

# **Fiqh of Love: Marriage in Islam**

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# The Prophet Muhammad (salAllahu alayhi wa salam) And His Wives

Prophet Salla Allahu Alayhi Wa Sallam used to address those who are not married by Making dua for them.

- Why are you here?
- Prophet Salla Allahu Alayhi Wa Sallam: لقد كان لكم في رسول الله اسوةٌ حسنة لمن كان يرجو الله واليوم الآخر
  - He made the best of everything. Alexander the Great telling his son: I would rather have an army of deer lead by a lion rather than an army of lions lead by a deer. Inspired to make a khutbah: the prophet Salla Allahu Alayhi Wa Sallam was a lion leading an army of lions.
  - The ideal husband/wife are those who apply the sharia and the Sunnah of the prophet Salla Allahu Alayhi Wa Sallam.
  - He was the best example, practical life, and scenario. He did not sit around say be good husband/wife, we have reporting of his life at all times.
  - Prophet married someone from a totally different culture. He married a woman that was very rich, very poor. Juwayriya the most beautiful woman. Aisha: I hated her; I wish he never saw her, when she came to the house. □
  - Wisdom behind why he married all these women. One of these wisdoms: they witnessed everything he did. Sh. Ibn Baz: الحياة في سبيل الله أصعب من الموت في سبيل الله. Living for the sake of Allah is more difficult than dying for the sake of Allah.
  - Amongst these women were ones who had every reason to hate him the most, Safiyyah Radiya Allahu Anha. Her brother, father, uncle were killed by him. Yet she lived with him and swore he was truly the messenger of Allah.

- We have not been really educated about the love life of the prophet Salla Allahu Alayhi Wa Sallam.
- Shaytaan makes us fall into a lot of haram when it comes to love.
- Imam Ahmad: When it comes to the ahadeeth of the seerah, we don't look at the authenticity of the narration. We generally derive lessons from them.
- Imam alBayhaqi: saheeh: marriage of Khadija and Muhammad. First love in Islam. She loved him so much. She approached his father.... She invited people, gave them food, gave them a lot of drink, till they got totally drunk. Father: Muhammad wants to marry me, what do you think. He said ok. I brought a cloth and I dressed him, he's drunk. It was the custom to drink but not get totally drunk. If you go back in your word, people will say you are the drunkie. Then he didn't have any option but to marry me. Lesson: there was an interest in her side to marry Muhammad.
- Jibreel: a house in Jannah, built of gold, no noise in it. Why no noise? Allah rewards you to what you used to do. Her house was full of piece in Dunya, same thing in the Akhirah.
- Uthman ibn Madh'oon: prophet cried and his tears were coming down like the rain when Uthman died. Khawla said: would you like to get married, he said what do you have? Thayyibun am bikr? Virgin or divorced? Daughter of Abu Bakr, or sawza bintu Zamca. He said, ask both of them. She went to Abu Bakr: best day in your life, prophet is talking about your daughter. Asked the father, how can I marry him my daughter and he is my brother, prophet said brothers in Islam. Mut3im ibn 3addy: made promise to him. Mutcim spoke about his Islam, he then changed his mind.
- His marriage to hafsa.
- His marriage to Ummu Salama. She said to her husband: let's make a promise, if I die u will never marry after me, he said ok. But he said: if I die, you can marry after me. He soon died, and prophet married her.
- Zaynab bintu Jahsh: Allah married him to her, ordered him to marry her. She used to brag about this.
- Juwayriyyah:
- Ummu Habeeba: married to the brother of zaynab bintu jahsh. He converted to Christianity in abbysinia. Ubayda bin jahsh.
- Safiyyah bintu Huyayy: Also recognized by her beauty. She had issues with the wives, they would call her Jewish. Tell them I am daughter of a prophet, niece of a prophet, married to a prophet. She cried because her came was sick couldn't continue to Makkah for hajj. Prophet asked Zaynab to give her a camel, she said no way, not to your yahudiyahh.
- Maymuna: widow as well.
- Zaynab bintu Khuzayma. Died 8 months after married the prophet Salla Allahu Alayhi Wa Sallam.

- Prophet used to show his love to his wives. Study shows: saying I love you 13 times a day makes the relationship better.
- He was asked who your lover is, he said Aisha.
- Masrooq used to call her habeebatu rasol Allah.
- Some would say she can figure it out! No habeebi, she won't figure it out.
- He shows his love in a very practical way. Not just empty words.
- He used to kiss his wives and then go to salah.
- With touch, he would wipe her tears away. Prophet actually offered his thigh to go on the camel.
- Aisha: I am not really interested in the seeing of the habasha, I wanted the touching of his cheek.
- Even feeding her is sadaqah. Imagine our parents doing that today.
- Aisha: when I had a drink from a cup, he would drink from the same spot. He would take the meat from the same spot as well. Very romantic!
- Prophet Salla Allahu Alayhi Wa Sallam raced with aisha, twice.
- Ibn Katheer, albidya wannihaya: he would intentionally take off his shirt, so that his skin would touch his wife's skin.
- He used to take a shower with his wives.
- Ulama about the hadeeth of Umm Zarc: Ibn Hajr, bukhari mentioned it in the bab husn almucashara maca annisaa'. The prophet Salla Allahu Alayhi Wa Sallam sat down and listened to Aisha, talking about women in jahiliyyah backbiting their husband. This was an opportunity for Aisha to speak to the prophet and he was listening.
- Aisha switched the camels with Hafsa. The point, spending time talking.
- Safiyyah came to him during i'tikaf, spent a lot of time talking to her. Listening, talking to them, and consulting them.
- When the sahaba were refusing to take off the ihram. He asked Ummu Salama what he should do.
- Khadija: she supported me, believed in when no one did, she trusted in me when no one did, and Allah has given me from her son.
- Every day after Asr he would go to all of their wives and spend time with them. Family time: after As. He was very patient and considerate.
- He once had guests with your wife. One of the other wives sent food, Aisha felt jealous; she hit the plate and broke it.

# Marriage In Islam

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ  
بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ ﴿٢١﴾

“And of His signs is that He created for you from yourselves mates that you may find tranquility in them; and He placed between you affection and mercy. Indeed in that are signs for a people who give thought?” [30:21]

Allah created the bond of marriage between a man and a woman and this is the concept of marriage in Islam.

﴿ هُوَ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَجَعَلَ مِنْهَا زَوْجَهَا لِيَسْكُنَ إِلَيْهَا  
فَلَمَّا تَغَشَّهَا حَمَلَتْ حَمْلًا خَفِيفًا فَمَرَّتْ بِهِ ۖ فَلَمَّا أَثْقَلَتْ دَعَا اللَّهَ رَبَّهُمَا  
لِيُنْزِلَ عَلَيْهِمْ صَالِحًا لَنُكَونَنَّ مِنَ الشَّاكِرِينَ ﴿١٨٩﴾

“It is

He who has created you from a single person (Adam), and (Then) He has created from Him his wife [Hawwa (Eve)], in order that He might enjoy the pleasure of living with her. When He had sexual relation with her, she became pregnant and she carried it about lightly. Then when it became heavy, they both invoked Allâh, their Lord (saying): "If you give us a Sâlih (good In Every aspect) child, we shall indeed be among the grateful." [7:189]

The Prophet (SAW) said, “Whoever marries has completed half of his faith, so let him have fear of Allah in remaining half of religion.” [Bayhaqi]

Allah (SWT) informed us that marriage is based on love and mercy.

Abu Maryam's wife said my husband is very righteous man, when we have guests; I used to wait for my husband to start praying because he would not be bothered by anything when he is in Salah.

She said one day I asked him what is the deed that you have done your life that you would say in front of Allah and He would take you to Jannah.

He said, "when I was young one day a woman came to me and said (she was covered) I have been watching you for days and weeks, I love you so much that I think about you all the time. I went to her father, asked for her hand and I was married to her. I entered the house and I saw her, she was extremely ugly woman, she was not attracted at all, and I could not tolerate her, she had bad manners and over jealous, she would stop me to go to classes because she did not want me to go out of house. I stayed with her 15 years, I never showed her any rejection, made her mad or ignored her, my family used to come to us and would tell me to divorce her. I used to tell them I feel bad to divorce her after she showed so much love for me, I stayed married to her until she died." This marriage was sustained only for mercy and he said I would go to Jannah for this. This is very unique – in marriage it is only love and mercy that sustain it and not only love.

The Prophet (SAW) said: "Women are the full siblings of men."

They are like brothers and sisters, they have the equality and they don't think they are better than the other this is not the right approach. It's not a competition and this discussion never existed in the books of fiqh because it was never discussed as "who is better – a husband or a wife?"

Allah says marriage is like home, "Sakan" a shelter, where you find peace and tranquility, security and comfort and feel safe and secure.

Allah describes marital relationship as you are having clothes on. Clothes touch your body and this is how your spouse should be, so close to you. Clothes are beautifying and they make you beautiful. "One of the rewards of Jannah is to get the clothes of silk and soft material" because one of the purpose of clothes is to beautify you and they are source of protection from heat and cold, husband and wife are meant to protect each other, in deen and Duniya. Libas (garment) is also source of tranquility. One of the techniques of interrogation is to strip the person because they feel anxious and vulnerable. When someone is hurt, terrified and if you cover them with a blanket they would hold on to it and feel comfortable even they are not cold and this is how marriage should be.

Marriage brings purity to heart, eyes and tongue and it purifies the life. Garments that you have are private you don't share your clothes with people in general. It is something private and marital relationship is in similar manner something private.

The nature of marital relationship is to always renew it and keep it fresh all the time. You have to bring new things in your life to keep it fresh.

One more thing, Libas cannot stay in same condition all the time. Wash it and iron it and it is fresh again. Marriage is the same, sometimes it gets dirty so you should clean it and it will be fresh again.

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ  
كَرْهًا وَلَا تَعْضُلُوهُنَّ لِتَذْهَبُوا بِبَعْضِ مَآءَاتِيْتُمُوهُنَّ إِلَّا أَنْ يَأْتِيَنَّ  
بِفَاحِشَةٍ مُّبَيِّنَةٍ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى  
أَنْ تَكْرَهُنَّ وَأَنْ تَكْرَهُنَّ وَبَعَثَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا



“O

You who believe! You are forbidden to inherit women against their will, and you should not treat them with harshness, that you may take away part of the Mahr You have given them, unless they commit open illegal sexual intercourse. And live with them honorably. If you dislike them, it may be that you dislike a thing and Allâh brings through it a great deal of good.

This relationship is based on Ma'ruf – it means something well known that it is good. Marriage is not a pure religious relationship culture was never excluded from marriage; if it is nice and fun and not Haram in religion then it is up to people to do or not to do.

Ma'ruf – culture has great part in playing a role in successful marriage, if it is acceptable in culture and not Haram there is no problem accepting it.

The Prophet (SAW) said, “Whoever marries has completed half of his faith, so let him have fear of Allah in remaining half of religion.” [Bayhaqi]

The Prophet (SAW), what translated means, “This life is joy and its best joy is a good wife.” [Muslim]

Marriage is meant to bring happiness and to make you happy.

Prophet (SAW) said, “Four course of happiness are, a pious wife, a spacious house, a pious neighbor and a means of transportation that is fast and pleasing. And four are sources of unhappiness: an evil wife, an evil neighbour, an evil means of transportation and cramped housing.” [Hakim]

The real source of joy in this life is to have a good wife and happy marriage.

Marriage is something you should not be ashamed of but should be proud of. Al-Baqilani, was asked to visit by priests, he had debate with them and went to the greatest priest and asked “how is your wife doing and the children?” Priests were mad, how could you ask this question? You know priests don’t get married and have children. Al-Baqilani told him, “you are shamed to attribute this to a human and you are attributing to your Lord?”

وَلَقَدْ أَرْسَلْنَا رُسُلًا مِّن قَبْلِكَ وَجَعَلْنَا لَهُم أَزْوَاجًا وَذُرِّيَّةً وَمَا كَانَ لِرَسُولٍ  
أَنْ يَأْتِيَ بِبَيِّنَةٍ إِلَّا بِإِذْنِ اللَّهِ لِكُلِّ أَجَلٍ كِتَابٌ ﴿٣٨﴾

“And indeed We sent Messengers before You (O Muhammad), and made for them wives and offspring. And it was not for a Messenger to bring a sign except by Allah’s Leave. (For) each and Every matter there is a decree (from Allâh).”

Dua to be blessed with righteous spouse, you pray and ask Allah for the righteous one...

وَالَّذِينَ يَقُولُونَ رَبَّنَا هَبْ لَنَا مِنْ أَزْوَاجِنَا وَذُرِّيَّاتِنَا قُرَّةَ أَعْيُنٍ وَاجْعَلْنَا  
لِلْمُتَّقِينَ إِمَامًا ﴿٧٤﴾

And those who say: "Our Lord! Bestow on us from our wives and our offspring who will be the comfort of our eyes, and make us leaders for the Muttaqûn." [25:74]

One scholar was captured by some people had very short Isnad of Hadith to RasulAllah (SAW). This scholar had very interesting story, he was very poor at his youth and travelled a lot and he was very hungry and looking at the trash of the city and he sees a piece of cloth made of silk and

wrapped with a string and he saw a necklace made of pearls that he never saw anything like it, he went to the same place he found the pouch and find the anxious owner explaining the loss of his pearls to the attentive audience and was announcing a reward of 5 hundred gold coins to the person who could help him in recovering the lost necklace. He took him to his house and asked him for the marks of identification of his lost necklace. He readily explained the shape and color of the pouch. He handed over the pouch to the owner and in return the old man wanted to give him the reward money as promised. However the young man refused to take the reward as he said that he did not deserve it and has not done anything to do to earn this reward. After a while the young man got back his job and his days of deprivation and hunger were over. He joined the classes of knowledge and forgot about the incident. On the recommendation of his tutor, he was offered an appointment as Qadhi of Qurtaba. He accepted the post and started to prepare himself very happily for the long journey. He boarded a merchant ship to carry him to the land of his future hopes. The voyage was smooth and enjoyable for couple of day and then suddenly a violent storm of severe intensity overtook and the ship was engulfed by stormy waves. A mighty wave crushed the ship and wrecked it completely. When he recovered from shock he found himself clinging to a plan and moving with it at the mercy of the waves and was unconscious. When he gained conscious he found himself in the middle of strangers. They took care of him and he started living with them after he recovered. One day the Imam was late in arriving at the masjid and the young man was asked to lead people in prayer. The young man was insisted to take the position of Imam of the Masjid. He took the position and new environment and people accepted him as their religious leader. They elders of the community asked him if would like to marry and they married her off to a beautiful girl wearing the same necklace of pearls. Upon inquiry he was informed of the story of the pearls necklace and the lady he married was the daughter of same old man who lost is necklace. An emotional storm erupted within him and the strange happenings of the fateful events which were unfolded by the hidden hands of destiny agitated him and drops of tears rolled down his cheeks, he looked towards the sheikh through misty eyes and said, I am the person who found the necklace and restored it to your friend. Everyone was amazed. This is how Allah rewards people who fear Allah.

Marriage is an act of worship, it is something that will bring one closer to Allah and to Jannah, if you have righteous kids they will pray for you after you die and if you die single who is going to remember you after you pass away? – It is something to bring you to Jannah.

Rule # 1 – don't enter marriage with low self-esteem, the Prophet (SAW) raised the self-esteem of Julaibeeb by raising his self-esteem.

Rule # 2 – if you want to talk to your parents about marriage use Allah and the Prophet (SAW) and remind them of the hereafter.

# Love in Islam

Love in Arabic means Hubb – Ha comes from the deepest part of your throat, Ba comes from only lips. Ha is at the bottom and Ba is from top, there is nothing deeper than Ha and nothing top than Ba and you need all the language to explain love and these two letters carry all the language. It is a feeling you cannot describe, there are lots of definition of love. Feelings of love are very hard to identify you can tell the symptoms but you can describe the emotion itself.

In Arabic language there are three haraqat – Dammah, is the strongest one and in word Hubb Dammah is used because love is very strong emotion. That is why they say, when you are in love, your emotions arouse, and you look like you are in deep fear because it is very strong emotion.

When you talk about the one you love, then you use Fatha, Muhabb. It is lightest vowel, someone very light on your tongue and heart – someone easy to talk about.

When we call someone who loves, we call him Muhibb with Kasrah because his heart is maksoor (broken) – someone who is put down in humility, Love of Allah put you down, your humility towards Him. When you love your spouse, you will put yourself down for them. Part of loving is humbleness; you cannot have arrogance with love.

“It is He who created you from one soul and created from it its mate that he might dwell in security with her” [7:189]

Real Hubb is that which is settled in your heart. Fact about love, when you are dumped, or divorced, you don't lose the love quickly, because love is settled and it is not easy to remove it from your heart.

Hubb also used to describe the clean shiny white teeth - Habul-asnaan because, Hubb is something very pure which is why when it is mixed with Haram, it never travels far. The real love is according to Shariah will travel very far.

When Arabs dig a well and water starts coming out they call it Hubb al Ma'. The love appears in your actions and words; you cannot say you love your wife and did not show any interest in her. Even relationships in human beings we need to show our love in action because love has to appear in action and it is not something you conceal in your heart.

Seed that is put in the ground is called – Habba! It is the root for the tree. Love is the reason behind what we do and what we don't do, love is the seed, foundation of marriage and for good relationship in general – Love is where it starts from.

Love is much respected concept, it is like any other emotion, it could be Halal or Haram, good or bad, negative or positive and how we define that? Learn it through Shariah. They say, any emotion you have, you have to see at two things, what triggers that love? Is it something good or Haram? And where this love leads to? (Cause and effect)

Prophet (SAW) was not shy to express his love for his wives, as the Prophet speaks about his wife Khadija, “Verily, I was filled with love of her.”

You have no control over your love and your heart, when you love someone and you feel your heart attached to someone, it is not Haram to love someone because you love someone in your heart.

A man fainted when he saw the woman he loved during hajj, Ibn Abbas was asked if his hajj was valid. Ibn Abbas said, “It is not something that he has control over.” You cannot force love in the heart nor can you take it or try to control it.

Time is a very interesting healing factor, time has an amazing impact on our feelings, you will never feel the same, you need to remember, if you are in love and you are not able to marry the person you love, time will be a great factor to help you get over it and with certain practices it would help you go over this emotion. Another example would be if you received news that your child drove your car and the police managed to stop him, you'd be shaken and disturbed, yet 20 years later the same news would not have the similar effect on you.

Imam Ahmad (RA) narrated a Hadith, “you should not expose yourself to a fitna you have no way to handle it” – don't put yourself in a position that is stronger for you to handle. Imam Ahmad commented on it by saying “by letting yourself to hawa...”

The more you spend time with a person the more you get attached to the person, i.e. dating; spending time with the person, you put yourself in a position that is very hard to say no. This love is like playing with fire, and it can burn you or can be very beneficial for you, you just don't expose yourself to everybody.

Love must be given to the right person. Make sure you protect your heart, it is the most valuable thing, don't fill it up with non-sense and Haram, and rather fill it up with good type of Love.

Ibn Qayyim (RA) said, “I looked to all type of love, and any love that is not connected to Allah (SWT) it causes hardships in this life and sometimes in the hereafter”

Why? Because when you love something or someone, you always worry about having it, and when you have it, you would be worry about protecting it and when you lose it you are sad. Only love of Allah does not make you feel like this or make you sad rather Your relationship with others is mixed with love for the sake of Allah.

# The Mystery of being “In Love”

Love is something – there is always room of improvement.

Love starts with a spark and this spark could be look, touch, meeting, hearing the person “ear can fall in love before eyes”.

