



The fourth and fifth questions of Fatwa No. 6261

Q 4: When there occurs a dispute between two people, some old people try to settle it down. If one of them denies that their dispute has been settled, he is to swear by one of the pious Shykhs. They take the Mushaf (Arabic copy of the Qur'an) and go to the grave. Some of the swearer's relatives go with him to confirm the oath he takes. They believe that if that person does not tell the truth at the time he swears, he will be doomed. Please inform us of the Shar`i ruling in this regard. It is also a common custom that if there arises a quarrel between people of one tribe, a person will reconcile between them. While making reconciliation, he orders one of them to slaughter an animal and pay ten pounds so that the other party becomes satisfied.

A: It is not permissible to swear by other than Allah because there have been reported many authentic evidences prohibiting it. Swearing by a pious sheikh falls under swearing by other than Allah. Any one in this habit should be advised and told of its prohibition. He will be committing an act of major Shirk (major form of associating others in worship with Allah)

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if by swearing he intends to revere that shykh in a manner only befitting to Allah (may He be Glorified and Exalted). Taking oaths at graves is an act of Bid`ah (rejected innovation in religion) and a means leading to Shirk.

There is no harm if one of the two quarreling parties agree to slaughter an animal or pay some pounds to the other party for the sake of reconciliation.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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