

Marriage Webinar

by Shaykh Ashiq

Marriage in the Holy Quran:

وَلَقَدْ أَرْسَلْنَا رُسُلًا مِنْ قَبْلِكَ وَجَعَلْنَا لَهُمْ أَزْوَاجًا وَذُرِّيَّةً وَمَا كَانَ لِرَسُولٍ أَنْ يَأْتِيَ بِآيَةٍ إِلَّا بِإِذْنِ اللَّهِ لِكُلِّ أَجَلٍ كِتَابٌ

We have certainly sent messengers before you 'O Prophet'
and blessed them with wives and offspring.

[Surah Ar-Ra'd: 38]

وَأَنْكِحُوا الْأَيْمَىٰ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ إِنْ يَكُونُوا فُقَرَاءَ يُعْزِهِمُ اللَّهُ مِنْ فَضْلِهِ وَاللَّهُ وَسِعُ عَلِيمٌ

Marry off the 'free' singles among you, as well as the righteous of your bondmen and bondwomen.
If they are poor, Allah will enrich them out of His bounty. For Allah is All-Bountiful, All-Knowing.

[Surah An-Nûr: 32]

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

And of His signs is that He created for you spouses from among yourselves so that **you may find comfort with them**. And He has placed between you **compassion and mercy**. Surely in this are signs for people who reflect.

[Surah Ar-Rum 21]

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

'They are' those who pray, "Our Lord! Bless us with '**pious' spouses and offspring** who will be the joy of our hearts, and make us models for the righteous."

[Surah Al-Furqan 74]

Marriage in the Sunnah of our Prophet Muhammad PBUH:

عَنْ عَائِشَةَ، قَالَتْ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " النِّكَاحُ مِنْ سُنَّتِي فَمَنْ لَمْ يَعْمَلْ بِسُنَّتِي فَلَيْسَ مِنِّي وَتَزَوَّجُوا فَإِنِّي مُكَاثِرٌ بِكُمْ الْأُمَمَ وَمَنْ كَانَ ذَا طَوْلٍ فَلْيَنْكِحْ وَمَنْ لَمْ يَجِدْ فَعَلَيْهِ بِالصِّيَامِ فَإِنَّ الصَّوْمَ لَهُ وَجَاءٌ "

It was narrated from Aa'ishah (Radiallahu-anhaa) that the Messenger of Allah said:

“Marriage is part of my Sunnah, and whoever does not follow my Sunnah has nothing to do with me. Get married, for I will boast of your great numbers before the nations. Whoever has the means, let him get married, and whoever does not, then he should fast for it will diminish his (or her) desire.”

(Sunan Ibn Majah 1846)

عَنْ عَبْدِ اللَّهِ، قَالَ قَالَ لَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " يَا مَعْشَرَ الشَّبَابِ مَنْ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ فَإِنَّهُ أَغْضُ لِلْبَصَرِ وَأَحْصَنُ لِلْفَرْجِ وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّهُ لَهُ وَجَاءٌ " .

Abdullah (Ibn Mas'ud - may Allah be pleased with him) reported that Allah's Messenger (ﷺ) said to us: oh young people, those among you who can support a wife should marry, for it restrains eyes (from casting evil glances) and preserves one from immorality; but he who cannot afford it should observe fast for it is a means of controlling the desire.

(Sahih Muslim – Book 16, Hadith 3)

Wisdoms behind the permissibility of Marriage:

1. Continuation of the Human race in the best way. (Preservation of family and lineage is one of the primary objectives of Islam)
2. Specification of the relationship between the husband and wife, and the rights and responsibilities upon each partner.
3. To find love, mercy, companionship, comfort, energy, joy and peace.

Legal Ruling of Marriage:

The legal ruling of Marriage differs from person to person based on their situation.

1. Marriage could be **Wajib** (Mandatory) upon the person, who has the ability (physical, financial etc) to get married, and fears falling into sin without marriage.
2. **Marriage will remain Sunnah** (*Optional – rewarded if done, but not sinful for leaving out*) for the person who has the ability to get married, and does not fear falling into sin without it.
3. It can be **Makrooh** (Disliked) for someone to get married, if they are unable to fulfil the rights and responsibilities of Marriage.
4. Marriage can even be **Haram** (Forbidden) for the person who is unable to fulfil the rights and responsibilities of marriage, and fears that it may result in oppressing others.

Khitbah

Linguistically Khitbah means: to seek marriage.