The stages of Love - Alaqah (the thought clings to your heart) then you start thinking about it and develop it, until it is so deep in your heart, that is called Shaghaf then it cause even worse called Ishq, which got deeper to the bottom of the heart – controlling the core of the heart. Then it goes to hawa, no gravity – space, sky diving ☐ – moves your heart, that is when you love someone so much, that person controls your heart. Then it reach to the level even harder Taimul Hubb, when a person becomes like a slave, totally controlled by the person he loves, and there is another level of love, Ilahtul Hubb, meaning Ilaha originally means waliha, the highest level of love, that is why Allah is the one you love the most, even higher than being slave of Allah, that is why I am Muslim. Love can lead to worshiping because people worship others than Allah because they love them so much but Allah is loved more by the believers, even more than those who love their idols.

People who are newly in love produce hormones that make a chemical imbalance in their brain and will make you in a status that is similar to the ones who have OCD.

Ruling on celebrating Valentines Day?

Not acceptable in Islam. Read on the origins of Valentines Day

# Al-‘Afaaf in Islam

Linguistically it is from ‘Affa, which means protection or purity

Technically it means abstaining from any indecent words or actions

Afeef is a person who protects himself from indecent words or actions

وَلَيْسَتَعْفِيفِ الَّذِينَ لَا يَجِدُونَ نِكَاحًا حَتَّىٰ يُغْنِيَهُمُ اللَّهُ مِنْ فَضْلِهِ ۗ  
وَالَّذِينَ يَبْتَغُونَ الْكِتَابَ مِمَّا مَلَكَتْ أَيْمَانُكُمْ فَكَاتِبُوهُمْ إِنْ عَلِمْتُمْ  
فِيهِمْ خَيْرًا وَعَآتُوهُمْ مِّنْ مَّالِ اللَّهِ الَّذِي آتَاكُمْ وَلَا تُكْرِهُوا فَتِيَاتِكُمْ  
عَلَى الْبِعَآءِ إِنْ أَرَدْنَ تَحَصُّنًا لِّتَبْتَغُوا عَرَضَ الْحَيَاةِ الدُّنْيَا  
وَمَنْ يُكْرِهْنَهُنَّ فَإِنَّ اللَّهَ مِنْ بَعْدِ إِكْرَاهِهِنَّ غَفُورٌ رَّحِيمٌ ﴿٣٣﴾

And let those who find not the financial means for marriage keep themselves chaste, until Allâh enriches them of his Bounty. And such of your slaves as seek a writing (of emancipation), give them such writing, if you know that they are good and trustworthy. And give them something yourselves out of the wealth of Allâh which He has bestowed upon you. And force not your maids to prostitution, if they desire chastity, In order that you may make a gain in the (perishable) goods of this worldly life. But if anyone compels them (to prostitution), Then after such compulsion, Allâh is Oft-Forgiving, Most Merciful (to those women, i.e. He will forgive them because they have been forced to do this evil action unwillingly). [24:33]

وَرَاوَدَتْهُ الَّتِي هُوَ فِي بَيْتِهَا عَنْ نَفْسِهِ ۗ وَغَلَّقَتِ الْأَبْوَابَ وَقَالَتْ هَيْتَ لَكَ  
قَالَ مَعَاذَ اللَّهِ إِنَّهُ رَبِّي أَحْسَنَ مَثْوَايَ إِنَّهُ لَا يُفْلِحُ الظَّالِمُونَ ﴿٣٣﴾

And she, in whose House He was, sought to seduce Him (to do an evil act), she closed the doors and said: "Come on, O You." He said: "I seek Refuge in Allâh (or Allâh forbid)! Truly, He (your husband) is My master! He made My stay agreeable! (So I will never betray Him). Verily, the Zâlimûn (wrong and evil-doers) will never be successful." [12:23]

### **What are the causes of indecency?**

1. Location
2. Friends
3. Fudool

Location: Most of the indecent acts happened due to the environment you are in; you should change the environment you are in to protect yourself. Locations can be source of fitna and could lead you to do Haram.

Man who killed 100 people was advised to change location because changing the environment would help him repent and stay on the righteous path.

Friends: Most indecent acts are encouraged by friends who are indecent themselves, they make it easy for you, and they show you how to do it. You will be similar to your friends you hang out with.

Fudool: Literally means extra, when you go beyond limit or extra.

Islam gave us sensors and we should use them for certain limits, when you are so close to the red line and you pass it, this is called Fudool. When you cross the limit you start thinking about Haram. An-Nisapuri said, "If someone does not stop their thoughts it can lead them to destruction."

### **How does Islam establish 'Afaaf?**

- Marriage
- Awrah
  - Awrah of a woman should be covered in front of Muslim women also as well as non-Muslim women specially if you doubt that she would explain others about your beauty
  - Do not touch other woman from her shoulders if she is not covering herself.
  - There is no Hadith ever suggest that Prophet (SAW) wear any cloth that would reveal his thigh, the only thing we have is that he uncovered his thigh when he is riding his camel and it could be the wind come and it uncovered his thigh, it is

very clear to say that thigh is part of Awrah, part of thigh close to knee is allowed to show but higher thigh is not permissible to show.

- Dhikr of Allah
- Free-Mixing & Khalwa
- Punishment
  - In Duniya and in Akhirah
- Fasting
- Guarding the senses
  - Ibn Qayyim said, “You just burned your heart for nothing, you are seeing something you cannot touch or have.” – don’t look and guard yourself from that which is Haram.
  - Invent yourself a thing to stay away from Haram, a brother created a sticker reminder of “lower your gaze” and helped him lower his gaze
  - Create your tools to avoid the Haram
    - You cannot believe it is part of the Shariah what you have created
    - You cannot change Islamic rules because of it i.e. not going to the masjid because cannot stop looking at women
    - Cannot make anything compulsory – if I do this I will make istaghfar number of time
    - You cannot make it Shariah to physically harm yourself
    - You can not invent an act of worship
- Good companions

To quit any type of addiction needs a lot of help and change of belief system – reprogramming your brain basically, this could be done on your own or by the help of a specialist.

Indecent acts sometimes – especially in relationships – you need to sit back and look into the situation clearly.

Sports will help you a lot to clear your mind, riding the bike, go boxing, treadmill etc. It will help you a lot to protect yourself from doing indecent acts.

## **Ruling for masturbation in Islam**

There are 3 positions

1. Most popular position is that it is Haram and not permissible in Islam and they use the verse in the Qur'an
  - a. The believers are those who protect their private parts except from their wives and slaves... anyone who does not do this is from transgressors.

- b. The only thing that is allowed is between you and your wife and anything other than that is Haram
  - c. One of the people on the day of judgment Allah will not talk is the person who has intercourse with his own hand – is a very weak Hadith and it might not be used as daleel
- 2. Second opinion is that it is only allowed (less evil) if the person is afraid that he would have feared that he would commit adultery.
  - a. They are talking about what is less evil and not allowed
  - b. We are still talking about two evil things but one is less evil than the other
- 3. Imam Ahmad (RA) was once asked about masturbation
  - a. He said it is relieving the sperm as relieving the blood stuck in it and there is no harm in it.
  - b. This is a position that has been opposed by vast majority of scholars

Masturbation is lust and addiction; it does not happen without looking and thinking. It is a sin that is why you cannot expose to other people because sin is something you are not comfortable in doing it and not letting other people knowing about it.

It is a forbidden act and it is now allowed to be done. One of the research has included that don't be fooled by people who say that it is good for you and it would develop your sexual ability that it is wrong and all rubbish – It is an addiction.

Be warned to take it easy, it is Haram and should not practiced, stay away from being by yourself and make Dhikr of Allah (SWT) to keep your heart and mind clean.

# The Purpose and Goals of Marriage

- Procreation
  - Reproduction of Human race as Prophet (SAW) said, have more children as my nation would be known for their numbers
  - The Prophet (SAW) said, “Marry, for I shall be proud of your large numbers on the Day of Judgment.” [Ibn Majah]
- Physical pleasure
  - We also marry for the physical pleasure, one of the main purpose is to fulfill the pleasure, and that is why you need to be physically attracted to the person you are going to marry
  - Allah puts in the heart of the people the love of women (love for men in the heart of women) and it is a need and it needs to be fulfilled.
  - Marriage would protect you from zina and indecent acts as well as help you in lowering your gaze.
- Forming the cornerstone of Muslim society
  - Without marriage the society is corrupt
  - Look at Greece and Roman when they open the doors to sexual relationship that when the people used to have sex on streets and with non-mahram etc.
  - If you want a moral society, it starts from a husband and wife, therefore it is important that we get marriage and have children and build the community at large.
- Companionship
  - It is the most beautiful thing about getting married – to have companion along with you.
  - Mostly people are looking for companionship, to be attached to someone.
  - One of the pillar of marriage is companionship
  - Humans are by nature lonely – Allah created Eve for Adam and he was so happy.
  - Companionship that is great and really needed

- Creating bonds between people
  - It is a relationship between families, you cannot take the girl/guy without the family – keep that in mind 😊
  - It is creating bond between different people from different places

## **Benefits of marriage:**

### **For Men:**

- Marriage encourages better relationships between parents and children, especially father-child interactions
- Married men earn 10-40 % more than similar unmarried men
- Married men gain substantial physical health benefits
- Married men have lower levels of testosterone which is associated with a reduction in aggressive and risky behaviors as well as promiscuity
- Married men are less likely to have alcohol and drug addictions, to commit crime, and to be abusive.
- Married men live longer
- People who are married honor sexual relationship more than those who are not married
- More cheating if not married, even talking about non-Muslim societies if people are married they are more committed to their wives or husbands.
- Married couples are better when it comes to taking care of kids compared to when it comes non-married couple

### **For Women:**

- Married women without children have higher incomes and married mothers are less likely to live in poverty
- For women marriage combats depression, provides particularly high psychological benefits, and significantly lowers the risk of suicide
- Marriage normally decreases the likelihood that a woman will be domestically abused.

# Choosing the Right Spouse

The Prophet (SAW) said, “A woman is married for her religiosity, her wealth or her beauty. So go for the one who is religious, may your hands be filled with dust.” [Muslim]

That is what people are looking for, so what are you really looking for?

- What you want to achieve by getting married?
- What are the qualities you are looking for in your future spouse?
- Commonality: People like those people who are like them
  - Someone similar to you
  - Similarity breed comfort
    - You will be more comfortable with someone who is similar to you
    - It will lead to comfortable life
    - Someone who share with lots of things
  - Ask yourself **what kind of quality do I have?** So I match it!
  - Make sure you understand yourself very clearly, things you like love and motivate you
  - Learn the qualities and values you have about life and you find most interesting
  - Look for someone who shares lot of areas on the qualities you have

## The Ultimate (Cardinal) Rule

The Prophet (SAW) said, “If someone whose religion and character you are pleased with comes to you to marry your daughter, and then marry her off to him.” [Tirmadhi]

**DON'T** start by asking about religion

Keep the religion to be the last thing to ask about, the Ulema were very smart when they said that. Why? Because someone was told that the person was known for their religion but they don't look good then they rejected him, it means they rejected the religion.

First ask about the things you are interested in for example, looks, job, and interests and keep the religion to be the last thing to ask.

Religion itself is very important, as Prophet (SAW) Said, “Choose the best for your sperm. Marry those who are qualified and get them married accordingly (to others).” [Ibn Majah]

Don't be too detailed or too moderate. Don't forget about everything or just one thing. Be Moderate in selecting/choosing a spouse.

The Prophet (SAW) said, “If someone whose religion and character you are pleased with comes to you, to marry your daughter, and then marry her off to him. If you don't do so, there will be tribulation on the Earth and a great deal of evil.” [Tirmadhi]

Make sure you choose a person who has correct belief. Religious person is the one who fulfills the major responsibilities and minimum obligations of Islam – for example, praying Salah, pay Zakah, have correct belief, Good to his Parents and Good Manners, Good to his Kinship – does he care about his relatives, being good to the neighbors, having a clean heart and love and fear of Allah (SWT), learning the deen, modesty.

You don't marry a person who is a terrorist – a killer – an extremist and innovator, unjust, alcohol drinker, going to magicians and fortune tellers.

If he never mentions the name of Allah, i.e. bismillah or Alhamdulillah how can he be religious and his heart attach to Allah? Because when your heart is attached to Allah you always mention the name of Allah.

Whom should I give my daughter? – The one who fears Allah. If he loves her he would treat her well and if does not love her he would not mistreat her because he fears Allah.

It's the deen that keep the family successful and the husband committed to you. Religion is not only monitored by appearance only rather it is the sign for religion. If it is raining, the sign is water on the street but if there is water on the street is it proof of rain? No.

## Behaviour and Character

الْخَبِيثَاتُ لِلْخَبِيثِينَ وَالْخَبِيثُونَ لِلْخَبِيثَاتِ وَالطَّيِّبَاتُ لِلطَّيِّبِينَ  
وَالطَّيِّبُونَ لِلطَّيِّبَاتِ أُولَئِكَ مُبَرَّءُونَ مِمَّا يَقُولُونَ لَهُمْ مَغْفِرَةٌ وَرِزْقٌ

“Bad statements are for bad people (or bad women for bad men) and bad people for bad statements (or bad men for bad women). Good statements are for good people (or good women for good men) and good people for good statements (or good men for good women), such (good people) are innocent of (each and every) bad statement which they say, for them is Forgiveness, and Rizqun Karîm (generous provision i.e. Paradise).” [24:26]

## Qualities:

**Generosity** is very important; they are willing to forgive easily. Stingy person does not forgive easily he treat people exactly the same way he treats money.

Person who is **patient** and not someone who gets angry very fast

Someone who **speaks politely and sweet** and don't break heart. Someone who choose his words carefully

**Wise:** someone who is wise and not ignorant, wisdom is very important

**Compassion:** look for a woman who is compassionate and not manly

A woman who has good **smile** - choose the person who have beautiful smile

“If you have a tail; wag, if you don't have a tail then smile” 😊

- Child bearing
- Virginity
  - Maliki mention that it apply to both men and women, it is better to marry a virgin man/woman over divorced men/women. It is about the first love/relationship.
- Beauty
  - Beauty is not everything
  - Don't marry women only for their beauty
  - Leave the beauty to be decided by the person
  - Beauty is different from one person to another
- Wealth
  - Make sure you have something to offer
  - It is not wrong to look for someone who is financially stable
- Family lineage
  - You want to know how the man or woman would raise their children

- Love
  - Chemistry kind of love that happens
  - When you see someone you become attached to and come familiar with, you need to be married to someone you feel love for and heart attached to, love is like a tree treat it with love, respect and care and it will go strong, if neglected it will die quickly
- Sexy
  - If your sexual life is bad, your marriage is failure
  - If you are not sexually attracted to your spouse, your marriage is failure
  - Marry only to the person you are sexually attracted to
  - Sex is not about the body, it is how a person carries himself

## The Hunt

Popular hunting grounds

- Starbucks
- Aisle 8 at Wal-Mart
- Masjid
- Eid al-Fitr
- Convention Hotel Lobbies
- Bazaar
- MSA
- Auntie Zamzam's sister's friend
- Matrimonial websites
- College

## Internet

Can I post my pictures on the matrimonial services website?

Internet is very deceiving, a lot of failure marriages happen due to internet. When you put your profile, it is fast, chatting etc. People lie too much about themselves online, mostly people who have respect for themselves they don't put their profiles online.

You develop false ideas about other person – human beings are nice in general – and they think good and nice picture of other person without seeing him.

Internet – wali has no involvement in the process where as in Islamic perspective wali has to be involved.

Pictures online for everyone to look at – this is ridiculous... this is why shaykh Yasir Birjas started **practimate** online. He looked at all these areas and provided the avenue for those who are looking for marriage.

## **Flirting**

It is part of human nature to flirt; humans don't live individually rather we live in society and build communities.

Some people are so much into it that they do not notice it anymore. It is a very bad habit. Flirting with your wife is beautiful but it is dangerous when done with someone who is not mahram to you.

Eye is number one flirting tool; stimulate the person the way you look at them. Guys and girls some of them master it. People usually flirt because they think there is a competition and it is Haram, flirting is not allowed.

Don't come close to adultery – it is de-cale affair. It is what leads you to forbidden way – the Look – a smile – make a move – acceptance – meet each other and fall into that which is Haram.

People who flirt they are playing games, “The may-be game”

Tone of voice – when speaking to the opposite gender

## **Flirting can be a habit and how can you stop that?**

**First** know that it is not allowed and it is Haram

**Second** Allah forbade women to walk in ways that reveal their body or to attract male/female's attention. People who do flirt they will not lower their gaze

**Third**, dress the way it is Sunnah to dress – dress modestly. Make sure you stare at others and keep your limit and don't be in mixing gathering if you cannot control yourself.

Check your intention when you say a thing in front of a non-mahram. Check yourself and your intention and it will help you get rid of this habit. Allah says don't follow the footsteps of Shaitân because he takes you step by step to do Haram.

Know your limits- don't throw jokes, stare etc.

Note: It takes 22 days to break a habit.

## Arranged Marriage vs. Forced Marriages

It does work – it is through family and friends. Unfortunately in modern society arranged marriages are taken into wrong light. Arranged marriages are not forced marriages. Forced marriages don't work and they are forbidden in Islam. Don't close the door on arranged marriage. Our mothers know us better than we think they do.

## How do you get to know that this is the one?

1. One of the clear sign of having **taqwa** or good **character**, having righteous and good friends.
2. How does he/she spend his/her free time?
  - a. How a person spends their time reflects their personality – attending halaqas, volunteering etc.
3. High standards
  - a. Someone who has high standards in life
4. Accomplishments and achievements in life
  - a. When someone proposes you ask them “what achievements you have done in your life?”
  - b. Memorized the Qur'an in one year, memorized one juz or join the AlHuda School and score high in exam, established organization, revived MSA...etc.
  - c. Resume of marriage are based on accomplishments
5. Meet the parents
  - a. Meeting parents is very important and this has to be done in the beginning because they have very much experience in life.
6. Engagement period
  - a. A good period of time to allow you to know a person
7. The contract period
  - a. A contract period when you have Nikaah but not move to the house and consummated the marriage and know how good a person is.

# Al Du'a & Al-Istikhara

1. Comes from the word which means you ask what is good for you.
2. Alif - Seen - Ta. Usually means to seek something. Istiqamah, istijabah etc.
3. If one you intends to do something then he should pray 2 rakahs and then recite the dua.
4. Shows ruboobiyah - he knows what you don't.
5. When should the dua be said?
  - o No proof that it should be said in sujud, tashahud.
  - o Clearly stated that it should be said AFTER the salah not during.
6. Recommended act.
7. It can be repeated more than one time.
  - o Proof: it is a form of dua and you can repeat your dua.
8. You can't pray istikharah on behalf of someone else.
  - o Dua is something YOU want.
  - o From early generations it's never been done.
9. To a menstruating woman, just make the dua.
10. You can read it from a piece of paper.
11. Allowed to say adhkar in another language - opinion of Shaykh Walled.
12. Can be read in any other language.
13. Don't wait for a sign.
  - o Do not wait for a dream.
  - o Not in the sunnah that you will "see" a sign.
  - o Istikharah is for Allah to bless it or to protect you from it.
14. You can't pray istikharah for obligatory, recommended (unless if you have to choose from two or more recommended acts) or haram acts. Only left with mubah. Marrying a certain individual is mubah, you can't make istikharah if you should marry or not.
15. You can pray anytime but not in the not recommended time unless necessary. After Asr, during sun rise and sunset.
16. Is it from the sunnah to read kul allahu ahad, while praying istikharah? Not in the sunnah.
17. The one who prays istikharah will never regret and the one who consults will never be disappointed.
18. Wali can pray istikharah as well.
19. You have to make intention for two rakah of Istikharah before praying.
20. Sincerity of seeking assistance is the key.

## Consultation

“The one who prays Istikharah will never regret, and the one who consults will never be disappointed.”

Ask those who know them and who are fair and just.

Make sure that they are relaying you the information and not the judgment

Tell me about the person? Don't ask what you think of this person?

Gheeba is allowed in this matter.

Don't betray the consultation... don't give false information... only speak the truth, even if it is for your own sister or daughter or relatives.

2 things make you a faqeeh –

1. the ability to break the issues, down to so many details. And you start giving ruling to every single detail.

2. what makes you faqeeh is you base your opinion on evidence...

