



## Class 1: Fiqh of Marriage

These classes are based upon the commentary of the eminent Shaikh ‘Atiyya Muhammad Saalim, given in Masjid an-Nabawee, in Madinah al-Munawwrah.

The hadith:

824. Narrated ‘Abdullah bin Mas’ud, Allah’s Messenger said to us, “O gathering of young people, those of you who can support a wife should marry, for it controls the gaze and preserves one’s chastity, but those who cannot should fast, for it is a wijaa’ (a means of suppressing the sexual desire.)”

The explanation:

In his statement, “Oh gathering of young people (Shabab),” the Prophet is addressing the young since they are the ones that are most strong in their desire to marry. The period of shabab is the age in between tufoolah (childhood) and shaykhukhah (older age), and according to Imam Zamakhshari, it is between the ages of 16-32. Imam Malik extended the age to 40 years old.

The scholars state that Shabab means linguistically those who are energetic and have movement. Thus it includes those who are older if they fit the definition.

“Whomsoever has the ability” indicates that people are not the same with regard to their ability to marry. There are those who are capable, and those who are unable, and there are levels in between.

Thus, the ruling on getting married fluctuates between these two extremes.

Marriage could be obligatory if a person fears that he might fall into illicit relations, or it could be simply permissible for the one who has no fear of falling into illicit relations or misbehavior.

In general, marriage is recommended, as is made clear in the forthcoming ahadith. Allah Most High has encouraged marriage and marrying more than one wife, or made it permissible, through His Words: “Marry what you desire of women...”

“What you desire” is relative to the desire of the man, who may desire a woman for her religion, or character, or beauty and wealth.”

“those who are able”: for one who fears falling into sin, but is unable to marry because he does not have the means to support a wife, then the cure for him will be mentioned shortly.

But as for the one who can provide for a wife, physically, and mentally and personally, such as spending on her and providing a home for her, and giving her her rights, then he should get married.

“Whoever can afford it, then let him marry,” means that in general, it is highly recommended, as we mentioned, and the Prophet said, “I will boast of your numbers on the day of judgment.”

But the words of the Prophet “get married *for it is*” is followed up with the wisdom and causative reasoning (ta’leel) for the command to get married, and this is the response of the majority of Ulema to those who claim that religious injunctions cannot be given reasoning. Allah says, “Fasting has been prescribed for you as it has been prescribed for those before you, *in order that* you may achieve Taqwa.” This is a Fard whose purpose and reasoning is stated, which is to achieve Taqwa.

Likewise, Allah states (regarding the Hajj), “In order for them to witness what is beneficial for them”, and likewise Zakaat, and “Indeed Salaah prevents wickedness and transgression,” and thus we find that most religious obligations are accompanied by their legislative reasoning, or we find their purpose is mentioned separately.

“it is more effectual in lowering the gaze” from forbidden things, and more helpful in guarding the private parts.

Thus, marriage is a means, and lowering the gaze and guarding the private parts is the goal, and ‘the means take on the ruling of the goal’. The goal here, to lower the gaze, is an obligation.

Allah says, “Say to the believing men, lower their gaze, “ and “Say to the believing women, lower their gaze,”

This is an obligatory command from Allah to the Prophet to command the Ummah, men and women, to lower their gaze, and protect their private parts.

This is because lowering the gaze leads to protecting the private parts from falling into haram, and protecting the private parts from illicit relations is a means of protecting family lineage and honor, and it purifies the society from the spread of wickedness and abased behavior.

And from the six most valuable necessities that any society must guard is the protection of family lineage. And the only way to protect lineage and honor is by preventing illegal sexual intercourse (Zina).

And staying away from Zina is by the means of lowering the gaze. Thus when Allah forbade Zina, who also set a protective territory around it to prevent one from falling into it.

Thus Allah SWT when He forbids Zina, he also commanded lowering the gaze, and forbade a woman from being alone with a man, since Shaytan will be the third.

He forbade a woman from traveling without a Mahram.

He forbade a woman from beautifying and perfuming herself when going out to public places.

He forbade a woman from using walking seductively in order to make others look at her, Allah says, “and let them not strike with their feet in order to announce what they hide of their ornaments.” This type of walking is like a bell to call the stares of others.

Thus, Allah closed all the windows of the heart, from smelling with the nose, from hearing with the ears, “and let them not make their voices seductive so those will be attracted...”

From all directions of prevention, and protecting the heart, that protect it from falling into Zina, Allah made a vast safety zone, so that a person will not fall into this shameful sin.

“It is more helpful in lowering gaze”

This is because a man when he marries, his wife will suffice him from looking here and there.

Some brothers asked me about this narration, “Whoever gets married has completed half of his religion.”

There is a hadith that gives this meaning. The Prophet said, “He whom Allah blesses with a righteous wife, He has helped him in half of his religion.”

This gives the meaning that is popular amongst people.

“He whom Allah blesses with a righteous wife.”

And the reality is that there is no blessing more valuable and noble and precious, after Islam, than a righteous wife.

No Muslim is given anything after Islam better than a righteous wife. If he looks at her, she makes him happy. And if he asks from her, she obeys him. And if he is away from her, she guards his property and honor.

