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Migration to Non-Muslim Countries

Introduction

A Muslim who is born and raised in a Muslim country where he consciously and subconsciously absorbs the laws, values and teachings of Islam, grows up into a young person who is aware of the customs of his religion, following its path and is led by its guidance. On the other hand, a Muslim who is born, and brought up in a non-Muslim country demonstrates the influence of that environment very clearly in his thoughts, ideas, behaviour, values, and etiquette unless his Lord helps him. This un-Islamic influence is seen more in the second generation of those who have migrated to non-Muslim countries.

This was the reason for Islam's view on at-ta'arrub ba'd al-hijra as reflected in many ahadith. At-ta'arrub ba'd al-hijra literally means "becoming shorn of one's percepts of faith after migrating [to city]," and technically, it means leaving an environment where you could follow Islam and moving to a place where you maybe prone to not following Islam. Such a migration is counted as one of the major sins. Abu Basir says that he heard Imam as-Sadiq (a.s.) saying: "The major sins are seven: killing a person intentionally; associating someone or something with the Almighty Allah (shirk); wrongfully accusing a married woman of adultery; Knowingly dealing in usury; running away from the battle-field in jihad; at-ta'arrub ba'd al-hijra; causing distress to one's parents [by encroaching on their rights]; and wrongfully acquiring the property of the orphan." Then he said, "At-ta'arrub and shirk are one and the same [in severity]."1

Ibn Mahbûb narrates that some of our companions wrote through me a letter to Imam al-Hasan al-'Askari (a.s.) asking him concerning the major sins. He (a.s.) wrote: "The major sins are the ones for which Allah has threatened with the Hell-Fire; the one who refrains from them, He will forgive his sins if he is a believer. Those seven which cause [one to burn in Hell Fire] are: killing an innocent person; causing distress to one's parents [by not upholding their rights]; dabbling in usury; at-ta'arrub ba'd al-hijra; wrongfully accusing a married woman of adultery; unlawfully confiscating the property of the orphan; and running away from the battle-field in jihad."2

Muhammad bin Muslim narrates from Imam as-Sadiq (a.s.): "The major sins are seven; intentionally killing a believer; wrongfully accusing a married woman of adultery; running away from the battle-field in jihad; at-ta'arrub ba'd al-hijra; unlawfully confiscating the property of the orphan; dabbling in usury; and every act for which [the punishment of] the Fire has been promised"?3

'Ubaydullah bin Zurarah narrates that he asked Imam as-Sadiq (a.s.) about the major sins. The Imam said, "In the book of [Imam] 'Ali, they are seven: disbelieving in Allah; killing a person; causing distress to one's parents; dabbling in usury; unlawfully confiscating the property of the orphan; running away from the battle-field in jihad; at-ta'arrub ba'd al-hijra." Then he asked, "So these are the most major of sins?" The Imam replied, "Yes."4

Imam ar-Rida (a.s.) explained the prohibition of at-ta'arrub ba'd al-hijra as follows: "Since there is the danger that because of at-ta'arrub, he [the immigrant] might abandon [Islamic] knowledge, get involved with the ignorant people, and drift away"5

This, however, does not mean that entering non-Muslim countries is always forbidden. Other ahadith had described for us the reward of one who visits non-Muslim lands, the reward that every Muslim longs for. Hammad al-Sindi narrates that he asked Imam as-Sadiq (a.s.), "I visit the cities of polytheism [i.e., of the polytheists]; and there are some among us who say that 'if you die over there, you will be raised [in the Hereafter] along with them.'" The Imam asked me, "O Hammad, when you are over there do you talk about our affair [i.e., our truth] and call [people] to it?" I replied, "Yes." The Imam asked me, "When you are in these cities, the cities of Islam, do you talk about our affair and call [people] to it?" I replied, "No." The Imam said, "If you die over there [in the land of the non-Muslims], you will be raised as an ummah by yourself, and there will be light in front of you!"6

General Rules

Based on these and other similar ahadith, and other religious proofs, the jurists (mujtahidin) have issued the following rulings:

1. It is recommended for a believer to travel to non-Muslim countries for the purpose of spreading the religion [of Islam] and its teaching, provided that he can safeguard himself and his young children against the dangers of loss of the faith. The Prophet said to Imam 'Ali, "If Allah guides a person from among His servants through you, then that is better than everything between the east and the west on which the sun shines."7 When asked by a person for a counsel, he said, "I advise you not to associate anything with Allah...and to call the people to Islam. You should know that [the reward] for you for each person who answers [your call] is [equal to] emancipating a slave from the children of [Prophet] Ya'qûb."8 (See the question-answer section below.)

