Resolution of the Conference on Contemporary Issues Faced by New Muslims

Creed Related Issues

- One's Islam is affirmed by accepting the testimony of faith by either speaking it, writing it, or using sign language for those who cannot speak. This affirmation must be accompanied by knowledge of its meaning and acceptance of its implications. One must intend by it the acceptance of faith and entering into Islam, distancing oneself from all that contradicts the faith.
- The time at which the reason behind the intention to respond to the call of faith and enter into Islam must be verified is when documentation must be produced to affirm that the person has embraced Islam, as well as for civil status issues such as marriage and the like. If any legitimate concern appears with respect to the acceptance of the implications of the testimony of the faith, it is necessary to verify the correct stance and remove any doubt or question. This is especially important in those areas in which heterodox sects, which are outside the fold of Islam, are prominent, such as the Qadianis, Baha'i, Druze, and Nusairis, or where there is a prevalent belief that the Prophet Muhammad (peace and blessings of Allah be upon him) was sent only the Arabs, for example.
- The important negations of Islam that a new Muslim must affirm are absent include attributing a child to Allah, and/or believing the following: that there is a prophet that has come after the Prophet Muhammad (peace and blessings of Allah be upon him), that the Prophet Muhammad (peace and blessings of Allah be upon him) was sent to the Arabs only, that the Quran has been distorted, that the false claims made against the Prophet's wife A'ishah are true, and so on.
- Verbally affirming that the Messiah is merely a human being is not a requirement for a new Muslim, although his/her Islam is only affirmed by believing in all of the ramifications of the testimony of pure monotheism, which includes that Allah alone is divine, that He has no companion or child, and that one frees oneself from all forms of associating anything with Allah. It is sufficient for a

مسودة توصيات مؤتمر نوازل المسلمين الجدد للعرض على أصحاب الفضيلة نوازل عقدية

- يثبت عقد الإسلام بالإقرار بالشهادتين نطقا، أو التعبير عنها بالكتابة أو الاشارة لمن عجز عن النطق بها، مع العلم بمعناها، إقرارا التزاميا، يقصد به الإجابة إلى الإيمان والدخول في الإسلام، والبراءة من كل ما يخالفه.
- ينبغي أن يكون التحقق من قصد الإجابة إلى الإيمان، والدخول في الإسلام، وعدم التلبس بناقض جلي قطعي، هو موضع الاهتام والتحري عند استخراج وثائق ثبوتية للمسلمين الجدد، والتعامل الحياتي معهم بتزويج ونحوه. فإن حدث لؤث في دلالة الشهادتين على ذلك وجب التحقق، وإزالة الالتباس، كما هو الخال في المجتمعات التي يغلب على الحال في المجتمعات التي يغلب على والبهائية والدروز والنصيرية أو اعتقاد خصوص بعثة محمد صلى الله عليه وسلم إلى العرب، ونحوها
- ومن نواقض الإسلام التي لا بد من التحقق من انتفائها: القول بنسبة الولد إلى الله، أو القول بنبي بعد محمد صلى الله عليه وسلم، أو القول بخصوص بعثة محمد صلى الله عليه وسلم إلى العرب وحدهم، أو اعتقاد تحريف القرآن، أو تصديق حديث الإفك في أم المؤمنين عائشة رضي الله عنها، ونحوه.
- الإقرار ببشرية المسيح لفظا ليس شرطا في إسلام المسلم الجديد، وإن كان لن يثبت له عقد الإسلام إلا أذا اعتقد ما تستلزمه شهادة التوحيد

- person to state that he/she is Muslim and free of any religion that differs from the religion of Islam.
- It is not necessary to state the testimony of faith in Arabic for those who are not proficient in Arabic. However, it is preferred for the one who wishes to embrace Islam to state the testimony in their native language, then the testimony in Arabic can be conveyed to him and he/she can repeat that, if there is no hardship in doing so. It is permissible for the one who cannot speak to use sign language or writing to declare his or her faith.
- With respect to a person's faith being accepted by Allah, it
 is not a condition that a person publicly announce their
 Islam, have witnesses to their testimony of faith or produce
 a document affirming their Islam. However, this is
 necessary for the worldly or religious benefits in this world
 that are affected by being a Muslim, such as marriage,
 pilgrimage, inheritance, funerals, and so forth.
- The default concerning all Muslims is that all of the laws of Islam apply to them in general, as that is part of the consequences of the pact of Islam. However, the caller to Islam should follow an appropriate progression in teaching a new Muslim. The new Muslim should be taught the details of Islamic Law in accordance with the need, the person's capabilities and the person's ability to implement the teachings. This method of progression and gradual teaching is not a form of acquiescing to forbidden acts or dropping of obligations. This is because obligation and forbiddance are conditional upon knowledge and action. The one who wishes to teach new Muslims must have the characteristics of God-consciousness (tagwaa), patience, knowledge, wisdom and being good-natured, while being aware of the customs and practices of these people. While conveying the faith, he should teach what is obligatory upon the new Muslim to learn and put into practice. He should do that in the best method and way, explaining as well the wisdom and goals of the laws of Islam.
- There is no particular timetable that one must follow in completing the process of conveying the faith. One must take into consideration what may be beneficial or harmful along the way. The new Muslim should be taught what

