

Acquiring a nationality by purchase for a valid purpose

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allaah, the Most Merciful, the Bestower of Mercy

Question: Is it permissible for a girl to purchase a “nationality” of a Muslim country in order to study in a private school so that she could avoid the mixed schools? May Allaah reward you.

Answer: All praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon whom Allaah sent as a mercy to the Worlds, upon his Family, his Companions and his Brothers till the Day of Resurrection.

The nationality is not subject to buying and selling for it comes under the general law. If a person can neither relinquish his aptitude (capacity), increase nor reduce it according to a particular agreement whatever the characteristic of such agreement might be, then by the same token, he cannot acquire a nationality upon a particular agreement. Even more, the money gained following that particular agreement is considered Suht (unlawful earning) and a bribe forasmuch as it is in contradiction with this meaning. In addition to the money paid unlawfully, there might be an alteration in the birth certificates. To be more specific, the place of birth and suchlike will be altered for the purpose of achieving this objective through falsification. And obviously, achieving this objective through these illicit means very likely entails great mischief.

It is well known that the mischief from this perspective is tantamount to, nay it exceeds the mischief resulting from Al-Ikhtilaat (mixing of sexes). And according to the general (jurisprudential) rules, it is established that **"The mischief cannot be removed by a similar mischief"** and the harm should be removed without harm, a fortiori, when it is superior to it; according to his saying صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ: **"There should be neither harming nor reciprocating harm"**¹. Besides, if the objective is religiously legitimate and requested, then the means must be also religiously legitimate, because “The end does not justify the means”.

The perfect knowledge belongs to Allaah عَزَّ وَجَلَّ; and our last prayer is all the praises and thanks are to Allaah, the Lord of the Worlds, and prayers of Allaah are to Muhammad and his Family, Companions and Brothers until the Day of Resurrection.

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¹ Reported by Ibn Maajah (2341), from the hadeeth of Ibn `Abbaas رَضِيَ اللهُ عَنْهُمَا. An-Nawawee said in hadeeth n° (32) in his book "Al-Arba'een An-Nawawiyya": "It has [different] chains of narration consolidating each other". Ibn Rajab said in "Jami' al-'Uloom Wa al-Hikam" (378): "It is as he (An-Nawawee) said". This hadeeth is judged authentic by Al-Albaanee in "Al-Irwa' " (3/408) n° (896).