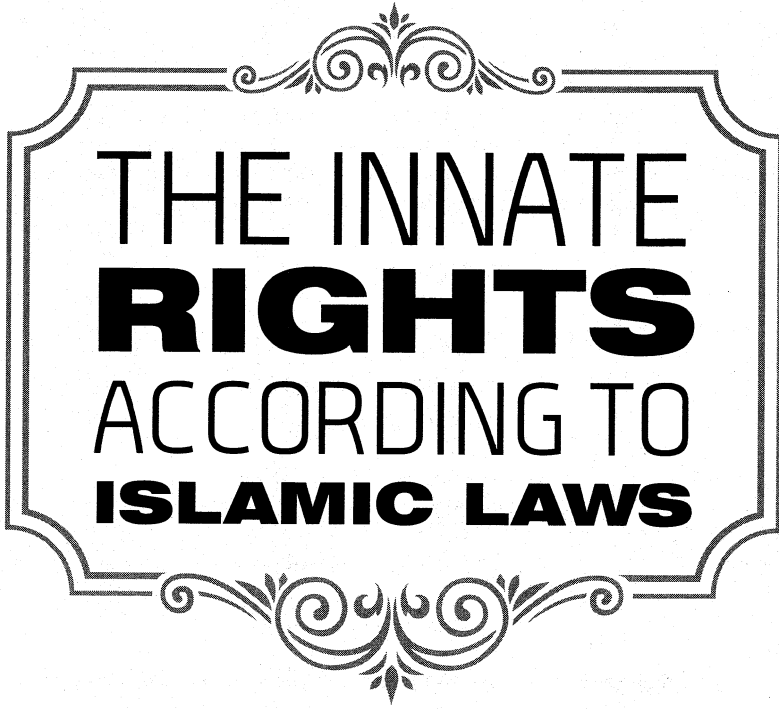


THE INNATE **RIGHTS** ACCORDING TO **ISLAMIC LAWS**



by Shaykh Muhammad al-Uthaymeen



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E-mail: info@usuldesign.com

Translator: Muhammad AbouHarb
(May Allah forgive him and his parents)

Reviewed by: Rasheed Barbee

Edited by: Mireille Martineau

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E-mail: info@authenticstatements.com

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INTRODUCTION

Verily all praise belongs to Allah, we praise Him, we seek His forgiveness, and we repent to Him. We seek refuge in Allah from the evil of ourselves and from the evil of our actions. Whoever Allah guides then none can misguide, and whoever Allah misguides then none can guide. I bear witness that none has the right to be worshipped in truth except Allah, He is alone and has no partner, and I testify that Muhammad is His slave and His messenger *sallahu alayhi wa sallam*, his family, companions, and whoever follows them in goodness.

As for what follows: Verily from the beauty of Allah's legislation is that justice is established, and everything is given its rights, without excessiveness or neglect. For indeed Allah has ordered that there be justice, kindness, and assisting of the relatives. Due to justice the messengers were sent, the books were revealed, and the affairs of the worldly life and hereafter were established. Justice is giving everything its right and putting everything in its proper place, and this will not be accomplished except by knowing the rights so that they will be observed. Therefore, we have written this speech as an important explanation of these rights, so that the slave (of Allah) may do what he knows from them according to the best of his ability, and this has been summarized in the following.

1. The rights of Allah
2. The rights of the Prophet (sallahu alayhi wa sallam)
3. The rights of the parents
4. The rights of the children
5. The rights of the relatives
6. The rights of the spouses
7. The rights of the leaders and their subjects
8. The rights of the neighbors
9. The rights of the Muslims in general
10. The rights of the non- Muslims

These are the rights that we want to deal with in a summarized discussion.

THE FIRST RIGHT: THE RIGHT OF ALLAH

This right is the most deserving of the rights (to be fulfilled), the most obligatory, and greatest of them. Due to it being the right of Allah the Most High, The Mighty Creator, The Owner and Administrator of the affairs. To Allah belongs the ownership, He is the Clear Truth, the Ever Living, the All Eternal, the One who alone sustains the heavens and the earth. The One who has created everything and has measured it exactly according to its due measurements, with perfect wisdom. Allah's right is the reason why he made you come into existence from nothing, and before that you were something that was not even mentioned.

It is Allah's right for which He nurtured you with blessings while you were still in your mother's womb in three veils of darkness. No one from the creation could give you your nourishment, your growth, or your life, and He gave you (nourishment) from your mother's breast. Then after that He guided you to the two paths (i.e. good and evil), He gave you two parents, and He provided for you and caused you to develop. He (alone) provided you with blessings, gave you an intellect, and understanding. Likewise, He made you ready for accepting so that you may utilize it.

﴿وَاللَّهُ أَخْرَجَكُم مِّن بُطُونِ أُمَّهَاتِكُمْ لَا تَعْلَمُونَ شَيْئًا وَجَعَلَ لَكُمُ
السَّمْعَ وَالْأَبْصَرَ وَالْأَفْئِدَةَ لَعَلَّكُمْ تَشْكُرُونَ﴾

*“And it is Allah who made you come out of the wombs of your mothers not knowing anything, and He gave you hearing, eyesight, and hearts so that you may show thanks.”*¹

If Allah was to conceal from you His favor for the blinking of an eye, you would perish, and if He was to prevent you from His mercy for a moment, you would not have lived. So if this is Allah’s favor upon you and His mercy upon you, then verily His right upon you is the greatest of all rights, because it is the right that is connected to the reason for why you were created, developed, and provided.

Indeed Allah does not want from you any provision or nourishment,

﴿لَا تَسْأَلُكَ رِزْقًا نَحْنُ نَرْزُقُكَ وَالْعَاقِبَةُ لِلتَّقْوَى﴾

*“We ask you not for provision, for indeed We provide for you, and the good ending is for the righteous.”*²

Rather Allah only wants one thing from you, and its benefit returns back to you (meaning you are the one who benefits

¹ Surah An-Nahl [16:78]

² Surah Taha [2:132]

from what He wants from you); He wants you to worship Him alone without any partners.

﴿ وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ ﴿٥٦﴾ مَا أُرِيدُ مِنْهُمْ مِنْ رِزْقٍ وَمَا أُرِيدُ أَنْ يُطْعَمُونِ ﴿٥٧﴾ إِنَّ اللَّهَ هُوَ الرَّزَّاقُ ذُو الْقُوَّةِ الْمَتِينُ ﴿٥٨﴾ ﴾

“And I did not create the jinn or mankind except to worship Me. I want not from them provision nor do I want them to feed Me.

Indeed Allah is the Provider the Possessor of might.”³

All Allah wants from you is that you be His slave in the complete sense of servitude, just as He is your Lord in every sense of Lordship. A slave that is subservient to Him and is obedient to Him while being in accordance to His commandments and staying away from His prohibitions as well as believing in what He has informed. Due to the fact that you see His blessings upon you, one after another, will you not be shy to exchange these blessings for ungratefulness?!

If anyone from the people did you a favor you would be shy to behave with him in an immoral way or to go against him openly. So what is the case with your Lord from which every favor that you have come from His bounty, and everything that did not afflict you of evil was from His mercy.

﴿ وَمَا يَكُفُّ عَنْكُمْ مِنْ نِعْمَةٍ فَمِنَ اللَّهِ ثُمَّ إِذَا مَسَّكُمُ الضُّرُّ فَإِلَيْهِ يَجْتَرُونَ ﴿٥٩﴾ ﴾

³ Surah Ad-Dhariyat [51:56-58]

“So whatever blessings you have it is from Allah, then when harm touches you, you supplicate to Him (alone).”⁴

Verily this is the right that Allah has obligated upon Himself, so that it will be easy on the one for whom Allah makes it easy. This is because Allah did not make in it any difficulty, adversity or hardship. Allah the Most High says:

﴿وَجَاهِدُوا فِي اللَّهِ حَقَّ جِهَادِهِ ۗ هُوَ اجْتَبَاكُمْ وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ ۗ مِلَّةَ أَبِيكُمْ إِبْرَاهِيمَ ۗ هُوَ سَمَّاكُمُ الْمُسْلِمِينَ مِنْ قَبْلُ وَفِي هَذَا لِيَكُونَ الرَّسُولُ شَهِيدًا عَلَيْكُمْ وَتَكُونُوا شُهَدَاءَ عَلَى النَّاسِ فَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَاعْتَصِمُوا بِاللَّهِ هُوَ مَوْلَاكُمْ فَنِعْمَ الْمَوْلَىٰ وَنِعْمَ النَّصِيرُ﴾

“And strive hard in Allah’s cause as you ought to strive. He has chosen you, and has not placed any hardship upon you in the religion: it is the religion of your father Ibrahim. It is He (Allah) who has made you Muslims before and in this (the Quran), that the Messenger may be a witness over you and you be a witness over mankind. So perform the prayer, give the zakat, and hold fast to Allah. He is your Lord, and what an excellent Lord and what an excellent Helper.”⁵

⁴ Surah An-Nahl [16:53]

⁵ Surah Al-Hajj [22:78]

Indeed this is the best belief; it is faith in truth, as well as righteous actions that are beneficial. A belief that is founded based on love and veneration, and its fruits are sincerity and perseverance. Every day and night five prayers (are offered), by which Allah expiates the sins and raises the levels (of the people). Also, by way of the prayers, He rectifies the hearts and the conditions (of His slaves). The slave does them according to the best of his ability.

