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# AN NASIHA

Quarterly

## رَمَضَانَ مُبَارَكٌ

RAMADHAN MUBARAK TO ALL OUR READERS

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# FORCED MARRIAGES

## THE ISLAMIC PERSPECTIVE



'I was 13 years old' says Aishah, 'when my father informed me that he had organised a trip to Pakistan. Little did I know at the time that this trip involved marriage to a man that I did not know into a union that I did not desire. It made me question whether it was my faith that led my father to determine my marital fate, or a backward custom born from a promise he had made to his relatives only a few weeks after I came into this world. It took me many more years and an inclination to study my religion further to realise that it was surely the latter'.

Aishah is not the only British Muslim woman to be whisked away for an untimely, ill-advised and ill-suited union for the sake of a misplaced sense of honour and an even more misguided understanding of the Islamic concept of marriage. Many Britons have been subject to this and although not every case is enforced upon the young Muslim and some choose to enter into the marriage willingly, the corrupt customs and out dated traditions that are totally contrary to the teachings of Islam are the reason for why Muslim girls like Aishah are not given a choice. The Prophet of Islam, the mercy for mankind - Muhammad, peace be upon Him, came to do away with such customs which equated women to commodities that may be brought, sold and inherited against their will.

In the Noble Quran, our Lord warns us thus, 'O you who have faith! It is unlawful for you to inherit women forcibly'. (Quran 4:19)

The earliest exegete of the Quran, Abdullah Ibn Abbas (may Allah be pleased with him) narrated the following regarding this verse, "When a man died, his relatives had more right to his wife than her own guardian. If any one of them wanted to marry her, he did so; or they married her (to some other person), and if they did not want to marry her, they did so. So this verse was revealed about that matter." (Sunan Abu Dawud, the book of Marriage, Book 11, Hadith Number 2084)

In one of the most clearest condemnations of forced marriage from an Islamic viewpoint, a woman by the name of Khansa bint Khidam once approached the Messenger of Allah (peace be upon him) and complained, 'My father has married me off to his nephew, and I do not like this match'. Being a man of great foresight, the Prophet of Islam (May Allah bless him and grant him peace) advised her to 'accept what your father has arranged'. She replied informing the Prophet that she cannot and will not approve. Upon hearing this, the Prophet (peace be upon him) compassionately (in her case) and robustly (in the case of her father) declared 'then this marriage is invalid, go and marry whomsoever you wish'. Khansa then stated 'O Messenger of Allah, I have duly accepted what my father has arranged, but I wanted women to know that fathers have no right in their daughter's matters (i.e. they have no right to force a marriage on them)'. (Fath al-Bari Sharh Sahih al-Bukhari, Ibn Majah, Book of marriage)

Marriage is the cornerstone of Muslim society. The Holy Quran refers to this sacred bond between man and woman in the most eloquent and moving terms as '*mithaaqan ghaliza*', a solemn pledge or covenant. The solemnness of such a covenant will be fictional if both parties are not able to enter into it willingly. Therefore, it is imperative that we educate ourselves and our communities in order to correctly understand the Islamic perspective and the prophetic viewpoint when it comes to marital affairs. Prophet Muhammad (peace be upon him) was sent as a mercy for the oppressed and downtrodden. He was a shining light in times of total darkness and if it is his way that some Muslims claim to follow when they enforce a marriage upon their child then they are evidently misguided. If the Holy Prophet (peace and salutations be upon him) was among us today, he would ensure that the sanctity of marriage remains intact always, and anyone who violated this sacred bond or brought it into disrepute would be sternly reproved for their unjust actions.

