriages and Elsewhere

Q What is the ruling on singing, the *Rababah*, the *Duff* and the *Tabl* in marriages and elsewhere — are they unlawful or not, even though I listen to them as a pastime. What is the ruling on playing the *Rababah* and singing the old songs? And is beating the *Tabl* in marriage unlawful, since I have heard that it is lawful, but I don't know?

A Listening to singing is unlawful and detested, and one of the causes of sickness and hardening of the hearts, preventing them from the remembrance of Allah, and from prayer. Most of the scholars have explained that the Words of Allah, Most High:

﴿وَمَنْ النَّاسِ مَنْ يَشْتَرِي لَهْوَ الْحَدِيثِ﴾

“And of mankind is he who purchases idle talks (i.e. music, singing)”^[1]

[1] Luqman 31:6.

refer to singing; and ‘Abdullah bin Mas‘ud, the honorable Companion, may Allah be pleased with him, used to swear that idle talk (*Lahw Al-Hadith*) refers to singing. And if the singing is accompanied by musical instruments, such as the *Rababah*, the ‘*Ud*, the *Kaman* and the *Tabl*, the prohibition is even more severe.

Some of the scholars have mentioned that singing with a musical instrument is unlawful according to a consensus of the scholars. Therefore it is obligatory to abstain from it.

It has been authentically reported from the Messenger of Allah ﷺ that he said:

«لَيَكُونَنَّ مِنْ أُمَّتِي أَقْوَامٌ يَسْتَحِلُّونَ الْحِرَّ وَالْحَرِيرَ وَالْخَمْرَ وَالْمَعَازِفَ»

“There will be people among my community who will declare lawful Al-Hir, (the wearing of) silk (by men), alcoholic drinks and Al-Ma‘azif.”^[1]

Al-Hir means illegal sexual intercourse, that is, *Zina*; and *Al-Ma‘azif* refers to singing and musical instruments. So I advise you and other men and women to read the Qur’an frequently and remember Allah, the Almighty, the All-Powerful much, as I advise you and others to listen frequently to the Qur’an station on the radio, and the program *Nur ‘Ala Ad-Darb*, for in them there are great benefits and entertainment instead of listening to singing and music.

As for marriage, it is lawful to beat the *Duff* in wedding celebrations. Indeed, the *Duff* alone should be used to accompany the traditional singing, which does not call to forbidden things, nor praise that which is forbidden — during the night, just for the women, in order to announce the wedding and to distinguish the marriage from fornication. This has been authentically reported from the Prophet ﷺ.

As for the *Tabl*, it is not permissible to beat it in wedding

[1] Al-Bukhari no. 5590.

celebrations; rather, one should content oneself with the *Duff* only. And it is not permissible to use loudspeakers in announcing the wedding, nor in the traditional singing, due to the great *Fitnah* entailed by that and the evil consequences thereof and the harm to the Muslims.

It is also not permissible to engage in such activity for too long. Rather, they should content themselves with a short period of time, during which the wedding may be announced. Because lengthening the time period leads to the *Fajr* prayer being lost and sleeping through the time when it should be performed, and this is one of the greatest prohibitions, and one of the deeds of the hypocrites.

Ibn Baz

Some Detested Things in Weddings

Q His Eminence, *Shaikh* Muhammad bin Salih Al-'Uthaimin — may Allah preserve him.

May the peace of Allah and His mercy and blessings be upon you.

Your Eminence the *Shaikh*, in recent times and on the occasion of the start of the summer holidays, the number of wrongdoings which occur during wedding celebrations has increased, in houses and in banquet halls. These are worse and uglier in banquet halls. These include; beating (drums) through loudspeakers, women singing, filming on video, and worse than that — the groom kisses his bride in front of the women.

Where is the modesty and the fear of Allah? When a word of advice is given by those who are zealous in avoiding those things which Allah has forbidden, they oppose them by saying: "*Shaikh* so-and-so has ruled that it is permissible to use the *Tabl*."

If this is correct, are there not some general rules and limits

for this *Tabl* that could be made clear to everyone in order to control these irresponsible people? We request your Eminence to make the truth clear to Muslims, and may Allah reward you with goodness and make your knowledge beneficial, and may Allah grant you success. And may peace of Allah, His mercy and His blessings be upon you.



In the Name of Allah, the Most Beneficent, the Most Merciful.

And may the peace of Allah, His mercy and His blessings be upon you.

The truth regarding the *Duff* during the days of the wedding feast is that it is permissible, or a Sunnah, if there is an announcement of the wedding, but there are conditions:

1. That the beating be with the *Duff* — and that is what is known to some of the people as *At-Tar* — which is sealed at one end. The one that is sealed at both ends is the *Tabl* and that is not permissible, because it is a musical instrument, and all musical instruments are unlawful, except that whose permissibility is proved by some evidence — and that is the *Duff* during the days of the wedding celebration.
2. That it is not accompanied by forbidden things, such as base, undignified singing, which excites lust. Because this is forbidden, whether it is accompanied by a *Duff* or not, and whether it is during the days of the wedding celebration or not.
3. That it does not lead to *Fitnah*, such as beautiful voices being heard by the men; so if this leads to a *Fitnah*, it is forbidden.
4. That it does not cause annoyance to anyone, for if it causes annoyance to anyone, it is forbidden. Such as when the voices are heard via loudspeakers, because this annoys the neighbors and others who are disturbed by it and also, it is not without *Fitnah*. The Prophet ﷺ forbade the worshippers

in prayer from raising their voices over one another during recitation, as this causes disturbance and annoyance, so what about voices, *Duffs* and singing?!

As for photographing the gathering with a camera, no rational person would doubt that it is evil, and no rational person, let alone a believer, would accept that his *Mahrams*, such as mothers, daughters, sisters, wives and others, be filmed in order to become a commodity which is shown to everyone, or the subject of fun and entertainment from which pleasure is obtained by every dissolute person looking at them.

And more evil than this, is the recording of the gathering with a video camera. Because the event is recorded live, with picture and sound. This is something rejected by every person of sound mind and correct religion. It is inconceivable that anyone possessing modesty and faith would deem it permissible.

As for women dancing; it is evil and we do not rule in favor of it due to what we have been told about the evil occurrences which take place as a result of it between women. And if it is done by men, it is even more evil. And if it is done by women and men together, as some of the ignorant people do, then it is even more portentous and evil, due to the mixing of men and women and the great *Fitnah* which it entails, especially since the occasion is one of marriage, and the desire engendered at wedding celebration.

As for what was mentioned by the questioner regarding the groom being in the presence of a number of women and kissing his bride in front of them, it is amazing that such a thing should come from a man whom Allah has blessed with marriage, then he greets her with this action which the Islamic Law, logic and morality condemn. How can he allow himself to take this action in front of women and in the state of desire engendered by the wedding celebration? And how can the family of the bride allow him to do so? Do they not fear that this man will see in this gathering of women one who is more beautiful and more attractive than his wife and that his bride might drop from his

sight, and that many thoughts be revolving in his head, and that the end result between him and his bride might be unwelcome.

At the conclusion of my reply, I advise my Muslim brothers against undertaking such evil actions as these, and I call upon them to be thankful to Allah for this blessing, as well as others, and to follow the path of the righteous *Salaf*, being content within themselves with what was brought by the *Sunnah*, and not to follow the whims of a people who have misguided many and gone astray from the Straight Path.

And I ask Allah, Most High to grant my Muslim brothers and me success in achieving that which is beloved by Him and pleases Him. And that He helps us in remembering Him and thanking Him and improving our worship of Him. Verily, He is Near (to all by His Knowledge), Responsive. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

Ibn 'Uthaimin

Numerous Celebrations and Sleeplessness Result in Undesirable Events

Q Excess in wedding parties and dowries, and numerous celebrations, and staying awake for women until just before *Fajr*, whether in banquet halls or in hotels and all that goes with it, such as listening to singing and other things — what is your advice to the people in general, and to women in particular, in order to avoid these harmful matters? And is it permissible to fix the dowries (within certain limits) and the wedding celebrations, and to make them easier?

A Excess in wedding parties and dowries through numerous celebrations and staying awake are all things the results are unwelcome. This is because the most blessed marriage is the least expensive one and the more the expense is decreased with regard to the wedding, the more its blessings and the easier it is

for the groom to treat his bride well, as is incumbent upon him. As for what occurs in some societies on the wedding night, such as listening to music and offensive words and mixing of the sexes, it is not permissible.

On occasions such as these, it is incumbent upon people to hold their gatherings in agreement and conformity with the Islamic Law, so that they might not be among those who substitute Allah's Blessing with ingratitude. What is incumbent upon my Muslim brothers, is for the eminent and influential people to get together and to make the people follow a good way in this matter, making the payment of dowries easy, and avoiding extravagance in wedding celebrations, and staying up until the middle of the night or later — and other such things for which it is hoped they might receive a good reward, if they show a righteous example.

Ibn 'Uthaimin

The Sitting of the Bride and Groom Among the Women is Detested


Shaikh 'Abdul-'Aziz bin Baz says: "Among the detested things which the people have innovated in these times is placing the bride on a throne among the women, and sitting her husband next to her in the presence of unveiled women who are revealing their beauty. This may also occur within the presence of other male members of his family.


For those possessing an unimpaired innate character, a religious sense of self-respect, the great corruption entailed by this action and the opportunity which it gives to unrelated men is well known. That is, they see alluring, revealingly-dressed women, and the evil consequences which result from it. Therefore, it must be prohibited and completely eradicated due to the *Fitnah* which it causes to safeguard women's gatherings from that which contradicts the pure Islamic Law.

I advise all of my Muslim brothers to fear Allah, to adhere to His Law in all matters, and to beware of all that Allah has forbidden to them, to abstain from the causes of evil and corruption in weddings and in other matters, seeking the Pleasure of Allah, Most Glorified, Most High and avoiding those things which cause His Anger and His Punishment.

Ibn Baz

It is Not Permissible For the Bride and Groom to Have a Wedding Procession


 Is it permissible for the bride and groom to have a wedding procession among the women in wedding parties?


 It is not permissible to do this, because it is a proof of the absence of modesty and it is a form of imitating immoral and evil people. Indeed, the matter is clear, because the bride would be ashamed to uncover her charms before people, so how can she parade before an audience?

Ibn Jibreen

Birth Restriction and Control

The Ruling on Birth Restriction and Control

 The following question was received by the Permanent Committee: Is it permissible for a Muslim to control (the size of) his family by using the various methods of birth control?

 The Council of the Senior Scholars has previously investigated this matter and issued a decision, the objective of which is as follows:

Islamic Law calls for expanding and increasing the birth rate, and having children is considered a huge blessing and a great gift

which Allah has bestowed upon His servants.

The legal proofs from the Book of Allah and the *Sunnah* of His Messenger ﷺ as stated by the Permanent Committee for Scientific Research and Religious Verdicts — in the investigation which it prepared and presented to the Board — support each other.

The opinion which calls for birth control or contraception goes against the natural human disposition with which Allah has endowed mankind, and the Islamic Law which the Lord, Most High has chosen for His creatures.

Those who call for birth control or contraception are a group whose aim by this call is to plot against the Muslims in general, and against the Arab Muslim community in particular, so that they are able to colonize the lands and their people.

Acting in accordance with this is similar to the traits of *Jahiliyyah*, and implies holding a bad opinion of Allah, Most High, and weakening the Muslim community, which is composed of many people holding it together.

In view of all these things, the Council has determined that birth control is not permissible under any circumstances and contraception is not permissible if the reason for it is fear of poverty, because Allah, Most High is the Sustainer, Owner of Power, Most Strong:

﴿وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ إِلَّا عَلَى اللَّهِ رِزْقُهَا﴾

“And no moving (living) creature is there on earth but its provision is due from Allāh.”^[1]

However if contraception is due to some certain need, such as the woman being unable to give birth normally, necessitating a surgical operation in order to remove the baby, or pregnancy is delayed for some benefit seen by the husband and wife, then

^[1] *Hud* 11:6.

there is no objection in that case to contraception.

In accordance with what has come to us in the authentic *Hadith* and what has been reported from a number of the Companions, may Allah be pleased with them, regarding the permissibility of coitus interruptus, and in keeping with what has been stated by the scholars of *Fiqh* regarding the permissibility of using drugs which remove the fertilized ovum before forty days.

Indeed, it might even be incumbent to prevent pregnancy in a situation in which the necessity for it is confirmed. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Birth Control Due to Poverty

Q My income is limited and I have many children; is it permissible for me to limit the number of births?

A It is not permissible to limit births, based upon the words of Allah, Most High:

﴿تَحْنُ نَرْزُقُهُمْ وَإِنَّا كَارِمُونَ﴾

“We shall provide for them as well as for you.”^[1]

And there are ways to delay pregnancy, such as by breast-feeding the child, because normally, pregnancy does not occur. Another method is to delay having sexual intercourse for a week or two (after the woman becomes purified from her menstrual period), because in most cases pregnancy occurs by Allah’s permission through sexual intercourse straight after the woman becomes purified from her menstrual period. Another method is to practice coitus interruptus, which is to ejaculate outside the vagina — and that is permissible if both partners agree to it. And it is permissible to remove the fertilized ovum before forty days

^[1] *Isra’* 17:31.

using permitted medicines for a valid reason.

Ibn Jibreen

Rules Governing the Use of Contraceptive Pills

Q When is it permissible for a woman to use contraceptive pills? And when is it forbidden to her? And is there any clear evidence or opinion of the scholars of jurisprudence regarding birth control? And is it permissible for the Muslim to withdraw during sexual intercourse without a reason?

A What is incumbent upon the Muslims is to increase births as much as they can, because that is the command the Prophet ﷺ gave us in his words:

«تَزَوَّجُوا الْوُدُودَ الْوُلُودَ فَإِنِّي مُكَاتِرٌ بِكُمْ الْأُمَّمَ»

“Marry productive, loving women, because I will have the largest number of followers on the Day of Resurrection.”^[1]

And because increasing births means increasing the size of the Muslim community, and increasing the size of the community leads to increasing its might and power, as Allah, Most High said, strengthening thereby the Children of Israel:

﴿وَجَعَلْنَاكُمْ أَكْثَرَ نَفِيرًا﴾

“and made you more numerous in man-power.”^[2]

and Shu'aib said to his people:

﴿وَأَذَكُرُوا إِذْ كُنْتُمْ قَلِيلًا فَكَثَرْتُمْ﴾

“And remember when you were but few, and He multiplied you.”^[3]

And no one doubts that an increase in the size of the

[1] Abu Dawud no. 2050, An-Nasai' no. 3229 and Ibn Hibban no. 4028.

[2] Al-Isra' 17:6.

[3] Al-'Araf 7:86.

community is a cause of its might and power. This is contrary to what those with a bad opinion (of Allah) imagine, that an increase in the size of the community causes poverty and hunger. Verily, if the community increases in number and depends upon Allah, the Almighty, the All-Powerful, and believes in His Promise in His Words:

﴿وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ إِلَّا عَلَى اللَّهِ رِزْقُهَا﴾

“And no moving (living) creature is there on earth but its provision is due from Allāh.”^[1]

— for Allah will make their affairs easier and enrich them from His Bounty. Based upon this, it is clear that the answer to the question is that it is not appropriate for a woman to use contraceptive pills unless two conditions are fulfilled:

The first condition: That there is a need for it, such as her being ill and unable to tolerate being pregnant every year, or frail of body, or there are some other harmful obstacles to her being pregnant every year.

The second condition: That her husband permits her to do so, because the husband has the right over the children and birth. Likewise, a doctor must also be consulted about these tablets, as regards to whether or not they will harm her. If the two aforementioned conditions are fulfilled, then there is no objection to using these tablets, but in a manner which excludes permanent contraception; that is, that she does not use contraceptive tablets always, because this would cause a cutoff of birth.

As for the second part of the question, the answer to it is that it is impossible to restrict birth, since being pregnant or not being pregnant is a matter which is completely in Allah’s Hand — the Almighty, the All-Powerful. Secondly, if a person limits his children to a certain number, that number might be afflicted by

^[1] Hud 11:6.

a disease which kills all of them in one year, then there would remain no children for him nor any offspring. Likewise, limiting children is a matter which is not mentioned in the *Sunnah* as part of the Islamic Law. But contraception is confined to cases of necessity, based upon what was mentioned in the answer to the first part of the question.

As for the third part of the question relating to withdrawal without cause when having sexual intercourse, the correct opinion from among the sayings of the scholars is that there is no objection to it, based upon the *Hadith* of Jabir, may Allah be pleased with him: "We used to practise coitus interruptus while the Qur'an was (still) being revealed."

That is, during the lifetime of the Prophet ﷺ and if this action was unlawful, Allah would have forbidden it. However, the scholars say that a man should not withdraw from a free woman except with her permission: That is, he should not withdraw from his free wife except with her permission, because she has a right to have children. Also, by practicing withdrawal without her permission, he reduces her enjoyment, because a woman's satisfaction is not achieved until after ejaculation. Accordingly, in (withdrawal) without her permission, there is a loss of complete satisfaction for her and loss of children, therefore we make it conditional upon her approval.

Ibn 'Uthaimin

Contraception is Not Permissible Except in Exceptional Circumstances

Q A man married a woman after she had been married before, and she had a daughter whom she was breast-feeding. Is it permissible for her to take pills for a whole year, in order to prevent pregnancy from the second husband without his permission, bearing in mind that she enjoys good health, which does not hinder her from being pregnant? Is it permissible or not?



Birth control is absolutely forbidden, according to what has been mentioned in the noble Islamic Law, with respect to the prohibition of celibacy and strictness regarding it, and the encouragement to marry productive, loving women.

So taking contraceptive pills is unlawful, except in singular, exceptional circumstances. There is no generality to it, such as when the pregnant woman is called upon to undergo an abnormal birth, and it is necessary for her to have a surgical operation in order to deliver the child, or when there is some danger to the woman from the pregnancy due to illness and the like. Such cases are not applicable to the woman mentioned in the question, so it is not permissible for her to use contraceptives. And may the peace and blessings of Allah be upon His servant and Messenger, Muhammad.

The Permanent Committee

The Ruling on Sterilization and Being Childless

Q What do the scholars of Islam and the scholars of Islamic Jurisprudence say regarding the question of birth control, human sterilization and vasectomy — whether voluntarily or compulsorily? Is it permissible in Allah's religion? Please give a clear explanation in the light of the Qur'an and *Sunnah*, may Allah reward you, because the scholars in our country, India, have differed regarding this question, some of them declaring it permissible, while others declared it forbidden, and still others remain silent. We, the Muslims of India are in doubt regarding this matter and we do not know whether it affects our religion or not.

And is this behavior an interference in the Muslims' religion or not? And is it permissible for any government which calls for freedom of religion and non-interference in religious affairs to forcefully implement birth control and to concentrate on the Muslims in this matter, whether voluntarily or

by force? Please explain and elucidate, may the Inventor of Allah things reward you with the best of rewards. And may the peace of Allah and His mercy and blessings be upon you.



All praise and thanks be to Allah, Alone and may peace and blessings be upon him after whom there is no Prophet and upon his family and Companions. As for what follows:

It is well known in the Islamic religion that the action mentioned in the question is detested and an act of injustice towards the (Muslim) peoples. Indeed, it is an injustice against all mankind. It is not permissible for any government — whether Islamic or otherwise — to implement it, because sterilization for men or women is a great injustice which includes many kinds of corruption and evil consequences. It contradicts the legal evidences from the Book (of Allah) and the *Sunnah*, and it goes against the innate nature upon which Allah created His creatures, and it contradicts that which is demanded by sound intellect, which implores seeking the general good of mankind.

If this occurs among the Muslims, there lies therein a great harm. It causes the reduction in their numbers, against their enemies, and it contradicts the established authentic *Hadiths* from the Messenger of Allah ﷺ in which there is guidance to embrace the increase of population. He ﷺ said that he will have the largest number of followers on the Day of Resurrection.

Likewise therein (i.e., in birth control) there is a reduction in the number of those who worship Allah Alone and call to His Law, and help in the establishment of justice in the land. In short, the aforementioned sterilization is one of the most evil acts of injustice and Allah, the Almighty, the All-Powerful has said:

﴿وَمَنْ يَظْلِمِ نَفْسًا مِنْكُمْ نَفْسًا نَذِقُهُ عَذَابًا كَبِيرًا﴾

“And whoever among you does wrong (i.e. sets up rivals to Allāh), We shall make him taste a great torment.”^[1]

^[1] Al-Furqan 25:19.

— and the Prophet ﷺ said:

«اتَّقُوا الظُّلْمَ فَإِنَّ الظُّلْمَ ظُلُمَاتٌ يَوْمَ الْقِيَامَةِ»

“Beware of injustice, because injustice is darkness on the Day of Resurrection.”^[1]

The proofs for the prohibition of sterilization, and that it is a form of injustice — the performance of which is forbidden by the Book (of Allah) and the *Sunnah* — are very numerous.

So we ask Allah to guide whoever does this detested deed to return to what is correct, and to grant success to the Muslims in every place to achieve what strengthens them and unites their voices upon the Truth, and to help them against those who violate the Command of their Lord. Verily, He is All-hearing, Near. And may peace and blessings be upon His servant and His Messenger, our Prophet, Muhammad ﷺ.

Ibn Baz

Regarding Birth Control

From His Eminence

Shaikh ‘Abdul-‘Aziz bin ‘Abdullah Bin Baz

In the Name of Allah, the Most Beneficent, the Most Merciful.

All praise and thanks be to Allah and may peace and blessings be upon the Messenger of Allah and upon his family and Companions. As for what follows:

Some local newspapers have recently published an article which states that the Head *Mufti* in Jordan has delivered a verdict declaring that birth control is permissible, and that if the government so determines, it must be acted upon.

This news has spread among the people, and the talk in their meeting places has been of surprise at this, and how the

[1] Muslim no. 2578.

Muslims can object to it. Due to this, questions have proliferated regarding the ruling on this matter, and whether this verdict is correct or not.

Therefore, I consider it to be essential for those like myself to make clear what is proven by the Law of Allah, the Almighty, the All-Powerful regarding this matter. I say:

O reader! You should know — may Allah preserve me and you in attaining the Truth — that I have examined the aforementioned verdict and I have considered the evidence depended upon by His Excellency, the Head *Mufti* in Jordan in his issuing of this verdict which contains the view that birth control is permissible, and that if the government so determines, it must be acted upon, and his verdict has concentrated upon the Words of Allah, the Almighty, the All-Powerful:

﴿وَلْيَسْتَعْفِفِ الَّذِينَ لَا يَجِدُونَ نِكَاحًا حَتَّى يُغْنِيَهُمُ اللَّهُ مِنْ فَضْلِهِ﴾

“And let those who find not the financial means for marriage keep themselves chaste, until Allāh enriches them out of His bounty.”^[1]

and the words of the Prophet ﷺ:

«يَا مَعْشَرَ الشَّبَابِ مَنْ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغْضُ لِلْبَصَرِ وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وِجَاءٌ»

“O you young men! Those among you who can afford it should marry, for it restrains the eyes (from casting evil glances) and preserves one from immorality; but he who cannot afford it should observe fasting, for it is a means of controlling the sexual desire.”^[2]

And (he has depended) upon the *Hadiths* which prove the permissibility of coitus interruptus.

These are evidences upon which the *Mufti* has depended in this important verdict. There is another matter which the verdict has

^[1] *An-Nur* 24:33.

^[2] *Al-Bukhari* no. 5066 and *Muslim* no. 1400.

introduced, which is his saying at the beginning of the verdict (which I transmit) word-for-word:

“The fear of the world has increased due to the increase in population everywhere, and the experts have come to consider this a warning of disaster, ruin and terrible things.”

Then at the end of his verdict, he said:

“And if the government so determines, it must be acted upon, because it is agreed upon that if the person in authority says something insignificant, it becomes mandatory.” — end of quote.

And all of those possessing knowledge and those with insight and discernment who reflect on the evidences upon which the *Mufti* has depended know that he has strayed far from the truth, contradicted what is correct and missed the target completely.

And it is certain that the evidence which he has cited is not an evidence for his opinion in any way whatsoever. In fact, it is on one side and the verdict is on another side, as the poet says:

She went east and I went west,
And how different is east from west!

As for the noble Verse, Allah, Most Glorified has mentioned it after the Words of Him, the Almighty, the All-Powerful:

﴿وَأَنْكِحُوا الْأَيْمَانَ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ إِنْ يَكُونُوا فُقَرَاءَ يُغْنِهِمُ اللَّهُ مِنْ فَضْلِهِ وَاللَّهُ وَاسِعٌ عَلِيمٌ﴾^(٣٢)

“And marry those among you who are single (i.e. a man who has no wife and the woman who has no husband) and (also marry) the *Sālīhūn* (pious, fit and capable ones) of your (male) slaves and maid-servants (female slaves). If they be poor, Allāh will enrich them out of His bounty. And Allāh is All-Sufficient for His creatures’ needs, All-Knowing (about the state of the people).”^[1]

— then He, Most High says:

^[1] *An-Nur* 24:32.

﴿وَلْيَسْتَعْفِفِ الَّذِينَ لَا يَجِدُونَ نِكَاحًا حَتَّى يُغْنِيَهُمُ اللَّهُ مِنْ فَضْلِهِ﴾

“And let those who find not the financial means for marriage keep themselves chaste, until Allāh enriches them out of His bounty.”^[1]

So He, Most Glorified has commanded us to marry and encouraged it, and He has promised the one who marries wealth if he is poor, in order to persuade him to marry and to encourage him to embark upon it, trusting in Allah and depending upon His Bounty, the broadness of His Generosity, and His Knowledge of the affairs of His creatures. This is why Allah, Most Glorified, Most High ends the Verse with His Words:

﴿وَاللَّهُ وَاسِعٌ عَلِيمٌ﴾

“And Allāh is All-Sufficient for His creatures’ needs, All-Knowing (about the state of the people).”^[2]

Then He commanded the one who has not the wherewithal to marry to keep themselves chaste until Allah enriches them from His Bounty. So what evidence is there in this Verse to support not having children or limiting their numbers? And His Eminence the *Mufti* has claimed that Allah’s Command to those who have not the means to marry to remain chaste is evidence for not having children, and limiting them, because delaying marriage due to inability leads to delay in having children or childlessness if he dies before marrying.

This is a very strange argument, and an odd inference which is unconnected with the Verse; indeed, it is the strangest of inferences, and the oddest of arguments. And Allah is the One from Whom help is sought.