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

*“So fear Allah to the best of your ability.”*⁶

The Prophet (sallahu alayhi wa sallam) said to Imran bin Husain while he was sick,

صَلِّ قَائِماً فَإِنْ لَمْ تَسْتَطِعْ فَقَاعِداً فَإِنْ لَمْ تَسْتَطِعْ
فَعَلَى جَنْبٍ .

*“Pray standing, and if you can’t then sitting, and if you don’t have the ability, then (pray) while laying down on your side.”*⁷

Zakat (Alms) is a small amount for the one that pays it. The objective of its payment is for assisting the Muslims, the poor, the wayfarer, the one in debt, and others from those who are entitled to *zakat*. As for fasting, it is done for one month in the year

⁶ Surah At-Taghaabun [64:16]

⁷ Collected by Al-Bukhari (1117)

﴿وَمَنْ كَانَ مَرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخَرَ﴾

“And whoever is ill or on a journey, then the same number (of days) from other days must be made up..”⁸

So whoever does not have the ability to fast due to an inability that is continuous, he is to feed a poor person for each day. The pilgrimage to the sacred house is to be performed at least once in a lifetime for the individual who has the ability. These are the fundamentals with regard to the rights of Allah, as for other than that then it becomes obligatory if there is a reason; such as *jihad* for the sake of Allah, or for reasons that obligate an individual (to take action), like assisting the oppressed. Look oh my brother, this is an easy right to carry out, at the same time the reward is tremendous. If you carry it out you will be happy in this life and the hereafter, and saved from the fire and enter the paradise,

﴿فَمَنْ رُحِّجَ عَنِ النَّارِ وَأُدْخِلَ الْجَنَّةَ فَقَدْ فَازَ وَمَا الْحَيَاةُ الدُّنْيَا إِلَّا

﴿﴿١٨٥﴾﴾ مَتَّعَ الْغُرُورِ

“And whoever is removed from the fire and entered into paradise, he indeed is successful. The life of this world is only enjoyment and deception.”⁹

⁸ Surah Al-Baqarah [2:185]

THE SECOND RIGHT: THE RIGHT OF THE MESSENGER OF ALLAH (Sallahu alayhi wa sallam)

As for this right than it is from the greatest rights of the creation, there is no right for a created being greater than the right of the Messenger of Allah (sallahu alayhi wa sallam). Allah The Most High says:

﴿ إِنَّا أَرْسَلْنَاكَ شَهِيدًا وَمُبَشِّرًا وَنَذِيرًا ﴿٨﴾ لِيُؤْمِنُوا بِاللَّهِ وَرَسُولِهِ

وَيُعِزُّوهُ وَيُوقِرُّوهُ ﴿٩﴾

“Verily, We have sent you (Muhammad) as a witness, as a bearer of glad tidings, and as a Warner so that you (mankind) may believe in Allah and His messenger, and that you assist and honor him, and glorify (Allah’s) praises morning and afternoon.”¹⁰

So due to this it is an obligation to make the love of the Prophet (sallahu alayhi wa sallam) take precedence over all other people, even more than one's self, as well as (his) father and mother. The Messenger of Allah (sallahu alayhi wa sallam) has stated:

لَا يُؤْمِنُ أَحَدُكُمْ حَتَّىٰ أَكُونَ أَحَبَّ إِلَيْهِ مِنْ وَلَدِهِ وَ

وَالِدِهِ وَالنَّاسِ أَجْمَعِينَ .

⁹ Surah Al-Imran [3:185]

¹⁰ Surah Fath [47:8-9]

“You have not believed until I am more beloved (to you) than your father, your mother and the rest of mankind.”¹¹

From the rights of the Messenger of Allah (sallahu alayhi wa sallam) is honoring him, respecting him, and exalting him from what befits him, without exaggeration or neglect. This also (includes) honoring him during his life, honoring his *sunnah*, honoring his noble personality, honoring him after his death, and his correct legislation (with which he was sent). The individual that looks at how the sahaabah honored the Messenger of Allah (sallahu alayhi wa sallam) and their respect for him, would know how these dignified individuals carried out what was obligatory upon them for the Messenger of Allah (sallahu alayhi wa sallam).

“Urwah bin Masud said to the Quraysh when they sent him to negotiate with the Prophet (sallahu alayhi wa sallam) in the story of the treaty of Hdaybiyah: I have entered upon the kings of Qisra, Qaysar, and Najashi, and I did not see anyone who venerated them from their companions the way the companions of Muhammad venerated him. If he was to order them with a task, they would hasten to do it, and if he made ablution they were about to fight one another to get the water left from his wudhu, if he talked they would lower their voices, and they would not stare at him out of respect and honor for him.”¹²

¹¹ Collected by Al-Bukhari (14) and Muslim (1/49)

¹² Mukhtasir Seerah Ar-Rasool, By Shaykh Abdullah bin Ash-Shaykh: Muhammad bin Abdil-Wahhab (pg. 3)

This is the way they would honor him in addition to what Allah made of his innate nature from noble manners, as well as gentleness, and an easygoing heart, because if he had been harsh and ill mannered they would have left him. Also, another right of the Prophet (sallahu alayhi wa sallam) is believing in what he informed of from the affairs of the past and the future. Likewise (from his rights) is doing what he ordered and staying away from what he prohibited and rebuked, as well as believing that his guidance is the most complete of guidance, and that his legislation is the most complete of all legislation, and not giving precedence over it to any other legislation or system no matter its source.

﴿ فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا

يَجِدُوا فِي أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا ﴾ ﴿٦٥﴾

“But no, by your Lord, they will not believe, until they make you judge in all disputes between them, and find in themselves no resistance against your decisions, and accept them with full submission.”¹³

﴿ قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ فَاتَّبِعُونِي يُحْبِبْكُمُ اللَّهُ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ وَاللَّهُ غَفُورٌ

رَحِيمٌ ﴾ ﴿٣١﴾

¹³ Surah An-Nisaa [4: 65]

“Say ‘If you truly love Allah, and then follow me, Allah will love you and forgive you of your sins, and Allah is most Forgiving Most Merciful.’”¹⁴

Also from the rights of the Messenger of Allah (sallahu alayhi wa sallam) is to defend his legislation, and his guidance to the best of one's ability, according to what the circumstances call for by (utilizing) the (different types of) methods. So if the enemy was to attack with allegations, and brings doubts, Then one defends with knowledge and refutes his arguments and doubts and clarifies its falsehood, and if he attacks with weapons and tanks, then one defends in the same manner. Furthermore, it is not possible for any believer to listen to an individual attack the legislation of the Prophet (sallahu alayhi wa sallam), or his noble character and be quiet about it, while he has the ability to defend it.

¹⁴ Surah Ali Imraan [3:31]

THE THIRD RIGHT: THE RIGHT OF PARENTS

No one denies the virtues that parents have over their children. Parents are the reason for the existence of the child, and they both have a tremendous right over the child. Indeed, they raised him while he was small and exhausted themselves in order that he may be comfortable; so they would stay up late at night in order that he may sleep. Your mother carried you in her womb and you lived at the expense of her health and nutrients, which is normally for a period of nine months, just as Allah indicated that in His Statement,

﴿حَمَلَتْهُ أُمُّهُ وَهْنًا عَلَىٰ وَهْنٍ﴾

“His mother bore him in weakness and hardship”¹⁵

Then, after that you were nurtured and breastfed for two years while she suffered from fatigue, pain and difficulty. Likewise, your father worked for your sustenance and your strength from the time you were young until you attained adulthood and could support yourself. Also, he was diligent in your upbringing and guided you (to do what is right), while you possessed nothing for yourself of benefit or harm. So for this reason, Allah commanded the child to be kind and thankful to his parents,

¹⁵ Surah Luqman [31:14]

﴿وَوَصَّيْنَا الْإِنْسَانَ بِوَالِدَيْهِ حَمَلَتْهُ أُمُّهُ وَهْنًا عَلَىٰ وَهْنٍ وَفِصَالُهُ فِي عَامَيْنِ

