

is named after our Shaykh, Mufti-e-Azam, Faqihul Ummat, Hazrat Mufti Mahmood Hasan Gangohi Saheb rahmatullahi alaih Darul Iftaa — Madrassah Inaamiyyah — P.O.Box 39, Camperdown 3720, South Africa.

Maryam ؑ (Mary) - The illustrious daughter of Islam

Once again, the season of Christmas, heralding a public display of decorated trees, gifts and a host of other salient features of Christendom has dawned. The question to ask is how close are such customs and beliefs to the real teachings of 'Isā (Jesus)? Christian scholars themselves admit that the majority of these customs and symbols are pagan in origin. In an article named 'The Origin Of Christmas', Pastor David J. Meyer states: "A simple study of the tactics of the Romish Church reveals that in every case, the church absorbed the customs, traditions and general paganism of every tribe, culture and nation in their efforts to increase the number of people under their control." Examples of incorporating such pagan practices include adopting December 25 as a religious holiday. As Muslims, it is imperative for us to hold the correct beliefs regarding Nabi 'Isā ؑ and Maryam ؑ. A Muslim cannot be a Muslim without having respect and reverence for 'Isā (Jesus) and Maryam (Mary).

Allah Ta'ālā mentions regarding 'Isā ؑ, "(Remember) when the angels said, "O Maryam, verily Allah gives you the glad tidings of a word from Him; his name will be the Messiah 'Isā, the son of Maryam, held in honor in this world and in the hereafter and one of those who are near to Allah?" (3:45)

Regarding Maryam ؑ, Allah Ta'ālā states, "And (remember) when the angels said, 'O Maryam, verily Allah has chosen you, purified you and chosen you above the women of all the worlds'" (3:42) Surah Maryam (The Chapter of Maryam) is an entire chapter of the Qur'an dedicated to the honour of Maryam ؑ. As Muslims, we pride ourselves with the names of our mothers, sisters and daughters as Maryam (Mary). Millions of muslim mothers, daughters and sisters are named Maryam (Mary) after the illustrious Maryam ؑ.

In contrast, the excessive love that the Christians had for 'Isā and Maryam trespassed the bounds of permissibility, entered into the realm of polytheism

and initiated the creed of trinity. Such beliefs were not sanctioned by Allah, nor preached by 'Isā ؑ nor held by the original true followers of 'Isā ؑ. Allah Ta'ālā mentions in the Qur'an, "And when Allah will say (on the Day of Judgment), "O 'Isā son of Maryam! Did you say to the people 'Worship me and my mother as two gods besides Allah?' He will say, 'Glory be to You! It was inappropriate for me to say what I had no right (to say). Had I said such a thing, You would surely have known it. You know what is in my inner-self though I do not know what is in Yours; truly, only You are the knower of the unseen?" (5:116)

There are many verses even in the bible that clearly denounce the deification of 'Isā ؑ. In John 5:30 it states, "I (Jesus) can of mine own self do nothing" and in Mathews 19:16-17 it states, "And, behold, one came and said unto him, Good Master, what good thing shall I do, that I may have eternal life? And he said unto him, Why callest thou me good? there is none good but one, that is, God: but if thou wilt enter into life, keep the commandments." There was only

one verse in the entire bible that indicated to the concept of the trinity, namely the verse, "For there are three that bear record in heaven, the Father, the Word, and Holy Ghost; and these three are one." (First Epistle of John 5:7) However, Dr. C.I. Scofield and a host of other theologians openly admit that there is no historic proof for this verse being part of the bible and that it has been interpolated. In most modern revisions of the bible like the Revised Standard Version, this verse has been expunged from the bible. As Muslims, it is our duty to spread the true message of monotheism in Islam and of 'Isā ؑ and Maryam ؑ to our christian acquaintances and save them from a grievous torment in the hereafter. Alhamdulillah, the Tafsir of Surah Maryam was conducted in the UK by the editor and at least 22 British women accepted Islam after learning of the position of Maryam ؑ in Islam. ❁

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Q & A

Q: My Christian friend told me that he will attend church on Sunday and then take a rest. I jokingly said to him, rest in peace and made a cross on my chest. Does that have any impact on my Iman ?

