

## Obligation to respond to invitation by phone or other forms

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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

**Question:** After three years of my marriage with a straight brother, my sister got married with a man who did not want to know him. After about one year, my sister gave birth to a child. When I asked my husband to take me to visit my sister, he refused on the pretext that he does not know her husband nor his family. Moreover, what made my husband stick to his decision, is that my sister's husband invited him by phone to Al-`Aqeeqa of his child<sup>1</sup> at the last minute. So, is it obligatory to answer an invitation made by phone? And may Allaah bless 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 husband should not prevent his wife from visiting her relatives, because Allaah تعالى enjoined to keep the ties of kinship even if they sever them, and to visit the sick of them, to felicitate the healthy among them and to condole with the affected person among them, and comfort them when a calamity befalls them and others. He should be lenient toward them even if they are cruel, in accordance with Allaah's تعالى saying:

إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَاءِ ذِي الْقُرْبَىٰ

[Verily, Allaah enjoins Al-Adl (i.e. justice and worshipping none but Allaah Alone – Islaamic Monotheism) and Al-Ihsaan [i.e. to be patient in performing your duties to Allaah, totally for Allaah's sake and in accordance with the Sunnah (legal ways) of the Prophet صلى الله عليه وسلم in a perfect manner], and giving (help) to kith and kin (i.e. all that Allaah has ordered you to give them e.g., wealth, visiting, looking after them, or any other kind of help, etc.)]<sup>2</sup>

And Allaah's saying:

فَهَلْ عَسَيْتُمْ إِنْ تَوَلَّيْتُمْ أَنْ تُفْسِدُوا فِي الْأَرْضِ وَتُقَطِّعُوا أَرْحَامَكُمْ

[Would you then, if you were given the authority, do mischief in the land, and sever your ties of kinship?]<sup>3</sup>

Allaah تعالى said also:

إِلَّا الْفَاسِقِينَ. الَّذِينَ يَنْفُضُونَ عَهْدَ اللَّهِ مِنْ بَعْدِ مِيثَاقِهِ وَيَقْطَعُونَ مَا أَمَرَ اللَّهُ بِهِ أَنْ يُوصَلَ

<sup>1</sup> Al-`Aqeeqa: Immolation made by way of thanks for the newborn child. Translator's note.

<sup>2</sup> Soorah an-Nahl [16:90]

<sup>3</sup> Soorah Muhammad [47:22]

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[...only those who are Al-Faasiqoon (the rebellious, disobedient to Allaah). Those who break Allaah's Covenant after ratifying it, and sever what Allaah has ordered to be joined (as regards Allaah's Religion of Islamic Monotheism, and to practise its legal laws on the earth and also as regards keeping good relations with kith and kin)]<sup>4</sup>

Moreover, the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ said, "Allaah said: I am Ar-Rahmaan. I created the Rahim (womb, i.e. family relations) and derived a name for it from My Name. Hence, whoever keeps it, I will keep ties to him, and whoever severs it, I will sever ties with him"<sup>5</sup>, and whoever prevents from a religious obligation and the limits of religion, he is someone who debars from the path of Allaah which is a characteristic of disbelieving people; they hinder (people) from the Path of Allaah, and would seek to make it crooked.

Allaah تعالى said:

إِنَّ الَّذِينَ كَفَرُوا وَيَصُدُّونَ عَنْ سَبِيلِ اللَّهِ وَالْمَسْجِدِ الْحَرَامِ الَّذِي جَعَلْنَاهُ لِلنَّاسِ سَوَاءً الْعَاكِفُ فِيهِ وَالْبَادِ  
[Verily! Those who disbelieve and hinder (men) from the Path of Allaah, and from Al-Masjid-al-Haraam (at Makkah) which We have made (open) to (all) men, the dweller in it and the visitor from the country are equal there [as regards its sanctity and pilgrimage (Hajj and 'Umrah)].]<sup>6</sup>

It is not permissible that a Muslim be marked by attributes of disbelievers and hypocrites.

