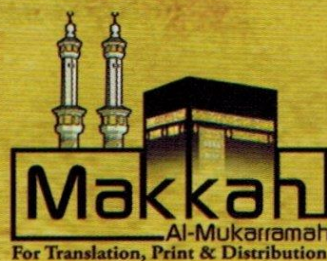




The Islamic Etiquettes of Using the Telephone

Shaykh Bakr Abu Zayd



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

This is a book written by Shaykh Bakr Abu Zayd and translated into the English Language with the title ‘The Islamic Etiquettes of Using the Telephone’. The book was published by Makkah Al-Mukarramah in 2013, this book discusses the etiquette that a Muslim is required to uphold when using the telephone. This book has been ‘digitized’ by adviceforparadise.com. We implore everyone who is able, to purchase this book as a lot of effort, time and money has been used in translating, publishing and printing this book. We only ‘digitized’ it in order to preserve its knowledge and to spread it, not for commercial gain. May Allah purify our intentions.

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(صلى الله عليه وسلم) – May the Peace and Blessings of Allah be Upon him

(رضي الله عنه) – May Allah be Pleased with him

(رضي الله عنها) – May Allah be Pleased with her

(رضي الله عنهم) – May Allah be Pleased with them

(رضي الله عنهما) – May Allah be Pleased with them both

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Introduction

Indeed, all praises are due to Allah and may peace and Salutations be upon the Messenger of Allah, upon his companions and those who are guided with his guidance to the day of resurrection.

To proceed: Verily, the topic of manners when using the telephone, in compliance with the shari'ah, is taken from the manners of meeting, seeking permission, speech, talking to others - in terms of volume, time, place, the actual content of the speech and the way in which it is uttered - all of which are well-known in the pure texts of the shari'ah. They fall under the list of virtues and good deeds that Islam propagates to establish the Muslim's life on a foundation of good and upright Character. All of which are rooted in gentleness and modesty. By carrying these out, one is taking the Prophet of this great, blessed shari'ah as an example.

It has been established that the Prophet (صلى الله عليه وسلم) said: *"Indeed, gentleness is not found in something, except that it beautifies it; and it is not taken away from something except that it defaces it."*

Moreover, he also said (صلى الله عليه وسلم): *"Whosoever is forbidden gentleness has been forbidden goodness in its entirety."* (Both narrations reported by Muslim)

These manners are required from both parties, the one calling and the one called, although some are more strongly required from the caller. The reason for this is that the caller is the one requesting and, for the most part, the one requesting is close to the one asked, so their position has weakness in it. In order to strengthen this weakness, they must converse using their good manners. The basis of adorning oneself with good manners is the architecture for the city of excellence in Islam, which is built upon spreading fraternity, love, good manners in dealing with one another, maintaining contracts, upholding trusts, bringing about benefit and abstaining from whatever causes ruin. So, these manners truly come from the objectives of Islam.

Following, is an explanation of one after the other, the people although their rulings differ in accordance to the state of, the people, their times, their worth and their capabilities. The successful, intelligent person is the one who gives matters their due, as they are given in the shari'ah. They also endeavour to find excuses for those who fall short in any of these areas - as people are not on a uniform level in their intellect, learning, inclinations and good manners.

The one who is happy is one who sees, when is shown, and who remembers, when reminded. What follows is a good portion of these manners. There are three matters that have caused me to write these etiquettes:

The first — In order to remind myself and whomsoever Allah wills, from my brothers [and all Muslims.]

The second — A warning against two things that are increasingly causing harm to people when treated this way: The caller remaining silent when the phone has been answered and waits for the person they have called to speak. If they do not speak, the caller hangs up the phone. An explanation of the reasons why this is warned against and prohibited, and why it is from the worst of manners, will follow.

The recording of telephone conversations without the permission and knowledge of the person called. This is a breach of trust and a lack of decency.

The third — The telephone, pager and mobile phone have come to play an important part in our lives - they are the most important and convenient ways of verbal communication. They give people the opportunity to communicate without needing to write. How much effort, time and money do they save? Fulfilling a requirement in the shortest amount of time, lifting the burden of coming and going and travelling for affairs all can be managed over the telephone. And all praise is due to Allah for His blessings. For these reasons, it is appropriate to explain the manners of using the telephone in the light of the shari'ah. And to the explanation:

[Dialling the] Correct Number

Make sure you have the correct number before dialling, so that you do not fall into error and wake someone sleeping, inconvenience one who is sick, or trouble someone for no reason. Do not dial, except after making sure of two things - that the number is written in front of you, or you are sure you know it correctly and, the second, be mindful when you dial and make sure your eyes follow your finger and if you make a mistake, excuse yourself.