Technically it means: for the Khaatib (*the one proposing*) to express interest, or officially seek the Makhtoobah (*the Woman being proposed to*) for Marriage.

Evidence for permissibility of Khitbah

Firstly, evidence from the Holy Quran:

وَلَا جُنَاحَ عَلَيْكُمْ فِيمَا عَرَّضْتُمْ بِهِ مِنْ خُطْبَةِ النِّسَاءِ...

There is no blame on you for subtly showing interest in women...

[Surah Al-Baqarah: 235]

Secondly, Evidences from the Sunnah:

عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ " لَا يَخْطُبُ أَحَدُكُمْ عَلَى خُطْبَةِ أَخِيهِ

It was narrated from Abu Hurairah that the Prophet said: "None of you should propose marriage to a woman when someone else has already proposed to her."

Sunan an-Nasa'i 3242

Thirdly, evidence from Ijmaa':

Scholars of the Muslim Ummah from the time of the Prophet PBUH until now; have unanimously agreed on the permissibility of Khitbah in Islam. However it is strictly forbidden to propose to a bride who has already been proposed to, and she has accepted that proposal (or is contemplating her acceptance), as is clearly stipulated in the Hadith above.

Ruling on visiting (to see) the Bride before Marriage

The general ruling of looking at someone of the opposite gender (who isn't a Mahram) without necessity is that, it isn't permissible.

Allah says in the Holy Qur'an:

قُلْ لِّلْمُؤْمِنِينَ يَغُضُّوْا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوْا فُرُوْجَهُمْ ذٰلِكَ اَزْكٰى لَهُمْ اِنَّ اللّٰهَ خَبِيْرٌۢ بِمَا يَصْنَعُوْنَ

'O Prophet' Tell the believing men to lower their gaze and guard their chastity. That is purer for them. Surely Allah is All-Aware of what they do.

[Surah An-Nûr: 30]

وَقُلْ لِّلْمُؤْمِنٰتِ يَغْضُضْنَ مِنْ اَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوْجَهُنَّ وَلَا يُبْدِيْنَ زِيْنَتَهُنَّ اِلَّا مَا ظَهَرَ مِنْهَا وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلٰى جُجُوْبِهِنَّ وَلَا يُبْدِيْنَ زِيْنَتَهُنَّ اِلَّا لِبُعُوْلَتِهِنَّ اَوْ اٰبَائِهِنَّ اَوْ اَبْنَاؤِهِنَّ اَوْ اِخْوَانِهِنَّ اَوْ بَنِي اِخْوَانِهِنَّ اَوْ نِسَائِهِنَّ اَوْ مَا مَلَكَتْ اَيْمَانُهُنَّ اَوْ التَّبٰعِيْنَ غَيْرِ اُولٰٓئِى الْاَرْبَابَةِ مِنَ الرِّجَالِ اَوْ الْطِفْلِ الَّذِيْنَ لَمْ يَظْهَرُوْا عَلٰى عَوْرَتِ النِّسَاءِ وَلَا يَضْرِبْنَ بِاَرْجُلِهِنَّ لِيُعْلَمَ مَا يُخْفِيْنَ مِنْ زِيْنَتِهِنَّ وَثُوْبُوْا اِلَى اللّٰهِ جَمِيعًا اِنَّهُمُ الْمُؤْمِنُوْنَ لَعَلَّكُمْ تُفْلِحُوْنَ

And tell the believing women to lower their gaze and guard their chastity, and not to reveal their adornments except what normally appears. Let them draw their veils over their chests, and not reveal their 'hidden' adornments except to their husbands, their fathers, their fathers-in-law, their sons, their stepsons, their brothers, their brothers' sons or sisters' sons, their fellow women, those 'bondwomen' in their possession, male attendants with no desire, or children who are still unaware of women's nakedness. Let them not stomp their feet, drawing attention to their hidden adornments. Turn to Allah in repentance all together, O believers, so that you may be successful.

[Surah An-Nûr: 31]

However **an exception is made** for the one seeking to look at someone, (of the opposite gender – who isn't a Mahram) out of **genuine interest for Marriage**.

Prophet Muhammad PBUH said:

عَنْ أَبِي، هُرَيْرَةَ قَالَ كُنْتُ عِنْدَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَاتَّاهُ رَجُلٌ فَأَخْبَرَهُ أَنَّهُ تَزَوَّجَ امْرَأَةً مِنَ الْأَنْصَارِ فَقَالَ لَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " أَنْظَرْتَ إِلَيْهَا

Abu Huraira (Allah be pleased with him) reported: I was in the company of Allah's Messenger PBUH when there came a man and informed him that he had contracted to marry a woman of the Ansaar (original residents of Madinah). Thereupon Allah's Messenger PBUH said: Did you cast a glance at her? He said: No. He said: Go and cast a glance at her, for there is something in the eyes of the Ansar.

