

OKUFUKAAMIRIRA OMUNTU

Kiramulwa kitya mu Busiraamu?

مَا هُوَ حُكْمُ الْجَنْوِبِ

(البروك)

لِلإِنْسَانِ فِي الْإِسْلَامِ؟

Bya

SHEIKH ABDUL AZIIZ IBN ABDULLAH IBN

MUHAMMAD A'LU SHAIKH

(Mufti wa Saudia)

FATUWA NO.26966 NGA 2/1/1438HJ

Bivvuunuddwa:

NUUHU UTHMAN ABU NAJEEBAH

(070 4 966 357/0778 512841)

b

FATUWA NO.26966 NGA 2/1/1438HJ

MU LUGANDA

المملكة العربية السعودية

الرئاسة العامة للبحوث العلمية والإفتاء

الأمانة العامة لهيئة كبار العلماء

(٢٤١)

الرقم:

التاريخ:

المرفقات:

فتوى رقم (٢٦٩٦٦) وتاريخ ١٤٣٨/١١/٢ هـ

Amatendo (amalungi era amajjuvu) ga Allah yekka,
okusaasira n'emirembe bibeere kw'oyo awatali
Nnabbi luvannyuma Iwe....oluvannyuma Iw'ebyo:

Olukiiko olw'enkalakkira oluvunaanyizibwa ku
kufulumya FATUWA (mu Saudia), Iwatunula mu
(kibuuzo ekkyo) ekyatuuka eri ow'ekitiibwa Mufti nga
kiva eri eyabuuza/Swabriy Muhammad Saeed Jmd,
nga kyasindikibwa eri olukiiko nga okuva mu

ggwandiikiro ly'olukiiko olugatta abayivu abakulu nga kya **No. 27022921** nga **15/11/1437 HJ**, era omubuuza yabuuza ekibuuzo kino nga bwele (wammanga):

"Ewaffe eno mu ggwanga erya Uganda – nga lisangibwa mu buvanjuba bwa Afrika – waliyo embeera eyacaaka mu bantu, nga y'eyokuba nti omukazi mu kiseera ky'okulamusa kwe omusajja yenna, kye kimu nga ava mu ba luganda lwe oba mu balala, akka wansi n'afukamira ku ttaka, n'ateeka amaviivi ge ku ttaka n'asimba ebigere bye byombi, n'atuulira ku bisinziiro bye nga entuula ebeera wakati w'envunnama ebbiri mu sswala. Yadde mu kkubo, bw'ayita ku muntu amusinga emyaka, kye kimu nga musajja oba mukazi, aba alina okumukkira wansi nga afukamidde oluvannyuma n'ayimuka n'agenda. Ate ku bba kikakatira ddala na bweleityo ku bazadde bé. Embeera eno ewamu n'obuzibu obugibaamu n'okwekkakkanya okungi, wabula ekkirizibwa eri abantu bangi era okwekwatako kwe bagirinako kwa maanyi ddala, era omukazi atakikola atwalibwa nga wa mpisa mbi era omwewagguzi, era nga bangi abaweeddwa talaka olw'ensonga eno.

Oluvannyuma emabega kumpi emyaka nga etaano, banna-da'wah (*Du'at*) abamu abo abaasomera mu gamu ku mawanga ag'Ousiraamu bajja ne bakivumirira era ne bagamba nti: Kuno kuba kwekkakanya okuli haramu okutasaana kukolera bantu, era nti kubi nnyo n'okusinga okwewetako okwo okukolebwa omutwe gwokka sso nga ate kino kikolebwa mubiri gwonna, era nti Nnabbi swalla alaihi wasallama yaziyyiza okuyimirira omuntu, ne kitegeeza nti okumufukaamirira kye kisinga obubi era nga n'okukigaana kwe kusinga obukakafu.

(Basheikh abo baagenda mu maaso ne bagamba nti), era Allah engeri eno (ey'okufukamira) teyagyogerako okujjako mu mbeera ez'entiisa ennyo – nga ku lutindo oluli wa *Jahannama*, n'abo abaliba ku mabbali gaagwo nga bafukamidde (olw'entiisa), ne mu bbaliro ojja kulaba nga buli kibinja kifukamidde.

