

The Issue of Major Prohibitions in Islamic Interpretation

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The Arabic word ‘Islam’ is a noun that has an additional dynamic meaning of “self-submission.” It is different from an objectified meaning of “obedience.” In other words, Islam is not a static essence. As a single, isolated act of confession or penance cannot provide a guarantee of success for a Muslim, in just the same way, self-submission to God is a life-long process. Once, when asked whether he would ever feel a need for repentance, the prophet Muhammad said he was having this feeling at least 70 times a day.

Islamic behavior is a subject of a very complex code regulating different aspects of an individual’s private and social life. This code of behavior is clearly distinguishes Muslims from non-Muslims. The life of a Muslim is regulated by rites and ceremonies of transition to a new stage of life, such as a circumcision, weddings, and funerals. Universal dualism of what is allowed/permitted (halal) and what is forbidden (kharam) helps Muslims to turn Islam into comprehensive way of life. Both the Koran and Hadis contain basic information on what should be allowed and what should be prohibited. Muslims can also make use of other generalizing publications dealing with the above issue. For example, there is a very influential and popular publication by Yusuf al-Qaradawi entitled “Halal and Kharam in Islam.” It has been translated into many foreign languages, including Uzbek.

Among the most common issues related to the dualism of what is allowed and what is prohibited, is the issue of food culture. Both the Koran and Hadis have explanations and rules about what kinds of food are suitable for eating, and what should be avoided. Most of the commonly available food varieties are considered to be suitable for consuming. Forbidden are pork meat, blood, alcoholic beverages, and food intended to be sacrificed to idols. Moreover, it is forbidden to eat meat of the animals that were improperly slaughtered. Many Muslims consider other kinds of food forbidden, although sometimes Islamic law experts do not have common agreement about the matter. They simply consider different types of insects, predator animals and birds detestable (makruh). In exceptional cases, however, if it is a matter of survival, Muslims can consume foods that can be categorized as kharam, but it is usually a very difficult decision for a Muslim.

The concepts of both halal and kharam can be applied to other aspects of life, such as marriage and divorce, sexual life, clothing, jewelries and perfume, social etiquette and relations, behavior at a lavatory, sports and recreation, conducting business, relations with non-Muslims, etc.

Let us briefly discuss the limitations of behavior in relations within family and marriage. Islam is against marriage with certain categories of women. It is not allowed to marry a Muslim's own mother, sister, and mother-in-law. It is also forbidden to marry women who are close relatives (makhram).

After the marriage is realized, all female children and grandchildren of wife become close relatives (makhram) for a husband, who he cannot marry under any circumstances. Any similar male relative of the husband becomes makhram for the wife. The husband cannot marry his wife's sisters-in-law without her permission. If she agrees, though, this kind of marriage can take place. Nowadays, it is quite a common practice in some Muslim countries when women that cannot have babies encourage their husbands to marry their first and second cousins for the continuation of the kin.

According to the norms of Islamic law, a Muslim woman cannot marry a non-Muslim man. A Muslim man can marry a Christian or Israelite woman with the hope that they will soon transfer to Islam. It is forbidden to marry an officially married woman. Even if such a marriage had already taken place, it should be urgently dissolved.

The Islamic law strictly regulates relationship between sexes. In general, there are no special bans related to communication between men and between women. It leads to a situation when within a single Islamic society there are two separate subsystems. Thus, when non-relative Muslims gather for a joint meal, women, in accordance with the tradition, sit in a separate room and share meals, while men communicate just between themselves.

The Koran allows a Muslim man to have up to four wives. The only condition is that they should be treated equally. Since the practical implementation of this right is very difficult and in many cases simply impossible, it is widely believed that marriages should be monogamist (practice of being married to only one woman at a time), if there are no special circumstances speaking in favor of a polygamy (custom of having more than one wife at the same time).