Imam Ahmad said, Fiqh is the ability of joining what is similar to each other and to differentiate between that which is not similar to each other... as much you have the ability to differentiate you become the best faqeeh on the face of the earth... and this ability is something that you earn it... it is something that Allah bless you with to differentiate instantly. Those who have this ability are called al-muhaqiqeen.

Consultation and Istikharah, **don't ever under estimate the power of Dua.**

You name the decision that you have come to during Istikharah... I did all the best and consultation and watch carefully the red flags and Allah I am going to that direction and if it is good for me then make it best for me and help me.

If you are confused then you can ask for help and guidance... Istikharah is not an obligation to do, it is recommended.

The Fuqaha break information into details...

# The Proposal/Engagement

1. Don't be shy to mention what you really like.
2. When a person proposes to a woman or her guardian (Wali) for marriage.
3. Khitba- root comes from Al-Khatb which means a great matter, something important and serious.
4. Thus, engagement is a serious issue.
5. Permissible
6. No limit on engagement period, it can be few days, months, years.
7. Reading of fatihah at the engagement, part of the sunnah? No?
  - o People argue that is the start of the Quran -> start of married life. Makes no sense, when you get divorced, do you read surah an-nas, the last surah? No logic.
8. Engagement period is not a must **just a promise**.
9. You can propose to a girl in two ways:
  - o Direct way: I want to marry your daughter.
  - o Indirect way: I heard that you have a very beautiful girl looking to get married and I'm looking for one.
10. Haram to propose a woman directly in her iddah, but permissible if it is in an indirect way.
11. A Muslim cannot propose over a proposal of his brother until either he marries the woman or gives her up.
  - o Animosity amongst the families
12. Yes to engagement, no to dating.
  - o Relationship behind the back of the families.
13. A bride can accept more than one proposal and the man can propose to more than one woman at a time.
  - o Possibility the two people are proposing do not know each other. Thus not contradictory to the hadith discussed above.
14. Proof Imam Shafi', Malik, Hanbali - if the woman already accepted the proposal it will be haram, if she didn't accept then its okay for multiple people to propose.
  - o A woman came to the Prophet (saw), numerous men have proposed to her, whom should she marry? Rest of hadith?
15. It is not recommended to propose to someone undecided. Even though it may be permissible.
  - o It will add more confusion to the girl.
16. Ibn ul Qasim said it is allowed to propose to a girl who receives a proposal from a corrupt person (faasiq)

- Along with the Shafi's and Maliki
  - Proof for those who say it is allowed: they consider one of the conditions of marriage is a suitable match. If it is not suitable, then even the marriage contract can be broken later on.
  - Proof who says it's not allowed: regardless the faasiq is still your brother and it is her decision. Very strong argument.
17. Proposing to a woman (Christian, Jew) considering a proposal a non-Muslim
- Ones who say no- it is not good manners.
  - Hadith says Akhee
18. I like him but I need more time- ambiguous statement.
- This is not considered engagement- shafi', malaiki
  - She is like just like someone who hasn't made a decision since she hasn't made a clear statement.
  - Another opinion in Shafi'- NO because that hint is a form of acceptance. If we take silence as a clear statement for a marriage contract, then this can be applied to an engagement - others say not acceptable as hadith is for marriage not engagement.
19. Marrying the fiancé of someone is a sin but the marriage will be valid by the majority of the jurist's opinion.

- ❖ Ruling – Imam Shafi'ee said in his book Al-Umm, If someone marries a fiancé of someone else knowing, he is a sinner and he should repent to Allah, if the marriage contract happened between them then the marriage is valid, since it was completed in a correct way.
- ❖ Ibn Hajar also said, it is related to the act and not related to the marriage contract itself.
- ❖ This is also the opinion of majority of Fuqaha
- ❖ Some Fuqaha consider this marriage contracts to be invalid, you leave the girl, she goes back she tells the person she was engaged to ... and the whole process took place...
  - the logic would be that this is not already taken place?
  - This is not a very strong opinion
  - Marriage contract and engagement are two different things, if the engagement contract was broken it does not impact the marriage contract if it is valid.
- ❖ First opinion is the strong one, second one does not have a strong point.

How do you tell the parents?

- Tell them before you find the person. You'll get support if they help you. Get them accustomed to the idea of you being ready and interested first. Have good relationship and communication with your parents. Gain their trust.

- Use Quran and Sunnah to convince them.
- Understand the culture. You might have to compromise.
- Make dua. Don't belittle this.

## Looking at the Prospective Bride

- Is it recommended to look at the prospective bride?
  - Yes it is recommended.
- Can a person see the prospective bride or groom more than once?
  - Yes, as long as it is necessary. As soon as he/she decided they like them or not after which it is not permissible?
- How much of a woman is one allowed to see in order to make his decision?
  - According to vast majority; Hanafi, Maliki, Shafi'
    - Only the hands and face. Why? Face holds the most beauty and the hands show what the rest of the body would be like
  - According to Hanabiya?
    - To be seen in what she wears regularly at home. (Natural state)
- First Impressions; First meeting
  - Most essential in the relationship.
  - Expectations set us up for resentment
    - Can make you resist what you see.
    - Can hurt first meeting and relationship with wife.

We differentiate in fiqh between listening and hearing and looking and seeing....you can be hearing music and not listening to it – similarly you can be seeing women but not looking at one

- Love at first sight is not always right.
- *How to make a good First impression?*

Smile- by the wali, the girl.

What impression do you give? You exuberate confidence, and that you feel comfortable-people like to be with people who are comfortable with them. It also means to be happy- 'I'm happy to be here'. Also sends the message of Acceptance.

First word out of your moth sets the first impression.

Will set the mood. People like those people who make them feel good about themselves. Make the other person feel good about themselves- Very Important.

"This brother wants to marry your daughter" Vs. " My brother \_\_\_ wants to marry your daughter." =second one is better, more positive.

- To fix the damage of saying something you shouldn't have said, or done.  
Reply with "I am/feel very/so embarrassed." Shows complete honesty. Humans like humans- so making errors is a part of it.

- Make sure if you are talking in someone's behalf you say positive about the person, the first word you say about the person is a positive word
- Make sure you choose your words carefully and don't be too nervous
- Stay Calm
  - Smile – you will feel and look comfortable
  - Breathing – before you walk in
    - Breathe in until your lungs are full and then breathe out 4 times, 6 times and 8 times
  - Obsessive Compulsive Disorder (OCD)
    - Before you go to meet your future spouse, don't take a high carb meal
    - Low carb diet will help you feel calm before you meet them.
    - Lot of new studies found out that our physiology impact our mood
      - If you smile and relax it will set your mood to be relaxed
- People want what they cannot have, and want more than what they work to earn it.
  - if you are a person who is easy to come, you are easy to go, so it will be wise to make sure you are not an easy coming person, in first meetings you are not letting them know you are putting yourself down.
  - While doing that make sure you are not giving a signal of being arrogant as people dislike arrogant people.
- If you have an unbalanced life, it will give a very bad impression. Handle your life and make it balance.
- Questions:
  - Can we look at the hair or feet?  
According to Hanafi, No, only the hands and face  
Difference of opinion among the schools of thought.
  - If a multiple people propose to one girl, does she need to tell each one that she has other proposals?  
No, she doesn't need to
  - What if the guy and girl come from two different opinions, what should be done?  
Should be the girl's decisions, she will be the one bearing.
  - Girl asks what if there are multiple proposals and she doesn't feel comfortable showing herself in front of all of them?  
Only those who are seriously considering should she take her hijab off.
  - How many times is he allowed to look at the girl without looking at her?  
You cannot continue once you see and you decide you like her or not.
  - Do you need permission of Wali before looking at her?                      No, not necessarily.

- What if other women are in the room when you are looking at her without her knowledge (they aren't covered maybe)?
  - You can't help it, but do not look at them.
    - Ex. You are in the mall and music is on the system, you are HEARING it but not LISTENING to it.

## Meeting Your Future Spouse

The Prophet (sal Allahu alayhi wa sallam) said, " A man and woman should not be alone unless it is in the presence of her mahram." (Bukhari and Muslim)

- Meeting can be repeated if necessary.
- Meeting in a public place without the mahram is not permissible unless it is by necessity or need.
- The ruling regarding private conversations via phone, Internet, texting, etc.
  - Can be harmful in case the breaking of an engagement- can be used against the person.
- Keys to Magnetic Likability:
  - Smile
  - Breathe
    - Breath in, take in a little more, count to four and then exhale, exhale some more.
    - Doesn't work- count to six and then eight
  - Don't have a high carbohydrates meal. Won't make you calm. Eat things that make you feel calm
  - Be attentive to others
  - Complement others
  - Make yourself approachable
  - Always ask to help
  - Never lie
  - Thank you, please, welcome
  - Positive language
  - Make frequent eye contact but do not stare.
- Dress cleaned
- Body Language to Avoid
  - Touching face- signs of lying
  - Looking at clock-
  - Holding hands behind back or talking with hands together face in- power
  - Touching your suit, fidgeting- thinking only of yourself
  - Standing too close
  - Laying away
  - Hands on hips, head to side- bored
  - Crossing arms over- not receptive of other people

- Not facing the person
  - Fixing, messing your colour.
  - Blinking too much
  - Sitting at the edge of the chair
  - Tapping, stomping with feet hands.
  - Shifting body weight from one leg to another.
  - The Engagement Ring
    - Became popular in the time of the Pharaohs- 15th century. Symbol of trust.
- they used to give ring when they trusted someone and they started giving their wives... and then it came to be known in Europe – the king got married he gave ring to his wife and it became very popular after that.
- Are we allowed to make use of an engagement ring to symbolize?
    - Yes it is allowed, nothing wrong. Gold rings for women only and not for man.
  - Can you give gifts during the Engagement period?
    - Yes, you can.
      - Cannot give; lingerie, jewellery, candles, bath products
      - You can give: Ilmrush Card, gift basket, Quran Cds, flowers

People with OCD should have a low carb diet.

How do you get to know that this is the one?

1. One of the clear sign of having taqwa or good character, having righteous and good friends.
  - This is very important. People are similar to their friends.
2. How does he/she spend her free time?
  - Ask and just enjoy the answer.
  - Ask someone who lives with the person what they do on the weekend.
3. High standards
  - Look for someone with high goals in life.
  - Someone who will support your dreams and goals and not shut you down.
4. Accomplishments and achievements in life.
  - Ask them about their accomplishments and achievements.
  - Ex: memorizing quran, joining al-huda and scoring high, graduating with high marks, revived community, fundraised etc.
  - Resume of marriage is based on accomplishments.
5. Meet the parents.
  - This should not be delayed and done in the beginning. They are older and more experienced.
6. Engagement period.

- Will help you to get to know the person.
- 7. The contract period.
  - You can make the contract and move in later, giving you time to know the person.
- 8. Consultation, praying istikharah
- 9. Four seasons rule
  - Fall, spring, summer, winter.
  - If you want to know someone make sure you know them in all different seasons - moods.
  - Time will allow you to see the person in different stages.

## 10 Topics to discuss before Marriage

1. Religion:
  - What describes a religious person?
  - What kind of shaykhs do you like?
  - What do you think of Hijab?
  - Where do you get your information from?
  - Do you love to fast?
  - What do you think of the beard?
  - How do you view religious people? Are practicing Muslims?
  - What school of thought do you believe in?
2. Children:
  - How fast do you want the children? Now or later on?
  - How much do you love kids?
  - Will the man help with the teaching of the kids, the upbringing?
  - Would you put them in Madrassah instead of public School.
  - How many kids do you want?
3. Finances/Money Matters:
  - Hesitance in speaking about finances is not a good sign
  - How do you spend your money? Generous enough or a waster?
  - How will you support me?
  - What is your income source?
  - How do you perceive the future regarding money?
  - Do you have debts?
4. Employment:
  - How many hours a day you going to work? (How many hours will you spend with me ?
  - How do you see yourself balancing between home and work?)
  - What kind of work do you do?
  - Career Goals?
  - Career history-two many switches? Fired several times?
  - For women- Do you want to work? Will you work after marriage?

Will you continue working after we have children?

How long are your vacations?

5. Education:

How much you have studied?

Do you mind if I continue with my studies after marriage?

What other subjects do you like to read about?

Have you attended Al-Maghrib courses?? :)

How do you perceive Islamic studies?

6. The Future:

How do you see yourself in the future?

How do you see our relationship ten years from now

Do you plan to marry another wife?

Do you see yourself living here or moving overseas? Going back home?

Canada , another country?

When do you want to retire?

How do you see yourself with the children?

7. The Past:

Yes you should talk about the past?

Any sin you have committed in the past that has nothing to do with your future, should not be brought up. Allah has covered your sin you do not uncover it.

Did you break an engagement?

Do you think there is anything in the past that will affect our future?

8. Habits and Hobbies:

What if hobbies don't match? Will you compromise for me and me for you?

9. Health:

Do you mind doing a medical check up?

Nothing wrong in asking.

How healthy are you? Do you exercise?

Do you care about your health?

Do you take any medication?

Do you have psychological problem?

Do you have a specific diet?

10. Family:

Are you going to live with your family?

What do you want to tell me about your mother and father?

Are you a family person?

- Be Truthful, Honest and moderate

- Relationship Red Flags

- Controlling behaviour
- Unfounded jealousy

- Volatile temper
  - Constant criticism
  - Substance abuse
  - Using physical force to solve problems
  - Lying
  - Arrogance
  - Bad friends
  - Missing the Salah
  - No Hayaa
  - No respect for your family
  - Miserliness
  - Rudeness
  - Scary divorce stories
  - Demonizes children
  - "the anger hum"
  - Dirty clothes, Hijab & socks
- Assumption: He/she will change???
    - People usually adjust but don't change
      - no one can claim that there is only one man for me, there are lot of many like him and better than him. the only one is when you get married. there is no such thing as the only one during the engagement period.
- Breaking the engagement
    - The consequences of breaking the engagement
    - Material consequences
      - Prophet Salla Allahu Alayhi Wa Sallam said: do not take gifts back, similar to dog eating his vomit.
      - Maliki: depends on who broke gift.
      - If the man broke it, leave it. If she broke it, return it.
    - Emotional consequences
      - Don't rush to another relationship immediately. Usually people don't get attached unless something haram has happened.
      - Forgiveness is an ongoing process. Revenge is not worth it. Have trust in Allah.
      - Prophet Salla Allahu Alayhi Wa Sallam said: Allah Subhanahu wa Ta'ala said: Ana cinda xusni dhan cabdi bi.
      - Expect Allah to give you something even better.
      - If you are single: never use emails, pictures, recorded conversation, private blackmailing.
  - Assumptions: He/She is the ONE.

- Suicide people. Depression.
- Family troubles, will give up family for one individual.
- If you find someone good, do your best to keep it, great chances don't always come back.
- Don't break the rules and expect happiness.

# RED FLAGS

1. Controlling behavior
2. Unfounded jealousy
3. Volatile temper
4. Constant criticism
5. Substance abuse
6. Using physical force to solve problems
7. Lying
8. Arrogance
9. Bad friends
10. Missing the salah
11. No hayaa
12. No respect for your family
13. Miserliness
14. Rudeness: tongue can be worse than hand sometimes.
15. Scary divorce stories
16. Demonizes children
17. The anger hum
18. Dirty clothes, hijab and socks

# RECAP

What is Marriage?

- Kingdom of faith
  - Man is the king: nisaa' 10: arrijaalu qawwamoon ala nisaa
  - Don't have two kings, can't have two queens.
  - Sometimes the leadership is assumed by women, especially lately because the men are leaving it.
  - Qawama is not dictatorship. Look back to the life of the prophet Salla Allahu Alayhi Wa Sallam. Consultation! a woman saved the Ummah by advising the prophet Salla Allahu Alayhi Wa Sallam: ummu salama during the solh alhudaybiyah.
  - 1 year man talks, 2<sup>nd</sup> year woman talks, 3<sup>rd</sup> year they both talk and neighbors listen.
  -
- Remember the qualities you are looking for. Educating your child does not start at one year old... it starts at choosing his parent.
- Best denaar spent, one you spend on your family.

## **Recipe for Successful Marriage:**

- He has created you from you- so that you may find quality from them- She is a part of you. Remember that!!!
- They are a garment for you as you are a garment for them. You can see what her siblings cant.
- Keep your residence/home beautiful and welcoming. Welcome home not with the kitchen apron but looking good?
- Always talk favourably about each other's families and about own families.
- A contract of mutual agreement between man and woman that allows them to enjoy each other and build a family

# Intimacy

## Sh. Yasir Qadhi

- Shyness should not impede on gaining knowledge.
- May Allah have mercy on the women of the Ansaar, their shyness did not prevent them from asking about the religion- Prophet (saw).
- Allah talks about sexual intercourse in a manner that is understood.
  - Take a shower if you touch a woman (sex not just physical contact)
  - How can you divorce a woman when the two of you have "drawn" together.
- A major crisis of getting married and remaining married.
- Hardly a movie that there is a romance involved.
  - Those sex sins are figments of imagination and not real.
- Main role of intimacy
  - To find sukun
  - Surah baqarah verse 180- women are clothing for you and you are clothing for them.
    - A reference to sex.
    - Both parties literally take their clothes off. They become to each other what clothes come to the body.
- It is not evil have sexual feelings but in fact normal.
  - Of this world what is most pleasing to me is women and perfume - Prophet (saw)
  - Even though both enjoy act, Allah created them differently. Men crave more the physical act, while women are more interested in the emotions, being taken care of, the romance.
- Definition of nikah, contract that guarantees that a woman is taken care of by a man in return of sex from the woman.
- Basic sexual characteristics of man and woman.
  - Man- arousal is visual, wants to see body.
    - Needs sex to open up other types of love
    - Sex builds up a relationship
    - If continually rejected over sex he interprets it as the woman doesn't love him.
    - Can become aroused at any time, male hormones are high and consistent.
    - Reach a climax very easily.
    - Sex mainly about an orgasm. Is not concerned about foreplay or building up desire.
    - Man will always be aroused during sex unlike women.

- A way to his heart is not through the stomach but below his stomach.
- Only want that one organ to be stimulated.
- Measure success in sex by climaxing
- When a woman doesn't climax, man feels like something is wrong with him. While the wife may be completely satisfied.
- Woman- arousal is emotional, wants to be taken care off.
  - Needs love to desire sex
  - Relationship builds up sex.
  - If woman only pressured in sex, feels man doesn't love her and only uses her for her body.
  - Think like a man when a man comes to you. It's a sign that he loves you and if you give it to him he will open up in ways suitable to you.
  - Women go through cycles (estrogen levels), a biological clock. Men expect woman to be exactly the same this week as the week before.
  - Women require much more time to reach a climax. Sex mainly about foreplay and the build up.
  - Can start sexual act without any arousal at all and end like that too.
  - Don't want direct stimulation, want it built up.
  - Women measure not by orgasm but feeling fulfilled.
  - Majority of women do not climax during sex.
- Porn target men and romance novels target women.
- Importance of frank communication
  - People should ask questions in a manner without offending the other.
  - Single, biggest turn off for a man is to be told "hurry and do it quickly" and have her just lying there.
- Legal matters
  - Culture plays a huge role in sexual intimacy.
  - Some cultures might find some things vulgar while the shariah didn't dictate it.
  - Allah revealed an ayah saying they can be approached in any manner.
  - Anal intercourse and intercourse during menses are the two prohibited acts.
    - Quran explicitly prohibits sex during menses and implicitly prohibits anal intercourse (like a tithe, a fertile land, where a child is born- only then)
  - Oral sex
    - Because of cultural stigma, many scholars considered it haram and makrooh.
    - Sh. Yasir Qadhi's opinion- between makrooh and mubah but more towards makrooh.
      - Ingesting these fluids is problematic.
    - Nothing to make it haram.
    - Is a woman obliged to do this act? No you can't oblige a woman to go over and beyond on what she is required to do.
  - Masturbation

- Considered haram by vast majority.
- Mubah or Makrooh.
- Haram if porn is involved.
- Sheikh's opinion: cannot be haram. A woman can stimulate a man in the same way that he does when he masturbates then why can't you do it alone?
- Based on fact that this is permissible, sex toys are permissible.
- Common problems of sexuality especially with newlyweds
  - No standard sexual habits.
  - Most problems CAN be solved.
  - Ask people you can confide with about your sexual problems. Don't ask directly if you don't want to, but indirectly "I have a friend with such and such a problem..."
  - Problems amongst men
    - Premature ejaculation
      - Up to 75% of men have suffered this sometime in their lives.
      - Consisting climaxing within 1-3 minutes of intercourse. Average sex lasts 6-7 minutes
        - Not enough time for woman to reach climax.
      - To insult a man's sexuality is to insult his manhood. DO NOT DO IT.
      - Easiest problem to solve.
        - Man over sensitive in that region, so the more often you engage you will desensitize.
        - Prolong foreplay.
        - Just make it a little bit less sensitive, gets better within time.
        - Thicker condom.
    - Men don't care or are incapable of giving women a climax
      - Longer foreplay
      - Most common compliant with all women of all religions
    - Don't achieving erections
      - Viagra. It is halal.
  - Problems amongst women
    - Sex is painful especially the first time.
      - Engage in more sex
      - Prolong foreplay
      - Use lubrication
    - Do not climax most of the time
      - Tell your husband what turns you on.
      - Teach him to be romantic that will put you in the mood.
      - Squeezing pelvic muscles.
      - Try different positions.
      - Sex toys
    - Number one compliant - husband is sex obsessed.