﴿١٤﴾ أَنْ أَشْكُرَ لِي وَلِوَالِدَيْكَ إِلَىٰ الْمَصِيرِ ﴿١٤﴾

“And We have enjoined on man (to be dutiful to his parents). His mother bore him in weakness and hardships, and his weaning is for two years. So give thanks to Me and your parents, and to Me is the finally destination.”¹⁶

And Allah says,

﴿وَبِالْوَالِدَيْنِ إِحْسَانًا إِنَّمَا يَبْغُضُ الْكِبَرُ أَحَدَهُمَا أَوْ كِلَاهُمَا فَلَا

تَقُلْ لَّهُمَا قَوْلًا كَرِيمًا ﴿٢٣﴾ وَأَخْفِضْ لَهُمَا

جَنَاحَ الذَّلِيلِ مِنَ الرَّحْمَةِ وَقُلْ رَبِّ ارْحَمْهُمَا كَمَا رَبَّيَانِي صَغِيرًا ﴿٢٤﴾

“And Allah has ordained that you worship none but Him, and that you be dutiful to the parents. If one of them or both of them becomes old in your life, then say not a word of disrespect, nor shout at them, but address them in honor. Lower to them the wing of submission and humility through mercy, and say “My Lord, bestow on them Your mercy as they brought me up when I was young.”¹⁷

Verily from the rights the parents have on you is that you be dutiful to them, and that is by being kind in speech and action, spending ones wealth, using ones energy, and

¹⁶ Surah Luqman [31:14]

¹⁷ Surah Al-Israa [17:23-24]

obeying their orders as long as it is not disobedience to Allah and does not cause you harm. You should be soft in speech when you talk to them, look at them with a cheerful face, and be in their service in a manner that is befitting. Thus, you should not show discontent towards them when they get old, sick, and weak, and you should not find that burdensome, because one day you will be in their position.

There will come a time when you will be a parent just as they were parents, and you will get old with your children- if Allah decrees that for you - just as your parents grew old with you. Likewise, you will need your children to be dutiful to you, just as your parents needed you to be dutiful to them.

So, if you were dutiful to your parents, then you will rejoice with an abundant reward, and the repayment will be in the same manner. Whoever was dutiful to his parents then his children will be dutiful to him, and whoever was undutiful to his parents then his children will be undutiful. The reward is according to the actions, so just as you treated others then you will be treated in the same manner.

Indeed, Allah has made the status of the parents' right tremendous, due to the fact that He made their right come right after His right and His messengers, He the Most High said:

﴿وَأَعْبُدُوا اللَّهَ وَلَا تُشْرِكُوا بِهِ شَيْئًا وَبِالْوَالِدَيْنِ إِحْسَانًا﴾

“And worship Allah alone and do not ascribe partners to Him, and be good to the parents.” ¹⁸

And He said:

﴿أَنْ أَشْكُرَ لِي وَلِوَالِدَيْكَ﴾

“So thank me and your parents.” ¹⁹

Furthermore, the Prophet (sallahu alayhi wa sallam) gave precedence to being dutiful to ones parents over jihad in the path of Allah, as is narrated in the hadeeth of Ibn Masud (may Allah be pleased with him), he said:

قُلْتُ: يَا رَسُولَ اللَّهِ أَيُّ الْعَمَلِ أَحَبُّ إِلَى اللَّهِ؟ قَالَ: ((
الصَّلَاةُ عَلَى وَقْتِهَا))، قُلْتُ: ثُمَّ أَيُّ؟ قَالَ: ((بِرُّ
الْوَالِدَيْنِ)) قُلْتُ: ثُمَّ أَيُّ؟ قَالَ: ((الْجِهَادُ فِي سَبِيلِ
اللَّهِ)).

*“I said, O Messenger of Allah which deed is most beloved to Allah?
He (sallahu alayhi wa sallam) said: “Prayer in its proper time,” I
said then what?, He said: “To be dutiful to the parents,” I said then*

¹⁸ Surah An-Nisaa [4: 36]

¹⁹ Surah Luqman [31:14]

what?, He (sallahu alayhi wa sallam) said: "Jihad in the path of Allah." ²⁰

Therefore, this hadeeth shows the great importance of the rights of the parents, which many people have neglected, and in fact are undutiful to them and have cut off ties. So you might see one of these (negligent people) who do not think that his father or mother have any rights (upon him), and perhaps he insults them, disrespects them, and is arrogant towards them, so because of this the same punishment will happen to him sooner or later.

²⁰ Collected by Al-Bukhari [527,2782,597,7534] and Muslim [1/62-63]

THE FOURTH RIGHT: THE RIGHT OF CHILDREN

Children, both boys and girls, also have many rights. The most important of their rights include the right to be nurtured, which is done by cultivating their religion and character so that they see the great importance of their religion. Allah the Most High says:

﴿يَأْتِيهَا الَّذِينَ ءَامَنُوا قُورًا أَنفُسَكُمْ وَأَهْلِيكُمْ نَارًا وَقُودُهَا النَّاسُ وَالْحِجَارَةُ﴾

*“O you who believe, save yourselves and your families from the fire whose fuel is men and stone.”*²¹

Likewise the Prophet (sallahu alayhi wa sallam) said:

كُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ، وَ الرَّجُلُ رَاعٍ فِي أَهْلِهِ وَ مَسْئُولٌ عَنْ رَعِيَّتِهِ .

*“All of you are guardians, and all of you are responsible for those under your authority, and the man is the guardian of his family, and is responsible for them.”*²²

²¹ Surah At-Tahreem [66: 6]

²² Collected by Al-Bukhari and Muslim

So with that being the case, the parents are entrusted with (taking care) of their children, and both parents are responsible for them on the Day of Judgment. With their cultivation includes cultivation of their religion and character, and when parents have cultivated their children correctly, then they will be free (of blame) of any consequences that result from that child. Furthermore, the child will be upright, and a delight to their parents' eyes in this life and the hereafter. Allah the Most High says:

﴿ وَالَّذِينَ ءَامَنُوا وَاتَّبَعَتْهُمْ ذُرِّيَّتُهُمْ بِإِيمَانٍ أَلْحَقْنَا بِهِمْ ذُرِّيَّتَهُمْ وَمَا أَلَتْنَاهُمْ مِنْ

عَمَلِهِمْ مِنْ شَيْءٍ ۚ كُلُّ امْرِئٍ بِمَا كَسَبَ رَهِيْنٌ ﴿١١﴾

*“And those who believe and their offspring follow them in faith, We will join them with their offspring, and We will not decrease the reward of their deeds in anything, every person is a pledge for what he has earned.”*²³

And the Prophet (sallahu alayhi wa sallam) said

إِذَا مَاتَ الْعَبْدُ انْقَطَعَ عَمَلُهُ إِلَّا مِنْ ثَلَاثٍ : صَدَقَةٌ
جَارِيَةٌ ، أَوْ عِلْمٌ يُنْتَفَعُ بِهِ مِنْ بَعْدِهِ ، أَوْ وَلَدٌ صَالِحٌ
يَدْعُو لَهُ .

²³ Surah At-Tur [52: 21]

*“When the servant (of Allah) dies his deeds are cut off except for three: Sadaqah AlJaariyyah (a charity that remains after the individuals death), knowledge that benefits others after him, or a righteous child that supplicates for him.”*²⁴

This benefit is from the fruits of educating the child. If he has a good upbringing, then he will be a benefit for his parents even after their death. There are many parents that underestimate this right, so they neglect their children, and forget about them like they have no responsibility over them. You find that these parents do not ask their children simple questions about where they go, when they have returned, or who are their friends and companions. These parents also may not direct them towards doing good, nor do they prevent them from doing evil.

What is strange is that they are diligent when it comes to their wealth. They preserve and increase it, and give great care to what will make it beneficial. While they increase this wealth and make it useful for other than themselves for the most part, But as for their children; then they have no concern for their children even though safeguarding them is more deserving and more beneficial (for them) in this life and the hereafter. So just as it is an obligation upon the father to provide food and drink to the child, and to clothe him, likewise it is important that he nurtures his child's heart with (beneficial) knowledge and faith, and clothes his child's heart with piety, for indeed in that is well being.

²⁴ Collected by Muslim [5/73]

Also from the rights of the children is that the father spends on them, with what is reasonable without being extravagant or deficient, because this is an obligation that his children have upon him.

By doing this, he is showing appreciation for Allah's blessings, which Allah has given him from wealth. So how is it that some fathers deprive their children of their wealth while they were alive, and were stingy with regard to spending on them so that they may save it, just to have their children take it from them by force after their death?!

If a father was stingy in doing his obligations, then his family may take from his wealth from what suffices them, just as the Prophet (sallahu alayhi wa sallam) gave a verdict to Hind bint Utbah (may Allah be pleased with her).

