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MODULE 9: HALAL & HARAM



9.3: PROHIBITIONS of the TONGUE

All of the prohibitions of the tongue fall under one of five categories:

- 1] Ghiba—backbiting with what is true but disliked
- 2] Namima—gossiping with what is true but not one's business
- 3] Zur—false witness
- 4] Kadhib—lying
- 5] Fahsha'—obscenity

BACKBITING AND GOSSIP

‘Backbiting and gossip are two of the ugliest and most frequently met qualities among people, few people being safe from them.’ –Nawawi

Ruling:

Backbiting is haram according to the Quran, the Sunna, and consensus.

‘Do not backbite one another’ (49:12)

‘Woe to whomever disparages others behind their back or to their face.’ (104:1)

The Prophet (Allah bless him and give him peace) said, ‘Do you know what backbiting is? They said, ‘Allah and His Messenger know best.’ He said, ‘It is to mention something about your brother (in his absence) that he would hate.’ It was said, ‘What if what I say about my brother is true?’ He said, ‘If what you said about him is true then you would have backbitten him, and if it is not true, then you would have slandered him (buhtan).’ (Muslim).

DEFINITION

Nawawi:

To mention anything concerning a person that he would dislike, whether about his body, religion, everyday life, self, disposition, property, son, father, wife, servant, turban, garment, gait, movement, smiling, dissoluteness, frowning, cheerfulness, or anything else connected to him.

TYPES

- **Mention:** word, writing, sign, or indicating him with one's eye, hand, head, and so forth.
- **Body:** blind, short, lame, bald, short, dark, or pale.
- **Religion:** corrupt, cannot be trusted, a tyrant, does not care about salat, dishonorable, stingy, etc.
- **Everyday life:** his manners are poor, does not care about others, talks, eats, or sleeps too much
- **Father or mother:** saying that his father is corrupt, or that is a cobbler, carpenter, blacksmith, etc. (if mentioned derogatorily).
- **Disposition:** He has bad character, is arrogant, a show-off, hasty, domineering, fainthearted, etc.
- **Clothing and property:** his garment is dirty, bad taste in clothing. His car is ugly and falling apart.

The determining factor is mentioning about a person what he would dislike.

ASPECTS OF BACKBITING

1] Mimicking another idiosyncrasies. It includes mimicking a person's limp, or similar posture, or accent.

2] Slander in published works. It also includes writing such things, like saying, 'So-and-so is such and such.' This is unlawful if one intends to demean him, but permissible if he is clarifying a person's mistakes so others do not fall into it. It is not backbiting if a person mentions the fault but does not identify who is intended.

3] Backbiting by allusion and innuendo. When the person being spoken to understands whom one is referring to, it is backbiting to say, 'Someone did such-and-such.' This includes passive-aggressive forms of backbiting, such as when someone is asked about a person, he says, 'May Allah forgive us' or 'May Allah improve him' or 'We seek refuge in Allah from evil'—from which the listener understands the person's shortcomings.

LISTENING TO BACKBITING

Just as backbiting is haram for one who says it, it is haram to listen to it approvingly. It is obligatory (wajib) on one who hears backbiting to tell the person to stop as long as telling him to stop does not cause a greater evil. If that is likely to occur he must hate it in his heart.

When a person who hears backbiting can condemn it, then he must. He should either change the subject or, if he can, get up and leave.

Imam al-Ghazali notes that it is hypocrisy to tell a backbiter to remain silent while desiring him in his heart to continue. This does not lift the sin from him, because he must also hate it in his heart.

If a person is forced to remain in a gathering in which backbiting is taking place and he cannot condemn it, he must hate it in his heart and not listen to what is being said. He should occupy his heart with Allah's remembrance (with the tongue and heart, or the heart alone). When this happens, whatever he hears will not harm him.

