

YAQEEN INSTITUTE FOR ISLAMIC RESEARCH

40 HADITHS ON SOCIAL JUSTICE

LECTURE NOTES

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Chapter 28: The Rights of Aunts, Uncles, In-Laws, and the Extended Family

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Ali ibn AbuTalib narrated: When we came out from Mecca, Hamzah's daughter pursued us crying: My uncle. Ali lifted her and took her by the hand. (Addressing Fatimah he said:) Take your uncle's daughter. She then lifted her. The narrator then transmitted the rest of the tradition. Ja'far said: She is my uncle's daughter. Her maternal aunt is my wife. The Prophet (ﷺ) decided in favor of her maternal aunt, and said: The maternal aunt is like mother.

[Sunan Abi Dawud]

عَنْ عَلِيٍّ، قَالَ لَمَّا خَرَجْنَا مِنْ مَكَّةَ
تَبِعَتْنَا بِنْتُ حَمْزَةَ تُنَادِي يَا عَمَّ يَا
عَمَّ . فَتَنَاوَلَهَا عَلِيٌّ فَأَخَذَ بِيَدِهَا وَقَالَ
دُونَكَ بِنْتُ عَمِّكَ . فَحَمَلَتْهَا فَقَصَّ
الْخَبَرَ قَالَ وَقَالَ جَعْفَرُ ابْنُ عَمِّي
وَحَالَتُهَا تَحْتِي . فَقَضَى بِهَا النَّبِيُّ
صَلَى اللَّهُ عَلَيْهِ وَسَلَّمَ لِخَالَتِهَا وَقَالَ
"الْخَالَةُ بِمَنْزِلَةِ الْأُمِّ"

[سنن أبي داود]

Introduction – Maternal Aunt

- Hamza (ra) was a beloved man to the Prophet (s). He cried over his death like he cried for no one else. He was beloved to his people. The first hadith addresses what happened right after he was killed. Who would take care of his daughter
 - Ali (ra) is the nephew of Hamza. So the girl is his cousin. Fatimah, the wife of Ali, is also the grand niece of Hamza. They wanted custody.
 - Zayd ibn Harithah, the adopted son of the prophet (saw), was paired with Hamza as a brother at Hijrah. He also wanted custody.
 - Ja'far ibn Abi Talib, the brother of Ali, also wanted to take care of her. Ja'far was married to Asma bint Umayy who was the sister of the wife of Hamza. So she is the girl's maternal aunt.
 - The prophet (saw) ruled that Asma and Ja'far would have custody because she was the maternal aunt and the maternal aunt is at the level of the mother.

- This hadith goes beyond custody ruling. The maternal aunt shares the status with the mother in kindness, honor, and keeping ties.
- In another Hadith of Ibn 'Umar (ra), the Prophet (saw) was approached by a man who said, "O Messenger of God, I have committed an enormous sin. Is forgiveness possible for me?" He said "Do you have a mother?" He said, "No." He said, "Do you have a khāla?" He said, "Yes." He said, "Then show her kindness (فبِرِّهَا)." (Sahīh at-Targhīb: 2504)
- For this same reason, when 'Aisha (rA) complained to the Prophet (saw) that all her friends have a kunya except her, he gave her the kunya of 'Um 'Abdillāh, because she was the khāla (maternal aunt) of 'Abdullāh b. az-Zubayr (son of Asmā').
 - This further reinforces the notion that khāla (maternal aunt) and mother are nearly interchangeable.

Paternal Uncle

- After the maternal aunt comes the paternal uncle. He is like the father.
 - Similar to how we said the mother comes first followed by the father.
- Two Ahadith regarding Abbas (ra), the
 - Hadith: The prophet would stand up and kiss him on the forehead and would sit him on his right and say: This is my paternal uncle! Whoever wants to boast of an uncle, look at my uncle!. Al Abbas said O messenger of Allah, I don't deserve for you to say that. The prophet (saw) said: "Why should I not honor you in such a way when you are my uncle, you are what is left of my father. The paternal uncle is like father."
 - Hadith: عَنْ أَبِي هُرَيْرَةَ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ " الْعَبَّاسُ عَمُّ رَسُولِ اللَّهِ وَإِنَّ عَمَّ الرَّجُلِ صِنُو أَبِيهِ " أَوْ مِنْ صِنُو أَبِيهِ
 - "Abbas is the uncle of the Messenger of God and indeed the uncle of a man is the equal of his father or from the equal of his father."
- After the paternal uncle comes the maternal uncle and then paternal aunt.

Extended Family and In-laws



- Beauty in this hadith is the hidden reciprocation yielded from their extended family system. 'Ali was taken in by Prophet (saw) due to his father's poverty, and Ja'far was taken in by al-'Abbās for same reason.
 - Extended family is supposed to be for support, not to cause headaches.
- Grandparents are also like the parents. We see this is inheritance for example.
- Umar (ra) said that the closer a cousin is, the more right they have upon you.
- When two families come together in marriage, they should both contribute human, economic, and emotional resources at the service of the newlywed couple. This is something we saw with the prophet (saw).
 - Fatimah (ra) was the beloved daughter of the prophet (saw). He once came to her house and she was crying. She and Ali (ra) had a fight so Ali (ra) left to the Masjid. The prophet (saw) went to the masjid and instead of yelling at Ali (ra), he defuses the situation by treating him like his own son. He helps Ali (ra) sit up and pats the dirt off of him saying "قم يا أبا تراب" (stand up, father of dirt). Ali and the prophet (saw) were both laughing. Ali (ra) said that this became his favorite nickname.
 - Often times families compound marital disputes instead of supporting them as a couple and treating both as children.