- A good sign that he loves you and turns to you for the needs that he has.
  - Do it for the sake of your marriage.
- Healthy sex life is part of a good Islamic marriage.
-

# Nikah

Nikah:

In Arabic language the same word can give 2 different meanings...

1. Nikah means marriage contract
2. Nikah means intercourse

It could refer to marriage contract or intercourse

It is a contract of mutual agreement between husband and wife to build a family.

Marriage is a contract... we will apply any rules that apply to other contracts...

In contract you always have two parties and they contract over something... there is service... a man serve his wife and the wife serve her husband...

What is the ruling regarding marriage... is it wajib or recommended?

Most of the jurists write they write for me, they apply certain rule to men compared to women...

Marriage is wajib for men and women...

What is the ruling for marriage?

A sister do you have to marry right now...etc.

It is highly recommended act in Shariah, it is fard al-kifayah. It is obligatory in some societies...

No one can boycott marriage completely...

Ibn Hazm he is a scholar from Andalus, he was very well known but he was dahiri... Dahiris believe take things literally... they will not give room to any interpretations or analogies...

Example of Hadith – if a woman who is asked for marriage remain silent consider it agree... dahiri believe if she says yes then don't marry her since she said yes.

Any order in Islam is obligatory... Hadith "whoever is capable of getting married must get married... if she or he can't they should fast." - Clear indication that it is obligatory to marry...

Other Fuqaha disagree and say:

1. "Marry who you desire" order is connected to personal choice it is not obligatory anymore...
2. Ibn hazm say if you have ability to marry, you should marry...

3. several incidents when women and men did not marry and the prophet did not order them to get marry.
  - a. Example of um darda... did not marry anyone after Abu darda passed away as prophet a woman does not marry after her husband she will be reunited to her husband... me and her will be racing to Jannah

Another opinion:

Marriage is permissible as exactly you eat... it is not recommended or wajib

The proof is Prophet Yahya was praised by Allah in Qur'an

This opinion is not strong at all, because it contradicts all the evidences that are in Qur'an and Sunnah to get married.

Marrying is not like eating or drinking because you don't get reward for eating or drinking but Prophet saw said that you get reward for having intimacy with your wife.

Few maliki scholars say that marriage can take 5 rules

It can be permissible, recommended, Haram, wajib

1. it is wajib for someone who can fall into Haram... they are capable of getting married
2. someone that can control her desire it is recommended to get married
3. it might stop her from something that they want to accomplish and they have complete control over them... i.e. someone who wants to --- it is mubah for them
4. if someone who will ruin someones life wait until everything gets fix
5. it would be Haram.... During the waiting period, marrying a non Muslim or have a disease
  - a. a person who has HIV (not every person got hiv has done something wrong)

Don't under-estimate the importance of medical check

make sure you protect yourself... (for genetic reasons as well)

Is it allowed for a woman to take medicine to reduce sexual desire?

It is allowed with a condition if does not causing major harm... I would not open that door... because women's body is more sensitive

# The Integrals of the Marriage Contract

The Hanafee's opinion: OFFER AND ACCEPTANCE

The Malakee's Opinion: OFFER AND ACCEPTANCE, AL-WALI, BRIDE AND GROOM, DOWRY

The Shafi'ee's Opinion: OFFER AND ACCEPTANCE, AL-WALI, BRIDE AND GROOM, TWO WITNESSES

The Hanbalee's Opinion: OFFER AND ACCEPTANCE, BRIDE AND GROOM

## **The first Integral: Offer and Acceptance (the Spoken Form)**

### Conditions of the spoken form of the contract

Majority of the Madhahib say the offer should come from the woman's wali. They have to use clear words that offer is clearly accepted or not accepted.

Fuqaha said the offer of marriage would depend on the culture for example in some cultures a father would say to the groom "I give my daughter to you" this would understand to mean I have given my daughter to you in marriage.

The Hanabila became very strict and they said Allah has used the word Nikah – or the word Zawaaj – so we have to stick with it and use the same words. Ash-Shafi'ee said that you have to use the same words, where as other Madhahib say, no it is as long as it is understandable word.

يَتَأْتِيهَا النَّبِيُّ إِنَّا أَحْلَلْنَا لَكَ أَزْوَاجَكَ الَّتِي عَاقَبْتَ أُجُورَهُنَّ وَمَا مَلَكَتْ  
يَمِينُكَ مِمَّا أَفَاءَ اللَّهُ عَلَيْكَ وَبَنَاتِ عَمَّتِكَ وَبَنَاتِ  
خَالِكَ وَبَنَاتِ خَالَاتِكَ الَّتِي هَاجَرْنَ مَعَكَ وَأَمْرَأَةَ الْمُؤْمِنَةِ إِنِ  
وَهَبَتْ نَفْسَهَا لِلنَّبِيِّ إِنْ أَرَادَ النَّبِيُّ أَنْ يَسْتَنْكِحَهَا خَالِصَةً لَكَ مِنْ  
دُونِ الْمُؤْمِنِينَ قَدْ عَلِمْنَا مَا فَرَضْنَا عَلَيْهِمْ فِي أَزْوَاجِهِمْ وَمَا  
مَلَكَتْ أَيْمَانُهُمْ لِكَيْلَا يَكُونَ عَلَيْكَ حَرَجٌ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا ﴿٥٠﴾

50. O

Prophet (Muhammad Sal-Allaahu 'alayhe Wa Sallam)! Verily, we have made lawful to You Your wives, to whom You have paid their Mahr (bridal money given by the husband to his wife at the time of marriage), and those (captives or slaves) whom Your Right Hand possesses - whom Allâh has given to you, and the daughters of Your 'Amm (paternal uncles) and the daughters of Your 'Ammah (paternal aunts) and the daughters of Your Khâl (maternal uncles) and the daughters of Your Khâlah (maternal aunts) who migrated (from Makkah) with you, and a believing woman if she offers herself to the Prophet, and the Prophet wishes to marry her; a privilege for You only, not for the (rest of) the believers. Indeed we know what we have enjoined upon them about their wives and those (captives or slaves) whom their Right hands possess, - In order that there should be no difficulty on you. And Allâh is ever Oft Forgiving, Most Merciful.

### **The offer and acceptance must be done in one sitting**

The offer is made, ‘

Will you marry my daughter?’ the potential groom gets a call he says one second and goes outside to take the call and then comes back and says, ‘yes’ , it is not acceptable. It must be done in one sitting, offer is made and accepted. Ulema say that if there is a period of time that shows you are not interested in accepting the offer it cancels the offer.

### **The acceptance must correspond to what is being offered**

**The contract must be a “done deal” at that moment.**

For example, the marriage contract is not valid if the man says I will marry her after one month or saying “if she passes the exam she is your wife.”

People say “I will marry you Insha’Allah” or “I give my daughter to you Insha’Allah.”

What is the ruling?

If he said it because of doubt then it is not acceptable but if it is said for the sake of Allah and the Baraka from Allah then it is acceptable because it goes back to the intention of the person

Does it have to be in Arabic?

Hanabila and the Shafi’ee say offer and acceptance has to be in Arabic – you cannot use any other language other than Arabic but later on some of the Hanabila say it does not make sense, if they know Arabic you must do it in Arabic. According to Hanafi and Maliki since it is a marriage contract it can be done in any language and it is a stronger opinion. Both partners should understand each other and they are allowed to have translator if both speak different languages.

Most of the Fuqaha said you can use any language – Why? You can offer and accept in any language because marriage is a contract. Do you have to make all contracts in Arabic? NO, contracts can be done in any language; therefore you can also do the contract of marriage in any other language other than Arabic

Can it be done in sign language or in writing?

It depends of the person can speak or not. It is acceptable in writing if a person cannot speak, but in other cases it is required to speak – verbal contract.

Can you offer and make an acceptance at the same time?

Yes, if you are the grandfather – Ulema say that if you are wali of two parties then you cannot make the offer and acceptance – grandfather wali of two cousins and want them to get marry can make offer and accept at the same time.

What if you are the wali and want to marry her?

Ulema say yes, that He should have 2 witnesses to testify and she agrees and is aware of the details of her marriage contract (witness). Why? Because if we open this door he might take advantage of her and not give her the right.

What is the proof of that?

A woman came to Abdur Rahman Ibn Awf and said, I want you to be my wali and marry me whomever you wish, he said whomever? He said I marry you to me, she said I accept and he became her husband. This was done in front of the companions and no one said anything about it.

### **Does marriage contract need to be documented in court and need to be done by a Shaykh?**

No the marriage contract is valid without writing the contracts in court. You need to document the marriage contract and need to be done by a shaykh because if one of them die and they don't have document there will be problem with the inheritance and after the divorce issue of Mahr therefore it has become the essential part of today's society.

Do you need the shaykh – it is recommended to have a shaykh or person as Prophet (SAW) used to perform the marriage between the couple. You should have the marriage contract done by the shaykh, especially if you don't know the rules.

What language it should be written?

You document it in the language of the country and the language you are familiar with.

What information must the marriage contract include?

It should include:

1. Name of both parties and the families,
2. Where you are from and your lineage
3. Where your residence at (live)
4. It should specify if woman is virgin, divorced or widow or not – why? Because it will clarify if her Iddah finish or not.
5. He should specify that woman agreed to marry that man – so that her father is not forcing her into marriage.
6. Name of the Wali – or Wassi – sometimes an orphan's father name the person who should be her wali.
7. Or Wakeel – a new convert Muslim – as sister who does not have any family member alive or her father is in another country – you need someone to represent your father – This is called wakeel and his name is added in the marriage contract and the information that your wali agreed to have him to be your wakeel
8. Maher details
9. Two trustworthy witnesses
10. Date of the contract and conditions of the contract

Can I pay the shaykh to make the contract?

Yes you can because it is a service.

## **The Second Integral: The BRIDE & the GROOM**

Generally there are two categories, you are allowed to marry and you are not allowed to marry

### **Those that you are forever forbidden to marry**

1. Through blood relation
2. Through marriage relation
3. Through breast-feeding relation

“Breastfeeding makes forbidden what is forbidden through blood relations” – Hadith

Nabi (SAW) was asked to marry his cousin (the daughter of Abbas) the Prophet (SAW) said she is my sister and the daughter of my uncle we both breastfed from the same mother, she is not lawful for me – [Reported by Bukhari and Muslim]

Also Prophet (SAW) said, “Breastfeeding makes forbidden what will be forbidden through blood relations” – [Bukhari]

So a woman who breastfeed you as if she is delivering you.

Ayesha (RA) reported, a man came to visit her and she did not give him permission to enter the house even though he breastfed from the same mother Ayesha (RA) did, Prophet (SAW) said, give him permission that he is your uncle through breast feeding.

Following 2 conditions must be met

First condition that the child must be breastfed the minimum amount of milk

What is the minimum amount?

Ibn Mas'ud, Ibn Umar, Ibn Abbas, and opinion of Abu Hanifa and Ali Ibn Abi Talib and Maliki – They said, suckling is sufficient to make two related, one time baby suckles from the woman he will be related to anyone related to that woman.

Qur'an and Sunnah did not specify how many suckles. Ibn Zubair said suckling one or two time does not make you son/daughter of that woman.

Sa'ed ibn Musiyab said that 1 drop of milk goes in the stomach of the baby in the age of 2 years – it will make the baby son/daughter of that woman.

Second Opinion – baby must suckle 5 times and this is position of Ayesha (RA) and she said this was a verse from the Qur'an and it was abrogated later on – we used to recite this verse from the Qur'an that 5 suckles to make her the mother and Prophet (SAW) died and that is what he recited of the Qur'an. It is also the opinion of Imam Shafi'ee and Ibn Hazm and it is from one narration from Imam Ahmad and it is one of the strongest opinions in Hanabila

Others Scholars say that the baby must suckle for 10 separate times in order for the relationship of the mother to be established.

Proof of this is when Sehla (RA) asked the Prophet (SAW) that she wanted to breastfeed someone, Prophet (SAW) said that breast feed him 10 times and this opinion is based on this Hadith but it is not an authentic narration, this narration is called shaad.

Some says that the child must have been suckled 7 separate times and some say that the child must suckle 3 times in order for the relationship to be established and it is based on the following Hadeeth (this is a Hadith of a Dahiri madhab – and opinion of Sa'ed ibn Jubair – Abi Ubaid, Ibn Al-Mundar)

Prophet (SAW) said, “Suckling one time or two times will not establish the relationship between the mother and the baby” [Imam Muslim]

So they take it 3 or more literally and they say that when he said 1 or 2 then it means it has to be something more than 2. This Hadith can be used against the first opinion which goes with the generality of the verse and Hadith – when this Hadith gives the meaning to the generality of the Hadith. Hadith Ayesha cannot be contradicted with the 1 or 2 suckles. This Hadeeth reconcile with all the opinions of all Madhahib.

Tawus was a great scholar amongst tabi'een – said Ayesha sent herself a person to Umm Kulthoom for breastfed her child and said, if he is breast fed from you 10 times he is allowed to enter your house and mahram – Tawus said this ruling only applied to Ummahatul Mu'mineen because they take the safe side and because they are the wives of the Prophet (SAW)

Hafsa (RA) also made the requirement it to be 10.

## The Second Condition

It has to be done during the 2 years of the child – first 2 years and there is a difference of Opinion

﴿ وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ الرَّضَاعَةَ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا لَا تُضَارَّ وَالِدَةٌ بَوْلِدِهَا وَلَا مَوْلُودٌ لَهُ بِوَالِدَيْهِ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا آتَيْتُمْ بِالْمَعْرُوفِ

وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ ﴿٢٣٣﴾

The mothers shall give suck to their Children for two whole years, (that is) for those (parents) who desire to complete the term of suckling, but the father of the child shall bear the cost of the mother's food and clothing on a reasonable basis. no person shall have a burden laid on Him greater than He can bear. no mother shall be treated unfairly on account of her child, or father on account of his child. and on the (father's) heir is incumbent the like of that (which was incumbent on the father). if they both decide on weaning, by mutual consent, and after due consultation, there is no sin on them. and if You decide on a foster suckling-mother for Your children, there is no sin on you, provided You pay (the mother) what You agreed (to give her) on reasonable basis. and fear Allâh and know that Allâh is All-Seer of what You do. [2:233]

Prophet (SAW) saw a man in the house and prophet (SAW) did not like it and had dislike on his face – he asked who is this person Ayesha said he is my brother through breast feeding, Prophet (saw) said that breastfeeding only during the time he was infant.

There are a lot of ahadeeth in this context.

Abu Hanifa said two and half years is okay and there is no need to be literal and it can continue to be more than 2 years as long as the baby is dependant completely on the milk, even if the baby is 2 and half it is acceptable.

Ibn Hazm said there is no age limit – even if the person is getting the milk from breast. The proof is he said Imam Muslim reported in the Hadith, Sahla bint Suhail (RA) came to Prophet (SAW) and said, my husband does not like the slave – she knows this man from the longest time – Salim comes to my home but my husband does not like this man – I don't want to make my husband feel bad then Prophet (SAW) said, Breastfeed him – she said he is a man, Prophet (SAW) smiled, I know he is a man – Salim already witnessed the battle of Badr (so we know he is 15 yr or older) feed him 5 times she said I fed him and she said I was not worried about it...

Ayesha (RA) based on this used to give fatwa – that any woman who gave the milk to any adult – he would become her mahram. Ibn Hazm says that any man gets milk from the woman he would have the forbidden relationship established.

Another Narration (An-Nisa'i) by Umm Salamah said to Ayesha (RA) that the permission that was given to Sahla – it was only for her and no one else. Imam Shafi'ee also takes this position of Umm Salamah. Other Ulema said that this ruling of giving milk to adult was abrogated later on.

Ash-Shawkhani, Ibn Qayyim said, “giving milk to an adult to establish the forbidden relationship can be done in the situation like Sahla and could not be done to any other situation”

Let's see you have adopted a 5 year or 10 year old kid, if you have adopted a little child you give him from your milk – he can enter or go out of the house and you don't have to worry about wearing hijab in front of him.

### **What factors influence the acceptability of breastfeeding as a means of bringing about a mahram relationship?**

Situation – when the baby throw-up when he drinks the milk. Ulema say that the milk has to settle in the stomach of the baby.

What if she mixes her milk in cereal – some Ulema say it has to be pure milk and others say as long as it dominates the content.

What if she got all milk in a bottle – can she breast feed the baby? – Yes because the issue is not to suck the breast but CONSUME the milk.

Does her need to squeeze milk from the breast 5 times or 1 time?

The issue is how much he will drink (5 times) even if it is from 1 time

What if a virgin woman got a milk – yes it could be due to – and she breastfed a baby and she get marry the husband will not be the mahram of the baby – because milk is through the relationship of the husband.