O person who is called, do not get agitated if something like this happens to you, be patient and do not act harshly. Rather, say to them: "Sorry; you have the wrong number." If they have called you mistakenly, they have not sinned, and you have put their minds at ease. There is nothing for you on them in the shari'ah.

If they have done this deliberately to cause harm, the measure of kindness has run out; and you have the reward and on them is sin. Also, pretend to be unaware of matters, as none are successful in praise, except one who ignores.

The Time of Calling

If you need to call, bear in mind that people have their own occupations, usual times for eating, sleeping and relaxing. They are, while doing these things, more worthy of being excused than you are for your need.

For this reason, the shari'ah has granted the person visited - and the person called is similar - the right to excuse themselves without resorting to the lie that so-and-so is not at home, while they really are. Allah, the Most High said,

﴿...وَإِنْ قِيلَ لَكُمْ ارْجِعُوا فَارْجِعُوا ۖ هُوَ أَزْكَىٰ لَكُمْ...﴾ (٢٨)

[النور/٢٨]

﴿...And if you are asked to go back, go back, for it is purer for you...﴾

[an-Nur 24:28]

So it is your responsibility to choose a suitable time, taking into account the work routine and the commitments of your brother and the obligations and responsibilities on him; and taking into account the needs of his family - their times for sleeping, relaxing and eating. Consider how the shari'ah has ordered that slaves and the young seek permission [to enter the bedroom] at three times — before fajr salah, at midday and after 'isha salah. As for the free people who have come of age, they have to seek permission at all times, as has been stipulated Surat an-Nur [58-59].

The Prophet (صلى الله عليه وسلم) prohibited travellers coming home to their families at night without telling them, so that a man does not find members of his family in an undesirable or unclean state. By doing so, he cannot charge them with betrayal and also so that he does not inconvenience them.

In summary - make your dealings good and take convenient timing into account. If the person you call asks to be excused to another time, accept it with a good heart. If you are asked to wait, wait and you are the benefactor, not the one to grumble.

The ruling of phoning at convenient times does not extend to public places or services that are open day and night, like hotels, rental services for travellers and places like these. This point is derived from the ayah of seeking permission,

﴿لَيْسَ عَلَيْكُمْ جُنَاحٌ أَنْ تَدْخُلُوا بُيُوتًا غَيْرَ مَسْكُونَةٍ فِيهَا مَتَاعٌ لَكُمْ ۚ وَاللَّهُ يَعْلَمُ مَا
تُبْدُونَ وَمَا تَكْتُمُونَ﴾ (٢٩)

[النور/٢٩]

﴿There is no sin on you that you enter (without taking permission) houses uninhabited (i.e. not possessed by anybody), (when) you have any interest in them. And Allah has knowledge of what you reveal and what you conceal﴾

[an-Nur 24:29]

These are houses used by anybody who has a need for them and are not owned by anyone as such, due to the benefit they bring about - like places for spending the night, such as hotels and rooms for travellers.

The Ringing of the Phone

Be moderate when ringing, allowing the time necessary for the person to hear the ringing. This is not restricted to three rings by the hadith that is agreed upon.

In this hadith, the Prophet (ﷺ) said: *"If one of you seeks permission thrice and isn't granted permission, he should leave."* Another hadith clarifies the wisdom behind seeking permission — that the Messenger of Allah (ﷺ) said, *"Seeking permission has been ordained for the sake of the eyes."*¹ However, this is not concerning conversation.

Be careful, however, of going overboard — just so as not to annoy the person you are ringing and those around them. This would be crude and course manners, an action of awful oppressors. The action of trying people in this way is old — from the story of the woman who went to Imam Ahmad (رحمه الله) and knocked on his door in a severe manner. He came out saying, *'This is the knocking of the shurat'*, disapproving of her action.

Look at the manners of the Sahabah (رضي الله عنهم) with the Prophet (ﷺ). They would knock on his door using their fingernails.²

Similarly, in this day and age are door bells which should be operated with delicacy, not with strength and held down for a long time.