Also from the rights of the children is that the parents do not show preference to one of the children over the rest by giving some gifts and presents. The parents should not give something to some children and not give it to the others, for indeed that is oppression and unfair, and verily Allah does not like those who oppress. This will lead to disaffection and enmity between the children who are favored and those who are not. Rather, it is possible that there will be enmity between the deprived children and their parents!

There are some people who have children and perhaps one of their children favors them by being dutiful and kind to them, so due to this his parents give him gifts because of his dutifulness to them. However, this is not a good reason to

show this child special treatment. For the child who is dutiful and distinguished, it is not permissible to give him a reward for being dutiful, because Allah will reward him for his servitude towards his parents. Also, by showing special treatment to the dutiful child it is very likely that he will be impressed by his deed, and think that he is more superior than the other children, while the other (child) may turn away and persist in his disobedience.

We do not know what will happen because it is possible that the circumstances will change, and the dutiful child may become disobedient, and the disobedient child may become obedient, because the hearts are in the hands of Allah and He changes them as He likes.

In the two Sahihs, Bukhari and Muslim, narrated from Nu'man bin Bashir, he said his father Bashir ibn Sa'd gave him a slave as a gift thus he informed the Prophet (sallahu alayhi wa sallam) of this, so he said to him,

"Did you give all your sons a gift like this?" He said, "No." So the Messenger of Allah (sallahu alayhi wa sallam) said, "Return it", and in another narration he said, "Fear Allah, and be just between your children", and in another wording it says, "Get someone else to bear witness to this! For verily I do not testify to injustice".

So the Messenger of Allah (sallahu alayhi wa sallam) called the act of treating some children better than others injustice, and injustice is oppression and oppression is prohibited. However, if the parents were to give a child things that he is

in need, while the rest of the children are not in need of such items, such as office supplies or medicine, or one of them is in need of getting married, then it is no problem that this child gets that of what he is in need because the parents are singling him out based on a needed expense.

So when the parents carry out what is an obligation with regard to their children, in terms of nurturing them, and spending on them, it is more likely that the child will conform to being dutiful to his parents. Thus, when a parent is negligent in doing his obligation, then he is more deserving of punishment either by the child denying his right, or is tested with a punishment and recompense accordingly. So just as you dealt with others then you will be dealt in the same way.

THE FIFTH RIGHT: THE RIGHT OF RELATIVES

The relative who has a tie with you in kin such as a brother, paternal uncle, maternal uncle, And their children, and everyone who affiliates with you by way of this (blood) tie, then such a person has a right (on you) depending on their closeness (in lineage) Allah the Most High says:

﴿وَأَاتِ ذَا الْقُرْبَىٰ حَقَّهُ﴾

*“And give to the kin his due right.”*²⁵

And He stated,

﴿وَأَعْبُدُوا اللَّهَ وَلَا تُشْرِكُوا بِهِ شَيْئًا وَبِالْوَالِدَيْنِ إِحْسَانًا وَبِذِي الْقُرْبَىٰ﴾

*“And worship Allah alone and do not ascribe anything to Him, and be good to the parents and relatives.”*²⁶

With this being said, it is imperative that everyone keeps ties with their relatives in a generous, honorable way. This is done by benefitting one's relative, both physically and financially, according to the strength of the relation and the need. This is what the legislation demands, as well as the intellect and innate nature. There are many (Islamic) texts that encourage keeping ties with the kin, which are easily

²⁵ Surah Al-Israa [17:26]

²⁶ Surah An-Nisaa [4:36]

understood, and are an encouragement. In the *Saheehain* (i.e. Al-Bukhari and Muslim) on the authority of Abu Hurayrah (may Allah be pleased with him) the Prophet (sallahu alayhi wa sallam) said:

إِنَّ اللَّهَ خَلَقَ الْخَلْقَ حَتَّى إِذَا فَرَغَ مِنْهُمْ قَامَتِ الرَّحِمُ
فَقَالَتْ: هَذَا مَقَامُ الْعَائِدِ بِكَ مِنَ الْقَطِيعَةِ. فَقَالَ اللَّهُ
: نَعَمْ أَمَا تَرْضِينَ أَنْ أَصِلَ مِنْ مَنْ وَصَلِكَ وَ أَقْطَعُ مَنْ
قَطَعَكَ . قَالَتْ : بَلَى . قَالَ : فَذَلِكَ لَكَ .

“Indeed Allah created the creation, and when He finished it the womb stood and said: “This (i.e. the womb) is a place for the one who seeks refuge in You from cutting off ties, then Allah said: “Yes, would you not be pleased that I join the ties for the one who keeps ties with you, and I cut ties off with the one who cuts ties with you?” It said “Of course,” So Allah said: “That is for you,” ²⁷

Then the Messenger of Allah said: Read if you like (the statement of Allah),

﴿ فَهَلْ عَسَيْتُمْ إِنْ تَوَلَّيْتُمْ أَنْ تُفْسِدُوا فِي الْأَرْضِ وَتُقَطِّعُوا أَرْحَامَكُمْ ﴾ (٢٢)

﴿ أُولَئِكَ الَّذِينَ لَعَنَهُمُ اللَّهُ فَأَصَمَّهُمْ وَأَعَمَّى أَبْصَرَهُمْ ﴾ (٢٣)

²⁷ Collected by Al-Bukhari [483,4832,5987,752] and Muslim [8/7]

*“If you were given authority would you then do mischief in the land, and cut off the ties of kinship? They are those whom Allah has cursed, so He has made them deaf and blinded their sight.”*²⁸

And the Prophet (sallahu alayhi wa sallam) said:

مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ فَلْيَصِلْ رَحِمَهُ .

*“Whoever believes in Allah and the last day, then let him join the ties of the womb.”*²⁹

There are many people who are negligent and immoderate with regard to this right. You will find one from these (type) of people does not assist his relatives either by giving them gifts, assisting them with money, honoring them, or by having good manners with them. Days go by and then months and he does not see them, nor shows affection towards them, by giving them presents, nor takes care of their needs.

Rather, it is possible that he harms them verbally or physically, or both. He keeps ties with the one who is far (i.e. non-relative) and cuts ties with the one who is close?! There are some individuals who keep ties with their relatives as long as their relatives keep ties with them, and these

²⁸ Surah Muhammad [47:22-23]

²⁹ Collected by Al-Bukhari [6138] and Muslim [1/49]

individuals cut ties if their relatives cut ties with them, and in reality this is not keeping ties.

Rather, this is only repaying someone with good, and this happens between the relatives and other than them because repaying back (a favor) is not something specific to relatives. In reality the one who keeps ties with his relatives, is the one who keeps ties for Allah's sake and he does not care if they keep ties or not.

As is found in the *Saheehain* on the authority of Abdullah bin Amr bin Aas, the Prophet (sallahu alayhi wa sallam) said:

لَيْسَ الْوَاصِلُ بِالْمَكَافِيءِ وَ لَكِنَّ الْوَاصِلَ الَّذِي إِذَا
قَطَعَتْ رَحْمَتُهُ وَصَلَهَا .

“The one who keeps ties is not the one who does so in order to get repaid; rather he is the one who if his family cut ties with him, he joins ties with them.”

A man asked and said, “O Messenger of Allah, verily I have relatives with whom I keep ties, however they cut ties with me, and I am good to them, but they are wicked to me while I am a tolerant with them, and they are unaware of me.” So the Prophet (sallahu alayhi wa sallam) said:

لَئِنْ كُنْتَ كَمَا قُلْتَ فَكَأَنَّمَا تُسِفُّهُمْ الْمَلَّ وَلَا يَزَالُ
مَعَكَ مِنَ اللَّهِ ظَهِيرٌ عَلَيْهِمْ مَا دُمْتَ عَلَى ذَلِكَ

“If the situation is as you said then it is like your feeding them hot ashes, and the assistance (of Allah) will not cease to be with you as long as you stay like that.”³⁰

Even if there was not anything in keeping ties with the relatives except that Allah keeps ties (with him) in this life and the hereafter, extends His mercy to him, makes his affairs easy, and takes away his distress, (then that would be a good enough reason to keep ties). In addition to this, keeping ties with relatives brings about mutual closeness, harmony, and affection between the relatives and also promotes helping one another during hardship. The happiness and goodness that results from keeping ties is something well known, and all these benefits are lost when cutting off the ties is allowed, which leads to disunity among the relatives.