وَلَا تَنْكِحُوا مَا نَكَحَ آبَاؤُكُمْ مِنَ النِّسَاءِ إِلَّا مَا قَدْ سَلَفَ إِنَّهُ كَانَ فَحِشَةً

وَمَقْتًا وَسَاءَ سَبِيلًا ﴿٢٢﴾

And

marry not women whom your fathers married, except what has already passed; indeed it was shameful and Most hateful, and an evil way. [4:22]

حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ وَبَنَاتُكُمْ وَأَخَوَاتُكُمْ وَعَمَّاتُكُمْ وَخَالَاتُكُمْ  
وَبَنَاتُ الْأَخِ وَبَنَاتُ الْأُخْتِ وَأُمَّهَاتُكُمُ اللَّاتِي أَرْضَعْنَكُمْ وَأَخَوَاتُكُمُ  
مِّنَ الرَّضَاعَةِ وَأُمَّهَاتُ نِسَائِكُمْ وَرَبِّبَاتِكُمُ اللَّاتِي فِي حُجُورِكُمْ  
مِّنْ نِّسَائِكُمُ اللَّاتِي دَخَلْتُمْ بِهِنَّ فَإِن لَّمْ تَكُونُوا دَخَلْتُمْ بِهِنَّ  
فَلَا جُنَاحَ عَلَيْكُمْ وَحَلَائِلُ أَبْنَائِكُمُ الَّذِينَ مِنْ أَصْلَابِكُمْ وَأَن تَجْمَعُوا  
بَيْنَ الْأُخْتَيْنِ إِلَّا مَا قَدْ سَلَفَ إِنَّ اللَّهَ كَانَ غَفُورًا رَّحِيمًا ﴿٢٣﴾

Forbidden to You (for marriage) are: Your mothers, Your daughters, Your sisters, Your father's sisters, Your mother's sisters, Your brother's daughters, Your sister's daughters, Your foster mother who gave You suck, Your foster milk suckling sisters, Your wives' mothers, Your step daughters under Your guardianship, born of Your wives to whom You have gone In - but there is no sin on You if You have not gone In them (to marry their daughters), - the wives of Your sons who (spring) from Your own loins, and two sisters In wedlock at the same time, except for what has already passed; Verily, Allâh is Oft Forgiving, Most Merciful. [4:23]

❖ وَالْمُحْصَنَاتُ مِنَ النِّسَاءِ إِلَّا مَا مَلَكَتْ أَيْمَانُكُمْ كَتَبَ اللَّهُ عَلَيْكُمْ  
 وَأَجَلَ لَكُمْ مَا وَرَاءَ ذَلِكَ أَنْ تَبْتَغُوا بِأَمْوَالِكُمْ مُحْصِنِينَ غَيْرَ  
 مُسْفِحِينَ فَمَا اسْتَمْتَعْتُمْ بِهِ مِنْهُنَّ فَآتُوهُنَّ أُجُورَهُنَّ فَرِيضَةً وَلَا  
 جُنَاحَ عَلَيْكُمْ فِي مَا تَرَضَيْتُمْ بِهِ مِنْ بَعْدِ الْفَرِيضَةِ إِنَّ اللَّهَ كَانَ عَلِيمًا

حَكِيمًا

Also (forbidden are) women already married, except those (captives and slaves) whom Your Right hands possess. Thus has Allâh ordained for you. All others are lawful, provided You seek (them In marriage) with Maher (bridal money given by the husband to his wife at the time of marriage) from Your property, desiring chastity, not committing illegal sexual intercourse, so with those of whom You have enjoyed sexual relations, give them their Maher as prescribed; but if after a Maher is prescribed, You agree mutually (to give more), there is no sin on you. surely, Allâh is ever All-Knowing, All Wise. [4:24]

## Those that for temporary reason you are forbidden to Marry

While being married to a woman, one cannot marry her sister or any of her aunts

Basically, the Qur'an did not speak in all of the cases – Hadith of a Prophet (SAW) page 52

The Prophet (SAW) prohibited joining (in marriage at the same time) a woman and her paternal aunt or a woman and her maternal aunt” [Al Bukhari & Muslim]

The one who divorced his wife three times, until she remarries

As person cannot remarry his wife again if he has divorced her until she remarries someone else.

The one who already has four wives

There is a consensus among the Muslim scholars that a man can not have more than 4 wives at the same time.

Marrying a woman who is married to somebody else or is in her waiting period

One cannot marry a woman in her Iddah

The woman for whom a man has made al-li'aan until he confesses that he had lied

Al-li'aan – means accusation of adultery by husband

A woman who is not Muslim, Jewish nor Christian

You cannot marry anyone who is Hindu, Native American, Qadiyani, Isma'ili, and majoos – those who worship fire.

Marrying at an early age

There is something called Marriage contract and consummation of marriage and living together.

Can a child sell or buy anything? Yes, with condition – a child has to have a wali with him – i.e. a child who has the inheritance need wali to help with the contract. The Ulema say the contract is allowed to make when she is a child – but consummation of the marriage should be done when she reaches the age of puberty and if she disagrees to marry the person – the contract will be cancelled and it is by the consensus among the scholars that they can make the child contract by the wali but cannot let her go until she reach the age of puberty and until she agrees to the marriage

وَالَّذِي يَسُنَّ مِنَ الْمَحِيضِ مِنْ نِسَائِكُمْ إِنْ أَرْتَبْتُمْ فَعِدَّتُهُنَّ ثَلَاثَةُ  
أَشْهُرٍ وَالَّذِي لَمْ يَحِضْنَ وَأُولَاتُ الْأَحْمَالِ أَجَلُهُنَّ أَنْ يَضَعْنَ حَمْلَهُنَّ  
وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مِنْ أَمْرِهِ يُسْرًا ﴿٤﴾

And those of Your women as have passed the age of monthly courses, for them the 'Iddah (prescribed period), if You have doubts (about their periods), is three months, and for those who have no courses [(i.e. they are still immature) their 'Iddah (prescribed period) is three months Likewise, except In case of death] . and for those who are pregnant (whether they are divorced or their husbands are dead), their 'Iddah (prescribed period) is until they deliver (their burdens), and Whosoever fears Allâh and keeps his duty to him, He will make his matter easy for Him. (65:4)

This issue can be different from the culture to culture. It is correct to take the age in consideration for example, Umar (RA) asked for Fatima (RA) and Prophet (SAW) said, she is very young from you and he gave her in marriage to Ali (RA) who was similar in age.

What is recommended to marry your son and daughter in early age?

Would it be right choice to have your child at the early age? What does Shariah say anything about that? Islam says that anyone who is capable of getting married should marry; we should not put obstacles in getting married. There are some who are very mature and able to take care of themselves and there are some who are immature – you have to look at the maturity of the person. Marriage is responsibility and if you are capable of getting marriage and take responsibility then you should get them marriage – delaying the marriage is not something good. You should raise your children to carry the responsibility and mature.

## Marrying a woman from Ahl al-Kitaab

وَيَسْأَلُونَكَ عَنِ الْمَحِيضِ قُلْ هُوَ أَذَىٰ فَأَعْتَزِلُوا النِّسَاءَ فِي الْمَحِيضِ وَلَا تَقْرَبُوهُنَّ حَتَّىٰ يَطْهَرْنَ فَإِذَا تَطَهَّرْنَ فَأْتُوهُنَّ مِنْ حَيْثُ أَمَرَ اللَّهُ  
إِنَّ اللَّهَ يُحِبُّ التَّوَّابِينَ وَيُحِبُّ الْمُتَطَهِّرِينَ ﴿٢٢٢﴾

They ask you concerning menstruation. Say: that is an Adha (a harmful thing for a husband to have a sexual intercourse with his wife while she is having her menses), Therefore keep away from women during menses and Go not unto them till they have purified (from menses and have taken a bath). And when they have purified themselves, Then Go In unto them as Allâh has ordained for You (go In unto them In any manner as long as it is In their vagina). Truly, Allâh loves those who turn unto Him In repentance and loves those who purify themselves (by taking a bath and cleaning and washing thoroughly their private parts, bodies, for their prayers, etc.).(2:222)

الْيَوْمَ أُحِلَّ لَكُمْ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حِلٌّ  
 لَكُمْ وَطَعَامُكُمْ حِلٌّ لَهُمْ وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ  
 مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ إِذَا آتَيْتُمُوهُنَّ  
 أَجُورَهُنَّ مُحْصِنِينَ غَيْرَ مُسَافِحِينَ وَلَا مُتَّخِذِي أَخْدَانٍ وَمَنْ يَكْفُرْ  
 بِالْإِيمَانِ فَقَدْ حَبِطَ عَمَلُهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَاسِرِينَ ﴿٥﴾

Made lawful to You This Day are At Tayyibât [all kinds of Halâl (lawful) foods, which Allâh has made lawful (meat of slaughtered eatable animals, etc., milk products, fats, vegetables and fruits, etc.). the food (slaughtered cattle, eatable animals, etc.) of the people of the Scripture (Jews and Christians) is lawful to You and yours is lawful to them. (Lawful to You In marriage) are chaste women from the believers and chaste women from those who were given the Scripture (Jews and Christians) before Your time, when You have given their due Mahr (bridal money given by the husband to his wife at the time of marriage), desiring chastity (i.e. taking them In legal wedlock) not committing illegal sexual intercourse, nor taking them as girl-friends. and Whosoever disbelieves In the Oneness of Allâh and In All the other Articles of faith [i.e. his (Allâh's), angels, his Holy Books, his Messengers, the Day of Resurrection and Al Qadar (Divine Preordainments)], Then fruitless is his work, and In the Hereafter He will be among the losers. (5:5)

Generally it is not allowed to marry any woman except from Ahl Al-Kitaab. First verse was revealed in the beginning time of Madina and the Surah Al-Maida was revealed at the end – during the last hajj.

The people of the book – is it related to the certain groups of Jews or Christians?

This verse is clearly talking about the Jews and Christians that are in our society – Some scholars have said that (like Imam Shafi'ee or some Shafi'ee) this would not be applied to Arab Christians – but only to the children of Israel. It's not the lineage that makes one Jew or Christian rather it is the belief that makes one Jew or Christian and that is why the scholars said that any sect appear in Christianity or Jew later on and they claim they are following the teachings of Jesus or Moses, they will take the ruling of Christians and Jews and that is the issue where there is no difference opinion about it (ibn Qudama said).

Ibn Umar is the only one who said you are not allowed to marry a Christian or Jew – this is one of the strict opinions of Ibn Umar.

Ulema said do not rush to take the strict opinion from Ibn Umar; don't follow the easy opinion of Ibn Abbas and Ibn Mas'ud – very odd opinions because sometimes these three Sahabah have something easy, very hard or very odd.

Ibn Taymiyyah said none of the companions said it is not allowed to marry Christians or Jews. Umar (RA) made the men given the news of paradise in their lives – asked them not to marry the people of book because he did not want the Khalifa of Muslims to have the spouse who is not Muslim; Umar asked anyone who is in high status to have a woman from the people of the book.

To marry a person from people of the book is not recommended.

Why it is not recommended?

1. Umar (RA) said I am afraid that they will give them fitna in their religion
  - a. He might start loving his in-laws or leave the religion completely
2. It will have negative impact on the Muslim sisters in our society
  - a. If everyone marry the non-Muslim then who is going to marry the Muslim sisters
3. Raising of children
  - a. It might have the negative impact on raising children
4. Marrying a person for the religion – ahadeeth clearly stated that you should choose the one who has good religion
  - a. It is makrooh to marry people of the book

## Conditions for marrying such women:

She must be practicing her religion

It not to be taken literally

She must be 'Afeefah (chaste)

Afeefah means she does not practice adultery

She must not be from Ahl al-Harb

Ibn Abbas put this condition – she should not be from people who are in war with the Muslims. If the war ended and there is peace treaty then it is allowed

Who declares the status of war or the status of peace?

The Muslim leaders have the right to declare – the leader or the governor of Iraq; Afghanistan etc are in position to declare war or peace. It is not left for individual to do that.

### Proof for not to marry the woman who worship stars

وَلَا تَنْكِحُوا الْمُشْرِكَةَ حَتَّىٰ تُؤْمِنَ ۚ وَلَا مَلَائِمَةً مُّؤْمِنَةً خَيْرٌ مِّنْ مُّشْرِكَةٍ ۚ وَلَا  
أَعْجَبْتَكُمْ ۚ وَلَا تَنْكِحُوا الْمُشْرِكِينَ حَتَّىٰ يُؤْمِنُوا ۚ وَلَعَبْدٌ مُّؤْمِنٌ خَيْرٌ مِّنْ  
مُّشْرِكٍ ۚ وَلَا أَعْجَبَكُمْ ۚ أُولَٰئِكَ يَدْعُونَ إِلَى النَّارِ ۚ وَاللَّهُ يَدْعُو إِلَى الْجَنَّةِ  
وَالْمَغْفِرَةِ بِإِذْنِهِ ۚ وَيُبَيِّنُ آيَاتِهِ لِلنَّاسِ لَعَلَّهُمْ يَتَذَكَّرُونَ ﴿٢٢١﴾

And do not marry Al-Mushrikât (idolatresses, etc.) till they believe (worship Allâh Alone). and indeed a slave woman who believes is better than a (free) Mushrikah (idolatress, etc.), even though she pleases you. And give not (your daughters) In marriage to Al-Mushrikûn till they believe (in Allâh Alone) and Verily, a believing slave is better than a (free) Mushrik (idolater, etc.), even though He pleases you. Those (Al-Mushrikûn) invite You to the Fire, but Allâh invites (you) to Paradise and Forgiveness by his Leave, and makes his Ayât (proofs, evidences, verses, lessons, signs, revelations, etc.) clear to mankind that they may remember. [2:221]

You cannot marry the woman who has left the religion of Islam.

## Marrying the non-Muslim Man

It is not allowed to marry a non-Muslim man

يَأْتِيهَا الَّذِينَ ءَامَنُوا إِذَا جَاءَكُمْ الْمُؤْمِنَاتُ مَهْجِرَاتٍ فَامْتَحِنُوهُنَّ  
اللَّهُ أَعْلَمُ بِإِيمَانِهِنَّ فَإِنْ عَلِمْتُمُوهُنَّ مُؤْمِنَاتٍ فَلَا  
تَرْجِعُوهُنَّ إِلَى الْكُفَّارِ لَا هُنَّ حِلٌّ لَهُمْ وَلَا هُمْ يَحِلُّونَ لَهُنَّ وَءَاتُوهُم  
مَّا أَنفَقُوا وَلَا جُنَاحَ عَلَيْكُمْ أَنْ تَنكِحُوهُنَّ إِذَا ءَاتَيْتُمُوهُنَّ  
أُجُورَهُنَّ وَلَا تُمْسِكُوا بِعِصَمِ الْكَوَافِرِ وَسْئَلُوا مَّا أَنفَقْتُمْ وَلَيْسَ لَكُمُ  
مَّا أَنفَقُوا ذَلِكُمْ حُكْمُ اللَّهِ يَحْكُمُ بَيْنَكُمْ وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴿١٠﴾

○

You who believe! when believing women come to You as emigrants, examine them, Allâh knows best as to their Faith, **Then if You ascertain that they are true believers, send them not back to the disbelievers, they are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.** But give the disbelievers that (amount of money) which they have spent [as their Mahr] to them. And there will be no sin on you to marry them if you have paid their Mahr to them. Likewise hold not the disbelieving women as wives, and ask for (the return of) that which you have spent (as Mahr) and let them (the disbelievers, etc.) ask back for that which they have spent. That is the judgment of Allâh. He judges between you. And Allâh is All-Knowing, All-Wise. [60:10]

## Marriage contract for the non-Muslims

The marriage contract between them is valid, if a Jew marries a Christian it is a valid contract.

If they became Muslims, they do not need to renew their contract. It happened many times during the time of Prophet (SAW) he never asked them to renew their contract, unless they have not yet consummate the marriage. If they have made the contract and not lived together then they have to make the contract again

If a woman becomes Muslim and made the contract of marriage but not consummated the marriage – then the marriage is invalid immediately – she has to return him the Mahr back.

What if husband becomes Muslim and the wife did not?

They don't have to renew the contract.

What if the wife becomes Muslim and the husband does not?

Woman gives her husband a period of time, “after this time you don't become Muslim we are separated”. Hanafi say 3 months (3 cycles) after that they are separated (Iddah). Other scholars say one month only.

Other scholars say this period of time could be as long as they want – they use the evidence when Prophet (SAW) migrated to Madina and his daughter was separated from her husband.

They cannot have any sexual relations and if she wants to break the marriage at any given time, she can do that – Imam Ibn Qayyim support this opinion with 8 different evidences.

What if a man becomes Muslim if he has more than 4 wives?

Qais ibn Harith became Muslim he had 8 wives Prophet (SAW) asked him to chose 4 or divorce  
4

Does illegal sexual intercourse affect marriage?

الرِّزَانِيُّ لَا يَنْكِحُ إِلَّا زَانِيَةً أَوْ مُشْرِكَةً وَالزَّانِيَةُ لَا

يَنْكِحُهَا إِلَّا زَانٍ أَوْ مُشْرِكٌ وَحُرْمٌ ذَلِكَ عَلَى الْمُؤْمِنِينَ ﴿٣﴾

The adulterer marries not but an adulteress or a Mushrikah and the adulteress none marries her except an adulterer or a Muskrik [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, or a Mushrik (polytheist, pagan or idolater, etc.) and the woman who agrees to marry (have a sexual relation with) a Mushrik (polytheist, pagan or idolater) or an adulterer, Then she is either a prostitute or a Mushrikah (female polytheist,

pagan, or idolatress, etc.)). such a thing is forbidden to the believers (of Islâmic Monotheism). [24:3]

Hadith of Abdullah Amr Ibn Al-As' this verse was revealed in relation to a person who wanted to marry a woman who was a prostitute. This is why Ulema say that you are not allowed to marry a person who fornicate or prostitute unless they have repented from Allah (SWT).

Shatiti was a great scholar of tafseer “this is the most difficult verse in the Qur'an”

Are you allowed to marry a fornicator woman?

Some scholars say that it is not allowed to marry a person who fornicates.

Rules in fiqh – when you have two evidences and one clear statement and another ambiguous – then you should go with that which is clear.

What is the ruling regarding marrying a woman who has become pregnant from fornication?

If she is pregnant from the same man who fornicated with her is allowed to marry her – but her child will not take the name of the father

## **The Third Integral: Al-Wali (The Bride's Guardian)**

Al-Wali comes from Al-Wilaayah, which means love and support. In Islam women need wali and men don't need wali in marriage.

Allah has called the person who is in charge of his daughter, sister, grand-daughter, wali. So wali's role is not to ruin your life or to make you feel bad or to be against your wishes or make your life miserable. The Wali is someone who cares, looks after her interest and supports.

What is the wisdom behind having a wali? Why the women need wali?

In order to investigate and find out about their character and business; In Islam women have a very high status, she does not go after anyone, she has other people like her wali – to go ask, look, find out about the man. It is wali's responsibility to find out the character of the man.

When a man deals with a man, he look at it another perspective, the way the man deals with a woman is different. Islam wants to give the woman male and female perspective. She has the female perspective; the male wali gives her the male perspective. The father or wali will tell the woman if he is a good man or not (good advice).

Not every woman in the world has the experience with socializing with men. However her wali goes out and he speaks to and interacts with people from different cultures and places.

A position of the wali is to give the woman very honorable position. There is no woman who has left her family – the husband will not respect her if anything happens in the future.

Wali is important because marriage is to establish the relationship between families.

## Who is the Wali?

1. The father
  - a. Wassi
  - b. Grandfather
  - c. Son
  - d. Grand Son
  - e. Full brother

The wali must be a male and not a female. Ibn Abbas said, “A wali is to be a male”

## The dangers of marrying without your parents’ permission or consent

Don’t take this life for granted, don’t ignore the fact that marriage is the relationship between two families. If you marry without your parents’ consent you will not have the respect of the parents.

We have to realize that parents are very important part of our life, and don’t disrespect your parents because of anyone; no one can replace your parents.

Have good communication with your parents and make sure they support you in your marriage. It is a sin for a father to abuse his rights over his daughter or son just because they want them do have their son/daughter to marry their cousin or some person of their own choice.

The rule in Islam is, “Anyone abuse his right, lose it.”

## The Conditions of the Wali

1. Al-Islam
  - a. The first condition is that the father has to be the wali
  - b. Sh. Wali believes that non-Muslim still can marry his Muslim daughter to someone – why? The evidence when prophet (saw) married to umm Habiba and

he asked man who was Muslim in Habasha to be her wali and not her father who was not Muslim at that time. The verse in the Qur'an – no non-Muslim should have the authority over Muslim is a general verse, the argument is raised that there is no proof for that a non-Muslim father cannot be a wali. The father of umm Habiba hated the Prophet (SAW) and he did not like him that is why the Prophet (SAW) asked king of Habasha to be the wali. However what can be the problem when the father wants to marry her daughter to someone she likes.

- c. Marriage is not only religion but it is also a personal relationship
  - d. Marriage is the contract and it could be performed by non Muslims by consensus
2. Physical Maturity
    - a. Has to be an adult
  3. Sanity
  4. Mental Maturity
  5. Not being in a state of Ihram
    - a. Prophet (SAW) said whoever is in the state of Ihram can not engage, marry or give someone in marry – reported by Muslim.

## The ruling regarding having Wali in the marriage contract

If there is no wali in the marriage is the marriage valid or not?

The evidence and scholars' opinion:

Imam Tirmadhi said, 'the scholars from the early generation until today, generation after generation, the vast majority of them agreed that there could be no marriage contract without the wali – Umar, Ali, ibn Abbas, Abu Hurairah , Ibn Mas'ud, Ayesha, Saeed ibn Musiyab, Shuray, Hasan Al- basri, Sufyan, Imam Shafi'ee, Imam Ahmad, Malik, and so many others.