- من إثبات الألوهية لله وحده ونفي الصاحبة والولد عنه، والبراءة من الشرك، ويكفي لإسلامه أن يقول أنا مسلم أو أنا بريء من كل دين يخالف دين الاسلام.
- لا يلزم الإقرار بالشهادتين بالعربية لمن
 لا يحسنها، وإن كان الأولى لمريد
 الإسلام أن يشهد الشهادتين بلغته،
 ثم يلقن إياها بالعربية، ما لم يمثل ذلك
 حرجا له، ويجوز للعاجز عن الكلام
 أن يشهد على إسلامه بالإشارة أو
 بالكتابة.
- لا يشترط الإعلان عن الدخول في الإسلام أو الاشهاد عليه أو استخراج وثائق ثبوتية به لصحة الإسلام عند الله تعالى، بل لما يترتب عليه من مصلحة دينية أو دنيوية، ومن ذلك أن تجري عليه أحكام الإسلام في الزواج والحج والعمرة و والإرث وأحكام الجنائز ونحوه
- الأصل في المسلم عموما ثبوت أحكام الإسلام في حقه في الجملة، لاقتضاء عقد الإسلام لذلك، وينبغى للدعاة مراعاة التدرج في دعوة المسلم الجديد وتعليمه، وذلك بتعليمه تفاصيل الأحكام الشرعية حسب الحاجة، وحسب الإطاقة والتمكن من العمل، ولا يكون هذا التدرج الممنهج من باب إقرار المحرّمات واسقاط الواجبات؛ لأنَّ الوجوب والتحريم مشروطٌ بإمكان العلم والعمل، وعلى من يتصدر لتعليم المسلمين الجدد أن يتحلى بالتقوى و الصبر والعلم والحكمة و البشاشة مع معرفة بالأعراف والتقاليد وأن يراعي في إبلاغه ما وجب عليه تعلمه وامتثاله أحسن الطرائق والسبل، مشفوعةً ببيان حِكم الشرع ومقاصده

- would be beneficial for him or her. At the same time, there is no harm if we were to have a scheduled program of teachings meant to convey those aspects of the faith of which a new Muslim should not be ignorant, and this can be implemented by the imams throughout America, or at least in their own vicinity.
- An exception is made for accepting a person's Islam with an invalid condition attached to the conversion. In other words, one could accept the Islam of a woman who says that she will stay married to her non-Muslim husband or who says that she will not wear the hijab, for example. However, any such stipulation cannot contravene the foundations of the testimony of faith or violate any others' rights. At the same time, one must also explain that such conditions are void; this explanation must not be in such a way that it will lead to a greater harm. Additionally, efforts should be made to teach that individual; they should be assisted to grow spiritually and pointed to ways that could solve their issues. It is hoped that their Islam will eventually lead them to correcting their own shortcomings.
- If both parents embrace Islam, their children follow them in the faith. If only one of the parents embraces Islam, the child follows that parent in the faith. If a child embraces Islam and not the parents, then the child's Islam will be considered sound as long as he/she has reached the age of discernment. One must, however, take into consideration the local laws concerning minors.
- If someone embraces Islam while drunk or under the influence of drugs, that conversion is not considered valid, as soundness and clarity of mind is the basis of legal responsibility and choice.
- If someone embraced Islam via one of the apostate sects or through a sect that originally has no connection to Islam, then it is a must for the one dealing with such an individual to explain that to the convert. This explanation must take priority in dealing with such a person.
- It is mandatory to exert efforts in taking care of new Muslims, protecting them from extremist movements in the religion and incorporating them within the structure of the Sunnis.

- ليس هناك جدول زمني محدد ينبغي التقيد به لاستكال البلاغ، وإنما يراعى في ذلك الموازنة بين المصالح المناسد، فيبلغ المسلحة في تبليغه، ولا يمنع ذلك أن يكون لدينا برامج تعليمية تهدف إلى تعليم المسلمين الجدد مالا يسع المسلم جمله، ويتدرب عليها عدد من الاثمة يجوبون بها آفاق أمريكا، أو على الاقل المناطق الحيطة بهم.
- سيرخص في قبول الإسلام مع الشرط الفاسد، كقبوله ممن تسلم على أن تبقى مع زوجها غير المسلم، أو أن لا يتود هذا الشرط على أصل الشهادة بالبطلان، أو يتضمن تعديا على حق، مع الترفق في بيان بطلان هذا الشرط بما لايؤدي إلى مفسدة أعظم، وبذل الجهد في تعليمهم وتزكيتهم، وإرشادهم لبعض الحلول والمخارج، والمرجو أن يحملهم إسلامهم على تدارك هذا النقص.
- إذا أسلم الأبوان فالصبي تبع لها، وإن اسلم دونهما صح إسلامه ما كان في سن التمييز، مع مراعاة الجوانب القانونية الخاصة باحكام القصر، وإن أسلم أحد الأبوين فالولد تبع له.
- لا يعتبر إسلام السكران، ولا من كان تحت تأثير المخدرات، لان العقل مناط التكليف والاختيار.
- من دخل في الإسلام من خلال الفرق المرتدة أو التي لم يثبت لها الدخول في الإسلام ابتداء، بنبغي لمن يتعامل معه أن يبين له ذلك، وأن يكون ذلك من أولويات الخطاب الذي ينبغي أن يوجه إليه.

ينبغي السعي الجاد للعناية بالمسلمين
 الجدد، وحايتهم من تيارات الغلو في
 الدين، وإدماجهم في كيانات أهل
 السنة.

Issues Related to Acts of Worship

- It is not obligatory upon a new Muslim to make *ghusl* (the ritual complete washing). It is only preferred, according to the strongest of the two opinions, as it is not confirmed that all of the people who embraced Islam at the time of the Prophet (peace and blessings of Allah be upon him) were ordered to make *ghusl*.
- It is not legislated that a woman must cut her hair either after first embracing Islam or later. However, a new male convert should cut his hair if it were in a fashion that is a distinguishing feature of any non-Muslims.
- Circumcision is from the sunan al-fitra (natural acts of humans). Circumcision is obligatory upon men who have embraced Islam, if it is possible without harm and if it is not too much of a trial for the individual. This ruling should be explained to him after his Islam has become settled, meaning it is clear that he is firm upon the faith and that teaching him this would not drive him away from the faith. In sum, the goodness of his being Muslim is greater than the benefits of his circumcision.
- The fur and paws of a dog are pure according to the sound view among the opinions of the scholars. As for a dog's saliva, there is a respected difference of opinion on this issue. It may be permissible to blindly follow those who say that it is pure when there is a strong need to do so or if it is a situation that afflicts all. As for the dog's urine and feces, they are impure according to the consensus. Instead of using soil, one may use the more modern means of cleaning such impurities.
- The opinion that states that there is a difference between
 the manner in which one purifies a garment as opposed to
 a bowl (or any container/utensil meant for use with food or
 drink) that has been licked by a dog definitely has some
 value to it, as the texts explicitly touch upon dishes only
 and not garments.