³⁰ Collected by Muslim [8/8]

THE SIXTH RIGHT: THE RIGHT OF THE SPOUSES

Marriage has significant effects as well as important requirements. Marriage is what joins the husband and his wife, and it necessitates from both partners rights for the other, and from them are:

1. Physical rights
2. Social rights
3. Financial rights

So with that said, it is imperative that the two spouses live together in kindness, and that they give the obligatory rights with ease and kindness, without them regarding their efforts as something great and without procrastinating. Allah the Most High says:

﴿وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ﴾

“And live with them i.e. the wives in goodness.” ³¹

And Allah says:

﴿وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ ۚ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ ۗ﴾

³¹ Surah An-Nisaa [4:19]

*“And they (women) have rights similar over them according to what is reasonable, however the men have a degree (of responsibility) over them”*³²

Therefore, it is an obligation that the wife extend herself for her husband, in what is an obligation upon her. So when both spouses fulfill (their) obligations with regard to the other then their life will be happy, and their companionship will last. However, if the affair is opposite to this, then there will be discord, disunity, and both of their lives will be miserable. There are many (Islamic) texts that deal with treating the women well and respecting her situation, and the scholars recognize that it is impossible for everything to be perfect. The Messenger of Allah (sallahu alayhi wa sallam) said:

اسْتَوْصُوا بِالنِّسَاءِ خَيْرًا فَإِنَّ الْمَرْأَةَ خُلِقَتْ مِنْ
ضُلْعٍ وَإِنْ أَعْوَجَ مَا فِي الضُّلْعِ أَغْلَاهُ فَإِنْ ذَهَبَتْ
تُقِيمُهُ كَسْرَتُهُ ، وَإِنْ تَرَكَتَهُ لَمْ يَزَلْ أَعْوَجَ
فَاسْتَوْصُوا بِالنِّسَاءِ .

“Treat the women good, for verily the female was created from the rib, and indeed the top part of the rib is the most curved. So if you

³² Surah Al-Baqarah [2: 228]

wanted to straighten it, it would break, and if you leave it, it will stay curved, therefore treat the women well.”³³

In another narration it states:

إِنَّ الْمَرْأَةَ خُلِقَتْ مِنْ ضِلْعٍ وَلَنْ تَسْتَقِيمَ لَكَ عَلَى طَرِيقَةٍ ، فَإِنْ اسْتَمْتَعْتَ بِهَا اسْتَمْتَعْتَ بِهَا وَفِيهَا عَوْجٌ وَإِنْ ذَهَبْتَ تُقِيمُهَا كَسَرْتَهَا ، وَكَسَرُهَا طَلَّاقُهَا .

“Verily the female was created from the rib, and you will not be able to straighten it, so if you enjoy her then do so while there remains crookedness, and if you try to fix her, then she will break, and breaking her is divorcing her.”³⁴

Also the Messenger of Allah (sallahu alayhi wa sallam) said:

لَا يَفْرَكُ مُؤْمِنٌ مُؤْمِنَةً إِنْ كَرِهَ مِنْهَا خُلُقًا رَضِيَ مِنْهَا خُلُقًا آخَرَ .

“A believing man should not show resentment towards a believing woman, for if he dislikes some of her characteristics, then he will be pleased with her other qualities.”³⁵

³³Collected by Al-Bukhari [3331,5186] and Muslim [4/178]

³⁴ Collected by Muslim [4/178]

³⁵ Collected by Muslim [4/178]

Here, the meaning of “*he shouldn’t show resentment*” means he should not hate her. Therefore, in these hadeeths the Prophet (sallahu alayhi wa sallam) directed his nation to know how a husband should deal with his wife, and that it is a must that he takes (i.e. requests) from her what is easy for her, because her nature from which she was created is not perfect.

Rather, it is inevitable that she will have some crookedness (i.e. she will not be perfect), and it is not possible that a man will enjoy his wife except with her natural disposition from which she was created. Furthermore, these hadeeths show that it is imperative that the man balance between the good and bad qualities of the woman. So if he dislikes one of her characteristics, then he should compare it with a characteristic that he likes, and he should not look at her with dislike and hate.

There are many husbands who want their wives to be perfect, but this is impossible (and because of this) they become unhappy, and cannot enjoy their wives, and this (will) lead to divorce. As the Prophet (sallahu alayhi wa sallam) said:

“And if you try to fix her, you will break her, and breaking her is divorce”

Thus it is imperative that the husband be understanding and overlooks what his wife does, as long as it is not a shortcoming in her religion or honor.

From the rights of the wife over her husband, is that her husband spends on her, from food, drink, clothing, housing, and belongings. This is due to the statement of Allah,

﴿وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ ۗ﴾

“And the father of the child bears the cost of the mother’s food and clothing on a reasonable basis.” ³⁶

And the Prophet (sallahu alayhi wa sallam) said:

وَلَهُنَّ عَلَيْكُمْ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ .

“And it is upon you to provide for them (i.e. the wives) and clothe them from that which is good.” ³⁷

Likewise the Prophet (sallahu alayhi wa sallam) was asked, “What is the right of our wives upon us?” and he (sallahu alayhi wa sallam) said,

أَنْ تُطْعِمَهَا إِذَا طَعَمْتَ وَتَكْسُوَهَا إِذَا اِكْتَسَيْتَ وَ لَا تَضْرِبَ الْوَجْهَ وَ لَا تَقْبُحَ وَ لَا تَهْجُرَ إِلَّا فِي الْبَيْتِ .

“That you feed her when you eat, and that you clothe her when you clothe yourself, and do not hit her in the face, nor disgrace her, or boycott her except in the home.” ³⁸

³⁶ Surah Al-Baqarah [2:233]

³⁷ collected and authenticated by At-Tirmidhee

Also from the wife's rights over her husband is that her husband must be just between his first and second wife. If he has a second wife, he must be just in spending on her, providing her with housing, and spending time with her. He should be just in everything to the best of his ability, for verily for him to incline to one wife over the other (i.e. to be unjust) is from the major sins. The Prophet (sallahu alayhi wa sallam) said,

مَنْ كَانَتْ لَهُ امْرَأَتَانِ فَمَالَ إِلَىٰ إِحْدَاهُمَا جَاءَ يَوْمَ
الْقِيَامَةِ وَشَقَّهٖ مَائِلٌ .

“Whoever has two wives and inclines to one of them over the other, on the Day of Judgment his side will be crooked.” (collected by Ahmad with an authentic chain of narration).

As for those things that are impossible for him to be just in, such as his love or comfort that he has for one wife over the other, then he is not accountable for that, because he does not have the ability to control those emotions. Allah the Most High says:

﴿وَلَنْ تَسْتَطِيعُوا أَنْ تَعْدِلُوا بَيْنَ النِّسَاءِ وَلَوْ حَرَصْتُمْ﴾

³⁸ This hadeeth was graded “Good,” and has been Collected by Ahmad [4/447, 5/3], Abu Dawud [1/494], and Ibn Maajah [185]

“And you will never be able to be just between the women, even if you were to try your hardest.” ³⁹

And the Prophet (sallahu alayhi wa sallam) use to spend time between his wives and be just, and say,

اللَّهُمَّ هَذَا قَسْمِي فِيمَا أَمْلِكُ فَلَا تَلْمَنِي فِيمَا تَمْلِكُ وَ
لَا أَمْلِكُ .

“O Allah this is my share of what I own (i.e. of spending on his wives and spending time with them), so do not take me into account for that which I do not possess (i.e. the inclining of one's heart).” ⁴⁰

However, if he preferred one of his wives over the other when it comes to the nights that he spends with them, and she is pleased with that, then that is fine. Just as the Prophet (sallahu alayhi wa sallam) use to allot his day with Sauda (may Allah be pleased with her) to Aiesha (may Allah be pleased with her), when Sauda gave it to Aiesha (based on the hadeeth of Aiesha that is agreed upon). Also, when the Prophet was on his deathbed he would ask (where will) I be tomorrow? So his wives allowed him to go where he wanted, so he stayed at Aiesha's house, until he (sallahu alayhi wa sallam) died (agreed upon).

³⁹ Surah An-Nisaa [4:129]

⁴⁰ Collected by the four Sunan

As for the rights that the husband has over his wife, then they are greater than the rights that she has over him, due to the statement of Allah the Most High:

﴿وَهُنَّ مِثْلُ الَّذِي عَلَيْنَ بِالْمَعْرُوفِ وَاللرَّجَالِ عَلَيْهِنَ دَرَجَةٌ﴾

*“And they (i.e. the women) have rights similar over them according to that which is reasonable, however the men have a degree (of responsibility) over them.”*⁴¹

Therefore, the man is in charge of the woman, he is to fulfill those things that are in her best interest, as well as teaching her and directing her (to good) as Allah the Most High says:

﴿الرَّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنفَقُوا مِنْ أَمْوَالِهِمْ﴾

*“The men are the protectors and maintainers of the women, because Allah has made one to excel the other, and because they (i.e. the men) spend from their wealth.”*⁴²

Also from the rights the husband has over his wife is that she obeys him, as long as it is not disobedience to Allah, and she preserves his secrets, and his wealth, for indeed the Prophet (sallahu alayhi wa sallam) said,

⁴¹ Al Baqarah [2:228]

⁴² Surah An-Nisaa [4:34]

لَوْ كُنْتُ امْرَأً أَحَدًا أَنْ يَسْجُدَ لِأَحَدٍ لِأَمْرَتِ الْمَرْأَةِ أَنْ
تَسْجُدَ لِزَوْجِهَا .