Ayesha (RA) said, "Any woman marries herself without the permission of her wali her marriage is void, her marriage is void, her marriage is void."

## What should be done in the absence of a Wali?

Abusing the right of guardianship

If a father married his daughter by force to someone – this marriage contract is void.

Who is the wali for new Muslims?

If a sister became Muslim – sh. Walled believes her father is still the wali, unless he has discontinued the relationship due to not liking her religion.

Some say her wali is the person who made her dawah and there is no proof for this.

Correct Opinion is that Muslim Judge – since in North America there is no Muslim judges in this case the Imam, the head of Islâmic center, a respected Person in the society can be wali.

If she chooses the imam to be her wali what does it lead to?

Your wali is only representing you in marriage.

### **The conditions of the commissioner**

1. Male
2. Sane
3. Physical Maturity
4. Freedom

The authority of the commissioner

It depends how you hire him.

## **Essential Requirements for the Marriage Contract**

The witnesses and the publicity of the marriage

What really make the difference are the witnesses and the publicity of the marriage. Marriage must be publicized and cannot be hidden in secret; marriage is something you should not be ashamed of. There is no such thing called secret marriage.

How many witnesses must be there?

Scholars say only 2 witnesses

There are 4 opinions related to this issue (page 61)

1. Marriage must only be announced
2. Two witnesses suffice without further announcement
3. Both the two witnesses and announcing to the public are required
4. Either of the two is sufficient

Umar ibn Khattab, Nafi'e and Imam Malik (RA) said if you have witnesses, and all of you agree not to publicize the marriage then it is invalid.

Ibn Taymiyyah say there is no authentic narration ordering us to have witnesses for marriage. Ibn Taymiyyah says the only authentic narration we have is to order to us announce the wedding, having 2 witnesses is recommended and not wajib. Ash-Shafi'ee, Hanbali and Maliki say that it is required to have the two witnesses – the vast majority says that these witnesses must be trustworthy.

What is the wisdom behind having 2 witnesses?

To protect the rights of the people who are getting marriage, in case a problem happens the witnesses are the point of reference.

## **Conditions of the witness**

1. Male
2. Physical mature
3. Sane
4. Mentally mature
5. Muslim
6. Free

Abu Hanifa is the only school that allows one man and two women to be witnesses. Is'haq Ibn Rahwai also agrees with this opinion.

## **Publicizing the Marriage is an Obligation**

The Prophet (SAW) said, “Make the marriage well known and open.” [Tabarani]

The Prophet (SAW) said, “Announce the Marriage” [Ahmad]

These ahadeeth make it essential requirement to make it obligatory.

To what extent I have to publicize the marriage?

The minimum you should do is that you make it well known to your immediate family and the neighbors so that they will not think bad about you and spread rumors about you in the society.

Islam would not agree to lower woman to the level that she marry in secrecy – and to be afraid to meet her husband in the hotel.

# The Dower (Al-Mahr)

It is what is given to the bride by the groom

وَأَتُوا النِّسَاءَ صَدُقَاتِهِنَّ نِحْلَةً فَإِنْ طِبْنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ

هَنِيئًا مَّرِيئًا ﴿٤﴾

And give to the women (whom You marry) their Mahr (obligatory bridal money given by the husband to his wife at the time of marriage) with a good heart, but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allâh has made it lawful). [4:4]

One of the names of Mahr – something I give. Another name for Mahr is Sadaq – the Mahr we call it Sadaq (👤👤👤👤) (honor – truthful) it shows how honest and truthful this person is and how committed he is.

Can my Mahr be a service?

Like – I will fix your father's garage.

One Opinion – Yes Mahr could be a service and the proof is the story of Shu'aib and Musa. This is not strong evidence because it belongs to Shari'ah before us.

Qur'an is talking about money, wealth, gold, silver, an actual valuable thing that you give to your wife. The story of Musa – there is nothing mentions that Shu'aib did not pay Mahr it was just the condition for the marriage. You have to give something which is Halal and has value.

### Conditions of the dower

1. Purity
2. Has Value
3. Can be delivered
4. Known

The dowry is the right of the bride only

It is Haram to give it to the father or the mother. It is the right of the bride. It is her money and cannot be taken away from her and she is not questioned about it.

The ruling of the dower

Is it valid to have marriage contract when the dower is not stated?

If she gives up the Mahr it is her right. If it is not mentioned in the contract the contract is valid but later on we must order the husband to give her the Mahr.

Proof is in this Ayah:

لَا جُنَاحَ عَلَيْكُمْ إِن طَلَقْتُمُ النِّسَاءَ مَا لَمْ تَمْسُوهُنَّ أَوْ تَفْرِضُوا  
لَهُنَّ فَرِيضَةٌ وَمَتَّعُوهُنَّ عَلَى الْمَوْسِعِ قَدَرَهُنَّ وَعَلَى الْمُقْتِرِ قَدَرُهُنَّ  
مَتَّعًا بِالْمَعْرُوفِ حَقًّا عَلَى الْمُحْسِنِينَ ﴿٢٣٦﴾

There is no sin on you, if you divorce women while yet you have not touched (had sexual relation with) them, nor appointed unto them their Mahr (bridal money given by the husband to his wife at the time of marriage). But bestow on them (a suitable gift), the rich according to his means, and the poor according to his means, a gift of reasonable amount is a duty on the doers of good. [2:236]

Ibn Jawzi said this verse shows that the marriage contract is valid without stating the Mahr in the marriage contract. In a case when spouse agree to cancel the concept of Mahr. It is not permissible, the contract may be valid, but husband be forced to pay anything by the Judge.

When there is no dower is mentioned?

In that case the contract is valid, and then the woman can decide that later.

The maximum and minimum of dower

One opinion, There is no maximum – you can give as much as you want. There is no maximum – scholars have not put the maximum

When people start to abuse it then the governor has the right to involve and limit the permissibility.

وَإِنْ أَرَدْتُمْ أَنْ تَبْدُلُوا زَوْجَ مَكَانَ زَوْجٍ وَعَاقِبْتُمْ إِحْدَهُنَّ  
قِنطَارًا فَلَا تَأْخُذُوا مِنْهُ شَيْئًا أَتَأْخُذُونَ عَنْهُ وَبُهْتِنًا وَإِثْمًا

مُبِينًا

But if You intend to replace a wife by another and You have given one of them a Canter (of gold i.e. a great amount) as Mahr, take not the least bit of it back; would You take it wrongfully without a Right and (with) a manifest sin? [4:20]

The Prophet (SAW) – the amount of Mahr he gave was – 500 dirham (piece of silver) except Umm Habiba she was married to him (SAW) by Najashi and it was 4000 dirham because her wali was a king and rich person. When Umar (RA) married Umm Kulthum he gave her 40,000 dirham.

What is the Mahr? It will help her to prepare herself i.e. purchase cloths for you; it depends on status, culture you are from. Be moderate in asking for the Mahr.

What about the minimum amount?

A story of Umar Ibn Khattab (RA), when he tried to put the limit and woman told him that it is not correct. Some Ulema say that it is a weak narration – those who said it is weak, their statement is not accurate, this Hadith was not only reported by Baihaqi rather it has been narrated in other source – it is a Hasan Hadith.

1. First opinion of Imam Abu Hanifa – It has to be 10 dirhams – they based on their opinion on a Hadith “minimum of the Mahr is 10 dirham.”
2. Second opinion the Mahr has to be 3 dirham and they had no authentic proof for it.
3. Third opinion said anything that is called property (Shafi’ee, Hanabila, Hasan Al-Basri, Sufyan At-Thaurwi, Awzai, Saeed ibn Musiyab) agreed that anything of value could be Mahr. It has to be something which has value because Allah (SWT) said it is from your wealth.

❖ وَالْمُحْصَنَاتُ مِنَ النِّسَاءِ إِلَّا مَا مَلَكَتْ أَيْمَانُكُمْ كَتَبَ اللَّهُ عَلَيْكُمْ  
 وَأَجَلَ لَكُمْ مَا وَرَاءَ ذَلِكَ أَنْ تَبْتَغُوا بِأَمْوَالِكُمْ مُحْصِنِينَ غَيْرَ  
 مُسْفِحِينَ فَمَا اسْتَمْتَعْتُمْ بِهِ مِنْهُنَّ فَآتُوهُنَّ أُجُورَهُنَّ فَرِيضَةً وَلَا  
 جُنَاحَ عَلَيْكُمْ فِيمَا تَرَاضَيْتُمْ بِهِ مِنْ بَعْدِ الْفَرِيضَةِ إِنَّ اللَّهَ كَانَ عَلِيمًا

حَكِيمًا

Also (forbidden are) women already married, except those (captives and slaves) whom Your Right hands possess. Thus has Allâh ordained for you. All others are lawful, provided You seek (them In marriage) **with Mahr (bridal money given by the husband to his wife at the time of marriage) from Your property**, desiring chastity, not committing illegal sexual intercourse, so with those of whom You have enjoyed sexual relations, give them their Mahr as prescribed; but if after a Mahr is prescribed, You agree mutually (to give more), there is no sin on you. Surely, Allâh is ever All-Knowing, All Wise. [4:24]

Prophet (SAW) used to help people with Mahr when they wanted to get married. Seek anything even if it is a ring made of iron.

When is the woman entitled to her entire dower?

1. She is entitled to have her Mahr after the consummation of the marriage
2. Upon retirement
3. If a man and a woman alone in one place and no one with them she is entitled for Mahr – even though she did not move to his house and did not have sexual relationship – consensus of the opinion – ibn Abbas disagreed – if no intercourse happened she is not entitled for the Mahr

When is the woman entitled to half of her dower?

If she is divorced and the marriage was not consummated then she is entitled to half of the dower.

وَإِنْ طَلَّقْتُمُوهُنَّ مِنْ قَبْلِ أَنْ تَمْسُوهُنَّ وَقَدْ فَرَضْتُمْ لَهُنَّ فَرِيضَةً فَنِصْفُ مَا فَرَضْتُمْ إِلَّا أَنْ يَعْفُونَ أَوْ يَعْفُوا الَّذِي بِيَدِهِ عُمَّدَةُ النِّكَاحِ وَأَنْ تَعْفُوا أَقْرَبُ لِلتَّقْوَىٰ وَلَا تَنْسُوا الْفَضْلَ بَيْنَكُمْ إِنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ

And if You divorce them before You have touched (had a sexual relation with) them, and You have appointed unto them the Mahr (bridal money given by the husbands to his wife at the time of marriage), Then pay half of that (Mahr), unless they (the women) agree to forego it, or He (the husband), In whose hands is the marriage tie, agrees to forego and give her full appointed Mahr. And to forego and give (her full Mahr) is nearer to At-Taqwa (piety, righteousness, etc.). And do not forget liberality between yourselves. Truly, Allâh is All-Seer of what you do.

[2:237]

When the woman loses all her right to her Mahr?

When she cheat in the marriage contract or if she give it up.

Dividing the Dower

1. You have to specify the time
2. The length of the time is not very distant
3. It must be of some benefit to one of the both of the parties
  - a. I give you some today and some later

4. the Sunnah is not to delay in giving the Mahr because Allah (SWT) said

يَأْتِيهَا الَّذِينَ ءَامَنُوا إِذَا جَاءَكُمْ الْمُؤْمِنَاتُ مَهَاجِرَاتٍ فَامْتَحِنُوهُنَّ  
اللَّهُ أَعْلَمُ بِإِيمَانِهِنَّ فَإِنْ عَلِمْتُمُوهُنَّ مُؤْمِنَاتٍ فَلَا  
تَرْجِعُوهُنَّ إِلَى الْكُفَّارِ لَا هُنَّ حِلٌّ لَهُمْ وَلَا هُمْ يَحِلُّونَ لَهُنَّ وَءَاتُوهُم  
مَّا أَنفَقُوا وَلَا جُنَاحَ عَلَيْكُمْ أَنْ تَنكِحُوهُنَّ إِذَا ءَاتَيْتُمُوهُنَّ  
أُجُورَهُنَّ وَلَا تُمْسِكُوا بِعِصَمِ الْكَوَافِرِ وَسْئَلُوا مَّا أَنفَقْتُمْ وَلَيْسَ لَكُمُ  
مَّا أَنفَقُوا ذَلِكُمْ حُكْمُ اللَّهِ يَحْكُمُ بَيْنَكُمْ وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴿١٠﴾

○

You who believe! when believing women come to You as emigrants, examine them, Allâh knows best as to their Faith, Then if You ascertain that they are true believers, send them not back to the disbelievers, they are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them. But give the disbelievers that (amount of money) which they have spent [as their Mahr] to them. And there will be no sin on you to marry them if you have paid their Mahr to them. Likewise hold not the disbelieving women as wives, and ask for (the return of) that which you have spent (as Mahr) and let them (the disbelievers, etc.) ask back for that which they have spent. That is the judgment of Allâh. He judges between you. And Allâh is All-Knowing, All-Wise. [60:10]

The Prophet (SAW) said, “Any man promise a woman Mahr and he would never give it to her, he would meet Allah as an Adulterer, and if someone takes the loan and knows he will not return it, he will return to Allah as thief.”

## Conditions that must exist before Performing Marriage Contract

1. Mutual consent
  - a. Prophet (SAW) broke the marriage contract of a Sahabiyah who did not like the man she married because her father forced her into marriage
2. The suitable match (al-Kafaa'ah)
  - a. It is a sensitive issue specially in the west for people like us

- b. Ulema say one of the conditions is that couples are must be suitable match for each other because if they are not suitable match the marriage contract could be revoked. Ulema agree that it apply related to the man and not to the man that the man must be suitable for the woman. Abu Hanifa say no both have to be the same level.
  - i. The husband is equal to the wife or higher in certain area
    - 1. The scholars debated which areas the suitability must exist – to the extent if there is no suitability a father or uncle can go to the court and tell the judge they are not suitable for it

# The Suitable Match

## (Al-Kafaa'ah)

1. Faith
  - a. Faith and religion is very important
  - b. She has the right to break the marriage in the court and she still keep the Mahr because he is not suitable for her ... if she feels shy and could not talk, her uncle could come in the court and speak in behalf of her... if the man is not a religious man and the woman is a practicing Muslims.
  - c. Most of the Muslim jurists that there has to be match in faith for the Muslim women
  - d. Allah (SWT) also said Mu'min and Fasiq are not equal to each other
  - e. The family of so and so are not from me... they are not my awliyah (the one I love) I will only have Mu'mineen as my supporters and friends – Qur'an
2. Lineage and ethnicity
  - a. Some scholar say they have to be from the same social cast
  - b. A woman from Quraish could not marry someone who is not from Quraish – is it acceptable?
    - i. It is not correct opinion. Why? Because Prophet (SAW) recommended Usamah bin Zaid for marriage to a woman who was from Quraish lineage
    - ii. Zainab bint Jahsh was married to Zaid Ibn Haritha who was slave

- iii. There were lot of different incidents where someone from big tribes were married to who were freed slaves
- 3. Wealth
  - a. Some scholar say that the poor should not marry a woman
  - b. This is not a correct opinion because Allah says in Qur'an [Surah Nuh: 32] if they are poor Allah will make them rich.
  - c. Being rich – wealth – is also rejected
- 4. Profession
  - a. They have to be from same profession – there is no base for that one job is better than the other
  - b. Prophet SAW said, “Ya Bani Bayadah...”
- 5. Soundness
- 6. Age
  - a. You don't marry a 18 years girl to a man 84 years old
  - b. Someone is about to die and you marry him to a woman youthful
  - c. There has to be a balance
  - d. The Fuqaha said, it is the decision in the hand of the woman, she has the right to break the marriage through this consent... they are not being racist they are just helping women allow to use their right in case they are force into marriage.
- 7. Freedom
  - a. A Slave cannot be married to a free woman
  - b. Story of bareerah – by the time she became a free woman she immediately divorced her husband
- 8. Health conditions

As long as there is suitable match the marriage will survive and prosper. As much as there are possibilities of big difference there are possibilities that the marriage will not survive.

Make sure you marry someone suitable to you.

## **Free of the Hindrance that forbid the Marriage**

### **A. Marrying in the state of Ihram**

(Hadith on page 68)

Imam Malik, Ash-Shafi'ee and Sahabi have opinion as person in the status of Ihram cannot do marriage contract unless they finish the Ihram conditions

Proof is Hadith Page 68

Abu Hanifa and Ahl al-Kufa opinion that it is allowed to marry in the state of Ihram (Hadith 2 on page 68)

Opinion of Ibn Mas'ud, 'Ata and Sa'ed ibn Musiyab

There is another narration that Prophet (SAW) married maymoona before in the status of Ihram – Imam Muslim has narrated in his book and Imam Malik has also related this Hadith in his Muwatta.

How can we understand the Hadith of Ibn Abbas?

1. Ibn Abbas made mistake
2. While he (saw) was in the land of Haram and not in the state of Ihram – where the people make Ihram
3. some say it only applies to the Prophet (SAW) and no one copy it
4. when prophet (saw) said and what he did is different
  - a. so we go with what he said because it is general legislation – a general rule of fiqh
  - b. we say what Prophet (SAW) did is to show that Prophet (SAW) showed us that marrying in ihram is makrooh and not Haram

## **B. Marrying a woman who is in her 'Iddah**

What is the ruling if someone marries a woman who is in her 'Iddah?

Some scholars say we should separate them forever and they cannot marry again forever.

Some scholars say that we separate them – and she can finish the 'Iddah of the first one and then finish the 'Iddah for the second and then she can marry again.

## Placing Prerequisites in the Marriage contract

يَا أَيُّهَا الَّذِينَ ءَامَنُوا أَوْفُوا بِالْعُقُودِ أُحِلَّتْ لَكُمْ بَهِيمَةُ  
الْأَنْعَامِ إِلَّا مَا يُتْلَى عَلَيْكُمْ غَيْرَ مُجَلِّي الصَّيْدِ وَأَنْتُمْ حُرْمٌ إِنَّ  
اللَّهَ يَحْكُمُ مَا يُرِيدُ ﴿١﴾

O You who believe! fulfill (your) obligations. lawful to You (for food) are All the beasts of cattle except that which will be announced to You (herein), game (also) being unlawful when You assume Ihrâm for Hajj or 'Umrah (pilgrimage). Verily, Allâh commands that which He wills (5:1)

The Prophet (SAW) said, “Indeed, the conditions that are the most worthy of fulfillment are the ones which you stipulate to make intercourse with women lawful to you.” [Bukhari and Muslim]

Can a person put conditions in a marriage contract?

Yes, because it is a contract – any contract can come with any conditions that you want in it. Here vast majority of the Fuqaha said you cannot put conditions. Some scholars said, yes conditions could be placed.

Some scholars say that no- any condition that is not in the book of Allah it is void... Shafi’ee, Maliki and Hanafi said you cannot fulfill the conditions

Not the majority don’t have the strong evidence it is the minority of the Fuqaha have stronger case.

Valid Stipulations

They are obligatory to be fulfilled

Valid conditions that it does not contain anything Haram or illegal

Valid condition is to take me Hajj, get me a house or a car, allow me to continue my education, you will provide me with a separate house from your parents...

### Invalid Stipulations

If the condition goes against the basic condition of marriage contract

Cannot touch me or have intercourse – it invalidates contract

You don't get pregnant or don't want children – it will invalidate the contract

Wrong condition – don't visit your parents, you don't support your parents, party in the club, not wear hijab... it is not allowed to put the condition like that... but it will not invalidate the contract

Is it permissible for someone to make Haram which is Halal?

