

The *Haraam* (forbidden) concept of *halala*

by Khurshid Imam

A. Introduction

Ask a mufti or maulana on an islamic scholar - "Can i marry a lady for one or two night?"
---- "What do you mean?"

"I mean i want to marry a lady for one or two night and after that i will divorce her. Is it ok? Is it permissible in islam?"

-- -- "No. No. its absolutely prohibited in islam. Its *haraam*. Its nothing less than *zina* i.e. illegal physical relation."

Though any person with the sane mind and little bit of knowledge of islam will agree that marrying someone for one or two night or for fixed time is prohibited in islam yet there exists a similar unislamic practice called *halala*. Thanks to blind and unconditional following of their-set-of-scholars. Thanks to utter most ignorance about islam.

B. What is *Halala*?

*Note: The correct way of divorce or talaq in islam is hardly practiced by people. Almighty God has clearly guided us regarding the procedure of talaq yet muslims as a whole mock at ruling of Allah and adopt other method of talaq contrary to the one described by Almighty God. If a couple really try to follow the proper way of talaq then very very few talaq will happen between a husband and wife. This is different topic and inshallah i will write over it in future. Wait for the article: **Nikah and Talaq : As described by Almighty God***

One must keep in mind that the correct procedure of *talaq* is such that a couple is highly encouraged to reconcile. It is actually very difficult and requires high degree of conviction for divorce; that a couple will get separated.

However, if a couple agrees for divorce and complete all formalities for divorce then they are to be separated. Let's assume husband was Mr. H and wife was Ms. W. Now, after divorce they are to be separated. Here both H and W are free to marry any person. However they both can not get married to each other. They both can get married if (here comes two different ways 1- islamic way 2 - Un-islamic way called *halala*) :

1. Islamic way -

- a. The wife W marries to someone else - say Mr. E. They marry as per islamic way.
- b. They have not decided or put condition that their marriage will be only for one night or any fixed number of time.

c. Then if within their married life at any point of time due to any unavoidable reason they decide for divorce and go for separation and they complete all formalities of talaq or divorce as per Quran.

d. Then this lady W can marry her first husband W.

e. The important point is that W can not marry to E **with the intention of divorce.**

2. Unislamic way called *halala*

All above steps except that W or E or both have decided in advance that they will go for divorce so as to facilitate marriage of W with H.

Its utter non-sense and against common sense that a marriage happens for a fixed time.

This is because of ignorance and blind following of people. This *halala* has become business in some part of india-pakistan. There are *halala* expert men whose job is to marry a lady, divorce her after 1 night so that she can marry her first husband.

C. Important point:

Marriage is a very important and sacred bond. Due to not following God's way of life we know the horrific result of western world where more children and getting borne out of (without their parents being married) wedlock.

A. Just over 40% of births were outside of marriage in 2002

Source: <http://www.marriedornot.org.uk/PDF/Factsheet.pdf>

B. Nearly half of all children born out of wedlock, official figures show (22 Oct 2010)

<http://www.telegraph.co.uk/news/uknews/8078478/Nearly-half-of-all-children-born-out-of-wedlock-official-figures-show.html>

Since islam is a complete way of life (and not only theoretical gossip) hence islam prescribes best ways to deals with issues and day-today problems. One should not take marriage as game of doll. Its **holiness** need to be maintained. So Islam has prescribed the tough condition for re-marriage with the former husband IF *talaq* was complete in all aspects.

A *Nikah* in Islam is an *Ibadat* and is a contract of permanent nature till it is impossible for them to adjust later on for reasons unforeseen at the time of marriage. Describing the nature of permanency in a contract of *Nikah*, the Qur'an says: "**They (the wives) have taken from you a solemn covenant.**" (Quran, Surah Nisa 4:21)

D. Conclusion

1. The Quranic way of *talaq* is hardly practiced by Muslims. The real method of *talaq* leaves no stone unturned in reconciliation between couple.

2. After complete *talaq* husband and wife can marry only if wife marries a person without the intention of seeking divorce. If later in her married life, due to unavoidable

reason she gets divorced, then only she can marry her former husband. This is Islamic way.

3. The haraam concept of halal makes a wife marry a person for one night or a few days with the intention of divorce so that she can marry her former husband.

4. Ignorance, distance from Quran is the main reason fro *halala*.

5. For details on Nikah and Talaq kindly wait for the article: *Wait for the article: **Nikah and Talaq : As described by Almighty God***

*Note: * If you don't agree with the mail then instead of giving fatwa of deviation / kufr / shirk / biddat - have faith in Allah and leave it to him to judge.*

** Author: Khurshid Imam is software engineer at Bangalore, India. For any criticism / feedback / suggestion feel free to mail – serviceforhumanity@gmail.com*

The article can be found at: <http://khurshidimam.blogspot.in/2012/04/haraam-concept-of-halala.html> and same has been attached in the mail.

The article can be downloaded as pdf from: <http://www.scribd.com/KHURSHIDIMAM>