Al-Hafiz Ibn Kathir — may Allah have mercy on him — said, in his explanation of these two Verses (and I quote):

^[1] *An-Nur* 24:33.

^[2] *An-Nur* 24:32.

“This is a command to marry, and a group of the scholars hold that it is obligatory upon everyone who is able to do so. They cite as evidence, the clear meaning of the words of the Prophet ﷺ:

«يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغْضُ لِلْبَصْرِ وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وَجَاءٌ»

“O you young men! Those among you who can afford it should marry, for it restrains the eyes (from casting evil glances) and preserves one from immorality; but he who cannot afford it should observe fasting, for it is a means of controlling the sexual desire.”^[1]

Narrated by Al-Bukhari and Muslim in the Two *Sahihs* from the *Hadith* of Ibn Mas’ud.

It has been reported on the *Sunan* from more than one source that the Messenger of Allah ﷺ said:

«تَزَوَّجُوا الْوُدُودَ الْوُلُودَ تَنَاسَلُوا فَإِنِّي مَكَاثِرٌ بِكُمْ الْأُمَمَ يَوْمَ الْقِيَامَةِ»

“Marry productive loving women and multiply, that I may be proud of you before the other communities on the Day of Resurrection.”^[2]

Another version has it:

«حَتَّى بِالسَّقَطِ»

“even by miscarriage.”

And the word: *Al-Ayama* is the plural of *Al-Ayyim* which is said of a woman who has no husband and of a man who has no wife — whether he or she had married then parted, or never been married — this was reported by Al-Jawhari from the scholars of Arabic Language: It is said of a man *Ayyim* and of a woman

[1] Al-Bukhari no. 5066 and Muslim no. 1400.

[2] Abu Dawud no. 2050, An-Nasai’ no. 3229, Ahmad 3/158, 245 and Ibn Hibban no. 1229-1228.

Ayyim. And the Words of Him, Most High:

﴿إِنْ يَكُونُوا فُقَرَاءَ يُغْنِهِمُ اللَّهُ مِنْ فَضْلِهِ﴾

“If they be poor, Allah will enrich them out of His Bounty.”^[1]

‘Ali bin Abu Talhah reported on the authority of Ibn ‘Abbas: ‘Allah encourages them to marry and ordered the free and the slaves to do so, and He promised them that He will enrich them if they do so, saying:

﴿إِنْ يَكُونُوا فُقَرَاءَ يُغْنِهِمُ اللَّهُ مِنْ فَضْلِهِ﴾

“If they be poor, Allah will enrich them out of His Bounty.”^[2]

Ibn Abi Hatim said: ‘My father narrated to us: Mahmud bin Khalid Al-Azraq narrated to us: ‘Umar bin ‘Abdil-Wahid narrated to us, from Sa‘id — that is, Ibn ‘Abdul-‘Aziz, that he said:

‘I was informed that Abu Bakr As-Siddiq, may Allah be pleased with him, said: ‘Obey Allah in what He has commanded you to do regarding marriage, and He will fulfill for you the promise of enrichment which He made to you; Allah, Most High says:

﴿إِنْ يَكُونُوا فُقَرَاءَ يُغْنِهِمُ اللَّهُ مِنْ فَضْلِهِ﴾

“If they be poor, Allah will enrich them out of His Bounty.”^[3]

This was narrated by Ibn Jarir [At-Tabari], and Al-Baghawi mentioned something similar to it.

It is reported from Al-Laith; from Muhammad bin ‘Ajlan; from Sa‘id bin Al-Maqbari, from Abu Hurairah, may Allah be pleased with him, that he said: ‘Allah’s Messenger ﷺ said:

«ثَلَاثَةٌ حَقٌّ عَلَى اللَّهِ عَوْنُهُمْ: الْمَجَاهِدُ فِي سَبِيلِ اللَّهِ، وَالْمُكَاتَبُ الَّذِي يُرِيدُ الْأَدَاءَ وَالنَّاسِحُ الَّذِي يُرِيدُ الْعَفَافَ»

[1] An-Nur 24:32.

[2] An-Nur 24:32.

[3] An-Nur 24:32.

“There are three who have the right to Allah’s Help: The suitor who wishes to remain virtuous, the slave who wishes to purchase his freedom, and the warrior who fights in Allah’s Cause.”^[1]

And the Prophet ﷺ married a man who did not possess anything except his waist wrap, and could not even afford an iron ring — and in spite of this, he married him to that woman and fixed his dowry to her that he would teach her what he knew of the Qur’an. And it is well known of Allah’s Generosity and Kindness that He blesses him with that which contains sufficiency for him and for her.

As for the saying which many of the people narrate in the belief that it is a *Hadith*, in which it says: ‘Marry the poor and Allah will enrich you’ — it is baseless, and I have not seen it narrated until now with a strong chain of narrators, nor with a weak one. And in the Qur’an there is sufficient for us to do without that. As in these *Hadiths* which we have narrated, all praise and thanks are due to Allah and from Him proceeds all Grace. And the words of Allah, Most High:

﴿وَلْيَسْتَعْفِفِ الَّذِينَ لَا يَجِدُونَ نِكَاحًا حَتَّى يُغْنِيَهُمُ اللَّهُ مِنْ فَضْلِهِ﴾

“And let those who find not the financial means for marriage keep themselves chaste, until Allāh enriches them of His bounty.”^[2]

This is a Command from Allah, Most High to those who do not find the means to marry, to restrain themselves from committing forbidden deeds, as the Prophet ﷺ said:

«يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغْضُ لِلْبَصْرِ وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وِجَاءٌ»

“O you young men! Those among you who have the means and the ability should marry, because it restrains the eyes (from evil glances) and preserves the private parts (from immorality). And

[1] An-Nasai’ no. 3220 and At-Tirmithi no. 1655.

[2] An-Nur 24:33.

whoever is unable to do so, should fast because it is a protection for him."^[1]

Based upon what we have mentioned above, and what we have copied from *Al-Hafiz* Ibn Kathir from his explanation of the two Verses, their true meaning is clear to the readers and (it is clear) that they prove the lawfulness of marriage and the encouragement to do it. This is due to its great benefits, including; controlling desire, preserving the private parts (from illegal sexual intercourse), averting the eyes and increasing the population.

But as for citing them as evidence for the permissibility of preventing pregnancy and restricting birth, it is the ultimate in oddity and far from the truth. As for the *Hadith* of Ibn Mas'ud, may Allah be pleased with him, which states that the Prophet ﷺ said:

«يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَعَصَّ لِلْبَصْرِ وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وِجَاءٌ»

“O you young men! Those among you who have the means and the ability should marry, because it restrains the eyes (from evil glances) and preserves the private parts (from immorality). And whoever is unable to do so, should fast because it is a protection for him.”^[2]

This proves the same thing as was proved by the two Verses, which is an encouragement to marry, and an explanation of some wisdom behind it, and its secrets.

It is also a proof that it is legislated for one who is unable to marry to occupy himself with fasting. Because fasting reduces desire and narrows the pathways of Satan, and it is one of the means of maintaining chastity and averting one's eyes. But there is no evidence in it in any way whatsoever for allowing the

^[1] Al-Bukhari no. 5066 and Muslim no. 1400.

^[2] Al-Bukhari no. 5066 and Muslim no. 1400.

prevention of pregnancy or restricting birth. There is only (permission) in it for delaying marriage from when one is unable to do so until one is able to do so, and the lawfulness of undertaking the means of chastity, so that one does not fall into the commission of forbidden deeds.

As for citing the *Hadiths* about coitus interruptus, as evidence for birth control, it falls into the same category as the former. It is far from the truth and opposed to the meanings of the Islamic Law. Because *Al-'Azl* is the ejaculation of sperm outside the vagina in order to prevent the woman from becoming pregnant, and this is done by a man only when there is a need for it. Like when the woman is ill, or breast-feeding, and he fears that the pregnancy may harm her, or harm her child. So he withdraws for this reason or another similar plausible and lawful reason — as a practice for a certain period of time, then he abandons it, and it neither prevents pregnancy nor limits births. It is merely the undertaking of certain means to delay pregnancy for a lawful reason, and there is nothing one should beware in this, according to the most correct opinion of the scholars. This is proven by the *Hadiths* about coitus interruptus.

Also, coitus interruptus does not ensure that pregnancy will not occur, because all of the sperm or some of it might be ejaculated before he withdraws, impregnating the woman by Allah's Permission. This is why the Prophet ﷺ said, in one *Hadith* narrated from him regarding *Al-'Azl*:

لَيْسَتْ نَفْسٌ مَخْلُوقَةٌ إِلَّا اللَّهُ خَالِقُهَا»

“There is no created being who was not created by Allah.”^[1]

And it is narrated from him ﷺ that he said:

«لَيْسَ مِنْ كُلِّ الْمَاءِ يَكُونُ الْوَلَدُ»

“Every liquid (i.e., every sperm) does not contain a pregnancy.”^[2]

[1] Muslim no. 1438.

[2] Ahmad 3/93.

So what evidence is there in the *Hadiths* relating to *Al-'Azl* to support birth control for anyone who examines the situation and gives it due consideration, remaining impartial from other factors? We ask Allah that He grant us and His Eminence the Head *Mufti* of Jordan success in arriving at the truth and preserving us from errors in understanding, verily, He is the Best of those who are asked.

Whoever examines what we have mentioned, and what we have copied from the scholars, knows that the view that birth control is permissible is opposed to the perfect Islamic Law which has brought the (means of) achieving those things which are beneficial and their perfection, and preventing and decreasing the causes of corruption. He also knows that it is contrary to the unimpaired innate instinct, because Allah, Most Glorified created the worshippers with a love of children and granted the means to increase the birthrate. Allah has shown this in His Book and made it an adornment in the life of this world. Allah, Most High says:

﴿وَاللَّهُ جَعَلَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا وَجَعَلَ لَكُمْ مِنْ أَزْوَاجِكُمْ بَنِينَ وَحَفَدَةً
وَرَزَقَكُمْ مِنَ الطَّيِّبَاتِ﴾

“And Allāh has made for you Azwāj (mates or wives) of your own kind, and has made for you, from your wives, sons and grandsons, and has bestowed on you good provision.”^[1]

— and He, Most High says:

﴿الْمَالُ وَالْبَنُونَ زِينَةُ الْحَيَاةِ الدُّنْيَا﴾

“Wealth and children are the adornment of the life of this world.”^[2]

One who examines the case, also knows, that the opinion in support of birth control opposes what is beneficial to society.

^[1] *An-Nahl* 16:72.

^[2] *Al-Kahaf* 18:46.

This is because a high birth rate is a mean of strengthening it, and increasing its might, power and standing. While birth control, on the contrary, leads to a decrease in its numbers and its strength. Indeed it leads to its destruction and extinction, and this is an obvious point to all thinking people, which needs no evidence.

As for the fear of the *Mufti* of an increasing population, and the saying of the ‘experts’ that it is a warning of woe and destruction — this is something which it is unbecoming for any thinking man — let alone a scholar — to pay heed to, or to attach rulings to, rulings which contradict the Islamic Law. And knowledge of the Unseen belongs to Allah, Most Glorified: He is the Creator of the creatures and their Sustainer and it is He Who says in His Noble Book:

﴿وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ ﴿٥١﴾ مَا أُرِيدُ مِنْهُمْ مِنْ رِزْقٍ وَمَا أُرِيدُ أَنْ يُطْعَمُونِ ﴿٥٢﴾ إِنَّ اللَّهَ هُوَ الرَّزَّاقُ ذُو الْقُوَّةِ الْمَتِينُ ﴿٥٣﴾﴾

And I (Allāh) created not the jinn and mankind except that they should worship Me (Alone). I seek not any provision from them (i.e. provision for themselves or for My creatures) nor do I ask that they should feed Me (i.e. feed themselves or My creatures). Verily, Allāh is the All-Provider, Owner of Power, the Most Strong.”^[1]

— and it is He, the Almighty, the All-Powerful Who says:

﴿وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ إِلَّا عَلَى اللَّهِ رِزْقُهَا﴾

“And no moving (living) creature is there on earth but its provision is due from Allāh.”^[2]

and He says:

﴿وَكَايْنٍ مِّنْ دَابَّةٍ لَا تَحْمِلُ رِزْقَهَا اللَّهُ يَرْزُقُهَا وَإِيَّاكُمْ وَهُوَ السَّمِيعُ الْعَلِيمُ ﴿١٠﴾﴾

“And so many a moving (living) creature carries not its own

[1] *Adh-Dhariat* 51:56-58.

[2] *Hud* 11:6.

provision! Allāh provides for it and for you. And He is the All-Hearer, the All-Knower.^[1]

and He says:

﴿فَابْتَغُوا عِنْدَ اللَّهِ الرِّزْقَ وَاعْبُدُوهُ وَاشْكُرُوا لِلَّهِ إِلَيْهِ تُرْجَعُونَ﴾

“so seek your provision from Allāh (Alone), and worship Him (Alone), and be grateful to Him. To Him (Alone) you will be brought back.”^[2]

It has been authentically reported from the Prophet ﷺ in many authentic *Hadiths* that when Allah, Most Glorified creates a fetus, He commands the angel to record his sustenance, his life-span and his deeds. Every created being has his sustenance according to the means which Allah makes easy for him. So how can it befit a rational person to sanction birth control or declare it permissible, due to fear of poverty, when Allah, Most Glorified guarantees his sustenance and He is Able to do all things? If the population has increased everywhere, the means of production and sustenance have also increased everywhere, and they have become easier and increased in a variety, more than they were before, and better than they were before.

This is among the proofs of the Wisdom of Allah, Most Glorified, His Complete Ability and His great concern for the welfare of His creatures. So how can it befit a Muslim to think badly of his Lord, so much so, that he declares it permissible for the community to practice birth control, and so much so, that he declares it to be mandatory, if the government determines it, due to fear of poverty and not finding sustenance? Where is the faith in Allah? And where is the trust in His Goodness? And where is the dependence upon Him (*Tawakkul*)? In this bad opinion, there is a resemblance to the disbelievers, who used to kill their children due to fear of poverty, and Allah rebuked and denounced them for it in the Words of Him, Most Glorified:

[1] *Al-Ankabut* 29:60.

[2] *Al-Ankabut* 29:17.

﴿وَلَا تَقْتُلُوا أَوْلَادَكُمْ مِنْ إِمْلَاقٍ نَحْنُ نَرْزُقُكُمْ وَإِيَّاهُمْ﴾

“kill not your children because of poverty” — We provide sustenance for you and for them —”^[1]

and the Words of Him, Most Glorified:

﴿وَلَا تَقْتُلُوا أَوْلَادَكُمْ خَشْيَةَ إِمْلَاقٍ نَحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ إِنَّ قَتْلَهُمْ كَانَ خِطَاً كَبِيراً﴾

“And kill not your children for fear of poverty. We shall provide for them as well as for you. Surely, the killing of them is a great sin.”^[2]

As for the saying of the *Mufti* at the end of the verdict that if the government so determines, it is mandatory to act upon it, because it is agreed upon that if the person in authority orders something insignificant, it becomes obligatory. This saying is absolutely invalid; indeed, its invalidity is clear, because a government is only obeyed when it orders *Al-Ma'ruf* (good), not when it orders things which are harmful to the community and contradict the purified Islamic Law. And the saying endorsing population control is contradictory to the Islamic Law, and to what is beneficial for the community. So how can obedience to it be mandatory? Allah, the Almighty, the All-Powerful says, regarding the right of His Prophet ﷺ:

﴿وَلَا يَعْصِيَنَّكَ فِي مَعْرُوفٍ﴾

“and that they will not disobey you in *Ma'ruf* (Islamic Monotheism and all that which Islām ordains).”^[3]

And he ﷺ does not order except *Al-Ma'ruf*. But Allah, the Almighty, the All-Powerful wanted to alert and guide the (Muslim) community to the fact that obedience to those in authority is only in *Al-Ma'ruf*. It has been authentically reported

[1] *Al-An'am* 6:151.

[2] *Al-Isra'* 17:31.

[3] *Al-Mumtahnah* 60:12.

from the Prophet ﷺ that he said:

«إِنَّمَا الطَّاعَةُ فِي الْمَعْرُوفِ»

“Obedience is only required in *Al-Ma‘ruf*.”^[1]

And he ﷺ said:

«لَا طَاعَةَ لِمَخْلُوقٍ فِي مَعْصِيَةِ الْخَالِقِ»

“There is no obedience to a created being which involves disobedience to the Creator.”^[2]

And the *Hadiths* bearing this meaning are numerous. This is just a short address in which we wished to make the truth clear, alleviate confusion, and guide the Muslims to what we know of the Law of Allah, Most Glorified, in this matter. And we ask Allah to grant us, and all of the Muslims, success in achieving what pleases Him, and to grant us all understanding of His religion, and to keep us firm upon it, and to protect us all from the misguidances of *Al-Fitan* (trials and temptations) and the whisperings of Satan. Verily, He is Able to do all things. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

Ibn Baz

The Ruling on Contraception and Birth Control or its Regulation

All praise and thanks be to Allah and may peace and blessings be upon him after whom there is no Prophet, Muhammad, and upon his family and Companions. As for what follows:

In the eighth session of the Council of the Board of Senior Scholars, which was held in the first half of the month of Rabi' Al-Akhar, in the year 1396 AH., the Council investigated the

[1] Al-Bukhari no. 7145 and Muslim no. 1840.

[2] Ahmad 5/66-67 and Ibn Shaybah no. 33706.

matter of contraception and birth control and regulation, according to what had been determined in the Council's seventh session, which was held in the month of Sha'ban in the year 1395 AH., in the recorded subjects of the timetable of work for the eighth session. The Council examined the report prepared by the Permanent Committee for Scientific Research and Religious Verdicts, and after exchanging opinions and discussion by the members and listening to different points of view, the Council decided the following:

Islamic Law calls for expanding and increasing the birth rate, and having children is considered a huge blessing and a great gift which Allah has bestowed upon His servants.

The legal proofs from the Book of Allah and the *Sunnah* of His Messenger ﷺ as stated by the Permanent Committee for Scientific Research and Religious Verdicts — in the investigation which it prepared and presented to the Board — support each other.

The opinion which calls for birth control or contraception goes against the natural human disposition with which Allah has endowed mankind, and the Islamic Law which the Lord, Most High has chosen for His creatures.

Those who call for birth control or contraception are a group whose aim by this call is to plot against the Muslims in general, and against the Arab Muslim community in particular, so that they are able to colonize the lands and their people.

Acting in accordance with this is similar to the traits of *Jahiliyyah*, and implies holding a bad opinion of Allah, Most High, and weakening the Muslim community, which is composed of many people holding it together.

In view of all these things, the Committee has determined that birth control is not permissible under any circumstances and contraception is not permissible if the reason for it is fear of poverty, because Allah, Most High is the Sustainer, Owner of Power, Most Strong:

﴿ وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ إِلَّا عَلَى اللَّهِ رِزْقُهَا وَيَعْلَمُ مُسْتَقَرَّهَا وَمُسْتَوْدَعَهَا ﴾

And no moving (living) creature is there on earth but its provision is due from Allāh. And He knows its dwelling place and its deposit (in the uterus or grave).^[1]

However if contraception is due to some certain need, such as the woman being unable to give birth normally, necessitating a surgical operation in order to remove the baby, or pregnancy is delayed for some benefit seen by the husband and wife, then there is no objection in that case to contraception.

In accordance with what has come to us in the authentic *Hadith* and what has been reported from a number of the Companions, may Allah be pleased with them, regarding the permissibility of coitus interruptus, and in keeping with what has been stated by the scholars of *Fiqh* regarding the permissibility of using drugs which remove the fertilized ovum before forty days.

Indeed, it might even be incumbent to prevent pregnancy in a situation in which the necessity for it is confirmed. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

However, His Eminence, ‘Abdullah bin Ghudyan held back his opinion regarding this exception. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Report of the Islamic *Fiqh* Council Regarding the Legal Ruling on Limiting Births

All praise and thanks be to Allah and may peace and blessings be upon him after whom there are no Prophets and upon his family and his Companions. The Council of the Islamic Fiqh

^[1] *Hud* 11:6.

Academy has looked into the matter of limiting births, or what is deceptively known as ‘family planning’.

After discussing it and exchanging views on it, the Council agreed unanimously on the following:

“In view of the fact that the Islamic Law encourages propagation and population increase, and considers that birth is a huge blessing from Allah, and a great gift which He has bestowed upon His creatures, and the legal texts to this effect from the Book of Allah and the Sunnah of His Messenger ﷺ support one another. And in view of the fact that the view supporting birth control or contraception runs contrary to the innate human nature upon which Allah has created us and to the Islamic Law which the Lord, Most High has chosen for His creatures — and in view of the fact that those calling for birth control or contraception are a group who intend by this call of theirs to plot against the Muslims in general, and against the Muslim Arab community in particular, so that they are able to colonize their lands and their people — and since acting upon it is similar to the actions of *Jahiliyyah* and includes holding a bad opinion of Allah, Most High, weakening the Muslim community, which is composed of many people which hold it together — in view of all these things, the Islamic *Fiqh* Council has unanimously determined that it is not permissible to restrict births in any circumstances, nor is it permissible to practice contraception if the reason behind it is fear of poverty, because Allah, Most High is the Sustainer and the Owner of Power, Most Strong:

﴿وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ إِلَّا عَلَى اللَّهِ رِزْقُهَا﴾

“And no moving (living) creature is there on earth but its provision is due from Allāh.”^[1]

— or if it was for some other reasons not accepted by the Islamic Law. As for undertaking the means to prevent pregnancy in singular instances, because of some confirmed harm, due to the

^[1] *Hud* 11: 6.

woman not delivering normally, and therefore requiring a surgical operation to deliver the baby, there is no legal objection to this. Likewise if delaying it (i.e., pregnancy) was due to some other lawful reasons or medical reasons confirmed by a reliable Muslim doctor. Indeed, it might even be incumbent to prevent pregnancy in a situation in which danger to the mother is confirmed — if there is fear for her life due to it (i.e., pregnancy) confirmed by a reliable Muslim doctor.

As for a general call for birth control or contraception, it is not permissible according to the Islamic Law due to the aforementioned reasons. And a worse sin than that is obliging the people to do it, and forcing them to do it at a time when large sums of money are being spent on the international arms race for the purposes of conquest and destruction, instead of spending it on developing the economy and building things for the people.

The Chairman

'Abdullah bin Humaid —

(may Allah have mercy on him)

The Deputy Chairman

Muhammad 'Ali Al-Harakan —

(may Allah have mercy on him)

Rulings on Plurality of Wives

The Fundamental Principle in Marriage is the Legislation of Plurality



Is the fundamental principle in marriage plurality or one?



The fundamental principle in it is the legislation of plurality for whomsoever is able to do so, and does not fear that he will commit injustice. This is due to the many benefits therein, including preserving his private parts (from illegal sexual intercourse) and the chastity of those whom he marries, benevolence towards them and increased births, which

means an increase in the numbers of the (Muslim) society and in those who worship Allah, Alone. This is proven by the Words of Allah, Most High:

﴿وَإِنْ خِفْتُمْ أَلَّا تَقْسُطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثْنَىٰ وَثُلَاثَ وَرُبْعَ فَإِنْ خِفْتُمْ أَلَّا تَعْلَمُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ذَلِكَ أَذَىٰ أَلَّا تَعْلَمُوا ۗ﴾

“And if you fear that you shall not be able to deal justly with the orphan girls then marry (other) women of your choice, two or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one or (slaves) that your right hands possess. That is nearer to prevent you from doing injustice.”^[1]

— and because the Prophet ﷺ married more than one wife and Allah says:

﴿لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ﴾

“Indeed in the Messenger of Allāh (Muhammad ﷺ) you have a good example to follow for him”^[2]

Some of the Companions, may Allah be pleased with them, said: “As for me, I pray and I do not sleep.” And another said: “As for me, I fast and I do not break my fast.” And another said: “As for me, I do not marry women.”

When the Prophet ﷺ was informed of this, he addressed the people, praising Allah and extolling Him, then he said:

«مَا بَالُ أَقْوَامٍ قَالُوا كَذَا وَكَذَا لَكِنِّي أُصَلِّي وَأَنَا مُ وَأَصُومُ وَأَفْطِرُ وَأَتَزَوَّجُ النِّسَاءَ، فَمَنْ رَغِبَ عَن سُنَّتِي فَلَيْسَ مِنِّي»

“I have been informed of such-and-such, but I fast and I break my fast and I pray and I sleep and I eat meat and I marry women, so whoever rejects my Sunnah is not from me.”^[3]

This great wording from him ﷺ is general, covering one and

[1] An-Nisa' 4:3.


[2] Al-Ahzab 33:21.


[3] Al-Bukhari no. 5063 and Muslim no. 1401.

more. And Allah is the Granter of success.

Ibn Baz

The Ruling on Plurality of Wives

 Is plurality of wives permitted in Islam, or is it prescribed as a *Sunnah*?

 Plurality of wives is prescribed as a *Sunnah* as long as one has the ability to do it, according to the Words of Allah, Most High:

﴿وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَنِّي وَتِلْكَ وَرِثَةٌ لِّلَّذِينَ يَأْتِيهِم مِّنَ الْيَتَامَىٰ وَالنِّسَاءِ مَنِّي ۚ إِنَّ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ذَٰلِكَ أَدْنَىٰ ۚ أَلَّا تَعْدِلُوا﴾

“And if you fear that you shall not be able to deal justly with the orphan girls then marry (other) women of your choice, two or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one or (slaves) that your right hands possess. That is nearer to prevent you from doing injustice.”^[1]

— and because of the action of the Prophet ﷺ. He combined nine women in marriage, by whom Allah benefitted the (Muslim) community — and this is something special for him ﷺ.

As for others, they may not marry more than four at one time. It is also a prescribed *Sunnah*, because in plurality of wives, there are great benefits for men and women and for the whole Islamic community. Because through plurality of wives they are able to avert their glances and to protect their private parts (from illegal sexual intercourse) and to increase the birthrate. It also means that men take responsibility for a number of women, by which they are made righteous and protected from the causes of evil and deviation. As for anyone who is unable to do so and fears that he will be unjust, he should content himself with one,

^[1] *An-Nisa'* 4:3.

according to the Words of Allah, Most Glorified:


﴿فَإِنْ خِفْتُمْ أَلَّا تَعْلَمُوا فَوَاحِشَةً﴾


“but if you fear that you shall not be able to deal justly (with them), then only one”^[1]

May Allah grant success to all of the Muslims in attaining that wherein lies rightness for them and salvation in the life of this world and in the Hereafter.