¹ Reported by *al-Bukhari*

² Reported by *al-Bukhari* in, *al-Adab al-Mufrad* and *al-Khateeb* in his, *Jami'*, and reporting on him, *al-Qurtubi* in his *Tafseer* vol.12, p. 217

The Length of the Call

The way to measure length is that every situation has a [way of] speech and every speech has a [suitable] length, so be careful of chit chat, making the person called bored and being too long and overburdening.

The *Salam* from the Caller at the Beginning and End

The caller is the one initiating the dialogue, so when the receiver has been picked up, one should begin with the Islamic greeting, '*As-Salamu Alaykum*', for it is the slogan of Islam, the key to safety and peace and a nobility for the nation of Muhammad (صلى الله عليه وسلم).

Also, it is obligatory for the person who hears this greeting to reply. In this light, the noble Sunnah reports, on the authority of Rabi' (رضي الله عنه) who said, "A man from Bani Amir told us that he asked the Prophet (صلى الله عليه وسلم) for permission to enter, while the Prophet (صلى الله عليه وسلم) was in his house. He said, "May I enter?" The Prophet (صلى الله عليه وسلم) said to his servant: '*Go to this one and teach him the manners of asking permission. Say to him, 'Say As-Salamu 'Alaykum, may I enter?'*' The man heard this and said, 'As-Salamu 'Alaykum, may I enter?' and the Prophet (صلى الله عليه وسلم) gave him permission to enter, so he entered."³

This proves that the '*Salam*' is to be started with, so the caller should give priority to the '*Salam*' over speaking and not remain quiet until the person called speaks to them. What is prohibited here is to abandon this blessed Islamic greeting and replace it with other types of greetings, such as 'Good morning.'⁴ What is also prohibited is for both to rush to say, 'Hello' which is a word of French origin that is difficult for the Arabic tongue to pronounce.

The Saudi Arabian telephone services now have caller identification facilities, so people can now answer the phone by saying '*As-Salamu Alaykum*.' It has helped this noble Islamic manner becoming more widespread. This is similar to the contacts lists that many Muslims use on their phones.

May Allah reward all with good and all praise is due to Allah, the Lord of all creation.

Another prohibition is the caller remaining silent when the phone has been answered; waiting for the person they called to begin speaking. This is ill-mannered from a number of angles that are apparent. From them:

³ Reported by *Abu Dawud*

⁴ The Shaykh (رحمه الله) is referring to the widespread custom of the Arabs when they answer the telephone using an Arabised 'Hello', which sounds more like 'Allo'. - [T]

- Differing from the Sunnah which is the entering person beginning with the greeting of '*Salam.*'
- The person calling is the one requesting something, so it is necessary for them to begin with '*Salam.*'
- Some of those whose etiquettes have weakened, and whose manners and softness have been demolished, intend [by calling] to check if this person is at home or not? When you pick up the receiver and say 'Yes', they have learnt what they wanted to know and hang up. This testing is kind of trickery. May Allah rebuke this action and the one who does it, and their recompense is with Allah.

If the person answers the phone and asks: "Who is it?" Then reply, "So-and-so" or by whatever they know you by. Beware of using a description that is ambiguous like "Me" or "Me — his friend" or "Me — his neighbour."

On the authority of Jabir (رضي الله عنه) who said: "I requested permission to enter from the Prophet (صلى الله عليه وسلم) and he said: '*Who is this?*' I replied: 'Me.' So, the Prophet (صلى الله عليه وسلم) replied, '*Me, Me.*'"⁵

From this ambiguous introduction is that which has seeped into the heart of the Arabian Peninsula, in that when the unscrupulous people are asked about who they are, they reply: 'The father of so-and-so.' We do not know this to be from the ways of the *Salaf*, that they would introduce themselves with their *kunya*. Rather, they would introduce themselves by lineage/origin — 'so-and-so from such and such' They would use their *kunyas* so that one who wanted them could call them. This is the case if a person has become well-known through their *kunya*, to the extent that it takes on the role of their name. For example, some of the Sahabah, (رضي الله عنهم) like Abu Bakr, Abu Thar, Umm Hani, are some examples.

Beware of imitating those who do not leave their name, if they do not find the person they are calling, at home. This shows a lack of manners, belittling others and causing [unnecessary] worry to the members of the household. Furthermore, who are you, O' you who feel they are of great importance?!