A: It has been mentioned in the books of Fiqh that if a person wears a Jewish hat (which is a symbol of Judaism), or fastens a string around his body in pursuing the ways of Hindu priests, or attends ceremonies of other religions abiding by their practices, he will have entered into the fold of kufr. (*Fatawa al-Hindiyyah Vol.2 Pg.276 – Maktabah Rasheediyah*)
 Moreover, it has been mentioned in the books of Fiqh that if one utters the words of kufr in jest, he will still have left the fold of Islam. (*Al Bahr Al Raiq Vol.5 Pg.125 - Maktabah Rasheediyah*)

Furthermore, it has been recorded that if one utters the words of kufr without knowledge that these words represent kufr, he will still have left the fold of Islam. Not having knowledge will not be considered an excuse for uttering the words of kufr. (*Fatawa al-Hindiyyah Vol.2 Pg.276 – Maktabah Rasheediyah*)

Therefore, as a matter of precaution, you should recite the *Kalimah* and renew your *Nikah*. In future, precaution should be taken in uttering such words and making such gestures.

Q: We have heard that the white cord found in the neck of chickens, known as the spinal marrow is Haraam. We experience inconvenience in removing this cord and at times consume it. What is the Shar'ee ruling of this cord?

A: The spinal marrow found in the neck of chickens is Halaal and permissible to consume. This has also being the ruling of Mufti Kifayatullah and Moulana Zafar Ahmad Uthmani. (*Kifaya Al-Mufti, vol 8, pg 287, Haqqaniyya / Imdad Al-Ahkam, vol 4, pg 312, Darul Uloom Karachi*)

Some Scholars have classified it as Makruh Tahrimi and others as Haraam. However, the Darul Ifta has conducted a research on this and has concluded that it is Halal to consume the spinal marrow. Our research is available on our website (www.al-inaam.com)

Q: We are approaching the month of December and Christmas. It is our month of business. Will it be permissible for us Muslim traders to advertise in newspapers and decorate our businesses with items symbolic to Christmas? Our object is to merely enhance our sales and attract customers?

A: It is important that all times, we, as Muslims guard ourselves against the influence of un-Islamic beliefs and values. The *Fuqahaa* have stated that at times a mere

statement or action resembling that of *Kufr* could render one out of the fold of Islam.

It is not permissible to decorate one's business or advertise in newspapers with salient symbols of Christianity. *Rasulullah* said: "Whosoever imitates a nation will be considered amongst them." (*Abu Dawud*)

The author of *Jami` al-Asghar* states, 'If a person gave a gift on the day of *Nayruz* (Coptic new year) to another Muslim but he did not intend honouring that day, rather he did it due to the customs of the time, it will not constitute an act of disbelief. However he should refrain from doing so on that specific day. (*Tabyin al-Haqa`iq, vol 7, pg 468, Ilmiyya*)

Q: Is it permissible to advertise with statements such as "Christmas Sale" or "Christmas Savings"? If not, what are the alternative statements to advertise in this Christmas season?

A: During the Christmas season, instead of using phrases such as "Christmas Sale" or "Christmas Savings" etc. where a great degree of resemblance to the Christians is created, one should rather use phrases such as "Holiday Sale", "Holiday Savings", "Annual Sale", "End of Year Holiday Sale" etc.

Q: As business owners and managers, will it be permissible for us to wish well our employees and customers during the Christmas period. Could we utter statements such as "Merry Christmas" or "Enjoy your Christmas"?

A: The statements "Merry Christmas" or "Enjoy your Christmas" etc creates the impression that Islam supports or corroborates such incorrect beliefs. Instead one may say "Enjoy your holidays" etc.

Q: Recently a new sock called SealSkinz has come into the market. These socks are essentially made for those involved in outdoor activities such as hunting, mountain climbing, etc., and therefore they are quite strong. Furthermore, these socks are totally waterproof. Is it permissible to make masah on such socks during wudhu?