“If I were to order anyone to prostrate to someone else, I would have ordered the woman to prostrate to her husband.” ⁴³

Also he (sallahu alayhi wa sallam) said,

إِذَا دَعَا الرَّجُلُ امْرَأَتَهُ إِلَى فَرَّاشِهِ فَابْتَأْنُ أَنْ تَجِيءَ فَبَاتَ
غَضْبَانَ عَلَيْهَا لَعَنَتَهَا الْمَلَائِكَةُ حَتَّى تُصْبِحَ .

“If a man calls his wife to bed and she refuses to come, and he goes to bed angry at her the angels curse her until the morning.” ⁴⁴

Likewise from his right upon her is that she does not do an action that makes him displeased, even if it is an extra act of worship, because the Prophet (sallahu alayhi wa sallam) has stated,

لَا يَحِلُّ لِامْرَأَةٍ أَنْ تَصُومَ وَ زَوْجُهَا شَاهِدٌ إِلَّا بِإِذْنِهِ وَ لَا
تَأْذَنُ لِأَحَدٍ فِي بَيْتِهِ إِلَّا بِإِذْنِهِ .

“It is not permissible for a women to fast while her husband is present, without his permission, and she should not allow anyone to come into his home except with his permission.” ⁴⁵

⁴³ Collected by At-Tirmidee who said the hadeeth is Hasan Saheeh

⁴⁴ Collected by Al-Bukhari (3237, 5193) and Muslim (4/157)

And the Prophet (sallahu alayhi wa sallam) mentioned that the husband being pleased with his wife is from the reasons for (the woman) entering into Paradise.

At-Tirmidhee has narrated from the hadeeth of Umm Salama (may Allah be pleased with her) that the Messenger of Allah (sallahu alayhi wa sallam) said,

أَيُّمَا امْرَأَةٍ مَاتَتْ وَ زَوْجُهَا عَنْهَا رَاضٍ دَخَلَتْ الْجَنَّةَ .

“Any woman who dies while her husband is pleased with her will enter Paradise.”

⁴⁵ This hadeeth is agreed upon.

THE SEVENTH RIGHT: THE RIGHT OF THE RULER AND HIS SUBJECTS

The (Muslim) rulers are those in charge of the affairs of the Muslims. Whether the leadership is general, such as the president of a country, or as specific as a president of a specific management (company) or specific job. All of them have rights that must be carried out by those who are under their authority, and those under their authority have rights upon them as well. As for the rights that their subjects have over them, then they (the rulers) must fulfill the trust for which Allah made them responsible and obligated them to carry out; These rights include advising their subjects and proceeding forth with this trust on the path that is upright, for the reconciliation of this life and the hereafter.

This right is fulfilled by following the way of the believers, and it is the way the Messenger of Allah (sallahu alayhi wa sallam) was upon. Verily in it is happiness for the rulers and their subjects and whoever is under their authority. Likewise, the pleasure that the subjects have for their rulers will be apparent as well as the connection between them. As a result, their subjects will submit to their commandments, and preserve the trust that they (the rulers) were given over them.

For indeed the individual who fears Allah, then the people will fear him, and whoever pleases Allah, then Allah will suffice him from asking for provisions from the people, and the people will be pleased with him. This is because the

hearts are in the hands of Allah and He changes them as He pleases.

As for the rights that the rulers have over their subjects then they are that the subjects advise them about the responsibility that is upon them from the affairs of the people as well as reminding them if they become heedless, and supplicate for them if they turn away from the truth. Also they should carry out their orders as long as it is not disobedience to Allah, because by doing this the affairs will be correct and orderly.

As for going against them and disobeying them, then this will lead to confusion and corruption. For this reason Allah the Most High ordered us to obey Him, and His Messenger, as well as those in authority over us. Allah says,

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنكُمْ﴾

“O you who believe obey Allah, and obey the Messenger and those who are in authority over you.” ⁴⁶

And the Prophet (sallahu alayhi wa sallam) said,

عَلَى الْمَرْءِ الْمُسْلِمِ السَّمْعُ وَالطَّاعَةُ فِيمَا أَحَبَّ وَ
كَرِهَ إِلَّا أَنْ يُؤْمَرَ بِمَعْصِيَةٍ فَلَا سَمْعَ وَلَا طَاعَةَ .

⁴⁶ Surah An-Nisaa [4:59]

"It is upon the Muslim to hear and obey (the ruler) in what he likes and dislikes, except if he orders to disobey Allah. If he orders what is disobedience then one is not to hear or obey him." ⁴⁷

Likewise Abdullah bin Umar stated,

"We were with the Messenger of Allah (sallahu alayhi wa sallam) traveling then we descended in an area, then the Messenger of Allah's caller called out, "As-Salat Jaamiah" then we gathered around the Messenger of Allah (sallahu alayhi wa sallam) and he said, "There was never a Prophet that Allah sent except that it was obligated upon him that he directed his nation to the good that he knew, and he would warn them from the evil that he knew. Verily your nations well being was put in its beginning, and the last part of this nation will be afflicted by trials and affairs that you will find disagreeable, then a trial will take place, and there will be trials one after the other, each making the previous one seem insignificant, When they are afflicted with a trial, the believer would say: This is going to bring about my destruction. When this [trial] is over, they would be afflicted with another trial, and the believer would say," Thus whoever would like to be removed from the fire and entered into Paradise , Then let death come to him while he believes in Allah and the last day, and let him deal with the people justly in the manner that he would like to be dealt". So whoever pledges to a leader and gives him his hand and his heart (i.e. that he will obey him), then let him obey him according to the best of his ability, and if someone else tries to take his place then kill him." ⁴⁸

⁴⁷Agreed upon Al-Bukhari and Muslim

⁴⁸ Collected by Muslim [6/15]

Also the Prophet (sallahu alayhi wa sallam) was asked,

“ O Messenger of Allah, what if there are leaders who are put in authority over us, and they ask us for their rights, and prevent us from our right, what do you order us to do? The Prophet (sallahu alayhi wa sallam) turned away from him, so the man asked him a second time, then the Messenger of Allah (sallahu alayhi wa sallam) said, “Listen and obey them, for verily they are held responsible for what is upon them, and you are held responsible for what is upon you.”⁴⁹

Also, from the rights that rulers have over their subjects is that the subjects assist them in their duties, so that they (i.e. the rulers) will support them in accomplishing the affairs that have been assigned to them. Likewise, every individual should know their roles and responsibilities in society so that the affairs are executed in way they were intended, and if the subjects did not assist the rulers with their responsibilities, then things would not go the way they should.

⁴⁹ Collected by Muslim

THE EIGHTH RIGHT: THE RIGHT OF NEIGHBORS

The neighbor is the one who lives close to you, and he has a tremendous right over you. If he is a relative of yours in kinship, and he is Muslim then he has three rights upon you:

- (1) the right of the neighbor;
- (2) the right of kinship; and
- (3) The right of Islam.

If he is a relative and not a Muslim then he has two rights:

- (1) the right of the neighbor; and
- (2) The right of kinship. If he is not a relative, and is a non-Muslim, and then he has one right: the right of the neighbor.

(This is based upon the hadeeth that has been narrated by Abu-Bakr Al-Bazzar with an authentic chain, on the authority of Al-Hasan, on the authority of Jabir bin Abdillah, Ibn Katheer mention it in the explanation for verse 36 of Surah An-Nisaa) .

Allah the Most High says:

﴿وَالْوَالِدَيْنِ إِحْسَانًا وَبِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَالْجَارِ ذِي الْقُرْبَىٰ وَالْجَارِ الْجُنْبِ﴾

“Worship Allah and ascribe not, join none with Him in worship; and be good to the parents, relatives, orphans, the needy, the neighbor who is near of kin, the neighbor who is a stranger, the companion by your side, the wayfarer, and those whom your right hand possess.”⁵⁰

Also the Prophet has said,

مَا زَالَ جِبْرِيلُ يُوصِينِي بِالْجَارِ حَتَّىٰ ظَنَنْتُ أَنَّهُ سَيُورُّهُ.

“Jibril did not cease to advise me about the neighbor, until the point when I thought he (i.e. The neighbor) would be inherited from.”⁵¹

As for the rights the neighbor has over his neighbor, then he is to treat him well to the best of his ability, by helping him with funds, honoring him, and being kind to him. For indeed the Messenger of Allah (sallahu alayhi wa sallam) has said,

⁵⁰ Surah A-Nisaa [4:36]

⁵¹ Agreed upon.