Ibn Baz


If He Married Another, What Should He Give the First

 The following question was received by the Committee: A man has a wife and he marries another, then the first wife requests that he gives her jewelry like he gave the second. Is he required to give her or not?

 The Committee replied as follows: One who marries a woman is not obliged to give his first wife what he gave the second, such as the dowry or the jewelry which customarily is a part of the dowry. But if he gives her in order to appease her, out of kindness for her, then it is good. Especially if it is to his benefit to please her and to ensure her companionship with kindness in the future. And Allah is the Granter of success. And may peace and blessings be upon His servant and His Messenger, Muhammad and upon his family and Companions.


The Permanent Committee


The Acceptance of the First Wife is Not a Condition

 I am a man who has been married for some years and I have a number of children and I am happy in my family

^[1] An-Nisa' 4:3.

life. However, I feel that I am in need of another wife, because I wish to be righteous and one wife is not enough for me, since as a man, I have physical potency which exceeds that of a woman; this is one point. Another point is that I want a woman who possesses certain characteristics which my wife lacks. I do not want to fall into sin, at the same time, I find difficulty in marrying another woman, due to the (years of) companionship (with my first wife) and because my wife in whom I have not seen anything detestable absolutely rejects a second wife. What advice can you give me? And what advice can you give to my wife, in order that she will be convinced? And does she have the right to reject my desire to marry, especially that I will give her all her rights and I have the financial ability — all praise and thanks be to Allah — to marry? I request a detailed reply, because this matter is very important to many people.

 If the matter is as you have described in the question, then it is lawful for you to marry a second, a third and a fourth wife, according to your ability and your need, in order to protect your private parts (from illegal sexual intercourse) and to avert your eyes, as long as you are able to be just, in accordance with the Words of Allah, the Almighty, the All-Powerful:

﴿وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَنْبَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَنَىٰ وَتِلْكَ وَرِيعٌ
فَإِنْ خِفْتُمْ أَلَّا تَعْلُوا فَوَاجِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ذَلِكَ آذَىٰ أَلَّا تَعْلُوا﴾ 

“And if you fear that you shall not be able to deal justly with the orphan girls then marry (other) women of your choice, two or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one or (slaves) that your right hands possess. That is nearer to prevent you from doing injustice.”^[1]

— and the words of the Prophet ﷺ:

^[1] An-Nisa' 4:3.

«يَا مَعْشَرَ الشَّبَابِ مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغْضُ لِلْبَصَرِ وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وَجَاءٌ»

“O you young men! Those among you who can afford it should marry, for it restrains the eyes (from casting evil glances) and preserves one from immorality; but he who cannot afford it should observe fasting, for it is a means of controlling the sexual desire.”^[1]

— and because it is a means of increasing the population, and it is an objective of Islamic Law to increase the population, and it is called for by it, according to the words of the Prophet ﷺ:

«تَزَوَّجُوا الْوُدُودَ الْوُلُودَ تَنَاسَلُوا فَإِنِّي مَكَاثِرٌ بِكُمْ الْأُمَّمَ يَوْمَ الْقِيَامَةِ»

“Marry productive, loving women, because I will have the largest number of followers on the Day of Resurrection.”^[2]

What is prescribed for the wife is not to object to this, and to allow you to marry. And it is incumbent upon you to take great care to be absolutely just and to undertake everything which is required of you for them both. All of this is a part of cooperating with one another in virtue, righteousness and piety; and Allah, Most Glorified, Most High has said:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ﴾

“Help you one another in Al-Birr and At-Taqwa (virtue, righteousness and piety).”^[3]

The Prophet ﷺ said:

«وَاللَّهُ فِي عَوْنِ الْعَبْدِ مَا كَانَ الْعَبْدُ فِي عَوْنِ أَخِيهِ»

“And Allah helps the servant as long as the servant helps his brother.”^[4]

[1] Al-Bukhari no. 5066 and Muslim no. 1400.

[2] Abu Dawud no. 2050, An-Nasai’ no. 3229, Ibn Hibban no. 4028 and Ahmad 3/158-245.

[3] Al-Ma’idah 5:2.

[4] Muslim no. 2699.

You are her brother in Allah's religion and she is your sister in Allah's religion, therefore it is prescribed for you both to cooperate in good deeds.

In the authentic *Hadith* which is narrated by Al-Bukhari and Muslim, on the authority of Ibn 'Umar, may Allah be pleased with him, it is reported that the Prophet ﷺ said:

«مَنْ كَانَ فِي حَاجَةٍ أَخِيهِ كَانَ اللَّهُ فِي حَاجَتِهِ»

"He who meets the needs of his brother, Allah will meet his needs."^[1]

But her acceptance is not a condition for the permissibility of marrying more than one; it is only required of her so that the more harmonious relations continue between you. May Allah improve the situation of all, and (we ask) that He has written for you both the happiest outcome.

Ibn Baz

The Acceptance of the First Wife is Not a Condition For One Who Wishes to Marry Another

Q There is no doubt that Islam has permitted plurality of wives, but is it required for the husband to seek the acceptance of his first wife before marrying the second one?

A It is not obligatory for the husband, when he wishes to marry another, to get his first wife's acceptance, but it is a noble trait of character and good relations for him to appease her by whatever decreases the pain which women naturally feel in such situations. This may be achieved by smiling, greeting her warmly and speaking kindly to her, and by whatever money you can afford, if her acceptance requires it.

The Permanent Committee

[1] Al-Bukhari no. 2442 and Muslim no. 2580.

An Erroneous Idea Regarding Plurality

Q Some people say that marrying more than one wife is not permissible except for one who has orphans in his care, and he fears to do them injustice, so he marries the mother or one of the girls. And they cite as evidence the Words of Allah, Most High:

﴿وَأِنْ خِفْتُمْ أَلَّا تَقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ الْيَتَامَىٰ مَتَىٰ وَتَلَّتْ وَرَبِّعٌ﴾

“And if you fear that you shall not be able to deal justly with the orphan girls then marry (other) women of your choice, two or three, or four.”^[1]

We request Your Eminence to explain the truth in this matter.

A This saying is invalid; the meaning of the Noble Verse is that if any of you has a female orphan under his guardianship, and he fears that he will not give the same dowry that he would give to another, then he should look towards another, because they are many, and Allah has not restricted him.

The Verse proves that it is lawful to marry two, three, or four, because chastity will be more complete and it is a means of averting the eyes, and protecting the private parts (from illegal sexual intercourse) — and because it is the means of increasing the population, and protecting the modesty of women, and acting with benevolence towards them, and financially supporting them.

There is no doubt that a woman who has half of a husband, or a third or a quarter of him, is better off than one who has no husband. But (plurality is permissible) on condition that justice and fairness are observed in the matter, and that one has the ability to do it. But whoever feared that he would be unjust should content himself with one along, with the slaves that his right hand possesses. This is also proved and confirmed by the action of the Prophet ﷺ, because when he died, he had nine wives — and Allah, Most High has said:

^[1] *An-Nisa'* 4:3.

﴿لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ﴾

“Indeed in the Messenger of Allāh (Muhammad ﷺ) you have a good example to follow for him who hopes for (the Meeting with) Allāh and the Last Day, and remembers Allāh much.”^[1]

He ﷺ made clear to his community that it is not permissible for any one of them to marry more than four, therefore it is known that following his model of behavior is by marrying four or less. Anything more than that is a special dispensation for him — may peace and blessings be upon him.

Ibn Baz

Marrying More Than One is Desirable

Q Some men marry more than one woman out of pride or in order to compete with one another and not due to a genuine need. Is such a thing permissible? And what is your advice to those men and women who object to plurality when there is a need for it?

A Marrying more than one wife is a desirable thing — on condition that the man has the financial means and the physical ability to act with justice between his wives. This is because through plurality of wives, good is achieved, such as protecting the private parts of the women whom he marries (from illegal sexual intercourse) and broadening of unity between the people, and increasing the number of births, as indicated by the Prophet ﷺ in his words:

«تَزَوَّجُوا الْوُدُودَ الْوُلُودَ»

“Marry loving, productive women.”^[2]

It also contains many other benefits. As for a man marrying

^[1] *Al-Ahzab* 33:21.

^[2] Abu Dawud no. 2050, An-Nasai’ 3229, Ibn Hibban no. 4028 and Ahmad 3/158-245.

more than one wife out of pride and competitiveness, it is something which falls into the category of waste, which is not permitted. Allah, Most High says:

﴿وَلَا تُسْرِفُوا إِنَّهُ لَا يُحِبُّ الْمُسْرِفِينَ﴾

“waste not by extravagance, certainly He (Allāh) likes not Al-Musrifūn (those who waste by extravagance).”^[1]

Ibn ‘Uthaimin

Advice for the First Wife

Q My wife was afflicted by a skin disease which has deformed all of her body, but it is not contagious; and the doctors agreed that there is no cure for it. Now I feel a great aversion to her, especially at the time of having sexual intercourse and I have given up hope of adjusting myself to her situation, so I have considered marriage. I sought her opinion in the matter and she flared up in anger and resolved to seek a divorce if I do so. What does the religion say to me and to her?



As for you, I consider that there is no sin upon you if you marry a woman, because Allah has made it permissible for His worshippers that the man may marry four women, unless he fears that he will be unjust.

As for her, I advise her not to get angry at your thoughts of marriage, nor at your marriage, because this is something which Allah has made permissible for you and because you have an excuse in this situation. And the situation which has befallen her is a calamity over which she should be patient. She should ask Allah for forgiveness and it might be a cause of her sins being remitted and the raising of her status before Allah, Most High. And Allah knows best.

Ibn ‘Uthaimin

^[1] Al-'Araf 7:31.

It is Not Permissible For a Man to Have More Than Four Wives at the Same time

Q Is it permissible for a man to have more than four wives or not? And what is the evidence?

A It is not permissible for a man to have more than four wives, according to the Words of Allah, Most High:

﴿وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَتَىٰ وَتِلْكَ وَرِثَةٌ لَّكُمْ إِنَّا أَنزَلْنَاهَا قُرْآنًا مَّعْرُوفًا ۖ وَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ﴾

“And if you fear that you shall not be able to deal justly with the orphan girls then marry (other) women of your choice, two or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one or (slaves) that your right hands possess.”^[1]

And in the language of the Arabs this is the same as their saying: March two, three or four, meaning march in rows, there being in each row two, three or four. It does not mean in the language of the Arabs, nor in common usage, that nine of them should combine in one row when they march. Therefore, the meaning of the Verse is: If you fear that you will be unjust if you married the orphan girls, then turn away from them in favor of marrying others; and whoever among you desires to marry a number of women should marry two, three, or four. Since the limit has been designated in a situation where one is blessed with plurality, and we are encouraged to turn away from marrying orphan girls in favor of other women (up to) four wives, it proves that it is not permissible to combine more than that.

In the *Hadith*, it is reported that Qais bin Al-Harith, may Allah be pleased with him, embraced Islam and he had eight wives, so the Prophet ﷺ ordered him to choose four of them and to part from the others. Narrated by Abu Dawud and Ibn Majah.

The Permanent Committee

^[1] *An-Nisa'* 4:3.

The Ruling on Marrying a Fifth When the Fourth is Mentally Ill

Q If a man is married to four women and one of them was afflicted by mental illness, is it permissible for him to marry another woman while the ill one is alive, or is she forbidden to him because she is the fifth of them?

A It is not permissible for him to marry more than four, even if one of them is afflicted by mental illness or anything else, or even if all of them were ill, as long as he has four wives. This is according to the generality of the evidences and the forbiddance of combining more than four wives.

The Permanent Committee

The Prophet ﷺ Has Certain Privileges in Marriage

Q How should we reply to those who cite the Prophet's marriage to nine women as evidence (of its permissibility)?

A The Prophet ﷺ was given certain privileges in marriage which were not given to others, including:

Allah, Most Glorified, Most High permitted him to marry a woman if she presented herself to him, according to the Words of Him, Most High — (that) among the things which Allah has permitted for him is:

﴿وَأَمْرًا مُّؤْمِنَةً إِنْ وَهَبَتْ نَفْسَهَا لِلنَّبِيِّ إِنْ أَرَادَ النَّبِيُّ أَنْ يَسْتَنْكِحَهَا خَالِصَةً لَّكَ مِنْ دُونِ الْمُؤْمِنِينَ﴾

“and a believing woman if she offers herself to the Prophet (ﷺ), and the Prophet (ﷺ) wishes to marry her — a privilege for you only, not for the (rest of) the believers.”^[1]

^[1] Al-Ahزاب 33:50.

And among them is that the Prophet ﷺ was permitted to marry without a guardian (for the woman), according to the Words of Allah, Most High:

﴿التِّي أَوْلَىٰ بِالْمُؤْمِنِينَ مِنْ أَنفُسِهِمْ﴾

“The Prophet is closer to the believers than their own selves.”^[1]

As for other than him, it is not permissible to marry except with a guardian, according to the words of the Prophet ﷺ:

«لَا نِكَاحَ إِلَّا بِوَلِيِّ»

“There is no marriage without a guardian.”^[2]

Also among them is that he is not obliged to divide his time, resources etc., equally between his wives, according to one of two opinions held by the scholars, based upon the Words of Allah, Most High:

﴿تُرْجَىٰ مَنْ نَشَاءُ مِنْهُنَّ وَتُؤْتَىٰ إِلَيْكَ مَنْ نَشَاءُ وَمِنْ أَهْلِ عَمَلٍ فَلَا جُنَاحَ عَلَيْكَ﴾

“You (O Muhammad ﷺ) can postpone (the turn of) whom you will of them (your wives), and you may receive whom you will. And whomsoever you desire of those whom you have set aside (her turn temporarily), it is no sin on you (to receive her again).”^[3]

As for everyone else, they must divide their time equally between their wives, and it is not permissible for them to favor one of them over another, according to the words of the Prophet ﷺ:

«مَنْ كَانَتْ لَهُ امْرَأَتَانِ فَمَالَ إِلَىٰ إِحْدَاهُمَا جَاءَ يَوْمَ الْقِيَامَةِ وَشِقَّةُ مَا نِلَّ»

“Whoever had two wives, and he was inclined towards one of them (more than the other), he will come forth on the Day of Resurrection with half of his body tilted to one side.”^[4]

[1] Al-Ahzab 33:6.

[2] Abu Dawud no. 2085.

[3] Al-Ahzab 33:51.

[4] Abu Dawud no. 2133 and An-Nasa'i 3394.

Among them is that Allah permitted him to marry more than four, due to the great benefits attained by it, which according to some, were more than forty, all of which are mentioned in the books of the scholars which are concerned with these matters.

Ibn 'Uthaimin

Fairness in Expenditure on Two Wives

Q I request a legal verdict for one who has two wives, one of them in Riyadh and the other in Sudan, regarding expenditure on them, since the expenditure upon the first, who lives in Riyadh — in spite of her having only a few children — is three times as much as is spent on the second wife in Sudan, although she has many children. The reason for this is due to the economic situation and the currency regulations in every country. So the expenditure upon the one who lives in Riyadh is about 1,500 Riyals and the expenditure upon the one who lives in Sudan is about 500 Riyals. Advise me how can I be fair in matters of expenditure, and may Allah reward you with goodness.

A It is incumbent upon the husband to spend on each of his wives that which is sufficient in her location, to provide what is customary, such as food, drink clothing and other related things. And if one of them has more children, her allowance must be increased accordingly, taking care to be just in everything, according to the Words of Allah, Most High:

﴿وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ﴾

“but the father of the child shall bear the cost of the mother’s food and clothing on a reasonable basis.”^[1]

— and the words of the Prophet ﷺ in his sermon during the Farewell Pilgrimage:

^[1] Al-Baqarah 2:233.

«وَلَهُنَّ عَلَيْكُمْ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ»

“And it is their right upon you that you bear the cost of their sustenance and their clothing on a reasonable basis.”^[1]

And Allah is the Granter of success.

Ibn Baz

His First Wife is Disobedient

Q I am married to two women: One of them respects me, complies with my requests and obeys me; and she loves my children from the other wife and likewise my father and my family. As for the other one, she is completely opposite to the first in everything; is it permissible for me to be estranged from her or to avoid her?

A This wife who obeys you and honors your family and your children from another woman, is rewarded and deserving of praise. As for the other wife, who is opposite to that, she is a sinner, unless there is any reason for her disobedience. And Allah says in His Noble Book:

﴿وَالَّذِي تَخَافُونَ سُوءَهُمْ يَعْطَوْهُمُ بِرِزْقِهِمْ وَأَهْبُرُوهُنَّ فِي الْمَضَاجِعِ وَاصْرَبُوهُنَّ فَإِنْ أَطَعْنَكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ سَبِيلًا إِنَّ اللَّهَ كَانَ عَلِيمًا كَبِيرًا﴾

“As to those women on whose part you see ill conduct, admonish them (first), (next) refuse to share their beds, (and last) beat them (lightly, if it is useful); but if they obey you, seek not against them means (of annoyance). Surely, Allāh is Ever Most High, Most Great.”^[2]

So stay away from this woman in bed until she becomes righteous and undertakes her obligations which Allah has made incumbent upon her. But do not refrain from speaking to her,

^[1] Muslim no. 1218.

^[2] An-Nisa' 4:34.

because it is not permissible for anyone among the believers to be estranged from his brother for more than three days, as was confirmed from the Prophet ﷺ. In short, you may avoid speaking to her for only three days. As for the bed, you may stay away from her as long as you wish until she fulfills her obligations towards you.

Ibn 'Uthaimin

Her Husband Stayed Away From Her For Two Years

Q What is the ruling on a wife whose husband stayed away from her for two years, bearing in mind that she lives with him in the same house and he has two other wives besides her who also live in the same house? Benefit us with advice, and may Allah benefit Islam and the Muslims through you.

A It is forbidden for a husband to coerce his wife by staying away from her bed for more than four months without her consent, according to the Words of Allah, Most High:

﴿فَلَا تَيْبَلُوا كُلَّ الْمَيْلِ فَتَذَرُوهَا كَالْمُعَلَّقَةِ﴾

“so do not incline too much to one of them (by giving her more of your time and provision) so as to leave the other hanging (i.e. neither divorced nor married).”^[1]

— and He, Most High says:

﴿وَلَا تُضَارُوهُنَّ لِضَيِّقُوا عَلَيْهِنَّ﴾

“and do not harm them so as to straiten them (that they be obliged to leave your house).”^[2]

And it is an obligation upon the husband to be equitable with his wives, and to be just with them in matters of housing,

^[1] *An-Nisa'* 4:129.

^[2] *At-Tilaaq* 65:6.

expenditure, clothing etc. Whoever does not do so has wronged his wife and behaved badly in his relationship with her — unless she was disobedient, in which case, he may stay away from her for as long as is necessary or part from her. And Allah knows possible.

Ibn Jibreen

How to Act With Equity Between Wives

Q A man married a woman, traveled to another country, and stayed there until he married another woman as well. He did not visit the first woman, and he stayed with the second one for months. Then he came to the first one. Should the man spend the same amount of time with the first wife as he spent (with the second wife), or should he begin to apportion his time (between them)?

A The *Sunnah* when a man marries a wife, while he already has a wife whom he married before, is to stay with the second wife for three days if she is not a virgin and for seven days if she is a virgin. After that, he should begin to divide his time and act with justice between them. When he is absent from one of them, he must spend the same amount of time with her as he spent with the other one, if that is possible for him, unless the one with the right gives up her right or a part of it.

The Permanent Committee

There is no Sin Upon You if You Love One of Your Wives More Than the Other

Q I am married to two wives — all praise and thanks be to Allah — and I fulfill all of my responsibilities towards them, but one of them is more obedient to me and behaves better towards me than the other, which has created an inclination in me towards the first. Is there any sin upon me in this?



It is incumbent upon the husband to act with fairness between his wives in everything he can. As for the things which he is unable to do, there is no sin upon him in that, according to the Words of Allah, Most High:

﴿لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

“Allāh burdens not a person beyond his scope.”^[1]

and also the Words of Him, Most High:

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ اللَّهَ﴾

“So keep your duty to Allāh and fear Him as much as you can.”^[2]

So if the questioner loves the wife who fulfills her obligations towards him more than the other, who neglects her obligations towards him, then there is no sin upon him in that. But he should not neglect being fair in the rights of the second wife in all that is possible.

Ibn ‘Uthaimin

How to Be Just in Expenditure and Giving Gifts

Q I have a daughter who is employed, she gives her mother a portion of her salary, and I am not in need of her salary. But she gives me more than she gives her mother. My second wife has a son who works with my money and he profits and gives his mother something from his income. The third wife has small sons and she has no income from any source and when she asks me for money, I give it to her and I give her co-wives the same as I give to her, out of fear of doing injustice. What I fear is, if I give her more than her co-wives, due to the fact that they have children who give them something — and I am interpreting the *Hadith*:

[1] *Al-Baqarah* 2:286.

[2] *At-Taghabun* 64:16.

«أَنْتَ وَمَالُكَ لِأَبِيكَ»

“You and your property belong to your father.”

— is what they receive from their children of mine, and do I have to give the third wife the same, or not? I request your advice.



If the situation is as you have described it, that the sum given by your daughter to her mother is from her salary, and the sum given by your son to his mother is from his share of the aforementioned profit. Then you are not obliged to give your third wife the same amount as is given to her co-wives by their children, because the giving of a daughter to her mother, and the giving of a son to his mother, is considered to be an act of kindness from each of them towards the mother. So you are not obliged to give the third wife an equivalent amount; you are only obliged to give each of your wives what is sufficient for her and for her children, according to what is reasonable.

The Permanent Committee

Relationships With Women

How to Resolve Marital Disagreements



What is your advice for husbands and wives so that they may resolve marital disagreements that occur between them? And what is your advice to some guardians and women who prevent the marriage of girls in their care in order to get their incomes?



I advise every husband and wife to avoid disagreements between themselves and to disregard each other's shortcomings. This is indicated by the Prophet ﷺ in his words:

«لَا يَفْرُكُ مُؤْمِنٌ مُؤْمِنَةً إِنْ كَرِهَ مِنْهَا خُلُقًا رَضِيَ مِنْهَا آخَرَ»

“A believing man should not hate a believing woman; if he is annoyed by some aspect of her character, some other aspect of her

character will please him.”^[1]

As for those who prevent the girls in their charge from getting married in order to get whatever income they have from working — their guardians are betraying them, and it is forbidden for them to do so. If they should do this, their guardianship should be revoked and they will pass into the care of the next guardian, after the one who prevented them from marriage. If the second one also prevents them, they pass to the third, and so on. If all of the guardians refuse to give them in marriage, due to fear of a rift in relations with the first guardian, then the matter should be submitted to the Court and the Judge will give her in marriage.

Ibn ‘Uthaimin

The Ruling in Divulging Marital Secrets

Q Some women are overcome by the urge to communicate what is said in the house and their marital life to their relatives and friends. Some of what is said is secret, and the husband does not want anyone else to know it. What is the ruling on women who divulge these secrets and communicate them to those outside the house, or to some members of the household?

A The practice, as some women do, of communicating what is said in the house, and communicating details about their marital life to relatives and friends, is a forbidden thing. It is not permissible for a woman to divulge the secrets of her house or her affairs with her husband to any person. Allah, Most High says:

﴿وَالَّذِينَ آمَنُوا هُمْ حَافِظُونَ لِمَا خَلْفَهُمْ وَلَا يُحِيطُونَ بِشَيْءٍ مِّنْ أَمْرِهِمْ إِلَّا أَمْرًا ظَاهِرًا ۗ أُولَٰئِكَ يَرْجُوا عَذَابَ اللَّهِ ۗ﴾

“Therefore the righteous women are devoutly obedient (to Allāh and to their husbands), and guard in the husband’s absence what

^[1] Muslim no. 1467.

Allāh orders them to guard (e.g. their chastity and their husband's property)''^[1]

— and the Prophet ﷺ informed us that the worst of people in rank before Allah on the Day of Resurrection will be a man who has sexual intercourse with his wife and she with him, then he communicates her secrets.

Ibn 'Uthaimin

It is Incumbent Upon a Wife to Hear and Obey Her Husband

Q I have a relative who is afflicted by a number of chronic diseases and he is unable to work. He has children; four of them work and help their father with his living expenses. But his wife says: "You have no right to take anything from your children." She says that her expenses should be met by her husband, and she goes out without her husband's permission, and does as she likes, and previously she has asked for a divorce, saying to her husband: "You are forbidden to me as your mother is forbidden to you."

A It is an obligation upon the aforementioned wife to hear and obey her husband in all that is reasonable, and she does not have the right to go out without her husband's permission, as long as he fulfills his obligations to her. Such as supporting her and clothing her. She has no right to rebuke him because of what he takes from his sons. As for her declaring herself forbidden to him, she should make the expiation for an oath for this, and turn in repentance to Allah, Most Glorified. The expiation for an oath is to feed ten poor persons or clothe them, giving each one of them half a *Sa'* of the country's staple food, such as dates, rice etc. Or, she must clothe each of them with a garment suitable for prayer. As for her seeking a divorce, the reason for it must be looked into, and that must be done by

^[1] *An-Nisa'* 4:34.

the Court. And the opinion of the Court will be sufficient, if Allah wills. May Allah grant success to all in attaining that which pleases Him and peace.

Ibn Baz

The Ruling on Giving a Gift on the Occasion of the Wedding Anniversary

Q Is it permissible for a husband to give a gift to his wife on the occasion of their wedding anniversary every year, in order to renew the affection and love between them. Bear in mind, that the remembrance is confined only to giving a gift, and the spouses do not hold a celebration on this occasion?

A It is my opinion that this door be closed, because this year it will be a gift and next year it might be a celebration. Also, simply marking this occasion by giving a gift is making it into an *'Eid*. An *'Eid* is anything which is repeated or returns (annually), and affection should not be renewed every year. Rather it should be renewed at all times: Whenever the wife sees something from the husband which pleases her, and every time the husband sees something from the wife which pleases him, their affection and love will be renewed.

Ibn 'Uthaimin

It is an Obligation to Live With Wife in Kindness

Q Some young men — may Allah guide them — who are religious do not live with their wives in kindness. They spend much of their time doing things related to their studies or their work and they leave their wives alone or with their children in the house for long hours, citing work or study as the reason. What does your Eminence have to say about this, and should studying and work be done on the wife's time? Benefit us (with advice) and may Allah benefit you.