2. A believer is allowed to travel to non-Muslim countries provided that he is sure or has confidence that the journey would not have a negative impact on his faith and the faith of those who are related to him.

3. Similarly, a believer is allowed to reside in non-Muslim countries provided that his residing there does not become a hurdle in the fulfilling of his religious obligations towards himself and his family presently as well as in future. (See the question-answer section below.)

4. It is haram to travel to non-Muslim countries in the East or the West if that journey causes loss of the faith of a Muslim, no matter whether the purpose of that journey is tourism, business, education, or residence of a temporary or permanent nature, etc. (See the question-answer section below.)

5. If the wife strongly feels or is sure that her travelling with the husband [to a non-Muslim country] will result in loss of faith, it is haram for her to travel with him.

6. If the baligh[9] boys or girls strongly feel that their journey [to the non-Muslim country] with their father or mother or friends will cause loss of faith, it is haram for them to travel with those people.

7. What do the jurists mean when they speak of, "loss of faith"? It means either committing a forbidden act by indulging in minor or major sins like drinking intoxicant, adultery, eating forbidden meat, or drinking najis (impure) drinks, etc. It also means abandoning the fulfillment of a compulsory act like neglecting salat, fasting, hajj and other obligations.

8. If circumstances force a Muslim to migrate to a non-Muslim country with the knowledge that the migration will cause loss of faith (e.g., a person seeks political asylum in a non-Muslim country in order to save his life), it is permissible for him to make that journey to the extent that it saves his life, and not more than that. (See the question-answer section below.)

9. If an immigrant Muslim, residing in a non-Muslim country, knows that his stay in that country will lead to loss of faith or of that of his children, it is wajib on him to return to one of the Muslim countries. (See the questions at the end of this section.) As mentioned above, this loss of faith is realized by neglecting the obligatory acts or by committing sins.

10. The obligation to return to a Muslim country applies only if it does not lead to death [for example, for a political opponent who has fled his own country], or to putting him in untenable situation or, to an emergency situation where religious obligations are suspended (e.g., the necessity of preserving life which allows a person to eat haram meat in order to prevent his own death from starvation).

11. If the journey is haram for a person, then his journey will be considered "a journey of sin;" and, in such cases, he loses the benefit of the concession of praying (qasr) in four -rak'at salat and also the benefit of not fasting during the month of Ramadhan. As long as his journey maintains the status of "sin," he cannot benefit from such concessions provided by the shari'a for travellers.

12. A son is not allowed to disobey his parents when they forbid him from travelling, if their refusal to give permission is out of their concern for the son, or if his journey will cause distress to them because of his separation from them - provided that he does not suffer loss by not travelling.

13. It is permissible to approach the competent authorities [like police and the justice system in a non-Muslim country] for various important issues -like prevention of harm befalling the person, the honour and the property of a Muslim- provided that it is the only way for exacting one's right and preventing injustice.

Questions and Answers

14. **Question:** What is the meaning of at-ta'arrub ba'd al-hijra which is one of the major sins?

Answer: Some jurists have said that during our time, it applies to residing in countries that may cause the loss of faith. It means the migration of a person from a country -where it is possible for him to learn the obligatory religious teachings and laws, and where it is possible for him to fulfill his obligations and refrain from what is forbidden- to a country where this possibility does not exist fully or partially.

15. **Question:** A believer residing in Europe, America and other similar countries feels estranged from the religious environment in which he was born and raised. Neither does he hear the voice of the Qur'an [recited from mosques] nor the sound of the adhan[10] coming [from the minarets]; and there are no holy shrines, and their spiritual atmosphere, that he can visit. Is leaving such an Islamic environment of his country and its positive aspects considered "loss of faith"?

Answer: This is not the loss of faith that would make residing in a non-Muslim country haram for that person. However, staying away from such a religious environment may, with the passage of time, weaken the religious resolve of the immigrant to an extent that he may consider negligence of wajib deeds and committing of sins as insignificant. If a person has this fear that he might lose the faith in this manner, then it is not permissible for him to take residence in that country.

16. **Question:** Sometimes a Muslim residing in Europe and America (and other similar places) indulges in haram activities that he would not have done, if he remained in his Muslim country. The manifestations of temptation in non-Muslim societies may attract a Muslim to committing haram deeds even if he is not inclined towards them. Does this come under the banner of "loss of faith" that makes it haram for him to stay in that country?

