

MARRIAGE OF SYEDANI WITH NON-SYED IS HARAM

Introduction

In today's materialistic society, wealth and power have paramount influence on assessing the virtues of a person and when it comes to judging the compatibility of man and women for marriage purposes, these two factors weigh more than any other (i.e., family lineage, and beliefs). Generally, society catch the fancy of superficial appearances and worldly status that may be in terms of higher education and family wealth. As a result believers of Ahlul bait^{asws.} have also been allude to the norm of society, a vice which our forefathers have rejected and resisted for hundreds of years, in particular when it comes to the wedding of a syed lady with a non-syed gentleman. An extremely important issue of today, faced by all of us, in particular by Syed families, which is deliberately being avoided in our religious addresses, publications and other means of religious teaching, simply to obscure the previous examples of such weddings where a fatawa was made available for their justifications or even a syed maraja himself married his daughter with non-syed person.

It is not our intention to target the existing marriages of this nature but to raise public awareness on this very important issue in order to suppress its wider acceptability, at least within our means, so that on the day of judgement we are not considered among those who were disrespectful to the children of Syeda Nisa-e-Allameen^{asws.}. We have tried in our full capacity to recognise and respect and the un-payable debt of Ahlul bait^{asws.} on all living beings, as per revealed in the 'Ait-e- Fill Qurba', (Quran Majeed).

It is, however, imperative to briefly define and discuss the status and virtues of 'Sadat' Syed lineage, prior to dwelling further into the details of the invalidity of Syeda-non-Syed marriage.

Once Abdullah bin Misira asked from Imam Jafar-e-Sadiq asws. (Mani al-Akbar by Sheikh Suduq) 'Who are the 'Aal of Mohammed^{asws.}? Imam^{asws.} replied, those are the 'Aal' of Mohammed asws. (descendents) whose women folk are not permissible to marry Prophet Mohammed^{asws.} (means they are from the same blood-line), and sadaqah (Ziqaat) is harram on them.

It is obligatory to respect descendents of Prophet^{asws.} even if they do not seem to be example shia-muslims as we do respect Holy Quran which also contain disrespectful words (i.e., qazabeen, kafareen). There is a well cited tradition from Rasool Allah^{asws.} that 'Be respectful and friendly to my descendents, pious ones should be respected for the sake of Allah^{s.w.t.} and their good deeds whereas sinful ones should be respect for the sake of myself'. It is narrated from Rasool Allah^{asws.} (Alwamah Alihia by Sheikh Midad) that I (Rasool Allah^{asws.}) will personally approve 'Shafat' for four types of people:

- 1) Those who had given due respect to my descendants;
- 2) Those who had fulfilled any one requirement of my descendants;
- 3) Those who had provided subsistence to my descendants in their time of need;
- 4) And those who have loved my descendants.

This brief effort is solely conducted to please Ahlul bait^{asws.}, and to demonstrate our love for their^{asws.} descendants through providing a convincing and concise analysis of

the subject in the light of Quranic verses, traditions and sayings of Masoomeen^{asws.}. Thus we may be able to eradicate the fast spreading evil of validity of the marriage of **Syedani** with Non- Syed person. Let us examine the problem in more detail:

COMPATIBILITY('kufv')



Regarding the marriage of a woman in Islam, a great stress has been laid on compatibility ('kufv') of the proposed couple. Since the men are given preferences over wives; **“The man has upper hand over women”**; (34:4) The women of greater nobility than the man will always feel disgraced and hence will remain under a psychological disturbance causing further social stress. As, it is not permissible in Deen-e-Mohammadi, for a woman to marry a slave-man. On the other hand, a slave-girl is permissible to her master. This is purely based on 'kufv' for which husband's status will always be superior to his wife, therefore the distinct quality of Syeda (as Sadaqa is haram on her) would make it 'unrealistic' for a non-syed to ask for her hand. Indeed, a non-syed can never attain her inherited status by any means (i.e., education, wealth, nobility and piousness). However, sometimes, the Sadat factor is totally ignored and justifications are sought based on other merits so that this type of marriages may be approved! Surely, without the blessing of Masoomeen^{asws.} - which we all seek in every aspect of our lives.

CLASSIFICATION FROM THE QURAN

FIRST VERSE

“Surely Allah chose Adam and Nuh and the descendants of **Ibrahim** and the descendants of **Imran** above all the nations. (Of all times).” Quran 33:3

This verse clearly shows that Allah (swt) has always kept the above categories above all the human beings through HIS own selection. Therefore, any deviation, through our own wishes, against laws of Allah^{s.w.t.} in any respect, will purely be an effort to abrogate the authority of Allah^{s.w.t.}-An act of unforgivable rebellious nature. Since the last selected descendants are of **Imran, (Abu Talib^{asws.})** they have superiority over all the others in the statute of Allah^{s.w.t.}, it therefore, follows that their ladies have no 'kufv' (compatibility) outside this blessed lineage. This manifest obvious merits to the children of Prophets (as) by the same reason. Unless we stand against Allah^{s.w.t.} we cannot prove otherwise and the Shia's in particular are the fore bearers of this standard but sadly enough not on the above subject. The rest is left to the judgement of the readers' vision and wisdom in drawing their conclusions.

SECOND VERSE

“Mohammed is not the father of any of your men, but he is the apostle of Allah (swt) and the last of the prophets; and Allah (swt) is cognizant of all things.” 40:33

This verse clearly rejects the others as prophet's descendants by the reason of his being the apostle of Allah (swt) and the last of prophets. Let us cite a few more verses first and then proceed to derive the results.