نوازل تعبدية

- لا يجب الغسل على المسلم الجديد، وإنما يستحب فقط في أرجح القولين. لعدم ثبوت أمركل من أسلم بالغسل.
- لا يشرع حلق شعر المرأة لا في ابتداء إسلائها ولا في غيره، ويشرع حلق شعر المسلم الجديد من الرجال إن كان شعره على هيئة خاصة بغير المسلمين مما هو من خصوصياتهم
- الحتان من سنن الفطرة، فيجب الحتان على من أسلم من الرجال إن أمكن بدون ضرر أو فتنة، ويبين له هذا الحكم بعد استقرار إسلامه، وظهور ثباته على الدين، وأن إرشاده لذلك لا ينفره، لأنّ مصلحةً إسلامه أعظمُ من مصلحة ختانه.
- عرق الكلب وشعره طاهر في الصحيح من أقوال اهل العلم، وفي طهارة ريقه خلاف معتبر، ويمكن تقليد القائلين بطهارته عند مسيس الحاجة وعموم البلوى، أما فضلاته من بول وبراز فهي نجسة بالإجماع، ويغنى عن التراب المنظفات الحديثة.
- للتفريق بين كيفية تطهير الثياب وتطهير الآنية من لعاب الكلب حظ
 من النظر، لورود النص بالتسبيع والتتريب في الآنية دون الثياب.
- من لم يحسن العربية جاز له التكبير للإحرام بالصلاة بلغته، كما يجوز لمن لم يحفظ الفاتحة أن تكتب له بحروف لغته ليقرأها من ورقة، وإن حفظ منها آية رددها سبع مرات، وإلا ردد ذكرا كالتسبيح والتحميد و التهليل

- For individuals who cannot pronounce Arabic well, they may say the opening *takbeer* for the prayer in their native language. It is also permissible for them to have *al-Faatihah* transcribed for them in the alphabet/script of their language, so that they can read from the writing. If one has memorized only a verse of it, he/she should repeat that verse seven times. Otherwise, they should repeat the other phrases of remembrance, such as "Subhaanallaah," "al-Hamdulilaah," "La ilaaha illa-llaah" and "La haula wa laa quwwata ila bilaah" in place of *al-Faatihah* until they are able to memorize *al-Faatihah*. In general, people may make supplications in their native language during the prayer regarding any issue in which it is permissible to supplicate outside of the prayer related to the matters of the religion and worldly needs.
- It is permissible to translate the Divine Names and Exalted Attributes for those who are not proficient in Arabic. They may use these translations in their supplications and praises of Allah, as these are considered merely statements about Allah.
- Those who are not proficient in Arabic may, if there is a need to do so, follow the reciting of the Imam during the Taraweeh Prayers and other non-obligatory prayers by reading a translation of the meaning of the Quran. They may also, if needed, follow along by using an electronic mobile device.
- It is permissible to deliver the Friday *khutbah* in other than Arabic, as long as it contains Quranic verses, hadith and supplications in Arabic. The state of the congregation and the extent of their ability to understand Arabic should be taken into consideration.
- If someone ignorantly failed to perform the obligatory acts
 of purification or performed acts that nullified their state of
 purity, then they are excused due to their ignorance. One
 does not have to repeat the prayers performed during that
 period, as Allah is forgiving to those who are mistaken or
 who forget.

- والحوقلة والتهليل مكان الفاتحة إلى أن يتمكن من حفظها، كما يجوز له الدعاء بلغته داخل الصلاة بكل ما يجوز الدعاء به خارج الصلاة من أمور الدين والدنيا.
- يشرع ترجمة الأسهاء الإلهية و الصفات العلية لمن لم يحسن العربية، و كذلك استعالها في دعاء الله والثناء عليه، لدخولها في باب الإخبار عن الله.
- يجوز عند الحاجة أن يتابع من لا يحسن العربية تلاوة الإمام في التراويخ ونحوها في ترجمة معاني القرآن، كما يجوز عند الحاجة المتابعة من خلال المصاحف الإلكترونية عبر الأجمزة المحمولة
- يجوز إلقاء خطبة الجمعة بغير العربي
 ة على أن يضمنها من الآيات و الأح
 اديث و الدعاء ما يكون بالعربية، و
 يراعى في هذا حال جهاعة المسجد
 و مدى فهمهم للغة العربية
- من ترك الطهارة الواجبة، أو كان يفعل ما يبطل طهارته جملا يعذر به مثله، وصلى على ذلك مدة طويلة لم تجب عليه الإعادة، لما تمهد من عفو الله عن المخطع والناسى