⁵ Reported by *Muslim* and *Abu Dawud*, who had the addition, `...as though he disliked it'

Ending a Call with *Salam*

Just as the call begins with the greeting of Islam, finish it in the same way, with the slogan of Islam, the '*Salam*': On the authority of Abu Huraira (رضي الله عنه) who said:

*The Messenger of Allah (صلى الله عليه وسلم) said: 'If one of you finishes a sitting, let them say the 'Salam.' When they want to stand up, say the 'Salam.' Indeed, the first one [instance of saying Salam] is not more deserving [to be done] than the last.'*⁶

⁶ Reported by *Abu Dawud*

Lowering One's Voice

Be sure to adhere to the general manner of conversation, that you lower your voice. Your voice should be lowered, yet audible, balanced and not annoying or intimidating.

This point is included in manners with one's parents, and whosoever is on their level of ability and status, with those who are of importance, and those beneath you in age or importance so that you make them happy and show that they have standing in your eyes. In this way you will gain friends and those who care for you.

For this reason, beware of raising your voice more than is necessary and beware of being intimidating, for both contradict the manners Allah has ordered in His saying in relation to Luqman's testament to his son,

﴿... وَاغْضُضْ مِنْ صَوْتِكَ...﴾ (١٩)

[لقمان/١٩]

﴿...And lower your voice...﴾

[Luqman 31:19]

How many numerous actions which should not be done are contained in this, beginning with a lack of respect for the person to whom you are talking? How many times have the manners of a conversation been a cause for not receiving the desired outcome, or for not receiving much good?

The Telephone and Women

If one of the people involved in the phone call is a woman, she should not speak softly. Allah the Most High, most definitely, prohibited the wives of the Prophet (صلى الله عليه وسلم) the Mothers of the Believers (رضي الله عنهم) who were not enticers, who lived at the time of the prophecy and with the Sahaba (رضي الله عنهم) from being gentle in speech, for He said,

﴿...فَلَا تَخْضَعْنَ بِالْقَوْلِ فَيَطْمَعَ الَّذِي فِي قَلْبِهِ مَرَضٌ وَقُلْنَ قَوْلًا مَّعْرُوفًا﴾ (٣٢)

[الأحزاب/٣٢]

﴿...Then be not soft in speech, lest he in whose heart is a disease (of hypocrisy, or evil desire for adultery, etc.) should be moved with desire, but speak in an honourable manner.﴾

[al-Ahzab 33:32]

So how should others then behave? Their prohibition is even more certain. So fear Allah, O' believing women and do not talk in a soft manner. Speak in an honourable manner, without being abrupt and without talking too much. A woman should not talk to strange men in the same manner as she does with her husband. Women should also beware of talking at length with strange men and even with those men close to her, in that which the shari'ah does not approve, the soul refuses and in which a connection can be felt in the heart of the person being called. Let her beware of raising her voice over what is normal and talking excessively, beautifying her voice, making it soft; making it too short; making it melodious; using sweet intonation and a submissive use of language.

If it is prohibited for her to talk in this manner, it is prohibited for men to listen to her voice if they gain satisfaction from it — even if she is reciting the Qur'an. If the woman senses any of this, it becomes prohibited for her to continue the conversation due to the *fitnah* it could lead to. Here, the role of the man in his responsibilities towards his household become clear, he must oversee his affairs, uphold [the household's] honour and take care of those under his protection. Therefore a woman should neither be the one who rushes to answer the phone if a male is present, nor should she answer the phone in every circumstance without males being there. She and her male guardian should have a mutual understanding in accordance to that which he sees appropriate and necessary. It

is required for her to follow that which is good, remembering what is best and leaving what causes hardship.

Giving the People their Due

Have good manners on the phone, in accordance to the status of the person you are speaking to in respect to their age, ability, family relation and importance, especially a scholar who practises [the religion].

On the authority of A'isha, (رضي الله عنها) the Messenger of Allah (صلى الله عليه وسلم) said, *"Put the people on their level"*⁷ and on the authority of Ubadah bin Samit (رضي الله عنه) the Messenger of Allah (صلى الله عليه وسلم) said, *"He is not from us — he who does not respect our elders, have mercy on our young and give our scholar his right."*⁸

Furthermore, the most important affair is Islam, and people in Islam are of different levels, in accordance to their adherence, their disobedience and their innovation, both manifest and hidden.

As for non-believers, they have manners specifically for them, in greeting, the amount you talk to them and other matters. In summary, you should possess the honour of a Muslim, without being proud, repelling people, or oppression, in accordance with that which the shari'ah requires.

