



**The fourth and fifth questions of Fatwa no. 6261**

**Q 4-5: When there occurs a dispute between two people, some old men try to settle it down. If one of the disputers denies, he is to swear by one of the pious shaykhs. They take the Mus-haf (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 Shari`ah 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 the two parties to slaughter an animal and pay ten pounds until the other party becomes satisfied.**

**A:** It is not permissible to swear by other than Allah because many authentic pieces of evidence have been reported prohibiting it. Swearing by a pious shaykh falls under swearing by other than Allah. Anyone in this habit should be advised and informed of its prohibition. It will be an act of major Shirk (associating others with Allah in His Divinity or worship)

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if anyone swears with the intention of revering that shaykh in a manner only befitting to Allah (Glorified and Exalted be He). Taking oaths at graves is an impermissible act of Bid`ah (innovation in religion) and a means leading to Shirk.

There is no harm if one of the two quarreling parties agrees 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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