She has the every right to say that she does not want to share her with another woman but she will have to the right to break the contract and secure her finance – Mahr

The ruling of having prerequisites in the marriage contract other than what is in the Shari'ah

### Prohibited and questionable Marriage Contracts

1. Nikah ash-Shighaar
  - a. It existed in the time of Prophet (SAW) and he prohibited.
2. Nikah al-Mu'tah "fixed-time marriage for pleasure"
  - a. Forbidden marriage
  - b. You announce it in the contract and after the time of the contract you cannot keep her...
3. Nikah al-Tahleel
  - a. A woman who is divorced she wants to get marry with her husband again hires someone to make Halal for her previous husband it is Haram.
4. Marrying with the intention of divorce
  - a. This occurs when man marry a woman and intends to divorce her without mentioning in the contract
  - b. His intention is Haram but the contract is valid
  - c. You are trying to harm a woman by divorcing her – some scholars say this is a sin to do that but contract is valid as long as you don't reveal you're intention...

5. 'Urfi Marriage
  - a. Secret Marriage
  - b. Undocumented Marriage
  - c. Marrying without a Wali or witnesses
6. Zawaaj al-Misyaar
  - a. When a woman agrees to give up some of her rights, such as financial support
  - b. i.e. if someone woman give up her right of financial support, I have enough money you don't have to financially support me

What is the ruling in regards to civil marriages in the court of a non-Muslim country?

In the civil court the wali is missing and 2 witnesses... and someone who did not go to Nikah and just had marriage in civil court, they need to renew the contract.

After the marriage contract and before the consummation of the marriage, what is the right of the husband vs. the parents?

We go with the custom – the 'Urf of the people...

You agreed to keep her in her house's parents... her permission should be taken from the parent and not from the husband, she should obey her father until she moves to her husband's house.

# Review

When does a woman get half of her dower?

When the man divorce her when she was divorced before consummation of the marriage.

When does a woman get full of her dower?

When the marriage has been consummated and upon divorce after consummation of the marriage

What is the proof?

Prophet (SAW) said “anyone who marries without her wali, the marriage is invalid, the marriage is invalid, the marriage is invalid.”

Opinion of Ali ibn Abi Talib and Ayesha (RA)

**Wali** means Love and Support

**Wali** meant to bring the love and support for the girl to make the right choice

# The Wedding

The Prophet (SAW) said, “A wedding must have a feast.” [Ahmad]

1. The Waleemah
2. The ruling concerning the Waleemah
3. The timing of the Waleemah
4. Extravagance is forbidden

The Prophet (SAW) said to Abdur Rahman Ibn Awf (RA) – when he first time arrived Madina very poor, he died his beard blond – “you look different, did you just get married”, he said, “Yes Ya RasulAllah,” The Prophet (SAW) told him, Make a Waleemah even if it is just as Sheep” [Reported by Bukhari]

When Prophet (SAW) married saffiyah and Zainab bin Jahsh he offered a sheep.

What is the ruling concerning Waleemah?

Do we have to have meat? No Prophet (SAW) did not always cook meat anything you can do and there is no limit to what you do...

Is it obligatory to have food to offer to people?

When the party should take place?

There is a difference of opinion, some say that you should make it at the sign of the contract before the consummation of the marriage – opinion of Maliki

Second opinion – vast majority of scholars and most strongest opinion – the wedding party should be after the consummation of the marriage because Prophet SAW told Abdur Rahman Ibn Awf to sacrifice the sheep after his consummation of the marriage, however this is not a very strong proof because Prophet (SAW) saw him after he got married... you cannot use this as an evidence – however there is another evidence that is stronger is that the Prophet (SAW) married Zainab and he invited the people for food after the consummation of the marriage with Zainab

It is very important to remember what Allah (SWT) said in Qur'an

﴿يَبْنَیْ عَادَمَ خُذُوا زینتکم عند کلِّ مَسْجِدٍ وَکُلُوا  
 وَأَشْرَبُوا وَلَا تُسْرِفُوا إِنَّهُ لَا یُحِبُّ الْمُسْرِفِینَ ﴿۳۱﴾

O Children of Adam! Take your adornment (by wearing your clean clothes), while praying and going round (the Tawwaf of) the Ka'aba, and eat and drink but waste not by extravagance, certainly He (Allâh) likes not Al-Musrifûn (those who waste by extravagance). (7:31)

THE AMOUNT OF JOY AND FULFILLMENT AVAILABLE IN A LOVE RELATIONSHIP IS CONSIDERABLY MORE THAN YOU CAN IMAGINE.

### **What should you do if you are fasting?**

Prophet (SAW) you should come to the waleemah but don't eat but make Dua for them.

**The ruling regarding attending a Waleemah in which sins are committed**  
 Intention may not be the only thing, but it is the most important thing.

Al-Qadhi Ibn Ayad said, when someone invite you to their walima and it becomes obligatory for you to attend their walima – it is sin not to attend the walima – because of this ruling we need to learn an etiquette is that you don't insist people to come, for example you print two hundred and give them option to come or not to come because you are making them obligatory to come to your walima.

In such waleemah in which there are sins committed – it is not obligatory to attend the wedding.

In the case like this, if they are immediate relatives to you, you take the gift, show your face, congratulate them and then you take a leave because not going at all will cause hard or harmful feelings amongst them.

You don't go to their waleemah and give advice or lecture remember that Naseehah (advice) needs from you 3 things

1. knowledge
2. Gentleness
3. Wisdom – that you put things where they belong so they meet the ultimate goals of it.

# **The Wedding Night**

## **The Wedding Party**

Yes it is allowed to go to the party

It is allowed to take your guest to the party and should ask their permission if they are strict about it...

## **Greeting the bride & groom**

Yes you should make Dua for the bride and groom and greet them with greeting

Prophet (SAW) said Ayesha had a woman in the house they were singing and he asked is there a wedding in the house, he was told yes and he said why don't you have Duff playing to have more fun with it because it is a wedding.

Ayesha (RA) used to have a very nice dress and women used to borrow from her to wear on the weddings.

## **Gifts**

Abu Bark (RA) he gave gifts to Ayesha (RA) when she got married to RasulAllah (SAW).  
Prophet (SAW) gave gift to Fatima (RA) when he got married to Ali (RA)

You can receive gifts – Nabi (SAW) asked for gifts when he got married...

## **Wrong practices on the wedding night**

Brother puts the Mus-haf over the bride's head – they do for the barakah and the blessing

Free mixing, dancing and music

Serving alcohol or smokes

Staying up late

Wasting food and money

Missing Salah – especially the bride

Backbiting

Throwing rice at the back – prophet (SAW) forbid that

Evil Eye – people envy them and wish bad for them

Woman does not cover herself properly in front of everyone

Photography – people use and abuse the mobile phones and take the pictures of sisters

People looking at the opposite gender with desire

Women high heels during the weddings

Money over the head

Don't invite poor people

Plucking the eyebrows which is forbidden

Imitating the Kuffar in the wedding

### **Using this as Dawah Opportunity**

Try to send messages or dawah by having a gift given to them when they come and attend your marriage – but don't transfer to a lecture – use such small ideas to use on your weddings.

### **Sometimes you want to have the Islâmic wedding but the parents don't what? How you can solve your problem?**

Communicate with your parents

Have them talk to the Shaykh to explain what is right or wrong

Start communicating and talking to them about it in the earlier to avoid argument

### **The Etiquettes of that Night**

Is it Sunnah to pray two Rak'ahs with your spouse on that night?

It is not reported that Prophet (SAW) did that with his wives. Is it bid'a to do that, Ibn Taymiyyah said no there is no harm in doing that... how can we say it is not innovation in doing that? Because there are narrations from early Sahabah that they did that – Abdullah ibn Mas'ud, Abu Dharr and Hudaifah visited one of the Tabi'een and he was about to get married, they told him to pray two rakah with your bride.

Make Dua - "O Allah I ask you the good of her – the best of her habits ...."

### **Fear of the wedding night**

The fear of Al-'ain

The fear of rejection

The fear of sex

The fear at that night is natural and not to be fear about – you have fear of commitment; it is not a loss of freedom but a greater freedom

Make sure you invite people who love you and you are comfortable with you

Make sure you do Ru'yah on yourself – make sure you make the Adhkar of the morning and the evening and make sure you pray – this is protection from any evil eye on that night

The fear of rejection – sometimes we are afraid and have fear what if he is not going to like me? To overcome this, have high self-esteem, it is very important for that night to have high self-esteem, you have been through a good process, you have took your time to know that this person is the right person for you... the worst thing you want to do is to appear as a person with low self-esteem... know how to appear confident and calm – breathing, smile and don't eat too much or high carb food and it will make you nervous – low carb meals make you relax ... make sure you look relax – eye contact and smile and that is the first impression and don't be worried about rejection... Don't look confuse and scared...

You have advantage to be a person to be irresistible person – in order for you to be an irresistible when a person's emotions aroused and that person will be attached to him...

If you are afraid from rejection – you walk in style – it has a great affect how we attach to that person sexually and SubhanAllah it is Haram for a woman to walk in a way that she gets attraction from people sexually – however it is allowed in Halal way for your husband.

You cannot stay young all your life but you can look like one. Make sure when you walk into that room, you walk in style that is why you will be irresistible

Eye contact – the way you look at him or her you will not be rejected

People are so attracted to the person who is attracted to them...

The fear of sex – I am little insecure about my performance... this is very important to have high self esteem – it is normal to feel insecure – don't expect from him/her that they know everything... they are not expecting anything at all... during that night people just need assurance, very smooth, just let your instinct lead you... have confidence in yourself...

Is sex unsatisfying the 1<sup>st</sup> time? – Yes, it is about emotions, the attachment and the love you have about this person, that is why it is called making love.

What are most women insecure about? – women always look at themselves as they are not ugly that is why they want to have relationship under the sheet – and guys should understand... they don't look themselves the way men look at themselves.

Is it normal to bleed or experience pain the first time? – most woman small blood first time, hymn is different from one to another, be gentle and be patient because this experience have pain in the beginning...

# Marital Life: Best Practices

What you need to know about men and women?

You need to know that men and women are different... it is like you are talking about two different species, there are big difference between them.

We need to understand that there are difference between men and women. Men are target oriented, men are good in navigation and orientation... women notice change in behavior quickly, women hear better than boys, women have sixth sense...

A study done where mother and father view a video 10sec no sound... most women could quickly get emotions from the baby if it is hunger or gas but men could not figure anything

When you deal with your wife, don't think that she cannot feel your emotions, they are good in knowing if you are telling a lie or love her or not... Allah created them this way and this is mainly because they deal with kids who don't communicate through language and this impact how they deal with their husbands...

For men always forget results... it is about status, power, beating competition, being effective, they have target mind... women think about things, they don't think or excited about... they are about communication, companionship, harmony and love... it does not matter to them to achieve goal, as long as they communicate... that is why when husband and wife talk about something, the whole entire thinking for the man is the result and for woman the whole thing important is process.

Men by nature think about result and women by nature think about the process.

Women in general have need – certainty, love – it is important for women to feel secure, love and certainty.

You can give her everything in the world but if you don't make her feel loved, secure and certainty she will never be happy... the only thing that will make her happy is the love, secure, and certainty

Men want to be significant, tell them you are the best man... since men are not very good at detecting emotions 😊 when your husband gives you gift show love and appreciating them, when he give you something and did something for you appreciate. Remind him for the good things he has done... a woman can win the heart of her husband by telling him that...

Make sure that we understand that women are about emotions and feelings and men about understand and analyzing.

Women want you to feel what she feels not that you understand how it feels... "I feel the same thing ..."

She wants you to hug her and tell her the feeling the sympathy and love and care from her husband.

Guys like to be understood how they feel...

Men are visually stimulated – something very important to them... so a woman should dress up for her husband and change your dress for your husband and appear more attractive to him because they care lot about what they see...

Women would like you to look nice but they are not stimulated by visual. What really make woman attracted to men is how you feel and behaviour.

## COMMUNICATION

Warning – stop look & listen before crossing the line

40 % Auditory - tone of your voice – how it sound

10 % Verbal - words – What you use

50 % Visual – Body Language – how it looks

The tone of your voice, the body language that you use has the great impact on communication...

You learn to remember that 80 percent of our communication is based upon our body language and tone of our voice.

50

Things You  
Need To  
Learn About  
Marriage

1. Great relationships don't just happen; they are made
2. If your job gets your best energy, your marriage will wither
3. One of the greatest gifts you can give your spouse is your own happiness
4. It is possible to hate and love someone at the same time
  - a. this is the mystery of love
  - b. Prophet (SAW) said, you should not divorce your spouse completely because of something you see in her that you don't like
5. When you complain about your spouse to your friend, remember that their feedback is based upon distorted information
6. The only rules in marriage are those to which you both choose to agree
  - a. you have to have agreement between spouse
7. It is not conflict that destroys marriage; it is the cold, smouldering resentment that is bred by withholding.
  - a. Holding feelings against other in your heart
8. It is not what you have got it is what you do with it
  - a. it is not how much money, sweet tongue, smartness, sensitive you are... it is how you use it
  - b. you can be smart, rich or attractive – but it is how to use all it to your advantage
9. if you think you are too good for your spouse think again.
10. growing up in a happy family does not assure a good marriage, and growing up in a unhappy family will be damage to your marriage
- 11. It is never too late to repair a damaged trust.**
12. the real issue is not the one you are arguing about
  - a. sometimes you argue about being late but it is why don't you care about me
  - b. the real problem might be love, respect, freedom, trust
13. Love is just not feelings but actions
14. Expectations set in the heart
15. arguments cannot be avoided
16. focused attention – greatest gift given to the spouse
17. even people with great marriage sometimes wonder if they have married a wrong person
18. your spouse can not rescue you from unhappiness but they can help you to rescue yourself.
19. the cost of lie is far greater than any advantage you gain from speaking it
20. your opinion is not the truth
21. trust takes years to establish and moments to destroy
22. guilt tripping wouldn't get you what you really want.
  - a. Don't use this tactic
  - b. Making other feel bad about themselves...
23. don't neglect your friends just because you have acquired a spouse.
  - a. Friends are part of our social life

24. if you think “you are not the person I married”, you are probably right
  - a. people change over time and there are circumstances that change the person
  - b. you cannot expect people to stay the same in certain area
  - c.
25. Resisting the temptation to prove your point will win you lot of points
  - a. S
26. generosity of spirit is foundation of great relationship
27. if your spouse is being defensive you are giving him reasons
28. marriage is not 50-50 but 100-100
29. you can pay now or you can pay later, but the later you pay, the more penalties and interest you acquire
  - a. you keep making promise and you know you cannot do it and keep pushing it to later time...
30. marriage does require sacrifice, but what you stand to gain is more than what you give up
31. forgiveness isn't onetime event it is a process
32. it does not make you a better person but accepting marriage challenge does
33. creating marriage is like launching a rocket once it clears the pull of gravity, it takes much less energy to sustain the flight
34. a successful marriage has more to do with how you deal with your current reality but what you experience in the past
  - a. happy marriage is not based on the past,, think about now and tomorrow
35. don't keep feelings of gratitude to yourself
36. there is no greater eloquence that the silence of real listening
37. one of the greatest question you ask your spouse is “how may I best love you?”
38. Marriage can stay fresh overtime
39. assumptions are fine as long as you check them out before acting upon them
40. intention may not be the only thing, it is the most important thing
41. good sex does not make the marriage great but sure helps
42. Privacy won't hurt your marriage but secrecy will...
  - a. there is privacy in husband and wife but no secret
  - b. I should not go check her phone etc it is privacy
  - c. Secrecy – don't grab your purse... or email
43. Possessiveness and jealousy are born out of fear not love.
44. authenticity is contagious
45. If your spouse thinks something is important, it is.
46. Marriage never out-grows the need for romance.
47. spark of new relationship is temper
48. there is violence in silence when it is used as weapon
49. it is better to focus what you can do to make things right or what your partner did to make things wrong

50. If you think marriage counselling too expensive, try divorce.
- a. Should be not shamed of taking marriage counselling
  - b. Not every imam is a counsellor

## **Five Languages of Love**

Words of affirmation

Quality time

Gifts

Acts of service

Physical contact

You need to think how can I come close to my spouse? Make it a dream to have a romantic relationship with my spouse.

## **The Perfect Husband**

1. Dress up for your wife, look clean and smell good
2. Use the cutest names for your wife
3. Don't treat her like a fly
4. If you see wrong from your wife, try being silent and do not comment!
5. Smile at your wife whenever you see her and embrace her often
6. Thank her for all that she does for you. Then thank her again!
7. Ask her to write down the last ten things you did for her that made her happy
8. don't belittle her desires
9. be humorous and play games with your wife
10. Always remember the Hadith of RasulAllah (SAW) "the best of you are those who treat their families and I am the best amongst you to my family."

How can you impress your wife?

Impress her with something good, spice up your life and make your relationship so unique – Thank her for something she does for you.

Never forget to make Dua to make your marriage successful.

## **The Ideal Wife**

The prophet (SAW), "If a woman prayed the five prayers, fasted in Ramadhan, protected her honor and obeyed her husband..."

Prophet (SAW) said, "Your women who will enter paradise, who are nice their husbands, who bear children and those who keep checking the needs of their husbands. If her husband gets angry with her she would hold his hand and say by Allah I will not sleep until you forgive me."  
[as-Silsilah as-Sahihah]

## Jealousy

Prophet (SAW) used to help his family and it is part of the relationship to help and cooperate... Ayesha (RA) said Prophet (SAW) was sitting and two wives, both of them were sitting next to him and Ayesha did not want to eat... sawdah (RA) painted Ayesha's face with curry...

Don't expect there is no jealousy in a relationship

Jealousy is not because of low self-esteem it happens when something which means a lot to you and you are worried about it because of competition or losing it or losing the attention of it even if you have the high self-esteem trigger jealousy.

Too much jealousy can destroy a marriage... see what triggers jealousy?

The jealousy raised because of doubts – it is bad jealousy

Jealousy because I love you is good... I am jealous when you talk on the phone, because I really want you to spend time with me – this is out of love and companionship

Does his story check out – watch the expression on the face and how he reacts

### **Best way to break bad news**

The Prophet (SAW) said to Ayesha, I know when you are mad at me and when you are pleased with me.

Three forms of lie are allowed, status of war, when making peace or when a man lied to his wife.

For example, “You are the most beautiful woman on the world” these things are not considered lie, “since I left the house I am thinking about you the whole time” it does not open the door to make up the stories.

Prophet (SAW) said, it is not allowed for a woman to describe another woman to her husband.

It is not allowed in Islam, you cannot describe another woman to your husband.

Break the news in stages, choice of words...

1. they feel that this situation will be permanent something that will never change, anything bad news will scared you because you think it will be with you forever... you tell them this situation is not going to be with them for long time or forever
2. she feels that it is critical, make sure that he/she does not feel critical
3. She feels that it will impact all other areas of their life...

## HOME OR HOUSE

Make sure your house is home, a place you feel attached to and secure.

