



AQEEDA vs OPINION

“What is your opinion about...?” This question is heard very frequently. The responses are also very enthusiastic. Every person seems to be qualified to express his opinion, irrespective of whether he may be qualified in the subject matter or not.

Nevertheless, a grave error is committed when opinions and views are expressed on matters of *aqeeda* (belief). There never were any two “views” on matters of *aqeeda* nor will there ever be. The simple reason is that *aqeeda* is derived from the absolute proofs of the clear texts from the Qur’an and *mutawaatir Ahadith* (*Ahadith* of the highest category and strength). Opinions and views are based on human assumption, while *aqeeda* is an absolute reality and a certainty. Opinions are the product of the fallible human mind.

As a result any “view” or “opinion” which contradicts an *aqeeda* will be absolutely disregarded. It is extremely important to know this well. Take for example the *aqeeda* with regards to the Sahaaba (R.A.). The Qur’an clearly states that “Allah was pleased with them and they were pleased with Him.” However many “views” are being expressed to the contrary. Such views will clearly be dismissed with the contempt that they deserve.

Or for example the “views” contradicting basic *aqeeda* that are being expressed in the name of “re-interpretation” and “re-thinking.” Such views also will never be considered even for a brief moment.

Just one more point on asking “opinions.” If you intend building a house, do you ever ask the opinion of a street sweeper (who is ignorant about building)? Do you consult a farmer about what medication you should take for your heart problem? Why then should you ask just anyone, who has little or no Islamic knowledge, about matters of Deen? It could be more dangerous than asking a panel beater to perform brain



INHERITANCE



THE POTENTIAL FOR CONFLICT in money matters is an open secret. If one’s financial matters are not absolutely clear, problems in most instances are bound to arise. These problems sometimes lead to serious conflict which often result in split families and estranged friends. In many cases the problem remains dormant and does not surface...until it is finally the time of distributing the inheritance. Then it suddenly explodes, bringing in its wake much misery and unhappiness.

Actually there should never be any serious problem. If the financial matters of the deceased were not absolutely in order, they can be sorted out. The root problem at this time is that the *SHARIAH* is often totally cast aside. Suddenly the apparent piety also evaporates. Such statements are then heard which should never even cross a Muslim’s mind, let alone come onto his tongue. The unIslamic laws of the land are then placed above the laws of Allah Ta’ala.

MY RIGHT?

The severity of this situation should be understood well. On many occasions it has happened that the deceased had drawn a will that was not according to the Shariah. For example he made a *wasiyyat* (bequest) that the business or a certain property should be given to one particular son. Such a bequest is not valid since it contradicts the Hadith that “there is no *wasiyyat* for an heir.” Thus the simple thing to do is to totally ignore the unIslamic bequest and distribute the estate strictly according to the Shariah. However, in many instances, perhaps innocently (due to not knowing the law), the person who stood to gain a few coppers more on the basis of the unIslamic will counters: “*But it is my right!*” If he is denied this “right” he will be prepared to even go to the western courts to receive it. At this point it should be considered: “If a non-Muslim made a bequest for this very person that he should be given a million bottles of wine or one ton of pork, would he still claim “*It is my right*” and consume it? Demanding the Haraam bequest is really no different. It is usurping the rights of others for which one will have to pay dearly in the Hereafter.

Nevertheless it is imperative that one has his financial affairs in order so that these problems are avoided upon one’s death. There are several aspects which require attention. A few are discussed hereunder.

MARRIAGE CONTRACT

One common problem is the marriage contract. According to South African law, if the marriage was registered without a proper ante nuptial contract (which is the only contract that is compatible with Islamic Law), it automatically becomes a marriage in community of property. This means that everything (including their personal belongings) is now jointly owned by the couple. Upon the death of either of them, half of the entire estate will go to the surviving spouse, even if in reality 90% belonged to the deceased. This is clearly contrary to the Shariah. According to the Shariah, the husband will be the exclusive owner of his items. The wife will own her belongings exclusively. Upon their death it will be distributed to their respective heirs as outlined in the Shariah. Once again, despite the marriage in community of property, there really should be no problem. All that is necessary is that the heirs re-distribute the inheritance according to Islamic Law, irrespective of what the implications of the community of

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property are. However, experience has shown that in many instances the wife demanded a distribution according to the unIslamic western law. Therefore it is necessary to have this matter in order as well by reversing the community of property to a proper ante nuptial contract. An Alim with experience in these aspects could be contacted for guidance in this matter.