THIRD VERSE

“The prophet has greater claim on the faithful than they have on themselves, and his wives are their mothers; and the possessor of relationship have the greater claim in the ordinance of Allah (swt) to inheritance, one with respect to another, than (other) believers and those who

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have fled (from their homes), except that you do some good to your friends, this is written in the book.” Verse and Sura 33.

FOURTH VERSE

“But whoever disputes with you in the matter after what has come to you in the matter, after what has come to your knowledge, then say; come let us call **OUR SONS** and **YOUR** sons and **OUR WOMEN** and **YOUR** women and **OUR NEAR PEOPLE** and **YOUR** near people, then let us earnest in prayers and pray for the curse of Allah on the liars.” 61:3

DEDUCTIONS

In the first verse no one is compatible to the children of IMRAN (asws) and that prophets descendants require a still higher compatibility by virtue of being also the common descendants of both the selected descendants of Ibrahim (as) and Imran (asws) with added virtue of his own highest selected nobility to this branch. This makes this descendancy most incompatible / inaccessible to all other clan.

In the second verse Allah (swt) has totally rejected the other men to be the sons of Mohammed (as) by using his name for the purpose of total emphasis. He is not the father of any of your men, neither he was nor he is, never will be and not at all. We are not discussing the purpose of revelation of this verse to avoid lengthy arguments, even done so will certify our viewpoint. This verse also rejects all the others to have anything to do with the nobility of highest order of the prophet’s (peace be upon him) descendancy. It also proves that unlike others the prophet’s descendants are part of his prophet-hood, his finality in prophet-hood and authority.

Thus the preservation of the inaccessible sanctity of the descendant of prophets (as) is the scheme of Allah (swt), a wisdom to achieve various objectives but being beyond the scope of this subject will not be discussed.

In addition, in the third verse the wives of the prophet (as) are called to be the mothers of faithfals, but he himself is not the father of their men. Logically he should at least be the step-father but there is no mention of this i.e. the rejection of any sort of relationship of others to Prophet^{asws}.

Prophet’s wives were also not the actual mothers of faithfals as they are/were required to observe ‘Hijab’ from them. Which is not required from the children from their own wombs. They were called mothers to give highest possible respect to the prophet (as) and an absolute prohibition has been declared by Allah^{s.w.t.} to marry Prophet^{asws}. ‘s wives afterwards (Sura – e – ahzab, 33rd Sura deals with this subject). It, therefore, follows that the prohibition is by the virtue of prophet (as) dignity/sanctity himself and not the inherited reason /virtue of his wives. They had no such respect prior to becoming his wives, by remaining the others wives or becoming widows and divorcees of others. But no sooner they entered into the marriage with the prophet (as) the status was elevated and prohibition became eternal even after the death of the prophet (as). Even if they lived up to the day of eternity the prohibition would still imply.

In the second part of this verse; **“The possessors of relationship have the greater claim in the ordinance of Allah (swt) to inheritance, one with respect to another, than other believers”**

Here the claim of inheritance is in general and applies to property, caliphate, respect, dignity, sanctity and descendancy. More so it applies to the prophet’s descendants as the verse opens with him and also as in common ‘**Shariyya**’. Hence the prophets (as) inheritance elevates his descendancy far above others having no “kufv’ elsewhere. That is why the respect of Sadaat is obligatory on UMMA.

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Now let us examine the fourth verse, Here Allah (swt) commands to call **OUR SONS, OUR WOMEN** and **OURSELVES** as compared to **YOURS**. But in the second verse it is clarified that Mohammed (peace be upon him) is not the father of YOUR men. This is a contradiction. But Quran claims to be free of contradictions and thus requires comparison and resolution.

Allah (swt) has used words **'YOUR'** and **'OUR'**; this draws a clear line between two groups. 'YOUR' second person is for Umma in general and **'OUR'** in a first person is his prophethood clan, not his clan as a person. That is, they all form the part of prophethood. That is why the prophet (as) applied the word **OUR SONS, OUR WOMEN, OURSELVES** on Imam Hassan (as), Imam Hussein (as) Fatima (as) and Imam Ali (as) rejecting all others in this category including his own wives, and all that under **WAHEE**.

In other words even the prophet's wives are not included in the words **our women** (Nisa – e – Naa) and to preserve the sanctity and effectiveness of the word, it is used only once in Quran. This is a total exclusion of all other women from this verse and so is the word **Sons (Abna – e – Naa)** used once only. The word **OUR SELVES (Unfusanaa)** is also used once with reference to prophet (as). Although the address in the verse appears to be a common call but the application of the word by prophet (PBUH) under the will of Allah (swt) is contained to the limited circle of his Ahl – Al – Bayt – Unnabuwa. All others including the wives of prophet (PBUH), companions, their wives and children are simply barred from the circle of the **Guides**. This cannot be by prophet's (PBUH) own choice or else he would have been corrected by Allah (swt). The prophet (PBUH) simply, was under the command (**WAHEE**) of Allah (swt), any assumption otherwise is subject to our expulsion from **IMAAAN**.

This narrows down to simply two points:-

- a) The Ahl – Al Bait are category one termed as **OUR/WE**, which the prophet (PBUH) preserved throughout his life as against Umma. Sometimes he termed himself as Ahl – Al – Bait. The best examples are the traditions of **Sadaqah**, a prohibition for themselves and permitted for Umma in general. This fact is supported by the other three verses written above.
- b) Second category includes all other followers (Umma) up to the day of eternity and even there after, as all other relationships will be severed from prophet's (PBUH) lineage. This is supported by various traditions.