Family and Social Issues

- Chastity is a condition for marriage to a Jewish, Christian or Muslim woman. If a fornicator is to be married, she must first repent from fornication to remove that description. However, if the marriage takes place before her repentance, the marriage will continue, taking into consideration the view of those scholars who validate the marriage without the condition of repentance.
- If the fornicator were pregnant from fornication, it is sanctioned for the one who got her pregnant to marry her, according to the majority of the scholars. This is in order to fulfill the goal of the Lawgiver in concealing sins, and to encourage the two of them to repent.
- It is not sanctioned to marry a woman pregnant by another man through fornication until after she gives birth, according to the soundest of the views of the scholars. This is in order for there to be no confusion in paternity. If someone does marry her, he must remain away from her until she gives birth and then renew the marriage contract if they wish to resume a marital relationship. If the person follows a fatwa other than that, the situation will be accepted and his judgment will be with Allah.
- On this issue, the Mufti can follow the opinions of the Hanafis or the Shafi'ees if he feels that the harms of the opposing view will be too great and may put the faith of those involved into difficult trials. (The Shafi'ee view is that the contract and sexual relations are sound while the Hanafis say that the contract is sound but they do not allow sexual relations.)
- If someone marries a woman who has been impregnated by another man through fornication, it is not permissible for him to ascribe the child to himself according to the consensus, as she was pregnant before he married her.
- If a person embraces Islam while married to a Jewish or Christian woman, it is permissible for him to remain with her, as it is permissible for him to marry her in the first place, so it must be even more permissible for him to remain with her. He must treat her well, with the hope that Allah will bless her by her embracing Islam through him.

نوازل أسرية واجتماعية

- العفاف شرط في الزواج بالكتابية أو المسلمة، فيجب للزواج بالزانية زوال هذه الصفة عنها بالتوبة؛ فإن وقع الزواج بها قبل التوبة أمضي اعتبارا لقول من صحح الزواج بها بغير توبة.
- إن كانت الزانية حبلى من الزنا فيشرع لمن أحبلها أن يتزوج بها عند جمهور أهل العلم، تحقيقا لمقصود الشارع من الستر، وترغيبا لكليها في التهبة.
- لا يشرع نكاح الحبلى من الزنا بغير من أحبلها إلا بعد فراغ رحمها، وفقا للصحيح من أقوال أهل العلم، حتى لا يستي ماءه زرع غيره، فإن تزوجها فينبغي في الصحيح أن يفترقا حتى تضع حملها، ثم يجدد العقد إن رغبا في استئناف الزوجية، فإن قلد من أفتاه بخلاف ذلك أقر على حاله وحسابه على الله.
- للمفتى في هذه النازلة أن يقلد قول
 الأحناف أو الشافعية إن قدر أن
 المفسدة في الفتوى بخلافه أعظم،
 وقد تنعكس على أصل الدين نفسه
 بالفتنة (الشافعية على صحة العقد
 والوطء، والحنفية على صحة العقد
 وحرمة الوطء)
- لا سبیل لمن تروج بحبلی من الزنا
 من غیره إلى استلحاق هذا الولد
 إجاعا لأنها حبلی به قبل أن يتزوجها.
- من أسلم ولديه زوجة كتابية جاز له استبقاؤها لجواز عقده عليها ابتداء، فجواز استدامته من باب أولى، وينبغي له أن يحسن عشرتها رجاء أن يكرمها الله بالإسلام على يديه
- لا يصح التزاوج بين المسلمين والغلاة من أهل البدع الذين تبلغ بهم بدعتهم مبلغ الكفر والحروج من الملة، أما من

- It is not permissible to marry anyone from extreme heretical groups whose heresy takes them into disbelief and out of the fold of the faith. As for heretics whose heresy does not reach that level, from the point of view of validity, marriage with them is considered valid. Everyone for whom Islam is affirmed may be married with the proper conditions. However, one should consider whether that is most appropriate. It is recommended, in general, to marry from the Ahl al-Sunnah (People of the Sunnah).
- It is not sanctioned to marry a Muslim woman off to someone who might be a Muslim, until it is affirmed that he is truly a Muslim whose statements are followed by actions.
 If it is possible to delay such a marriage until his heart is tranquil with the faith, this would be best, as long as that delay does not lead to a greater harm.
- The one performing the marriage contracts of new Muslim sisters should inform them of the laws related to the dower (mahr) and he should strive to obtain for them the appropriate level of dower based on their circumstances, unless they themselves willingly forego that and request a lesser amount.
- If a woman embraces Islam while her husband remains a non-Muslim, it is not permissible for her to have relations with him. The marriage remains suspended during the waiting period. If he embraces Islam during that period, the marriage continues. If he continues in his disbelief until after the time of the waiting period, then she has the option of seeking termination of the marriage or waiting until Allah opens his heart to Islam and she can then return to him
- The previous marriage of one who embraces Islam is acknowledged by the Law, even if it had some invalid issues related to it, as long as the spouse is in the category of those that one is allowed to marry in Islam. The manner and nature of how the marriage was performed does not need to be investigated. Issues like the nature of the guardian or witnesses or the manner of the offer and acceptance need not be investigated. Their previous children will be ascribed to them and the issues of maintenance continue as well.

- لم تبلغ بهم بدعتهم هذا المبلغ ففي باب الصحة والفساد يصح الزواج منهم، فكل من ثبت له عقد الإسلام صح نكاحه بشروطه، ولكن يبقى النظر في ملاءمة ذلك! وينصح في الجملة بالزواج من أهل السنة.
- لا يشرع تزويج المسلمة بمن يظن إسلامه حتى يسلم فعلا، ويشفع القول بالعمل، وإن تسنى التمهل حتى يطمئن قلبه بالإيمان كان ذلك حسنا، ما لم يفض ذلك إلى مفسدة أعظم
- ينبغي لمن يجري عقد الزواج للمسلمات الجدد تنبيههن إلى أحكام المهر، والاجتهاد في تحصيل محر المثل بالنسبة لهن ما استطاع، إلا إذا طابت نفوسهن بما دونه.
- إذا أسلمت المرأة وبقي زوجما على غير الإسلام، فلا تحل لها معاشرته، ويبقى الزواج موقوفا في مدة العدة، فإن اسلم فها على نكاحما، وإن بقي على حاله كان له لها الخيار بين التقدم لطلب الفسخ، أو الترقب حتى يشرح الله صدره للإسلام فترجع الله.
- يقر المسلمون الجدد على ماكان من أنكحتهم قبل الإسلام، وإن كانت فاسدة ، إن كانت المرأة مما يجوز نكاحما في الحال، ولا ينظر إلى صفة عقدهم وكيفيته، ولا يعتبر له شروط أنكحة المسلمين من الولي والشهود، وصيغة الإيجاب والقبول ونحوه، ويلحق بها النسب والنفقة.
- اتحاد الدين شرط في التوارث ، فلا يتوارث أهل ملتين شتى، وعند الاستحقاق القانوني لميراث ذوي القربي من غير المسلمين، فإنه يوجه إلى المصارف العامة، ويستبقى لهم منه قدر حاجتهم، وللمفتى في هذه