WHOSE PROPERTY?

The above also highlights the aspect of definition of property. It has already been stated that according to the Shariah, the husband and wife are the sole owners of their respective belongings. However, when it comes to household effects, there is always much confusion as to who many of the items really belong. If the wife has acquired something with her own money, that will not form part of the husbands estate and vice versa. If they have received something jointly as a gift, they will own it in equal proportions. This problem is particularly common in those instances where the wife also has an income of her own but it is combined with the husbands income to meet the expenses and purchase what is required. Lack of clarity in this matter at times can even affect the rights of orphans. Therefore, this should be clarified. A simple solution would be for one of the spouses to buy off those items whose ownership is not clear from the other or alternately just give it as a gift. It sounds trivial, but it is extremely important.

ISLAMIC WILL

Another problem comes up when there is no Islamic will. According to the Hadith, a person should not even spend two nights without his will having been drawn. An Islamic will is extremely important to avoid any dispute. Drawing a will is no difficult task. The Jamiatul Ulama Natal has ready-made wills drawn. All one has to do is fill in the blanks and the will is complete. This will is also available at their offices.

This is just a very brief discussion of few aspects that affect the proper distribution of inheritance. There are many more details for which one

Q I have heard in a talk that the Shia believe in *mut'ah* (temporary marriage) which could be contracted for any specified period of time. When I enquired about this from a Shia, he denied that they have any such belief. He conceded that this is found in some of their books but he pointed out that those narrations are very weak. Nevertheless, when they no longer believe in this aspect, why then is it quoted to defame and disgrace them.

A When one talks about the deviated beliefs of a sect, one does not discuss the opinions of any Tom, Dick and Harry of that sect. One discusses what the founders and leaders of that sect have said. If any individual of that sect does not accept some aspects of his creed, it is insignificant.

Those who were the founders of this sect of Shi'ism have recorded these "narrations" and other high ranking scholars among them have accepted these writings. Thus the only way out, for present day Shias, to avoid these issues is to say: **"We do not believe in that! That narration is daeef (weak). From the twelve thousand odd narrations of Usool-ul-Kaafi, approximately nine thousand are weak, etc., etc."** You may have heard of the Shia belief of *taqiyya* (to conceal what is in your heart and say something which is not the truth so that your beliefs are not known). This is also part of the same *taqiyya*.

What do the Shia have to say about Khomeini? He is their Imaam. What do they have to say about his writings? In **Khomeini's book Resaleh Tawzih al-Masaal** the following is to be found:

PRECEPTS OF WEDDING OR MARRIAGE AND MATRIMONY

As a result of the marriage contract a woman becomes lawful to a man and that is of two kinds, permanent and **IMPERMANENT**. The permanent contract is that in which the length of matrimony is not specified and a woman contracted that way is called "permanent." And an impermanent contract is that in which the length of matrimony is specified; examples are when a woman is contracted for **AN HOUR** or a **DAY** or a month or a year or more. (p. 311)

Further explaining some rules of this "temporary marriage," Khomeini gives the following example:

#2366. If a woman deputizes someone to wed her to a man in a **TEN DAY** contract, for example, and she does not specify when the ten days begin, that deputy can contract her for that man, beginning any time he wants, if it is evident from the women's statement that she has given full authority to the deputy. (p. 312) *(The stress in both quotations is ours)*

The above two quotations clarify many issues. Firstly it makes it abundantly clear that *mut'ah* is not dead among the Shias. How could it be regarded as dead and as a thing of the past when Khomeini himself is explaining the rules of "impermanent contracts" (which could be contracted for even **ONE HOUR!**) and he himself gives examples of "a TEN day contract." It is also significant to note that, according to the Shia, there is no need for any witnesses to these "contracts." Now Khomeini was not a Shia *mujtahid* that lived four or five centuries ago. He was among the highest ranking Shia *mujtahids* of THIS century, a person of *our* times. Moreover, several editions of the book that propagates this belief have been printed. The Office of Islamic Publications (Iran) alone printed 200 000 copies. It is then obvious that thousands may be involved in this practice. Can one imagine one's daughter or sister contracting a **ONE HOUR "MARRIAGE."** Will one proudly announce this "marriage" and invite people for meals out of happiness that one's daughter will be getting married to so and so for *just* one hour? Finally, one may ask: "Is *mut'ah* the reason for many youngsters becoming inclined to Shi'ism?"