CONDITIONS THAT EXCUSE BACKBITING

1] **Redressing grievances.** Someone wronged may seek redress from the Islamic ruler, judge, or others with authority or power to help them against one who has wronged them. One may say, 'So-and-so did such-and-such to me.' This does not permit them to backbite him concerning things unrelated to the wrong.

2] **Eliminating wrongdoing.** This is by saying to someone who can set things right, 'So-and-so is doing such-and-such, so warn him to not continue. If that person is powerless to eliminate it, this is impermissible.

3] **Asking for a legal opinion.** One can go to a Mufti and say, 'My father did such-and-such; what is the ruling on this?' To be on the safe side, one can make it passive and say, 'What is the Islamic ruling on a person doing XYZ?'

Hind went to the Prophet (Allah bless him and give him peace) and said, 'O Messenger of Allah, Abu Sufyan is a stingy man...' and the Prophet did not forbid her.

CONDITIONS THAT EXCUSE BACKBITING

4] **Warning Muslims of evil.** This can take several forms:

a-Impugning unreliable hadith transmitters or court witnesses, which is obligatory because of the need for it.

b-When a person seeks advice about marrying into a certain family, or entering a business partnership with someone, depositing something for safekeeping with him, etc. It is obligatory to tell the person asking what one knows about the other by way of advising him. If one can accomplish this by merely saying, 'Don't do it' or 'I wouldn't advise it,' it is better, but if it cannot be accomplished without mentioning the individual and the details, one may do so.

CONDITIONS THAT EXCUSE BACKBITING

c-When one notices someone going to learn from a teacher who is guilty of reprehensible innovations in religious matters, or who is corrupt, and one feels that it will harm the student. This is a difficult one, because of sectarian differences among Muslims, or because the one warning may be motivated by envy, which Shaytan has duped him into thinking it is heartfelt advice.

d-When there is someone in a position of responsibility and they are not doing their job properly, because of being unfit for it, etc. One must mention this to those with authority over him so he can correct him or remove him and find another to do the job.

CONDITIONS THAT EXCUSE BACKBITING

5] **Someone unconcerned with concealing their sins.** If a person openly sins without shame and publicizes it (speaking about it openly and proudly, broadcasting it on social media, etc.), perpetuates falsehoods openly, it is permissible to speak about their faults. It is still impermissible to mention their other faults which they do not publicize.

6] Identification. If someone is known by a nickname like ‘the lame’ (A’raj) or ‘the deaf’ (asamm) etc., it is permissible to identify them with it.

NAMIMA (TALEBEARING/GOSSIP)

Namima is usually applied to someone who conveys to a person what another person has said about him, such as by saying, ‘So-and-so says such-and-such about you.’ It is not limited to that, but consists of revealing anything whose disclosure is resented, whether resented by the person who originally said it, the person to whom it was disclosed, or by a third party. It makes no difference whether the disclosure is in word, writing, a sign, nodding, or other; whether it concerns word or deed; or whether it concerns something bad or otherwise. The reality of talebearing lies in divulging a secret, in revealing something confidential whose disclosure is resented.

NAMIMA

Gossip is worse than backbiting, because it is backbiting and more, specifically when the intention is to create rifts with people.

Anyone who is approached with gossip (namima) must do six things:

1. Disbelieve it, because gossipers are corrupt, and their information is unacceptable.
2. Tell the gossipier to stop, admonish them about it and condemn their shamefulness.
3. Dislike them for the sake of Allah, for a gossipier is detested in the sight of Allah.
4. Not think badly about the person whom the words are supposedly from.
5. Not let what has been said prompt him to spy or investigate whether it is true.
6. Not do himself what he has forbidden the gossipier to do, by relating it to others.

EXCEPTIONS

Nawawi: ‘All of this applies when there is no Shariah countenanced benefit (*maslaha shar’iyya*), otherwise it may be recommended or even obligatory, such as one who learns that a person intends to harm others, so he goes and warns them; or informing the Imam or leader about the condition of one of his appointees who is wronging others, etc.