# FISHING FOR AN ANSWER

## THE TRUTH ABOUT SEA FOODS

The classification of sea foods according to the Aḥnāf



Shaykh Gul Muhammad

The Aḥnāf have said,

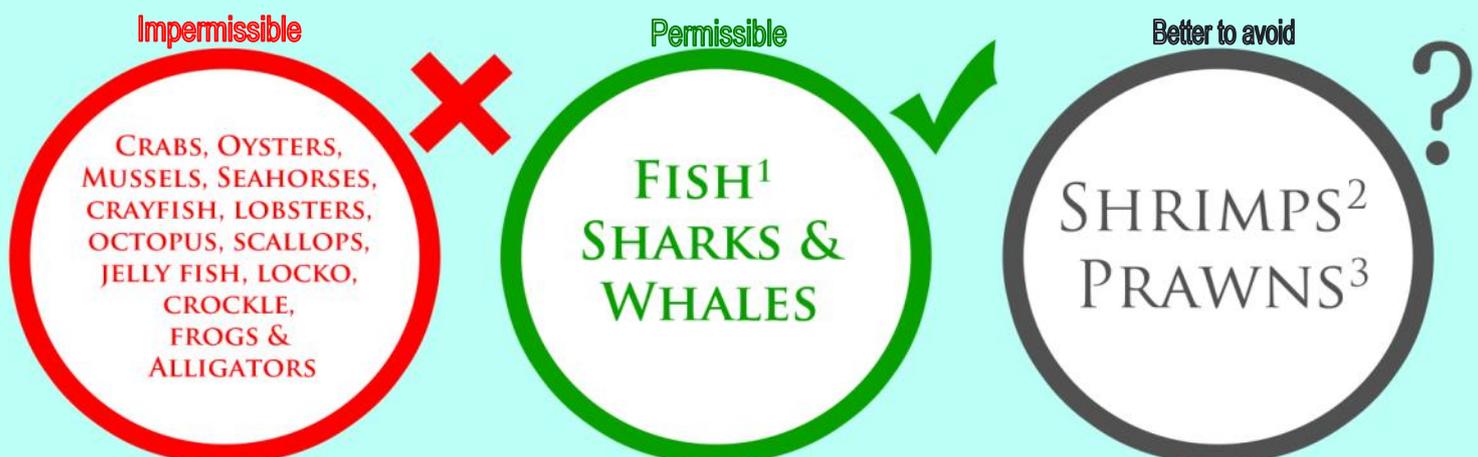
“It is unlawful to consume the creatures of the sea which do not resemble a fish. Therefore eating sea horses, sea animals and the likes with the exception of the catfish and eel is unlawful” (*al-Fiqh alā al-Madhāhib al Arba’ah*, Abdul Rahmān al-Jazīrī, Vol. II, Dār al Kutub al-Ilmiyyah, 2<sup>nd</sup> edition 2002).

One particular area of marine life that is disputed is prawns. Early scholars deemed a shrimp and prawn إربيان and روبيان to be types of fish. This was largely because ichthyologists (marine biologists) of the day inferred such references. So many of the early Hanafī sources rule them lawful for consumption based on this understanding. Later scholars, with access to a more developed understanding of fish biology, revisiting this same area declared quite accurately that prawns and shrimps are crustaceans, rendering them unlawful (*makrūh tahrīmī*) for being closer relatives of the crab and lobster than that of the fish.

But there is a difference between the crab and the prawn in terms of the size of them, and this is very significant in fiqh. Prawns are generally very small wormlike crustaceans, and early *fuqahā* have written that ‘fish that are so small that their stomachs cannot be cut are lawful’ (*Radd al Muhtār*), again alluding to the lawfulness of them. Yet in *Jawāhir* there is a record of something contrary to that, where it states that ‘very small fish are *makrūh tahrīmī*’. Clearly then this is not something which is definitive, and subsequently various opinions for and against the lawfulness of the prawns are available. When posed with this precise conundrum, Imam Ahmad Rida Khan decreed that prawns are ‘therefore best avoided’, refraining from using the words *makrūh tahrīmī* himself.

With regards to all other sea creatures, with exception of fish prawns, the Aḥnāf have decreed them all to be unlawful whether they are forms of molluscs, shellfish, echinoderms or aquatic reptiles, as for the aquatic plants and weeds they are lawful.

On the basis of the above discussion we can conclude a basic list of sea foods, as lawful and unlawful:



<sup>1</sup> A cold-blooded animal that lives in water, breathes with gills, and usually has fins and scales.

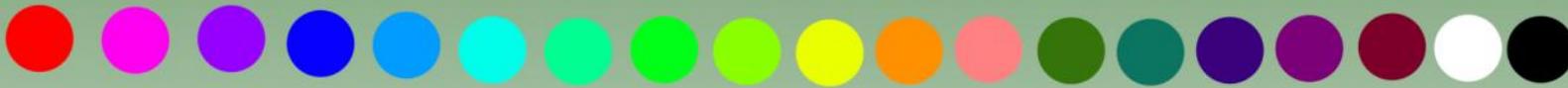
<sup>2</sup> Whilst being a crustacean the earlier debates of its lawfulness render it *khilaf awla* (*against best practice*).

<sup>3</sup> As above in footnote ii.

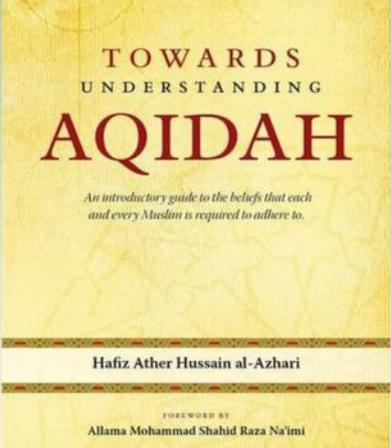
# REPORT

# Tafsir of the last two Surahs

The Qur'an is a book of immense power and beauty and each chapter has its own particular qualities. Amongst the oft-recited of them are the final 2 but little is known regarding their revelation and meaning. To illuminate our minds regarding them, An Nasiha organised a seminar discussing these final chapters and their importance for us in our lives. Both chapters were explained in exceptional depth by the guest speaker Moulana Mahboob Hussain, a lecturer at Jamia Al karam who unveiled secrets and hidden intricacies of both surahs. An Nasiha continues to present opportunities of learning and illumination to the general public through such seminars.



## *An Nasiha Recommends*



*Our Aqidah explained in one simple book.*  
Available on [Amazon.co.uk](http://Amazon.co.uk)

*Previous editions of An Nasiha Quarterly are now available to view on our website.*