Awo nno waafunikawo enkaayana ey'amaanyi mu bantu: Nga waliwo abagamba nti ekyo kigwa mu mbeera ezikkirizibwa, kko abalala nti: Kya *haraamu*. Kwe (kuslawo) okudda gye muli ab'ebitiibwa

olw'okugonjoola enkaayana eno eyali eyitiridde wakati waffe.

Oluvannyuma twawerezebwa okuva gye muli Fatuwa ssatu nga ziraga nti namwe mulaba obwa **haraamu** bw'embeera eno. Wabula obuzibu ne buba nti: Fatuwa zino zaali zikwata ku kwanukula bibuuzzo omwali mukooneeddwa ku mbeera ya kwewetako bwewesi (etaali ya kuvunnama), awakana n'awakana nti kino ssi ky'ekikolwa ewaffe.

Tusuubira okuva gye muli ab'ebitiibwa okuba nga mwanukula ku mbeera eno mu ngeri etajja kuleka muntu yenna nga akyawakanya ennyanukula yammwe. Allah oyo eyayitirira okuba owa waggulu (mu kifo ne mu kituibwa) abakuum, abaddu bafune ekiweerero.

Wabula kisaana okujjukirwa nti ekibuuzzo kino nga bwe tumanyi, kye kibuuzzo ekisoose okwolekezebwa gye muli okuva mu Uganda – era tujja kusanyuka nnyo bwe tunaafuna okwanukulwa okuva gye muli mu kiseera ekisinga okuba eky'okumpi.

OKWANUKULA

Goberera Fatuwa No. 269966 nga 2/1/1438HJ

Oluvannyuma Iw'olukiiko okusoma ekibuuzo, Iwayanukudde nti: Omukazi ky'akola mu kiseera ky'okwaniriza omusajja okuba nga akka wansi n'afukamira ku ttaka mu mbeera eyogeddwa mu kibuuzo, kye kimu akikola ku wa luganda lwe oba ssi wa luganda lwe, tekikkirizibwa era kibi ekinene; kubanga kibalibwa mu kugulumiza kintu atali Allah oyo eyayawukana ku bitonde.

Bwe kiba nga okwewetera obwewetezi ekitonde kiri haramu (okuweta ku mutwe oba omubiri) – nga tekiriimu kwawukanamu (mu bayivu), olwa Hadith ya Anas bin Maalik Allah amusiime nga ygamba nti: *Waliwo omusajja eyabuuza nti: Owange Omubaka wa Allah? Omuntu muffe singa asisinkana muganda we oba mukwano gwe, amweweterako? N'agamba nti: Nedda.* Soma 'Sunan Al Tirmidhi' ne 'Sunan Ibn Maajah', (kiba kitegeeza nti) okufukamira ku maviivi olw'okugulumiza omusajja kye kisaana obutakolebwa ddala era kye kisinga n'obwa haraamu.

Era mu nnamusa eringa eno, mubaamu okwefaaanyiniriza abatali Basiraamu, sso nga Nnabbi swalla Llaahu alaihi wasallama yavumirira Mu'aadh Allah amusiime okuvunnama nga abuuza bwe yali yeefaanaanyiriza abantu b'Eshami. Imam Ibn Maajah yayogera Hadiith mu 'Sunan' ye nga Mu'adh bwe yava e Shami yavunnamira Nnabbi swalla Llaahu alaihi wasallama n'amubuuza nti: Kino kiki owange Mu'aadh (ky'okoze)? N'amugamba nti: Natuuka e Shami ne nsanga nga abantu baayo nga bavunnamira ba kabona baabwe n'abasossodooti baabwe, ne nneegomba mu mutima gwange nti, singa naffe tukikukolera. Omubaka swalla Llaahu alaihi wasallama n'agamba nti: Temukikolanga, kubanga nzé ssinga nnali wa kulagira muntu yenna avunnamire ekintu ekitali Allah, naaliragidde omukazi avunnamire bba".

