60269 - She advised him and he came to thank her, and they committed zina

the question

I am a young woman from a very well-known family. All my life I have been religiously committed and of good character, as all will attest, but I do not know what is the reason that caused me to get to know a young man. I wanted to help him because he had suffered the calamity of his father’s death, and he is responsible for his siblings and his mother, but he went down the path of keeping company with bad people. I advised him and I felt it was my duty to stand beside him and advise him sincerely. Eventually he returned to his studies and gave up those bad friends, and he changed completely. His mother asked him the reason, and he told her. She spoke to me and thanked me for being patient with her son. One day he came for a visit to see me, and I did not know why I did not hesitate. I went to see him, and I felt as if he was my brother. We spent some time together and what happened happened, unfortunately. Now he wants to come and propose marriage to me, but it is impossible. He is three years younger than me, and he is not of the same nationality as me. Now I am pregnant and I want Allaah to conceal my sin and I want to repent. I know that I have done wrong, and you will criticize me severely, but I want to repent and I want a solution.

Detailed answer

Praise be to Allah.

Firstly:

Perhaps your letter will be a lesson to those who claim that a relationship between a man and a non-mahram woman can be “innocent”, and to those who claim that such relationships are Islamically acceptable if they are for the purpose of giving advice, and to those who want to “water down” the religion to allow relationships between men and women in the name of

modernity, and claim that there is no reason why this should not be done, and that woman are able to control themselves… and other such foolish justifications.

It is a lesson for all those who are heedless of the laws of Allaah and pay no attention to the warning of our Lord, may He blessed and exalted, against following in the footsteps of the shaytaan, and they continue to take these matters lightly until they find themselves in deep trouble. You were heedless with regard to this young man and you went ahead and spoke with him and advised him, then you agreed to receive him in your house, then you agreed to be alone with him, then the Shaytaan made attractive to you the idea that he was like your brother, then what? Then you committed zina in the same meeting and in your house, with one whom the shaytaan made you think was like your brother! Which was the first step of the shaytaan? It was speaking to this non-mahram man, then the other steps of the shaytaan came one after another until you committed this most abhorrent of sins. Hence we can see the wisdom in the words of Allaah, may He be exalted (interpretation of the meaning):

“And come not near to unlawful sex. Verily, it is a Faahishah (i.e. anything that transgresses its limits: a great sin), and an evil way (that leads one to hell unless Allaah Forgives him)”

[al-Isra’ 17:32]

Allaah did not only forbid zina itself, rather He forbade coming near to it. The aim here is to forbid the things that lead to it. We ask Allaah to conceal your sin and to forgive you, and to help you to repent sincerely.

Secondly:

There is no doubt that zina is a grave sin, and it is one of the major sins. Hence the punishment for it is one that points to the seriousness of this sin and the abhorrence with which it is regarded in sharee’ah and by wisdom and common sense.

Ibn al-Qayyim (may Allaah have mercy on him) said:

Allaah ordained punishment for zina that differs from the punishment for other crimes in three

ways:

1 – Execution in the most unpleasant form; when the punishment is reduced, it still combines the physical punishment of flogging with the emotional punishment of banishment.

2 – He forbade people when carrying out the punishment on the adulterers, to feel pity for them that would prevent them from carrying out the punishment. By His mercy towards them He prescribed this punishment, and He is more merciful to them than you, but His mercy did not prevent Him from ordaining this punishment, so your pity should not prevent you from carrying out His command…

3 – He enjoined that their punishment be carried out in the presence of some of the believers; it should not be done in isolation where no one can see them. That is more effective in serving the purpose of the punishment, and serves as a deterrent. End quote.

Al-Jawaab al-Kaafi, p. 144, 115

Thirdly:

Although this sin is so serious and abhorrent, Allaah has opened the door of repentance to those who commit it, and He has promised that if they are sincere in their repentance, He will turn their bad deeds into good deeds.

Shaykh ‘Abd al-‘Azeez ibn Baaz (may Allaah have mercy on him) was asked:

What should the person who has committed zina do in order to rid himself of the effects of that action of his?

