

Question 86: Questions of An American Muslim

Sometime ago an American Muslim had sent us a lot of questions most of whom were informative. Therefore we shall mention the fifteen questions and their replies as follows:

Question 1

In the different states of America there are different law and rules in force for marriage and divorce. But their principles are almost same. Because there is no such Islamic religious representative in America who can register the marriage of Muslims. Therefore in such a condition what is the duty of the Muslims there?

Answer: American Muslims men and women can appoint such a person for themselves who can recite the formula of Nikah and if the counsel recites the formula their marriage shall be Islamic. And if such a person is unavailable they can themselves recite the formula of Nikah and if they cannot recite Arabic they can use English language.

It is not necessary according to the Islamic law that the Mahr (dower) has to fixed at the time of marriage. Even if it is not decided at that time the lady can later on demand reasonable Mehr from her husband. On the basis of this it is necessary to pay the Mehr to the wife but if she likes she can forgo a part or whole of it.

Question 2

In view of the working hours in western countries is it possible to perform the Friday prayer on Thursday evening or on Sunday when people are free? And is it allowed to use musical tones in Mosques?

Answer: Like other Islamic worship acts whose time is fixed the Friday prayer can also be performed in its appointed time, that is on Friday afternoon and it cannot be recited on Thursday, Sunday or any other day or time.

From the Islamic point of view playing musical instruments is not allowed. Therefore in Mosque or any

other place the use of musical instruments is not allowed.

Question 3

Does an American Muslim woman need to wear some special dress for praying in the mosque or her usual dress is sufficient? And if some special dress is necessary, what is the reason for it?

Answer: It is not necessary for Muslim woman that she must wear some special dress. What is necessary is that during prayer she has to cover the complete body except the face hands from wrists onwards.

Question 4

It is said that if a person recites Kalima Shahadat (formula of faith) that is Ash hadu an laa ilaaha illalLaah wa Ash hadu anna Muhammad–ar–rasululLah. He becomes a Muslim. If this is the only condition of becoming a Muslim, can this be a standard of Muslim? For example how can we consider a person Muslims Who can neither prays nor fasts or gives Zakat. He doesn't even refrains from the things made haraam by Allah. Aren't such people Muslims only in name?

Answer: There are many grades of being Muslim. The first is faith in the oneness of Allah and the Prophet hood of the Holy Prophet (S) which the two sentences of Kalima Shahadatain states. The next stages are related to the Islamic rules and regulations and the things which are the cause of everlasting happiness are the good deeds related to the faith.

Therefore if one has the faith in the above–mentioned two principles, that is *Tawhid* and Nubuwwat but his actions are not in conformity with Islam he will have the rights in the society that are fixed for a Muslim but he cannot be a true Muslim eligible for salvation and the goodness of hereafter.

Question 5

Is it necessary for a matured American man who converts to Islam to get him circumcised?

Answer: It is obligatory for a Muslim to get circumcised. If a person embraces Islam after maturity, he is also obliged to get circumcised.

Question 6

How much Zakat does an American has to pay? And to whom? And how can he calculate the Zakat from his monthly salary?

Answer: There is no Zakat on monthly salary but we should remember that there is another law of taxation in Islam by the name of Khums. Since America is basically an industrial and trading society

mostly Zakat is not payable on the excess savings but Khums is payable by them. One who gets a monthly salary and Khums is applicable on his income, it is necessary for him to calculate his yearly income and deduct his yearly expenses. Whatever is the balance amount is taxable for Khums. That is he has to pay 1/5 of this in Islamic treasury.

We should remember that it is necessary that half of this 20% has to be given to poor sayyids who are deprived from Islamic Zakat and the remaining half has to be spent in Islamic benefits by the permission of the Just Mujtahid.

One who gets a monthly salary can also divide the Khums amount and pay it every month.

Question 7

In western countries, especially in America the professional and social life has become such that people have to purchase the necessities of life like car and refrigerator etc. on installments. While we know the basis of this system is interest, which is not allowed in Islam. In such a condition what is the way out for an American Muslim?

Answer: The thing haraam in Islam is borrowing or lending money on interest. That is a person takes a loan from another that at the time of repayment he would pay a particular amount etc., it is Riba, interest and it is haraam. And there is no harm in purchasing something on installment, even if the cost of this thing is more than what it would have been if it were paid cash.

Question 8

Can an American Muslim approach the American courts? Can an American Muslim appoint a non-Muslim for a post even though he knows that person is not agreeable to Islam? Can an American Muslim take an oath by the Bible or should he demand that he should be given a copy of the Holy Qur'an to take the oath?

Answer: When there is no other way to obtain ones right and it is only possible through those courts, an American Muslim can approach them.

An American Muslim can appoint a non-Muslims for a secular post provided the position achieved by the latter is not used against Islam or Muslims and the rights of any other person must not have been denied through this appointment. But if it is not so, such an appointment is not allowed.

Since the present books of Jews and Christians are to some extent based on divine teachings though most of it is distorted, even then civility demands that a person who takes an oath on them to be true to his word. But from the Islamic point of view the oath is not binding on him and there is no penalty for breaking this oath

Question 9

It is said that a Muslim man can marry Ahlul Kitab (People of the Book) women but a Muslim lady cannot marry Ahlul Kitab man. If this is so, what is the reason for it?

If Islam has prohibited marriage with polytheists is it marriage not forbidden with those Christians who believe in trinity or in the intercession of Popes?

It is also said that Muslims are not allowed to marry the apostates. In such a condition can a Muslim marry a woman who is a member of the communist party? Who is an apostate and denies the existence of God?

