



Fiqh of Marriage: Class Thirty-One

الحمد لله و الصلاة و السلام على رسول الله و بعد:

The Hadith:

وَعَنْ أَبِي هُرَيْرَةَ (عَنِ النَّبِيِّ) قَالَ : { مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ
فَلَا يُؤْذِي جَارَهُ , وَاسْتَوْصُوا بِالنِّسَاءِ خَيْرًا , فَإِنَّهُنَّ خُلِقْنَ مِنْ ضِلَعٍ , وَإِنَّ
أَعْوَجَ شَيْءٍ فِي الضِّلَعِ أَعْلَاهُ , فَإِنْ ذَهَبَتْ تُقِيمَهُ كَسَرْتَهُ , وَإِنْ تَرَكَتَهُ لَمْ
يَزَلْ أَعْوَجَ , فَاسْتَوْصُوا بِالنِّسَاءِ خَيْرًا } مُتَّفَقٌ عَلَيْهِ , وَاللَّفْظُ لِلْبُخَارِيِّ
(1324) .

وَلِمُسْلِمٍ : { فَإِنْ اسْتَمْتَعَتْ بِهَا اسْتَمْتَعَتْ وَبِهَا عَوْجٌ , وَإِنْ ذَهَبَتْ تُقِيمُهَا
كَسَرْتَهَا , وَكَسَرُهَا طَلَاقُهَا }

Narrated Abu Huraira: The Prophet alayhi as salam said: “He who believes in Allah and the Last Day should not harm his neighbor; and take my advice regarding good treatment of women, for they were created from a rib. And the most curved part of the rib is the

upper part. If you attempt to straighten it, you will break it, and if you leave it alone, it will remain bent. So take my advice regarding good treatment of women. [Agreed upon]

Muslim adds: “So if you enjoy her, you will do so while the curve remains in her; but if you attempt to straighten her you will break her, and breaking her is divorcing her.”

The Explanation:

We spoke last time about the great rights of the neighbor, and the words of the Prophet alayhi salam, “Jibreel kept reminding me of the rights of the neighbor until I thought that he would make them inheritors.”

And when I (Shaikh Atiyya Muhammad Salaam) first celebrated Eid in Madina, I went to visit our neighbors, myself and some of the Ulema from Dar al Hadith, and we used to spread out our visits over a number of days. The first day, visiting the close relatives. The second day the ruler, the Amir, and the third day close friends, and the fourth day, those in our neighborhood.

And those who were being visited on Eid would prepare their houses and open their doors and wait for the visitors. Even those in government offices would open their doors after Eid prayer and stay there until Dhuhr, and their families and relatives would visit them.

They would have dates and sweets, and rose-scented drinks.

If you visited a house in the neighborhood during the days of Eid, you would simply say Asalamualaikum, and the owner of the house would come out and greet you.

There were two events that made us all cry. Once we visited a house, and there were no less than 20 or 25 of us. The one in the front of the group said Salam, and then owner of the house came out and greeted us. When we did this, we noticed that one person remained outside, and did not come in.

Then one of the brothers, Shaykh Muhammad an-Najawi, may Allah have mercy on him, he was always in the service of the Ulema, so that they did not have to ever go to the government offices, he saw the person staying outside, and he realized, do you know why?

There was a dispute between that person and the owner of the house. So the Shaykh went forward and grabbed hold of him by his wrist and brought him inside of the house.

He pushed him forward forcefully until he bumped into the owner of the house. After this, they hugged, and cried, until the shaikh said leave them until they finish.

Then they began blaming themselves, it had been a year, and neither had spoken to the other. This meeting by force was sufficient to remove what they had in their hearts towards their brother.

The other event was when we visited a house, and there was a curtain made of straw. We said, "Asalamualaikum," and suddenly a child responded: "Walkum aslam" he mumbled. "Come in..."

We realized that there was no man in the house. A person went forward and lifted the curtain, and suddenly we saw a boy, his head scarf was dragging on the ground due to his young age, wearing an egaal (round rope worn on the head) and he also wore a shield.

“Come in,” he said. We found drinks, dates, we sat down touching each other.

Suddenly women inside of the home began shouting with very sorrowful voices, “You have done well to us. You have cheered us up. You made us happy, and we felt as if we were amongst our brothers, even though we miss our father.”

They were words that affected us greatly. Where is this love today? Where is this mercy? Where is this kindness to neighbors?

But, we say, there is no strength and no power save from Allah.

From the rights of the neighbor is that he does not harm him in any way. And they say, not even by a drop from his pot.

When food is cooked, and it is boiling, scent comes out from it.

If there are spices in the food, a odor will come from it.

If the scent of your food reaches your neighbor, you must feed him.

The Prophet alayhi as salam said to Abu Dharr: “If you cook something, put a lot of water in its soup, and do not forget your neighbor.”

Some of the Ulema say, subhanallah: He said make sure to add more water, and water does not cost anything. He did not say add more meat, because meat is a bit expensive.

What is important is that they said, “Let not a female neighbor belittle anything of her female neighbor, even if it were the hoof of a sheep.”

“And if any of you purchase fruit, then cover it when entering his home, and do not let the neighbors children see it harming them thereby,” unless he gives them some of it to eat.

And now, the plastic bags show everything inside. So if you do not give some to the neighbors’ children, then do not go out or show them to your neighbors children, since it will harm them.

This is regarding what you own.

In the books of Fiqh, it also talks about not doing anything with your property whose effects will harm your neighbor.

Whether it is building a mill, or digging a well, or planting an orange grove, and so on...everything that will cause harm to the neighbor must be withheld.

A man came to the Prophat alayhi as salam and said: I have moved to a home and my closest neighbor harms me tremendously.

The Prophet alayhi as salam said, “Go back and have patience.” Three times.

Finally, he said, “Go and take all of your belongings out of your home and sit in the street.” Then everyone who passed by asked him, “What is wrong?” He said, “My neighbor is harming me.” All the people were astonished at how his neighbor could do this to him.

It became too much for the neighbor. He came to the Prophet alayhi as salam and said, “Tell him to take his belongings inside, and I promise I will never bother him again!”

Some people mention some stories. One person had a lot of mice in his house. They said, get a cat. Put her in the house.

He said, “I am afraid that the mice will hear the sound of the cat, and flee to the neighbors house, and annoy him.”

Aisha said, “I had some dough, so I shaped it into circles of bread, and left it for the Prophet alayhi as salam. When the Prophet went out for prayer, he would close the door. But once he went out and did not close the door completely, and it was ajar. I was sleeping.

The neighbors sheep came into the house, and snatched away the loaf of bread. I ran after her and caught up with her by the door, and grabbed the loaf of bread from her.

Suddenly, I saw the Prophet alayhi asalam in the door, and he said, “O Aisha, take what remains of your loaf of bread, and do not harm the sheep of your neighbor, for this will annoy him.”

But the sheep was in the wrong, and took away the loaf? Still, I shouldn't hit it? No.

Because, this will annoy the neighbor.

In any case, perhaps this is the first time we had the occasion to speak about the rights of the neighbor, and it is more than words can articulate.

and take my advice regarding good treatment of women,

And Allah knows best.

1:17

End of Lecture 31.