

علمی و تحقیقی مجلہ فقہ اسلامی ﴿۱۰۶﴾ صفر المظفر ۱۴۲۲ھ ☆ مئی ۲۰۰۱ء

stooping to these levels. How can such funds, derived through events where prohibited practices occur, contain Barkat? How can such monies accumulated with Allah's wrath be used to please Him? There were many ways in which Rasulullah (Sallallaahu Alayhi Wasallam) and his companions (RA) used to raise money but most definitely not the fund-raising events of today.

Q: I am aware that a Muslim is permitted to donate blood. Are Muslims encouraged to donate blood since Blood Banks are experiencing a great shortage countrywide?

A: Donating blood as a means of saving lives of people is indeed encouraged and an act of great virtue.

# کمپیوٹر

## کا کردار

تحریر

پروفیسر ڈاکٹر نور احمد شاہتاز

شرعی علوم میں کمپیوٹر سے کیا کیا کام لئے جاسکتے ہیں

اور

اب تک کمپیوٹر پر کون کون سی اسلامی کتابیں مملوٹ کی جا چکی ہیں۔

علمی و تحقیقی مجلہ فقہ اسلامی ۱۰۷۰ھ صفر المظفر ۱۴۲۲ھ ☆ مئی ۲۰۰۱ء

Rasulullah (Sallallaahu Alayhi Wasallam) many Muslims used to enter into Riba transactions with non-Muslims, but when Riba was prohibited, they stopped this practice totally. The Aayats of the Noble Qur'an which prohibited Riba did not differentiate between a Muslim and non-Muslim. Similarly, there is no example in the days of the Sahaaba (RA) where anyone of the Sahaaba (RA) entered into Riba transaction with a non-Muslim after the prohibition was enforced. Therefore, one cannot be advised to take an interest-bearing loan, even in a non-Muslim country.

Q: A person is heavily indebted to the bank by way of overdraft and to private business houses. Is Hajj compulsory upon him? If not, can he perform Hajj?

A: It is forbidden to engage in any interest bearing transactions. As long as a person is involved in an overdraft, he will be incurring sin. Hajj is compulsory on a person who has the financial means to travel to Makkah Mukarramah and be able to maintain himself there and his dependants (if any) at home. As for other debts, if a person is heavily indebted and his liabilities exceed his assets, Hajj is not compulsory upon that person. If he fulfils his monthly commitments and his creditors do not have any arrears claim against him, he will not be infringing on the rights of his creditors by performing Hajj on condition that he is sincere in fulfilling the remaining amount according to the commitments. If the creditors have arrears claims against him, he will be infringing on their rights by performing Hajj. Hence, he cannot perform Hajj unless he receives the prior consent of his creditors claiming arrears from him.

Q: What is the ruling in organising fund-raising events to collect funds for a Madrasah, Masjid, etc.?

A: Rasulullah (Sallallaahu Alayhi Wasallam) says, 'Whoever imitates a nation is among them.' It is an undeniable fact that today carnivals, fetes and events have become a hallmark of the non-Muslims. Besides, it is events of this nature that many laws of Allah Ta'ala are transgressed, of which intermingling of the sexes is foremost. Furthermore, the primary drawcard in these events is the entertainment. It is this fundamental point that adds to the transgression. If the donor is sincere in his purpose, he would donate his money without going there and/or in anonymity. In fact, if such people contributed their monies before-hand, it would have saved the Muslim organisations from

Q: How should the body be placed in the grave?

A: The body should be tilted on the right side facing the Qiblah. (Shaami

vol. I pg.660; Maajidiyya). It is incorrect to place the body on its back and then tilt the face only.

Q: Is it permissible to consume wild antelopes?

A: Yes, it is permissible to consume wild antelopes.

Q: A Muslim passed away at the hospital without the knowledge of any other Muslim. After a while his body was cremated and the ashes put in storage. What should be done with the ashes and should Janaaza Salaat be offered with the ashes placed in front?

A: There is no Janaaza Salaat in such a case. However, Du'a should be made for the deceased person.

Q: In an Estate, all the heirs have been paid. However, the property has not been transferred in the name of the heir who has inherited the property due to inefficiency at the Master's Offices. Can the heir sell the property to a third party before the property has been legally transferred to his name on condition that the third party will receive the title deed as soon as the heir receives transfer of the property?