(Sahih Muslim Book: 17, Hadith: 3550)

عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ، قَالَ خَطَبْتُ امْرَأَةً عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " أَنْظُرْتُ إِلَيْهَا " .
قُلْتُ لَا قَالَ " فَأَنْظُرْ إِلَيْهَا فَإِنَّهُ أَجْدَرُ أَنْ يُؤَدِمَ بَيْنَكُمَا "

It was narrated that Al-Mughirah bin Shu'bah said: "I proposed marriage to a woman during the time of the Messenger of Allah, and the Prophet said: 'Have you seen her?' I said: 'No.' He said: 'Look at her, for that is more likely to create love between you.'"

(Sunan an-Nasa'i Book: 26, Hadith: 323)

Similarities which make a suitable match (Kafaa'ah) for Marriage

Allah says:

أَفَمَنْ كَانَ مُؤْمِنًا كَمَنْ كَانَ فَاسِقًا لَا يَسْتَوُونَ

Is the one who is a believer equal 'before Allah' to the one who is rebellious?

They are not equal!

[Surah As-Sajdah: 18]

Prophet Muhammad PBUH said:

روى الترمذي (1084) ، وابن ماجه (1967) عَنْ أَبِي هُرَيْرَةَ قَالَ:

قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: (إِذَا خَطَبَ إِلَيْكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَرَوْجُوهُ، إِلَّا تَفْعَلُوا تَكُنْ فِتْنَةٌ فِي الْأَرْضِ ، وَفَسَادٌ عَرِضٌ) وحسنه الألباني في "

Abu Hurairah narrated that The Messenger of Allah PBUH said:

"When someone whose religion and character you are pleased with proposes to someone (Bride) under your Guardianship / care, then marry her to him (this Bridegroom. If you do not do so, then there will be turmoil (Fitnah) in the land and abounding discord (Fasad)."

عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ " تُنْكَحُ النِّسَاءُ لِأَرْبَعٍ لِمَالِهَا وَلِحَسَبِهَا وَلِجَمَالِهَا وَلِدِينِهَا فَاطْفَرْ بِذَاتِ الدِّينِ تَرِبَتْ يَدَاكَ " .

Abu Hurairah reported the Prophet ﷺ as saying: "Women may be married for four reasons: for her property, her ranks, her beauty and/or her religiosity. So hold on to the one who is religious and you will prosper".

The integrals of Nikah

The integrals of a thing are; those components without which that thing, cannot exist. The four Schools of Islamic Law have organised the integrals of Nikah in the following way:

1. **Hanafi** School of law: Ijaab and Qabool (Proposal and Acceptance)
2. **Maaliki** School of Law: Husband & Wife, Guardian, Dowry, and Phrase.
3. **Shaafi'ee** School of Law: Wife, Husband, two Witnesses, Guardian and Phrase.
4. **Hanbali** School of Law: Husband & Wife, Proposal, and Acceptance.

(These are the integrals and not the full contract of Nikah. A complete contract includes the integrals, conditions and other details which will be explained soon)

Conditions of Ijaab & Qabool

The **Ijaab** (Proposal) is the statement which is made first (by either the Groom or Bride), to initiate the Nikah Contract. (For example: I propose to you in Islamic Marriage, please accept me as your Islamically Married Husband / wife).

The **Qabool** (Acceptance) is the statement which is made second, as a reply to the Ijaab, to complete the Nikah Contract.

There are some conditions which apply to the Ijaab and Qabool, which must be fulfilled in order for the Nikah to be complete and valid. They are as follows:

1. When the Ijaab and Qabool are pronounced, they must be done so in the past tense, or one of them expressed in the present/future tense and the response being in the past tense.

For example: The Groom says to the bride's father "Marry [your daughter] to me", and he replies, 'I have married [her] to you'".

Or the Groom says to the Bride "I propose to you in Islamic Marriage", and she replies by saying (in the past tense) "I have accepted you in Islamic Marriage".

2. The Ijaab and Qabool must be in agreement, and coherent in their meaning.

For example: if the Ijaab states that the Mahr will be £1000, then the Qabool should be in agreement with that, and not state a different amount.