A: In order for it to be permissible to wipe on non-leather socks, it is imperative that the sock fulfils all the conditions of leather socks. After thoroughly studying the inherent qualities of leather socks, our illustrious *Fuqaha* ruled that non-leather socks should resemble leather socks in the following:

1. They should entirely cover both the ankles.
2. They should be durable enough that a person can travel and walk with the sock for three miles without them tearing.
3. Both socks should independently be free from holes to

the extent of three small toes.

4. The socks should remain on the leg without it being tied or fastened.
5. They should be such that water does not seep through them.

(Noor al Idha (1/47, Yasir Nadeem), Hashiyyah at-Tahtawi ala Durr il mukhtaar (1/137, Al Maktabah al Arabiyyah, Tawaali al anwaar Q 294/Alif, Makhtoot: Al Maktabah al Azhar)

We have personally examined 'SealSkinz' socks and are satisfied that they fulfill all the above-mentioned conditions. One can refer to their website to see the full durability of these socks. Hence, it is permissible to use 'SealSkinz' socks as leather socks and make masah on them.

Q: What is your advice regarding voting in the forthcoming elections. Would voting not mean that we are supporting an un-Islamic system? Who should we vote for?

A: Voting is an integral part in a democratic dispensation and it determines who will be elected and who will be in power. As Muslims, if we desist from voting, we will have no option but to be under the rules of people elected in power. We are living in a non-Muslim country and we will have to abide by the existing system.

As opposed to that, we could be part of the system to minimize harm on our selves and vote for such members that will advance our views and help the course of Islam. We should use the voting system to our advantage to the best of our ability. Voting does not mean that we accept and promote all the evils of the system. If we go by that rationale, then our living in a non-Muslim system will also mean to support the evils of the country as we pay taxes to the Government which in turn uses the money to promote its values. By that rationale, we should not be living in a non-Muslim country. In fact, if we oppose the evils of the Government, use the system available to us to combat the evils and prepare suitable candidates for positions and campaign to have them elected.

Many senior Ulama and Muftis have considered the issue of Muslims voting in a non-Muslim country and issued a decree to vote. From a Judicial point of view, voting will be اھون البیتین (lesser of the two evils). The harms of not voting is worse than voting and indirectly supporting the many wrongs that goes within the system.

Q: Is it permissible to take part in the forthcoming SA democratic elections, by voting or standing as a candidate, etc.?

A: It is permissible to take part with the following conditions; a) there is no obstacle in accomplishing the laws of Islam, b) one is able to serve the Muslims, and, c) one is able to save the Muslims from oppression. (Fataawa Mahmoodiya vol.13 pg. 425)

DECEMBER HOLIDAYS AND EXTRAVAGANT MARRIAGES

Marriage in the house; only one month left; the list of invitees is ready; the hall has been booked; caterers have been spoken to; ... **STOP! Have you pondered what Allah and his Rasul ﷺ have to say?** We make sure that all preparations for marriage are done before hand, but the last thing that crosses our minds is the teachings of Islam in regards to marriage. Marriage in Islam is not a mere ritual or ceremony, but is a form of worship and a means of attaining piety and closeness to Allah Ta'ala. Rasulallah ﷺ said, **"When a person gets married, he has perfected half of Deen; and he should fear Allah in the other half."** Hence, it is incumbent upon us to follow the commandments of Allah Ta'ala and adhere to the Sunnats of Nabi ﷺ in regards to marriage, as is our practice in regards to Prayer, Fasting Zakat, etc.

Rasulallah ﷺ said, **"The Nikah with the most amount of barakah is the one with the least expense."** Unfortunately, many marriages today are void of this barakah, as marriage and extravagance go hand in hand in many of the Muslim communities. Travelling overseas for wedding shopping, classy wedding cards, expensive clothing, never-ending ceremonies, exchanging of luxurious gifts, visiting beauty parlours, decorating the hall, etc. are some of the many wasteful practices that have crept in our marriages.

Wealth is an Amanat (trust) in your hands. How can you digest the fact of spending lavishly whilst thousands of people go hungry to bed? Is this the business of the Nafs or the business of the hereafter?

