

# Současná jurisprudence pro muslimské menšiny v Evropě



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Islám – náboženství ortopraxe  
– jednota víry, práva a kultury

Šarí'a – islámské právo  
„cesta k prameni“

Čtyři základní zdroje šarí'y:

1. Korán (al-Qurán)
2. Sunna – sbírka tradic o životě, jednání a výrocih proroka Muhammada
3. Idžmá – souhlasný názor autorit
4. Qijás – analogie

Korán (al-Qurán)

„nestvořené slovo Boží“

Mojžíš (Músá), David (Dáúd), Ježíš (Ísá)

Muhammad – „pečeť proroků“

## Sunna (al-Sunna)

sbírka činů a výroků Muhammada a jeho druhů

hadíth – jednotlivý tradovaný čin nebo výrok

silsila – „řetěz“, posloupnost tradentů

matn – vlastní text hadíthu

## Malik, Muwatta, kniha 31:

Jahjá mi řekl, že slyšel od Malika, že Abú r-Ridžál Muhammad ibn Abd ar-Rahmán ibn Haritha slyšel od své matky, Amry bint Abd ar-Rahmán, že Posel Boží, ať mu Bůh požehná a dá mu mír, řekl:

(silsila)

„Když je datlová palma prodána poté, co byla opylena, náleží její ovoce prodávajícímu, pokud si kupující nevymíní opak.“

(matn)

Fiqh – islámská jurisprudence

fatwa – právní dobrozdání, názor

muftí – autorita oprávněná k vydávání fatew

## Ahwál aš-Šachsíja – právo osobního statutu

personalita práva

system milletů v Osmanské říši



## Myšlenkové směry současného islámu

- Liberální islám
- Fundamentalismus
- Islamismus
- Mystická bratrstva

## Islámské autority v evropském prostoru

- Mešity a imámové

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  - European Council for Fatwa and Research (Evropa)

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بريدك الإلكتروني

آخر تحديث: الجمعة 2 شوال 1426 - 4 نوفمبر 2005 - 17:15 جريشش

ابحث | بحث متقدم | لوحة المفاتيح العربية

مظاهر العيد  
في فلسطين  
حطية عيد

صفحات خاصة

عيد الفطر 1426 هـ  
جديد

رمضان شهر الإصلاح

أفكارنا الطيور جديد

إذاعة إسلام أون لاين

معا تطور

جدد شبابك بالتطوع

لتعارفوا

الفتاوى

فتاوى مباشرة

اسألوا أهل الذكر

بنك الفتاوى

استشارات

استشارات إيمانية

المفوضية الأوربية توي فرض عقوبات صارمة ضد أي دولة عضو بالاتحاد الأوربي يشبه



باكستانيون يقضون العيد مع

منكوبي الزلزال

فيما استمرت أجواء الحزن تخيم

على البلاد في عيد الفطر...

أخبار أخرى &lt;&lt;

أخرى &lt;&lt;

استشارات وفتاوى مباشرة

فتاه عامة.. لند كته، ماهه السه سه

أهم الأخبار

شغب الضواحي يفجر أزمة سياسية في فرنسا  
فيما تسعى جمعيات مسلمة لإقناع الشباب الغاضب بالتوقف عن أعمال الشغب..."مبارك العواشر".. تهنئة العيد بالمغرب  
وفي موريتانيا: "إمبارك العيد"، ويكون ردها: "أعلين وأعليكم"...

- اثنولوج تضاعف فرحة الأتراك بالعيد
- رئيس ألمانيا وكناستها يهنئون المسلمين
- صلاة العيد بسرقسطة في الخلاء لأول مرة
- مقاومة العراق لن تشارك بـ"الوفاق الوطني"
- أدلة جديدة على سجون أمريكا "السرية"
- لقطات من العيد (ملف مصور)

أخرى &lt;&lt;

حوارات حية

الصمت الذي أحده

الأخبار

الأحداث في صور

شؤون سياسية

نساء

حواء وآدم

ثقافة وفن

علوم وتكنولوجيا

مجاهيل ومشاهير

مفاهيم ومصطلحات

صفحات وملفات خاصة

كاريكاتير

دين ودعوة

القرآن والتفسير

الحديث الشريف

السيرة النبوية

الفقه وأصوله

العائدون إلى الله

دعوة ودعاة



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- Fatwas on `Eid Al-Fitr
- Women Issues in Ramadan and `Eid

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- Youth Activities in `Eid: How and Why?
- Ramadan After the Quake