- Being of the same religion is a condition for fixed inheritance shares. People of two different faiths cannot inherit from each other. If a legal system stipulates that a Muslim is to receive a fixed share from a non-Muslim relative, he should spend that wealth for the benefit of the public and should only keep that portion of which he is in need. A scholar could, in this issue, follow the view of those who say that it is permissible for a Muslim to inherit from a non-Muslim if the scholar deems that opposing that view will lead to greater harm.
- It is permissible to receive bequests from and bestow bequests upon non-Muslims. The state of disbelief does not negate their right of ownership or disposal of property. It is especially acceptable if it is between relatives and the like. This ruling is because the issue of bequests is much more flexible than the issue of fixed inheritance shares. There is also no harm in someone making a bequest in a way benefitting Muslims or non-Muslims.
- Muslims must leave instructions for their estates to be distributed according to the Sharee'ah, so that no other distribution system may distribute their wealth in the absence of any will from the deceased. If a Muslim has no Sharee'ah legal heirs, he/she may donate his or her wealth to charitable causes.
- There is no harm in either spouse mingling with their spouse's children from other marriages, as they are in the "prohibited degrees" with respect to one another. However, there is an issue with the adult children of those previous relationships mixing with one another. One solution is via breastfeeding within the first two years of a child's life. The prohibited degree can also be established after those two years if done before the child becomes independent and there is a necessity for individuals to interact with each other. Another possible solution is to have some of the children (after they reach puberty) stay with their other parent or other relatives, such as a grandmother or aunt, as long as that does not produce a greater harm. Another solution is to move to a larger accommodation where the post-pubertal children can be

- النازلة أن يقلد قول من أجاز ميراث المسلم من غير المسلم إن قدر أن المنسدة في الفتوى بخلافه أعظم"
- تجوز الوصية لغير المسلم إيصاء وقبولا، لأن الكفر لا ينافي أهلية التمليك والتملك، لا سيا إذا كانت على وجه الصلة لقرابة ونحوها، ولأن الأمر في باب الوصية أوسع منه في باب الميراث، ولا حرج في أن يوصى لجهة عامة ينتفع بها المسلمون وغير المسلمين.
- ينبغي أن يوصي المسلم بتقسيم تركته
 على وفاق الشرع، حتى لا تزاحمه
 قوانين أخرى عند عدم النص على
 ذلك، فإن لم يكن له ورثة شرعيون
 أوصى بها للمصارف العامة
- لا حرج على كل من الزوجين في الخلطة مع أولاد زوجه من غيره، لثبوت المحرمية، ولكن يبقى الحرج في الخلطة بين الأولاد البالغين من الجانبين، ومن الحلول الرضاعة في الحولين، وقد يتوسع في التحريم الضرورية للخلطة في هذه الحالة ، ومن نقل كذلك الحلول أحدهما للعيش الوالد الآخر، أو غيره من الأقارب كجدة أو خالة ما لم يعارض ذلك بمفسدة راجحة، الانتقال إلى بيت أوسع يستقل فيه بعض هؤلاء بعض، عن

- separate from each other. Also, some of the post-pubertal children can be placed in a safe boarding school.
- If none of the above solutions is possible, then these adolescents must adhere to wearing the hijab, lowering their gaze, and refraining from being together alone in private quarters, and they should be trained to adhere to Islamic manners and abide by other Islamic regulations for adults.
- There is no harm in the young adults of opposite sexes being in the same room, as long as they are not secluded.
 Similarly, there is no harm in them gathering together for food, whether preparing, serving or eating it, as preventing them from eating together would cause a hardship, especially due to limited space and time.
- There is no harm in children of the age of discernment being together; however, one should earnestly teach them proper manners and keep an eye on them. How much such children or young adults of opposite sexes interact with each other is to be determined by the parents taking into consideration their individual states. The default is that an adult need not wear the hijab in front of a child of the age of discernment who has not yet reached puberty.
- The status of being within the prohibited degrees and of being a chaperone is not affected by differences in religion according to the correct opinion. If the children are of different religions, a non-Muslim trusted child may act as a chaperone for his Muslim relatives, according to the view of the majority of the scholars. This status relates to traveling together, being alone together and being able to see each other (without hijab).
- Custom has a legal bearing. Custom entails statements or actions that most of a people or a particular group of people practice and apply. For it to have any bearing on custom, it must be a consistent practice or one that is followed most of the time. Furthermore, it may not contradict any Sharee'ah ruling. In addition, the custom must have been in existence at the time that an action was initiated.
- A customary practice is not the same as a consensus (Ijmaa'). It differs from consensus in that it is not fixed, is it

جعل أحدهما في مدرسة داخلية مأمونة.