If your friend speaks to you, but you find his welcoming less than usual, do not let that affect you so that you are coarse towards him. Give him the benefit of the doubt, because he may have worries that are more important, or be in an unusual state of mind, or the normalcy of his life may have been upturned. So you are required, may Allah preserve you, to give the benefit of the doubt. If realise, through evidence, not whisperings, that there is avoidance of you, then be amiable, may Allah watch over you.

Avoid phoning someone while you are in the middle of your activities, with different sounds interfering and crying children. It is necessary for you to uphold your honour and protect that which should not be shown. You should show good manners and not allow familiarity [with the person you are speaking to] be a cause to behave in a base manner. Nor should familiarity lead you to cough or demean yourself, or behave in a base way, as it could lead you to do such things with others, and these manners could become things that you are known for doing.

⁷ Reported by *Abu Dawud*

⁸ Reported by *Ahmad*

Music When on Hold

With regards to this, people have come to two extremes, those who use them as entertainment with singing and music and the like (and this is haram with no reckoned difference); and those who use *ayaat* of the Qur'an or *dhikr*, or the like instead. Although the reason for doing this is noble, it is an impermissible action, as ruling in events by using the Qur'an or relevant pieces of *ahadith* is not possible. This can lead a person to fall into a situation that is undesired in the shari'ah.

For this reason, we say that one should not do this. The person waiting should wait in silence, until the conversation has resumed. And what is the harm in this? There is no need for luxury or going too deeply to stimulate the senses in ways in which it is not permissible.

In keeping with that which is of benefit and guarding trust is to give each telephone its own specific purpose. So you would not use the phone in the library [in which others work] to discuss and organise your personal affairs. This is what should be done, and people are of various types with regards to it. Its main criteria are to adhere to what is most beneficial.

Using Someone Else's Phone

Try, as much as possible, not to use other peoples' phones. If a need arises, be careful to only use the phone once you have asked permission in a polite manner. Do not seek permission from someone who is tight-fisted or one who has a mean spirit, those who would allow you to use it, but feel annoyed about it.

The Phone and People of the House

And if you considered the place of resting,

You would see it complains as men do and is happy

Happy is the home that is under the care of a guardian who is intelligent and informed and not coarse and difficult or noisy; one who has been granted good organisational skills, who places his wife and children under his custody, in the shade of the pure shari'ah.

From his organising concerning the telephone:

- That the woman does not lift the receiver to answer the phone while there is a male relative at home.
- That the family do not meddle into telephone calls.
- That he has taught them the manners of the telephone and brought his children up with these manners, so they have inherited good manners.

Conversely, the one who lives in a house where the phone is amid all inhabitants is an unfortunate person. When the phone rings, more than one person is aware of it, the children, the young, and the old. Further, when the lady [of the house] calls someone, she continues on the phone for a long time, as though she is talking to her father after a long absence. O' Allah, how many evils have entered homes due to this! O' Allah, we ask You for Your gentleness and guarding, O' Generous, O' Most Beneficent, O' Most Merciful. The one who is successful is the one who remembers, when reminded and sees, when shown.

The Phone and the Office

I have considered the information held by those entrusted with confidential information (secretaries) in the administration department of the faculty of teaching and have found them to have lots of branches, including that which does not befit us as Arabs and Muslims. It is necessary for these heads to be an example of modesty for those doing similar jobs across the world. The phone is directly with the person directly responsible.

This is in the general sense. As for specific individuals in public places in need of this information, they should have a secretary who can take calls and forward only those that are relevant. Thereby, calls can be taken, unnecessary calls ignored, and those which need to be, can be redirected to the relevant department.

What is necessary here is making sure what is best is done. The more the person responsible can distance himself from pride, the better, as it will be better for him and more fitting that Allah will guide his actions.

The Phone and the Person Seeking a Fatwa

Beautiful is, the manner in which the person seeking a fatwa calls the *mufti* saying:

"As-Salamu Alaykum wa Rahmatullahi wa Barakatuhu. I have, may Allah do good towards you, a question, which is..."

And after the end of the conversation says, *"May Allah reward you with good and recompense you. As-Salamu alaykum wa rahmatullahi wa barakatuhu."*

This is a manner that is good and concise with no unnecessarily long greetings which give the opportunity for another to ask.

However, what are the things one should beware of when calling and the potential pitfalls.

Asking questions to determine the *mufti's* knowledge. The one seeking the fatwa may investigate a matter and prepare a response. They may then be stubborn and debate, seeking to expose the weakness of the *mufti*. This is sometimes done by those who have enmity against the scholars.