Mu mbeera eyo eyabuuzizza gye yabuuzizzaamu, mulimu okukkakkanya omukazi n'okumulyazaamaanyam (ekintu) ekitakwatagana na ngeri Obusiraamu gye bwawaamu omukyala ekitiibwa nga era gye bwalagira n'omusajja okumuwa ekitiibwa ne gye bwamulaamira okubayisa obulungi. Tusaba Allah atulungamye, era Allah asse okusaasira

n'emirembe ku Nnabbi waffe Muhammad, ku b'enganda ze ne ku Baswahaba be.

Chairman

(Mufti) Abdul Aziz Ibn Abdullah Ibn Muhammad A'li Al Shaykh

Member

(Sheikh) Abdullah Ibn Muhammad Al Mutlaq

Member

(Sheikh) Abdul Kariim Ibn Abdullah Al Khudhayr

Member

(Sheikh) Abdullah bin Muhammad bin Khunain

Member

(Sheikh) Muhammad Bin Hassan A'l Sheikh

المملكة العربية السعودية

الرئاسة العامة للبحوث العلمية والإفتاء

الأمانة العامة لهيئة كبار العلماء

(٢٤١)

Kingdom of Saudi Arabia

The general presidency of Islamic research and *Ifta*
General secretariat of the council of senior scholars

.....الرقم:

.....التاريخ:

.....المرفقات:

فتوى رقم (٢٦٩٦٦) وتاريخ ١٤٣٨/١/٢

Fatwah No. 26966 date 2/1/1438HJ

There is a common phenomenon (practice) in our country – which is found in East Africa – a phenomenon which is very common in the midst of people, which is: While a woman is greeting any man whether from her relatives or not, she goes down for him and kneels on the ground. She places her knees on the ground and raises her feet – a posture that is the same as one done between the two prostrations (*sujud*) in the prayer.

Even on the road, when she passes by a person who is senior to her in age whether male or female, it becomes incumbent upon her to go down for them and kneel after which she moves on. It becomes more emphatic if the person is her husband or her parents. This phenomenon despite the hardship in it and the high submission, it's acceptable to many people and they are strongly attached to it; to the extent that a woman who doesn't practise it is considered misbehaved and rebellious, and many have been divorced as a result of this.

About five years ago, some DU'ATS who studied in some Muslim countries came and disapproved this practice. They said: This is part of a forbidden submission (to fellow humans) which does not befit a human being, and that it is even worse than bowing to a person which is done by the head alone, whereas this is done by the whole body. (They also explained that the Prophet peace be upon him) forbade the rising for a person, which makes the kneeling for him more emphatic in prohibition. And that Allah didn't mention about this practice except in the very frightening situations, like crossing over the bridge

'siratwah' and those who will be kneeling around Jahannam.

(After giving such teachings), a strong dispute erupted amongst people over this issue. Some said: it's amongst the permissible customs, while others said: it's forbidden. It's against that background that we have resorted to your eminence for you to solve this depute that had intensified amongst ourselves.

(We acknowledge) that three verdicts were sent to us from your side indicating that in your view this practice was haram. However, the problem was (that) these verdicts were a response to questions which only mentioned about bowing (for a person). Some people objected to this and said: This is not what is practised here.

We (therefore) expect from your eminence an answer to this kind of posture in a manner that will not leave anyone opposed to it – may Allah protect you so that people get a relief. It's worth noting that this question as far as we know is the first of its kind to be forwarded to you from Uganda. We shall be very happy if we get from you an answer in the shortest time possible.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

المملكة العربية السعودية

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الأمانة العامة لهيئة كبار العلماء

(٢٤١)

Kingdom of Saudi Arabia

The general presidency of Islamic research and Ifta
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الرقم:.....

التاريخ:.....

المرفقات:.....