Or if the Ijaab states: "I propose to your daughter Aaisha", the answer cannot be "We accept your proposal for Fatimah", as they are two different people, and therefore the Ijaab and Qabool aren't in agreement or coherent.

3. The Ijaab shouldn't expire or change before the Qabool is pronounced and completed. This means that the person making the Proposal should remain in their proposition when the acceptance is issued to complete the Nikah Contract.
4. The Groom and Bride must be fully aware of the statements of their counterpart.
5. The Ijaab and Qabool must both be within one sitting or one moment (so the agreement is connected and coherent), such that there isn't any intentional delay or distraction from the agreement.

The Two Witnesses

The two witnesses are a condition of the Nikah contract. They two must both be Muslim, Aaqil (intellectually mature), Baaligh (reached the age of puberty), be able to hear, males, or one male and two females. The designated witnesses must witness (hear/see) the Nikah contract as it proceeds and concludes.

Legal Guardian (Wali) of the Bride in Nikah

Nikah of the Bride must be with the permission of her Wali (*legal Islamic Guardian*) according to Jurists (*specialists of Islamic Law*) from the majority of Islamic Schools of Law (*this includes Maaliki, Shaafi'ee and Hanbali*). If the Bride's Nikah was concluded without her Wali's permission, then this Nikah will be invalid according to these Scholars.

The Hanafi school of Law however maintains that; though it is extremely important that the Bride's Nikah is processed under her Wali's permission, the contract doesn't depend upon it [*if she is legally responsible for herself (i.e. she is Baalighah / reached the age of puberty and Aaqilah / intellectually mature and able to make her own decisions)*]. This means that the Nikah contract would be valid (*even without her Wali's permission*) so long as the Bridegroom is a good match for her (*Kuf' / Kafaah*). Having said this, the contract may be sinful if the Wali was intentionally omitted without a justifiable (*Islamically*) reason.

Conditions for the Legal Guardian (Wali) of the Bride

The Wali (*legal guardian*) of the Bride must meet these conditions: Muslim, Baaligh, Aaqil, Male, Rushd (*ability to make sound judgement and based on research and evidence*) and Adaalah (*fairness and reliability*).

Order of legal Guardian (Wali) of the Bride

This is the order in which the legal guardian of the Bride in a Nikah contract will be designated:

1 – Biological Father, 2 – Paternal Grandfather, 3 – Biological Son, 4 – Full brother, 5 – Half-brother (*paternal*), 6 – Nephews (*from brother*), 7 – Paternal Uncles

Sadaaq – Mahr – Dowry

Allah Says:

وَأَتُوا النِّسَاءَ صَدُقَاتِهِنَّ نِحْلَةً فَإِنْ طِبَّنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَّرِيئًا

Give women 'you wed' their due dowries graciously. But if they waive some of it willingly, then you may enjoy it freely with a clear conscience.

[*Surah An-Nisâ': 4*]

فَمَا اسْتَمْتَعْتُمْ بِهِ مِنْهُنَّ فَآتُوهُنَّ أُجُورَهُنَّ فَرِيضَةً وَلَا جُنَاحَ عَلَيْكُمْ فِي مَا تَرَضَيْتُمْ بِهِ مِنْ بَعْدِ الْفَرِيضَةِ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا

Give those you have consummated marriage with their due dowries. It is permissible to be mutually gracious regarding the set dowry. Surely Allah is All-Knowing, All-Wise.

[*Surah An-Nisâ': 24*]

Prophet Muhammad PBUH said:

عَنْ أَبِي هُرَيْرَةَ قَالَ قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَنْ تَزَوَّجَ امْرَأَةً عَلَى صَدَاقٍ وَهُوَ يَنْوِي أَنْ لَا يُؤَدِّيَهُ إِلَيْهَا فَهُوَ زَانٍ وَمَنْ أَذَانَ دَيْنًا وَهُوَ يَنْوِي أَنْ لَا يُؤَدِّيَهُ إِلَى صَاحِبِهِ فَهُوَ سَارِقٌ

Abu Huraira reported: The Prophet, peace and blessings be upon him, said, "Whoever marries a woman on the condition of a dowry he does not intend to pay to her, he is an adulterer. Whoever takes on a debt he does not intend to pay back to its owner, he is a thief."