[`Eid starts Friday in Iran, F](#)

## Somber `Eid in Quake-hit Pakistan

- Spanish Muslims Perform First 'Open-Air' `Eid Prayers
- German President, Bishops Wish Muslims Happy `Eid
- Somalis Enjoy 'Rare' Peaceful `Eid
- Iran, Morocco, Pakistan Mark Eid Al-Fitr Friday
- EU Vows Action Against Members Hosting CIA Prisons
- France Riots Spreading, Gov't Says 'Organized'

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## Highlights

- Double Intention in Shawwal Fasting
- Zakat Al-Fitr
- From Fasting to Feasting: A Bumpy Transition?
- Grand `Eid Celebration Planned for Toronto
- Is Worship in Ramadan Only?

## Shari`ah Corner

- Fasting Six Days of the Month of shawwal
- `Eid Al-Fitr: A Day of Joy and Thanksgiving
- What Does `eid Mean for Muslims?
- Is Worship in Ramadan Only?
- Fatwas on `Eid and Zakat Al-Fitr

**The Broad Meanings of `Eid**

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# Fatwa Bank

## Details of Fatwa

Title of Fatwa: **Having a Second Wife in Western Countries**  
Date of Reply: 08/May/2005  
Topic Of Fatwa: Polygamy

**It is known that polygamy—more correctly, polygyny—is allowed in Islam. I would like to know the point of view of Islam if a Muslim living in a Western country, where polygamy is regarded unlawful, has to have a second wife due to some reasons.**

In the Name of Allah, Most Gracious, Most Merciful. All praise and thanks are due to Allah, and peace and blessings be upon His Messenger.

Dear questioner! Thank you for your question and the confidence you place in our service and we pray to Allah to enable us render this service purely for His Sake. Islam is a way of life consonant with nature, providing human solutions to complex situations and avoiding extremes.

The prominent Muslim scholar, **Sheikh Ahmad Hulail**, imam of Tariq ibn Ziad Mosque in Frankfurt, Germany, states:

**The Muslim who has a second wife has to follow the channels of law in order to legalize his second marriage in the country he lives in.**

There are some Muslim brothers who did so through the legitimate channels. They submitted documents to the European countries they reside in to the effect that they have second wives according to the Islamic Law and that the first wife agrees to that.

**If the attempts to legalize the second marriage fail, the person could document his (second) marriage in one of the Islamic centers, yet, his marriage then would not be regarded legitimate under the law of the country concerned.**

There are some flexible European laws concerning registering names of the children born even from illegitimate relationships.



The prominent Muslim scholar **Dr. Jamal Badawi**, professor at Saint Mary's University in Halifax, Nova Scotia, Canada and member of the Fiqh Council of North America, adds:

**A Muslim living in a non-Muslim society is obligated to follow the laws. We cannot say that their laws are contrary to the Shari`ah, so we have to follow the Shari`ah. Taking a second wife is not a necessary requirement; there is no mandatory duty on the Muslim to have a second wife.**

If a person has become a resident or a citizen in a European country, it is a condition for him to abide by its laws. When a Muslim man in a European country sticks to not having a second wife, it is like giving up a particular right according to his own Shari`ah.

Allah Almighty knows best.

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  - European Council for Fatwa and Research (Evropa)
  - Permanent Committee for Islamic Research and Fatawaa (Saúdská Arábie)

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Shawwaal 1426

### Fasting Six Days during Shawwaal

Should fasting the six days of Shawwaal be done immediately after the day of 'eed?

Unable to complete fasting the six days of Shawwaal, is there any sin for this?

Used to fast the six days of Shawwaal, but then became ill  
Fasting voluntary fasts whilst having days (outstanding) from Ramadhaan

#### Authentic Supplications

Upon breaking the Fast - 1

Upon breaking the Fast - 2

When breaking the Fast in someone's house  
When insulted whilst Fasting

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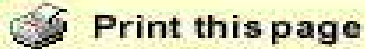
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## Divorce procedures in non-Muslim countries

**Question:** If a man living within a Muslim minority community in a non-Muslim country wants to divorce his wife, should he follow the divorce procedures of that country, which controls and enforces its own law or should he follow divorce proceedings laid down by Islaamic law?

**Response:** It is not permissible for a Muslim to follow, either in his worship or in his dealings with others, other than what is laid down in Islaamic law. **It is not permitted for the Muslims to request a legal decision from anyone who does not judge according to the Book of Allaah and the Sunnah of His Messenger (sal-Allaahu `alayhe wa sallam).**

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