



Objections On “Bahesti Zewer” A Critical Analysis

Dr . Hashmat Begum; Assistant Professor, Department of Islamiyat, Shaheed Benazir Bhutto Women University Peshawar, Hajiraphd@yahoo.com

Nida Aman; M.Phill Research Scholar, Nidaali103@gmail.com

Dr Samina Begum; Assistant Professor, Department of Islamiyat, Shaheed Benazir Bhutto Women University Peshawar

Abstract:

Behashti Zewar is a reliable and authentic book of Fiqa-e-Hanfia in Urdu language, which is known to everyone , male or female . This book is very much popular in terms of its definition and introduction. The contents of this book have been criticized by many people different times due to which its contents become more refined and vast than ever before .Matters related to birth till death have been dis cussed in this book. The book is so much popular that it has been translated into many other languages. People of other languages are also taking benefit of it. But some people raised objections about some of its contents and the objected material is published in the form of book called “Self made Islam of Behashti Zewar”. It is written by Syed Waqar Ali Shah, and published by Abdul Razaq perfumer inner Kabli gate Peshawar in 1992.The present article critically analyses the objections regarding disputed child , the law of divorce etc in the following paper.

Keywords: Fiqa-e-Hanfia; Behashti Zewar; law of divorce

Unfortunately, some people have objected to some of the issues in this book and have collected these objectionable issues and published it in the form of a book which is known as "Self-Made Islam of Heavenly Jewelry". It was written by Waqar Ali Shah and published by Abdul Raziq on Favormer, Inside Cable Gate Peshawar in 1992. Some of the same objectionable issues in the article under consideration are missing issues, boy's legitimacy and issues of 'iddah. The object has been examined scientifically so that those who study heavenly ornaments do not fall into error regarding these issues:

Objection 1: "If her husband is completely missing, not known to be dead or alive, then she cannot remarry but waits for him to come. If it happens, then we will order that he must be dead. So if the woman is still young and wants to get married, then she can get married after completing the 'iddah after the husband is ninety years old.

Answer: According to Imam Abu Hanifa and Imam Shafi'i, the wife of a missing person is not allowed to remarry until strong evidence of the death of the missing person is found. And the wife of the missing person is waiting As long as his contemporaries are alive. While there is another tradition in the Hanafi sect that the death of his contemporaries is not necessary for the wife of this missing news but on the opinion of the ruler

Therefore, in some cases, the ruler may allow the wife of the missing person to remarry even before the death of his contemporaries, due to external circumstances, such as circumstances in which the missing person is thought to have died, such as going to war. And then it is not known whether he is alive or dead. In such a situation in which the missing person is presumed to have died, the ruler will consider the missing person dead and will allow his wife to remarry after performing 'iddah.

According to Imam Malik, his wife will wait for four years after going to court and when the rulers order the annulment of the marriage, then the woman will go through 'iddah and then get married.



Objection 2: "Someone divorced his wife reciprocally. Then if he has a child in less than two years, then the boy belongs to the same husband. It is not correct to call him haraam. His lineage is correct according to Shariah. If two Even if it is less than one day of the year, the same rule applies. We will assume that the child was in the womb before the divorce and the child remained in the womb for two years. If a woman has already confessed before giving birth that her 'iddah has ended, then it is obligatory, but if such a woman has a child after two years and the woman has not yet confessed her' iddah, then that child is still her husband. Even if it happened in a year.

Answer: This is a controversial issue. Imams and jurists disagree on the maximum duration of pregnancy. According to Imam Abu Hanifa, the maximum period of pregnancy is two years. On the authority of Aisha, she said: "A pregnancy is not more than two years, as long as the shade of the spindle turns."

The Hanafis say that the above statement of Hazrat Ayesha will be considered based on hearing from Hazrat Muhammad. Imam Malik, Imam Shafi'i and Imam Ahmad bin. Hanbal narrates a few incidents in his statement On the authority of Al-Waleed bin Muslim, that he said: I said to Malik bin Anas: I narrated on the authority of Aisha, that she said: "A woman's pregnancy does not exceed two years as much as the shadow of the spindle." He said: Glory be to God, who says this? This is our neighbor, the wife of Muhammad bin Ajlan, a woman of truth, and her husband a man of truth. She gave birth to three wombs in twelve years, each womb for four years. (Waleed bin Muslim said that I narrated the hadith of Jamila bint Saad in front of Hazrat Imam Malik which he narrated from Hazrat Ayesha that no woman can be attacked for more than two years. Imam Malik said: Praise be to Allah, who can say this. The wife of our neighbor Muhammad bin Ajlan has been attacking for four years.) This incident has also been narrated by Imam Shafi'i. Imam Ahmad ibn Hanbal has also said about the wife of Bani Ajlan that the women of Bani Ajlan have been pregnant for four years. ; Therefore, according to Imam Malik, Imam Shafi'i and Imam Ahmad ibn Hanbal, the maximum period of pregnancy is four years.

