



## **112123 - Ordinary Muslim asking a mufti who is known for lenience and following the concession**

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### **the question**

Here in our country the mufti says that it is permissible to deal with the banks and that it is not riba.

He tells the woman who wears niqaab to fear Allaah and not to advise her sister who wears pants. Is there any sin on the ordinary people?.

### **Detailed answer**

Praise be to Allah.

Allaah has commanded the ignorant to ask the people of knowledge. He says (interpretation of the meaning): "So ask of those who know the Scripture, if you know not" [al-Nahl 16:43]. This is the obligation of Allaah upon the ignorant: to ask the people of knowledge concerning what they are going to do of acts of worship or interactions with others. If they fall short in that, then they are disobedient and sinful.

No doubt the mufti of the country should be the one who is most deserving of being asked and consulted, but it is not permissible to limit fatwas to the official mufti of the state only, because the post of official mufti of the state was not known to the Muslims until approximately 200 years ago. The Muslims lived for nearly 1200 years, asking everyone whose religious commitment and knowledge they trusted, and fatwas were not restricted to a specific person. After this position was introduced, it became obligatory for the ruler to choose for it the most trustworthy in religious commitment and knowledge of the people available, and if he does not do that then he has betrayed Allaah and His Messenger and the believers, and he has betrayed the trust that was placed on his shoulders, about which he will be questioned on the Day of Resurrection. If it is known that a person -- whether he is an official mufti or otherwise -- follows his whims and desires, permits that which is forbidden and is lenient with regard to the rulings of sharia, then it is not



permissible to refer to him, and the questioner must turn to one whose religious commitment, piety and knowledge he trusts.

Bank interest is haraam riba, and there is no doubt about that. Those who say that it is permissible have no sound evidence to rely on. Hence all the reliable scholars are unanimously agreed that it is haraam, and numerous statements to that effect have been issued by respectable fiqhi councils, such as Majma' al-Buhooth al-Islamiyyah, and Majma' al-Fiqh al-Islami. Please see the answer to question number [45691](#).

In the answer to question number [22652](#), we mention the Muslim's attitude towards differences of opinion among scholars and muftis, and that if he is a seeker of knowledge, he must act on the basis of the evidence and follow the more correct opinion; if he is an ordinary Muslim, then he must follow the opinion of the one who is most trustworthy in knowledge and religious commitment.

In most cases the ordinary Muslim is aware of the situation of those who seek to tamper with the religion and seek out concessions, and those who issue fatwas according to what is dictated to them or expected of them. Some of those who hold official religious positions have lost respect in people's eyes, and their views are no longer valued. In fact, the people often take their views as a target of mockery in their gatherings. If that is the case, then there is no excuse for following one who is like this. But if we assume that he is ignorant of what he is like, and he trusts his position and knowledge and so follows his opinion, then this may be excused as he has obeyed the command to ask the people of knowledge.

The point is that the ordinary Muslim is required to ask the people of knowledge and is required to fear Allaah with regard to this asking. So he should not ask one in whose religious commitment and trustworthiness he has no confidence, and he should not ask one who seeks out concessions, and he should not ask in order to find concessions for himself.

Ibn 'Abd al-Barr (may Allaah have mercy on him) said: It is not permissible for the ordinary Muslim to seek out concessions, according to scholarly consensus. Sharh al-Kawkab al-Muneer, 4/578



This is a problem that faces many people today; they ask one whose religious commitment they trust, and if he gives a fatwa saying something that is contrary to their whims and desires, they go and ask another one, until they get what they want. This is undoubtedly haraam and wrong.

With regard to women wearing hijab, the woman is required to cover all of her body in front of men who are not her mahrams, in clothes that do not show the shape of her 'awrah or the size of her build, as has been explained in the answer to questions number [11774](#) and [6991](#).

Those scholars who say that covering the face and hands is not obligatory still say that it is mustahabb and prescribed, and is something that Allaah loves.

Based on that, the scholars are unanimously agreed that it is prescribed for the woman to cover all of her body, and that this is better and more perfect. The one who dissents from this consensus and follows a path other than the path of the believers, is warned in the words of Allaah (interpretation of the meaning):

“And whoever contradicts and opposes the Messenger (Muhammad صلى الله عليه وسلم) after the right path has been shown clearly to him, and follows other than the believers' way, We shall keep him in the path he has chosen, and burn him in Hell — what an evil destination!”

[al-Nisa' 4:115]

for a woman to appear in front of men wearing pants is an obvious evil which no scholar disagrees with; indeed most of the ordinary people think that this is wrong and is tabarruj even if they do it. The one who thinks this and other similar issues are permissible on the basis of the words of a Shaykh or mufti is only deceiving himself; he is exposing himself to punishment, and is included in the words of Allaah (interpretation of the meaning):

“On the Day when their faces will be turned over in the Fire, they will say: ‘Oh, would that we had obeyed Allaah and obeyed the Messenger (Muhammad صلى الله عليه وسلم).’

67. And they will say: ‘Our Lord! Verily, we obeyed our chiefs and our great ones, and they misled us from the (Right) Way.



68. 'Our Lord! Give them double torment and curse them with a mighty curse!'"

[al-Ahzaab 33:66-68]

"They (Jews and Christians) took their rabbis and their monks to be their lords besides Allaah (by obeying them in things which they made lawful or unlawful according to their own desires without being ordered by Allaah), and (they also took as their Lord) Messiah, son of Maryam (Mary), while they (Jews and Christians) were commanded [in the Tawraat (Torah) and the Injeel (Gospel)] to worship none but One Ilaah (God — Allaah) Laa ilaaha illa Huwa (none has the right to be worshipped but He). Praise and glory be to Him (far above is He) from having the partners they associate (with Him)"

[al-Tawbah 9:31]

al-Tirmidhi (3095) narrated that 'Adiyy ibn Haatim (may Allaah be pleased with him) said: I came to the Prophet (blessings and peace of Allaah be upon him) when he was reciting from Soorat Baraa'ah: "They (Jews and Christians) took their rabbis and their monks to be their lords besides Allaah". He said: "Rather they were not worshipping them, but if they permitted something to them, they regarded it as permissible, and if they forbade something to them, they regarded it as forbidden." This hadeeth was classed as hasan by al-Albaani in Saheeh al-Tirmidhi.

We ask Allaah to help us all to do that which He loves and which pleases Him.

And Allaah knows best.