Also from their conduct is asking questions designed to assert an affiliation the *mufti* has. Some of the practising youth, who are deluded with themselves, will ask the *mufti* about a specific matter in order to ascertain that the *mufti* is a person of innovation — in accordance with their deep-rooted inclination to excessiveness and their desire to create a gulf between the scholars and the youth of the ummah.

- From their manners — [they call in order to] show differing opinions between two *muftis*.
- From the ill manners of some phoning for a fatwa is that they call several, seeking one that will give them a concession.
- Inconveniencing by calling at an inappropriate time for a telephone call and drawing out the question with no benefit.
- Calling the *mufti* on the phone line that is not designated for fatwa.
- Recording and distributing the conversation without the consent of the *mufti*. This kind of action is cheating and will be explained later.

Not Using the Language of the Telephone

The Arabic language is one of the symbols of Islam, and to speak it preserves this symbol of the religion. So, it is obligatory to preserve it and repress [foreign words] from entering it. For this reason, beware of using newly-coined words which the Arabic language stringently refuses.

The shari'ah prohibits using words that spoil the Arabic language, clinging to the language of the disbelievers and non-Arabs and mixing them with the *lughatu daad* (ض)⁹ the tongue of the Muslims.

Here are some terminologies in the Arabic culture that are sufficient for similar terms borrowed from western culture:

| The Arabic Terminology | The western Terminology |
|--|---|
| Telephone (<i>haatif</i>) الهاتف | Telephone (Arabisation of 'telephone') التلفون |
| Pager (<i>nadaa</i>) النداء | Bager (Arabisation of 'Pager') البيجر |
| Fax (<i>fuqs</i>) ¹⁰ فقس (<i>laaqit</i>) ¹¹ لاقط (<i>raasil</i>) ¹² راسل | Faakus (Arabisation of 'Fax') فاكس |
| To begin conversation with the <i>Salam</i> السلام عليكم | Not with 'ألو' 'allo' or 'هلو' 'Hallo' (Arabisation of 'Hello') |

⁹ Arabic is known as the 'lughatu Daad' — 'The language of the (letter) daad as this sound is unique to it. – (T)

¹⁰ This is the Arabisation of the Language Council. It is from the root فقس (fa-qa-sa). It is said 'The egg has hatched' [the verb for 'hatch' here is فقس fa-qa-sa] when the chick breaks out of it.

¹¹ This is the word given by *Shaykh Hamad al-Jaasir*

¹² This is what I see as correct.

The 'Refreshing' Call

This is the telephone call by which you can keep good relations, especially with those who live far from you, and by which you can 'feed the tree' of brotherhood between you and who Allah wills, from the Muslims you know. Your call may be to congratulate in accordance to the shari'ah, give glad tidings of good or to meet the needs of your brothers.

You can carry out this kind of call by giving '*Salam*' to the sick, making dua for them and asking them about their health without being persistent. Be careful not to ask them for too much detail about their condition. You can call with regards to something that has happened to you with a relative or money for example.

Do not allow the telephone to take you away from the sunnah of taking steps towards doing these things of virtue. Instead, do them when visiting them in person is difficult.

Since visiting the sick and afflicted does not require a great amount of time, like the sitting of the *khateeb* between the two *khutub*, your conversation should be short as well. This is the foundation, and those who are close to you socially have a status that is known.

The Harmful Call

Harming a Muslim is *haram*; intimidating them is *haram* and violating their honour is *haram*. From these kinds of harm is that which can occur over the telephone. From them:

Compound Deceit

It is not permissible for a Muslim, who fulfils trusts and hates deceit, to record the speech of the person they are talking to without their permission and knowledge, whatever kind of talk is — religious or mundane affairs. It does not matter whether it is a *fatwa*, knowledge-based research or about money, or whatever it may be. It has been established from the *hadith* of Jabir bin Abdillah al-Ansari (رضي الله عنه) who said that the Prophet (صلى الله عليه وسلم) said: "*If a man talks to another and turns, it is a trust.*"¹³

The meaning of 'and turns' is clear. The speaker looked for evidences, like warning him by turning to his left and right ensuring no-one else was listening.¹⁴ Consequently, the words your companion says to you include a trust attached to them that they have given you. If you say these words to another, you have violated the order of Allah, because you have given a trusted thing to other than the rightful people and therefore, you will be an oppressor. Accordingly, it is obligatory to conceal it, since turning right and left is just like asking for it to be kept confidential. They say that this [word] is from the *Jawami ul-Kalim* [comprehensive speech]. This short phrase includes the manners of companionship, being a good friend, keeping confidential things confidential, maintaining love and a warning against gossiping between Muslims which causes problems, as is obvious. It has been related in *al-Ihya* by al-Ghazali that: "Letting a secret out is cheating and is haram, if it causes harm."

