

Fatwa no. 5419

We would like to inform you about a Pakistani who lived in Al-Madinah Al-Munawwarah where he had worked for a period of time before returning to his home country, Pakistan, to get married. His wedding ceremony included beating of Duff (a tambourine-like instrument without bells) and blowing wind instruments, setting off fireworks and prohibited singing. He was objected to by some scholars there but he claimed it to be permissible and unobjectionable on the pretext that he had seen such practices in Al-Madinah Al-Munawwarah in wedding ceremonies and thus lending support for the permissibility of his acts. The man also claimed that the Waliy (a legally accountable person acting for a woman regarding marriage) of the wife may receive a sum of money other than the Mahr (mandatory gift to a bride from her groom). What is the ruling on this? Is the practice of the people of Al-Madinah, the people of Makkah or even Arabs considered as supporting evidence?

A: First, practices or sayings of the people of Al-Madinah are not considered supporting evidence on which Shar`y (Islamic legal) rulings are based - with regards to the case at hand. Moreover, practices of the people of Makkah, the people of Al-Kufah or the people of any other country are not supporting evidence on which Shar`y rulings are based.

Supporting evidence can only be found in the Qur'an, Sunnah and the unanimous agreement of the Mujtahids (those who exercise personal judgment) from among scholars, which has to be acted upon once established.

Second, It is permissible to take a sum of money from one's daughter's husband after contracting marriage besides her Mahr with the husband's consent and free will.

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

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