



## Class 3: Fiqh of Marriage

The Hadith:

826. Narrated Anas bin Malik: Allah's Messenger used to command us to marry and strongly forbid celibacy, and say: **“Marry women who are wadud and walud (loving and prolific), for I shall outnumber the Prophets by you on the Day of Ressurrection.”**

Narrated by Ahmed, and Ibn Hibban graded it as Saheeh.

The Explanation:

We spoke last time about the three Sahabah who sought to increase their worship over that of the Prophet, not out of rejection of his Sunnah, but thinking that the Prophet's acts of worship would not suffice for them and out of the desire to do more.

In this hadith Anas bin Malik, may Allah be pleased with him, says the Prophet used to command us, and forbid us. Commanding a thing is forbidding its opposite.

When you tell a person, 'Be seated,' you are forbidding him from standing. If you say, 'Stand,' you are forbidding him from remaining seated.

That is because the two actions, sitting and standing, are opposites of one another.

Likewise, in Usul (Islamic Jurisprudence), when the Prophet commands a things, this is a prohibition of its opposite.

“He used to command us to marry.”

This phrasing, “He used to command us,” indicates repetition, since if it occurred once the wording would have been, “He commanded us,” but it is as if the Prophet used to remind them about it on many occasions.

And we all know that when the Prophet commands a thing, it becomes Wajib (obligatory) on his Ummah, unless there is circumstantial evidence that indicates otherwise.

And we mentioned last time that the ruling on marriage takes on the five different rulings of actions, from haram, makrooh, mubah, mandoob, to wajib. It is wajib on the one who fears falling into sin, and he cannot protect himself from sin except through marriage, and he has the ability to provide for a wife. For such a person, marrying is wajib.

If his desire is not so strong, and he does not fear licentious behavior, than marriage is mandoob (recommended) for him, and it is more beloved according to the scholars than engaging in acts of worship.

This is the opinion of the majority of scholars other than Imam Shafi’ee, whose view was giving precedence to engaging in worship over busying one’s self with marriage, in these particular circumstances.

Yet the majority mentioned that the Prophet said, “Who ever is displeased with my Sunnah...”

And marriage is Makrooh (disliked) for one who is unable to fulfill the rights of a wife, in terms of spending, and in the marriage bed. And marriage is haram if one is in the enemy land, and he fears himself or his children being captured by the enemy.

So, “he commanded us,” and this is relative to the one who is being addressed, it could be wajib, or mandoob, and so on.

“And he forbade us strongly from remaining celibate.”

Commanding marriage is in and of itself a prohibition of celibacy, but the Prophet mentioned it specifically so that the prohibition would be explicit and not known by implicit reasoning alone, as is mentioned by the Jurists.

“And he forbade us from (at-tabattul) i.e. celibacy.”

What is at-tabattul? ‘Tabattala’ in Arabic means to cut something off, and here it means cutting one’s self off from marriage in order to devote one’s self to worship.

How can Allah command ‘tabattul’ in Surah Muzammil (wa tabbatual ilayhi tabteelaa) and the Prophet forbid ‘tabattul’?

In the context of Surah Muzzamil, what is meant by Tabattul is the Prophet devoting himself in prayer at night in order for him to receive revelation in the day.

As you all know, the Prophet used to stand the night in prayer until his feet became swollen and injured, and Aisha used to say, “You do this and all your past and present sins have been forgiven?” And he would say, “Should I not be a thankful servant?”

The one who stood the night in prayer, would lead armies in the daytime. And he would be the first to lead its advance, and the last to return home. And if there was difficulty in the battle, they would hide behind the Prophet, as happened during the battle of Hunayn.

When the Sahabah began to retreat, he rallied the Sahabah. In the rules of war, when an army is about to be defeated, its leader goes into hiding, since he is the one who leads the battle, and if the leader is lost, the battle is over. So the leader would protect himself personally as much as he would the rest of the army.

But here, in Hunayn, the Prophet announced to all the people “I am the Prophet, no fib, I am the son of Abdul Mattalib.” He did not hide or seek refuge. He announced to the Muslims, and the Mushrikeen, that he was the true Prophet. This was the strength of his conviction.