In response to such incidents, the Hanafis have said that in the hadith of Hazrat Ayesha, their statement will be considered as a plan towards the Shari'ah in which there is no possibility of error. Therefore, this hadith can be considered as an argument against the above-mentioned incidents.

Objection 3: "If a minor girl gets divorced who is not yet young but has come close to puberty, then if a child is born in the full nine months after the divorce, then it is haraam."

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Answer: This issue is based on two principles: First: The waiting period for divorce is three months. Second: The minimum gestation period is six months. If such an immature girl gives birth to a child within nine months or more after divorce. Yes, because at the time of divorce she is marahaqa, that is, she did not menstruate, and if a woman who does not menstruate does not get pregnant, then the one who stays pregnant later will have done bad deeds. But if a child is born less than nine months after the divorce (for example, one day is less than nine months), then it will be considered that in the last days of the 'iddah (three months) the husband has intercourse with her as his wife. If the pregnancy is stopped, then six months of pregnancy will be counted and the child will be proven.

And the lineage of the child of the divorced woman is established even if it is retrospective "Al-Marhaqa"... if she was born...for less than nine months since he divorced her, because the leech is in the waiting period, or else the universe after it. Ibn Abdeen said: (The saying of the divorced woman is less than nine months) is a restriction to his saying and proves the lineage of the child of the divorced woman That is, a child born to her who was born to the least infidelity, and that is proven in this, because "her period is three months" and "and show me the duration of the pregnancy is six months." If she gave birth to him for less than nine months since he divorced her, it becomes clear that the pregnancy was before the expiry of the waiting period, and this is the meaning of the commentator's saying



that the suspension is in the waiting period (say No) that is, if it was not less, but she gave birth to it for nine months or more, then his lineage is not established because he was pregnant with Harith after the waiting period.

Objection 4: "If one's husband dies, if a child is born within two years from the time of death, then it is not haraam but belongs to the husband."

Answer: The lineage of the child of the deceased's husband is proven between the death and the two years.

(And the lineage of the child of the deceased wife will be proved within two years of his death) Because it is narrated from Hazrat Ayesha that "On the authority of Aisha, she said: "A pregnancy is not more than two years, as long as the shade of the spindle turns."

According to the Hanafis, the gestation period is two years, and if a child is born within two years, that child will be called Sabit al-Nasab because of the narration of Ayesha.

Objection 5: "If a divorce is pronounced, the ruling is that if it is born within two years, then it belongs to the same man."

Answer: If a divorce is pronounced and a child is born within two years, it will be called Sabit al-Nasab because of the narration of Ayesha.

And more gestation period of two years to say Aisha, may Allah be pleased the boy does not remain in the abdomen more than two years, even under the shadow of the mandrel narrated Daaraqutni Bayhaqi and he knows Smaa remained spindle like I said, because its shadow rotation case faster ephemeral than the rest of the shadows and is to delete the added appreciation even as much as under the mandrel And it is narrated even with a spindle, that is, even as much as the rotation of a spindle because of His saying, "And his bearing and weaning is thirty months," then he said, "And his weaning is in two years," so it remains to be slaughtered.

(Most of the gestation period is two years due to the command of Hazrat Ayesha that the baby does not stay in the womb for more than two years even if it is not equal to the shadow of the wheel. Al-Qatani and Al-Bayhaqi and its proof is on hearing. And the shadow of the wheel. The example given is due to its scarcity and its shadow rotates faster and disappears than other shadows. And if its addition is omitted, then the fateful habit will be: Wiloo Baqdar Zal Mughazal: And in the second narration if That is as much as the rotation of the spinning wheel, ie if the rotation of the spinning wheel. And his statement: Its short duration is six months due to the command of Allah Almighty that its lifting and weaning is thirty months (now two years) Every child born inside will be called the same man.

