



Fatwa no. 8999

**Q:** Many people in Sudan swear by shaykhs and shrines. This also happens inside the Shar`y (Islamic legal) courts, because when a judge asks the defendant to swear by the Mus-haf (Arabic copy of Qur'an), they may make a false oath without hesitation. However, if a judge asks them to swear by a shrine, they abstain from swearing and confess their guilt, believing that swearing by the shrine can cause harm, because they believe that shrines bring harm and benefits. What is the ruling on this and is it permissible for a judge to ask someone to swear by a shaykh or a shrine?

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One of the scholars gave us a Fatwa that it is permissible to swear by a shrine and not use the Mus-haf. He argued that it is permissible to do so to restore the right of a wronged person if it is regarded as necessary. To what degree is this Fatwa trustworthy?

We hope that you will guide us in this matter, and may Allah reward you with the best reward!

**A:** It is Haram (prohibited) to swear by a shrine or a shaykh. It is also not permissible for a judge to ask someone to swear by them, according to what is conformed to have been reported from the Prophet (peace be upon him), ( "Anyone who swears by other than Allah has committed Kufr (disbelief) or Shirk (associated others in worship with Allah)." ) A lawful oath is to swear by Allah, or by His Beautiful Names or by His Attributes.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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