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# Ask Fatwa Weekly Advice

16th Rajab, 1440

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## **GIVING PREFERENCE TO "HIKMAT" OVER THE COMMANDS OF ALLAH TA'ALA**

### **In the Name of Allah, the Most Gracious, the Most Merciful.**

As believers, we have full conviction that conditions come from Allah Ta'ala. Together with this, we all believe that by pleasing Allah Ta'ala we will experience good conditions. Therefore, in difficult times our attention should be focused towards Allah Ta'ala and pleasing him. By disobeying Allah Ta'ala and breaking his commandments we are inviting the anger of Allah Ta'ala.

We are presenting an article which we had previously sent, due to its importance we are re-sending it.

وما علينا الا البلاغ

Faqeehul Asr Hadrat Mufti Rashid Ahmad Ludhyanwi *rahimahullah* was a great luminary and a high ranking Mufti of recent times, he had taught Bukhari Shareef for many years and he was an expert in Fiqh (Islamic jurisprudence). He is the Ustaadh of Hadrat Mufti Muhammad Rafi Uthmani and Hadrat Mufti Muhammad Taqi Uthmani *damat barakatuhuma*. His Fatawa (Urdu and Arabic) have been gathered in the book Ahsanul Fatawa.

In Ahsanul Fatawa VI 6 there is an article which commences with a very pertinent subject, a subject which is sadly ignored. This is the issue of utilising Haram means in order to spread Islam and giving preference to Masalih (some apparent benefit) over the commands of Allah Ta'ala and his Rasul *Sallallahu alai wa sallam*. Hadrat Mufti Sahib *rahimahullah* mentions comprehensively that the usage of impermissible means to spread Islam is not permissible and to adopt any Maslahat (well-being and so called "wisdom") which entails the breaking of the commandments of Allah Ta'ala and his Rasul *Sallallahu alai wa sallam* is not permissible. With the help of Allah Ta'ala we will *Inshallah* mention a few points from this article.

(Note that this is not a word to word translation of the article).

We are all aware that discarding a Fardh/Wajib act or to engage in sin due to any worldly well-being or benefit is impermissible. For example, to lie and deceive or to leave prayer/congregation so that one can acquire some worldly benefit will be regarded as Fisq (disobedience) and will be Haraam. Similarly, to engage in any sin for some Deeni well-being is also Haraam.

To obey Allah Ta'ala and his Rasul *Sallallahu alai wa sallam* is our foremost obligation before any other benefits, it is Ummul Masalih (the mother of all well-being's and benefits) and all Masalih will be sacrificed for it. For example, a person earns money via a cinema or usury in order to run and operate a Deeni Madrasah, or a person dances in order to gather a crowd so that they can be given some (Islamic) advice, to do such things are severe sins and extremely dangerous.

Below are a few incidents wherein Nabi *sallallahu alai wa sallam* and the Sahaba *ridhwanullahi alaihim ajma'een* never considered Masaalih when it clashed with the laws of Shariat.

1. Nabi *Sallallahu alai wa sallam* intended to marry Hadrat Zainab *radiyallahu anha*; without a doubt, this intention was permissible. However, Nabi *Sallallahu alai wa sallam* felt that this Nikah will cause an uproar in the public due to them regarding the marriage with ones adopted sons (divorced) wife as Haraam. Together with this, those who recently entered into the fold of Islam will ruin and destroy their Imaan by criticising this Nikah. Furthermore, this will create an aversion against Islam in the masses. With regards to this matter Allah Ta'ala revealed the following admonition:

و تخشى الناس والله احق ان تخشه

*And you fear the people and Allah Ta'ala ought to be feared (Surah Ahzaab-33-37)*

The Nikah was finally made and the uproar and Fitna was disregarded and was not taken into consideration. The reason why this Fitna was not taken into consideration was because if Nabi *Sallallahu alai wa sallam* did not perform the Nikah with Hadrat Zainab *radiyallahu anha* than this would have resulted in the absence of publicly demonstrating this important ruling i.e. that the adopted son's wife does not become one's daughter in law and to marry her is Halaal.

2. There was a fear of severe opposition and Fitna in the time of Nabi *Sallallahu alai wa sallam* with regards to the ruling of changing the

direction of the Qiblah. Together with this, there was a great fear of Irtidaad (apostasy) due to this being the first Naskh (abrogation) in Islam. Despite all of this, the following admonition was revealed from Allah Ta'ala:

و لئن اتبعت اهوائهم من بعد ما جاءك من العلم أنك اذا لمن الظالمين (145-2)

...Should you now follow their wishes after knowledge (revelation) has come to you, then surely you would be among the unjust ones (Surah Baqarah 145)

3. The third incident was during the era of the Sahaba *radiyallahu anhum*, wherein Hadrat Abu Bakr *radiyallahu anhu* was firm on his resolution to send out an army against those who claimed that only Nabi *sallallahu alai wa sallam* had the right to collect the Zakaah of the apparent wealth (such as animals). He was firm on this decision despite Hadrat Umar and other senior Sahaba *radiyallahu anhum* advising that Maslahat (well being and Hikmat) lies in abandoning such a decision due to the instability and Fitna which the Ummah was facing. Together with this, the Sahaba *radiyallahu anhum* mentioned that there is hope that they will give their Zakaah to the Baitul Maal in the future. However, despite all these apparent Masalih Hadrat Abu Bakr *radiyallahu anhu* remained firm on his decision and Allah Ta'ala made Hadrat Umar *radiyallahu anhu* and the other Sahaba *radiyallahu anhum* content with his decision.

Thus, from the above we learn that Masalih (apparent benefit) will be disregarded when it clashes with the command of Allah Ta'ala and his Rasul *Sallallahu alai wa sallam*.

Hadrat Mufti Sahib *rahimahullah* thereafter explains some conditions of the principle **أَهْوَنُ الْبَلِيَّتَيْنِ** i.e. a lesser harm will be adopted in order to repel a greater harm. Hadrat Mufti Sahib *rahimahullah* mentions that to determine which harm is the lesser of the two is not the job of every individual, because sometimes due to desires, tribalism or love of wealth and fame a person regards something which is not of a lesser degree of difficulty as a lesser degree of difficulty. Therefore, this decision needs to be made by those who have complete expertise in the knowledge of Deen and those who have a high degree of Tafaquh (deep understanding of Deen) and piety. Together with this, Mufti Sahib *rahimahullah* mentions that it needs to be constantly announced that the lesser of the two harms is Haram however it is being permitted due to a Shar'ee

need. If this is not made clear than people will engage in the Haram in those scenarios wherein there is no Shar'ee need.

Mufti Sahib *rahimahullah* mentions that a clear example of this is Photography, of which he mentions that the impermissibility is Muttafaq Alai (unanimous).

However, it is an obligation to take one's photo for Hajj and certain identification purposes, the Ulama have given permission for these two reasons due to the extreme need. However, the amount in which its impermissibility should have been expounded through writing and lectures (despite the permissibility in the above two cases) was not executed. Thereafter, Mufti Sahib *rahimahullah* laments over the abandonment of Nahi Anel Munkar (prevention of wrong) when a person's photo is taken and it is even more sad when one is happily involved in this wrong.

May Allah Ta'ala grant us all the understanding that the commands of Allah Ta'ala and his Rasul *Sallallahu alai wa sallam* are more important than any other Masalih (well-being and benefit). We might feel that breaking the laws of Islam in order to spread Islam contains benefits, however in reality this is a deception and a heinous sin.

May Allah Ta'ala grant us all the ability to spread Islam according to the Sunnah without breaking the commandments of Allah Ta'ala. Ameen