There is no doubt that it is incumbent upon husbands to live with their wives in kindness, according to the Words of Allah, the Almighty, the All-Powerful:

﴿وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ﴾

“and live with them honourably.”^[1]

and the Words of Him, Most Glorified:

﴿وَهُنَّ مِثْلُ الَّذِي عَلَيْنَّ بِالْمَعْرُوفِ وَلِلرِّجَالِ عَلَيْنَّ دَرَجَةٌ وَاللَّهُ عَزِيزٌ حَكِيمٌ﴾

“And they (women) have rights (over their husbands as regards living expenses) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable, but men have a degree (of responsibility) over them. And Allāh is All-Mighty, All-Wise”^[2]

When ‘Abdullah bin ‘Amr bin Al-‘As spent his time standing in prayer at night and fasting during the day, the Prophet ﷺ said:

«صُمْ وَأَفْطِرْ وَنَمْ، وَقُمْ وَصُمْ مِنَ الشَّهْرِ ثَلَاثَةَ أَيَّامٍ فَإِنَّ الْحَسَنَةَ بَعَشْرٍ أَمْثَالِهَا فَإِنَّ لِنَفْسِكَ عَلَيْكَ حَقًّا، وَلِرَوْجِكَ عَلَيْكَ حَقًّا، وَلِضَيْفِكَ عَلَيْكَ حَقًّا، فَأَعْطِ كُلَّ ذِي حَقٍّ حَقَّهُ»

“Fast and break your fast and sleep and stand in prayer, and fast three days from the month, because the good deed is rewarded with ten of its like. Verily, your self has a right upon you, and your wife has a right upon you, and your guest has a right upon you. So give everyone who has a right his due.”^[3]

Other *Hadiths* are narrated to that effect. Therefore, it is legislated for young men and others to live with their wives in kindness, and be affectionate towards them, and be friendly with them, as much as they are able. And if it is possible for some of the study and work to be done in the house, then that is

[1] *An-Nisa'* 4:19.

[2] *Al-Baqarah* 2:228.

[3] *Al-Bukhari* no. 1975 and *Muslim* no. 1159.

better in order to be friendly towards the wife and children.

In any case, it is legislated for the husband to set aside some time for his wife in which to be friendly with her and share good relations. This is especially so if she is alone in the house, without anyone except her children, or without anyone at all. The Prophet ﷺ said:

«خَيْرُكُمْ خَيْرُكُمْ لِأَهْلِهِ وَأَنَا خَيْرُكُمْ لِأَهْلِي»

“The best of you is the one who is kindest to his wife, and I am the kindest among you to my wives.”^[1]

It is also legislated for the wife to support her husband in important matters relating to his studies and his work, and to be patient over any shortfall which might occur when he has no control over something, so that cooperation between them is achieved, according to the Words of Allah, Most Glorified:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ﴾

“Help you one another in Al-Birr and At-Taqwa (virtue, righteousness and piety).”^[2]

— and the Words of Him, the Almighty, the All-Powerful:

«مَنْ كَانَ فِي حَاجَةٍ أَخِيهِ كَانَ اللَّهُ فِي حَاجَتِهِ»

“Whoever fulfilled the needs of his brother, Allah will fulfill his needs.”^[3]

«وَاللَّهُ فِي عَوْنِ الْعَبْدِ مَا كَانَ الْعَبْدُ فِي عَوْنِ أَخِيهِ»

“and Allah will support His servant as long as His Servant is supporting his brother.”^[4]

And Allah is the Granter of success.

Ibn Baz

[1] At-Tirmithi 3895 and Al-Bayhaqi 7/468.


[2] Al-Ma'idah 5:2.

[3] Al-Bukhari no. 2442 and Muslim no. 2580.

[4] Muslim no. 2699.

Living Honourably with Spouse

Q I am a married woman since 25 years ago. I have many sons and daughters, and I have a lot of problems with my husband. He often humiliate me before my kids and my relatives, whether near relatives or far ones. And he never respects me for no reason that makes me relieved when he is not at home . Even though this man prays and fears Allah. Please guide me to the right path, may Allah rewards you with good.

 What is incumbent upon you is to be patient and advise your husband in whichever way is best and to remind him of Allah and the hereafter, may he responds and come to his senses and return to truthfulness and recant his mal behavior. In case he did not change he will harvest his sins and you will get reward for being patient and for tolerating all the harm he has done to you. It is also legalized for you to supplicate for him during your prayers as well as at other times that Allah will guide him to what is right and to bestow on him good manners and to protect you from his evil and the evil of other people.

It is incumbent upon you to judge yourself and to follow the right path of religion and to turn to Allah in repentance — Glorified be He — from whatever sins you did against Allah and against your husband and against others, for who knows, it could be because of your sins that Allah turned him against you, according to the Words of Allah — Glorified be He:

﴿وَمَا أَصَابَكُمْ مِّنْ مُّصِيبَةٍ فِيمَا كَسَبَتْ أَيْدِيكُمْ وَيَعْفُوا عَنْ كَثِيرٍ﴾

“And whatever of misfortune befalls you, it is because of what your hands have earned. And He pardons much.”^[1]

There is no harm if you requested from his father or his mother or his elder brother or those whom he respect from the relatives or the neighbors to advise your husband and to urge him to live

^[1] Ash-Shurah 42:30.

honorably with you following Allah command — Glorified be He —

﴿وَعَاشِرُهُنَّ بِالْمَعْرُوفِ﴾

“and live with them honourably.”^[1]

And the Words of Him, Most Glorified:

﴿وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ﴾

“And they (women) have rights (over their husbands as regards living expenses) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable, but men have a degree (of responsibility) over them.”^[2]

Ibn Baz

My Husband Hates Me for no Reason

Q I am sending you this problem hoping to find a solution. In short, the cause of my problem is my husband — may Allah pardon him. Although he is committed to noble manners and he fears Allah, nevertheless he never takes care of me at home. He is always putting on a gloomy face and is very short tempered. It might come to your mind that I am the cause, but Allah knows that by His Grace that I fulfill all that brings comfort and tranquility to him and leave out all that offends him. I remain sober on his indifference, and whenever I ask him anything or talked to him about any subject, then he become instantly angry and outraged and respond that I talk nonsense, and that I am foolish. On the other hand when he is with his pals and colleagues, he is very friendly and ever smiling. This ill treatment hurts me and torture me and push me to abandon the house.

^[1] An-Nisa' 4:19.

^[2] Al-Baqarah 2:228.

As for me, I am a woman of average education and I carry out all the duties that Allah Has ordained on me. My question to your Eminence: Will I be committing a sin if I leave the house and then take the burden of bringing up my kids, and endure all the hardships of life, or shall I remain with him under the prevailing conditions and remain silent and indifferent to his feelings and problems?



No doubt it is obligatory upon the couple to live together honorably and to exchange all kinds of love and good manners, for Allah, Most glorified says:

﴿وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ﴾

“and live with them honourably.”^[1]

And His saying — Glorified be He —

﴿وَهُنَّ مِثْلُ الَّذِي الَّذِي عَلَيْهِنَ بِالْمَعْرُوفِ وَلِلرِّجَالِ عَلَيْهِنَ دَرَجَةٌ وَاللَّهُ عَزِيزٌ حَكِيمٌ﴾

“And they (women) have rights (over their husbands as regards living expenses) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable, but men have a degree (of responsibility) over them. And Allāh is All-Mighty, All-Wise.”^[2]

And the Prophet ﷺ saying:

«الْبِرُّ حُسْنُ الْخُلُقِ»

“Piety is good manners”^[3]

And his saying:

«لَا تَحْقِرَنَّ مِنَ الْمَعْرُوفِ شَيْئًا وَلَوْ أَنَّ تَلَقَى أَخَاكَ بِوَجْهِ طَلِقِ»

“Do not look down upon insignificant (M‘aruf) even if you meet your brother with a smiling face”^[4]

[1] An-Nisa’ 4:19.

[2] Al-Baqarah 2:228.

[3] Muslim no. 2553.

[4] Muslim no. 2626.

And his saying:

«أَكْمَلُ الْمُؤْمِنِينَ إِيمَانًا أَحْسَنُهُمْ خُلُقًا وَخَيْرُكُمْ خَيْرُكُمْ لِنِسَائِهِمْ وَأَنَا خَيْرُكُمْ لِأَهْلِي»

“The most perfected Mu’mens are having the best manners and the best of you are the best for their women and I am the best of you for my family.”^[1]

And many other *Hadiths* that urge the Muslims to have good conduct and to live honorably among themselves. This is in general, so how about couples and relatives?

You have done good by being patient and by enduring your husband ill-treatment, his harshness and his misconduct. I advise you to be more tolerant and do not abandon your house as you will receive benefit from Allah if He Wills. Allah, Glorified, be He said:

﴿وَأَصْبِرُوا إِنَّ اللَّهَ مَعَ الصَّابِرِينَ﴾

“and be patient. Surely, Allāh is with those who are As-Sābirūn (the patient)”^[2]

And His Words , Most glorified:

﴿إِنَّهُ مَنْ يَتَّقْ وَيَصْبِرْ فَإِنَّ اللَّهَ لَا يُضِيعُ أَجْرَ الْمُحْسِنِينَ﴾

“and by performing righteous good deeds), and is patient, then surely, Allāh makes not the reward of the Muhsinūn (good-doers. to be lost.”^[3]

And his Words Most Glorified:

﴿إِنَّمَا يُوفَّى الصَّابِرُونَ أَجْرَهُمْ بِغَيْرِ حِسَابٍ﴾

“Only those who are patient shall receive their reward in full, without reckoning.”^[4]

[1] At-Tirmithi no. 1162, Abu Dawud no. 4682 and Ahmad 2/250.

[2] Al-Anfal 8:46.

[3] Yusuf 12:90.

[4] Az-Zumar 39:10.

— and the Words of Him, the Almighty, the All-Powerful:

﴿فَاصْبِرْ إِنَّ الْعَاقِبَةَ لِلْمُتَّقِينَ﴾

“So, be patient. Surely, the (good) end is for the *Muttaqūn* (the pious).”^[1]

There is no objection if you joke with him, and say words which will incline his heart and cause him to be happy in your company, and make him aware of your right. And you should avoid asking for material things, as long as he fulfills the important obligations, so that his heart will be opened and his breast will be expanded towards your important requests, and you will welcome the outcome, Allah Willing. May Allah grant you success in achieving an increase in every good thing and improve your husband’s situation, and inspire him with good conduct and grant him good character, good nature and careing for the rights (of others). Verily, He is the One Who is asked and He is the Guide to the Straight Path.

Ibn Baz

My Husband and His Children do not Treat Me Reasonably

Q I married a man whose wife had died leaving him with nine children. I was to them like a mother with her own children. But all that I received from them was distress and pain. So much so, that the eldest daughter, who is married, used to leave her husband’s house without his permission in order to cause disagreements and problems between us. All this would occur with the full knowledge of their father, who would unjustly take their side. I even purchased household requirements with my own money, even selling my own jewelry, but he did not repay this with gratitude. When the situation became worse and I asked for a divorce, he refused.

^[1] *Hud* 11:49.

What can I do with a man who does not treat me with kindness, and will not part from me with kindness? And what is your advice to the husband and his children?



Our advice to the husband and his children is to fear Allah regarding this woman — if what she says is true — and to live with this woman in a kind and equitable manner, in accordance with the Words of Allah, Most High:

﴿وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ﴾

and live with them honourably.^[1]

— and His Words:

﴿وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ﴾

And they (women) have rights (over their husbands as regards living expenses) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable.^[2]

It has been confirmed from the Prophet ﷺ that he said:

«خَيْرُكُمْ خَيْرُكُمْ لِأَهْلِهِ وَأَنَا خَيْرُكُمْ لِأَهْلِي»

“The best of you is the one who is kindest to his wife, and I am the kindest among you to my wives.”^[3]

Since he does not live with her except in the manner which she has mentioned, which is a detestable matter, then he is a sinner due to it before Allah, the Almighty, the All-Powerful. This will detract from his good Deeds on the Day of Resurrection, a Day when he will be in the severest need of good deeds.

As for what concerns the wife, and what she is obliged to do in this situation, I order her to be patient and warn the husband with that which will cause him to fear (Allah) and soften his heart. If there is no change, then Allah, Most High says:

[1] *An-Nisa'* 4:19.

[2] *Al-Baqarah* 2:228.

[3] *At-Tirmithi* 3895 and *Abu Dawud* no. 4682.

﴿وَإِنْ أَمْرًا خَافَتْ مِنْ بَعْلِهَا نُشُوزًا أَوْ إِعْرَاصًا فَلَا جُنَاحَ عَلَيْهِمَا أَنْ يُصْلِحَا بَيْنَهُمَا صُلْحًا وَالصُّلْحُ خَيْرٌ وَأُحْضِرَتِ الْأَنْفُسُ الشُّحَّ وَإِنْ تُحْسِنُوا وَتَتَّقُوا فَإِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا﴾ (١٧٨)

“And if a woman fears cruelty or desertion on her husband’s part, there is no sin on them both if they make terms of peace between themselves; and making peace is better. And human inner selves are swayed by greed. But if you do good and keep away from evil, verily, Allāh is Ever Well-Acquainted with what you do.”^[1]

So she should request the establishment of a group from among the good people to intervene in the matter, and try to arbitrate between them, according to what they see fit, whether reconciliation or parting, with compensation or without compensation.

Ibn ‘Uthaimin

The Ruling on Cursing the Wife and Is She Forbidden Thereby?

Q What is the ruling on a husband intentionally cursing his wife? And does the wife become forbidden to him because of his cursing her? Or does she become divorced? And what is the atonement for that?

A A husband cursing his wife is a detestable matter and it is not permissible. In fact, it is one of the major sins, according to the narration confirmed from the Prophet ﷺ in which he said:

«لَعْنُ الْمُؤْمِنِ كَقَتْلِهِ»

“Cursing a believer is like killing him.”^[2]

[1] *An-Nisa’* 4:128.

[2] *Al-Bukhari* no. 6652 and *Muslim* no. 110.

He ﷺ also said:

«سَبَابُ الْمُسْلِمِ فُسُوقٌ وَقِتَالُهُ كُفْرٌ»

“Verbally abusing a Muslim is disobedience, and fighting against him is disbelief.”^[1]

And he ﷺ said:

«إِنَّ اللَّعَّانِينَ لَا يَكُونُونَ شُهَدَاءَ وَلَا شُفَعَاءَ يَوْمَ الْقِيَامَةِ»

“Those who curse will neither be martyrs, nor will they receive intercession on the Day of Resurrection.”^[2]

It is incumbent upon him to turn to Allah in repentance (*Tawbah*) due to this, for whoever turns to Allah in sincere repentance, Allah turns to him with forgiveness. His wife remains married to him, and she is not forbidden to him merely because he cursed her. But it is incumbent upon him to live with her with the kindness due to a wife, and to guard his tongue from every saying which angers Allah, Most Glorified. As for the wife, she is also required to guard her tongue from what angers Allah, the Almighty, the All-Powerful and from what angers her husband, except in truth. Allah, Most Glorified says:

﴿وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ﴾

“and live with them honourably.”^[3]

— and He, the Almighty, the All-Powerful says:

﴿وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ﴾

“but men have a degree (of responsibility) over them.”^[4]

And Allah is the Granter of success.

Ibn Baz

[1] Al-Bukhari no. 48 and Muslim no. 64.

[2] Muslim no. 2598.

[3] *An-Nisa'* 4:19.

[4] *Al-Baqarah* 2:228.

My Husband is Addicted to Smoking

Q My husband is addicted to smoking, and he suffers from asthma, and many problems have occurred between us on account of his giving it up. Then five months ago, he prayed two *Rak'ahs* and swore that he would not smoke again, but he went back to smoking one week after his oath and the problems between us returned. So I requested a divorce from him, but he promised me that he would not do it again and he gave it up for good. However, I am not completely sure of him, so what is your correct opinion? And what is the atonement for his swearing? And what do you advise me to do? May Allah reward you with goodness.

 Smoking is an evil, forbidden act and its harmful effects are many, and Allah, Most Glorified has said in His Noble Book, in *Surah Al-Ma'idah*:

﴿يَسْأَلُونَكَ مَاذَا أُحِلَّ لَهُمْ قُلْ أُحِلَّ لَكُمْ الطَّيِّبَاتُ﴾

“They ask you (O Muhammad ﷺ) what is lawful for them (as food). Say: “Lawful unto you are *At-Tayyibāt* [all kinds of *Halāl* (lawful-good)].”^[1]

He says in *Surah Al-A'raf*, describing the Prophet ﷺ:

﴿وَيُحِلُّ لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ﴾

“he allows them as lawful *At-Tayyibāt* (i.e. all good and lawful as regards things, deeds, beliefs, persons and foods), and prohibits them as unlawful *Al-Khabā'ith* (i.e. all evil and unlawful as regards things, deeds, beliefs, persons and foods).”^[2]

There is no doubt that smoking is from *Al-Khabā'ith*. Therefore it is an obligation on your husband to give it up, and to beware of it, in obedience to Allah, Most Glorified and His Messenger

[1] *Al-Ma'idah* 5:4.

[2] *Al-A'raf* 7:157.

ﷺ. He must beware of all means of invoking Allah's Anger, and he must safeguard his religion and his health in order to live with you in kindness.

Regarding his oath, it is an obligation upon him to atone for it, and to turn to Allah, Most Glorified in repentance, because he returned to it (i.e., smoking). The atonement is to feed ten poor persons, or to clothe them, or to free a believing slave. It is sufficient to give them dinner or lunch, or to give each one of them half a *Sa'* of the staple food of the country, and that is approximately one and a half kilograms. And we advise you not to seek a divorce if he prays and his behavior is good, and he has given up smoking. However, if he continues his disobedience, then there is no objection to your seeking a divorce. And we ask Allah to guide him, and to grant him success in achieving sincere repentance.

Ibn Baz


My Wife Smokes

Q I have a wife who fulfills her obligations to Allah, such as praying, fasting etc., and she is obedient in fulfilling the rights of the husband. But she smokes in secret, and when I discovered this, I punished her and advised her not to continue smoking, but she did not take my advice and continued to do it. In brief, in what way should I proceed regarding this wife?

- (a) Is it permissible for me to be patient with her action, since the one who accepts is like the one who does it?
- (b) Am I guilty of sin if she continues to do this, and remains in my house?
- (c) Is it permissible for me to divorce her in order to avoid sin and transgression?


I request a solution from Your Eminence, may Allah reward you with the best of rewards and grant you long life for the


good of Islam and the Muslims.

 You must advise her and explain to her the harmful effects of smoking and continuing it, and strive as much as possible to prevent her from smoking. You will have a reward for that, and there is no sin upon you. Because you do not accept her action; indeed, you have rebuked her and advised her, so it is upon you to continue this, even by punishing her with a punishment that will keep her from doing it. And we ask Allah to guide her.

Ibn Baz

His Wife Has Bad Manners, Should He Divorce Her?

 There is a wife who habitually curses and reviles her children and sometimes beats them for every large and small mistake. I have advised her many times to stop this habit, but her reply is: "You have spoiled them and now they are badly mannered." So that now the children hate her and they no longer listen to her words at all, even though they know that in the end they will be scolded and beaten. What is the view of the religion in detail regarding the measure I should take with this wife, so that she will take heed? Should I stay away from her by divorcing her, and leave the children with her? Or what should I do? Advise me and may Allah grant you success. And peace, mercy and blessings of Allah be upon you.

 Cursing one's children is a major sin, as is cursing others who do not deserve being cursed. And it has been confirmed from the Prophet ﷺ that he said:

«لَعْنُ الْمُؤْمِنِ كَقَتْلِهِ»

"Cursing a believer is like killing him."^[1]

[1] Al-Bukhari no. 6652 and Muslim no. 110.

He ﷺ also said:

«سَبَابُ الْمُسْلِمِ فُسُوقٌ وَقِتَالُهُ كُفْرٌ»

“Verbally abusing a Muslim is disobedience, and fighting him is disbelief.”^[1]

And he said:

«إِنَّ اللَّعَّائِينَ لَا يَكُونُونَ شُهَدَاءَ وَلَا شُفَعَاءَ يَوْمَ الْقِيَامَةِ»

“Those who curse will neither be martyrs nor will they receive intercession on the Day of Resurrection.”^[2]

So it is incumbent upon her to turn in repentance to Allah, Most Glorified, and to guard her tongue from abusing her children. It is legislated for her to supplicate much for their guidance and piousness, and it is legislated for you, the husband, to advise her continually and to warn her against reviling her children. If advising her does not work, then you may abandon her as much as you think is beneficial, with patience and reflection, and without divorcing in haste. We ask Allah to guide us, you and her.


Ibn Baz

It is Incumbent Upon the Husband to Protect His Wife From the Causes of Corruption

Q I witnessed my wife kissing the image of a singer on the television screen; the sight of this angered me, and from that time I abandoned her and I continue to do so until now. I request you to advise me regarding the ruling of the Islamic Law on this unexpected behavior on her part and my subsequent ostracism of her. And what is the ruling also on my continuing with her in this manner, when I feel that she may be deceiving me at any time?


^[1] Al-Bukhari no. 48 and Muslim no. 64.


^[2] Muslim no. 2598.

 There is no doubt that a woman has little endurance or patience when faced with the causes of trials and temptations (*Al-Fitan*). And there is no doubt that looking at pictures of men and listening to the voices of singers is a major cause of temptation and trial for men and women. So we advise you to be zealous regarding your wife and protect her from the causes of corruption, so do not let her see the tempting pictures in immoral magazines and films full of evils, and prevent her from seeing pictures of men from whom temptation and trial are feared, due to their good looks or pleasant-sounding voices. As for separating from her, that is a sign of *Al-Ghirah*, but perhaps you should return to her and inform her of the reason for separating from her, and seek confirmation from her that she will not return to seeking gratification from looking at men, and to confine her glances to her husband, and that you should also confine your glances to your wife. And Allah is the Granter of success.

Ibn Jibreen

Should He Bid Farewell to His Wife Before a Journey?

 I have heard that when many married men are absent from their wives, or they are planning a journey away from her, they do not address them at the time of parting, nor at the time of returning. Is there any basis for this in the Islamic Law?

 What you have mentioned regarding many husbands not addressing their wives, nor bidding them farewell when embarking on a journey, nor addressing them upon returning from the journey has no basis in the Islamic Law. Observing this custom and considering it to be a part of the religion is an innovation which must be abandoned. This is apart from the fact that it is incumbent upon a man when he returns from a long journey, not to come to his wife at night, nor to come upon

her unexpectedly by entering the house at an unguarded moment, so that she does not do something which he dislikes, and he does not find in her something which may make him averse to her. Rather, he should wait, in order that she may know that he is arriving and prepare for him. This is a part of keeping good relations and good-mannered marital life, and it is more appropriate for maintaining it and preserving it. And it has been authentically reported from the Prophet ﷺ that he forbade men from coming to their wives at night, saying:

«إِذَا أَطَالَ أَحَدُكُمْ الْعَيْبَةَ فَلَا يَطْرُقُ أَهْلَهُ لَيْلًا»

“If one of you has been absent for a long time, he should not come to his wife at night.”^[1]

Jabir bin ‘Abdullah, may Allah be pleased with him, narrated that the Prophet ﷺ said:

«إِذَا دَخَلَتْ لَيْلًا فَلَا تَدْخُلْ عَلَى أَهْلِكَ حَتَّى تَسْتَحِدَّ الْمُغْيِبَةَ وَتَمَشِطَ الشَّعْثَةَ»

“If you arrive at night do not come to your wife until she has removed her pubic hair and combed her head.”^[2]

So he ﷺ made clear that the wisdom behind the forbiddance of one who has been on a long journey at night from entering upon his wife unexpectedly in the house to enable her prepare and beautify herself for him, and so that he does not find anything which he dislikes in her, or which makes him averse to her.

Therefore, if he writes to his family before returning and fixes the date of his return, he may enter upon them at anytime, since he is not considered unexpected, nor is he entering when she is unprepared. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

[1] Al-Bukhari no. 5244.

[2] Al-Bukhari no. 5246 and Muslim no. 1928/182.

Naming the Child is the Right of the Father and Consulting the Mother is Preferred

Q Allah, Most Glorified, Most High has blessed me with a daughter and I wanted to name her, but her mother wanted to give her another name, so I suggested to her that we draw lots for the two names and name her according to the result of the draw. Is this *Al-Azlam*, and if it is, then how can we settle this conflict? And is naming the child the right of the father alone? Advise us and may Allah reward you with goodness.

A Drawing lots in such matters as this is a lawful thing, because it is a solution to disagreement and reconciliation of the souls. The Prophet ﷺ made use of it in many matters, and if he ﷺ intended to go on a journey, he would select one of his wives by drawing lots, and whichever one's arrow was drawn by him, he would take her with him. When a man was advised to free some of his slaves — and he had only six and no others — the Prophet ﷺ drew lots among them, then he freed two and kept four as slaves.

Naming the child is the right of the father, but it is preferred to consult the mother in the matter, in order to make her happy and soften her heart. It is legislated for both of them to choose good names and to refrain from names which are disliked. It is not permissible when naming a child to use names which involve being a worshipper to other than Allah, such as 'Abdun-Nabi (the worshipper of the Prophet), 'Abdul-Ka'bah (the worshipper of the Ka'bah), 'Abdul-Husain and the like. This is because all are creatures of Allah, Most Glorified, so it is not permissible to make someone a worshipper of another besides Him. And the famous scholar, Abu Muhammad Ibn Hazm has reported that there is unanimity among the scholars on the matter of naming someone as a worshipper of other than Allah, except for the name 'Abdul-Muttalib, for the Prophet ﷺ approved of this name for some of the Companions — may

Allah be pleased with all of them. And Allah is the Granter of success.

Ibn Baz

The Ruling on Taking the Wife's Salary

Q If I married a young woman who is a teacher, do I have the right to take her salary with her agreement in case of need, and for her benefit, such as for building a house, and I do not give her any document for what I have taken, nor does she request one — bearing in mind that I work and receive a monthly salary?

A There is no sin upon you in taking your wife's salary with her agreement, if she is a legal adult. Likewise, everything she pays to you falls into the category of assistance, and there is no sin upon you in taking it, if she is happy to do it and she is a legal adult. This is in accordance with the words of Allah, the Almighty, the All-Powerful:

﴿فَإِنْ طَبَّنَ لَكُمْ عَنْ شَيْءٍ مِنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَرِيئًا﴾

but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allāh has made it lawful).^[1]

— even if it is without any document; but if you gave her a document, it would be more prudent, if you fear something from her family and her relatives, or you fear that she will ask for its return.