Thus, Allah’s command to the Prophet for Tabattul was not to cut off from his worldly obligations, and from his family, rather he carried out all of this obligations, and still made ‘tabattul’.

But the ‘tabattul’ that the Prophet is forbidding, is the one that will lead a person to incapacitation. Leaving women, and leaving the dunya completely, will leave a person unable to function and deal with life.

If a person prayed 1000 rakats every night, what would be the affect on his wife, family, and neighbors?

As Umar used to say, “The sky does not rain gold, nor silver. Sometimes I would be impressed by a person, but when I asked about his work, and found that he did not have any, he would fall in my eyes.” What did he produce for the Ummah?

So the Prophet forbade Tabattul, and cutting off from life. And as we all know, the past nations went to two ends of the spectrum with regards to dealing with the worldly life.

The yahood thought of tricks to get around what Allah had forbidden in order to take benefit from it. They sought material gain by any means, permissible or impermissible. And they continue to control the world to this day in terms of the economy.

As for the Nassara, they abandoned the worldly life, and become monks, and so on.

As a side point, my brothers and sisters, when Allah wanted to show His Ummah the correct path to take in the future, He showed them the example of the yahood who followed the path of materialism, and the nassaara, who followed the path of abandoning the world, and that this Ummah has gathered the good of both.

As for the yahood, they became busy with material things, and abandoned worship. And the nassaara, they abandoned the dunya, and left work, and spent their time in monasteries, and monks did not bring any benefit to the earth.

Thus, the companions of the Prophet joined the good of both, they subjected the earth to their good use, and they devoted themselves in God's worship. So the Prophet commanded us to marry, and forbade celibacy.

And he said, "Marry loving and prolific women, since I will boast of your numbers in front of the Prophets on the Day of Resurrection."

And here, the Prophet explains the reasoning behind his command, so that we can see wisdom of rulings in his Sunnah.

He commanded marriage, but what type of women should one marry? He said, "Marry the fertile and loving," i.e. the one who will bear many children.

We say, “No, oh Messenger of Allah, we want to use birth control.” We want to restrict the number of children we have.

“Marry the fertile and loving,” since from the foremost goals of marriage is having children.

And Allah says, after speaking of breaking the fast in the evenings of Ramadan, “now it is permissible to have relations with your wives, and seek what Allah has written for you (of children).”

If a woman cannot bear children, Allah says, “Marry what you wish of women, 2, 3, or 4.” So one can fulfill the shortcoming of the other.

What if a woman is a virgin, how can one know if she is prolific and will bear many children? The scholars state: that is known through her relatives. Does she have sisters who married before her? Did they have children or not? Look at her maternal aunts, her cousins, the circle of relatives, and see if they have children.

“Prolific, and loving.”

Loving, means a woman who loves her husband. A woman with respect to a man can take three stances: one might say, let me get married, since that is better than spending my life alone.

The second type might get married out of desire and need, and she shares life with her husband physically and spiritually, and they will have confluence, and this confluence is the true value of married life.

This type is the one who loves her husband, not because of children, or to have the benefit of a companion in life, but because of him, for his person, and she holds him in a special status, and even if he did not benefit her or her children at all.

So she loves him and honors him, by her emotions.

And the third type is neither like the first or second, she is a weight on the back of her husband.

Allah, when he describes the purpose of marriage, says, “Wa ja’ala bainakum al mawaddah wa rahmah.” Love and mercy.

Mawaddah is from ‘wudd’, the one whom you love, and she loves you. And this is not something to be embarrassed about, rather this is something to be praised in both the husband and in the wife.

Because this emotion has found its rightful outlet, and if a woman goes to extremes in the love of her husband, she will be generous with him, and loyal, and be happy through her love for him. But this love should not reach the point of madness, or extreme jealousy, and she feels gheera at every moment for him.

And likewise, the husband, Mawaddah is an emotional attachment, he loves her, and she loves him, even if they are poor and they have nothing else.

“Wa Rahmah” And what is rahmah? It is an emotion related to the one whom one sees in need of mercy, since he or she has some weakness.

Like the woman who saw a dog dying of thirst, so she gave it water to drink, not because of love for it, but out of Rahma. As the Prophet said, “Kindness to any living animal will have a reward.”