Secondly, it makes it obvious that the so called *daeef* narrations of *Usool-ul-Kaafi* are accepted by the Shia of this time. When the Shia call them *daeef*, they attempt to give the impression that they are totally rejected — as you were given the impression with regard to *mut'ah*. However, you have now understood that the reality is very much to the contrary.

AL-QUR'AN THE MIRACLE



MUSICAL

The Glorious Qur'an, the word of Allah Ta'ala, is a miracle for all times. This miracle is manifested in the challenge made by the Qur'an itself in the following *ayah*: “*And if you are in doubt of what we have revealed to our servant, produce one chapter comparable to it. Call upon your helpers besides Allah to assist you, if what you say is true*” (Qur'an, 2:23)

Needless to say, this challenge was never met, nor will it ever be met till the last day. The fact that the Qur'an makes this challenge is itself proof that it is not the product of a human mind, since any human effort could always be emulated and even improved. Hence no human ever dared to make such a claim for any of his efforts. But the Qur'an boldly threw this challenge to mankind — because it is the Word of Allah Ta'ala, not the word of man.

There are numerous factors in the Qur'an which openly bear testimony to the fact that it is of Divine origin. We will just deal with two aspects here.

In the Qur'an certain foodstuffs are declared unfit for human consumption and are, therefore, prohibited. One of these items is blood. At the time of revelation, man had no idea of the dietic importance of this law. Much later, when laboratory research had isolated the components of blood, the wisdom of this prohibition became clear. Far from refuting the law, scientific investigation illustrated its benefits.

The analysis showed that blood contains an abundance of uric acid, the intake of which is injurious to human health. This is the reason for the special method of slaughter prescribed in Islam. The wielder of the knife, having taken the name of Allah, quickly severs the jugular veins and oesophagus which causes the animal to die due to a total loss of blood from the body, rather than injury to any vital organ. Were the animal's brain, heart, liver or any other vital organ to be crippled, the animal would die immediately, and its blood would congeal in its veins and eventually permeate the flesh. The animals flesh would thus be contaminated by uric acid and would become poisonous.

Pork has also been prohibited by the Qur'an. At that time the reasons for this prohibition were not fully understood. Nowadays, people are much more well-informed about its harmful effects. Uric acid, as we have seen, is present in all animals. The human body too has its share, which is extracted by the kidneys and excreted by means of urination. Ninety percent of the uric acid collected in the human body is excreted in this way. But the pigs biochemistry is such that it excretes only two percent of its uric acid. The rest remains an integral part of its body. It is this factor which causes the high rate of rheumatism found in pigs, and those who eat pork are also especially prone to this disease.

These scientific details were known to none at the time of the revelation of the Qur'an. But the Creator of the universe was fully aware of it, hence he revealed its prohibition in His book — *Al-Qur'an*. (Adapted from *God Arises*)

YOU CANNOT ESCAPE IT at many supermarkets or garages, in buses or taxis. Stop at a red traffic light, and your ears are bombarded from the car next to you. However, the last straw is ... the PHONE. Dial a number, ask for Muslim Brother so-and-so, and if he is busy, you are put on hold. Then, out of the blue, the silence is shattered by sin, by music from the receiver. You cannot switch it off — unless you slam down the phone. If you just have to talk to so-and-so, you have no option but to involve yourself in listening to that sin to some extent.

HEAVY ROCK

“But they don't play ‘heavy rock music’ on the phone,” one person protested. The reality of the matter is that a heavy rock should be thrown at ALL music and it should be silenced for ever. After all, Rasulallah (Sallallahu Alaihi Wasallam) is reported to have said: “I have been SENT TO DESTROY musical instruments.” (Mishkaat, v.2 p.318)

In one hadith Rasulallah (Sallallahu Alaihi Wasallam) is reported to have said: “When my Ummah will become involved in 15 actions, calamities will befall them. (Among these 15 is)...when dancing girls and musical instruments will become rife.” (Mishkaat) How much more rife can it become when you are not safe even on a private telephone line. When it has become this rife, the constant calamities that are befalling us should come as no surprise.