Now the above discussion lays down some compelling facts:-

- a) **OUR / WE** are different.
- b) **YOU** are others and are different.
- c) **WE** are to be followed.
- d) **YOU** are committed to follow **US/WE**.
- e) The words **Us/Ours/We** are a definite line between **'YOU'** as an eternal fact.
- f) No encroachments are permitted.
- g) Under the full text given above. In the context of our main heading we can very categorically conclude that :-
 - (i) A woman coming from category **'YOU'** to **'WE/US/OURS'** category became the sacred Mothers for **'YOU'** group.
 - (ii) These women from **'YOU'** coming across the line to **'WE'** are more sacred than **'YOUR'** own Mothers. Normal mothers after becoming widows or divorced, are prohibited on a limited Circle of Mahrams and 'Halal' for marriage on all the rest. But the ones coming from **YOU** to **WE** are eternally prohibited on all the faithfuls. **Yet they do not form the part of OURS/WE.**
 - (iii) It therefore gives us the conclusion that the women in the **WE/OUR/US** class are still more eternally sacred than the prophet's (PBUH) wives coming from **'YOU'**. They are the blood of prophet/prophethood, an unseverable relationship as against a relationship by convenience of marriage.

Thus the mothers in **'YOU'** are less 'HARAM' than the mothers coming from **'YOU'** to **'WE'** and hence the women from **US/WE/OUR** are still more Haram. Or in order of

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lower to higher prohibition they will be mothers within **'YOU'**, mothers from **'YOU'** to **'WE/US'** and the ladies from **US/OURS/WE** category.

NOW IF the women from **'YOU'** coming to WE cannot go back from 'WE/US' us to 'YOU' for the purpose of marriage then how can the women from **OURS/US/WE** can go from **US/OURS/WE** to **'YOU'** who are more sacred than all above. 'A' is more Haram than 'B' and 'B' more than 'C', so 'A' is most HARAM till the day of eternity. Hence lay off/stay away till the day of eternity and even thereafter.

Another angle is that if the wives of prophet lived till the last day of this world they would have been the mothers of the faithfuls and hence their womb i.e.; daughters would have also remained their sisters of 'A' grade and therefore both the wives of the prophets (PBUH) and daughters would have enjoyed their status of being more and **MOST HARAM ON UMMA**. Their can be a lengthy discussion through these verses but is left to the readers own views, vision, thoughts and judgement.

THE FATWAS¹

As has been stated before, 'Fatwas' are seeks from 'Ulemah' in order to justify a marriage of Syedah with Non-Syed. However, the presentation of such Fatwas, in case of Syedani, certainly casts a doubt on its validity. It shows that justifications were brought against the clear laws of Allah^{s.w.t.}, such marriages have not generally been approved by our community and have not been performed, as a standard practice, or else Fatwa would have not been required. Fatwa in its own definition is not the knowledge of the fact but is only an educated guess with certain element of doubt, hence these have absolutely no value against established laws of Allah swt..

In the case of marriage the factual knowledge is required or otherwise Allah swt's 'Haram' will be turned into 'Halal' and therefore invoking Allah swt's curse and punishment. In this instance, an utmost care must therefore be exercised.

The difference between the two major sects cast a factual doubt on this practice, further fortified by the differences amongst 'Mujtahideen'. Some of them call it 'HARAM' some 'Makruh' and some 'Jaiz' whereas some talk about containing it within SYEDS, Hashmites for Hashmites etc.

These differences not only cast serious doubts on the validity of marriage of Syedani with Non-Syed but also on the basis of 'Fatwas' and 'Mujtahideen' themselves, rendering them invalid and non-effective.

Under these circumstances, it is mandatory to be careful and do not fall into the trap of Satan on the basis of unreliable fatawa and doubtful justifications.

In this case a slightest doubt might drive into greatest sin and the Fatwas by definition are not free of doubt, not to speak of differences in Fatwas themselves.

¹ In the Umma in general there have been differences between the various sects in various details of execution of commands but not the total rejection of commandments.

Ahl – E – Sunna in general are opposed to the marriage of Syedani with a non-Syed and call it Haram. This not only supports the above facts but also is opposed to the Shia Mujtahideen in general. All their leading religious scholars have accorded **Fatwas** declaring it Haram. Peer of Golra Shareef, Mankee Shareef, Dewal Shareef, Maulana Shafi Okarwi are some of the most to be quoted.

Anwar – E – Namania and **Ahkam – E – Sharayya** are both their books of high repute and are opposed to such marriages. This will be further elaborated while comparing the traditions.

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If we look deep into it, this in-itself becomes a major Fatwa in opposition to such marriages. What a shameful disagreement-where a Haram becomes Halal and vice versa!

MARRIAGE WITH 'MUTAQEE'

In some of these baseless Fatwa, it is generally mentioned that such marriages should be with 'Muttaqees' non-syeds. Why is it a recommendation in the case of 'Syedani'? This in-itself shows that the Syedanis are superior to other women in the Umma.

From the above discussion it is obvious that due to the bases of guess work, some Mujtahideen classify such marriages as Haram, Halal or Makruh. It therefore trickles down to its being at least Makruh, based on the 'Fatawa' extraction principles. 'Muttaqee' also like Mujtahids cannot be sure if it is Halal, Haram, or Makruh and hence must avoid such marriage even if he blindly follows his Mujtahid. If he does not and marry to a Syed Lady, his bewildering alone would extinguish his spirituality. Simply, as soon as he makes up his mind for such a marriage he would lose all his attributes and hence the marriage cannot take place. Logically this cannot happen and the marriage becomes null and void. It, therefore, results in making a mockery of Deen, another reason that makes even his 'Emaan' null and void. A fuller destruction of a Muttaqee who trusted a confused Mujtahid! So, the fabricated condition disintegrated, NO MUTTAQEE, NO MARRIAGE. The whole building was built on a fictitious foundation supported by a wobbly Mujtahid so it collapsed. So non-syed Muttaqee brother! Please STAY AWAY FROM SUCH MARRIAGE IF YOU WANT TO REMAIN WHAT YOU ARE!