Ibn Baz

The Wife's Disobedience

Q Allah, Most High says, in the ruling of His Revelation:

﴿وَإِنْ أَمْرًا خَافَتْ مِنْ بَعْلِهَا نُشُوزًا أَوْ إِعْرَاضًا فَلَا جُنَاحَ عَلَيْهِمَا أَنْ يُصْلِحَا

^[1] An-Nisa' 4:4.

بَيْنَهُمَا صَلَاحًا وَأَصْلَحُ خَيْرٌ ﴿

“And if a woman fears cruelty or desertion on her husband’s part, there is no sin on them both if they make terms of peace between themselves; and making peace is better.”^[1]

The question is: Is *Nushuz*^[2] committed by the wife? And what is the ruling if a wife deserts her husband, for the same reasons which call a man to commit *Nushuz* upon his wife?



Nushuz might be committed by a wife for which reasons which call her to that, and Allah has explained the wisdom behind that in His Glorious Book, where He, Most High said, in *Surah An-Nisa*:

﴿وَالَّذِي تَخَافُونَ نُشُوزَهُمْ فَعِظُوهُمْ وَأَهْبِئُوهُمْ فِي الْمَضَاجِعِ وَأَصْرِبُوهُمْ فَإِنِ اطَّعْنَكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ سَبِيلًا إِنَّ اللَّهَ كَانَ عَلِيمًا كَبِيرًا ﴿٣٤﴾﴾

“As to those women on whose part you see ill conduct, admonish them (first), (next) refuse to share their beds, (and last) beat them (lightly, if it is useful); but if they obey you, seek not against them means (of annoyance). Surely, Allāh is Ever Most High, Most Great.”^[3]

Ibn Baz

If A Woman is Recalcitrant and Disobeys Her Husband

Q If a wife uses cologne and other types of spirit-based perfumes and goes out wearing it and she encourages her married daughters to use it and to go out with it, in spite of the husband’s prohibition of it and his swearing to it and his warnings, threats, his staying apart (from her) and his beating her sometimes, and if she goes out from his house

[1] *An-Nisa*’ 4:128.

[2] A rebellious spouse.

[3] *An-Nisa*’ 4:34.

without his permission and encourages her married daughters and her unmarried daughters to go out without permission from either husband or father for recreation or for buying unnecessary things, and if she refuses to go to her husband's bed and refuses to serve him, except occasionally, depending instead upon the service of her daughters to him, is one whose behavior is like hers considered to be guilty of *Nushuz*?



If the situation of the wife is as you describe, in spite of the warnings, advice, estrangement and beating, then she is considered guilty of *Nushuz*, due to her disobedience and her recalcitrance against her husband, and her refusal to carry out his wishes and to fulfill his rights. Based upon this, an arbitrator should be sent from his family and from her family to confirm this and to find out the causes of it, and to strive for reconciliation between them. If that is done and agreement is reached, and each of them fulfills the rights upon the other, then all praise and thanks be to Allah. If her bad behavior is confirmed and she insists upon her disobedience and her refusal to fulfill his rights, a judge should separate them, and she must return whatever dowry she took, and there is no support for her. If it is confirmed by the two arbitrators that he has lied and that he displays enmity towards her, they should advise him and order him to behave well towards her, and to fulfill the obligations of a husband towards a wife.

The Permanent Committee

My Wife Does Not Want Me



I am a young man married to a young woman who is related to me. Our marriage did not last more than two years before problems and hostile encounters began with her family. Then things returned to normal for a while. Then (the problems) returned as before. During the passing of these days, Allah blessed us with a child while I was absent. When I

returned to take her back, her father and some of her family members accepted, but I found my wife — whom I had taken care of in the most perfect manner and complete wisdom — had changed as a result of the influence of her family. So I left her for more than a year hoping that she would return to her senses. On many occasions I tried to reach her, but without achieving any positive result. I now consider that it is better to part from her permanently, but when I tried to send her the divorce paper, I was asked for the marriage contract, but it is not officially recorded, and it has been lost for two years. I am now at a loss; what should I do?




We advise you to keep attempting reconciliation, and to reunite with her. You should introduce mediators from your family and hers in order to reach an agreement between you. But when you despair of reaching a settlement, and think that parting is necessary, there is no objection to that, and there is no requirement for you to produce the marriage contract document. Instead, simply inform them that their daughter is divorced from you, and it is for them to give her in marriage to whomsoever they wish. And it is better to write the divorce at the Islamic Law Court and send them the divorce document. As for the marriage document which was lost, if you are in need of it, approach the nearest Court to you with a request for confirmation of the marriage and bring witnesses to it, and in this way, you may get a document confirming the marriage. And Allah is the Granter of success.

Ibn Jibreen


The Ruling on a Woman Sleeping Alone, Apart From Her Husband, in a Separate Room


Q Is it permissible for a woman to sleep alone, in a separate room, so long as she does not refuse to give her husband his lawful rights?

 There is no sin in that, if the husband agrees to it, and the room is safe. But if the husband does not agree to it, then she has no right to be alone, because that is against accepted custom, unless it is stated as a condition in the marriage contract, due to her not wishing anyone to sleep with her in the room, for some reason or another. For Muslims must abide by their conditions.

Ibn 'Uthaimin

My Wife Offends Me by Her Odor

 My wife has taken recently to using a kind of oil which she believes will prevent hair loss, but the smell of this oil is extremely offensive. I have requested her not to use this oil, because I cannot rest with this smell, and because if she must use something to prevent hair loss, then she can choose some other kind of shampoo or oil whose smell is acceptable. But my wife became angry at these words and thought I was trying to hurt her by them. So she stayed away from me at bedtime and started sleeping in another bedroom. I ask you to benefit us (with advice) and may Allah benefit you.

 A woman is obliged to obey her husband in those things which benefit him and do not harm her. She is obliged to beautify herself for her husband using those things that cause intimacy and affection between couples, and to remove whatever offends him, such as bad smells, dirty clothes and other things. It is forbidden for her to stay away from the bed of her husband, and to forbid him from access to her whenever he wishes, as long as there is no harm.

A stern warning has been reported for the woman whose husband calls her to his bed and she refuses, and he goes to bed angry with her. Therefore, it is incumbent upon the husband and wife to strive to achieve goodness and the affection that is required of each of them towards the other. And Allah knows best.

Ibn Jibreel

The Ruling on Either of the Two Spouses Denying the Other Their Lawful Rights

Q Is it permissible for either of the two spouses to deny the natural rights of the other for a long period of time, without any legally acceptable excuse?

A There is no doubt that sexual relations between a husband and wife are among their needs, and that the appetite for sexual intercourse varies greatly, according to the intensity or weakness of a man or woman's desire. But in most cases, the man has a stronger desire, and since it is he who desires sex more, women frequently complain about their husbands and what they suffer because of frequent sexual intercourse, which harms them.

The scholars of Islamic Jurisprudence — may Allah have mercy on them — have determined that it is an obligation upon the woman to allow her husband to have sexual intercourse with her whenever he desires it, as long as it is not harmful to her, nor distracting her from some religious obligation.

As for abandoning it for a long period of time, it is not permissible, for a woman has rights to have her intimate needs fulfilled, and the most that a woman must be patient is for four months, which is why they said that it is an obligation upon the man to have sexual intercourse with his wife (at least) once in each third of the year, if he is able to do so.

So all should act according to this, according to their desire. And if the desire comes from the woman's side, the man should agree, according to his ability, or refuse if it entails hardship. And it is upon the woman to agree, according to their usual custom, on condition that it does not harm her. And Allah is the Granter of success.

Ibn Jibreen

He Made it Conditional Upon Her That She Has Nothing Except Her Living Expenses

Q A woman has no interest except in transmitting what is said in her house to her family and to her neighbors, disclosing the secrets of her family and her husband. So he gave her the choice of remaining with him, without anything except her living expenses, or to be parted from him, so she chose to stay. Are there any other obligations upon him regarding her, after this condition?

A The action of this woman is forbidden, because it is not permissible for a woman to reveal anything of the secrets of her family — neither to her relatives nor to anyone else — because they are a trust which she is obliged to protect; and Allah, Most High has said:

﴿الْمُتَّقَاتُ قَوَّيَاتٌ حَافِظَاتٌ لِّلْغَيْبِ بِمَا حَفِظَ اللَّهُ﴾

“Therefore the righteous women are devoutly obedient (to Allāh and to their husbands), and guard in the husband’s absence what Allāh orders them to guard (e.g. their chastity and their husband’s property).”^[1]

And if the man agreed with this woman that she should remain with him without anything except her living expenses, and she accepted that, then she has nothing except those expenses, according to the words of the Prophet ﷺ:

«الْمُسْلِمُونَ عَلَى شُرُوطِهِمْ إِلَّا شَرَطًا حَرَمَ حَلَالًا أَوْ أَحَلَّ حَرَامًا»

“The Muslims must fulfill their conditions, unless it is a condition which legalizes that which is unlawful or declares unlawful that which is lawful.”^[2]

— and the words of him ﷺ:

[1] An-Nisa’ 4:34.

[2] At-Tirmithi no. 1352 and Abu Dawud no. 3594.

«مَا كَانَ مِنْ شَرْطٍ لَيْسَ فِي كِتَابِ اللَّهِ فَهُوَ بَاطِلٌ وَإِنْ كَانَ مِائَةً شَرْطٍ»

“Any condition which is not in the Book of Allah is invalid, even if there be a hundred conditions.”^[1]

Ibn ‘Uthaimin

What is Permitted For a Wife to See of Her Husband

Q Is it permissible in the Islamic Law for a woman to look at the whole of her husband’s body and for him to look at her, with the intention of gratifying himself by doing that which is lawful?

A It is permissible for a woman to look at the whole of her husband’s body and it is permissible for a man to look at the whole of his wife’s body, without exception, according to the Words of Allah, Most High:

﴿وَالَّذِينَ هُمْ لِأَعْيُنِهِمْ هَحْفُظُونَ ﴿٥﴾ إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ ﴿٦﴾ فَمَنْ أَتَعَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعَادُونَ ﴿٧﴾﴾

“And those who guard their chastity (i.e. private parts, from illegal sexual acts). Except from their wives or (the slaves) that their right hands possess, — for then, they are free from blame; But whoever seeks beyond that, then those are the transgressors;”^[2]

Ibn ‘Uthaimin

Being Naked During Sexual Intercourse

Q Is it permissible for a man to have sexual intercourse with his wife while they are both naked? Or must they cover themselves?

[1] Al-Bukhari no. 2168 and Muslim no. 1504.

[2] Al-Mu‘minun 23:5-7.

A It is an obligation upon every man and woman to cover his or her nakedness from people, except the husband with his wife and his slave-girl and vice versa. This is based upon what was narrated by Ahmad, Abu Dawud, At-Tirmithi and Ibn Majah, on the authority of Bahz bin Hakim, on the authority of his father, on the authority of his grandfather, who said: "I said: "O Messenger of Allah! Regarding our 'Awrah: From whom must we cover it, and to whom may it be shown?" He ﷺ replied:

«احْفَظْ عَوْرَتَكَ إِلَّا مِنْ زَوْجَتِكَ أَوْ مَا مَلَكَتْ يَمِينُكَ»

"Preserve your 'Awrah except from your wife, or that which your right hand possesses."

I said: "And if the people are mixed together?" He replied:

«إِنْ اسْتَطَعْتَ أَنْ لَا يَرَاهَا أَحَدٌ فَلَا تُرَيِّنْهَا»

"If you can prevent anyone from seeing it, then do not let them see it."

I said: "And if one of us is alone?" He said:

«فَاللَّهُ أَحَقُّ أَنْ يُسْتَحْيَا مِنْهُ»

"Then Allah has more right to their modesty."^[1]

Thus, the Prophet ﷺ made clear that, in general, when a person is alone, he should be covered.

The Permanent Committee

The Ruling on Abandoning a Wife For a Long Time

Q What is the answer in the Islamic Law and in truth to one who abandons his wife for a year or more than that for the purpose of working, in order to provide for his family what they need in order to live. Bear in mind that there are others whose absence is not for this reason alone, rather, they build palaces with it, and buy buses and other such trappings

[1] Abu Dawud no. 4017 and At-Tirmithi no. 2794.

of the life of this world? And there is no doubt that this prolonged absence is one of the causes of adultery, either committed by the men or by the women. We ask Allah for guidance and success.



If the husband and wife agree to this absence — whether it is long or short — accompanied by chastity, then there is no sin upon them. If one of them fears for him or herself due to the absence which is necessary in order to earn a living, he should ask his partner for his right, by which a meeting is achieved, in order to preserve honor and to maintain chastity and protect the private parts (from illegal sexual intercourse).

If he refuses, the one in need should submit the matter to a Judge in order to judge between them by what Allah has legislated, bearing in mind that it is not necessarily so that one whose wife is not with him, or one whose husband is not with her, will commit adultery — even if the period of time is protracted. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Do Not Stay Away From Your Wife For More Than Six Months Without Her Permission



How long is the legal period for which a man may be absent from his wife when he is on a journey?



If the husband is absent from wife for a long period of time, and she does not permit him to do that, then he must return to her as soon as half a year has passed, unless he is excused due to illness or the like.

However, if she permits him to stay longer, there is no sin upon him if he delays for the period which she allows him, even if it is long; but in this situation, it is incumbent upon him to fulfill the obligation of paying her expenses.

Ibn 'Uthaimin

The Limit of a Man's Absence From His Wife

Q I am a young man living away from his homeland and I am married — all praise and thanks be to Allah — but the laws of the country in which I work do not permit me to bring my wife, except for those who have certain jobs and ranks. Bearing in mind that my salary is very good, and I receive a housing allowance, and I have diplomas, yet it is not allowed for me to bring my wife. So what is the ruling of the true religion on this, since the vacation is once a year — after fourteen months, to be exact?

A Some of the Companions, may Allah be pleased with them, fixed the maximum length of time for which a husband may be absent at four months, and some of them at half a year, but this is after the wife requests her husband's return. So if half a year passes and she requests his return and he is able to, he must do so. If he refuses, she may submit the matter to a Judge in order to have the marriage annulled.

However, if his wife allows him to remain, even if the period of time is extended, exceeding a year or two, then there is no objection to this, because the right is hers and she has waived it, so she may not seek an annulment as long as she accepted his absence and as long as he continues to guarantee her sustenance, her clothing and (all) her needs. And Allah is the Granter of success.

Ibn Jibreen

The Ruling on Staying Away From the Wife For More Than Two Years in Order to Seek a Living

Q Is it permissible for a man to stay away from his wife for more than two years, bearing in mind that he is abroad seeking his living? And what is the lawful period, in your opinion, during which a man must return to his wife and

what is incumbent upon him in these circumstances?



What is incumbent upon the husband is to live with his wife in a reasonable manner, according to the Words of Allah, Most High:

﴿وَعَاشِرُهُنَّ بِالْمَعْرُوفِ﴾

“and live with them honourably.”^[1]

And the right of living together is a right which is incumbent upon the husband to fulfill towards his wife, and upon the wife to fulfill towards her husband. Part of living together in a reasonable manner is that a man is not absent from his wife for an extended period of time. This is because it is her right to enjoy the intimate company of her husband, just as he enjoys her intimate company. But if she accepts his absence — even for a long period of time — then that is her right, and there will be no sin on the husband. But that is under the condition that he has left her in a safe place where there is no fear for her safety. So if a man is absent in order to seek a living and his wife accepts that, then there is no sin upon him, even if he is absent for a period of two years or more. However, if she seeks the right of his presence, then the matter must be submitted to the Islamic Law Courts and whatever they decide must be acted upon.

Ibn ‘Uthaimin

It is Incumbent Upon the Husband to Wake His Wife For Prayer



What is the responsibility upon the husband if he does not wake up his wife in order to perform the *Fajr* prayer? Does his repeated attempts to wake her excuse him, or is he a sinner if she prays late?

^[1] *An-Nisa’* 4:19.



The answer to this question is known from the Words of Allah, Most High:

﴿الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ﴾

“Men are the protectors and maintainers of women, because Allāh has made one of them to excel the other, and because they spend (to support them) from their means.”^[1]

— and from the words of the Prophet ﷺ:

«الرَّجُلُ رَاعٍ فِي بَيْتِهِ وَمَسْئُولٌ عَنْ رَعِيَّتِهِ»

“A man is a guardian in his house and he is responsible for those in his care.”

Therefore, it is incumbent upon the husband to wake his wife for prayer by any means possible, unless that means is forbidden. And he is responsible for her before Allah, the Almighty, the All-Powerful, because Allah, Most High says:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا قُوا أَنْفُسَكُمْ وَأَهْلِيكُمْ نَارًا وَقُودُهَا النَّاسُ وَالْحِجَارَةُ﴾

“O you who believe! Ward off yourselves and your families against a Fire (Hell) whose fuel is men and stones.”^[2]

Just as, if he has some special work in the house (for which he requires her help), he will try to wake her by all possible means. Likewise in this matter; indeed it is even more appropriate, because in her rightness of conduct lies happiness in the life of this world and in the Hereafter.

Ibn ‘Uthaimin

[1] *An-Nisa’* 4:34.

[2] *At-Tahreem* 66:6.

Imperfect and Illegal Marriages, and Those in Which There is a Difference of Opinion

The Ruling on the Marriage of a Muslim Woman to a Christian Man

Q What is the ruling on the marriage of a Muslim woman to a Christian man? And what is the ruling of the Islamic Law on the children of such a marriage? And what is the ruling on the registrar who performs such a marriage? And what is the ruling on the wife, if she knew that such a marriage was invalid? And should the legal punishment be carried out upon her, or not? And if the husband embraces Islam, what is the ruling on the first marriage and how should the new marriage be completed?

A It is forbidden for a Muslim woman to marry a Christian man or any other disbeliever, according to the Words of Allah, Most High:

﴿وَلَا تُنكِحُوا الْمُشْرِكِينَ حَتَّىٰ يُؤْمِنُوا﴾

“And give not (your daughters) in marriage to Al-Mushrikūn till they believe (in Allāh Alone).”^[1]

and His Words

﴿لَا هُنَّ حِلٌّ لَّهُمْ وَلَا هُمْ يَحِلُّونَ لَهُنَّ﴾

“They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.”^[2]

And when he makes a contract of marriage with her, it must be annulled immediately; and if the wife knew this and knew the ruling, she deserves to be chastised as does the guardian, the witnesses and the registrar, if they knew that. And if she bears

^[1] Al-Baqarah 2:221.

^[2] Al-Mumtahanah 60:10.

children, they follow their mother in Islam. And if the husband embraces Islam, the contract of marriage should be renewed, after the truth of his acceptance of Islam has been confirmed, so that it should not be a device (in order to make the marriage legal). And if he apostatizes after that, his head should be chopped off, according to the *Hadith*:

«مَنْ بَدَّلَ دِينَهُ فَاقْتُلُوهُ»

“Whoever changes his religion, kill him.”^[1]

Ibn Jibreen

The Ruling on a Muslim Woman Marrying a Disbeliever

Q A man married a Muslim woman, then it became apparent that the man was a disbeliever; what is the ruling?

A If it is confirmed that the aforementioned man was a disbeliever at the time he made the contract and the woman was a Muslim, then the contract will be null and void. This is because it is not permissible — according to the consensus of the Muslims — for a disbelieving man to marry a Muslim woman, according to the Words of Allah, Most Glorified:

﴿وَلَا تُنكِحُوا الْمُشْرِكِينَ حَتَّىٰ يُؤْمِنُوا﴾

“And give not (your daughters) in marriage to Al-Mushrikūn till they believe (in Allāh Alone).”^[2]

and the Words of Him, the Almighty, the All-Powerful:

﴿فَإِنْ عَلِمْتُمُوهُنَّ مُؤْمِنَاتٍ فَلَا يَرْجِعُوهُنَّ إِلَى الْكُفَّارِ لَا هُنَّ حِلٌّ لَّهُمْ وَلَا هُمْ يَحِلُّونَ لَهُنَّ﴾

“then if you ascertain that they are true believers send them not

[1] Al-Bukhari no. 3017.

[2] Al-Baqarah 2:221.

back to the disbelievers. They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.”^[1]

Ibn Baz

One of the Resolutions of the *Fiqh* Academy

The Third Resolution

The Ruling on the Marriage of a Disbeliever to a Muslim Woman and the Marriage of a Muslim Man to a Disbelieving Woman

After perusing the objections of the Islamic Organizations in Singapore — and they are:

- a) The Organization of Islamic Missions in Singapore
- b) PERAINZ
- c) Al-Muhammadiyah
- d) PERTAS
- e) PERTAPES

— to what has been written in the agreement on the rights of a woman regarding the permission for the Muslim man and woman to marry one who does not follow the Islamic religion and what this includes, the Committee of the Islamic *Fiqh* Academy has decided unanimously on the following:

Firstly: The marriage of a disbelieving man to a Muslim woman is forbidden; it is not permissible according to the complete agreement of the Muslims scholars, and there is no doubt in this, according to the legal texts: Allah, Most High says:

﴿وَلَا تُنكِحُوا الْمُشْرِكِينَ حَتَّىٰ يُؤْمِنُوا﴾

^[1] *Al-Mumtahaanah* 60:10.

“And give not (your daughters) in marriage to Al-Mushrikūn till they believe (in Allāh Alone)”^[1]

— and He, Most High says:

﴿فَإِنْ عَلِمْتُمُوهُنَّ مُؤْمِنَاتٍ فَلَا تَرْجِعُوهُنَّ إِلَى الْكُفَّارِ لَا هُنَّ حِلٌّ لَّهُمْ وَلَا هُمْ يَحِلُّونَ لَهُنَّ وَءَاتُوهُنَّ مَّا أَنْفَقُوا﴾

“then if you ascertain that they are true believers send them not back to the disbelievers. They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them. But give them (disbelievers) that (amount of money) which they have spent (as their Mahr) to them.”^[2]

And the repetition in the Words of Him, Most High:

﴿لَا هُنَّ حِلٌّ لَّهُمْ وَلَا هُمْ يَحِلُّونَ لَهُنَّ﴾

“They are not lawful (wives) for them (the disbelievers, nor are they (the disbelievers) lawful (husbands) for them.”^[3]

indicates emphasis and confirmation of the forbiddance, and the cutting off of relations between the believing woman and the pagan man. And the words of Him, Most High:

﴿وَءَاتُوهُنَّ مَّا أَنْفَقُوا﴾

“But give them (the disbelievers) what they have spent.”^[4]

Is a command to give the disbelieving husband what he spent on his bride if she embraces Islam, so that he does not combine the loss of a wife with a financial loss.

If a disbelieving wife is married to a disbelieving husband, she becomes forbidden to him by her acceptance of Islam and she is not permissible to him after that.

[1] Al-Baqarah 2:221.

[2] Al-Mumtahanah 60:10.

[3] Al-Mumtahanah 60:10.

[4] Al-Mumtahanah 60:10.

Therefore, how can it be said that it is allowed for a disbelieving man to undertake a contract of marriage with a Muslim woman? In fact, Allah has permitted marriage to a pagan woman after she embraces Islam when she is married to a disbelieving man, since she is not permissible to him, due to her acceptance of Islam. So at that time, it is permissible for a Muslim man to marry her, once she has completed her waiting period, as has been determined by the Words of Allah, Most High:

﴿وَلَا جُنَاحَ عَلَيْكُمْ أَنْ تَنْكِحُوهُنَّ إِذَا آتَيْنَهُنَّ لِحْوَجْتَهُنَّ﴾

“And there will be no sin on you to marry them if you have paid their Mahr to them.”^[1]

Secondly: Likewise, the Muslim man is not permitted to marry a pagan woman, according to the Words of Allah, Most High:

﴿وَلَا تَنْكِحُوا الْمُشْرِكَاتِ حَتَّى يُؤْمِنَنَّ﴾

“And do not marry Al-Mushrikāt (idolatresses) till they believe (worship Allāh Alone).”^[2]

— and to the Words of Him, Most High:

﴿وَلَا تَتَّخِذُوا الْكَافِرَاتِ بَعْضَهُنَّ نِكَاحًا﴾

“Likewise hold not the disbelieving women as wives.”^[3]

And ‘Umar, may Allah be pleased with him, divorced two of his wives who were pagans when this Verse was revealed. Ibn Qudamah Al-Hanbali has reported that there is no dispute over the prohibition of marrying pagan women, except for the marriage of (a woman from) the People of the Scripture to a Muslim man.

As for those women who are chaste from among the People of the Scripture, it is permissible for the Muslim man to marry

^[1] Al-Mumtahaanah 60:10.

^[2] Al-Baqarah 2:221.

^[3] Al-Mumtahaanah 60:10.

them, and the scholars do not disagree upon this; except the Shiites, who said that it is forbidden. But it is better for the Muslim man not to marry a Christian or Jewish woman, when there are free, Muslim women available. Shaikh Al-Islam, Ibn Taimiyyah said: "It is disliked to marry them when there are free, Muslim women available." He said it in *Al-Ikhtiyarat*, and it was said by Al-Qadhi and most of the scholars, based upon the saying of 'Umar, may Allah be pleased with him, to those who married women from among the People of the Scripture: "Divorce them." So they divorced them, except Huthaifah, may Allah be pleased with him, who refused to divorce his wife; but he divorced her later on. This is because, when the Muslim marries a Jewish or Christian woman, his heart may become inclined towards her, and she may become a source of trial and temptation (*Fitnah*) for him in matters of religion, and they may have a son, and so he becomes inclined towards her (and her religion) — and Allah knows best.

Common Marriage

Q What is common marriage (*Az-Zawaj Al-'Urfi*)? And does it differ in any way from the well known ordinary marriage?


A Common marriage is a term used by some to describe temporary marriage, which is known as *Nikah Al-Mut'ah* — and it is not permissible.


This is when the duration of the marriage is fixed at the time of making the contract, by their saying: "We will give her in marriage to you for a period of one year, or half a year and after that, we will divorce her from you, or take her away." This is *Nikah Al-Mut'ah* and it is not permissible. It is only done by the Shiites, who depend upon old, abrogated *Hadiths*. The ruling is that it was outlawed and abrogated, therefore it is not permissible. As for ordinary marriage, it is when a man marries a woman with the desire to remain married, and he pays her dowry in full, even if he grants her a *Khul'* after that, or divorces

her immediately — and there is no objection to this.

