

Obligation & rights of family

Matrimony (Nikah)

Definition: linguistically it means “to bind” or “to join” and literally it means “legal relation of a man and woman to spend their lives together in thick n thin”.

Status of Nikah: Islam legitimate the obligation of nikah and emphasis in order to fulfill this obligation as soon as possible, as mentioned in Quran:

- “And marry those among you who are single and those who are fit among your male slaves and your female slaves, if they are needy, Allah will make them free from want out of His grace”.... (Sura Noor: 32).
- Quran also explains that: “If you fear that you cannot treat orphans with fairness, then you may marry such women as seem good to you: two, three or four of them. But if you fear that you cannot do justice, marry one only.” (Sura Nisa- 3)
- It is one of the important Sunnah of the Prophet Pbuh, and He Pbuh forces the adults to indulge with marriage life. As he said: “O you youth! If you can afford the marriage then do it, it will lower your gazes, and who don't capable of doing that he should fast.”(Bukhari)
- It's also a great virtue in Islam that Allah swt took the responsibility to look after those who do nikah for righteous purpose. Prophet Pbuh said: there are three people to whom Allah personally help them; 1) warrior in the way of Allah, 2) indebted person who is willing to pay back his loan, 3) a person who did nikah only with the intention to remain pious or to abstain from sins.” (Tirmizi)

Conditions of selecting partner:

Prophet Pbuh said: *Women may be married for four things: wealth, beauty, lineage or religious commitment, so I would advise you to prefer religious thing.*” (Sahih Bukhari)

Therefore, Prophet Pbuh made preference of religion as the first condition in selecting the partners.

Engagement: A temporary relation or agreement between spouses or families for time being in order to know each other before fulfilling the obligation of nikah.

1. It is not allowed to send the invitation of engagement to someone who already received. As what Prophet Pbuh said: “it is not allowed to send an invitation of engagement over your brother invitation unless he leaves it.” (Bukhari)
2. It is not allowed to send invitation to a widow woman in the time period of her grief.
3. It is recommended to put forward an advice as a pros and cons if someone knew about a family, this will not count in the back biting.
4. This engagement is kind of an agreement of a marriage, which do not allow a man or women to meet separately.
5. It is perfectly legible for a person who wants to marry someone, to have a glimpse at her and have a little chat with her. As what Abu Huraira r.a said that

once I was sitting with the Prophet Pbuḥ, a person came to him and informed Him that I got engaged with one of the women of Ansar. Prophet Pbuḥ asked him that have you looked her? He replied with no. Then He Pbuḥ advise him to go and look at her”. (Muslim)

Advertisement of Nikah:

It is among the Sunnah to advertise the invitation of nikah among the people. As what Prophet Pbuḥ said: the difference between halal and haram is the sound (advertisement) and daf (kind of instrument) was used in its advertisement”. (Musnad Ahmed).

Conditions of Nikah: (also use of word “aqd” in some part of the world)

1. **Nomination of spouses:** i.e. the spouses should be appointed by name so that no ambiguity left behind, e.g. if a person says I married one of my daughters with you that will be incorrect, he should have specified it by name of his daughter.
2. **Agreement of both spouse:** The agreement of spouses should be asked especially the girl, because parents cannot force their children to marry which they don't like. As Prophet Pbuḥ said: “Nikah will not be settled unless it is asked by a woman”. (Bukhari)
3. **Guardian of a woman should be present:** A woman cannot marry without her guardian i.e. father, brother, relative or any responsible person looking after her. As Prophet Pbuḥ said: **there is no nikah without the wali**”. (Tirmazi)
4. **Witnesses:** There should be at least two witnesses present at the time of nikah. As Prophet (Pbuḥ) said: the nikah should not be valid until with the presence of wali and two witnesses”. (Sahih ibn-e-Hibban)
5. **Lack of deprivation:** There should be no such relation between spouse which deprive their marital status, such as difference of religion, brother and sister from milk, etc.

Rituals of Marriage:

1. **Nikah:** for men it is among the Sunnah of the Prophet Pbuḥ to have it in mosque and after Friday prayer as most of the Muslims they gather around for Friday prayer. After the acceptance of a woman in the presence of its wali, then it will be asked to a man. And it is among the Sunnah to distribute dates or dry dates among the visitors.
2. **Walima:** i.e. a dinner party of marriage is given on the next day of Nikah, which is mustahab. Once Abdul Rehman bin ‘Auf r.a had a marriage and next day he came to Prophet Pbuḥ and He Pbuḥ found some yellow color on his clothes. He Pbuḥ asked: Have you got married? He said: yes. Then Prophet Pbuḥ said: do give walima party even if it with a sheep.” (Bukhari)

- Prophet PbuH also gave this party on the wedding of his daughter Zainab r.a and upon his own marriages.
- Whoever invited for the walima, it is obligatory to attend that party as what Abu Huraira r.a narrated from Prophet PbuH that: who do not accept the invitation of walima, he is like that he disobey Allah swt and His Prophet PbuH”. (Muslim)

But if the conditions are as below then it could be rejected to accept:

1. The invitation is from the non-Muslim.
2. The income of the inviter is haram or he is famous for something sinner.
3. The food of the invitation party is based on haram stuff like pork or alcoholic drinks.
4. The party is based on sinful things like co-party of men and women together or dancing or music being played there, etc.
5. The main concern of the inviter was of hypocrisy or to show glory.
6. The invitation was on another concern not for walima.