Can we identify 'Muttaqee'?

It is impossible for us to recognise the virtue of a 'Muttaqee' as it is only known to Masoomeen asws. and Allah (swt). An apparently very pious person maybe in disguise to gain worldly benefits and not for the fear of Allah (swt), a basic condition to be a 'Muttaqee'. In addition, its time dependent virtue and a person is under a constant possibility of change. A pious person might become heinous and a wicked person through repentance might become righteous. This is a day-to-day observation. A person sunken in sins may achieve the success towards the end of his life and vice versa. A Muslim might become anything other than a muslim and so is the opposite. A 'Muttaqee' person may spoil his many years 'Ibada' for a little worldly reward, the example of this are quoted here from the Quran.

1. "And recite to them the narratives of him to whom we gave our communication (Ayaat) but he withdrew himself from them, so the Shaitan took over him and he became of those led astray." (175:7). "And if we had pleased we certainly would have exalted him thereby, but he clung to the earth and followed his low desire. So his example is as the example of the dog; if you attack him he lolls out his tongue and if you leave him alone he lolls out his tongue, this is the example of those who reject Ayaat; therefore relate the narrative that they may ponder over." (176:7)

This verse concerns Wali Balam baaur who was from Bani Israel and was given Ism - E - Azam, and all his prayers were answered by virtue of this Ism. He got inclined towards pharaoh against 50 gold coins and prayed against Musa (as). Please refer to Tafseer - E - Qummi. He lost the 'Ism' and the rest is all very obvious in the verses themselves. These happenings are almost common and are well termed as a dog lolling out his tongue, loved or not.

2. "And Musa chose out of his people 70 men for our appointment; so when the earthquake overtook them, he said: my 'RABB!' if thou hadst pleased, thou hadst destroyed them before and myself (too); will thou destroy us for what the fools amongst us have done? It is not but thy trial, thou makest err with it whom thou pleasest and guidest whom thou pleasest: thou art our guardian, therefore forgive us and have mercy on us, and thou art the best of forgivers." (155:7)

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This verse is further supported by (55:2)

These 70 persons chosen by Musa (as) were the most pious ones as per Musa (as)'s best knowledge. As per Tafseer – E – Safi when they arrived on the mountain they told Musa (as) that they will not bring faith unless they see Allah (swt) with their own eyes and apparent. Musa (as) who was a prophet and Rasool, had been given the book, had a Sharayya, was supplemented and fortified with 'Ismat' by Allah (swt). If he could not make a correct choice how can a common person do so? His choice of pious ones ended up to be Munafeqeen, so how could our not be?

This example was given to Saeed Ibn – E – Jubair by Imam – E – Zamana (as) as a reason of disqualification of humans to install / appoint a caliph. In other words Imam – E – Zamana (as) has rejected the ability of all the creation to identify Muttaqee and had further supplemented the argument of uncertain choices ending up in hypocrites. Incident is cited in Hayat – ul – Qalob book of Imamat by Allama Majlisee RA.

HENCE MUTTAQEE ARE RULED OUT SO ARE THE SUPPORTING
FATWAS CONCERNING THE MARRIAGE OF SYEDAH WITH NON-SYED.

IS IT ALLOWED IF THE HUSBAND MAINTAINS RESPECT OF HIS SYEDAH WIFE?

This common Notion as adopted by most who are in favour of this type of marriages, destroys the entire concept of family life for:-

- a) It frustrates the right of man over his wife as per verse 34 Sura 4 as given in opening paragraphs. It therefore is repugnant to Islam and an unholy effort. It not only is repugnant to Islam but is also making Islam pregnant with new/own views.
- b) Respect should otherwise be mutual and is recommended.
- c) The incident of disrespect can occur and if the respect is made a condition it will make the marriage null and void at any time.
- d) Such a condition is nowhere cited in Shariyya.
- e) Slight deviation from these conditions frustrates the marriage contract and if continued will be in form of Zina and the subsequent issues will be illegitimate. Only a non – Syed can own such children and continue/think of marriages.
- f) The divorce is made impossible which might become necessary, hence it is assumed that marriage will remain happy and no separation will take place. Religion is not based on assumptions. If divorced it will be an insult to the Syedani and a proof of their unhappy life, meaning that there has been no respect, hence, the marriage had remained invalid throughout.
- g) In view of above since the divorce right cannot be withdrawn the marriage also cannot take place. Withdrawal of the right of divorce is repugnant to Islam.
- h) Syeds are automatically immuned from above possibilities / defects.

In view of above any tendencies as cited above will open the flood gates to evil attacks on Islamic social structure, thus no chances can be taken. The author of this booklet has seen such incidents and so must have all the others. Such inherent faults must be avoided and the only solution to this is staying away from the Syedah – Syedah can only be married to Syed.

WHERE WILL SYEDAH GO IF NO SUITABLE SYED IS AVAILABLE?

Some times another argument is put forward, based on superficial conditions, that a poor Syed may find it very difficult to provide satisfactory subsistence to a Syeda wife and hence a better-off non-syed husband may be a better choice. However, Syeds are always preferable even if at present poor. Poverty has never been of paramount consideration in the deen. One poor

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person approached prophet (as) complained about poverty and was advised to marry once again and then again (until third time) until his condition improved. So there is the solution.

WHAT IF THERE ARE MORE SYEDANI'S AND LESS SYED'S?