Ibn Jibreen

The Ruling on Common Marriage

 I am a young man of twenty-three years of age and I have committed many sins previously in my life, but I have turned in repentance (to Allah) and I have renounced those sins. Now I am facing a number of problems, including a struggle with myself and likewise, the attempts of some of my bad friends to persuade me to return to those sins, but my repentance and my knowledge of Allah prevents me from returning to them. And because I am a young man in the prime of life, I am overcome by the desire to marry; for this reason, I have tried repeatedly to marry, but I have not been successful and this is affecting my prayer and my work. And because of my great fear of returning to the commission of sins, I implore Your Eminence to make it clear to me whether common marriage is permissible for me and (if so,) what it entails, bearing in mind that my financial situation is good — all praise and thanks be to Allah and also my health and employment situation are good — all praise and thanks be to Allah. And may Allah preserve you.

 Allah has bestowed a great blessing upon you, by granting you repentance from the sins which you have committed, so thank Allah for that, remain steadfast in your repentance, and beware of the evil suggestions of Satan, and his minions among mankind, and seek help from Allah in that.

I ask Allah to grant you success, and protection from everything which angers Him. Beware of keeping bad company; keep company with good people, for it has been authentically reported from the Prophet ﷺ that he said:

«الرَّجُلُ عَلَى دِينِ خَلِيلِهِ فَلْيَنْظُرْ أَحَدُكُمْ مَنْ يُخَالِلُ»

“A man follows the way of his friend, so each of you should take care with whom he makes friends.”^[1]

And hasten to lawful marriage and ask Allah’s Help in that.

As for common marriage, which is contradictory to the purified Islamic Law, it is not permissible to do it; and we would remind you of the Words of Allah, Most High:

﴿وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مَخْرَجًا ۖ وَيَرْزُقْهُ مِنْ حَيْثُ لَا يَحْتَسِبُ﴾

“And whosoever fears Allāh and keeps his duty to Him, He will make a way for him to get out (from every difficulty). And He will provide him from (sources) he never could imagine.”^[2]

— and the Words of Him, Most High:

﴿وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مِنْ أَمْرِهِ يُسْرًا﴾

“and whosoever fears Allāh and keeps his duty to Him, He will make his matter easy for him.”^[3]

May Allah grant success in attaining that which pleases Him to us all, and may He keep us all firmly upon the Truth.

Ibn Baz

Zawaj Al-Mut‘ah Has Been Outlawed Until the Day of Judgement



Why did Allah outlaw *Zawaj Al-Mut‘ah*?



Allah outlawed *Al-Mut‘ah* marriage because the purpose behind marriage is love and affection, stability and the building of a home and family, as Allah, Most High says:

﴿وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ

[1] Abu Dawud no 4833 and At-Tirmithi no. 2378.

[2] *At-Talaq* 65:2-3.

[3] *At-Talaq* 65:4.

﴿مَوَدَّةٌ وَرَحْمَةٌ إِنَّ فِي ذَلِكَ لَآيَاتٍ لِّقَوْمٍ يَتَفَكَّرُونَ﴾

“And among His Signs is this that He created for you wives from among yourselves, that you may find repose in them, and He has put between you affection and mercy. Verily, in that are indeed signs for a people who reflect.”^[1]

— and because *Al-Mut‘ah* marriage could lead to the loss of children who are born as a result of the sexual intercourse which takes place in this marriage, and because it also leads to much corruption in the community.

Because of this, Allah, the Almighty, the All-Powerful has outlawed it. And it has been confirmed from the Prophet ﷺ that he said:

«إِنَّهُ حَرَامٌ إِلَى يَوْمِ الْقِيَامَةِ»

“Verily, it is outlawed until the Day of Resurrection.”^[2]

This proves that it is impossible for this prohibition to ever be abrogated, because, if it were possible for it to be abrogated, it would have been possible for the Messenger ﷺ to be a liar, and that is something impossible.

Ibn ‘Uthaimin

Doubts Regarding *Nikah Al-Mut‘ah*

Q I have read in some books that *Al-Mut‘ah* is permissible and that the evidence for that is the Saying of Allah, Most High:

﴿فَمَا اسْتَمْتَعْتُمْ بِهِ مِنْهُنَّ فَآتُوهُنَّ أُجُورَهُنَّ﴾

“so with those of whom you have enjoyed sexual relations, give them their Mahr as prescribed;”^[3]

and that *Al-Mut‘ah* was only outlawed after the death of the

[1] *Ar-Rum* 30:21.

[2] *Muslim* no. 1406,28.

[3] *An-Nisa’* 4:24.

Prophet ﷺ and that the weight of opinion is that it was ‘Umar, may Allah be pleased with him, who outlawed it and the fourth Caliph, ‘Ali Ibn Abi Talib, may Allah be pleased with him, said: “If ‘Umar had not declared *Al-Mut’ah* illegal, no one would commit adultery except a wretched person.” What is the truth of this information?



At the beginning of Islam, it was permitted, because the people had only recently abandoned disbelief. So it was permitted for them in order to soften their hearts. Then the Prophet ﷺ prohibited it from the time of the conquest (of Makkah) until the Day of Resurrection. It was not ‘Umar, may Allah be pleased with him, who forbade it; ‘Umar, may Allah be pleased with him, only forbade the *Mut’ah* of Hajj and so some of them mistakenly accused him of it. As for what is reported from ‘Ali, may Allah be pleased with him, it is only a lie and a falsehood spread by the Shiites. As for the Verse, it refers to marriage, and the payment is the dowries as in His Words:

﴿وَأَتُوا النِّسَاءَ صِدْقَتَهُنَّ إِحْسَانًا﴾

“And give to the women (whom you marry) their Mahr (obligatory bridal-money given by the husband to his wife at the time of marriage) with a good heart;”^[1]

And Allah knows best.

Ibn Jibreen

The Ruling on Marriage With the Intention of Divorce



I want to travel abroad for the purpose of studying; is it permissible for me to marry with the intention of divorcing (her) when I return, without informing them of this intention?



There is no sin in that, if he married in the place to which he has traveled and his intention is to divorce her when he

^[1] *An-Nisa’* 4:4.


wishes to return, according to the majority of the scholars.


Some scholars are undecided in this, fearing that it falls into the category of *Nikah Al-Mut'ah*, but it is not so, because it is a condition of *Nikah Al-Mut'ah* that a certain period of time is specified; he marries her with the intention of divorcing her after a month or two months, that is, no marriage will exist between them after a month or two months. This is *Nikah Al-Mut'ah*.

As for unrestricted marriage, there is no (such) condition in it, but his intention is to divorce her when he travels from the country. This does not make it *Mut'ah*, because he might divorce her and he might want her. So this is not included in the category of *Nikah Al-Mut'ah* according to the correct view, which is that of the majority of scholars and the people might be in need of this, because a person might fear temptation for himself. So Allah supplies him with a suitable bride and he may marry her while his intention is to divorce her when he returns, because his country might not suit her, or for other reasons. This does not prevent the marriage from being valid. And, because this intention might be altered, if he wants to keep her, so he may take her to his country, so this intention does not harm him. And Allah is the Granter of success.

Ibn Baz


Marriage With the Intention of Divorce Also


 Is marriage with the intention of divorce permissible?

 There is no sin in that, if this is between him and his Lord, without condition from the woman or her guardians. But avoiding this is better, because this is more complete in order that he may want her; and this is the saying of the majority of scholars, as was mentioned by Muhammad Ibn Qudamah — may Allah have mercy on him — in *Al-Mughni*.

Ibn Baz

Clarification Regarding Marriage With the Intention of Divorce


 A brother has mentioned that he read from Your Eminence that it is permissible to marry with the intention of divorce, without defining the time of divorce. And that you recommend young men who are abroad to marry in this manner. And that it is possible that love might develop between them, or that Allah might bless them with a child, so it continues. Is this correct? I request clarification, may Allah reward you.

 This verdict was issued by the Permanent Committee for Scientific Research and Religious Verdicts in the Kingdom of Saudi Arabia under my directorship and with my cooperation and this is the view of the majority of scholars, as mentioned by Muwaffaq Ad-Din Ibn Qudamah — may Allah have mercy on him — in his book, *Al-Mughni*, as that is between him and Allah, Most Glorified and it is not a form of *Nikah Al-Mut'ah*.

However, if he agreed with the woman's family to that, or imposed a condition that it should be for a limited period, then that would be detested and not permissible; and the marriage would be considered *Nikah Al-Mut'ah* and it would be invalid, because the Messenger ﷺ prohibited it, and informed us that Allah has forbidden it until the Day of Resurrection. And Allah is the Granter of success.

Ibn Baz

The Difference Between it and *Nikah Al-Mut'ah*

 I have heard a verdict of yours on a cassette in which you permit marriage in foreign countries with the intention of abandoning her after a certain period of time, such as when the duration of the studies is over. So what is

the difference between this marriage and *Zawaj Al-Mut'ah*.



Yes, this verdict was issued by the Permanent Committee for Scientific Research and Religious Verdicts, of which I am the Director, permitting marriage with the intention of divorce, if that is between the worshipper and his Lord, if he marries in a foreign country, and at the end of his study period or his employment or the like, he divorces her. There is no objection to that, according to the majority of scholars — and this intention is between him and Allah, Most Glorified and is not a condition.

The difference between it and *Al-Mut'ah* is that in *Nikah Al-Mut'ah* there is a condition that the marriage will last for a fixed period of time, such as a month, two months, a year, two years or the like. Then, when the mentioned time period has expired, the marriage is annulled — this is *Nikah Al-Mut'ah*, which is invalid.

However, when he marries her according to the *Sunnah* of Allah and His Messenger, but the intention in his heart is that when he leaves the country, he will divorce her, this does not harm him. This intention might change, and it is not known, and it is not a condition; rather, it is between him and Allah, so it does not harm him. This is a means of protecting himself from illegal sexual intercourse and evil deeds, and this is the saying of the majority of scholars, related from them by the author of *Al-Mughni*, Muwaffaq Ad-Din Ibn Qudamah — may Allah have mercy on him.


Ibn Baz

The Opinion of His Eminence, Shaikh Muhammad Ibn 'Uthaimin on This Marriage



This is a person who wanted to go abroad. Since he is being sent to study, he wanted to protect his private parts (from illegal sexual intercourse) by marrying a woman

there for a fixed period of time, after which he divorces this wife, without informing her that he will divorce her. What is the ruling on this?

 This marriage with the intention of divorce does not fall outside of two categories: Either it is made a condition in the contract that he will marry for a (definite) period, such as a month or a year, or until his studies are completed — this is *Nikah Al-Mut'ah*, which is forbidden. Or he makes the intention to do this, without making it a condition, and it is well known from the *Mathhab* of the Hanbalis that it is unlawful, and that the contract is invalid, because they say that something which is intended is like something which is made a condition, according to the words of the Prophet ﷺ:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مَّا نَوَىٰ»

“Deeds are by intentions and every person shall have that which he intended.”^[1]

— and because if a man marries a woman from a person who has divorced her three times, in order to make her permissible for him, then he divorces her, then the contract is invalid, even if it was without conditions. Because something which is intended is the same as something which is made conditional. So if the intention was to make her permissible, the contract would be invalid, and likewise, the intention of *Al-Mut'ah* invalidates the contract. This is the view of the Hanbalis.

The second view held by the scholars in this matter is that it is correct for him to marry a woman with the intention of divorcing her when he leaves the country. Such as those strangers who go to study and the like. They said that this is because it was not made a condition, and that the difference between it and *Al-Mut'ah* is that in the case of *Al-Mut'ah*, when the period of time is completed, divorce takes place, whether the husband wishes it or not, as opposed to this (i.e., marriage with

[1] Al-Bukhari no.1, and Muslim no. 1907.

the intention of divorce). This is because it is possible that he may want his wife, and so she remains with him. This is one of the two sayings of *Shaikh Al-Islam* Ibn Taimiyyah.

In my view, this is correct; it is not *Al-Mut'ah*, because the description of *Al-Mut'ah* does not apply to it, but it is unlawful. This is because it involves cheating the wife and her family, and the Prophet ﷺ has forbidden cheating and deception. For if the wife knew that this man only wanted to marry her for this limited period, she would not have married him, nor would her family have agreed to it. Just as he would not accept that a person marry his daughter with the intention of divorcing her when he no longer needs her. So how can he accepts for himself that he treats another in a way which he would not accept for himself? This contradicts (true) faith, according to the words of the Prophet ﷺ:

«لَا يُؤْمِنُ أَحَدُكُمْ حَتَّى يُحِبَّ لِأَخِيهِ مَا يُحِبُّ لِنَفْسِهِ»

“None of you has (complete) faith until he loves for his brother what he loves for himself.”^[1]

I have heard that some people have used this saying as a pretext for something which is not said by anyone, which is that they go to other countries in order to marry only. That is, they go to these countries in order to marry, then they remain as long as Allah wills with the women whom they have married, with the intention that the marriage to them will be temporary, then they return. This issue is also strongly forbidden, so closing this door to it is preferable. This is because of the cheating, deception and trickery which it involves, and because it opens up the door to actions such as this, since people are ignorant, and the desires of most of them do not prevent them from transgressing Allah's prohibitions.

Ibn 'Uthaimin

[1] Al-Bukhari no. 13 and Muslim no. 45.

The Ruling on *Nikah Ash-Shighar*

Q A man gave his daughter in marriage to another person, in exchange for marrying his daughter or his sister, and neither of them paid even a symbolic dowry to the woman. Is it permissible to give a woman in return for the other, or must a symbolic dowry (at least) be paid to the two?

A It is not permissible for anyone to give his daughter or his sister or anyone under his care in marriage, on the understanding that the other will marry his son or another to his daughter or his sister or any other in his care. The Messenger ﷺ forbade that, and he called it *Ash-Shighar*, and some of the people call it *Nikah Al-Badal*, whether or not a dowry was designated. The Messenger ﷺ forbade this marriage, calling it *Ash-Shighar* and he explained it saying: That a man gives his daughter or his sister in marriage on the understanding that the other give his daughter or his sister to him in marriage.

He did not mention the dowry, which proves that the prohibition is general for both situations, and this is the more correct of the two opinions held by the scholars. In (Imam Ahmad's) *Al-Musnad* and in the *Sunan* of Abu Dawud with a good (*Jayyid*) chain of narration, it is reported on the authority of Mu'awiyah, may Allah be pleased with him, that the Governor of Al-Madinah wrote to him: "Two men married by *Ash-Shighar* and they designated a dowry." So Mu'awiyah, may Allah be pleased with him, wrote to his Governor in Al-Madinah and ordered him to separate them, saying: "This is *Ash-Shigar* which was forbidden by the Prophet ﷺ."

This condition leads the guardians to treat the women in their care unjustly, forcing them to marry those whom they dislike, and using them as commodities which can be disposed of according to their own desire, as happens to those who do this, except those whom Allah wills.

As for what was mentioned in the *Hadith* of Ibn 'Umar, may

Allah be pleased with him, regarding the explanation of *Ash-Shighar*; that it is when a man gives his daughter in marriage on the understanding that the other marries him to his daughter, and there is no dowry between them — this is from the words of Nafi' (who narrated from Ibn 'Umar) and not from the words of the Prophet ﷺ. The Prophet's explanation of *Ash-Shighar* takes precedence over that of Nafi'. And Allah is the Granter of success.

Ibn Baz

This is *Ash-Shighar* Which is Forbidden

Q A questioner says: "A marriage took place between a man from my kin and another person. But there is some doubt regarding its validity. Because it happened that the agreement of this man took place with another person on the understanding that he would marry his daughter, and that he would give his daughter in marriage to the son of that man, and each of them made it a condition that he would pay the other what is required for the woman, such as clothes and jewelry, according to what he determined. Is a marriage such as this valid, or does it fall into the category of *Ash-Shighar*, which is forbidden? And if it does, what should they do now? And if it does not belong to the category of *Ash-Shighar*, then what is *Ash-Shighar*?"



There is no doubt that this description which you have mentioned is from *Ash-Shighar*. Because no dowry was given in it except clothing for the woman and jewelry, and this is not a customary dowry in our time. The dowry in our time is not confined to jewelry and clothes for the woman; rather, it is accompanied by money. Accordingly, each of them has married the other for a dowry which is less than the adequate dowry. There is no doubt that this is *Ash-Shighar*. Because the dowry which is given to each of them has become composed of two things: the goods which are given to her, and the private parts of

the other (i.e., sexual intercourse) and this is unlawful and not permissible. This is why Allah, Most High says:

﴿وَأَحِلَّ لَكُمْ مَا وَرَاءَ ذَلِكَ أَنْ تَبْتَغُوا بِأَمْوَالِكُمْ مُحْصِنِينَ غَيْرَ مُسْلِفِينَ﴾

“All others are lawful, provided you seek (them in marriage) with Mahr (bridal-money given by the husband to his wife at the time of marriage) from your property, desiring chastity, not committing illegal sexual intercourse”^[1]

So Allah, Most Glorified, Most High has declared the dowry to be property only (i.e., money, gold, land, etc.):

﴿أَنْ تَبْتَغُوا بِأَمْوَالِكُمْ﴾

“provided you seek (them in marriage) with Mahr (dowry) from your property”.^[2]

The dowry between these two men was property and private parts (i.e., sexual intercourse). For this reason, it is forbidden and it is included in the category of *Ash-Shighar*. However, if each of them gave the woman a dowry like the other, and each of them was suitable for the man who married her, and each of them accepted him, some of the scholars have declared it permissible. They say that it does not fall into the category of *Ash-Shighar*, while others hold the view that it is *Ash-Shighar*. So there is no doubt that preventing it is better, because in our time, the honesty and trustworthiness of people has diminished, an individual does not care about the benefit of the woman in his care, he cares only about what is beneficial to himself. Therefore, this type of marriage should be stopped completely, in order to stop the means (of sin) and prevent corruption.

Ibn ‘Uthaimin

[1] *An-Nisa’* 4:24.

[2] *An-Nisa’* 4:24.

Marriage Based Upon a Mutual Condition is *Ash-Shighar*

Q A man married a woman on the understanding that the bride's brother would marry his sister, and they are both now married and have children, and it is said that they paid different sums as a dowry. Likewise, they married at different times. So what should they do? Should they renew the contract, or is this marriage *Ash-Shighar*, or what should they do?

A If they married based upon a mutual condition, then it is *Ash-Shighar*. Like when a man requests from another that he marry him (to his daughter or sister) in exchange for marrying him to his sister. This is *Ash-Shighar* which was forbidden by the Prophet ﷺ.

So they must renew their wedding contract, without the necessity for divorce, if both of them want their wives and the wives want them. They must renew the contract without the condition of one woman for another, and the man must ask the woman's guardian or her nearest relative among her paternal relations. He must marry him (to her) with a new dowry, and a new contract, and in the presence of two just witness. This is the way. And the other woman likewise, even if it be for a small dowry and even if it be in the house, without going to the Court.


Ibn Baz

The Ruling on *Nikah Ash-Shighar (Al-Badal)* Without Agreement

Q I have read your Eminence's answer to a question regarding the ruling on *Nikah Ash-Shighar*. O Eminent *Shaikh!* Ten years ago, I married a young woman who was under the guardianship of her full brother, with a dowry amounting to 4,500 Riyals, in addition to some other


conditions, such as gold, silver and other things.

I married him to my daughter with a dowry amounting to 4,000 Riyals, in addition to some other conditions, such as gold, silver and other things, but I did not intend the marriage to be an exchange (*Badal*); as for him, I do not know what his intention was. Now — all praise and thanks be to Allah — He has blessed me with sons and daughters and he (i.e., the other man) likewise. But when I read Your Eminence's reply, I fell into doubt and I fear punishment from Allah, Most High. I request you to advise me and may Allah reward you with goodness.

 If the situation is as you have described and there was no mutual condition agreed upon between you and your wife's full brother that you would marry him (to your daughter) and he would marry you (to his sister), then there is no sin in this, and it is not *Nikah Ash-Shighar*. May Allah grant success to all in attaining that which pleases Him and brings peace.

Ibn Baz

This is Not *Ash-Shighar*

 Five years ago, my paternal uncle came to my father in order to seek his approval for the marriage of my sister, Hissah to his son, 'Ali and they all agreed — including my sister. They decided upon the dowry and the conditions, but before leaving the meeting, my uncle said to my father: "What do you think, O Abu Ahmad, if your son Ahmad desires to marry my daughter, 'A'ishah, then we agree." And he meant by this that the whole of his family agreed to it, including his daughter, 'A'ishah. Could we find a better man for our girl than Ahmad? Bearing in mind that we (I mean myself and my family) did not request this from him, that is, we did not say to him: "We will give our daughter in marriage to you on condition that you give your daughter in marriage

to our son, Ahmad,” but it was my uncle who touched on this subject by his own free will and choice.

So my father did nothing but asked my opinion regarding my uncle’s words and if I agreed to marry his daughter, ‘A’ishah. I answered my father, saying: “Yes, I agree to marry my uncle’s daughter, and I want her as my wife.” So both marriages took place within one month, and — all praise and thanks be to Allah — I and my wife are both happy, and Allah has blessed us with three children. Likewise, my sister and her husband are happy — all praise and thanks be to Allah — and Allah has blessed them with two children. My question is: Is this marriage valid, or is it considered *Ash-Shighar*, bearing in mind that the dowry and the conditions of my sister are similar to the dowry and conditions of my wife, except in some very minor details? Benefit me (with advice) regarding the ruling on this and may Allah benefit you.



If the situation is as you have described in the question, then this is not a form of *Nikah Ash-Shighar* and there is no sin in it — all praise and thanks be to Allah. Because *Ash-Shighar* is when a man says to another man: “Marry me to your daughter and I will give my daughter in marriage to you,” or: “Marry me to your sister and I will marry you to my sister,” or the like. The marriage which you have described in the question does not contain this condition, so it is not *Ash-Shighar*. And Allah is the Granter of success.

Ibn Baz

Is This a Form of *Ash-Shighar*?



I wish to marry the daughter of one of my kin according to the *Sunnah* of Allah and His Messenger ﷺ. He has a son whom I wish to marry to my sister, according to the *Sunnah* of Allah and His Messenger ﷺ. Is this permissible, or not, bearing in mind that the dowries will not be equal, and

the individual rights of the two women will not be the same. They are both agreeable to this, and neither of them objects to it?



If the situation is as you have described, that the two girls agree, and that a dowry will be paid to each of them before, without any deception, and that there exists no condition between you — whether spoken or unspoken — which necessitates that he will marry you to his daughter on the understanding that you will marry his son to your sister, then there is no objection to that. There is nothing to prevent it in the Islamic Law. And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Using a Woman as a Dowry for the Marriage of Another Woman



A person proposed to my sister, but he informed me that his family would not agree to his marriage to my sister unless I married his sister. However, I did not pay a dowry to my bride, but we agreed upon an advance payment and the payment of the remainder. I prepared my house and my sister, while the other person prepared his sister and his house. What is the ruling on this contract, and is the marriage considered *Ash-Shigar*?



This contract is unlike *Nikah Ash-Shighar*, because *Nikah Ash-Shighar* is when (a man) says: “I will not marry you to my daughter unless you marry me to your daughter.”

The question asked by the questioner is contrary to *Nikah Ash-Shighar*. But having said this, I say: If this occurred by way of exchange, meaning that each of the two women is a dowry for the other, then that is not permissible. Allah, Most High has made permissibility dependent upon the giving of wealth, and

you and the other man did not seek them by your property. Instead, each of you made the woman a dowry for the other and this is unlawful, and it is invalid. However, if you both fixed a dowry, some of the scholars say regarding *Nikah Ash-Shighar*: If they both fixed a full dowry, and each of the women accepted the man who married her, then the marriage in that case is valid. My verdict to you is to return to the Court in your area, and if they confirm the first marriage, then it is as the court sees it, but if they do not confirm it and the Islamic Law Judge considers that the marriage must be repeated, then repeat the marriage.

Ibn 'Uthaimin

The Ruling on the Marriage Contract of One Who Did Not Pray, Then Allah Guided Him

Q In my former years, I did not pray and I married while I was like this, but now — all praise and thanks be to Allah — He, Most Glorified, Most High has guided me. Is the marriage contract valid?

A If your wife, like you, did not pray at the time the contract was made, then the contract is valid. But if she was praying, then you must renew the contract, because it is not permissible for a Muslim woman to marry a disbeliever, according to the Words of Allah, the Almighty, the All-Powerful:

﴿وَلَا تُنكِحُوا الْمُشْرِكِينَ حَتَّىٰ يُؤْمِنُوا﴾

“And give not (your daughters) in marriage to Al-Mushrikūn till they believe (in Allāh Alone)”^[1]

And the meaning is: Do not marry them to Muslim women until they embrace Islam. And according to the Words of Him, Most Glorified:

﴿فَإِنْ عَلِمْتُمُوهُنَّ مُؤْمِنَاتٍ فَلَا تَرْجِعُوهُنَّ إِلَى الْكُفَّارِ لَا هُنَّ حِلٌّ لَّهُمْ وَلَا هُمْ يَحِلُّونَ لَهُنَّ﴾

^[1] *Al-Baqarah* 2:221.

“then if you ascertain that they are true believers send them not back to the disbelievers. They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.”^[1]

And it is well known that abandoning prayer is an act of major disbelief, even if the one who abandons it does not deny its obligation, according to the most correct of the two opinions held by the scholars. This is based upon the saying of the Prophet ﷺ:

«الْعَهْدُ الَّذِي بَيْنَنَا وَبَيْنَهُمُ الصَّلَاةُ فَمَنْ تَرَكَهَا فَقَدْ كَفَرَ»

“The covenant between us and them is prayer, so whoever abandons it has disbelieved.”^[2]

Narrated by Imam Ahmad and the compilers of the Four *Sunan*, with an authentic chain of narrators.

And the words of the Prophet ﷺ:

«إِنَّ بَيْنَ الرَّجُلِ وَبَيْنَ الشِّرْكِ وَالْكُفْرِ تَرَكَ الصَّلَاةَ»

“Between a man and Shirk is abandoning prayer.”^[3]

The noble *Tabi'i*, ‘Abdullah bin Shaqiq Al-‘Uqayli — may Allah have mercy on him — reported that there was a consensus among the Companions of the Prophet ﷺ regarding the disbelief of one who abandons prayer. And Allah is the Granter of success.

Ibn Baz

He Married Her Some Time Ago and She Did Not Pray and He Has Children From Her



A man is married to a woman and he has four children from her. She is now pregnant with the fifth, but his

[1] *Al-Mumtahaanah* 60:10.

[2] *At-Tirmithi* no. 2621 and *An-Nasai* no. 464.

[3] *Muslim* no. 82.

wife has not prayed from the time he married her until now. What do you advise?