A: It is permissible to sell the property to a third party if there is no obstacle for the purchaser to take physical possession of it. The legal requirement of transferring the property on the seller's name has no bearing on the Shar'ee validity of the sale.

Should there be any fear of a dispute in future, as a measure of precaution it is advisable to delay the sale until the transfer takes place. However, if it is necessary to sell the property immediately (before accomplishing the legal requirement of transfer), we advise that the transaction be recorded and witnessed by two persons in order to safeguard oneself in the future.

Q: Is Interest prohibited between a Muslim and non-Muslim in Darul-Harb (non-Islamic state) like South Africa, UK, Australia, etc.?

A: According to the overwhelming majority of the Muslim Jurists, there is no difference in the prohibition of interest between a Muslim and non-Muslim anywhere, Darul Islam (Islamic state) or Darul Harb (a state of ongoing conflict with Muslims). In the early days of

stipulated at the time of Nikah, however, the amount should be mutually agreed upon before the Nikah.

Q: Is it permissible for a woman who is younger than her stepson to live alone in the same house?

A: The stepson is a Mahram (one with whom marriage is prohibited) to his stepmother. However, if both or any one of them are young, they should not be in seclusion at any time.

Q: I am a girl 15 years of age. My stepfather (mother's husband) made sexual advances towards me. I have heard that such an act has an effect on my mother's marriage to him. Please advise.

A: If your stepfather made sexual advances towards you by touching you with lust and you felt the warmth of his touch, they (your mother and step-father) become Haraam upon one another. (Raddul Mukhtaar vol.4 pg.104; Lebanon) The Islamic ruling further states that he (the step-father) has to thereafter give his wife (your mother) a Talaq.

Q: One night my father-in-law entered my room and began fondling and kissing me. I felt the warmth of his hands on my body. Does this in anyway affect Nikah?

A: The immoral behaviour of your father-in-law inevitably constitutes a separation between you and your husband. (Raddul Mukhtaar vol.4 pg.104; Lebanon) You can no longer remain in his Nikah under any condition. The Islamic ruling further states that the husband has to thereafter give his wife a Talaq.

Q: Is the vomit of a suckling child impure? What must be done to the soiled portion of the clothing for the Salaat to be valid?

A: The vomit of a suckling child is impure. (Shaami vol.1 pg.266; Lebanon). The soiled portion of the clothes must be washed in order for the Salaat to be valid.

Q: Is it permissible to cut unwanted hair while in a state of impurity?

A: It is Makrooh to cut the hair in the state of impurity.

## Q & A

By Dr. Noor Ahmed Shahtaaz

**Q:** A Beauty product on the market is made from extracts of the Dead Sea, where the nation of Lut (Alayhis salaam) was destroyed. Is it permissible to use this product and can a physician prescribe such a product?

**A:** Since Allah Ta'ala's punishment descended on that place and when Rasūlullah (Sallallaahu Alayhi Wasallam) was returning from Tabuk, he ordered the Sahaaba (Radhiallaahu Anhum) to throw away even the bread dough that contained the water of the Dead sea. However, if there is no adequate alternative of the product that contains extracts from the Dead Sea, and the product is prescribed by a physician (preferably specialist physician), then it will be permissible to use the product. It is not permissible for a physician to prescribe medication containing Haraam ingredients if there is an adequate alternative. In the case of a non-Muslim physician, the Muslim patient should inform the physician of his religious requirements and request him to take cognisance of that.

**Q:** Does the Jilbaab mentioned in the Qur'an refer to the cloak commonly used today or will any loose-fitting clothes serve the same purpose?

**A:** The purpose of the Jilbaab is to conceal the form and shape of the body. If a female uses tight-fitting and attractive cloaks, it will defeat the purpose of the Jilbaab. However, a loose garment which conceals the form and shape of the body and is not attractive would serve the purpose of the Jilbaab.

**Q:** Many families regard cousins (male and female) as 'brothers and sisters'. They often disregard the Laws of Hijaab by conversing with each other freely. What is the Shari'ah ruling regarding this?

**A:** Cousins of opposite gender are Ghayr Mahram (with whom marriage is allowed). They must observe strict Hijaab.

**Q:** Is it necessary to mention the Mahr amount at the time of Nikah?

**A:** While the validity of the Nikah is not conditional of the Mahr