Dowry (Mahar):

Definition: It is a kind of money, specified by the guardian of the bride, that **husband must have to pay in any circumstances** in regard of an agreement of marriage to his wife, which is the right of a woman.

Status of dowry: It's an obligatory on husband to give it to her wife and it can't be denied unless in a case if woman herself refuse it to take. Its obligation mention in the Quran as: “**Give women their dowry as a free gift**”. (Sura Nisa: 3)

When Abdul Rehman bin ‘Auf r.a got married, Prophet PbuH asked him, how much mahar you paid? He replied: نواة من ذهب (14.88 g approx. of gold in modern calculations).” (Bukhari)

Limitations of dowry: There is no max and min limitation of mahar and everything that have worth in rupees, can be calculated as mahar, with two conditions:

1. The thing should be under the category of useful matter and also not from the haram stuff.
 2. The thing should be appointed first, must not be anonymously.
- However, mahar should not be excessive. As Ayesha r.a said: that it is among the blessings for a bride to have low mahar upon her.” (Sahih ibn-e-Hibban)
 - The mahar of the daughters of Prophet PbuH appointed by him was not more than the 500 dirhams.

Prohibited Nikah:

This prevention is based on two types all are mentioned in Sura Nisa v.22-23:

- 1) Permanent prevention
- 2) Temporary prevention

Permanent prevention:

1. Mother, paternal grandmother, maternal grandmother.
2. Step mother, wife of son.
3. Daughter, daughter's daughter, son's daughter.
4. Sister, father's sister, mother's sister.
5. Brother's daughter, stepbrother's daughter.
6. Sister's daughter, stepsister's daughter.
7. Mother of wife (mother in law)
8. The woman who fed you with milk (like in the case of Halima Sadia r.a who milked Prophet (Pbuh)).
8. Shared milk sister.
9. Shared milk brother's Daughter.
10. Shared milk sister's Daughter.
11. Shared milk Father's sister.
12. Shared milk Mother's sister.
13. Daughter to whom your wife fed with milk.

Temporary prevention:

1. Marring two sisters at a time.
2. Marry together a woman and her aunt (father's sister or mother's sister).
3. Woman who are in the period of grief on her husband's death.
4. Woman who is in the state of ihram for hajj.
5. To marry a non-Muslim.

Rights of Spouses

Men responsibilities:

1. **Dowry or Mahar:** After marriage, this is the first obligation on the man to give appointed mahar to his wife as mentioned in Quran: “give women their dowry as a free gift”. (Sura Nisa: 3)
2. **Expense care:** In this expense includes, feeding, clothing and sheltering are the most known responsibilities upon a man to provide his wife, as mentioned in Quran: “Men have authority over women because Allah has made the one superior to others and because they spend their wealth to maintain them.” (Sura Nisa: 34)

Ayesha r.a asked Prophet Pbh that what obligation of husband has upon his wife. He Pbh replied: to feed his wife when he eats and to dress her when he dressed himself.” (Sunan Abu daud)

3. **Deal her gently:** treat them ethically with leniency. Prophet (Pbh) said: “the best among you is the one who is best in character for his family, and I'm the best among you with my family.” (Tirmazi)
4. **Justice between her wives:** The one who has more than one wives he must have to give justice to all of them, as Anas r.a said, “The Prophet Pbh had 9 wives, and if he had to distribute something among them he didn't stop until He Pbh give to all of His 9 wives.” (Sahih Muslim).