- إن تعذرت الحلول السابقة، تعين لزوم الحجاب، وستر العورات والغض من البصر، ومنع الخلوة، وتعويدهم على مراعاة الأدب، وغير ذلك من الأحكام اللازمة للبالغين.
- لا حرج في كون البالغين من الجنسين
 في نفس الحجرة، مع عدم الخلوة، ولا
 حرج كذلك في الاجتاع على
 الطعام، عند إعداده وتقديمه
 والمؤاكلة، فإن في المنع من الاجتاع
 على الطعام من المشقة ما فيه، سيا
 مع ضيق البيوت والأوقات.
- لا حرج في الخلطة بين الأطفال المميزين مع الحرص على التأديب والمراقبة، ومرد الأمر في الخلطة بين المميزين والبالغين من الجنسين إلى تقدير الوالدين لحالها، والأصل عدم وجوب احتجاب البالغة أمام المميز الذي لم يبلغ الحلم
- الحرمية لا تتاثر باختلاف الدين في الصحيح، فإذا اختلف دين الأولاد، فغير المسلم المأمون محرم لقرابته المسلمة في قول أكثر العلماء، وذلك في السفر والخلوة والنظر جميةا.
- العرف محكم، وهو ما اعتاده أغلب
 الناس أو طائفة منهم، وساروا عليه،
 من قول أو فعل أو ترك، ويشترط
 لاعتباره أن يكون مطردا أو غالبا،
 وأن لا يُخالِف حكما شرعيا، وأن
 يكون العُرف المتعلِق بالتصريف
 موجودًا عند إنشائه.
- العُرْف غير الإجاع لأنه غير ثابت؛
 ولا يُشتَرط فيه اتِّفاق كلِّ الناس
 عليه؛ ولا توفَّر مَرتَبَة الاجتهاد

- not necessary that everyone agree upon it, and it does not reach beyond the level of *ijtihad* for those qualified to perform it.
- General customary practices are taken into consideration as long as they do not violate the Sharee'ah. Thus, for example, what has been decided concerning child support by a non-Muslim court may be used as a reference point by the Muslim arbitrator. Similarly, what is customary dress will still be acceptable as long as it does not resemble the dress of any non-Muslim faith's practice.
- As for clothing and hijab, as long as the clothing meets the Sharee'ah requirements, the details of it are left to the customs of the people, such as color choices or what is considered male versus female dress.
- The default concerning earrings and their most common usage is that they are adornments of women. The strongest opinion, it is decided, is that they are forbidden for males.
- The default concerning people's names is that of permissibility. It is not necessary to change one's name unless it contains a non-Islamic meaning or a distasteful or evil meaning. The change in the name is only related to the first name and not the surname or the family name, unless the surname is not actually related to one's family or if one's lineage is not known. The new Muslim should be instructed about this issue in a polite manner.
- Tattoos are ink injected under the skin via needles, thus changing the color of the skin from that which Allah had created it for the person. Tattoos are forbidden by the agreement of the scholars, as there are clear, authentic texts prohibiting them. If one can easily remove tattoos without any harm, they should be removed, especially if they contain any symbols or statements of disbelief. The new Muslim should be guided in a gentle manner to conforming to this ruling.
- The default ruling concerning dogs is that one should not possess them unless there is a need for them, such as for hunting or as a guard dog, or other similar cases that would be determined by *ijtihad*.

- الشرعي لأهله، وكلُّ هذا بخلاف الإجماع.
- العرف العام في أمريكا معتبر ما لم خالف الشرع، ومن ذلك استئناس الحكم المسلم بما تقرره الححاكم من مقدار النفقة في الحضائة، وكذلك ما تعارف الناس عليه في صفة اللباس مالم تتضمن تشبها بخصوصية دينية لغير المسلمين.
- اللباس و الحجاب الشرعي إذاكان موافقا للشروط الشرعية يترك تف اصيل هيئته للعرف كمثل ما يتعلق بلونه، وكونه تشبها بالجنس الآخر أم لا.
- الأصل في الأقراط والغالب عليها انها
 زينة نسائية، فيترجح القول بمنعها على
 الرجال.
- الأصل في باب الأسباء هو الحل، ولا يلزم تغيير الاسم إلا إذا كان متضمناً لمعنى غير شرعي أو معنى فاسد أو قبيح، والتغيير إنما يتعلق فقط بالاسم الأول، وليس اسم العا ثلة، إلا إن كان اسمه الأخير ليس اسم عائلته أصلا أو كان مجهول النسب، ويترفق بالمسلم الجديد في إخباره بذلك.
- الوشم هو الحبر تحت الجلد، فهو تغييرٌ للون الجلد، بغرز إبرة فيه حتى يسيل الدم، ثم يُحشى ذلك المكان بكحل أو غيره ليكتسب الجلد لونا غير الذي خلقه الله تعالى لصاحبه. و هو محرم باتفاق العلماء لما ورد فيه من النصوص الصحيحة الصريحة، فإن تيسرت إزالته بغير مضرة أزيل، لا سيما إذا كان مشتملا على علامة كفرية، ويترفق بالمسلم الجديد في تكليفه بذلك.

الأصل عدم اقتناء الكلاب إلا لحاجة، كالصيد أو الحراسة، وما حمل عليها وألحق بها بالاجتهاد

نوازل مالية

- المال الحلال هو ما أباحه الشرع مما خلقه الله تعالى، أو كسبه الإنسان من طريق مشروع، والمال الحرام هو ما منعه الشرع إما لذاته، وإما بسبب كسبه، والمال المختلط هو ما اجتمع فيه الحلال والحرام.
- المال المحرّم لكسبه قد يكون مأخوذاً برضا مالكه أو دون رضاه، وقد يكون مكتسبه عالماً بالتحريم، أو جاهلاً ، أو متأولاً، ولكلّ صورة حكما.
- وهو كل عين تعلق التحريم بذاتها وهو كل عين تعلق التحريم بذاتها كالخر، والأصنام، والحنزير يجب على ولا يجوز له الانتفاع به، إلا فيا اذن فيه الشرع من ذلك، كالانتفاع بجلد الخزير بعد دباغه عند القائلين بذلك، أو الانتفاع بأنقاض الاصنام ومادتها بعد هدمما ونحوه، ومحل هذا في التخلص مما عنده سلفا من مال التخلص مما عنده سلفا من مال حرام، وليس رخصة في أن يستأنف الاستثار في هذه الأعيان المحرمة ولو على على هذا الوجه المأذون فيه.
- ثانياً: من أخذ مال غيره بغير وجه حق دون رضاه وإذنه، كالمال المسروق، والمغصوب، والمختلس من ورثته من بعده، ولا تبرأ الذمة إلا بذلك، وإذا تعذر الوصول إليه أقر في يد المسلمين الجدد، ويتخلص منه غيرهم بتوجيهه إلى المصارف العامة، ويستبقى لهم منه قدر حاجتهم.