[*Musnad al-Bazzār 8721*] Grade: *Sahih li ghayrihi* according to *Al-Albani*

عن محمد بن عبد الرحمن بن ثوبان ، قال : قال رسول الله - صلى الله عليه وسلم - : " من كشف خمار امرأة ونظر إليها ، فقد وجب الصداق ، دخل بها أو لم يدخل بها "

Muhammad bin Abdurrahman bin Thawban narrated, that the Prophet Allah PBUH said; Whoever (*Husband*) opens the Khimaar (*Veil of a woman – after marriage*) of a woman (*Wife*) and looks at her; The Sadaaq (*Mahr - Dowry*) becomes Wajib (*Mandatory*)
[Sunan of Daarqutni 3349]

Ijmaa':

Scholars of the Muslim Ummah from the time of the Prophet PBUH until now; have unanimously agreed on the permissibility of Sadaaq / Mahr / Dowry in Islam, and that it is a legal right of the Wife upon the Husband.

Legal Ruling of Mahr

The Mahr is a Waajib (*mandatory*) condition of the Nikah contract, without which the contract will not be complete. This means; an amount (*of wealth*) must be specified for the Mahr before, or during the Aqd (*contract*) of Nikah. Mahr is the property of the Bride, and therefore she has complete authority over it,

The amount of Mahr

عَنْ عَائِشَةَ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: إِنَّ أَعْظَمَ النِّكَاحِ بَرَكَهً أَيْسَرُهُ مَوْثِقَةً

Aisha RA narrated that Prophet PBUH said: "Verily, the most blessed marriage is the one which is the least burdensome."
(Musnad Ahmad, 24529)

The schools of law have opined somewhat differently with regards to the minimum amount of Mahr. As for the maximum amount, there has been no limit set (*so that each Mahr is given according to the ability of the Bridegroom, and acceptability from the Bride's side*). But in general; the lower the burden of Mahr and cost in a Nikah / Wedding, the more the Barakah (blessing from Allah) there is in the Marriage (*as mentioned in the hadith above*). The minimum Mahr according to the Hanafi School of law is: Ten Dirhams, which is approximately 31 grams of silver (*or its value £17*)

Rights of the Wife and Husband

Rights of the Wife:

The wife has rights over her husband which include: the Mahr, spending on expenditures and accommodation. She also has non-financial rights, such as being treated well in a decent and honourable manner, and not being treated in a harmful way by her husband.

1. Financial Rights

- **Mahr**: is the amount which the wife is entitled from her husband when the marriage contract is completed or when the marriage is consummated. It is a right which the Husband is obliged deliver to his Wife.
- **Expenditures**: It is obligatory upon the Husband to cover the costs of his Wife's needs and necessities (even if she is rich). This would include food, drink, bills, clothing, medication etc. Allah said: *"Let the rich spend according to his means; and the one whose resources are restricted, let him spend according to what Allah has given him"* [al-Talaaq 65:7]

The Prophet PBUH said to Hind bint 'Utbah (wife of Abu Sufyaan RA) who had complained that he did not spend on her: *"Take what is sufficient for you and your children, on a reasonable basis."*

It is also encouraged in Islam to exchange gifts (when and where possible) as this is a means of increasing love and affection. Prophet Muhammad PBUH said: *"Give gifts and you will love one another."* (Al-Adab Al-Mufrad 594)

- **Accommodation**. This is also one of the wife's rights, which means that her husband should prepare for her accommodation according to his means and ability. Allah says: *"Lodge them where you dwell, according to your means"* [al-Talaaq 65:6]

2. Non-financial Rights

- **Fair treatment** (especially where there is polygamy): This means fairness in treatment, companionship, time and financial spending. It is from the wife's rights that her husband gives her time, attention, and that they together build and atmosphere of friendship and intimacy.

Abu Juhaifa RA narrated: The Prophet PBUH made a bond of brotherhood between Salman and Abu Ad-Darda.' Salman paid a visit to Abu Ad-Darda' and found Um Ad-Darda' dressed in shabby clothes and asked her why she was in that state. She replied,

"Your brother Abu Ad-Darda' is not interested in (the luxuries of) this world." In the meantime Abu Ad-Darda' came and prepared a meal for Salman. Salman requested Abu Ad-Darda' to eat (with him), but Abu Ad-Darda' said, "I am fasting." Salman said, "I am not going to eat unless you eat." So, Abu Ad-Darda' ate (with Salman). When it was night and (a part of the night passed), Abu Ad-Darda' got up (to offer the night prayer), but Salman told him to sleep and Abu Ad-Darda' slept. After sometime Abu Ad-Darda' again got up but Salman told him to sleep. When it was the last hours of the night, Salman told him to get up then, and both of them offered the prayer. Salman told Abu Ad-Darda', **"Your Lord has a right on you, your soul has a right on you, and your family has a right on you; so you should give the rights of all those who has a right on you."** Abu Ad-Darda' came to the Prophet and narrated the whole story. The Prophet said, "Salman has spoken the truth." (Sahih Bukhari Book: 30, Hadith: 1968)