Islam permits more than one marriage. This question can be posed only when Shariyya options are exhausted. Maintenance difficulties are solved in above topic. It is only a question of firm belief in Prophet (as) to which we invite.

WHAT IF THERE ARE NO OTHER WOMEN/MEN AVAILABLE?

This is again a worst question. As, we under no condition, marry, mothers of Momineen, own mothers, sisters and other Moharramat, similarly, non-syed cannot marry a Syedah.

These are some questions posed to the author and replied as such. It is believed that such questions are posed by many, purely to find a crack somewhere due to lack of faith, desire to play with religion and should be avoided at all costs. It will also be observed from all above and previously discussed conditions that these questions are only in case of Syedani's and hence prove that the Syedanis do have a different status in law of Islam or even in the mind of people.

PROPHET'S (PBUH) TRADITIONS AND ACTIONS

Let us first begin with marriage of Bibi Fatima (as) and making it basis proceeds for further discussion.

1. Allama Majlisee R.A. In his book Jala – ul – Uyoon states with references to Manaqab – E – Khawrzami and other books of Shias and Sunnis who have narrated it from Ameer – Al – Momineen (as), Umm – E – Salma (as) and Sulaiman – E – Farsi (r.a.) that when Fatima (as) reached the age of puberty many nobles from Quresh, the wealthiest, pious, and respected ones approached the Prophet (PBUH) to ask her hand in marriage. The prophet (PBUH) always turned his face away and expressed dislike for such requests. (chapter : Fatima's marriage – p113)
2. Abi has narrated from some companions of prophets (PBUH). Anyone asked for the hand of Fatima (as), Prophet (pbuh) always turned his face away from him. When he wanted to get her married he spoke to Ali (as) in privacy. (Bihar volume 43 part 1 of tenth, her life history chapter. Her marriage p101).
3. Prophet (pbuh) said "Were Ali (as) not there, there would have been no 'kufv' ' for Fatima (as).
4. Younus bin Zibian narrates that Imam Sadiq (as) said if the Ameer – Al – Momineen had not been there, there would have been no 'kufv' for Fatima. (Bihar volume 43 chapter 3 part 5 page 97)

The above traditions clearly prove that the ladies from OURS cannot go to YOURS group or else prophet (pbuh) would have accepted the request from YOUR class and proved the validity of any woman's marriage with any other man'. He would not say something he would not do.

His action give following conclusions:-

- a) Fatima (as) remained in WE/US category.
- b) It is not possible to assume that all those desirous of this marriage were not Momins. No one other than 'Momin' could have dared approaching the Prophet (as) for this purpose.
- c) He rejected Momins.
- d) He rejected wealthies.
- e) He rejected Qureshites.

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- f) He rejected nobles of Quresh, the best-known tribe of fame and nobility.
- g) He expressed dislike on all such requests.
- h) He could have said 'No' instead of expressing dislike.
- i) He rejected through dislike all the persons with all the qualities as in c, d, e, and f, put together in anyone person.

The above points further prove that the "kufv" of Momin being Momin concerns only the Momineens of Umma and not the prophet's (pbuh) lineage. In other words WE/US/OURS are for WE/US/OURS and not for YOU/YOURS. Any other assumption will prove contradiction in prophet's (pbuh) words and actions, which, of course, is absolutely impossible at least for Shia's. Unfortunately Shia's got derailed from preserving the sanctity of prophets (pbuh) descendancy in this respect, far more than non – Shias.

Since the prophet (pbuh) is the father of the children of Fatima (as) as per tradition; "All the children are the descendants of father except for Fatima (as), I am their father and their father (inheritor) above all" (Bihar volume 43, part 1).

This exception clearly proves the superiority of Syed/Syedani category over Umma in general. That is why the respect of 'Sadaat' is obligatory on Umma in general even if Syed is not pious. And this is a standard scale of judgment of respect to the prophet (pbuh) himself through the descendants. There are quite a few traditions and incidents in this respect.

There are many traditions like looking at the face of Syed is an act of worship etc, which proves them a different group altogether. Thus there can be no 'kufv', for this group from any other group. Marriage is committing a woman to the servitude of a man, as stated in traditions and also sayings of 'Masooomeens'. To reverse this status will undermine the basic principles of marriage bond depriving the man of his rights under Islamic law and hence an opposition to Islam and 'kufv'.

Many of the Mujtahideen did not accept Non – Syed to be the 'kufv' of Syedah and called it the part of Shia Aqaaed (Belief). But the believers otherwise start talking about Hashmites which has no bearing on this subject. All the Hashmites or not the descendants of Prophet (pbuh) and the subject of Hurmat (prohibition) is only about Syeds, the Zurriyyat – E – Rasool (sa). Here most people do not take to the reasons. Even Hashimite are under obligation to respect Syeds. So much so that all the children of Ali (as), except From Hazrat Fatima (sa) are not the children of Rasool (sa). They call themselves as ALVI SADAAT and considered themselves as slaves/servants of Sadaat i.e. descendants of Prophet (pbuh). Maula Ameer – Ul – Momineen (as) himself called Hasnain (as) as Abnaa – Ar – Rasool, Prophet's sons and included none else.

Sheikh Saddooque states that: - "Our belief about Alvis is that they are the Prophet's descendants (children/progeny). Their Mawaddat is obligatory because this the Ajar – E – Rasaalat, and Sadaqah is prohibited on them being the cleansing part of (dirt) their Maal, except for their own amongst themselves, and they are 'kufv' of each other. This is due to the Prophet (pbuh) where he said on looking at the children of Ali (as) and Jaffar – E – Tayyar (as) that, OUR daughters are the equals of OUR sons and OUR sons of OUR daughters". He further explains that this does not concern all the children of Ali (as) but only the children from Hazrat Fatima (sa) (Shara chapter 11 rasala Fi Ihtaqaadaat Sheikh Saddooque, page 148).

