

Contemporary Issues- 3 Herpes and Marriage in Islam

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Shaykh Abdur Rahman Al-Adenee (may Allah preserve him)

Here in the West (United States of America) herpes has become a wide spread disease that many entering into Islam suffer from. One in five Americans is infected with this disease, and almost 1 in 2 African Americans. It is a social stigma or taboo and many Muslims here feel ashamed to reveal that they have it due to the illicit sexual nature through which it is acquired.

Some of the Muslims have hid this from their spouses and have infected them. Others have left off marriage in fear that others will view them in a bad light and spread their personal business amongst the Muslims.

Though herpes is a contagious disease it is not life threatening. Thus due to these circumstances marriage has become a tedious affair for herpes sufferers and we here in America have some questions. May Allah reward you.

Your Brother in Islam,

Abu Aaliyah Abdullah ibn Dwight Battle



1.Question :Is it in fact permissible for a Muslim with herpes to marry one who doesn't have it?

Answer: It isn't permissible for a person infected with Herpes or Syphilis to marry a healthy person, because this is harmful and oppression with ill intent. Furthermore this disease might affect their children.

'Ebadah ibn Samat (may Allah be pleased with him) narrated that the Prophet (peace and blessings be upon him) said, "There should be no harm or any reciprocating harm." [hadeeth saheeh]

And found in Saheeh Al-Bukhari is the hadeeth about epidemics narrated from Abu Salamah (may Allah be pleased with him). He said that Abu Huraira (may Allah be pleased with him) heard the Prophet (peace and blessings be upon him) say, "The cattle suffering from a disease should not be mixed up with healthy cattle ""

The situation in the question is more severe. It is dishonest and deceitful for a person infected with herpes or syphilis to conceal this illness from their spouse. Allah says, Verily! Allah commands that you should render back the trusts to those, to whom [An-Nisa' 58]

And deceiving people is also deceiving Allah and His messenger. He says, " O you who believe! Don't be unfaithful to Allah and the Messenger, nor unfaithful to your trusts while you know.[Al-Anfal 27]

2. Question: .If not what is the error in evidence of those who state that it is permissible so that I am made clear and at ease?

Answer: In reference to a scholar allowing this to be halal is probably based on one of the parties involved abandoning his/her rights. However the correct verdict for this issue is its haraam, even if one the parties involved agree to such

terms.

Allah's rights remain and He is more Merciful towards us than we are towards ourselves.

Allah says, "and do not throw yourselves into destruction, and do good. Truly, Allah loves Al-Muhsineen (the good-doers). [Al-Baqarah 195]

And He says, "And do not kill yourselves (nor kill one another). Surely, Allah is Most Merciful to you.

And whoever commits that through aggression and injustice, We shall cast him into the Fire, and that is easy for Allah.[An-Nisa 29-30]

3. Question: How should one with herpes go about seeking a spouse fearing that his/her business be made public?

Answer: It is permissible for herpes carriers to marry each other. There should be a religious committee and there should be a physician or an honest intermediary involved, who can convey the opinion of both committees correctly. And Allah knows best.

4. Question: Is it permissible to establish a website for these people to address the need of marriage amongst them?

Answer: It is permissible to establish a website in order for the people infected with this illness to marry each other. However the conditions mentioned in question number three must be adhered to.

5. Question: Please give an admonishment to those who hide the knowledge of their condition and harm others with this disease.

Answer: It's haraam to conceal such a disease and marry another person. Concealing a sickness is a disloyalty and a severe evil. Abu Hurairah (may Allah be pleased with him)

narrated the Prophet (peace and blessings be upon him) said, "Whoever took up arms against us is not of us and whoever acted dishonestly towards us is not of us."

Imam Al-Bukhari titled a chapter in his Saheeh " Faith is to love for your brother what you love for yourself". Then he mentioned the hadeeth from Anas narrated on the Prophet (peace and blessings be upon him), " None of you have complete faith until he loves for his brother what he loves for himself."

6. Question: Is it an obligation to have a blood test before marriage?

Answer: There is no problem to have a blood test before marriage, especially in the case mentioned. In fact it is an obligation to have blood test if there is belief that there might be some harmful illness.

Translated by Abu Aaliyah Abdullah ibn Dwight Battle

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