Al-Mawardi said:

A man telling the secret of another is more detested than his telling his own secret, because it centres on one of two disgraceful acts — cheating, if he has been entrusted and slander, if he has been told. As

¹³ Reported by Ahmad, Abu Dawood and at-Tirmithi

¹⁴ *Fayd ul-Qadeer al-Minaawi*, (vol.1,p.339)

for the harm, if they are equal, or if one is worse than the other, they are both detested and the harms in them are known.

Ar-Raghib said:

Secrets are of two types. The first is that which a person tells someone in confidentiality. This is either by the spoken word, like saying to someone: 'Keep what I am telling you between us', or simply by the state one is in when talking, like the speaker waiting until they are alone with the person they want to talk to, or lowering their voice when talking, or to take them away from their gathering to speak privately. This is the intent behind this hadith.

If you record their conversation without their knowledge and consent this is an evil action, cheating and a breach of trust. If you then distributed this speech among others this is a stronger form of deception and breaching of the trust.

If you do a third thing, play with the words by chopping and changing, deleting and adding, and so forth, you have now made the deception compound and have fallen into maliciousness, without any sorrow [felt] for the deceiver. For this reason, recordings are considered a weak form of proof and ruling, and their use is [only] for corroboration.

In summary, recording telephone conversations, or any other kind of conversation, without the knowledge and consent of the speaker is evil, deception and an offensive to trustworthiness. It is not done, except by those who have nothing in the religion, in character and in manners, especially if it is a compound deception, as described. So fear Allah, O' slaves of Allah, and do not breach the trusts you are given and do not cheat your brothers.

Bugging Equipment

Technology and inventions have developed to such a level that some of them border on playing with the honor of people or their exploitation in using it.

This is especially true in how an individual may use listening devices and spread the conversations, especially those which were private. This person may spend hours during his day or night trying to listen in on the conversations of others and what takes place between them without their knowledge. This is haram and impermissible, regardless of whether or not they know those involved in the call, if they know only one, or if they do not know either.

It has been established, from the *hadith* of Ibn Abbas (رضي الله عنهما) that the Prophet (صلى الله عليه وسلم) said: *"Whosoever listens to people's conversations and they do not like it, will have molten lead poured in their ears on the Day of Standing."*¹⁵

¹⁵ Reported by *al-Bukhari* in his *Saheeh* and a similar wording is found in, *al-Adab ul-Mufrad*

Making Improper Advances

I used to think this was a disease that has transpired in this age, since many complaints follow the actions of the foolish. They go after what is sacred for the Muslims, in their own homes, by forcing people into conversation and base advances.

From vulgar conversations is the one who calls a home, taking advantage of the fact that the guardian is not in and takes it an opportunity to see whether there is anyone who will follow his desires. This is a type of seclusion, or a path leading to it. The Prophet (صلى الله عليه وسلم) said: "*Beware of visiting women*" meaning, those women who you can marry.

This is, I swear by Allah, *haram, haram!* Sinful and a transgression! The person who does it is worthy of punishment, and it is feared that a punishment descends on him that pollutes the face of his honour. From Imam ash-Shafi'i (رحمه الله) who said,

*Indeed, fornication is a debt — if you settle it,
The settlement is from your family, so be aware.*

We seek refuge with Allah from dishonour and from the humiliation of the People of the Fire.

The guardian of the house has the responsibility to take the means he can to preserve the security of care for those he is responsible for, from the foolish mischievous.

From these means:

- For the phone to be in a fixed place that is under constant household supervision and not have a number of handsets in the home, especially in the girls' rooms.
- The guardian is to designate the responsibility of answering the phone to someone from the household and to make clear the manner used to answer and not to extend speech with the caller unnecessarily.

And so on, from the things that those who love chastity and purity are aware of.

Excessive use of the Telephone

Beware of using the phone excessively so that you are not tested with an addiction to the telephone. How many people are afflicted by this? From the time they raise their heads in the morning from sleep, they draw near to their notebook, just as a child devours its mother's breast. They then busy themselves and others over the phone, calling house-to-house and from office to office. Satisfying the need in their selves and annoying others!