Objection 6: He deceived a non-woman into believing that she was his wife, and then he found out that she was not his wife, so this woman also has to observe 'iddah. If he is not allowed to do it, then both of them will be sinful. His' iddah is the same as that which has just been mentioned. She is his son.

Answer: Taking a non-woman as one's wife and associating with her is called "wati balshaba" in scientific terms and its ruling is described as nikah fasid and nikah fasid (which is one of the conditions of sound marriage).

Missing)

"As for an invalid marriage, there is no ruling for it before consummation, but after consummation, rulings and rulings apply to it." If he is divorced before intercourse, then there is no one for him (ie, proof of lineage and 'iddah), and in case of divorce after intercourse, the rules become relevant. One of these rulings is the proof of lineage (if a woman becomes pregnant, then the child will belong to the one who accompanies her) and the 'iddah is obligatory on the woman) ; Separate the ruling on an invalid marriage. In the case of marriage without witnesses, etc., it is obligatory for the woman to observe 'iddah and the lineage of the child is also established. It is necessary to protect the lineage



of the child so that the child is not lost and it is known whether a woman becomes pregnant with this companionship or not. That in case of doubt, this woman has become a bedfellow and even if she is bedridden, her lineage is proved.

"And the first of the loads are the ones who give birth. (And the 'iddah of pregnant women is their state of pregnancy) Will be.

Amr ibn Shuaib from his father from his grandfather, he said, a man said, 'O Messenger of Allah, So and so my son Ahard in ignorance of his mother, said the Messenger of Allah peace be upon him, "Do not call Islam in ignorance of the boy is gone to bed and salacious stone"

(Amr ibn Shuaib narrates from his father and he narrates from his grandfather that a man stood up and said: O Messenger of Allah, he is indeed my son. I committed adultery with his mother in the time of Jahiliyyah.) The Age of Ignorance The Age of Ignorance in Islam The claim of lineage is not valid The status of Haleet is over

Objection 7: "Mian is in a foreign country and the period has passed, years have passed since he did not come home, and a boy has been born here (and the husband calls her his own). Even then, he (according to Sharia law) is not haraam. Of."

Answer: A Muslim should have a good opinion of other Muslims as much as possible. And as far as possible, one should avoid suspicion about it, as it is in the Qur'an. O you who believe! Beware of excessive suspicion. Surely some suspicion is a sin

On the authority of Abu Hurairah, on the authority of the Prophet (peace and blessings of Allaah be upon him) he said: In this case, when the husband confesses about the child, that it belongs to him, then the husband's statement will be confirmed, because it is stated in the hadeeth that the Prophet (peace and blessings of Allaah be upon him) said: (The Prophet (peace and blessings of Allaah be upon him) said that the child belongs to the husband who is married to a woman who has given birth to a child. They do not have the right to consider this child as haraam, but they should understand that legally and according to the rules, this boy belongs to this husband, because these men and women have been married and it is possible that they have met. Which is not known to anyone except the couple, just as some advertisers come to their homes secretly or some people go wherever they want through conquest.

And even if the witness is unlikely. But it is not correct to call a married woman an adulterer when it is unlikely. However, the husband has the right that this is not my child if the husband said and the woman also confirmed it. Then she will be called an adulteress. And if the wife denies it, then she will not be called an adulteress, but in that case the Shari'ah has prescribed the law of Lian. Al-Hanafi said: "The realization is that the condition is reasonable. It is possible for the spouses to have an offspring from the date of marriage. , Foldat Waldat List of the date of marriage, registration of lineage, it is possible to compare them from the chapter of honor, and the privileges of the guardians of the right. The spouses are the people of the line who are far away. In his opinion, this is an unacceptable practice, and it is correct that the Hanafiyah proves the lineage from the date of the contract, practically the hadith of "the son of the bed" and that it is not possible to realize the possibility of penetration. In this precaution for the child and not to waste it on the screen, and to prevent the occurrence of the problem of looting, so that the child has the right to have a valid marriage. If the couple is convinced that the child is not with them, then it is enough to curse them."

In view of the above objections, it is not unreasonable to say that the objection to these issues is not an objection to the heavenly ornament, but it is an objection to the original books whose status is Muslim to all. They are not fabricated but they are issues based on the Qur'an, Sunnah and speculation and are derived from the original sources of jurisprudence.



As such, its status as an authentic and reliable jurisprudential book is not affected, but its status becomes clearer in the light of arguments