- **Being kind, gentle, and honouring:** The husband must have a good attitude towards his wife and be kind to her, and offer her everything that may soften her heart towards him, because Allah says: *"and live with them honourably"* [al-Nisaa' 4:19]

Allah Also says: *"And they (women) have rights (over their husbands) similar (to those of their husbands) over them to what is reasonable"* [al-Baqarah 2:228]

It was narrated that Abu Hurairah RA said: The Messenger of Allah PBUH said: *'Be kind to women.'* (Narrated by al-Bukhaari, 3153; Muslim, 1468)

- **Not harming:** This is one of the basic principles of Islam. Because harming others is Haram in the case of strangers, it is even more so in the case of harming one's wife.

It has been narrated from 'Ubaadah ibn al-Saamit that the Messenger of Allah PBUH ruled; *"There should be no harming, nor reciprocating harm."* (Narrated by Ibn Maajah 2340)

It was narrated from Jaabir RA that the Messenger of Allaah (peace and blessings of Allaah be upon him) said in his Farewell Sermon: *"Fear Allah concerning women! Verily you have taken them on the security of Allah, and intercourse with them has been made lawful unto you by words of Allah. You too have rights over them..."*

Rights of the Husband:

Allah says: *"And they (women) have rights (over their husbands) similar (to those of their husbands) over them (as regards to and respect, intimacy etc.) to what is reasonable, but men have a degree (of responsibility) over them"* [al-Baqarah 2:228]

These rights include:

- a. **The Husband has a right to be respected and appreciated.** This includes a respectful obedience so long as what he is asking for is within the remits of Shariah (*Islamic law*). Allah has made the husband “Qawwaam” (*protector and maintainer*) of the household which entails giving direction and taking care of his family including his wife. Allah says: “*Men are the protectors and maintainers of women*” [al-Nisaa’ 4:34]
- b. **Rights to intimacy:** of the rights that the husband is that he should be able to enjoy his wife’s companionship and intimacy. If she refuses to grant this right continually without any reasonable justification, then this can fall into Haram. There are various evidences to this effect both from the Quran and Sunnah (*prophetic teachings*).

The wisdom behind this is that marriage is supposed to be a means of protecting oneself from falling into Haram which are related to desires, and repeatedly neglecting this right of one’s spouse is unfair and may lead to sins. Marriage is also supposed to provide peace and tranquillity, and disregard of each other’s’ rights and responsibilities will not facilitate this goal.

- c. **Choice of who is welcome into the marital home:** One of the rights that the husband has over his wife is that she should not permit anyone into their home, knowing that he would dislike it. Abu Hurairah RA narrated that the Messenger of Allah PBUH said: “*It is not permitted for a woman to ... admit anyone into his house without his permission...*” (Narrated by al-Bukhaari, 4899; Muslim, 1026)
- d. For the wife to **not be absent from home for periods of time unnecessarily**, knowing that her husband would dislike this.
- e. The wife should take care of her husband with acts of kindness and hospitality.

It is not lawful (Haram) for a male to marry his:

1. Mother
2. Grandmothers (*paternal and maternal*)
3. Daughter
4. Daughter of his child (*howsoever low*)
5. Sister
6. Daughters of his sister
7. Aunts (*paternal and maternal*)
8. Daughters of his brother
9. Mother of his wife (*regardless of whether he has, or hasn't, had intercourse with this wife*)
10. Daughter of his wife (*the wife with whom he has had intercourse*)
11. Wife of his father
12. Wives of his grandfathers (*paternal and maternal*)
13. Wife of his son
14. Wives of his grandsons,
15. Foster mother who breastfed him
16. Foster sister (*who was breastfed by the same woman as him*)

It is Haram (*not permitted*) for a man to combine two sisters by marriage (*by being married to them both at the same time*). Such a (*marriage*) contract would be invalid and Haram.

It is Haram for a man to combine (*by marriage*) a woman with her paternal aunt, maternal aunt, daughter of her sister or the daughter of her brother (*by being married to any two or more of them at the same time*). Such a (*marriage*) contract would be invalid and Haram.