Women responsibilities:

1. **Follow the orders:** Women should have to follow the orders of her husband because Allah put them under their responsibility and they look after them and their expense. However, if husband force her to do something against the obligations of Islam, like not to wear hijab or not to perform farz prayer, then there will be no acceptance of orders. As what Prophet Pbh said: “there is no obedience of man in the disobedience of Allah.” (Musnad Ahmed)
2. **Protect the assets:** Women should take care the assets of her husband in his absence, as what prophet Pbh said, “Every one of you is responsible for anything who you have the responsibility of and he has to answer about its responsibility.... So woman has the responsibility to take care of his husband households...” (Bukhari)

She is not allowed to take anything without her husband permission unless in case if the husband is very miser do not give even the necessary expense, in that case she is allowed to take some without the permission of his husband. As in case of Hind the daughter of Utba, wife of Abu Sufyan r.a that she came to Prophet Pbh and said that Abu Sufyan is very miser do not give enough expense that fulfill needs of my and of my children. Can I take some money from his wealth without knowing him? The Prophet Pbh said: yes you can but only which fulfills your basic needs”. (Muslim)

3. **Look after the children:** it is among one of the most important responsibilities of a woman to look after their children and to educate them with Islamic teachings and good ethical behavior
4. **Maintain herself:** It is the obligation of a woman to maintain herself in front of her husband but not for others. It is a massive sin in the sight of Allah as “once a woman went for salah in masjid, she had a perfume on her. Abu Huraira r.a stopped her and ordered her to go back and take bath as I heard Prophet PbuH said whoever (women) went to masjid with a perfume on her, Allah will not accept her prayer.” (Sahih ibn Khuzaima)

Hijab obligation

Hijab means to hide the orientation of a woman body. It is of two types:

1. Physical Hijab

2. Moral hijab

1. **Physical hijab:** Allah mention in the Quran in sura al-Noor: “Say to the believing men to turn away their eyes (from what is unlawful) and to restrain their sexual desires. This will make their lives purer. Allah has knowledge of all their actions” (Al-Noor, v.31)
“Say to the believing women to turn their eyes away (from temptation) and to preserve their chastity; and to cover their adornments except which normally displayed; and to draw their veils over their bosoms and not to reveal their finery except to their husbands...” (Al-Noor, v.32)
2. **Moral Hijab:** The material Hijab demands that the woman should cover all her body except the face and the hands and that she should not wear make-up when she goes out and the moral aspect is of a woman should not be get frank with others unless she has to talk someone, should talk in a very precautionary way. As Allah swt ordered in Quran:
“Wives of Prophet you are not like the other woman. If you fear Allah do not be too complaisant in your speech, lest the lecherous hearted should be moved with desire. Show discretion in what you say and stay in your homes.” (Al-Ahzab-32)

Stages of Hijab:

1. **Farz** i.e. to cover whole body except face, hands and feet.
2. **Sunnah** i.e. to cover whole body and face also except hands and feet.
3. **Mustahab** i.e. to cover every single part of the body.

Rights of parents

After Allah swt and His Prophet Pbh the most lovable personalities in the life of a man is his parents as they spend their whole lives in educating them and fulfilling their basic needs. That's why Allah swt compare and mentioned in the Quran, the obedience of parents and their kindness with his tawheed. As mentioned in Sura al-Nisa v.36: "Worship God and ascribe no partners and be good to the parent..."

And disobedience of parents are to be ranked as one of the major sins in Islam as mentioned by the Prophet Pbh when he asked about the major sins, he said: "make partners to Allah swt, disobedience to parents, kill a person, giving false witness". (Bukhari)

1. **Respect and kindness:** Allah swt mentioned in Quran: Your lord has commanded you to worship none but Him, and that to be good to your parents. If either of them or both reach to old age, do not say to them a word of disrespect, not scold them but say to them kind words". (Sura Isra: 23)
2. **Obedience to Parents:** Obedience to parents is farz and can't be denied in anyway.

A person asked Prophet Pbh what are the rights of parents, he said: **They are your heaven and hell (i.e. if you obey them then they will be the source to go in to the heaven and if disobeyed then their disobedience will led you to the hell).**" (Ibn Majah) Moreover Prophet Pbh said: Allah's contentment and gratification is in the contentment of father and Allah's angriness is in the angriness of father." (Tirmazi)

Even the obedience of parent is far more important than doing nafli jihad. A person came to Prophet Pbh and said O Prophet of Allah I want to do Jihad, He said do you have parents alive? He said: yes. Prophet (Pbh) said: Go back, they are you Jihad." (Sunan Abu daud)

But if they order you to do sinful thing or anything against Islam like to do shirk, then there is no obedience in that, as what Prophet Pbh said: "there is no obedience of man in the disobedience of Allah." (Musnad Ahmed).

3. **Expense:** Parents are the only one who put forward their whole life for their children to provide them a good and better life. Now when they grew old its our duty to look after them. Provide them what they need.
4. **Pray for them:** Likewise they have rights in this world also has some rights after they died. We should have to pray for them as mentioned in the Quran: "Say, My Lord, have mercy on them as they raised me when I was a child". (Sura Isra: 24)

A person came to the Prophet Pbh who belong from the tribe Banu Salima and asked is their any rights of parents upon me even after they got died? Prophet Pbh said: yes, you must pray for their forgiveness from Allah swt and if they had left any agreement with someone behind, fulfill it, and treat well with their friends and relatives". (Sunan Abu daud)