Fatwah No. 26966 date 2/1/1438HJ

After the committee studied the question, it answered thus: What a woman is doing when greeting a man by going down on the ground and kneeling in the manner that has been mentioned in the question, whether it's done to the relative or to a non-relative, is not permissible and it's a great evil.

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الأمانة العامة لهيئة كبار العلماء

(٢٦١)

Kingdom of Saudi Arabia

The general presidency of Islamic research and *Ifta*
General secretariat of the council of senior scholars

..... الرقم:

..... التاريخ:

..... المرفقات:

فتوى رقم (٢٦٩٦٦) وتاريخ ٢٦٩٦٦\١\٢

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بسم الله الرحمن الرحيم

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الأمانة العامة لهيئة كبار العلماء

(٢٤١)

Kingdom of Saudi Arabia

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الرقم:.....

التاريخ:.....

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Fatwah No. 26966 date 2/1/1438HJ

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(It's a great evil) because it's revering something other than Allah, the exalted.

If a mere bowing to a creature is haram without any dispute about it (amongst scholars), due to the Hadith reported by Anas (may Allah be pleased with him) who said: A man asked: O the Prophet of Allah? In case a person meets his brother or friend, does he bow to him? He said: No''. Recorded by Imam Tirmidhi and Ibn Majah, kneeling on one's knees in reverence for a person is worse in haram and its prohibition is more emphatic. Besides, in this kind of greeting there is a way one likens himself to non Muslims.

The Prophet (peace be upon him) criticised Mu'adh bin Jabal (may Allah be pleased with him) when he prostrated in greeting. He did it like the people of Sham. Imam Ibn Majah recorded in his 'Sunan' that when Mu'adh came back from Sham, he prostrated for the Prophet (peace be upon him). He asked: Mu'adh? What is this? He said: I went to Sham and found people prostrating for their Rabbis and monks and desired in my heart to do it to you. The Prophet (peace be upon him) said (to him): Don't do it, because if I were to command any person to prostrate

for anything other than Allah, I would have commanded a woman to prostrate for her husband”.

The situation, in which the question was asked, shows subduing a woman and doing injustice to her which is not in line with the way Islam dignified her. It's also in conflict with how the Prophet (peace be upon him) urged (men to give good treatment) to women. We seek guidance from Allah, and pray to him to send his blessings to our Prophet, his relatives and his companions....

Chairman

(Mufti) Abdul Aziz Ibn Abdullah Ibn Muhammad A'li Al Shaykh

Member

(Sheikh) Abdullah Ibn Muhammad Al Mutlaq

Member

(Sheikh) Abdul Kariim Ibn Abdullah Al Khudhayr

Member

(Sheikh) Abdullah bin Muhammad bin Khunain

Member

(Sheikh) Muhammad Bin Hassan A'I Sheikh

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الأمانة العامة لهيئة كبار العلماء

(٤٤١)

الرقم:.....

التاريخ:.....

المرفقات:.....

فتوى رقم (٢٦٩٦٦) وتاريخ ١٤٣٨/١١/٢ هـ

الحمد لله وحده والصلوة والسلام على من لا نبي بعده.. وبعد:
فقد اطلعت اللجنة الدائمة للفتاوى على ما ورد إلى سماحة المفتى العام من
المستفتى \ صبرى محمد سعيد جمد ، والمحال إلى اللجنة من الأمانة العامة
لهيئة كبار العلماء برقم (٣٧٠٢٢٩٣١) وتاريخ ١٤٣٧/١١/١٥ هـ وقد
سأل المستفتى سؤالاً هنا نصه: (توجد عندنا في دولة أوغندا - وتقع في
شرق أفريقيا - ظاهرة منتشرة في أوساط الناس. وهي أن المرأة عند تحيتها
لأي رجل سواء أكان من المحارم أو غيرهم، فإنها تبرك له وتقع جائحة على
الأرض، وتضع ركبتيها على الأرض وتنصب قدميها، وتجلس على عقبيها
كჩهوة الإقاعاء بين السجدتين في الصلاة. وحتى في الطريق، إذا مررت
بشخص أكبر منها رجلاً كان أو امرأة عليها أن تبرك له جائحة ثم تقوم

وتمضي، ويتحتم ذلك لزوجها ولوالديها. وهذه الظاهرة مع ما فيها من المشقة والتذلل العظيم، إلا أنها مقبولة عند كثير من الناس! ولهم تعلق شديد بها، وتعتبر المرأة التي لا تفعلها سيئة الأدب وناشر، وكم طلقت بسببها؟!

