

Darul Ifta Birmingham

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Question

Girls who is walad zina her biological father (was never married to her mother), her mother's current and previous husbands and her mothers previous zina partners. Can I have the hukm of them whether or not they are also the girls mahaarim

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allah, the Most Gracious, the Most Merciful

Answer:

Indeed Zinaa is counted as one of the major sins. Every sin has its negative consequences in this life and the next. Zinaa is such a sin that breaks family ties, creates distrust amongst people, encourages lying, stains the genealogy of a person and the list goes on.

The Mahrams are considered from three sources;

1. Nasab (from birth and family blood relationship)
2. Ar Ridhaa' (Suckling/breastfeeding)

3. Marriage contract¹

Mahrams from marriage are established from a valid Islamic marriage, Halaal sexual intercourse, or even Haraam sexual intercourse (adultery or fornication).²

A person's father from zinaa will be considered as Mahram, and even a person's mother's Zinaa partners whether former or present will all be considered as Mahrams just as the Mahram relationship is formed from a Valid Marriage.³

¹ Fatawaa Qadhi Khan, pg 360, vol 1

² Fatawaa Qadhi Khan, pg 360, vol 1

³ Same as above

Only Allah knows best

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