There is nothing in the world, even if one were to sit on the throne of a king who controls the world, what there is in this righteous woman, a woman who guards the man from all directions, and surround him with goodness.

“It is effective in lowering the gaze,”

As we mentioned, lowering the gaze is a means, just like the command to seek permission before entering, or standing to the side of the door when it is opened, so you do not see inside the house, and seek permission. The Prophet said, “The seeking of permission has been commanded because of the glance.”

So if you surprise the occupants of the house with your glance inside, what good will your seeking permission to enter do? Your glance might fall upon someone and they think no one is looking at them.

A woman might be wearing her household clothes in her home.

Thus lowering the gaze, from both men and women, is a noble goal to protect honor and family lineage, and the spreading of corruption.

And lowering the gaze will protect the private parts, since the glance is the precursor to Zina, and the glance guides and provokes the emotions, and it evokes, especially with regard to seeing women, since they have a strong affect on a man's emotions, and he becomes weak towards them.

This is why Allah mentions the noble words, "Let the (women) not make their voices seductive in order that men desire them."

The seductive voice of a woman can be a like an invitation to her. But a man's rough voice does not have such effect.

Even a woman, if her voice is harsh, it is considered 'manly', since it lacks the femininity of a soft voice.

If a woman's voice is normal, this is how Allah created her, (and there is no harm in this.) But if she tries to make it soft and seductive, then it is as if she is saying by this, "come to me."

"And if he is unable," to marry, which is the first means of protecting the private organ, then the alternative comes. What is it?

"Then he should fast."

Fasting is optional, and Allah obligated fasting once a year, during the month of Ramadan, and the messenger of Allah, taught us the Sunnah of fasting during the week a number of times. He taught us to fast Mondays and Thursdays, and three days during the fullness of the moon, and he taught us to fast and break fast on alternating days, from the Sunnah of Dawud alayhi salaam.

These are Sunnahs, that some may follow if they can, but if they cannot marry, then they should be specifically concerned with these Sunnahs. If

they are unable, then they can break their fast. But they should not use this excuse to eat as much as they like and eat things that are warned against.

When they break their fast, they should not over indulge, then all the desires that were kept at bay during the day will come to them after iftar. They should not make up for what they missed during the day, otherwise there will be no benefit.

The goal is reducing the amount of food one eats, to reduce the flowing the blood in the body, and this is a cure.

Thus fasting can be an act of worship, and a medicine at the same time. And if one fasts like this, is he rewarded for it, or is there is no reward since he fasted for personal reasons?

Yes, he will have reward as well as the worldly benefit. He is rewarded because he intended to follow a Sunnah of the Prophet, as Allah says in general about fasting, “Every action is for the child of Adam, except fasting.” So he will have the reward of fasting, and the benefits.

Regarding Allah’s words, “...In order that you achieve Taqwa” where does the Taqwa come from?

It is from helping to lower the gaze, and guard the private parts, and keep away from haram wealth, for the one who can leave the halal will find it easy to leave the haram.

For this reason, we find the wisdom of the legislation of Fasting in that Allah followed the verses regarding Fasting immediately after the verses forbidding the consuming of wealth unlawfully.

Leaving the halal during Ramadan is a disciplining of the Nafs to stay away from haram, and not consuming unlawful wealth is a type of Fasting that continues for the rest of the year, until the next Ramadan comes.

“It will help him lower his gaze, and guard his chastity.”

This is Prophet medicine, and if a person does this for a week, or more, or less, he will find its effect and will find relaxation in it, and Allah knows best.

“And it is for him a constraint (Wijaa’).”

Marriage helps to lower the gaze, and fasting is an replacement for marriage, but the Prophet did not say that fasting will help lower the gaze, rather he mentioned its affect from a physiological point of view.

Wijaa is a means of preventing animals and livestock from reproducing, by tying their private parts and placing salt and other things that cause them to become sterilized.

Wijaa’ causes the animal to relax and not seek after its mate, and they use it for large animals that are used in farming like oxen, in camels, to prevent them from becoming wild.

The Prophet is making an analogy between the effect of fasting on a person and the effect of sterilization on an animal.

However, this sterilization is not permanent, like some non-Muslims countries that encourage, and even mandate sterilization by cutting the tubes of the woman or man.



What is important is that Fasting causes a temporary reduction in the desire, that will come back easily when one gets married. This is unlike permanent means of sterilization, that prevent children all together.

This hadith teaches us that the secret habit is forbidden, and a response to those who permitted it. This is the correct opinion. Masturbation is very harmful to the body, and the Prophet has a physician for both heart and body. One who does this act will not be able to enjoy relations after marriage with his wife.

The statement they rely upon was regarding the private part that had the water enter it due to a dream, and this permissibility was to just remove the water from the organ to prevent infection. It was a special permission to prevent infection only, and not a general permission.

Finally, we can say that this Prophetic advice is addressed to both male and female.

This hadith has many benefits, and inshallah what has been mentioned will suffice us. And with Allah is all strength, and He knows best.

Walhamdulillahi rabil ‘alameen.

End of Class One