ثم قبل خمس سنوات تقريبا جاء بعض الدعاة الذين درسوا في بعض الدول الإسلامية فأنكروا عليها، وقالوا: إن هذا من التذلل المحرم الذي لا يصلح لبشر، وأنه أشد من الإنحناء الذي يكون بالرأس فقط، وهذا بجميع البدن. وأن النبي (صلى الله عليه وسلم) نهى عن القيام للشخص فالبروك له أشد والنهي عنه أوكرد. وأن الله لم يذكر هذه الهيئة إلا في الأهوال الشديدة، عند الصراط وحول جهنم جثيا، وفي المحشر (ترى كل أمة جاثية). فحصل نزاع شديد بين اناس: فمن قائل: هي من العادات المباحة، ومن قائل: هي محرمة. فرجعنا إلى فضيلتكم لحل هذا النزاع الذي قد اشتيد بيننا

فتوى رقم (٢٦٩٦٦) وتاريخ ١٤٣٨١٢ هـ

وبعد دراسة اللجنة للإستفتاء أجابت: بأن ما تقوم به المرأة عند إستقبال الرجل بأن تبرك وتقع جاثية على الأرض على الصيغة الواردة في السؤال، سواء أكان محرا لها أو غير محروم - لا يجوز ومنكر عظيم: لانه من تعظيم غير الله سبحانه، وإذا كان مجرد الإنحناء للمخلوق محرا بغير

خلاف لحديث أنس بن مالك رضي الله عنه قال: قال رجل: يا رسول الله، الرجل منا يلقى أخيه أو صديقه أينحنى له؟ قال: لا. (أخرجه الترمذى وإبن ماجة). فالجھو علی الركب تعظيمًا له من باب أولى، فهو أشد تحريمًا، كما أن هذا النوع من التحية فيه تشبيه بغير المسلمين،

ثم أرسل إلينا من قبلكم ثلاث فتاوى تشعر بأنكم ترون تحريم هذه الظاهرة. لكن المشكلة: هذه الفتوى كانت جواباً عن أسئلة ذكرت فيها هيئة الإإنھاء. فيعرض معترض أن هذا غير الذي يفعل عندنا. فنرجو من سماحتكم الجواب على هذه الهيئة بشكل لا يترك أحداً يعارض جوابكم - حفظكم الله تعالى - فيرتاح العباد. وجدير بالذكر أن هذا السؤال حسب علمنا أول سؤال وجه إليكم من أوغندا، وسنفرج جداً إذا وجدنا منكم جواباً بأقرب ما يمكنكم).

وقد أنكر النبي صلى الله عليه عليه معاذ رضي الله عنه السجود في التحية حين تشبه بأهل الشام. فقد روی ابن ماجة في (سننه) أنه لما قدم معاذ من الشام سجد للنبي صلى الله عليه وسلم فقال: "ما هذا يا معاذ؟ فقال: أتيت الشام فوافقتهم يسجدون لأساقفهم وبطارقتهم فوددت في نفسي أن نفعل ذلك بك. فقال رسول الله صلى الله عليه وسلم: فلا تفعلوا، فإني لو كنت آمراً أحداً أن يسجد لغير الله لأمرت المرأة أن تسجد لزوجها". وفي الحال

التي ذكرها السائل إذلال للمرأة وظلم لها لا يتناسب مع تكريم الإسلام لها
وأمر الزوج بإحترامها ووصيته صلى الله عليه وسلم بالنساء،

وبالله التوفيق، وصلى الله على نبينا محمد وعلى آله وصحبه وسلم،