He replied:

Zina is one of the most serious of haraam actions and the worst of major sins. Allaah warns the mushrikeen, murderers and adulterers of multiple punishments on the Day of Resurrection, and of eternal humiliation and torment, because of the seriousness and abhorrence of their crimes, as Allaah says (interpretation of the meaning):

“And those who invoke not any other ilaah (god) along with Allaah, nor kill such person as Allaah has forbidden, except for just cause, nor commit illegal sexual intercourse — and whoever does this shall receive the punishment.

69. The torment will be doubled to him on the Day of Resurrection, and he will abide therein in disgrace;

70. Except those who repent and believe (in Islamic Monotheism), and do righteous deeds”

[al-Furqaan 25:68-70]

The one who has fallen into such sin has to repent to Allaah sincerely, and follow that with sincere belief and righteous deeds. Repentance is sincere if the penitent gives up the sin, regrets what has happened in the past and resolves never to go back to it, out of fear of Allaah and awe of Him, hoping for His reward and fearing His punishment. Allaah says (interpretation of the meaning):

“And verily, I am indeed forgiving to him who repents, believes (in My Oneness, and associates none in worship with Me) and does righteous good deeds, and then remains constant in doing them (till his death)”

[Ta-Ha 20:82]

Every Muslim man and Muslim woman must beware of this great evil and the things that lead to it, and hasten to repent from whatever is already past. Allaah will accept the repentance of those who are sincere and forgive them.

Majmoo’ Fataawa al-Shaykh Ibn Baaz, 9/442

Fourthly:

It is not permissible for two people who have committed zina to get married except after having repented sincerely, because Allaah has forbidden that to the believers:

“The adulterer — fornicator marries not but an adulteress — fornicatress or a Mushrikah; and the

adulteress –fornicatress, none marries her except an adulterer — fornicater or a Mushrik [and that means that the man who agrees to marry (have a sexual relation with) a Mushrikah (female polytheist, pagan or idolatress) or a prostitute, then surely, he is either an adulterer — fornicator, or a Mushrik (polytheist, pagan or idolater). And the woman who agrees to marry (have a sexual relation with) a Mushrik (polytheist, pagan or idolater) or an adulterer — fornicator, then she is either a prostitute or a Mushrikah (female polytheist, pagan, or idolatress)]. Such a thing is forbidden to the believers (of Islamic Monotheism)"

[al-Noor 24:3]

We have already explained the ruling on this issue in the answer to questions no. 14381, 22448, 11195.

Fifthly:

If the soul has been breathed into the foetus, then aborting it would be another crime in addition to zina. We have explained the ruling on this issue in the answer to questions no. 13317, 11195 and 40269.

Sixthly:

The solution to your problem is to inform wise people among your family about your situation. The one who transgresses the laws of Allaah must inevitably face the consequences of his sin, in many cases. The family has to stand with their daughter sooner rather than later. Even if she aborts the foetus before the soul has been breathed into it, she is no longer regarded as a virgin, and this will also cause some problems at the time of marriage. Whatever the case, they have to solve their daughter's problem, for she has repented and regretted her sin, and "the one who repents from sin is like one who has not sinned at all" – narrated by Ibn Maajah, 4250; classed as hasan by al-Albaani in Saheeh al-Targheeb, 3145. Even if she does not commit any sin after she repents, her sin has serious repercussions which must be dealt with before news of it becomes widespread and affects the family as a whole. The solution is not to marry her to that zaani before he repents, because marriage to a zaani is haraam, as stated above. But if they both repent, there is nothing

wrong with them getting married in sha Allaah.

It is not permissible for her to marry anyone else until her womb is emptied, which is when she gives birth. The evidence for that is the report narrated by Abu Sa'eed al-Khudri (may Allaah be pleased with him) from the Prophet (peace and blessings of Allaah be upon him), who said: "Do not have intercourse with a pregnant woman until she gives birth, or with one who is not pregnant until she has menstruated once." Narrated by Abu Dawood, 2157. al-Haafiz Ibn Hajar said in al-Talkhees al-Habeer (1/171,172): Its isnaad is hasan.

In order to understand the greatness of Allaah's bounty in accepting His slaves' repentance and to know that He accepts the repentance of the penitent no matter how great and how many their sins, please see the answers to the questions no. 624, 13990, 47834, 23485 and 20983

And Allaah knows best.