In Mun la Yah Zahra Hul Faqih chapter of Nikah, page 249, under the tradition.

"Prophet (pbuh) looked at the children of Ali (as) and Jaffar (ra) and said;

"OUR daughters are for OUR sons and OUR sons for OUR daughters"; He informs that the Non – Syed is not the 'KUFV' of Syed even if Hashemite. This is a nail into the coffin of those who call it otherwise.

The above tradition is also given in Usool – E – Kaafi volume 5 Urdu, with slight variation. Prophet (pbuh) looked at Ali (as) and Jaffar (ra) and said; "OUR daughters are for OUR sons and OUR sons are for OUR daughters". The same tradition is further supported by

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Sunni sources in their various books like Anwar – E – Namaania and Ahkaam – E – Sharayya, the books of high authenticity. This fortifies the case.

Some objections are about the marriage of Hz Zainab (as) and Hz Umme-Kulthum (as) with the sons of Hz Jaffar (as). Let us examine this weak objection through the following inferences.

1. Declaration of the status of the sons of Hz Jafar (ra) is from AAL-E-IMRAN, already selected by Allah (swt) as in verse quoted in the opening pages.
2. The Prophet (pbuh) has through out in these Hadiths used the words OURS and never YOURS, which is in conformity with the words in the opening pages stated under the explanation of Quranic verses. The sanctity of the word OUR is well preserved by **him** (as) and is also well established. There is no contradiction, inconsistency or refutation in this line of thinking.
3. The Prophets (as) did exactly that, a case proven from Quran. Prophet (as) is always under Wahee and has done so under Wahee i.e. by the will of Allah (swt) not by himself as a person.
4. If we now apply our own Fatwa on the validity of the marriage of Syedani with the Non-Syed then we must fulfil the following conditions:-
 - We must be Prophets.
 - We must be under Wahee to declare the status of someone to qualify for such a Marriage. If we try to fulfil above conditions then we must become Kafirs and Kafirs cannot be as in i) and ii) above. Rest is left to the minds of the respected readers.
5. e. Allah (swt) can under his divine authority include or exclude the son in or descendancy as is in the case of Nuh's (as) son.

AN INCIDENT FROM HISTORY

In brief, Isa bin Zaid Bin Imam Zain – Al – Abideen (as) was into hiding and got married with the daughter of the person he was living with who did not know that Isa bin Zaid (ra) was a Syed. A daughter was born and on reaching the marriageable age his wife got the message for the son of a well to do person who did watering services. Isa's (ra) wife happily asked him for approval however, Isa (ra) got highly upset as he could not disclose his identity as being Syed. His wife's continued insistence became unbearable and he prayed for the death of his daughter as a help from Allah (swt), and she died freeing him of his worries. But sorrow over came him for the reason that he could not tell her that she was the daughter of a Syed and not an ordinary labourer. And so her marriage was not valid being a none 'kufv'. This incident is quoted in Umdat – Ul – Matalab page 278, Zaid Shaheed by Ayatullah Abd – Ar – Razzaq Najfi P177, muqaatlut-talibeen, and Chouda (fourteen) Sitaaray by Allama Syed Najamul – Hassan Kararvi page 309.

COMMENTS

Following are the inferences from the above incident:-

- a) This marriage of Syedah was not valid with a non – Syed.
- b) Death of Syedah is preferred over her marriage with non – Syed.
- c) Allah (swt) gave his approval by lifting her.
- d) Allah (swt) also preserved the sanctity of Prophet's (pbuh) blood.
- e) The words used by Isa (ra) were that it is not permissible by reasoning of her being Syedani i.e. the child of prophet (pbuh) being not her 'kufv' and also approved by Allah (swt).
- f) This incident took place somewhere around 145A.H. in the Imamate of Imam – e – As Sadiq (as)
- g) Any Fatwa in favour of Syedahs marriage with non-Syed will be in opposition to Imams.

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- h) If it was invalid up to 145 A.H. (approx), than it certainly was not before and hence cannot be thereafter. Agha Syed Hassan Abtahee's remarks in his book Anwar – E – Zahra page 137 are also the same.
- i) Isa Bin Zaid (ra) was the 2nd cousin of Imam As Sadiq (as), a close companion and must have accurate Knowledge of this problem and his saying that she was Syedani and for whom her hand was asked was not her 'kufv' and therefore not valid (Na-Jaiz), proves our point and also that the 'kufv' of Syedani is within the blood of Prophet (pbuh).
- j) Imam As Sadiq (as) also did not ever reject Isa's (ra) point of view.

GENERAL COMMENTS ON THE INCIDENT ABOVE

Inclusion of this historic anal was not necessary in "Chouda Sitarray" as far the theme of this book. Hujjat-al-Islam -Allama Najam – Ul – Hassan Kararvi (Peshawar), (RA) was a historian, researcher and an Aalim of great repute. He himself was against such Haram acts.

There are forewords of Agha-al-Ozamah Syed Muhammed Kazim -Shariyat Madar (ra) who himself was opposed to such venture and called it HARAM. If he was not, he would have not certified the book. Agha-al-Ozamah Syed Muhammed Kazim -Shariyat Madar (ra) had great following and was a Mujtahid of great repute. His disapproval of Syedani's marriage with Non-Syed is weighty enough to demolish the opposing school of thought.

