

**English translation of the Oran Fatwa. Source: L.P. Harvey's *Muslims in Spain 1500-1614* (with additional translations by Ibn Abi Hashim Al Muhahir)**

All praise is due to Allāh, and prayers upon our Master Muhammad (وَسَلَّمَ عَلَيْهِ اللَّهُ صَلَّى) and upon his family and his companions and give them abundance and peace.

Our brothers who are steadfast upon their deen are like someone who holds on to hot coals, who Allāh subhanahu wa ta'aala has rewarded abundantly due to what they faced in His path and they made their children and themselves patient for the pleasure of Allāh. The *ghuraba* [strangers] the closest, by the Will of Allāh, to His Prophet (وَسَلَّمَ عَلَيْهِ اللَّهُ صَلَّى) in *Al Firdaws*, the uppermost, in *Jannah* [paradise], who are the inheritors of the *Salaf* [the pious predecessors] in their endurance of hardships even if the souls reached the throat. We pray to Allāh to help us and you to observe His right with beautiful *iman* and truthfulness, and to make us and you of those whose affairs He eases, and of those whose distresses He removes.

After *As Salam Aleykum* from His Book to you, from the most insignificant slave of the slaves of Allāh who needs His forgiveness and His bounty, the slave of Allāh, the most high, Ahmed Ibn Bujmua'a Al Magrawi Al Wahrani. May Allāh grant His mercy and protection for all.

As sincere and estranged [*ghareeb*] brothers, I ask you to pray for me beautiful prayers for a beautiful end and salvation in this world. The gathering with those whom Allāh has favored [the pious] and I advise you to adhere to the *deen* of Islam that you may adhere to the deen of Islam, and that you may instruct in it those of your children who reach maturity. If you fear that harm will result from the enemy coming to know your inner thoughts, blessed are those *ghuraba* [1] who do what is right when others fall into corrupt ways, for indeed he who remembers to worship Allāh when those around him forget to do so is like a man who is alive among the dead.

- 1) Know that idols are carved wood and hard stone which can cause you no harm and can do you no good, it is to Allāh that the kingdom belongs. Allāh did not take to Himself a son, and alongside him there is no other Allāh, so He is the one you must worship, and you must display perseverance in your adoration of him.
- 2) So [perform] *Salat* even though only by making some slight movements (bi'l-ima')
- 3) And [you must contribute] ritual alms (zakat), even though as if apparently it is a hypocritical show of generosity to a beggar (for Allāh does not look at your face, but into your heart)

- 4) And [perform] ritual ablutions (*gusl*) after major pollution, even though by plunging into the sea.
- 5) If you are prevented from praying, then you should make up at nighttime what you have had to omit during the day; and when ritually pure water is for practical purposes lacking, then you must wipe yourself clean [in the ritually approved fashion—*tayammum*], even if it is just by rubbing your hands clean on a wall. If that is not possible, the generally held view is that the prayer and its execution are not required in the absence of water or clean stone, although you should make some slight pointing motion with your hands or face towards clean earth or stone or a tree such as would have been ritually acceptable for that purpose (this is as taught by Ibn Naji in his commentary to the *Risala* [2], and is based on the Prophet’s words: “Take from them whatever they can bring”).
- 6) If, at the hour of prayer, they force you to prostrate yourself before their idols, or make you attend their prayers, maintain it as your firm intention to consider what they do as forbidden, and have it as your desire to carry out the prayer prescribed by Islamic law, bow down to whatever idols they are bowing to, but turn your intention towards Allāh. Even if the direction is not that of Makka, that requirement may be disregarded, as it is in the case of prayer when in danger on the battlefield, [*Salat Al Khawf*]
- 7) If they oblige you to drink wine, you may do so, but let it not be your intention to make use of it.
- 8) If they force pork on you, eat it, but in your heart reject it, and hold firm to the belief that it is forbidden. In the same way, if they force you to do anything which is forbidden.
- 9) If they force you to marry their daughters, that is permissible, for they are people with a scripture [*Ahl Al Kitab*], and if they oblige you to give your daughters in marriage to them, then you should cleave firmly to the belief that it is forbidden, were you not under duress, and abhor it in your hearts, so that you would do otherwise, if you were able.
- 10) In the same way, if they force upon you the taking of usury, or some other unlawful thing, do it, but reject it in your heart, and only keep back for yourself the original capital sum invested, and if you repent, then give the rest away as charity.
- 11) If they oblige you to pronounce words of blasphemy, do what they ask, but employ whatever stratagems of equivocation you can, and if you do pronounce the words they require, continue to put your trust in the faith. If they say to you: “Curse Muhammad,” then, bearing in mind that they pronounce it as “Mamad,” curse “Mamad,” and signify thereby the Devil, or else the Jewish Mamad [presumably the Mufti has in mind the Sephardic synagogue official called the Mahamad], since it is a common name among them.

12) If they say, “Jesus is the son of Allāh,” say that if they force you to, but let it be your intention to say it without the words in the possessive case [i.e. “of Allāh”], namely, that the servant of Allāh, the son of Mary, who is rightly revered. If they say, “Say the Messiah is the son of Allāh,” then say that, but intend it to be a genitive possessive phrase, in the same way as one can say, “the house of Allāh [Bait Allāh],” without meaning that Allāh actually resides there.

13) If they give you the order, “Say Mary is His wife,” then say that, but intend the possessive pronoun to refer to her cousin, who married her in the time of the Israelites, and then separated from her before the birth (as explained by Al Suhayli in his commentary to *Al Muhkam Min Al Rijal fi'l Quran*), or else mean that Allāh out of his might and power brought about her marriage.

14) If they say Jesus died on the cross, mean by that that he perfected thereby the mortification of his flesh, his suffering, and the publishing of his praise among mankind, and that Allāh brought this about when he raised him to heaven

Anything which present difficulties to you should be sent to me, and, Allāh Willing, we will set you aright in the light of what you write.

I pray that Allāh may so bring it about that Islam may be worshipped openly without ordeals, tribulations or fear, thanks to the success of the attack of the noble Turks. We reassure you before Allāh that you have served him, and done his command. You must reply. Greetings to you all.

Dated at the close of *Rajab* 910 [CE 1504].

“To be sent to the *guraba*”

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[1] The pertinent hadith is: Islam began as something strange, and it would revert to its (old position) of being strange, so good tidings for the Ghuraba.

[2] A book of fiqh written by ‘Abdullah ibn Abi Zayd al-Qayrawani