Is it allowed for a Muslim to marry those modern people who consider the Almighty Allah to be merely a figment of human imagination?

Can an American Muslim marry a Catholic lady? And he is helpless to the circumstances that his marriage ceremony is performed in a church and according to catholic rituals. He also has to sign a particular undertaking that his children must be brought up as Catholics?

Answer: A Muslims man can only perform Muta (temporary marriage) with Ahlul Kitab women. The logic behind the prohibition of a Muslim woman's marriage to Ahlul Kitab man is that women are generally under the influence of men as regards marital and household matters and it is possible she may adopt the beliefs and systems of her husband etc.

Therefore if a Muslim woman marries Ahlul Kitab man it is possible she would be influenced by his views and her Islamic beliefs are shaken. Thus a Muslim woman must never marry a non-Muslim man. Though it is not so in the case of men.

In view of Islam there is a difference between a Christian and an idol worshipping polytheist. And Islam has not given concession to idol worship. There are two reasons for this discrimination.

(1) The Polytheist and idol-worshipper does not accept prophethood after the belief in Allah, which (prophethood) is the second principle to all heavenly religions. And since he does not accept this important basic fact, there is no chance that they would ever come to the right path of salvation.

Because on they are attracted towards Islam, those who believe in the principles of Prophethood and Messengership. And due to these principles they gradually accept the heavenly laws and rules of this religion.

(2) The polytheism of the idol worshippers is complete and apparent on the other hand there is a polytheism of a lower level in Christianity. Because along with trinity they also claim Oneness and say that there is no problem in saying one is equal to three (though it is an unacceptable logic).

(3) Marriage is not allowed with an apostate who has no faith in God. Therefore a Muslim man cannot marry an apostate woman and a marriage of a Muslim woman with an apostate man is also prohibited.

From the aspect of this principle those who consider God as on the imagination of religious people and do not have in His actual existence are infidels and it is not allowed to establish marital relations with them.

No Muslim can promise that he would allow his children to be followers of Christianity.

Question 10

Can a Muslim American celebrate in addition to Islamic Eids, other feasts, especially the New Year day, Easter and Christmas etc? Can he send greetings and gifts to non-Muslims?

Answer: To promote non-Islamic rituals and to participate in them is not advisable for a Muslim. Some of the festivals in addition of having incorrect basis generally consist of prohibited rituals. A Muslim should promote Islamic teachings.

Question 11

Does Islam allow such prevailing practices in America with regard to the burial of the dead like use of chemicals etc. to prevent the foul smell, or putting the dead body in a Coffin? Is it necessary that a shroud has to be white cloth? Or any other cloth can be used?

Is it allowed to cremate a dead body? And can the last rites of a Muslim and Qur'an Khwani etc. be performed in a Church? Or it is necessary to perform them in a Masjid? Those Muslims who live far away from Masjids and Muslims societies. What is their duty regarding these matters?

Answer: For a Muslim dead body it is obligatory that it should be buried in the particular way as described in Islamic laws. Therefore it is not allowed to bury the dead in ordinary clothes.

Though it is not necessary that the shroud must be white. According to the view point of Islam cremating the dead is haraam. It is necessary to bury the dead body and the obligatory burial is that it should be such that it is also safe from harm etc.

There is no harm in using chemicals for preventing foul smell provided there is no aspect of disrespect to the body of a Muslim. In the same way if the burial is as per Islamic law and there is also no intention of following the rituals of another religion, then there is no prohibition in keeping the body in a coffin.

It is advisable that the last rites of a Muslim are not performed in a Church. Therefore those Muslims who live far away from the Masjids can perform these rituals in some other centers or their houses. Or they can avoid their performance.

Question 12

If one is not satisfied whether the food of a restaurant is not using pork or pig fat, is it allowed to eat that food?

Generally it cannot be said for sure that the meat is of an animal slaughtered in the Islamic way. What is the responsibility of an American Muslim in such situations? Can he leave the other kinds and take the benefit of animals slaughtered by Jews?

Answer: Meat can be consumed in non-Islamic societies and hotels etc. only under the condition that the seller of meat or the owner of the hotel is a Muslim and there is chance that the meat is of an animal that is slaughtered in Islamic way, and the Muslim shop keeper has fulfilled his duty.

If one purchase meat from non-Muslim but he is certain that the animal has been slaughtered in the Islamic way, there is no prohibition in using this meat. The animals slaughtered by Jews and Christians are prohibited for Muslims.

Question 13

How can an American Muslim organize his journey for Mecca for the performance of Hajj what is the estimated cost of this journey?

Answer: Every Muslim in the world though he may be living in any corner of the world when after his expenses of the year he saves money sufficient to perform the Hajj, he must travel to Mecca for Hajj during the specified days. To find the cost of air travel, passport etc. he can inquire from the respective departments in America. The cost of staying for some days in Mecca does not exceed four dollars on a moderate estimate.

Question 14

There are different laws of inheritance in different states of America but in most cases they are against the Islamic laws. What is the duty of American Muslims in this regard?

Answer: In case there is conflict between the American and Islamic laws if an American Muslim could not act on Islamic laws and he is forced to act according to American law, in such condition there will be no sin on him.

Question 15

Do the Islamic laws prefer general insurance over trade insurance? If a Muslim can opt for trade insurance at a lower cost, what is his duty? Can an American Muslim purchase these insurance shares?

Answer: According to Islamic law trade insurance (since it is an agreement and general laws are applicable to it) is valid and legal and from this aspect there is no difference between this insurance and general insurance. Therefore a Muslim can opt for trade insurance and also purchase the shares.

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