The Islamic law requires that, if possible, the burial of a deceased be conducted on the day of the death. However, the burial cannot take place after the sunset. There is a strict reminder in Hadis that too much grieve and loud cry make the deceased suffer in his/her grave. The best way to demonstrate sorrow and respect for the deceased is to read the Koran. The grandeur of the Koran will help the deceased achieve eternal peace after the death.

The analysis of the major bans of Shariah in other aspects of life is impossible without a reference to the prohibition of using golden or silver kitchen and tableware, some kinds of golden jewelry, silk, etc. There are also special bans on naming newborn babies. The Shariah is strictly against giving babies the names of Christian apostles, such as Johann, Paul, Peter, and Mathews.

In accordance with Shariah, it is strictly prohibited to receive percentage dividends, or commission (riba). The Koran contains several direct references to this matter in different Surahs. Furthermore, a Muslim cannot sell fake gold. However, since both the Koran and Islamic law have encouraged Muslims to be involved in trade (and the trade is nothing less than receiving profit in the form of value added), it would be wise to say that receiving of percentage commission is acceptable in some hidden forms.

Needless to say, however, that the issue of percentage dividends remains one of the core issues for discussion in many modern Islamic forums, because in these days there is no a single Muslim country in the world that is not involved in any sort of credit exchange and banking operations with non-Muslim countries.

A simple counting of the prohibitions in Islam would require a lot of time. Basically, I support the idea of Ms. Patricia Mayer Bish that the main restrictions in the light of their religious interpretation have a rich scope. You can find further prove of this in Islam. Semantically, the Arabic word 'kharam' bears two meanings: (1) banned or prohibited; and (2) sacred/holly. Even before Islam, the Arabs had named four months of the year 'al-ashkhur al-khurum' (plural of 'kharam'), the months during which wars could not and should not take place. The Ka'aba and its host mosque have been called 'al-Bayt ul-Kharam' (sacred house) and 'al-Masjid al-Kharam' (holly mosque). Fakhd Abdel Aziz, the present king of Saudi Arabia, has an official title of 'Khadim al-Kharamain ash-Sharifain' (the keeper of the two holly sites).

Besides the Koran and Hadis that are the main sources of information regarding this important subject, there is a vast literature published in the local languages in the countries with majority Muslim populations. In Kitab ul-Kharadj, one of the earliest written Arabic sources by Abu Yusuf Yakub, the idea of equality of Arabs and non-Arabs, and Muslims and non-Muslims in different aspects of application of law (when the main principles of Islam are not applied) is firmly put forward. Abu Yusuf's basic concept of rights and freedoms can be considered more humane and advanced compared to that time's other law systems, mainly based on the Roman law. According to Abu Yusuf, in an Islamic country nobody can be outside of law or outside the protection of law, even if the person is just a foreign visitor or a prisoner of war. When there is a conflict of interest between a Muslim and non-Muslim with

regard to civil law, the legislative system offers no privileges to a Muslim. In fact, if a Muslim hurts a non-Muslim, he would be held accountable as if he had hurt another Muslim.

The Shariah, or the Islamic law, is a single and indivisible unit which comprises Islam itself. It is impossible to apply one part of it and ignore the rest. Islam is a doctrine of serving to God, a combination of moral values, legislative procedures and the way of life. Just imagine a fruit tree that has its own trunk, fruits, and leaves. All elements here are equally important. By its nature, the Islamic Shariah is something very similar to this tree.

On a final note, the norms of Shariah can be divided into two groups: categorical (*al-qat'i*) and possible-likely (*al-mukhtamal*). The first type of requirements is strictly established by the Koran and Sunnah and is obligatory in all times, while the second type, although still generally based on the Koran and Sunnah, can be interpreted in different ways depending on the particular situation. Exactly this second type of requirements paves the way for a right to independently solve and comment some of the theological issues of the legal nature (*ijtihad*).

To sum up, universal rules of behavior in Islam are still in line with the requirements of modern society. What is more is that they are even contributing to its development.

Thank you very much for your attention!