And Allah says, “My Rahma has encompassed all things.”

Thus, the relationship between husband and wife is based on love and mercy.

When role does Rahmah have in marriage?

When the love is strained. It is known that in the early years, when one is young, love desire is strong, but if this stage passes, and the beauty fades, and the wealth decreases, and her honor and family standing decreases, do we toss her aside? No, we must show compassion.

He used to love her for her beauty, her wealth, her honor, but she loses all these secondary qualities, does he leave her, and end the relationship? No. Allah says, “Wa la tansawul fadla baynakum,” Do not forget to have generosity with one another. So Rahmah, compassion, comes at this time.

Likewise him, he was a young strong man, and excelled in all traits, night and day, but he became ill, or incapacitated, should she say, “Divorce me, so I can go to someone else.”? No, this is not uprightness.

There was a woman whose husband was bed ridden from illness for six years, and she kept patient and some visitors came, and said, “May Allah grant him Shahadah, i.e. pass away in the way of Allah.” She said, “No, may he live longer than me.” Can you imagine, a woman who stood by his side for six years, and she wants him to live longer than her.

This is Rahmah. “Marry the fertile and loving women.”

The one who loves her husband, and not the one who takes advantage of him.

“And I will boast of your number on the Day of Judgment.”

The Prophets will say I have a lot, and others will say, I have more. Some Prophets will not have any followers, and some only one or two. Some will have 10, or more.



The Prophet said, “Then I will see a huge crowd, and think it is my Ummah, but it will be said, that is the Ummah of Musa. Then my Ummah will be brought forth, and 70,000 will enter Jannah without accounting.”

Thus marriage is answering the request of the Prophet. A person saw the Prophet eating melon, and he said, I have melon ever since that day. Even though liking melon is an inherent quality, a personal liking, and not something legislated.

No, all his desires and sensitivities, his entire life, was tied to the life of the Messenger of Allah.

And the Sahabi who ate the poisoned sheep along with the Prophet, he said, “I tasted the poison, and I wanted to spit it out, but I did not want to prevent the Messenger of Allah from eating what he desired.”

The Prophet will be proud of you, you will be the source of the Prophet’s happiness on the Day of Judgment.

In Abu Dawud, it is narrated that a man came to the Prophet and said, “I found a woman who is beautiful, and has high status, but she does not bear children. Should I marry her?” The Prophet said, “No.”

Then he left, and come back, a second and a third time, and he said no, marry al walud al wadud.

Some scholars said, “To marry a woman who is not as beautiful but bears many children is better than marrying a beautiful woman who will not bear you children.”

Yet some people take birth control pills, and do not wish to have children.

Once a man from Sudan told me about a woman who had two daughters, and was pregnant with a third. She went to a doctor to have her aborted. When she returned home, she found her two daughters dead, they were poisoned by a scorpion. Quick punishment.

If you fear poverty, Allah says, “Nahnu narzuqukum wa iyyahum.”

If you fear for their sustenance, Allah says, “Nahnu narzuquhum wa iyyakum”

Perhaps their Rizq will reach you.

“Marry loving and fertile women.”

A man can never buy love from his wife with wealth. And what about the wife’s family, who gives their daughter in marriage seeking gifts and wealth from the groom. This is not lead to love.

A woman cannot be forced to marry, for how will she live with this husband?  
What type of marriage life will this engender?

My beloved brothers and sisters, what is important is that we understand love is not purchased with wealth, it must come from its source, which is from the heart of the woman.

The hadith guides us to seek a woman for the right qualities. One hadith states, “The best treasure that a man can find after Islam is a righteous wife. If he looks at her, she pleases him. And if he asks of her, she obeys him.” This obedience is not through force, but it comes from her love for him, and her desire to fulfill the wishes of her husband. “And if he is absent, she guards him”

This hadith is a warning to those who force their daughters to marry, and the hadith is forthcoming that speaks about seeking the daughter’s permission in marriage.

These ahadith give the woman the right to choose whom she will marry, in order that they will be able to truly love and have mercy for one another.

And Allah knows best.

Walhamdulillahi rabil ‘alameen.

End of Class Three