This is a great sin, because prayer is a pillar of Islam and it is the greatest of the obligations and the most important of them after the two testimonies of faith, as Allah, the All-Powerful, Most High says:

﴿وَأَقِمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَأَطِيعُوا الرَّسُولَ لَعَلَّكُمْ تُرْحَمُونَ ﴿٥٦﴾﴾

And perform As-Salāt (Iqāmat-as-Salāt), and give Zakāt and obey the Messenger (Muhammad ﷺ) that you may receive mercy (from Allāh).”^[1]

and He, Most Glorified, Most High says:

﴿وَأَقِمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَأَرْكَعُوا مَعَ الرَّاكِعِينَ ﴿٥٣﴾﴾

And perform As-Salāt (Iqāmat-as-Salāt), and give Zakāt, and bow down (or submit yourselves with obedience to Allāh) along with Ar-Rāki‘ūn.”^[2]

and He, Most Glorified says:

﴿حَافِظُوا عَلَى الصَّلَوَاتِ وَالصَّلَاةِ الْوُسْطَىٰ وَقُومُوا لِلَّهِ قَانِتِينَ ﴿٢٣٨﴾﴾

“Guard strictly (five obligatory) As-Salawāt (the prayers) especially the middle Salāt (i.e. the best prayer — ‘Asr). And stand before Allāh with obedience [and do not speak to others during the Salāt (prayers)].”^[3]

and He, the All-Powerful, Most High says:

﴿فَإِنْ تَابُوا وَأَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ فَخَلُّوا سَبِيلَهُمْ﴾

“But if they repent [by rejecting Shirk (polytheism) and accept Islamic Monotheism] and perform As-Salāt (Iqāmat-as-Salāt), and give Zakāt, then leave their way free.”^[4]

[1] An-Nur 24:56.

[2] Al-Baqarah 2:43.

[3] Al-Baqarah 2:238.

[4] At-Taubah 9:5.

and:

﴿إِن تَابُوا وَأَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ فَأِخْوَانَكُمْ فِي الدِّينِ﴾

But if they repent [by rejecting Shirk (polytheism) and accept Islamic Monotheism], perform As-Salāt (Iqāmat-as-Salāt) and give Zakāt, then they are your brethren in religion. (In this way)”^[1]

This proves that whoever did not pray should be killed. Therefore this wife must be called upon to turn in repentance to Allah, and she must be chastised until she prays. Whoever turns in repentance to Allah, Allah turns to him in forgiveness.

But if she refuses, her case must be submitted to the Court so that they may call upon her to repent, and if she repents (all well and good). But if not, she must be killed as an apostate from Islam, according to the most correct of two opinions held by the scholars, based upon the words of the Prophet ﷺ:

«العهد الذي بيننا وبينهم الصلاة فمن تركها فقد كفر»

“The pact between us and them is prayer, so whoever abandons it has disbelieved.”^[2]

A group from among the scholars said that she is killed as a punishment, and not due to apostasy. In any case, she must be called upon to repent, and if she repents (all well and good), but if not, it is incumbent upon the person in authority, and the Judge representing him, to order her to be killed — if she does not repent. It is incumbent upon the husband to divorce her if she does not repent, because she is a disbeliever, and the Muslim may not marry a disbelieving woman.

Some said that it is a form of disbelief lesser than the disbelief which removes one from the fold of Islam, but the correct view is that it is a major disbelief. Therefore it is not right, nor is it permissible, for the husband to remain attached to a woman

^[1] At-Taubah 9:11.

^[2] At-Tirmithi no. 2621 and An-Nasai’ no. 464.

who does not pray. Rather, he must strive with her and punish her, so that haply, she may repent and pray. But if she does not do so, he must divorce her and Allah will give him a better wife in her place. It is also incumbent upon him and her father and her family to punish her until she prays. If it is necessary, the matter must be submitted to the Court, so that she may be called upon to repent. Then if she repents (all well and good), but if not, she must be killed as a disbelieving apostate, according to the majority of the scholars, or as a punishment, according to the other scholars.

There is no doubt that the husband has been neglectful, and his silence in this matter is a great sin. The Prophet ﷺ said:

«مَنْ رَأَى مِنْكُمْ مُنْكَرًا فَلْيُغَيِّرْهُ بِيَدِهِ فَإِنْ لَمْ يَسْتَطِعْ فَبِلِسَانِهِ فَإِنْ لَمْ يَسْتَطِعْ فَبِقَلْبِهِ وَذَلِكَ أَضْعَفُ الْإِيمَانِ»

“If any of you sees something evil, he should change it by his hand; but if he cannot, then by his tongue; and if he cannot, then by his heart and that is the weakest form of faith.”^[1]

He (i.e., the husband) is able to change it by his heart, his tongue and his hand. And Allah, Most High says:

﴿وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ﴾

“The believers, men and women, are Auliya’ (helpers, supporters, friends, protectors) of one another; they enjoin (on the people) Al-Ma’rūf (i.e. Islāmic Monotheism and all that Islām orders one to do), and forbid (people) from Al-Munkar (i.e. polytheism and disbelief of all kinds, and all that Islām has forbidden)”^[2]

We ask Allah’s Guidance for all.

Ibn Baz

[1] Muslim no. 49.

[2] At-Taubah 9:71.

If an Apostate Repents What is the Ruling on His Wife? And Are His Children Legitimate?

Q If an apostate repents and returns to Islam with a sincere intention for Allah, is it right for him to return his wife to his house now that he is complying with all of the pillars of Islam with sincerity, faith, belief and *Tawhid*? And what atonement can he make after he has repented? And are his children born before his repentance legitimate?

A If the cause of the apostasy was before the consummation of the marriage, and the seclusion which necessitates the waiting period, then the marriage is annulled and in that case, his wife is not permissible to him, except with a new contract. If that occurred after the consummation or the seclusion which necessitates the waiting period, then the matter rests upon the expiry of the waiting period. If he repents before the expiry of the waiting period, she is his wife, but if it happens after the expiry of the waiting period or later, then the scholars hold that she is not permissible to him, except after a new contract. And some of the scholars hold that she is permissible to him, if he returns to her, for the expiry of the waiting period removes his authority over her and it does not make her forbidden to him, if he returns to Islam. And based upon these two situations, the ruling on this man becomes clear regarding his returning to his wife.

As for what has passed, sincere repentance cuts off what went before it, according to the Words of Allah, Most High:

﴿قُلْ لِلَّذِينَ كَفَرُوا إِنْ يَنْتَهُوا يُغْفَرْ لَهُمْ مَا قَدْ سَلَفَ وَإِنْ يَعُودُوا فَقَدْ مَضَتْ سُنَّتُ الْأَوَّلِينَ﴾

“Say to those who have disbelieved, if they cease (from disbelief), their past will be forgiven. But if they return (thereto), then the examples of those (punished) before them have already preceded (as a warning).”^[1]

^[1] Al-Anfal 8:38.

The Prophet ﷺ said to ‘Amr bin Al-‘As, may Allah be pleased with him:

«إِنَّ الْإِسْلَامَ يَهْدِمُ مَا كَانَ قَبْلَهُ»

“Verily, Islam demolishes what went before it.”^[1]

Regarding the children, if he considers that the marriage remains valid, due to his following those who do not consider one abandoning prayer a disbeliever, or he did not know that one who abandons prayer is a disbeliever, then his children are his and they belong to him.

However, if he knew that abandoning prayer is disbelief and that his wife was not permissible to him when he abandoned prayer, and that having sexual intercourse with her was forbidden, then his children do not belong to him in that case. And having said that, this matter is one of those great and serious matters that some people have been tested with today.

Ibn ‘Uthaimin

He Married a Fifth Wife and She Bore Him Children: Are They Attributed to Him?

Q If a man has four wives and he marries a fifth and she bears him one or more children, are her children attributed to him?

A There is no doubt regarding the invalidity of the fifth marriage and that is according to the consensus of the scholars — may Allah have mercy on them. *Al-Hafiz* Ibn Kathir — may Allah have mercy on him — has mentioned in his *Tafsir*, that the scholars — apart from the Shiites — are in agreement that it is forbidden to marry a fifth wife. Regarding the obligation to execute the one who marries a fifth wife there is a well known difference of opinion — this was mentioned by Al-Qurtubi — may Allah have mercy on him — in his *Tafsir* and by

[1] Muslim no.121.

other scholars.

As for the child being attributed to him, it requires clarification: If he believed that this marriage was permissible due to ignorance or uncertainty or blind following, he is attributed to him. But if not, he is not attributed to him; and the author of *Al-Mughni* and others have mentioned this regarding one who marries a wife during her waiting period.

It is well known that the marriage of a woman during her waiting period is invalid, but in spite of this, the lineage is attributed to the groom if he was in doubt. Like if he did not know that she was in her waiting period, or was ignorant of the prohibition of marrying a woman in her waiting period, if one like him could be ignorant of that.

If the lineage is attributed in this matter to the groom, if he is in doubt, then the attribution of it to one who marries a fifth wife is more worthy, because there is no dispute regarding the invalidity of marrying a woman in her waiting period, as opposed to marrying a fifth wife. The Shiites have disagreed regarding its prohibition and its invalidity, although it is not sensible that anyone should pay any consideration to the disagreement of their like. Some of the *Zahiriyyah* also disagreed on that, as reported by Al-Qurtubi in his *Tafsir*. Because the legal evidences prove the intent of the Lawmaker (i.e., Allah) to preserve lineage, and not to lose it, it is necessary to pay regard to it, and not to lose any lineage by any legal means available. There is no doubt that uncertainty averts the punishment of execution, and necessitates the attribution of the lineage. Execution might be averted due to uncertainty, but this does not prevent the accused from being chastised by some lesser punishment, along with the view that the lineage is attributed to him, in order to attain (all of) the lawful benefits. And Allah is the Granter of success.

Ibn Baz

Marriage to an Adulterer or an Adulteress is Invalid

Q What is the meaning of the Noble Verse:

﴿الزَّانِي لَا يَنْكِحُ إِلَّا زَانِيَةً أَوْ مُشْرِكَةً وَالزَّانِيَةَ لَا يَنْكِحُهَا إِلَّا زَانٍ أَوْ مُشْرِكٌ وَحُرِّمَ ذَلِكَ عَلَى الْمُؤْمِنِينَ﴾

“The adulterer-fornicator marries not but an adulteress-fornicatress or a Mushrikah; and the adulteress-fornicatress, none marries her except an adulterer-fornicator or a Mushrik [and that means that the man who agrees to marry (have a sexual relation with) a Mushrikah (female polytheist, pagan or idolatress) or a prostitute, then surely, he is either an adulterer-fornicator or a Mushrik (polytheist, pagan or idolater). And the woman who agrees to marry (have a sexual relation with) a Mushrik (polytheist, pagan or idolater) or an adulterer-fornicator, then she is either a prostitute or a Mushrikah (female polytheist, pagan, or idolatress)]. Such a thing is forbidden to the believers (of Islāmic Monotheism).”^[1]

And does a person’s faith change to *Shirk* by committing this sin?



If we read this Noble Verse, which Allah has ended with His Words:

﴿وَحُرِّمَ ذَلِكَ عَلَى الْمُؤْمِنِينَ﴾

“Such a thing is forbidden to the believers.”^[2]

We derive a ruling from it. That is the forbiddance of marrying an adulteress, or an adulterer. Meaning that it is not permissible for a man to marry an adulteress, and it is not permissible for a man to marry an adulterer to his daughter. If we know this:

﴿وَحُرِّمَ ذَلِكَ عَلَى الْمُؤْمِنِينَ﴾

“Such a thing is forbidden to the believers.”^[3]

[1] An-Nur24: 3.

[2] An-Nur24: 3.

[3] An-Nur24: 3.

then whoever committed this sin does not fall outside of two possible situations:

Either he accepts its prohibition and believes in it, but he marries due to passion or desire. In this case he will be an adulterer, because he has made a forbidden contract, which he believes is forbidden and which he accepts is forbidden. It is well known that a forbidden contract does not make the private parts permissible, nor enjoyment of them. Therefore by making permissible the private parts of the woman whom he married — who is an adulteress — when he knows and accepts that this is forbidden, the action of this man will be considered adultery.

The other case is when he does not accept this ruling and he says: “This is absolutely not forbidden; rather, it is permissible.” In this case, he will be a *Mushrik*. Because whoever declares permissible that which Allah has forbidden, then he has made himself a lawmaker beside Allah, thus associating partners with Him, Most Glorified, Most High. This is why He, Most Glorified, Most High says:

﴿أَمْ لَهُمْ شُرَكَاءُ شَرَعُوا لَهُمْ مِنَ الدِّينِ مَا لَمْ يَأْذَنْ بِهِ اللَّهُ﴾

“Or have they partners (with Allāh – false gods) who have instituted for them a religion which Allāh has not ordained?”^[1]

Allah has declared that those who legislate for Allah’s creatures, in religion with what He has not permitted any partners in — like the one who legislates for himself the lawfulness of marrying an adulteress and does not accept the legal ruling — that he will be a *Mushrik*.

In short, the one who marries an adulteress either believes and accepts that it is forbidden, in which case he will be an adulterer, or he does not believe that it is forbidden, nor does he accept it. Rather, he denies that it is forbidden, in which case, he will be a *Mushrik*, because he has declared permissible that which Allah has forbidden, which is why Allah, the Almighty, the All-

^[1] *Ash-Shurah* 42:21.

Powerful says:

﴿وَالزَّانِيَةُ لَا يَنْكُحُهَا إِلَّا زَانٍ أَوْ مُشْرِكٌ﴾

“And the woman who agrees to marry (have a sexual relation with) a Mushrik (polytheist, pagan or idolater) or an adulterer-fornicator, then she is either a prostitute or a Mushrikah (female polytheist, pagan, or idolatress)].”^[1]

He is an adulterer if he accepts and believes that it is forbidden, or he is a *Mushrik* if he does not believe or accept that it is forbidden. And we say the same regarding one who gives his daughter in marriage to an adulterous man. But this ruling is withdrawn by repentance. So if the adulterer repents of his adultery and the adulteress repents of her adultery, this description is withdrawn from them. That is, the characterization of being an adulterer, just as the characterization of sinfulness is withdrawn from a sinner if he turns in repentance to Allah, the Almighty, the All-Powerful and abandons sin.

So if an adulterer repents of his adultery, or the adulteress repents of her adultery, it is permissible to marry them.

Ibn ‘Uthaimin

He Committed Illegal Sexual Intercourse With a Woman and He Wishes to Marry Her

Q A man committed illegal sexual intercourse with a virgin and now he wishes to marry her; is it permissible for him to do so?

A If the matter is as described, it is incumbent upon both of them to turn to Allah in repentance, to abandon this sin, to show remorse for the sinful deed which they have committed, to make a firm commitment not to repeat it, and to perform many good deeds, that haply, Allah may turn to them with

^[1] *An-Nur* 24:3.

forgiveness and replace their evil deeds with good deeds. Allah, Most High says:

﴿وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا ﴿٦٨﴾ يُضْعَفُ لَهُ الْعَذَابُ يَوْمَ الْقِيَامَةِ وَيَخَذُ فِيهِ مَهَانًا ﴿٦٩﴾ إِلَّا مَنْ تَابَ وَآمَرَ وَعَمِلَ عَمَلًا صَالِحًا فَأُولَئِكَ يَبْدُلُ اللَّهُ سَيِّئَاتِهِمْ حَسَنَاتٍ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا ﴿٧٠﴾ وَمَنْ تَابَ وَعَمِلَ صَالِحًا فَإِنَّهُ يَتُوبُ إِلَى اللَّهِ مَتَابًا ﴿٧١﴾﴾

“And those who invoke not any other ilāh (god) along with Allāh, nor kill such person as Allāh has forbidden, except for just cause, nor commit illegal sexual intercourse — and whoever does this shall receive the punishment. The torment will be doubled to him on the Day of Resurrection, and he will abide therein in disgrace; Except those who repent and believe (in Islāmic Monotheism), and do righteous deeds; for those, Allāh will change their sins into good deeds, and Allāh is Oft-Forgiving, Most Merciful. And whosoever repents and does righteous good deeds; then verily, he repents towards Allāh with true repentance.”^[1]

And if he wishes to marry her, he must make sure that she is free from pregnancy by the occurrence of a menstrual period before he makes a marriage contract with her. If it becomes evident that she is pregnant, it is not permissible for him to marry her except after she delivers the child, in accordance with the *Hadith* in which the Prophet ﷺ forbade a man from irrigating another man’s crop with his water (i.e., his sperm).

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

^[1] *Al-Furqan* 25:68-70.

A Woman Annulled Her Marriage Without Her Husband's Knowledge and Married Another

Q A woman appointed a lawyer to obtain her share of an inheritance from her father and he requested from her a sum of money which she did not possess. So he requested her to marry him in return for him acting as counsel on her behalf. Since this woman was married, but her husband was not present, because he works abroad, this woman appointed this lawyer to obtain an annulment from her husband and he did so, without contacting the husband, although this wife had his address and he was sending her and her daughter — who is eleven years old — and her son — who is eight years old — financial support. What is the ruling on this marriage? Who has the right of custody of this son and daughter?

A There is no doubt that this action is forbidden, a terrible crime, and an invalid legal scheme. Because she was in the custody of her husband, he was sending her and his children financial support, and because this lawyer achieved the annulment of her marriage to her first husband in order to marry her. Even though it was possible to contact the first husband and to examine his reason, and to give him a period of time in which to return.

Based upon this, if the annulment was obtained through an Islamic Law Judge after it was ascertained that there were reasons and justifications for it, then her marriage to the first husband is dissolved by the Judge's annulment. If not, then it is forbidden and she remains in the custody of her husband and her second marriage is forbidden. As for the children, they should be with their mother, but if the second husband forbids her, the right of custody is transferred to her nearest relative or the relatives of their father. And if the husband returns quickly, he may reclaim her, according to his wish.

The Ruling on *Nikah At-Tahlil*

Q What is the view of the Islamic Law regarding *Zawaj At-Tahlil*?

A First of all, it is necessary to explain what is *Zawaj At-Tahlil*: *Zawaj At-Tahlil* is when a man approaches a woman whose husband has divorced her three times. That is, he has divorced her, then taken her back, then divorced her, then taken her back, then divorced her a third time. This woman is not permissible for the husband who divorced her three times, unless she marries another husband of her choice, and he has sexual intercourse with her, then he is parted from her, either by death, divorce or annulment. In which case, she is permissible to her first husband, according to the Words of Allah, Most High:

﴿الطَّلَاقُ مَرَّتَانٍ فَإِمْسَاكٌ أَوْ تَسْرِيحٌ بِإِحْسَانٍ﴾

“The divorce is twice, after that either you retain her on reasonable terms or release her with kindness.”^[1]

﴿فَإِنْ طَلَّقَهَا فَلَا تَحِلُّ لَهُ مِنْ بَعْدِ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ فَإِنْ طَلَّقَهَا فَلَا جُنَاحَ عَلَيْهِمَا أَنْ يَتَرَاجَعَا إِنْ طَنَّا أَنْ يُفِيمَا حُدُودَ اللَّهِ﴾

And if he has divorced her (the third time), then she is not lawful unto him thereafter until she has married another husband. Then, if the other husband divorces her, it is no sin on both of them that they reunite, provided they feel that they can keep the limits ordained by Allāh.^[2]

So a man approaches a woman whose husband has divorced her three times and he marries her with the intention that when he makes her permissible for her first husband — that is, when he has had sexual intercourse with her — he will divorce her. Then she will complete her waiting period from him, and then return to her first husband.

[1] *Al-Baqarah* 2:229.

[2] *Al-Baqarah* 2:230.

This marriage is an invalid marriage, because the Prophet ﷺ cursed the one who makes her permissible and the one for whom he makes her permissible, and he called the one who makes her permissible “a borrowed billy-goat” because he is like the billy-goat who is borrowed by the goats owner for a fixed period of time, then it is returned to its owner. This man is like the billy-goat: He is requested to marry this woman, then to divorce her.

This is *Zawaj At-Tahlil* and it takes place in two forms:

1. **The first form:** That this condition is made at the time of making the contract; so it is said to the groom: “We will marry you to our daughter on condition that you have sexual intercourse with her, then divorce her.”

2. **The second form:** That it takes place without condition, but with the intention; and the intention might be from the husband, or it might be from the wife or her guardians. If it is from the husband, then the divorce is in the hands of the husband, so the wife is not permissible to him in this contract, because he did not intend what is required of marriage, which is to remain with the wife with love and affection. And seeking chastity and children and such like are among the benefits of marriage, so his intention is opposed to the requirement. As for the intention of the woman or her guardians, this is an area of disagreement among the scholars, and it is not clear to me until now which of the two opinions is correct.

In short, *Nikah At-Tahlil* is forbidden, and it is a marriage which does not make the wife permissible to the first husband, because it is not valid.

Ibn ‘Uthaimin

His Two Wives Are Sisters Through Breast-feeding

Q A questioner is asking: If it happened that a man married two women and he was borne a child by each of

them, then after a while, it was discovered through a testimony from some of their relatives that they are sisters through breast-feeding, what must he do in this situation?



In this situation, if it is confirmed that his two wives were sisters through breast-feeding, then the marriage to the second of them is invalid: That is, the marriage to the last wife is invalid and he must part from her, because the incorrectness of the marriage has become apparent; indeed its invalidity has become apparent. As for the children born during this time, they are his legitimate children, because in fact, he was in a state of ignorance at the time of having sexual intercourse with her.

Ibn 'Uthaimin

He Married His Sister Through Breast-feeding



It became evident to me after consummating the marriage with my wife that she is my sister through breast-feeding, because I was breast-fed with her sister; is she forbidden to me in these circumstances?




Yes, if the matter is as you have described it, that you were breast-fed with your wife's sister by her mother, meaning that you were breast-fed by your wife's mother or by her father's wife, then you are, in this situation, a brother and the contract will be invalid. But you must know that the breast-feeding has no effect, unless there were at least five breast-feedings or more within the two years before weaning. So if it was less than that, then there is no effect from it, and prohibition will not occur. If you are certain that you were breast-fed five times or more during the first two years with this woman whom you have married, then you must both be parted, due to the fact that the marriage is not valid. As for the children born before it was known, they are legally attributed to you, because these children were created from water (i.e., sperm) by sexual intercourse which took place in ignorance, and when sexual intercourse which takes place in ignorance, the children

born are attributed to his lineage, as the scholars have said.

Ibn 'Uthaimin

The Son Belongs to the Second Husband and the Choice is for the Husband Who Was Lost

Q A man was absent from his wife for a long period of time, until she believed he was lost. So his wife married another and she bore him a son. Then after some years, the first husband returned. Does her marriage to the second man continue, or is it annulled? And is it the right of the first husband to demand his wife back? And if it is permissible, is it necessary to make a new contract?

 This question concerns the marriage of the wife of a man who is lost: If the husband was lost and a length of time passed during which he was searched for, then it was ruled that he was dead, and she completed the prescribed period, then she married another, then he returned, he has the choice whether the marriage should continue or whether his first wife should return to him. If he allowed the marriage to continue as it is, then the matter is clear and the contract is valid. But if he did not choose this, and he wanted his wife to return to him, then she must return to him. But he should not have sexual intercourse with her until she has completed her prescribed period from the second one, and there is no need for a contract regarding the first husband, because there is nothing to invalidate his first marriage, that would require a new contract. As for her child from the second husband, he is a legitimate child and he is attributed to his father, because it occurred as a result of a marriage which was permitted.

Ibn 'Uthaimin

A Father Forcing His Daughter to Marry is Forbidden

Q I have a sister from my father and he gave her in marriage to a man without asking her opinion when she was twenty-one years of age. The witnesses testified falsely in the marriage contract, saying that she agreed, and her mother signed the marriage document on her behalf. In this way, the marriage was completed, while she still rejected it. What is the ruling on this contract and the false witness (therein)?

A If this sister was a virgin and her father forced her to marry this man, some of the scholars hold that the marriage is valid. They hold the view that the father may force his daughter to marry a man whom she does not want, if he is suitable.

But the strongest opinion in this matter is that it is not permissible for the father, or anyone else, to force a girl to marry someone she does not want to, even if he is suitable. This is because the Prophet ﷺ said:

«لَا تُنكِحُ الْبِكْرَ حَتَّى تُسْتَأْذَنَ»

“The virgin must not be given in marriage until her permission has been sought.”^[1]

This is general, so no guardian is excepted from it. In fact, it has been reported in *Sahih Muslim*:

«الْبِكْرُ يَسْتَأْذِنُهَا أَبُوهَا»

“The father must seek the virgin’s permission.”^[2]

So the virgin and the father have been specified. This is specified in cases of disagreement, and so it must be acted upon. Based upon this, a man’s compelling his daughter to marry a man

[1] Al-Bukhari no. 5136 and Muslim no. 1419.

[2] Muslim no. 1421.

whom she does not want to marry is forbidden.

The Lawgiver (i.e., Allah) has prohibited it, so He does not want the (Muslim) community to be involved in it, nor to practice it. And if we declare it to be valid, it means that we are involved in it, and we are practicing it, and giving it the status of those contracts which the Lawgiver has permitted. This is something that cannot be.

Therefore, the strongest opinion is that your father giving his daughter in marriage to a man whom she does not want, is an unlawful marriage, and the contract is unlawful. So it must be examined by the Court.

As for one who supplies false witness, he has committed a major sin, as confirmed by the Prophet ﷺ, who said:

«أَلَا أُخْبِرُكُمْ بِأَكْبَرَ الْكِبَائِرِ؟»

“Shall I not inform you of the greatest sins?”^[1]

And he mentioned them while he was reclining, then he sat up and said:

«أَلَا وَقَوْلُ الزُّورِ أَلَا وَقَوْلُ الزُّورِ أَلَا وَشَهَادَةُ الزُّورِ»

“And I warn you against false speech, and I warn you against false speech. Rather: False testimony.”^[2]

— and he continued to repeat it, until we wished that he would be silent.

So these false testers must turn to Allah in repentance and retract their testimony. Likewise the mother, since she signed on behalf of her daughter untruthfully, she has sinned by that, and she must turn in repentance to Allah and she must not do such a thing again.

Ibn ‘Uthaimin

[1] At-Tirmithi no. 2301.

[2] Al-Bukhari no. 2654 and Muslim no. 87.

Misconduct in Marriage

This Act is an Offence Against Faith

Q A certain brother wears a gold wedding ring and he says that this ring has the name of his wife written in it, and if he removed it, she would be very angry. Such anger might even lead to separation. What then, should he do to convince his wife regarding this?