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ

بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ ﴿٣٠﴾

And among his signs is this, that He created for You wives from among yourselves, that You may find repose In them, and He has put between You affection and Mercy. Verily, In that are indeed signs for a people who reflect.(30:21)

أَجَلًا لَكُمْ لَيْلَةَ الصِّيَامِ الرَّفَثُ إِلَى نِسَائِكُمْ هُنَّ لِبَاسٌ لَكُمْ وَأَنْتُمْ  
لِبَاسٌ لَهُنَّ عَلِمَ اللَّهُ أَنْكُمْ كُنْتُمْ تَحْتَانُونَ أَنْفُسَكُمْ فَتَابَ عَلَيْكُمْ وَعَفَا  
عَنْكُمْ فَالَّذِينَ بَشَرُوا هُنَّ وَأَبْتَغُوا مَا كَتَبَ اللَّهُ لَكُمْ وَكُلُوا  
وَأَشْرَبُوا حَتَّى يَتَبَيَّنَ لَكُمْ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ  
مِنَ الْفَجْرِ ثُمَّ أَتُمُوا الصِّيَامَ إِلَى الْيَلِّ وَلَا تَبَشَرُوا هُنَّ  
وَأَنْتُمْ عَاكِفُونَ فِي الْمَسَاجِدِ تِلْكَ حُدُودُ اللَّهِ فَلَا تَقْرَبُوهَا

كَذَلِكَ يُبَيِّنُ اللَّهُ آيَاتِهِ لِلنَّاسِ لَعَلَّهُمْ يَتَّقُونَ ﴿٣١﴾

It is made lawful for You to have sexual relations with Your wives on the night of As-Saum (the fasts). they are Libas [i.e. body cover, or screen, or Sakan, (i.e. You enjoy the pleasure of living with her - as In Verse 7:189) Tafsir At-Tabarî], for You and You are the same for them. Allâh knows that You used to deceive yourselves, so He turned to You (accepted Your repentance) and forgave you. so now have sexual relations with them and seek that which Allâh has ordained for You (offspring), and eat and drink until the white thread (light) of dawn appears to You distinct from the black thread (darkness of night), Then complete Your Saum (fast) till the nightfall. and do not have sexual relations with them (your wives) while You are In I'tikâf (i.e. confining oneself In a mosque for prayers and invocations leaving the worldly activities) In the mosques. These are the limits (set) by Allâh, so approach them not. Thus does Allâh make clear his Ayât (proofs, evidences, lessons, signs, revelations, verses, laws, legal and illegal things,

Allâh's set limits, orders, etc.) to mankind that they may become Al-Muttaqûn (the pious - see V.2:2). (2:187)

## **RELIGION**

Prophet (SAW) said, “If a man wakes his wife and prays during the night or they pray two rak’at together, they will be recorded among those (men and women) who (constantly) make remembrance of Allah.” this is related by Abu Dawud

“May Allah grant mercy to a man who gets up at night and prays, and wakes up his wife, and if she refuses, he sprinkles water in her face; may Allah grant mercy to a woman who gets up at night and prays, and wakes up...”

1. Religious support
2. Share knowledge
3. Attend classes together
4. read and study together
5. compete in memorizing Qur'an Hadeeth etc
6. Qiyam al-Layl
7. Community services

## **THE TV**

It can be a big problem in marriage lives, and a lot of women hate TV and they think TV is worse than a co-wife...

TV destroys the communication between husband and wife... sometimes TV becomes the center of the house... coming home watching TV a lot... she wants to spend time... no TV... to the extent that they put TV in living room in bed room, in laptop... TV became the real life...

## **THE BED**

It is very important – it is not the only place of sexual relationship... it is an excellent opportunity to talk together, of future, of the day and to be close to the wife... go to bed early and spend time in bed... don't go to bed exhausted.

Go to bed when you still have energy to talk...

Also make sure you turn your cell phone off when you go to bed...

Bed is an opportunity for you and her to come close together

## **LAZINESS**

Some husbands complain my wife is very lazy... some men and women are very lazy... and it does terrible things to do to marriage...

Have good food

Have good dress

Sleep early

Say your Adhkar before going to bed

Organize yourself for the next day

Too much time in your hand – occupy yourself with beneficial things

## **Vacations are necessities not luxuries**

You have to make sure you have vacation with your life – every month or two. You don't have to be rich, you need to be smart.

Make sure you go to vacation often... it is essential in relationship with your wife.

It is going to help you have a better relationship with your spouse.

## **What is the ruling regarding celebrating marriage anniversary?**

- What is the ruling regarding celebrating marriage anniversary?
  - Some scholars say it is not allowed due to imitating the Kuffar
  - Second opinion: In the happiness of the time you have spent together it is okay
    - Not necessarily a party with cake, etc. Not allowed
    - Just between you two.

# Intimacy

## Sh. Waleed Basyouni

- Do you need sex (education)?
  - Yes it is necessary. We live in a society where it is very dominant and we need to learn the right way
  - Two things we need to learn about sex:
    - It is not only about fulfilling desire but showing love and respect and honour.
    - Act of worship when done with wife.
- Sexual satisfaction is number one interpretation of a healthy marriage from a man's perspective
- How men and women view sex in a marital relationship?
  - Men
    - Visually stimulant
    - Passing gene
    - Fulfilling
    - They have to get rid of their sperm.
  - Women
    - Orgasms; pure joy and satisfaction
    - Slow process of relationship and companionship
    - Have sexual desires men are not aware of.
- Why sex is more important for men?
  - They have to get rid of their sperm. A woman is frowned upon when she refuses the call of her husband. They both feel the need physically differently. Man needs to get rid of it no matter what.
- Secrets
  - Women think about sex too
  - Men only have one button
  - Women have a lot of buttons that you need.
  - Men need to remember that she needs to feel love, secure, companionship and desires take longer
  - For you to have a beautiful picture on a high definition flat screen TV; there is a lot of wire work in the back room.

- A man reaches orgasm in 1-3 minutes. A woman reaches it between 14 and 20 minutes.
- Prophet Salla Allahu Alayhi Wa Sallam said: you cannot beat your wife in the day like you do with animals and then want to enjoy her at night!

- **Sex**

Day play:

- Foreplay:
  - Goal: create expectation
  - Call, leave voicemail
  - Naughty emails, texts, or a handwritten note
  - Send flowers, card, gifts,
  - Considering general hygiene
  - Mani Pedi
  - Caution: food and drink
    - Oysters
    - Ginseng
    - Viagra
    - Getting in shape
    - Laughter
  - Grooming
    - Shaving pubic hair
  - Set up mood
    - Sounds
    - Candles
    - Temperature
    - Scent
    - Location

Night play

- Sex up your bedroom
- Taking time for satisfying foreplay
- be his/her genie in a bottle
- Reciting the dua
- The default ruling of sexual acts
- Positions
- Giving equal time to arrive at full satisfaction
- Adult toys?!!
- Core play
- More play
- Impermissible acts
  - Anal sex

- Sex with menstruating woman and during a postnatal bleeding (do not need to make them feel bad about themselves. He SAW would still enjoy his wives but would not do the intercourse act.
- Self pleasuring
- Video taping
- Watching pornography for stimulation
- For men it is quick, easy and essential for reproduction. For woman, it is slow, difficult and purely for pleasure. Yet despite such differences, it brings the sexes together...

What is the ruling regard wild fantasies?

- People who usually have these fantasies watch pornography
- Nothing wrong in fulfilling as long as no haram is being done

Is sperm considered impure?

- It is pure, it can get onto the sheets. Not a problem

Is it allowed to use food on the body for play?

Can a wife help her husband masturbate or vice versa?

- Only by wife or husband to wife. NOT ALONE

Is it okay to use profane language during sex?

Words contain bad meanings, not recommended.

Allah has said in the Qu'ran " Does not like the bad language"

Do pumps works, and is it allowed?

Is it permissible to use Viagra?

- Yes it is if needed
- To rectify problems with pre ejaculation

Is it allowed to sleep without taking shower, and look at each other's private parts?

- Yes it is allowed
- Aisha RD and Nabi SAW took showers together.

If you end up having sexual intercourse with your wife while she in her menses, Prophet SAW said to donate dirham (money), and take shower.

# Recommended readings

1. For men only
2. For women only
3. 101 things I wish I knew when I got married
4. Closer than a garment
5. The quest for love and mercy

# Contraception & Birth Control

- Doctor approve it then it is permissible. If there is no harm
- Not ejaculating inside wife (Azl)
  - It is permissible
  - Difference of opinion; the correct opinion is it is permissible. Ali was asked isn't it killing a soul. Ali said: no; it is not a live creation yet.
- Three conditions that must exist:
  - Can't be harmful
  - Method must be made up of something pure
  - Has to be by the consent of both parties, if one doesn't agree, the other can't use it.
  
- Artificial insemination
  - Refer for detailed explanation in course binder.
  
- **Abortion**
- Absolutely haram if it is for fear of poverty.
- Legal abortion?
  - After 120 days there is a consensus that abortion is forbidden unless if it is a threat to the mother's life.
    - Why? The rule that certainty overrules doubt. The life of the mother is certain while the life of the unborn baby is uncertain.
  - Another opinion, it is allowed in the first 40 days because it hasn't yet transformed to the second stage of a live creation.
  - Third opinion, allowed to do abortion before 120 days IF there is a need and reason for it.
- Haram to choose abortion when someone gets pregnant out of wedlock. Anyone who says its halal is allowing for indecent acts to happen.
- What if the baby is carrying harmful genes where he will suffer? Abortion okay if its within the first 120 days.

We live in a society full of sexual messages. Sex is very important in the marital life. Lower the gaze, protect your afaf. One of the ways to do this is having a good sexual relation with

your wife. Pornography websites are extremely huge in numbers and profits. Make sure both husband and wife are satisfied in their sexual life.

# The Newborn

- Your primary relationship is with your spouse not your children. Very important to remember.
- Al-Aqeeqah, Naming the Child
  - Sacrificing two sheep for the boy and one for the girl. Sunnah of the Prophet (saw).
  - Should be named in the seventh day - that is the maximum but you can name the baby even before it is born.
- Ruling on choosing names
  - Certain names you can't give your children such as names of Allah (Ar-Rahman etc) unless you put Abdul before it (slave of ....)
  - One without a bad meaning
- Al-Tahneek (Rubbing the child's mouth with dates)
  - Prophet did this because of the blessing in his saliva.
  - For this sunnah to be copied we must have found the companions who did it except not a single narration was found of any of them who did it.
- Adhan in baby's ear
  - Very weak narration.
  - No time to elaborate
- Shaving children's head
  - Applies to boys but not girls.
  - No report for it being done to girls but instead only boys.
  - Shaving of the head is something only for men.
- Circumcision
  - Used to be done to women but must be done right. Permissible but not encouraged.
  - Obligatory only on men.
- How a new baby tests a marriage
  - Everything changes when a baby comes along. Schedule changes, bed time changes etc.
  - Know what to expect when you are expecting.
- Work/home balancing act
  - No one has more right over your time like your kids.
  - It's wrong when both parents are working and the kids are neglected.

# Rights of the Husband and Wife

1. Common rights between the two:
  - "And due to the wives is similar to what is expected of them, according to what is reasonable" (2:228)
  - The best of you is the one who is best to his family and I am the best to my family- Prophet (saw)
  - Beware of Allah concerning women, you have taken them as a trust from Allah and they have made them permissible to you by the word of Allah.- Hadith
2. Women need a lot of Vitamin A:
  - Attention
  - Affection
  - Appreciation
  - Assurance
  - Acceptance
3. Rights of husband upon his wife:
  - Do not allow anyone into his house except by permission- Prophet (saw)
    - General permission- you have it and don't need to call for every single little thing. Especially when you know he won't have a problem with you going to certain places.
    - Specific permission- not allowed to go to some places without permission if husband may have a problem with it
  - Fasting without permission.
  - Protect his money, honor and children in his absence.
4. You fulfill the rights of others regardless if the other person is fulfilling your rights or not. The important part is to do what Allah expects of you. If everyone fulfilled their rights, it would be a beautiful family.
5. Are you a leader?
  - One of the best qualities you can have as a husband.
  - Often a mix up between leadership and manager of the house.
    - Managers have employees but leaders lead followers.

- Manager react to change, leaders make the change
  - Managers have good ideas, leaders implement these ideas
  - Managers communicate, leader have the ability to persuade
  - Managers direct group, leaders direct teams
  - Managers try to be heroes, leaders make heroes
  - Managers take credit, leaders take responsibility
  - Managers exercise power over people, Leaders exercise power with people
6. You don't want your relationship to turn into a fight for rights.
- Sheikh once had a case at court between a couple arguing on how many times to have sex a week.
7. Financial responsibility
- You have to provide your wife the money to cover her needs.
  - You can have your own bank account but good to make it clear with the wife.
  - Isn't my husband's money my money? Yes but spend accordingly.
  - If your husband is a miser you can take from him what you need without him knowing.
  - Wife comes before parents since parents have other people to support them. But life isn't like that so help support your family.

# In-Laws

- Why is there a bad reputation for in-laws?
- What are the common reasons for these problems to happen?
  - Wrong type of love and jealousy
    - Mother in law believes that the son loves the wife more than her.
    - They don't understand that the love for the wife is different compared to the love for the mother.
  - No realization that the child has entered a new stage of their lives.
  - Fear of losing relationship with their children.
  - Marrying without the approval of the in-laws.
- Try to understand their culture and personalities
- Very important to see the in laws, their likes and dislikes
- You have to learn to **let the small things go**
- Understanding each parties limit from the beginning.
  - 1st limit: My kids won't be staying over at in laws if the father in law is smoking, or watch r-rated movie because the in laws like it.
- Know the right of your spouse and parents are not contradictory.
- Do not involve your in-laws in everything. Every house has its privacy.

- Consult them. Don't COMPLAIN to them. It will build a negative impression of your spouse.
- Just be a good wife/husband so there is no space for criticism.
- Keep them busy with the role you want them to play in your life.
  - Ex: teaching your kids urdu or whatever language
- Ask your spouse to praise her in your presence
  - Ex: you know I love your food, your mom's food is the best
- Give them gifts
- Visit them often but not too often
- Be forgiving and just
- Give your children a chance to gain their own experience in life. Don't get angry if they don't take your advice.
- Advise rather than order, discuss rather than threaten.

# Marriage S.O.S

- Al-Eelaa'
  - When the husband takes an oath not to approach his wife.
  - Linguistically: to swear, to take an oath
  - Haram to stay for more than four months without approaching your wife.
  - Most you can do is four months.
  - Can be done in any language, wording.
  - After four months, if the person doesn't go back to her, the judge **by force** will make him divorce her. He can't leave her hanging.
  - Some scholars say that after four months, she is automatically divorced. This is not correct. They have to go to a judge.
  - If a person decides to take her back, all he has to do is the penalty for breaking an oath. Freeing a slave, feeding poor or fasting 3 days.
  - Breaks oath by having intercourse with her.
- Al-Dhihaar
  - It is when the husband makes a statement that implies that the woman becomes forever forbidden.
  - Your back is like my mother's back - in other words your body is like my mothers. Would you ever sleep with your mother? No.
  - Rule specific for the men.
  - If a person makes this oath, not allowed to touch the wife until he pays the penalty.
    - Feed 64 people, fast for? Days without breaking.

- Al-Nushooz
  - When each spouse transgress against each other.
  - When you cross the line.
  - Can be from both sides, wife or husband
  - Usually from part of the woman.
  - Debate on definition
  - What is considered nushooz on husband:
    - Wrongfully elevating himself against his wife
    - Abuse
    - Treating her bad
    - Doesn't fulfill her mandatory rights. Among them financially and sexually.
    - Can be done by speech, deed or both.
    - Basically abuse against the wife. A forbidden act.
  - Al-Nushooz from the wife's part:
    - Doesn't beautify herself for her husband when he desires her.
    - Disobeys her husband
    - Refuses his commands
    - Leaves house without permission
    - Boycotting him and not allowing sexual relations
    - Using foul language with him and his family.
  - Remedy if from the wife: remind them of the Akhirah, rights of the husband, boycotting them
  - Remedy if from the husband: she can make a deal with him, whatever to make this marriage work.
- Domestic violence
  - Two cases: man, who refuse to fast and his wife didn't make him food, he beat her up and she called Shaykh Walled.
  - A man who had a son mess up a couch. He tied up his son by his hand in a room. The hand turned blue and they had to remove his hand.
  - Sexually abuse woman-rape her in front of her children. There is no fear of Allah, practicing fantasy.
  - Emotional abuse: more damaging then physical abuse, there are people who know nothing but to say anything good, and this is bad. Woman dresses up, comes to husband and says "tell me what you like about me, don't I look sexy" He told her "you have such a good humor"
  - Some make someone emotional disturbed-get on nerves and makes them break.
  - Of someone who committed a sin, a slave girl who committed zina, don't keep reminding them of it, don't use nickname.
  - Punishment was to change the person, to bring forth change, but not to take or release frustration.

- 80% of those who commit domestic violence, they've seen their parents do it.
- Don't ever fight in front of your children, or harm, go into the room to do it.
- 7 things:
  1. Please
  2. I miss you
  3. You look beautiful
  4. Baby I love you
  5. Forgive me
  6. Subhana'Allah, you're so beautiful
  7. Sorry (if you made a mistake, just say you are sorry)
- Bad habits
  - Personal hygiene
  - Smoking
  - Drinking
  - Very sarcastic/joking always
  - Pornography
  - Cursing/swearing
  - Backbiting
  - Lying
  - Staying up late at night/or out.

# Divorce

- Divorce rates increasing all over the world
  - Emirates: 46%.
    - Some states in the US, Muslim masjid say it can easily reach 42% to 50%!
    - Man divorced 5 women at one spot.
    - A woman said to her husband: why did you divorce me; we have been together for 30 years. He said; that's exactly why I divorced you.
    - A man in his death bed divorced his wife; gave her three talaqs... someone said why, you are dying. He said I don't want to be with her in Jannah.

## Why?

- Choosing the wrong person
- Not going through it the wrong way
- No fear of Allah
- People became very materialistic; they don't think much about their marital life anymore.
- A lot of abuse/anger from the men's side.
- Bad behavior from the women's side/ tarajjul, I don't need a man, she becomes like a man.
- A lot of people are involved in marital lives and encouraging divorce.
- Magic/evil eye/jinn. This blaming goes away from the real problem.
- No sexual satisfaction; especially when there is a lot of sexual influence from outside the home. Zina, another woman/man, pornography. When you fall into haram; Allah punishes you by not enjoying the halal.
- Ruling?
  - Not recommended in Islam.
    - Some ulama say: it is obligatory: eela' 4 months: he must divorce her, unless he returns her. Forbidden: when it is done in the wrong way, wrong time. During menses. Recommended: if your wife has bad manners, she causes lots of damage. Makrooh: like this man who divorced her because they have been together for 30 years. Permissible: she has a bad habit/behavior.

- أبغض الحلال عند الله الطلاق. This hadeeth is mursal, the narrator --- -- has not met the prophet Salla Allahu Alayhi Wa Sallam.
- Hadeeth: the shaytaan loves the most the one that breaks a family.
- Root word: atlaqa: to let go free.
- Four pillars
  - Person making the divorce is capable. He is a husband/Muslim if in case he became kafir there is no divorce: contract is automatically annulled
  - Person who is intoxicated, does not know what he's saying. Ibn taymiyah: only this opinion reached us from the early generation. A young person. ne who became so angry; to the extent he does not know what is happening or who he is.
  - Must have intention
    - Talaq almukrah and talaq mazih.
    - Hadeeth: ثلاث جدهن الجد وهزلهن الجد.
    - الامور بمقاصدها
  - Must say it to her
  - Must say it very clearly:
- Can be categorized, based on perspective.
  - Ruling:
    - Sunni:
      - wife must be free of her menses. If she's in her period; this is haram.
      - Must be done when you are sure she's not pregnant, can't have sex then divorce. Wait a cycle.
    - Bid'i.
      - Opposite of Sunni.

Does it count? Ibn Taymiyah: no it does not count. Other Ulama: yes it counts.

- Nifas: should wait as well.
- Should have witnesses as well.
- Shadh opinion by Sh. Albani: divorce not valid unless there are witnesses. This has no proof nor precedence
- Irreversible;
  - Major: 3 times.
  - Minor: with contract but no consummation just yet. Khul' as well.

- Time of effect:
      - Immediate:
      - Conditional:
    - Birr alwalidayn: it is not birr to divorce your wife because your mom/dad said so. A man
  - After divorce?
    - Allah said: don't forget the good.
    - Divorce is not always because you are bad/good. We're just not meant for one another.
    - A scholar was asked: what's the problem with your wife. He said: I won't talk about my wife. They divorced and then he said: I won't talk about my sister.
    - Sh. Waleed's advice: start support group for divorced women. Require marriage courses before the contract is finalized.
  - Khul':
    - Done by the man.
    - Does not count as one divorce
  - Faskh:
    - Done by the judge. Done immediately.
    - No specific time
    - Does not count as one divorce
    - Reason:
      - Spouse became kafir/hindu
      - Something new found out:
      - Reasons of defect in the husband/wife.
- 
- How to make an apology accepted?
  - Say you take responsibility
  - Be sincere about the apology
  - Remorse and ready for punishment
  - Explanation, don't sound defensive
  - Don't even show you benefited from the mistake

**InshaAllah we hope you benefit from these notes!!**