SOME MORE EVIDENCE

Sheikh Abbas Qummi writes in his book Muntahee – Ul – Amaal, volume 2, page 243, that Rizvi Syeds did not marry their girls because they did not find their 'kufv'.

Imam Musa Kazim (as) had 21 daughters and all of them remained unmarried. This was a normal practice amongst these girls. Imam Mohammed Taqi (as) had bought ten agricultural properties, reserved for these unmarried girls livelihood and income used to be sent to Qum for the Syedani's migrated from Medina to Qum.

In the history of Ibn - E – Wazih Yaqoobi volume 2, page 415 published in Qum, it is mentioned that Imam Musa Kazim (as) had willed for his daughters not to marry and hence they did not in accordance with the will.

Masooma - E - Qum, Fatima's (sa) bint Musa Kazim (as) age according to Nuzhat – Ul – Abrar was 18 and as per reference in the 'history of Masooma (as) page 415 by Amad Zadeh Asphahani, she was 22 at the time of her death.

Aqa – e – Duwaani writes in the forwards of history of Qum by Nasir Hussein Asharayya Published by Dar – al – Fikr Qum, Khayabani Irum, that it is established from narrations and histories that none of the daughters of Imam Musa Kazim (as) got married. The times were not favourable and we know that in those unfavourable times, Sadaat's youth and the descendants of Abu Talib (as) were subjected to the tyranny of Banoo Abbas and were slaughtered. Non-Syeds were not compatible ('kufv') to the grand daughters of the Prophet (pbuh) and the daughters of Imams (as), that is why it is well known that Masooma – E – Qum (sa) also did not marry and died unmarried.

In Anwaar – Al – Masahaseen (book) it is mentioned that Mamoon – Ar – Rashid caliph, had a desire to marry Masooma – E – Qum and for that reason he got his daughters married to Imam Raza (as) and Imam Taqi (as). Imam Musa Kazim (as) had willed that none of his daughters was to marry without the permission of Imam Raza (as). Masooma – E – Qum (sa), in abiding with the will of the reverend father did not like to marry in non – 'kufv' and died.

INFERENCES FROM ABOVE

- a) The above references are quoted from Rasoom – Ash – Shia Fi Mizan Ash-Sharayya by Mohammed Hasnain Sabqi Najfi (ra).
- b) This book was distributed by the secretary of Anjuman – e – Ulemae – e – Shia, Europe. We therefore assume that all above has a certificate of agreement of all the Ulemaas of

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Anjuman or otherwise in all the honesty the book should have not been distributed for the purpose of monetary benefits only.

- c) Due to the killing of Syed youths, their numbers declined and hence the ladies of Prophet's progeny could not marry.
- d) Their 'kufv' were only in Syeds.
- e) Imam Musa Kazim (as) would have not willed otherwise, if they could marry outside Syeds. His words are superceding authority over all Fatwas.
- f) Even the closest Non-Syed companions of Imams did not qualify for this purpose.
- g) A king of grandeur– Mansoor also did not qualify even being a branch of relationship.
- h) It is impossible to assume that there were no Muttaqees in Imam's companions to qualify for marriage.
- i) There is no example of any requests by Imam's companions meaning that they knew it as a prohibition.
- j) If there is no 'KUFV' in Sadaats it is better to stay unmarried till death.
- k) Traditionally the marriages were preferred on achieving the age of puberty as soon as possible but it did not happen due to non – compatibility until their death.
- l) Imam's actions speak far louder and are obligatory to be followed as against any one else's words/Fatwas.
- m) Agha Syed Hassan Abtahee after citing the virtues of Bibi Fatima Syedah – Tun – Nisa – e – Alameen (as) states that the best 'kufv' is in the family (blood relatives) and that is Syeda Fatima's marriage with Non-Syed is a cause of factual differences (i.e. Ulemaas are in disagreement with each other). Anwar – e – Zahra page 66 (Urdu).
- n) Agha Syed Hassan Abtahee also writes in the same book page 137; last paragraph, "the way the marriage of Syedani with non – Syed was an act of insult and reduction/ lowering the rights of Aale – Mohammed (as) in the first century, the same way, the marriage of Syedani's with Non Syed is an act of disrespect / disgrace/ insult to and reduction of the status of Aal – E – Mohammed (as) in 15th century also.

The people who side with the believers of validity must be blind of hearts and minds or otherwise they would not establish any body over Imam, a superior position that expels one from Emaan.

WORDS OF AMEER-UL-MOMINEEN (AS)

These words are quoted from Usool – E – Kaafi, Kitaab – Ul – Aql, chapter 20, tradition 6. The words are part of a long tradition which should be read in conjunction with Khutba number 17 from the Nahjul Balagha, The words are:-

"He (Qazi/Mufti) made Haram wombs Halal and Halal wombs Haram with his Fatwas. The commands (ahkaam) that come from him are not of knowledge. He has no ability of factual knowledge that he claims/repeats mostly".

These words from Ameer (as) are eye openers and must be deeply looked into. No one has so far declared the mothers, sisters, daughters and other Haram women as Halal. The words are in general and apply as a practice in general. Since Maula (as) has said so, they must also happen as he saw these problems up to eternity as an eternal truth.

Then which are those wombs declared Halal as a common application/practice. We do not find any other than Syedani's, the children/daughters of Prophet (as). Efforts may be made to cast the doubts but are not the facts and hence do not/cannot form the basis of such marriages. Since the practices of Imams are the guidelines, we will be more accurate to interpret as above. In case of doubts, the Prophet's (pbuh) progeny must not be attacked. These inferences are supported by the full text of the tradition, which is an invitation to the wisdoms of thinking minds, faithfals and believers.