Issues Related to Wealth and Property

- Permissible wealth or property is that wealth which the Law allows from what Allah has created or what is earned by an individual from sanctioned means. Forbidden wealth or property is that which is forbidden by the law, either in the very nature of the item or due to the manner in which it was earned. Mixed wealth or property is that which contains both permissible and forbidden wealth.
- Earned forbidden wealth could have been earned with the consent of the owner or without his consent. It could have also been earned knowingly or out of ignorance or based on an interpretation of the law. Each of these has its own rulings.
- First, whoever has earned wealth that is forbidden of its very essence, such as alcohol, idols and swine, it is obligatory upon every Muslim in general and upon new Muslims to destroy such items. It is not permissible for him to benefit from it, save those exceptions that the Sharee'ah has allowed, such as dying the hides of swine to make leather, according to those who allow that, or one can use the scraps of an idol after it is destroyed, and so on. This permission applies only in the case of previously acquired wealth. It would not be permissible to start (after one's conversion to Islam) investing in those items, even if one will dispose of them in a permissible manner.
- Second, whoever has taken property from another without their consent or permission, such as via stealing or embezzling from public wealth, must return that property to its rightful owner or to that owner's heirs after his/her death. The thief or embezzler cannot absolve him or herself from responsibility except in that manner. If it is not possible to return that property to its rightful owner, it remains in the possession of the new Muslim. However, for other than new Muslims, they must give that money to worthy causes and keep only what they need.

- Third, whoever has gained forbidden wealth knowing that it is forbidden and obtains that wealth by the consent and approval of its owner, such as via void transactions, receiving a salary for forbidden employment, receiving forbidden profits, receiving wages for prohibited deeds such as giving false witness or recording interest transactions, or via gambling or the lottery, or fortune telling—concerning all of these, it is not mandatory for the individual to return such money because then the other party would have received both parts of the compensation and counter payment. For new Muslims, it is not mandatory that they free themselves from such wealth. It will remain with them but accompanied by their repentance, as Islam wipes away whatever precedes it. However, for other than new Muslims, they must give that money to worthy causes and keep only what they need.
- Fourth, if one has been afflicted by engaging in a prohibited business, then what should be done depends on the situation. If the business was actually involved in dealing with items that are prohibited in their essence, then it is obligatory upon those Muslims to void such business and free themselves from that forbidden wealth by destroying it. It is not allowed for them to benefit from it, except in the cases that the Sharee'ah allows. If a business was such that the manner in which the money was made was forbidden, then the money the new Muslim had made through that remains with him or her. However, they should promptly disband the business or exit from it.
- Fifth, when it is obligatory for a new Muslim to free him or herself from forbidden wealth, they should use that money for charitable purposes and on matters of a general benefit for Muslims. This would include building mosques or paying the expenses of Muslims. This is because a difference in the cause behind something is the same as a difference in the essence of something. The prohibition is not transitive (so if someone earned money through a haram transaction, and then gave it away to a poor person or in exchange for goods, it becomes halal for the poor who received it as a charity and for the seller of the goods.)

- ثالثا: من اكتسب مالاً حراماً مع علمه بالتحريم، وقبضه بإذن مالكه ورضاه، كالمقبوض بالعقود الفاسدة ، وأجرة الوظائف المحرمة، أو ربح المتاجرة بالمحرمات، أو أجرة الحدمات المحرمة كشهادة الزور وكتابة الربا أو اليانصيب والكهانة ، ونحو ذلك ... الخ فلا يلزم رده إلى مالكه، لكيلا يجمع له بين العوض والمعوض، ولا يلزم التخلص منه بالنسبة للمسلمين يلزم التخلص منه بالنسبة للمسلمين الجدد، بل يقر في ايديهم بالتوبة، لأن يزهم بتوجيهه إلى المصارف العامة، غيرهم بتوجيهه إلى المصارف العامة، ويستبقى لهم منه بقدر حاجتهم .
- رابعا: من ابتلي في حياته بالشراكة المحرمة ففيه تفصيل، فإن كانت الشركة في مال حرام لذاته، فيجب إبطال الشركة والتخلص من المال به، إلا فيا اذن فيه الشركة وموضوعها وإن كان محل الشركة وموضوعها حراماً بالاكتساب أقر المسلمون عليم نقض الشركة أو الحروج منها. ويتعين عليم نقض الشركة أو الحروج منها.
- خامسا: إذا وجب التخلص من المال الحرام فيُشرع وضعُه في وجوه الخير والمصالح العامة للمسلمين، ويشمل ذلك بناء المساجد ودفع مصروفاتها، لأنّ اختلاف الأسباب كاختلاف الأعيان، والحرام لا يتعدى إلى ذمّتين.
- الذّمة المالية للشّخص عبارةٌ عن الحقوق المالية والالتزامات المالية، وما تعلق بالذّمة المالية منه ما هو مباحٌ ومنه ما هو محرّمٌ ومنه ما هو مختلط.
- من كانت له على غيره حقوقٌ ماليّةٌ