We have nothing to say to these people, except supplicate for them with goodness and advise them to give up this excessiveness.

Intimidating Calls

The condemnation of intimidating and scaring Muslims has been established in the Sunnah as has the fact that doing so is from the major sins and great oppression. On the authority of a man who was a companion of the Prophet (صلى الله عليه وسلم) that the Prophet (صلى الله عليه وسلم) said *"It is not permissible for the Muslim to frighten another Muslim."*¹⁶

In addition, gesturing towards a Muslim with iron [weapon] is also condemned, as it has been established, due to the fear it causes. The prohibition of looking at a Muslim menacingly, to frighten and scare them, has also been related.

Similar to this is the threatening phone call. How many hearts have been infected with diseases, like spite, malice and jealousy and then their humanity turns into the behaviour of predatory animals and mad dogs?! Ultimately, they do not find any path in their souls, except one that is the dirtiest, so they may inflict evil on [their targets] and take away what blessings they have been granted.

The manner in which intimidating phone calls are made also involves the caller ringing from a concealed number, using an abusive voice and saying thing to frighten and scare the receiver. Their aim is to disturb their sleep and have an effect on them in any which way they can.

This is how mad dogs are, worthy of being punished by Allah, without delay. Perhaps a supplication [against them] may befall them at night, when they are unaware, and the punishment will occur in their own home.

We seek refuge with Allah from oppression and its punishment.

My advice to you, O' person afflicted with this evildoer, is for you to be unaffected and not to get upset. Be strong hearted and do not pay these calls any consideration. See them like they are nightmares, and nightmares are from the *Shaytaan*, a tool by which he seeks to scare the slave. These [actions] are from the actions of the *Shayaateen* of mankind. So seek refuge with Allah from their evil and take [your distress] to Allah by making supplication on the caller that Allah take vengeance on him, and on him is what he deserves from Allah.

¹⁶ Reported by *Ahmad* and *Abu Dawood* and a similar narration has been reported from the *hadith* of *Nu'man bin Bashir* (رضي الله عنهما). Another similar narration is by *al-Bazzar* from the *hadith* of *Ibn `Umar* (رضي الله عنهما).

The Fake Call¹⁷

Same individuals, when in a group, are concerned about being important and love to be praised for what they do not do. It has been authentically related that the Prophet (صلى الله عليه وسلم) said: *"The one who pretends to have something they haven't is like the one who wears two items of clothing that are lies."*

From the shameful callers are those who make fake calls to people of status, position, ability and means, or ask their friends to call them pretending to be that person. You see the shameful person fooling those with him, adding grand gestures and fancy phrases, trying to make them think that he is a person of importance. It is as though he is saying, "Here I am — know me."

It is a fake, deceitful call. I, and others, have witnessed strange things resulting from this. The important thing is for those people to be aware that they are naked and that they are usually caught. So, O' Muslim, do not follow their path.

The situation is made worse with using a pager. You would not know some people have a pager in their pocket, because it is being used appropriately (if it is in the possession of a sensible person) and its benefit and potential for helping is phenomenal. The complaint comes however, in how some of the foolish people use it for doing silly things. Glory be to the Granter of good things.

Briefly, O' foolish one, know that the pager did not come into being in this Third World of ours, besides which there is no fourth, except after it was misused and earned the nickname, "The Cow Caller." In Japan, they were placed around the necks of dairy cattle. When they needed to be milked, a message would be sent to them, and they would return to the milking house for milking.

¹⁷ A call when someone pretends to be on the phone to someone important. – (T)

Conclusion

These are a number of the manners of using the telephone which are necessary for Muslims to abide by. There are also a number of prohibitions and things to be wary of which are compulsory to avoid. The things outlined here imply a number of different things that are not specifically mentioned.

As for other *fiqh*-based rulings, such as having binding agreements over these new-age phones, they have detailed rulings known to a number of *fuqaha* of this age. The National Board of Islamic *Fiqh* has taken the task of studying a number of these issues and declared their rulings in their sixth seminar in Jeddah.

All praise is due to Allah, Lord of all creation

Bakr Abu Zayd


4/1/1416 AH

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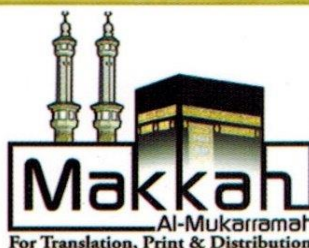
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