SIN FOR FREE

By playing music on the telephone one will have to bear the burden of the sin of all those who listen to it, due to becoming the means of their involvement in that sin. This is what you can call “sin for free.” The person who played it on his phone perhaps did not even hear it himself, but he is reaping the sins of all those who have to listen to it when they phone him.

Every *Mu'min* is supposed to pass on the message of Islam at all times, by word and deed. He should be a means of guiding others towards noble and righteous actions. It does not behove of him to become a means of involving others in sin and do the job of the *shayateen*. May Allah protect us!

The sterling advice of Faqihul Ummah Hazrath Mufti Mahmood Saheb (*Daamat Barakaatuhum*) has helped thousands of people to overcome many problems and difficulties — especially in the line of *Islahun Nafs* (inner-self reformation). Hereunder is a reply to a letter seeking guidance.

SELF REFORMATION

SUMMARY OF LETTER...

Respected Mufti Saheb

Please show me the way of refraining from all sins. I also wish to know how one should develop the enthusiasm for performing *Ibaadat*, rid oneself from all evils and be inclined to do good.

I am teaching in a little Madrasah. Make dua that I be granted sincerity.

REPLY

Respected Brother

...Sit in solitude and perform *muraqabah* (meditate) over the following *ayah*: “*Alam ya’lam bi an-nal laha yaraa*” (Translation — **Does he not know that verily Allah is watching**). Sit and meditate over this as long as possible. Thereafter, while you are busy in your work, every little while recite this *ayah* and ponder over its meaning. Allah Ta’ala will grant you much benefit by it. Read about the lives of the pious and narrate them to others as well. Sit in the company of the pious. Time permitting go in *Jamaat* for 40 days. When one has a good environment, one’s actions and character also improve. ...May Allah Ta’ala grant you progress in serving His Deen and bless you with sincerity and steadfastness. Aameen.

THE DIAGNOSIS

Saubaan (R.A.) narrates that Rasulullah (Sallallahu Alaihi Wasallam) said: “Soon the nations of the world (*United Nations?*) will call upon one another (to help) to destroy you just as people eating invite (and encourage) one another to partake of the meal.” Upon this somebody enquired: “Will that be a result of our (the Muslim’s) very small number at that time?” Rasulullah (Sallallahu Alaihi Wasallam) replied: “Rather you will be in great numbers but you will be like the foam on the flood waters (i.e. almost insignificant). And most certainly Allah Ta’ala will remove the awe and fear for you from the

hearts of your enemies and place a *weakness* in your hearts.” “What is this *weakness*,” someone enquired. Rasulullah (Sallallahu Alaihi Wasallam) replied: **“Love of the world and dislike for death.”**

THE PRESCRIPTION

In many *ahadith* it has been greatly stressed that one should purify oneself from the love of the world. Likewise, Rasulullah (Sallallahu Alaihi Wasallam) has exhorted us to remember death excessively. These aspects are not acquired without effort. One will have to spare time and join the company of the pious and strive in the path of Allah to acquire these

JANNAH GUARANTEED

Ubada bin Saamit (R.A.) reports that Rasulullah (Sallallahu Alaihi Wasallam) said: “Give me a surety for SIX things and I will guarantee you JANNAH:

- ☞ Be truthful when you speak.
- ☞ When you make a promise, fulfil it.
- ☞ When you have been entrusted with something, give it to its rightful owner.
- ☞ Protect your private parts (from *haraam*).
- ☞ Lower your gaze.
- ☞ Restrain your hand (from anything unlawful).

GOLDEN ADVICE

Hazrath Luqman (A.S.) advised his son: “O my beloved son, remember two things and forget two.

REMEMBER ...

- ☞ Allah Ta’ala
- ☞ Death.

FORGET...

- ☞ The favours you have done to people
- ☞ The ill treatment of people towards you.”

OBSTINACY

“If a child makes a request, either fulfil the request **the same time** or, if you have refused the request, **then do not fulfil its stubbornness**. Even if it then obstinately demands and cries for it, do not fulfil the request under such circumstances. If you submit to the child’s obstinacy, it will develop this habit.” (*Hakimul Ummah*)

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