Benefits of an Extended Family System

- Families will be invested in the well-being and upbringing of each other's children.
- Having a supportive extended family is very beneficial in the case where one is a single mother.
- In a hyper-individualistic society, there is a great chance of alienation and people dying alone. But with a family structure, even when children aren't able to take care of their parents, there will always be other family members who would treat them just as well.

Emphasis on Maintaining Family Ties

- In one of the Ayaat of Hijaab (Surah Nur Ayah 31), Allah (swt) mentions: **...أَنْ تَأْكُلُوا مِنْ بَيْوتِكُمْ أَوْ بَيْوتِ آبَائِكُمْ أَوْ بَيْوتِ أُمَّهَاتِكُمْ أَوْ بَيْوتِ إِخْوَانِكُمْ أَوْ بَيْوتِ أَخَوَاتِكُمْ أَوْ بَيْوتِ أَعْمَامِكُمْ أَوْ بَيْوتِ عَمَّاتِكُمْ أَوْ بَيْوتِ أَسْتَنَاتِكُمْ ... لَيْسَ عَلَيْكُمْ جُنَاحٌ أَنْ تَأْكُلُوا جَمِيعًا أَوْ أَشْتَاتًا ...**
 - ...when you eat from your [own] houses or the houses of your fathers or the houses of your mothers or the houses of your brothers or the houses of your sisters or the houses of your father's brothers or the houses of your father's sisters or the houses of your mother's brothers or the houses of your mother's sisters ... There is no blame upon you whether you eat together or separately.
 - The Ayah spells out all the details and assumes that we would frequent the homes of our extended relatives.
- Surah Baqarah Ayah 133: **أَمْ كُنْتُمْ شُهَدَاءَ إِذْ حَضَرَ يَعْقُوبَ الْمَوْتُ إِذْ قَالَ لِبَنِيهِ مَا تَعْبُدُونَ مِن بَعْدِي قَالُوا مَا نَعْبُدُ إِلَهَكَ وَإِلَهَ آبَائِكَ إِبْرَاهِيمَ وَإِسْمَاعِيلَ وَإِسْحَاقَ إِلَهًا وَاحِدًا وَنَحْنُ لَهُ مُسْلِمُونَ**
 - Or were you witnesses when death approached Jacob, when he said to his sons, "What will you worship after me?" They said, "We will worship your God and the God of your fathers, Abraham and Ishmael and Isaac - one God. And we are Muslims [in submission] to Him."
 - They mentioned Ismail (as) as their father even though he was actually their grandfather's brother
- Surah Baqarah Ayah 177: **...وَأَتَى الْمَالَ عَلَى حُبِّ ذَوِي الْقُرْبَىٰ وَالْيَتَامَىٰ ...**
 - "...but [true] righteousness is [in] one who...gives wealth, in spite of love for it, to relatives, orphans..."
 - Books of Zakah say that those who are closest to you have the most right of Zakah.
- Surah Balad: **يَتِيمًا ذَا مَقْرَبَةٍ** "the orphan that is closely related"
- Many Ahadith mention maintaining ties of kinship in general.
- Hadith: "Whoever wants to have his provision expanded and his life prolonged, let him maintain the ties of kinship"
 - Don't let fear of poverty prevent you from keeping ties with extended family.

- Hadith: Allah (swt) said, "I am the Merciful (ar-Rahman). I have created the womb and derived a name for it from My Name. If anyone maintains ties of kinship, I maintain connection with him, and I shall cut off anyone who cuts them off."
- This refers to close relatives and those who are further.
- Hadith: As Ibn 'Umar (rA) was on route to Mecca, as he was riding the donkey, he encountered a bedouin man. Ibn 'Umar said, "Aren't you so-and-so?" He said, "Yes." Ibn 'Umar suddenly gave the man his donkey, and gifted his turban to him, saying, "Here, ride this donkey, and don this turban on your head." His companion, 'Abdullah b. Dinar, said to Ibn 'Umar, "May Allah forgive you, these are mere bedouins; they would be satisfied with much less than this." Ibn 'Umar said, "This man's father was a cherished friend of 'Umar, and I heard the Messenger of Allah (sAws) said, 'One of the greatest acts of kindness is for a man to kindly treat the loved ones of his father following his death.'" (Sahih Muslim)
- Similar Hadith: "إن أبر البر أن يصل الرجل أهل ود أبيه"
- Ibn 'Umar reported that the Messenger of Allah, may Allah bless him and grant him peace, said, "The strongest form of dutifulness is when a man maintains relations with the people his father loved."
- The prophet (saw) remained close with the family and friends of Khadijah (ra) after she passed away. When he would receive gifts, he would send part of it to them.
- Whenever he heard the voice of the sister of Khadijah (ra), he would say: "O Allah its Hala". He would run to the door because her voice would remind him of Khadijah (ra). He would always gift her with something.
- Reconnecting with the friends and loved ones of your deceased parents is very easy to do today.
- There are no Ahadith specifically about in-laws.
- You cannot tell your spouse that my parents are like your parents.
- If you treat them as such then that is Ihsan and love on your part. Similar to how the prophet (saw) treated the family of Khadijah.

- When you show them Ihsan then that is a means of getting closer to Allah (swt).

Conclusion

- When you truly love someone, you will love those who they love.
- The prophet (saw) said: Love me because of your love of Allah. And love my family because of your love for me.