A It is incumbent upon him to fear Allah, the Almighty, the All-Powerful and to remove this gold ring, because gold is forbidden to the males of this (Muslim) community. The Prophet ﷺ saw a man wearing a gold ring and he removed it and threw it away, saying:

«يَعْمِدُ أَحَدُكُمْ إِلَى جَمْرَةٍ مِنْ نَارٍ»

“(If) any of you wishes (to wear) a live coal...”^[1]

i.e., then let him wear it (the gold). And when the Prophet ﷺ left, it was said to the man: “Take your ring and benefit from it.” He said: “By Allah, I will not take a ring which was thrown by the Prophet ﷺ.”

This regards wearing gold. However, if this was accompanied by corrupted belief, which is that some women — and possibly some men also — write the names of their spouses on these rings, believing that the ring remaining on the finger containing the name is a reason for the husband and wife staying together. That is an offence against creed. Because this is a corrupt belief without any basis in the Islamic Law, nor in reality. For how many men wear rings containing the names of their spouses and he parts from her quickly, and disagreements, arguments and fights occur between them, as is well known? And how many men who do not know this at all, there exists between him and

[1] Muslim no. 2090.

his wife affection and love, as is well known.

Based upon this, we say to this man: Fear Allah, the Almighty, the All-Powerful and do not place your desires and the desires of your wife before the guidance of Allah, the Almighty, the All-Powerful. You must remove it, and know that if you remove it, your wife will not be angry because you have sought Allah's Pleasure by making the people angry — for whoever sought Allah's Pleasure by making the people angry, Allah will suffice him from any need from the people. And whoever sought the pleasure of the people by invoking Allah's Anger, Allah will be Angry with him and so will the people. This is why I repeat: Remove this gold and do not wear it, nor wear silver containing the name of your wife. Likewise, if your wife is wearing a gold ring with your name on it, then change it and remove the name from it. Then Allah make your affairs easy for you, and He will give you relief, and make a way out for you, and He will make your wife happy with you, and remove the anger that you fear.

Ibn 'Uthaimin

The Ruling on Placing the Foot of the Bride in the Blood of a Sheep

Q One of our customs is that the family of the girl who will marry place her foot in the blood of a sheep slaughtered on the night of the wedding. What is the ruling of the Islamic Law on this?

A There is no basis for this custom in the Islamic Law and it is an evil custom because:

1. It is a corrupt belief with no basis in the Islamic Law.
2. Soiling her with polluted blood is foolishness because it is commanded to remove it and to avoid it.

I would like to take this opportunity to say to my Muslim brothers, that it is legislated when a person is affected by some pollutant, that he should hasten to remove it and cleanse it, for

this is from the guidance of the Prophet ﷺ. Because when the bedouin man urinated in the mosque, the Prophet ﷺ, ordered that a bucket of water be poured over his urine.

Likewise, when the baby boy urinated in the chamber of the Prophet, the Prophet ﷺ called for water and he poured it over the boy's urine.

Delaying the removal of pollution will cause a person to forget it, then to pray when he is in a state of ritual pollution, even though he may be excused for it, according to the most authoritative opinion. If he prayed with some pollution which he had forgotten to clean, his prayer would be valid, but he might remember it during the prayer and in that case, since he cannot rid himself of the pollutant and continue his prayer, it is necessary for him to stop his prayer and leave, then start it again.


In any case, this evil custom about which the question was asked entails soiling the woman with a pollutant, which is foolishness, because the Islamic Law orders the removal of pollution and cleansing of it. Also, I fear that it might be another (un-Islamic) belief, which is that they slaughter it either for the jinn or the devils or the like, and that would be a form of *shirk* — and it is well known that Allah, the Almighty, the All-Powerful does not forgive *shirk*. And Allah knows better.

Ibn 'Uthaimin

This is a Detested Act


Q There is a widespread practice among some of the people in the Arab country of Morocco, which is that the mother cuts her daughter with a shaving razor above the knee, making three lines close together. When the blood flows out, she places a small amount of sugar on it, then she orders her daughter to eat it and to say certain words, believing that this deed will preserve her daughter's virginity and prevent any transgressor from taking it (and there are


other ways of performing this act). What is the ruling of the Islamic Law on this act?

 This act is detestable and it is a superstition which is not permissible to perform; indeed, it must be abandoned and avoided. And the view that it preserves the girl's virginity is a false one from the inspiration of Satan, and there is no basis for it in the purified Islamic Law. People must be advised to abandon it, and to avoid doing it, and the scholars must explain that and warn people against it, because they are the conveyors of Allah's Message — Most Glorified be He — and that of His Messenger ﷺ. And Allah is the One Who is asked.

Ibn Baz

It is Not Permissible for One Who Has Married a Virgin or a Non-virgin to be Late for Congregational Prayers

 A newly-married man remains with his virgin bride for a week and with a non-virgin for three days, and he does not go out to pray in congregation. Is it in the Sunnah not even to go out to prayer?

 If he marries a virgin, he should stay with her for seven days, then part; and if she is a non-virgin, he should stay with her for three days. If she wishes him to remain for seven, he should do so, and then spend the same time with the others. The essence of this is in what was narrated by Abu Qilabah, on the authority of Anas, may Allah be pleased with him: "It is part of the Sunnah that if a man marries a virgin when he already has a non-virgin wife, he should stay with her for seven days and then part. And if he marries a non-virgin, he should stay with her for three days, then part." Abu Qilabah added: "And if I wished, I would say that Anas, may Allah be pleased with him, attributed it to the Prophet ﷺ." Narrated by Al-Bukhari and Muslim and the wording is that of Al-Bukhari.

Umm Salamah, may Allah be pleased with her, narrated that

when the Prophet ﷺ married her, he stayed with her for three days, and he said:

«إِنَّهُ لَيْسَ بِكَ عَلَى أَهْلِكَ هَوَانٌ إِنْ شِئْتَ سَبَعْتَ لَكَ وَإِنْ سَبَعْتُ لَكَ
سَبَعْتُ لِنِسَائِي»

“There is no lack of respect for you from your family, so if you wish, I will remain with you for seven days. And if I did so, I would do the same with the rest of my wives.”^[1]

It is not permissible for a person who marries a virgin or a non-virgin to be late for the congregational prayers in the mosque, with the excuse that he is newly-married. Because there is no evidence for this, and there is nothing in the two (aforementioned) *Hadiths* which necessitates that.

The Permanent Committee

The Ruling on Having Anal Sex With a Wife

Q A man asked his wife to have sex with her in her anus; is this action correct from the religious point of view?

A This deed is forbidden, for it is reported by Abu Dawud and others that the Prophet ﷺ said:

«مَلْعُونٌ مَنْ أَتَى امْرَأَةً فِي دُبُرِهَا»

“Cursed is the one who has sex with his wife in her anus.”^[2]

Ibn Baz

The Ruling on Having Anal Sex With a Woman, or During Her Menstrual Period, or Her Post-Natal Bleeding

Q What is the ruling on having anal sex with a woman, or when she has her period, or when she has post-natal bleeding?

^[1] Muslim no. 1460.

^[2] Abu Dawud no. 2162 and An-Nasai' no. 9015.



It is not permissible to have sex with a woman in her anus, nor during her menstrual period, nor when she has post-natal bleeding. Indeed, this is one of the major sins, according to the Words of Allah, Most High:

﴿وَسْأَلُونَكَ عَنِ الْمَحِيضِ قُلْ هُوَ أَذَىٌّ فَأَعْرِضُوا لِلنِّسَاءِ فِي الْمَحِيضِ وَلَا تَقْرُبُوهُنَّ حَتَّىٰ يَطْهَرْنَ فَإِذَا تَطَهَّرْنَ فَأْتُوهُنَّ مِنْ حَيْثُ أَمَرَكُمُ اللَّهُ إِنَّ اللَّهَ يُحِبُّ التَّوَّابِينَ وَيُحِبُّ الْمُتَطَهِّرِينَ ﴿٢٢٢﴾ سَاءَ لَكُمْ حَرْثٌ لَكُمْ فَأْتُوا حَرْثَكُمْ أَنَّىٰ شِئْتُمْ﴾

“They ask you concerning menstruation. Say: That is an Adha (a harmful thing for a husband to have a sexual intercourse with his wife while she is having her menses), therefore, keep away from women during menses and go not in unto them till they are purified (from menses and have taken a bath). And when they have purified themselves, then go in unto them as Allāh has ordained for you (go in unto them in any manner as long as it is in their vagina). Truly, Allāh loves those who turn unto Him in repentance and loves those who purify themselves (by taking a bath and cleaning and washing thoroughly their private parts and bodies for their prayers). Your wives are a tilth for you, so go to your tilth, when or how you will.”^[1]

In this Verse Allah, Most Glorified, has made clear the obligation to avoid women during their menstrual periods. He forbade approaching them until they are purified. This proves the prohibition of having sexual intercourse during their menstrual periods.

Post-natal bleeding is the same as that. So when they become purified by complete ablution (*Ghusl*), it is permissible for the husband to have sex with her in the way in which Allah commanded. That is to have sex with them in the front (i.e., the vagina) and that is the place where one ploughs (i.e., plants seeds).

As for the anus, it is a place of harm and feces, and it is not the

^[1] *Al-Baqarah* 2:222-223.

place for planting seeds. Therefore, it is not permissible to have sex with the wife in her anus. Indeed, that is one of the major sins, and it is well known to be an act of disobedience to the purified Islamic Law.

Abu Dawud and An-Nasa'i have reported from the Prophet ﷺ that he said:

«مَلْعُونٌ مَنْ أَتَى امْرَأَةً فِي دُبْرِهَا»

“Cursed is the one who has sex with his wife in her anus.”^[1]

At-Tirmithi and An-Nasa'i reported on the authority of Ibn 'Abbas, may Allah be pleased with him, from the Prophet ﷺ that he said:

«لَا يَنْظُرُ اللَّهُ إِلَى رَجُلٍ أَتَى رَجُلًا أَوْ امْرَأَةً فِي الدُّبْرِ»

“Allah will not look at a man who had sex with a man or woman in the anus.”^[2]

And its chain of narrators is authentic. Having anal sex with a woman is from *Al-Liwat*, which is forbidden to both men and women. And Allah, Most Glorified, Most High says about the people of Lut, peace be upon him:

﴿إِنَّكُمْ لَنَافِلُونَ الْفَاحِشَةَ مَا سَبَقَكُمْ بِهَا مِنْ أَحَدٍ مِنَ الْعَالَمِينَ﴾

“You commit *Al-Fāhishah* (sodomy — the worst sin) which none has preceded you in (committing) it in the 'Ālamīn (mankind and jinn).”^[3]

And the Prophet ﷺ said:

«لَعَنَ اللَّهُ مَنْ عَمِلَ عَمَلِ قَوْمِ لُوطٍ»

“Allah curses the one who performs the actions of the people of Lut.”^[4]

[1] Abu Dawud no. 2162 and An-Nasai' no. 9015.

[2] At-Tirmithi no. 1165 and An-Nasai' no. 9001.

[3] *Al-Ankabut* 29:28.

[4] Ahmad 1/317.

He said this three times. Narrated by Imam Ahmad with an authentic chain of narrators.

So it is incumbent upon all Muslims to be on their guard against this sinful deed, and it is necessary for the wives to avoid it, and not to allow their husbands to commit this great sin. That is, sexual intercourse during the menstrual period, during post-natal bleeding, and sex via the anus.

We ask Allah to protect the Muslims and keep them safe from everything which opposes His purified Law, for He is the Best One to ask.

Ibn Baz

The Atonement for Having Anal Intercourse

Q What is the ruling on having anal intercourse? And is there any atonement incumbent upon one who does so?

A Anal intercourse with a woman is a major sin and a repugnant act of disobedience, according to the confirmed narration from the Prophet ﷺ, in which he said:

«لَا يَنْظُرُ اللَّهُ إِلَى رَجُلٍ أَتَى رَجُلًا أَوْ امْرَأَةً فِي الدُّبْرِ»

“Allah will not look at a man who had sex with a man or woman in the anus.”^[1]

It is incumbent upon one who does that to hasten to repent to Allah. That means to abandon the sin and leave it in glorification of Allah and in order to avoid His Punishment. He must also show remorse for what has passed of that (sin) and to make the honest intention not to repeat it, along with an effort to perform many good deeds.

And whoever repents honestly to Allah, Allah will turn to him with forgiveness and pardon his sin, as He says:

^[1] At-Tirmithi no. 1165 and An-Nasai' no. 9001.

﴿وَلِيَّ لَعْنًا لِمَن تَابَ وَءَامَنَ وَعَمِلَ صَالِحًا ثُمَّ اهْتَدَىٰ﴾ (١٧٢)

“And verily, I am indeed forgiving to him who repents, believes (in My Oneness, and associates none in worship with Me) and does righteous good deeds, and then remains constant in doing them (till his death).”^[1]

He, the Almighty, the All-Powerful says:

﴿وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا ﴿٦٨﴾ يُضْعَفُ لَهُ الْعَذَابُ يَوْمَ الْقِيَامَةِ وَيَخْلُدُ فِيهِ مُهَانًا ﴿٦٩﴾ إِلَّا مَنْ تَابَ وَءَامَنَ وَعَمِلَ عَمَلًا صَالِحًا فَأُولَٰئِكَ يُبَدِّلُ اللَّهُ سَيِّئَاتِهِمْ حَسَنَاتٍ وَكَانَ اللَّهُ غَفُورًا رَّحِيمًا ﴿٧٠﴾﴾

“And those who invoke not any other ilāh (god) along with Allāh, nor kill such person as Allāh has forbidden, except for just cause, nor commit illegal sexual intercourse — and whoever does this shall receive the punishment. The torment will be doubled to him on the Day of Resurrection, and he will abide therein in disgrace; Except those who repent and believe (in Islāmic Monotheism), and do righteous deeds; for those, Allāh will change their sins into good deeds, and Allāh is Oft-Forgiving, Most Merciful.”^[2]

The Prophet ﷺ said:

«إِنَّ الْإِسْلَامَ يَهْدِمُ مَا كَانَ قَبْلَهُ وَإِنَّ الْهَجْرَةَ تَهْدِمُ مَا كَانَ قَبْلَهَا»

“Islam wipes out what was before it, and emigration wipes out what was before it.”^[3]

The Verse and *Hadiths* bearing this meaning are numerous. There is no atonement for one who has anal intercourse, according to the most correct of two opinions held by the scholars. Nor does his wife become forbidden to him due to it; rather she remains in his custody.

[1] Ta-Ha 20:82.

[2] Al-Furqan 68-70.

[3] Muslim no. 121 and Ahmad 4/199.

She should not obey him in this great sin; rather, she should prevent him from doing so and seek an annulment of her marriage if he does not repent. We ask Allah to protect us from that.

Ibn Baz

The *Duff* in Wedding Celebrations

Q What is the ruling on beating the *Duff* after the seventh day of marriage? And is it permissible to use other instruments, instead of the *Duff*?

A Beating the *Duff* on the occasion of marriage is only for the wedding night. Its time should not be prolonged to another time, because when something is permitted for an occasion, it is limited to it accordingly. The objective of using the *Duff* during the days of the wedding is to show rejoice and happiness on the one hand, and to announce the marriage on the other. Because announcing the wedding is something legislated. But as for continuing it, I see no justification for it.

As for using musical instruments other than the *Duff*, they remain upon the basic principle, which is prohibition, according to what has been authentically reported in *Sahih Al-Bukhari* on the authority of Abu Malik Al-Ash'ari, may Allah be pleased with him, in which it is stated that the Prophet ﷺ said:

«لَيَكُونَنَّ مِنْ أُمَّتِي أَقْوَامٌ يَسْتَحِلُّونَ الْحَرَ وَالْحَرِيرَ، وَالْخَمْرَ وَالْمَعَازِفَ»

“There will be peoples among my community who will declare permissible *Al-Hir*, (the wearing of) *Al-Harir* (silk) (i.e., by men), *Khamr* (alcoholic beverages) and *Al-Ma'azif* (musical instrument).^[1]


Declaring *Al-Hir* permissible means the private parts, i.e., illegal sexual intercourse — may Allah protect us from that! *Harir*


^[1] Al-Bukhari no. 5590.

(silk) and *Khamr* (wine) are well known and *Al-Ma'azif* means all musical instruments, except those whose permissibility has been reported in the Sunnah, for they are lawful. Such as the beating the *Duff* on the occasion of a wedding.

Ibn 'Uthaimin

Hating Girls is a Thing From *Jahiliyyah*

 We have heard in these times from some people things which cause argument and surprise, such as people saying: "We do not like our wives to give birth to girls." And some of them say to their wives: "By Allah, if you give birth to a girl, I will divorce you!" We declare our innocence to Allah of them. And one sees some women in deep despair due to her situation. How and what should she do regarding what her husband says, and does Your Eminence have any advice concerning it?

 I think that what this brother says is very, very rare, and I do not believe that anyone's ignorance would reach the level that he would threaten his wife with divorce if she gave birth to a girl. Unless he was tired of his wife and wished to divorce her, so he used this as an excuse to do so. Because if the matter was thus, and he could not bear to be with her and he tried to stay with her, but he could not, then he may divorce her in a manner other than this. Because there is no objection to divorce when it is necessary.

Having said that, we advise everyone who sees something objectionable in his wife to be patient, as Allah, Most High says:

﴿فَإِنْ كَرِهْتُمُوهُمْ فَتَسَوَّحْنَ أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا﴾

"If you dislike them, it may be that you dislike a thing through which Allāh brings a great deal of good."^[1]

^[1] *An-Nisa* 4:19.

As for hating daughters, there is no doubt that it is something from the *Jahiliyyah* and that it contains an element of displeasure with Allah's Ordainment and His Decree. A man does not know, it could be that a daughter is better for him than many sons. How many daughters have become a blessing for their fathers in his life and his death? And how many sons have become a misfortune and trial for their fathers in their lives and have not brought them any benefit after their death?

Ibn 'Uthaimin

Cautioning Against Matters in Marriage Which Contradict the Islamic Law

From: 'Abdul-'Aziz bin 'Abdullah bin Baz to whomsoever reads it among the Muslims — may Allah grant me and them success in coming to know the truth and following it — *Ameen*.

May the peace, blessings and mercy of Allah be upon you. As for what follows:

The reason for this letter is to caution against matters in marriage which contradict the Islamic Law which many of the people have encountered.

Such as *Nikah Ash-Shighar*, which is when a man gives his daughter, his sister or any other woman in his care in marriage to another. He does this with the understanding that the other will marry him, his son or his nephew to his daughter, his sister or his niece or the like. A contract made in this manner is invalid, whether a dowry is mentioned in it or not, because the Messenger ﷺ forbade it and warned against it. And Allah, Most High has said:

﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا﴾

“And whatsoever the Messenger (Muhammad ﷺ) gives you, take it; and whatsoever he forbids you, abstain (from it).”^[1]

^[1] Al-Hashr 59: 7.

In the Two *Sahihs*, it is reported on the authority of Ibn ‘Umar, may Allah be pleased with him, that the Prophet ﷺ forbade *Ash-Shighar*.

In *Sahih Muslim*, it is reported on the authority of Abu Hurairah, may Allah be pleased with him, that the Messenger ﷺ forbade *Ash-Shighar*, saying:

«الشَّعَارُ أَنْ يَقُولَ الرَّجُلُ لِلرَّجُلِ زَوِّجْنِي ابْنَتَكَ وَأَزْوَجْكَ ابْنَتِي أَوْ زَوِّجْنِي أُخْتَكَ وَأَزْوَجْكَ أُخْتِي»

“*Ash-Shighar* is when a man says: “Marry me to your daughter and I will marry you to my daughter.” or: “Marry me to your sister and I will marry you to my sister.”^[1]

And he ﷺ said:

«لَا شِعَارَ فِي الْإِسْلَامِ»

“There is no *Shighar* in Islam.”^[2]

These authentic *Hadiths* prove the prohibition of *Nikah Ash-Shighar* and its invalidity and that it contradicts the Law of Allah. The Prophet ﷺ did not distinguish between marriage in which a dowry is fixed, and marriage in which no dowry is fixed.

As for the explanation of *Ash-Shighar* which has been reported in the *Hadith* of Ibn ‘Umar, may Allah be pleased with him, that it is when a man gives his daughter in marriage on the understanding that the other will marry him to his daughter and that there is no dowry between them: The scholars have said that this explanation is the saying of Nafi’, who related from Ibn ‘Umar, may Allah be pleased with him, and not the saying of the Prophet ﷺ. The Prophet ﷺ has explained it in the *Hadith* of Abu Hurairah, may Allah be pleased with him, as mentioned previously. That is when a man gives his daughter or his sister in marriage on the understanding that the other will marry him to

[1] Muslim no. 1416.

[2] Muslim no. 1415 and At-Tirmithi no. 1123.

his daughter or his sister — and he did not say: “... and there is no dowry between them.” — which proves that fixing the dowry or not has no effect on it; it is only the condition of exchange which necessitates its invalidity.

This also leads to a great deal of corruption. Because it leads to forcing women to marry those whom they do not accept, putting the guardians’ interests before those of the women. This is a great sin, and injustice towards the women who are given in such sinful contracts. Except those whom Allah wills.

Likewise, it often leads to dispute and arguments after the marriage. This is one of the punishments in this world for those who oppose the Islamic Law.

Imams Ahmad and Abu Dawud narrated with an authentic chain of narrators, on the authority of ‘Abdur-Rahman bin Hurmuz; that Al-‘Abbas bin ‘Abdullah bin ‘Abbas married ‘Abdur-Rahman bin Al-Hakam to his daughter, and ‘Abdur-Rahman married him to his daughter, and they had fixed a dowry. So Mu‘awiyah, may Allah be pleased with him, wrote to the Governor of Al-Madinah, Marwan bin Al-Hakam, ordering him to split them up and he said in his letter: “This is the *Shighar* which the Messenger of Allah ﷺ prohibited.”

This incident which occurred during the time of the Commander of the Faithful, Mu‘awiyah, may Allah be pleased with him, explains for us the meaning of the *Shighar* which the Messenger ﷺ forbade in the aforementioned *Hadith*. And it explains that fixing the dowry does not make the marriage valid, nor does it negate the fact that it is *Ash-Shighar*, because Al-‘Abbas bin ‘Abdullah and ‘Abdur-Rahman bin Al-Hakam fixed a dowry, but Mu‘awiyah, may Allah be pleased with him, paid no regard to this fixing (of the dowry) and he ordered them to be parted, saying: “This is the *Shighar* which the Messenger of Allah ﷺ forbade.”

Mu‘awiyah, may Allah be pleased with him, was more knowledgeable of the Arabic language and the meanings of the *Hadiths*

of the Messenger ﷺ, than Nafi', the freed slave of Ibn 'Umar — may Allah be pleased with all of them.

Other detestable matters in marriage include forcing one's daughters, sisters or nieces to marry those whom they do not accept to marry. This is a clear sin and injustice against women. It is not permissible for a father or any other guardian to engage in it, because of the injustice to women that it includes and the fact that it contradicts the confirmed *Sunnah* from the Prophet ﷺ prohibiting the marriage of women without their permission.

It is reported in the Two *Sahihs* on the authority of Abu Hurairah, may Allah be pleased with him, that the Prophet ﷺ said:

«لَا تُنكَحُ الْأَيِّمُ حَتَّى تُسْتَأْمَرَ وَلَا تُنكَحُ الْبِكْرُ حَتَّى تُسْتَأْذَنَ»

“A woman without a husband (or divorced or a widow) must not be married until she is consulted, and a virgin must not be married until her permission is sought.”

They said: “O Messenger of Allah! What form does her permission take?” He ﷺ said:

«أَنْ تَسْكُتَ»

“That she remains silent.”^[1]

In *Sahih Muslim*, it is reported on the authority of Ibn 'Abbas, may Allah be pleased with him, that the Prophet ﷺ said:

«وَالْبِكْرُ يَسْتَأْذِنُهَا أَبُوهَا فِي نَفْسِهَا وَإِذْنُهَا صَمَاتُهَا»

“The virgin's father should ask her permission, and her permission is her silence.”^[2]

The *Hadiths* carrying this meaning are numerous.

Exceptions from this include when a father gives a daughter who

[1] Al-Bukhari no. 5136 and Muslim no. 1419.

[2] Muslim no. 1421.

has not yet reached nine years of age in marriage to someone suitable — if he considers that there is a benefit for her in that — without her permission. Since she does not know what is best for her (at that age). Abu Bakr As-Siddiq's action in giving his daughter, 'A'ishah, the Mother of the Believers, to the Prophet ﷺ in marriage when she was less than nine years of age is an evidence for this.

So it is obligatory upon every person who believes in Allah and the Last Day to fear Allah in all his affairs and to abstain from all that Allah and His Messenger have forbidden in marriage and other matters. In following the Islamic Law and holding firm to the guidance of the Messenger ﷺ lies goodness in the life of this world and in the Hereafter, and eternal happiness.

May Allah make us among those who hear the word and do the best deeds. And how many trials problems, cases of enmity and arguments have occurred as a result of forcing women to marry those whom they do not accept? That is a part of (the punishment) which those who oppose the purified Islamic Law and follow their own whims deserve. We ask Allah's Protection from that which opposes His Pleasure.

Another detestable matter is that which is practiced by many country people and some city people, which is preventing the uncle's daughter from marrying other than him (i.e., her cousin). This is a great evil and a practice of the *Jahiliyyah* and it is an act of injustice towards women. Many trials and great evils, such as enmity, cutting of family ties, bloodshed and other things — have occurred as a result of this.

Therefore, it is incumbent upon those who fear Allah to warn their relatives against it. The Messenger ﷺ has instructed us to ask women's permission and not to give them in marriage except with their acceptance. It is an obligation upon the guardians to look at what is beneficial for the women, and not to give them in marriage except to those who are suitable with regard to their religion and their character, after obtaining their (i.e., the women's) permission.

In this manner, obligations will be fulfilled and the guardians will have discharged their duties. And Allah is the One Who is Responsible for reforming the situation of the Muslims, to bless them with understanding of His religion, and making them recommend one another to obedience to Allah and His Messenger ﷺ, and reforming them and blessing them with wise counselors.

Verily, He is Able to do all things. And may peace, blessings and mercy of Allah be upon you. And may peace and blessings of Allah be upon His servant and His Messenger, Muhammad and upon his family and Companions.

Ibn Baz



***This is the end of the 5th volume,
and it will be followed by a 6th, Allāh willing.***