خَيْرُ الْجِيرَانِ عِنْدَ اللَّهِ خَيْرُهُمْ لِجَارِهِ .

“The best of neighbors with Allah are those who are good to their neighbors.” ⁵²

He (sallahu alayhi wa sallam) said,

مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ فَلْيُحْسِنْ إِلَى جَارِهِ

“Whoever believes in Allah and the last day, then he should treat his neighbor kind.” ⁵³

He also stated:

“If you cook broth then add more water to it, and assist you neighbor.” So from the (ways) of being kind to the neighbor is presenting him with gifts during special occasions, because giving gifts increases the unity and gets rid of any hostility towards one another. Also from the rights the neighbor has over his neighbor is that he abstains from harming him verbally and physically. For verily the Messenger of Allah (sallahu alayhi wa sallam) said: “By Allah he does not believe, by Allah he does not believe, by Allah he does not believe,” they said “who O Messenger of Allah?” He (sallahu alayhi wa sallam) said, “The individual whose neighbor is not safe from his viciousness.” ⁵⁴

⁵² Collected by At-Tirmidee, Hadeeth Hasan Saheeh

⁵³ Collected by Muslim

⁵⁴ Collected by Muslim

In another narration:

“The individual whose neighbor is not safe from his viciousness will not enter ‘Paradise’ and his viciousness is ‘his evil’.” Therefore, the individual whose neighbor is not safe from his evil is not a (true) believer and will not enter Paradise.”

There are many people now that do not have any concern when it comes to the neighbors’ right, and their neighbors are not safe from their evil. So you always see them in opposition (to them), disputing, and, transgressing their rights, as well as harming them verbally and physically. All of this is in opposition to what Allah and His Messenger have commanded, and this causes disunity between the Muslims and separates their hearts, and they give up the sanctity of one another.

THE NINTH RIGHT: THE RIGHT OF THE MUSLIMS (IN GENERAL)

These rights are many and from them is what has been established in the Saheeh, that the Messenger of Allah (sallahu alayhi wa sallam) said,

حَقُّ الْمُسْلِمِ عَلَى الْمُسْلِمِ سِتُّ إِذَا لَقِيْتَهُ فَسَلِّمْ عَلَيْهِ وَإِذَا دَعَاكَ فَأَجِبْهُ وَإِذَا اسْتَنْصَحَكَ فَأَنْصَحْهُ وَإِذَا عَطَسَ فَحَمِدَ اللَّهَ فَشِمِّتْهُ وَإِذَا مَرَضَ فَعُدْهُ وَإِذَا مَاتَ فَاتَّبِعْهُ .

“The right of the Muslim over his fellow Muslim brother are six: If you meet him then greet him with the salam; if he invites you then respond to his invitation; if he asks you for advice then advise him; if he sneezes and says alhamdulillah, say Yarhamukallah (may Allah have mercy on you); if he becomes sick then visit him; and if dies then follow his funeral procession.”⁵⁵

So in this hadeeth is a clarification of many rights of the Muslim.

⁵⁵ Collected by Muslim [7/3]

The First Right: Giving the salam

As for the *Salam*, it is a stressed *Sunnah*, and it is from the reasons that cause there to be harmony and compassion between Muslims, and this is something that is witnessed. Likewise, it is indicated in the statement of the Prophet (sallahu alayhi wa sallam),

“By Allah! You will not enter Paradise until you believe, and you will not believe until you love one another. Shall I not inform you of something that if you were to do it you would love one another? Give the salam to one another.” (collected by Muslim).

Also, the Messenger (sallahu alayhi wa sallam) used to give the *salam* to the small children (first) if he passed by them. The sunnah is that the youth give *salam* to those who are older (first), and those that are (in a group) and are smaller in number should give the *salam* to (the group of people) who are greater in number, and the one who is riding should give the *salam* to the one who is walking.

However, if someone did not implement this *Sunnah*, then the other individual should do so, so the *Salam* is not abandoned. So if the youth do not give the *Salam* to those who are older than them, their elders should give the *Salam* to them first, and if a small group of people did not give the

Salam (first), then the larger group of people should give it first, so that the reward may be obtained.

Ammar bin Yaasir (may Allah be pleased with him) said,

“Three characteristics, whoever combines them, has completed his faith: to be sincerely just, to spread greetings to all people and to spend charitably out of the little you have..” ⁵⁶

So if starting with the *salam* is *sunnah*, then returning it is obligatory, (*fard kifaayah*), if someone returns it then the rest are exempt. Allah the Most High says,

﴿وَإِذَا حُيِّئْتُمْ بِهِ بِحَبِيبَةٍ فَحِوُوا بِأَحْسَنَ مِنْهَا أَوْ رُدُّوهَا﴾

“And when you are greeted with a greeting, greet (in return) with one better than it or (at least) return it in a similar manner.” ⁵⁷

With this being the case, then it is not sufficient that one responds to the *Salam* and says **“welcome,”** because this is not better, and neither is it the same. So if someone says to you **“As-Salaamu Alaykum”** then say **“Wa Alaykum Salaam,”** and if he says **“welcome”** then say the same, and if he adds more to his greeting than that is better.

⁵⁶ Collected by Al-Bukhari

⁵⁷ Surah An-Nisaa [4:86]

The Second Right: If he invites you, then respond to the invitation.

This means that if someone invites you to his home to eat food, or something other than that, then one should respond (in the affirmative) to his invitation. Responding (in the affirmative) to an invitation is a stressed sunnah, due to the eagerness that the inviter has in his heart, as well as the unity and harmony that is obtained by doing so. An exception to this is the wedding feast, for verily attending it is an obligation with well-known conditions. These conditions are as followed:

1. The invitation should be on the first day
2. The individual who is inviting is Muslim
3. The person who invited him should not be someone whom it is obligatory or *Sunnah* to forsake (such as one who openly commits immoral actions or sin, where forsaking him may be of benefit in bringing about his repentance).
5. The invitation is specified to a particular person
6. The inviter is a person whose income is lawful; and there should not be any indecency that he cannot stop.⁵⁸ This practice is based on the statement of the Prophet (sallahu alayhi wa sallam),

⁵⁸ For more information, refer to *As-Sabeel fee M'arifa Ad-Daleel* pg. 735

وَمَنْ لَمْ يُجِبْ فَقَدْ عَصَى اللَّهَ وَرَسُولَهُ .

“And whoever does not respond to the invitation then indeed he has disobeyed Allah and His Messenger.” ⁵⁹

It is possible that the statement of the Prophet (sallahu alayhi wa sallam),

“If he invites you then respond to the invitation,”

Also includes that if he asks for help and support, then you are ordered to respond to him. So, for example, if he calls you to help him carry something, or to throw something away or other than that, then verily you have been ordered to assist him in that.

Due to the statement of the Prophet (sallahu alayhi wa sallam),

الْمُؤْمِنُ لِلْمُؤْمِنِ كَالْبُنْيَانِ يَشُدُّ بَعْضُهُ بَعْضًا .

“The believer to another believer is like a building that strengthens each part.” ⁶⁰

⁵⁹ Agreed upon in Al-Bukhari [5177] and Muslim [4/153]

⁶⁰ Agreed upon.

The Third Right: If he asks for advice, then advise him.

This right means that if a person comes to you and request that you give him advice, then advise him. This is from the religion, just as the Prophet (sallahu alayhi wa sallam) said,

الدِّينُ النَّصِيحَةُ لِلَّهِ وَ لِكِتَابِهِ وَ لِرَسُولِهِ وَ لِأُمَّةٍ
الْمُسْلِمِينَ وَ عَامَّتِهِمْ .

*“The religion is sincerity,” We said, for whom? He (sallahu alayhi wa sallam) said, “For Allah and His book, His Messenger, the Muslim rulers and the common people.”*⁶¹

If he did not come to you seeking advice and it is possible that he will be harmed or will fall into a sin that he is about to commit, then it is obligatory upon you to advise him, due to this being a means of removing harm and evil from the Muslims. However, if there was not a harm in what he was about to do, but at the same time you felt that there was a better way for him to do a particular affair that would be more beneficial for him, then it is not necessary that you say anything to him, unless he asks for your advice, in which case it becomes obligatory on you to advise him.