On another hand, if the Muslim is not invited to a banquet of his brother in faith even if there is a kinship between them, he should have a good opinion of him, because he could be during his wedding absent-minded and worried, so we should not think badly of him, in accordance with Allaah's تعالى saying :

يَا أَيُّهَا الَّذِينَ آمَنُوا اجْتَنِبُوا كَثِيرًا مِّنَ الظَّنِّ إِنَّ بَعْضَ الظَّنِّ إِثْمٌ  
[O you who believe! Avoid much suspicions, indeed some suspicions are sins.]<sup>7</sup>

And Allaah's saying:

لَوْلَا إِذْ سَمِعْتُمُوهُ ظَنَّ الْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بِأَنفُسِهِمْ خَيْرًا  
[Why then, did not the believers, men and women, when you heard it (the slander) think good of their own people]<sup>8</sup>

The Messenger صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ said, "Beware of suspicion for suspicion is the falsest talk"<sup>9</sup>.

<sup>4</sup> Soorah al-Baqaraah [2:26-27]

<sup>5</sup> Reported by Aboo Dawood, chapter of " Zakaat ", concerning upholding the ties of kinship (hadeeth 1694), by At-Tirmidhee, chapter of "good and keeping the ties of one's kin" concerning what is reported about breaking family ties (hadeeth 1907), by Ahmad in Al-Musnad (hadeeth 1659) and by Al-Haakim in Al- Mustadrak (hadeeth 7271) on the authority of `Abdurrahman Ibn `Auf رضي الله عنه. This hadeeth is judged authentic by Ahmad Shaakir in his Recension of Musnad Ahmad (3/139) and by Al-Albaanee in As-Silsilah As-Saheehah (hadeeth 530).

<sup>6</sup> Soorah al-Hajj [22:25]

<sup>7</sup> Soorah al-Hujaraat [49:12]

<sup>8</sup> Soorah an-Noor [24:12]

<sup>9</sup> Reported by Al-Bukhaaree, chapter of "Marriage" concerning the fact that one should not demand the hand of a woman who is engaged to another Muslim until the first suitor marries or leaves her (hadeeth 5143). He has also

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This being said, inviting to a banquet can be made orally, and this is the principle in expressing things, oral expression includes also calling by phone in transactions and concluding contracts, in commitments and others, whether by expressing one's will directly or through intermediaries like telephone or something instead of it like letters, by writing or by making signs for a mute, that is why it is said that **"The pen is one of two tongues"** and **"Writing to a remote person is like speaking to a near person"**. The jurists issued the following ruling **"What is written is like what is spoken"** and the rule **"The common sign by a mute is like the expression of the tongue"**. Ibn Al-Qayyim رحمه الله said, "Terms are not meant by themselves, but they are signs which are used to indicate the meaning of the speaker, if the meaning is clear by any way, then it will take effect, whether it is a sign, a writing, a hint, a mental indication, a present clue or a steady habit"<sup>10</sup>.

So, if the sign replaces the expression in case of incapability, and writing replaces the expression in case of need, then the closest to these two means should be taken as the ruling.

Hereupon, if a Muslim is invited by telephone which is used as a means of interlocution, it will be obligatory to answer the invitation, in accordance with the Prophet's صلى الله عليه وسلم saying, **"If anyone of you is invited to a banquet or anything else, he should attend it."**<sup>11</sup>

The perfect knowledge belongs to Allaah عزَّ وجلَّ. Our last prayer is all praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon our Prophet, his Family, his Companions and Brothers till the Day of Resurrection.

Algiers, Dhu Al-Qa`da 22th, 1428H. Corresponding to: December 2nd, 2007.

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reported this hadeeth in chapter of " Good manners" concerning the verse: يَا أَيُّهَا الَّذِينَ آمَنُوا اجْتَنِبُوا [O you who believe! Avoid ...], (hadeeth 6066), by Muslim, chapter of "Good, keeping the ties of one's kin and good manners" (2/1192) (hadeeth 2563), by Aboo Dawood, chapter of "Good manners" concerning suspicion (hadeeth 4917), by At-Tirmidhee, chapter of "Good and keeping the ties of one's kin" concerning what is reported about having a bad opinion of someone (hadeeth 1988) and by Ahmad in Al-Musnad (hadeeth 7858) on the authority of Aboo Hurayrah رضي الله عنه.

<sup>10</sup> See: I`laam Al-Muwaqqi`een by Ibn Al-Qayyim.

<sup>11</sup> Reported by Muslim, chapter of " Marriage " (1/650) (hadeeth 1429) on the authority of Ibn `Umar رضي الله عنهما.