- Personal financial responsibility refers to a situation where there are some financial rights or obligations upon a person. Some of these financial responsibilities are permissible, some are forbidden and some are a mixture of what is permissible and what is forbidden.
- If a new Muslim is owed money due to a forbidden type of transaction before their Islam and then receives that payment after becoming Muslim, they must free themselves from that wealth if they have the ability to do so. Otherwise, they can keep that money since they earned the right to it before they embraced Islam, as Islam wipes away any [sinful] acts that precede it.
- If new Muslims have financial obligations that are of a forbidden nature, such as paying interest, then they should work on freeing themselves from such forbidden obligations by fulfilling them in any legal way possible. If they have no other option, they must pay it out of necessity, since it was an earlier existing financial obligation.
- If new Muslims have prior obligations to provide some forbidden services, they should do their best to void the contracts and return any moneys they have received, even if they have to pay a penalty to void such contracts.
- As for obligations in which the permissible and the forbidden are mixed, new Muslims should fulfill what is permissible and exert themselves to refrain from the forbidden, freeing themselves from it to the best of their ability.
- Fifth, new Muslims must leave any forbidden occupation if they are able to and should seek permissible substitutes. If a new Muslim is not able to find a substitute and he/she is forced to stay in that job for a temporary period, then they should strive not to directly do, or at least minimize the amount they do, of the explicitly forbidden acts, such as serving alcohol in a restaurant. They must have the intention to leave that job at the first opportunity.

Zakat on Forbidden Wealth

• There is no zakat on wealth that is forbidden by their very nature, such as alcohol or pork. The only option is to remove oneself from that wealth completely. As for the wealth

- محرّمةٌ ترتبت قبل إسلامه ثمّ استوفاها بعده تخلص منها إن قوي على ذلك، وإلا أقرت في يده، نظرا لانعقاد سبب استحقاقها قبل إسلامه، والإسلام يجُبّ ما قبله.
- من كانت عليه التزامات مالية محرمة كالالتزام بدفع فوائد ربوية فينبغي له أن يسعى للتخلص من دفعها بأي وسيلة مشروعة، فإن لم يتمكن دفعها بسبب الاضطرار والالتزام السابق.
- إذا كان الالتزام تقديم خدمة مُحرّمة فإته يسعى لإلغاء الالتزام، ويُعيد ما أخَذَهُ، حتى لو دفع تعويضًا بسبب فسخ الالتزام
- وفي الالتزامات المختلطة يوقى الحلال، ويجتهد في الامتناع عن الحرام، والتخلص منه ما استطاع.
- خامسا: يجب على المسلم الجديد ترك العمل المحترم ما أمكن، والبحث عن بديل مشروع، فإن لم يجد وكان مضطراً بقي في عمله مؤقتا، ويجتهد أمكن (كتقديم الخرو في المطاع مثلاً) ويستصحب نية التحول عن هذا العمل عند أول القدرة على ذلك.

زكاة المال الحرام

لا تجب الزكاة في المال الحرام لذاته كالحمر والحنزير ونحوه، ولا تبرأ الدّمة لإلا بالتخلص منه كلّه، أما الحرام لغيره كالمسروقات وما أخذ أجرا على عمل محرم، فتجب الزّكاة فيه متى ما حلّ بالإسلام أو التوبة، وأما المال لختلط، فما فيه من حرام لذاته يُخرجُ كلّه، وما فيه من حرام لذاته يُخرجُ الزّكاة فيه متى ما حلّ بالإسلام أو التوبة.

which is forbidden due to the manner in which it was received, such as stolen items or payment for forbidden work, zakat is obligatory upon it from the time of the person's Islam or repentance. As for the mixed wealth, the wealth that is forbidden due to its nature must all be done away with. As for what is forbidden due to how or why it was received, zakat is due on it from the time of the person's Islam or their repentance.

Ruling of One Who Did Not Pay Zakat out of Ignorance of the Obligation

• There is no sin upon the one who did not pay zakat out of ignorance of this obligation. It is not required of him to pay the zakat if his ignorance is excusable, as the ruling applicable to someone is not affirmed until the command reaches them. However, if it is the case that their ignorance is not excusable, as they had the ability to get the required knowledge but were simply too lazy to do so, then the sin is dropped from them via repentance. Nonetheless, the obligation of the zakat amounts is not dropped as it is related to the rights of the poor and needy, and the debt owed to Allah has the most right to be repaid.

Giving New Muslims from the Zakat Wealth in Order to Make Their Hearts More Secure

• It is sanctioned to give new Muslims from the zakat wealth in order to bring them closer if there is any need to do so and to compensate them for any difficulties or hardships they have faced due to becoming Muslim. This is true regardless of whether they are rich or poor. The opinion that states that this category of zakat recipients remains and has not been abrogated is the correct opinion concerning which there is no alternative. With respect to the other categories of zakat recipients, new Muslims are the same as any other Muslim.

حكم من لم يخرج زكاته جهلا بوجوبها

من لم يخرج زكاته جملا بوجوبها سقط عنه الإثم، ولا يلزمه أداؤها إن كان جمله مما يعذر بمثله، لان حكم الخطاب لا يثبت في حق المكلف إلا إذا بلغه، فإن كان لا يعذر بمثله لتمكنه من العلم وتهاونه في طلبه سقط عنه الإثم بالتوبة، ولا تسقط عنه الزكاة، لتعلقها بحقق الفقراء والمساكين، ودين الله أحق أن يقضى.

يشرع إعطاء المسلمين الجدد من أموال الزكاة للتأليف عند الحاجة إلى ذلك، تطييبا لحاطرهم، وتعويضا لهم عما لحقهم بسبب إسلاهم من تضييق ومجافاة، سواء أكانوا أغنياء أم كانوا فقراء، والقول ببقاء هذا المصرف وعدم نسخه هو القول الصحيح الذي لا معدل عنه، وهم في باقي المصارف كغيرهم من المسلمين المصارف كغيرهم من المسلمين