Take precautions to save Emaan or else be the losers in this world and the next.

Maula Ali (as) has made no exceptions of Qazi/ Faqihs, whoever, Shias or Sunnis.

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FINAL 'ZARB-E-HAIDERY'

As is previously mentioned the following tradition is referred to in Furooh – e – Kafi volume 5, Bihar – Al – Anwar, Ad – Damatus – Sakiba by Agha Baqar Dahdashti Bahbani Najfi (ra) Volume 2, page 544 Urdu and Rasoom – Ush – Sharayya Fi Mizan Asharayya by Mohammed Hasnain Sabqi Najfi (ra) etc.

This is quoted here-under for final analysis. Imam As -Sadiq (as) was approached by a Khawarij and asked the hand of Syedani and Imam (as) replied:-

“Your ‘kufv’ is in your own blood, your own ‘Hasab’ and your own people (Qoum - قوم) and positively Allah (swt) has kept Sadaqah away from us which is the dirt of the hands of people (in general) and we hate/dislike to include in that superiority/virtue given to us by Allah (swt), someone for whom Allah (swt) has not given the virtue/superiority that he has laid down for us”.

COMMENTS/ANALYSIS

In above tradition the matter is left to no doubt. The marriage of Syedani with Non-Syed is Haram beyond doubt. A few inferences are quoted below:-

- a) Imam As – Sadiq’s (as) year of Shahada is 148 AH, the tradition shows that up to that time they hated such a request and thus always refused such approaches.
- b) Since it is said by Imam (as) it cannot be differed with by any Imam (as) before and after. In fact it certifies their agreement that all hated the marriage of Syedani with Non-Syed as did prophet (pbuh).
- c) Imam (as) should not have said that in opposition of Allah (swt) and HIS messenger (sa), hence Allah (swt) and prophet (pbuh) also hated such an act.
- d) This tradition rejects all the false historical incident of Syedanis marriage with non-Syeds as tradition takes precedence over history or otherwise it becomes almost impossible even to prove beyond doubt the Imamate of Masoomeen from history.
- e) Imam (as) has given the conditions of Syedani’s marriage and are:-
 - (i) **Dynasty/Clan** should be the same.
 - (ii) **Qualities** should be the same. References may be made to the verses; verse 22 Sura 3; Verse 61, Sura 3 and other verses given in the opening pages. Without those qualities there is no ‘kufv’ ; hence Syedani cannot marry anyone other than Syed. Those choices are by Allah (swt) and cannot be ever changed.
 - (iii) **Blood** should be same. This condition is absolutely impossible to be achieved by a non-Syed, however some imposters do claim to be Syeds without their mothers being married to Syeds and then taking birth from the seed of a Syed. Such a claim is a false accusation on their mothers and Prophet (as) has made his curse on those who change their descent on false pretext.
 - (iv) **Sadaqah** should be ‘Haram’ on those who qualify for marriage with Syedani. It is not said that those who eat Sadaqah but Sadaqah should be Halal for them whether or not they eat it. This also applies on all the ‘Umma’.
- f) Imam (as) has clearly laid down two groups:-
 - i) Those on whom ‘Sadaqah’ is Haram.
 - ii) Those on whom ‘Sadaqah’ is Halal.
Hence Halal and Haram should not be mixed, if mixed even Halal will become Haram. Two classes are also proved under the Quranic verses in the opening pages.
- g) Imam (as) has used word ‘Naa’ US/WE, on whom Sadaqah is Haram. Again please refer to verses for US/WE in the opening pages. In this context of Sadaqah Prophet (pbuh) has always used words ‘US’ in all the traditions. Please refer all the books of traditions compiled by Sunnis or Shia’s alike.

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- h) One may try to claim only one qualification included in the above tradition but one is required to poses all of them- which is impossible for Non-Syeds.

OBJECTION TO OUR ABOVE DISCUSSION

Some Ulema have objected to this by saying that this tradition by Imam (as) was in reply to the questioner who was a Kharjee, hence it applies to Kharjees and not the others, the marriage of Syedani therefore is not objectionable with a non-Syed.

OUR REPLY

The above objection is very weak having no basis at all, there are many flaws which can be easily identified from the above comments, some of those are presented below:-

- a) Imam (as) did not say for once that ‘you’ are Kharji therefore.
- b) Imam (as) laid down the conditions and qualifications to be fulfilled before asking the hand of Syedanis, which can be fulfilled only by Syeds and none else.
- c) If we consider it was for Kharjee only, then we will have to apply the same principle on the Imam (as) debates with Christians, Jews, Majoos, and Zindeeqs etc, about Towhead etc. While applying that principle the debates will not be HUJJAT for the muslim Umma. This will be absurdity / ‘KUFR’ of first degree and applies to the above objection. NO Muslim of a slight fragment of Emaan, wisdom and vision can make such an objection.

FINAL WORDS/

We have not gone into lengthy details and have provided concise material in nutshell for the respected readers, leaving a lot to their own judgement. However final conclusion is reiterated here:-

If women from ‘YOU’ coming to ‘US’ cannot go back from ‘US’ to ‘YOU’, then how can ‘OURS’ go from ‘US’ to ‘YOU’. More so when they are ‘Most Haraam’.

Warning is that – Do not stay in the OPPOSITE CAMP OF ALLAH (SWT), RASOOL (AS) IMAMS (AS) AND THEIR IN JUNCTIONS BY SUPPORTING THE MARRYING SYEDANI WITH A NON – SYED.

Wa – Salat – o – Wa – Salamo Ala Mohammadin Wa Aalayh – Ittayabeen Uttahireen. Wal Hamdo Lillahai Rabbil Aalameen.

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