⁶¹ Collected by Muslim [1/53]

**The Fourth Right: If he sneezes and says “alhamdulillah,”
then say “yarhamukallah.”**

This means that to say to him,

“May Allah have mercy upon you,” which you say to him for thanking him for praising his Lord when sneezing. However, if he sneezes and does not praise Allah, then he does not have this right and you do not say “yarhamukallah,” because he did not praise Allah, so his recompense is that “yarhamukallah” is not said to him. As for saying “yarhamukallah” to the one who sneezes when he says “alhamdulillah,” then it is obligatory. Likewise, it is obligatory for him to respond by saying, “*May Allah guide you and rectify your affairs,*” and if he continues to sneeze and you say to him “yarhamukallah” three times, then say to him “Aafaakallah” (may Allah cure you), instead of “yarhamukallah.”

The Fifth Right: If he becomes sick, then visit him.

This is a right that he has upon his Muslim brothers and it is an obligation that they carry it out. If the sick person who has a right upon you was a relative, companion, or neighbor, then going to visit him is even more emphasized. As for going to visit the sick, it varies depending on the condition of the patient and the condition of his sickness. So it is

possible that the circumstances require that you go see him many times, and it's possible that the circumstances require that you do not go see him often. So what is more appropriate is that one takes into consideration the circumstances. As for the *Sunnah* with regard to going to see the sick, then one should ask about his condition and supplicate for him, and the door of comfort and hope will open for the one who is sick. Verily in doing this is from the greatest reasons (by the permission of Allah) for good health and recovery. Also it is a must that one reminds the sick person about repenting (to Allah), in a manner that does not intimidate him. So he says to him for example,

“Due to your sickness you are obtaining (a lot) of good, because Allah expiates the sins, and wipes away the evil deeds, and perhaps you are getting a lot of reward, because of your restrictedness, and you are increasing in the remembrance of Allah, and seeking His forgiveness and supplicating to Him.”

The Sixth Right: If he dies, then follow his funeral procession.

As for following the funeral, then it is from the rights of the Muslims over their Muslim brothers, and in it is much reward. It has been established that the Prophet (sallahu alayhi wa sallam) said,

مَنْ تَبِعَ الْجَنَازَةَ حَتَّى يُصَلِّيَ عَلَيْهَا فَلَهُ قِيرَاطٌ وَ
 مَنْ تَبِعَهَا حَتَّى تُدْفَنَ فَلَهُ قِيرَاطَانِ ((، قِيلَ : وَمَا
 الْقِيرَاطَانِ قَالَ : ((مِثْلُ الْجَبَلَيْنِ الْعَظِيمَيْنِ))

“Whoever follows the funeral until the deceased is prayed over, he receives a Qeerat, and whoever follows him until he is buried receives two Qeerat.” and it was said, “And what are the two Qeerat?” So the Prophet (sallahu alayhi wa sallam) said, “It is like two great mountains,”⁶²

The Seventh Right: And from the rights of the Muslim over his fellow Muslim is he prevents harm from afflicting him.

Indeed harming Muslims is a tremendous sin, Allah the Most High says:

﴿ وَالَّذِينَ يُؤْذُونَ الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ بَغَيْرِ مَا اكْتَسَبُوا فَقَدِ

أَحْتَمَلُوا بُهْتَانًا وَإِثْمًا مُّبِينًا ﴾

⁶² Agreed upon in Al-Bukhari [47, 1325] and Muslim [3/51-52]

*“And those who harm believing men and women undeservedly, they bear the crime of slander and plain sin.”*⁶³

The majority of the time, the individual who deals with his brother in an obscene manner, then verily Allah will take revenge upon him in this life (first) before the hereafter. The Messenger of Allah has said,

لَا تَبَاغَضُوا وَلَا تَدَابَرُوا وَكُونُوا عِبَادَ اللَّهِ إِخْوَانًا ،
 الْمُسْلِمُ أَخُو الْمُسْلِمِ لَا يَظْلِمُهُ وَلَا يَخْذُلُهُ وَلَا
 يَحْقِرُهُ ، بِحَسَبِ أَمْرِيءٍ مِنَ الشَّرِّ أَنْ يَحْقِرَ أَخَاهُ
 الْمُسْلِمَ ، كُلُّ الْمُسْلِمِ عَلَى الْمُسْلِمِ حَرَامٌ : دَمُهُ وَ
 مَالُهُ وَ عِرْضُهُ .

*“Do not hate one another, nor show enmity towards one another, rather be servants of Allah, brothers; The Muslim is the brother to his Muslim (brother). He does not oppress him, abandon him, or humiliate him, it is a serious evil that one humiliates his Muslim brother. Everything of a Muslim is sacred to his Muslim brother, his blood his wealth, his honor,”*⁶⁴

Furthermore, the rights of the Muslim over his Muslim brother are many. It is possible that a comprehensive

⁶³ Surah Al-Ahzab [33: 58]

⁶⁴ Collected by Muslim [8/1-11]

meaning for the multitude of rights of a Muslim over his Muslim brother, is found in the statement of the Prophet (sallahu alayhi wa sallam),

المُؤْمِنُ أَخُو الْمُؤْمِنِ

“The Muslim is a brother to his Muslim (brother).”

So when the great importance of this brotherhood is fulfilled, then an individual will work diligently to obtain all what is good.

THE TENTH RIGHTH: THE RIGHT OF THE NON-MUSLIM

As for the non-Muslims, which includes all of the disbelievers, they are of four types:

- (1) The disbelievers who wage war against the Muslims;
- (2) The disbelievers who seek protection from the Muslims;
- (3) The disbelievers who make an agreement, or treaty with the Muslims; and
- (4) The disbelievers who stay in a Muslim country and pay the *Jizyah* (tax).

As for those who wage war against the Muslims, then they have no rights upon us when it comes to protection or assistance. As for those who seek protection from the Muslims, then they have the right to protection, which is for a specific time and place, in order that they may be protected. Allah the Most High says,

﴿وَإِنْ أَحَدٌ مِنَ الْمُشْرِكِينَ اسْتَجَارَكَ فَأَجِرْهُ حَتَّى يَسْمَعَ كَلِمَ اللَّهِ ثُمَّ

﴿أَبْلِغَهُ مَا مَنَعَهُ﴾

“And if anyone of the polytheists seeks your protection, then give him protection so he may hear the Speech of Allah (i.e. the Quran), then take him to where he may be secure.” ⁶⁵

As for the disbelievers who make an agreement with the Muslims, then it is upon us to fulfill their agreement for the period that was agreed upon with them. This treaty is as long as they are honest with us about the agreement, they are not deficient in anything (from this agreement), they do not aid anyone against us, and they do not ridicule our religion.

Allah the Most High says:

﴿إِلَّا الَّذِينَ عَاهَدْتُمْ مِنَ الْمُشْرِكِينَ ثُمَّ لَمْ يَنْقُصُوكُمْ شَيْئًا وَلَمْ يُظَاهِرُوا عَلَيْكُمْ أَحَدًا فَأَتِمُوا إِلَيْهِمْ عَهْدَهُمْ إِلَىٰ مُدَّتِهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُتَّقِينَ﴾ (٤)

“Except those of the polytheists with whom you have a treaty, and who have not failed you in anything (i.e. from this treaty), nor have supported anyone against you. Therefore, fulfill their treaty until the end of their term. Verily Allah loves the pious.” ⁶⁶

Also, Allah the Most High says:

﴿وإِنْ نَكَثُوا آيَاتِنَاهُمْ مِنْ بَعْدِ عَهْدِهِمْ وَطَعَنُوا فِي دِينِكُمْ فَقَاتِلُوا أَيْمَةَ الْكُفْرِ إِنَّهُمْ لَا أَيْمَانَ لَهُمْ﴾

⁶⁵ Surah At-Tawbah [9:6]

⁶⁶ Surah At-Tawbah [9:4]

*“However, if they violate their oaths after their agreement, and attack your religion with disapproval and criticism, then fight the leaders of disbelief, for indeed their oaths are nothing to them.”*⁶⁷

As for (the last category), they are those who pay the *Jizyah*, and the rights that they have upon us are more than the other categories (of non-Muslims). This is because they live in Muslim countries and under their protection and assistance due to the tax that they pay. Therefore, it is imperative that the Muslim ruler makes rulings upon these individuals based upon the Islamic principles when it comes to the individual, his wealth and honor, and that the ruler establishes the penalties upon them in what they believe is prohibited.

Also, it is obligatory that the ruler protects them and prevents harm from afflicting them. Likewise, it is obligatory that the non-Muslims distinguish themselves from the Muslims in their clothing, and they should not manifest anything that is immoral in Islam or anything from the rituals of the religion such as the church bell and the cross. The rulings of those who pay the *Jizyah* are found in the books of the scholars of Islam, so because of this we do not want to expound upon them more, (thus refer to *Ahkaam Ahlith-Thimmah* by Ibn Al-Qayyim). And the praise is for Allah, The Lord of all that exists, and may the peace and

⁶⁷ Surah At-Tawbah [9:12]

blessing of Allah be upon our Prophet Muhammad, his family, and all of his companions.