Furthermore, Rasulallah ﷺ said, **"Whosoever imitates or follows a nation, will be regarded from amongst them"**. Imitating disbelievers in marriages has become second nature in many Muslim families. Engagement ceremonies, mehendi ceremonies, impersonating Bollywood actors in dressing, compulsion of dowry and exchanging of gifts, etc. are from the many practices we have inherited from the culture of non-Muslims. Moreover, music, photography, intermingling of sexes, premarital relationships, negligence in Salah, etc. play a major role in our weddings.

As a result of the abovementioned practices, we observe that there is turbulence and grief in many marriages. The rate of divorce is also very high.

Do you still wish for your marriage to end up in crisis? The ball is in your court!



Your Business and Economics Page

Q: I am a building contractor. My clients request me to construct condominiums and office buildings through my company. I do not have the financial capacity to construct the buildings. Is there any way for me to use the finance of my clients to put up the buildings? In this manner, both of us benefit from the deal. ?

A: We advise you to conduct your business through the institution of *istisna`*. *Istisna`* is a mode of Islamic financing wherein a client requests for a certain commodity to be manufactured or built.

Istisna` is applicable in many different commodities such in construction of buildings, tailoring of clothing, carpentry, etc.

Since you are a contractor, the client can approach you for the construction of a building. Depending on mutual agreement, he may pay for it in advance, in installments, or upon the completion of the product. Hereunder is a brief summary of the guidelines of the *istisna`* mode of finance.

1. It is necessary that the quality and quantity of the commodity desired be specified. Any one of the parties can cancel the contract before the manufacturer has commenced the work. After commencing the work, it cannot be cancelled unilaterally.
2. If the commodity is in conformity with the specifications, the contract will be binding upon the client. If the item is not in conformity with the specifications, the client will have the right to accept or refuse the item.
3. It is not permissible to conclude an *Istisna`* contract

for the sale of an existing designated or identified commodity, e.g., an existent specific building or factory.

4. It is permissible to make a condition that the client must pay for the commodity in accordance to the phases of the building completed, e.g., 10% will be due after the first phase is completed. It is also permissible to stipulate a condition that the total will only be payable after completion of the entire commodity.

5. It is not necessary for the manufacturer to construct or develop the item himself. He can also enter into a parallel contract with a third party to construct the item, e.g., the client asks the contractor to build a building and the contractor in a separate contract asks a third party to build a building; after the contractor takes possession from the third party, he can pass it over to the client. In this option, he may forecast a projected cost of the parallel contract and add his profit markup to determine what price to charge the client. However, both the original contract and the parallel contract will have to be independently separate. Thus, even if the parallel contract does not materialize, the manufacturer will still have to provide the ordered item for the client. The two contracts cannot be interlinked as it will lead to two contracts being in one (*al-safqah fi al-safqah*).

The above are brief guidelines for educational purposes only. Anybody interested in undertaking an *Istisna`* contract may contact the Darul Ifta for further assistance.

Istisna`

Alhamdulillah, the Darul Ifta recently published a book titled, **'An Introduction to Islamic Commerce.'**

This book is designed as Part One of a textbook syllabus for Islamic Schools as well as a compendium for those interested in learning the elementary rudiments of Islamic commerce. It offers a brief introduction to the various aspects and principles of Islamic trade, with exercises after each topic. The book was officially released during a function at Al-Falah School where it has been included in the syllabus. The discussions in Conferences and Seminars are way above the understanding of those not familiar with the fundamental issues of Islamic Commerce. Master this compilation as a way forward to understand complex issues of Islamic Finance

**FOR A FREE COPY OF THIS BOOK, CONTACT
DARUL IFTA, CAMPERDOWN**

Ph : (031) 785 - 1239

A THOUGHT FOR YOUR HOLIDAY SEASON'S EARNINGS

“I came across the following thought provoking saying on a billboard outside a shop in Khan-alkhalili in Egypt.

لا شفاء للموت ولا حيلة في الرزق

There is no cure from death and there is no stratagem in sustenance

How True! Death and Sustenance are decreed by Divine order. No one can escape death, and no one will earn more than what is decreed.

BE CONTENT! ”

- Mufti Ebrahim Desai