Answer: Yes; unless the sins he sometimes indulges in, and without insisting upon them, they are of the minor category.

17. **Question:** At-ta'arrub ba'd al-hijra has been described as "migrating to a country in which the religious knowledge of the immigrant will decrease, thus becoming more alienated from his faith." Does this mean that a Muslim in such countries is duty bound to be extra vigilant lest he should become alienated from his faith?

Answer: The extra care becomes wajib when not being mindful leads to loss of faith as described earlier.

18. **Question:** If a religious preacher who is mindful of his faith starts facing more situations where he commits haram deeds because of the social environment (e.g., nudity and indecent exposures), is it haram for him to stay in those countries; that is, should he stop propagation (tabligh) and return to his own country?

Answer: If he indulges in some minor sins occasionally, then it is not haram for him to stay in that country, provided that he is confident that he would not be tempted to commit more serious sins.

19. **Question:** If an immigrant fears the loss of faith for his children, is it haram for him to stay in that non-Muslim country?

Answer: Yes, the same rule applies to himself also.

20. **Question:** Is it wajib on the immigrants in Europe and America (and other similar countries) to strive for teaching their children Arabic, and that ignorance of Arabic may lead in the future to ignorance of the main Islamic body of knowledge, and that will naturally lead to less familiarity with religious teachings and loss of faith?

Answer: To teach them Arabic is wajib only to the extent which is necessary for performing their religious duties that have to be done in Arabic (e.g., recitation of the Opening chapter of the Qur'an, a second chapter, and other wajib recitations in salat). Teaching more than that is not wajib as long as it is possible to provide them with religious knowledge in a foreign language.

Of course, it is recommended to teach them the holy Qur'an [in Arabic]; rather it is important to teach them Arabic in a precise form so that they may benefit from the basic sources of Islamic teachings, especially, and foremost among them, after the holy Qur'an, is the Prophetic sunna and the sayings of the Ahlul Bayt (peace be with them all).

21. **Question:** If it is possible for a Muslim to reside in a Muslim country with some financial difficulty compared to his present situation, then is it wajib on him to travel to that Muslim country and leave leave his residence in Western countries?

Answer: It is not wajib [to leave the Western country] except if he has no confidence in himself, in that he may lose his faith -as explained earlier- while residing in the foreign country.

22. **Question:** If a person has the ability to propagate Islam to non-Muslims or to disseminate religious knowledge among Muslims in non-Muslim countries without any danger of losing his own faith, is it wajib on such a person to do propagation (tabligh)?

Answer: Yes, it is wajib kifa'i upon him and all the others who have the ability to propagate [Islam].

23. **Question:** Is it permissible for a person to buy a passport [i.e., to illegally obtain a passport] or change the picture in the passport so that he may be able to enter a country, and then he would let the

immigration officials of that country know the truth about his identity?

Answer: We do not allow it.

24. **Question:** Is it permissible for a person to reside in non-Muslim countries with all its temptations that confronts the person on the street, the school, the television and other media while he has the ability to migrate to a Muslim country although that transfer would cause difficulty in residence, loss of material wealth and comfort, and constrain the worldly aspects of his life? If it is not permissible to remain in such a country, would his efforts in propagation among the Muslims (reminding them of their obligations and encouraging them to refrain from haram) change the rule for him and allow him to remain in that country?

Answer: It is not haram to stay in that country, if it does not create hurdles for him and his family in fulfilling their religious obligations presently as well as in future; otherwise, it would not be permissible even if he is engaged in some kind of propagation activities. And Allah knows the best.

1. Muhammad bin Ya'qûb al-Kulayni, al-Usûl min al-Kafi, vol. 2, p. 281.
2. Ibid, p. 277.
3. Ibid.
4. Ibid, p. 278.
5. Al-Hurr al-'Amili, Tafsilu Wasa'ili 'sh-Shi'a, vol. 15, p. 100.
6. Ibid, vol. 16, p. 188.
7. Al-Hurr al-'Amili, Tafsilu Wasa'ili 'sh-Shi'a, vol. 16, p. 188.
8. Ibid.
9. Translator's Note: Baligh means the legal age in Islamic laws which for boys starts at fifteen lunar years and for girls at nine lunar years. Growth of pubic hair or sexual discharge is also a sign of attaining the age of maturity.
10. Translator's Note: Adhan means the call for prayer announced at prayer times from the mosques.

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