Marriage in Islam

Allah (swt) and His Prophet ordered people to live together harmoniously in the bond of marriage rather than alone as hermits. Allah (swt) says, “And among His signs is that He has created spouses for you among yourselves so that you may dwell in tranquility with them, and He has planted love and mercy between you. Undoubtedly in this there are signs for those who reflect.” (Surat Rum: 21)

Prophet Muhammad (saws) said, "O youth! Whoever is capable of marriage, should marry, most certainly it safeguards the eyes and protects the private parts (from that which is haram)." (Sahihul Bukhari, Kitabun Nikah: 4779)

Marriage Becomes Fardh

Although the Prophet (saws) has described marriage as 'my way' i.e. his sunnah, it becomes fardh on persons when they are unable to control their carnal desires and there is a real fear that they may commit fornication.

Marriage Proposal

Allah (swt) also gives people freedom to marry whomsoever they wish as He says, “...Marry the women of your choice...” (Suratun Nisa: 3)

But before considering any proposal for marriage, a search should be conducted to find the most suitable partner in accordance with Islamic teachings. Guidance for such a search is given in the following hadith.

The Prophet (saws) said, “A man marries a woman for three reasons: her wealth, her beauty, and her religion. Preference should be given to religion”. (Tirmizi, Kitabun Nikah: 1086)

Muharramat

Muharramat are those people between whom marriage may not take place. Who they are has been made clear by Allah (swt):

“Forbidden for you (in marriage) are your mother, your daughters, your sisters, your father’s sisters, your mother’s sisters, your brother’s daughters, and your sister’s daughters, your foster-mothers (those who sucked you) and your foster-sister: your mother-in-law and your step-daughters under your protection (born) of women unto whom you have gone in but if you have not gone into them, it is no sin for you (to marry your daughters) – and the wives of your sons who (spring) from your own loins. And (it is forbidden to you) to have two sisters together (in wedlock) except what has already happened of that nature in the past. Lo! Allah is ever-Forgiving, Merciful.” (Suratun Nisa: 23)

Conditions for Marriage

The fundamental principles of marriage are 'proposal' (ijab) and 'acceptance' (qubool).

The couple to be married must both be:

1. Mature.
2. Sane.
3. Muslim (except the bride, who may be from people of the books).
4. Both the proposal and acceptance must be made in past tense in front of witnesses, either two males or one male and two females. All witnesses must also be sane, mature Muslims.
5. The marriage must not be intended to last for a limited period.
6. The minimum maher must be paid by the husband to the wife.

Maher

Allah (swt) says:

“...And give to the women (whom you marry) their maher (bridal money given to wife by husband) with a good heart, but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm.” (Suratun Nisa: 4)

The following guidelines should be observed in maher.

1. The maher (a particular amount of money or equivalent amount of goods payable to wife by her husband) is that which is given to the bride at the time of the marriage in lieu of matrimonial rights. It must be from halal income.
2. Unlike customs in some religions in which the bride must take a dowry to her husband, Islam is clear that the maher must be agreed to by the bride and paid to her by her husband. The maher is a condition of the validity of the marriage.
3. The amount agreed for the maher should be not less than 10 dirhams in value which is equal to 30,618 grams of silver and should be mentioned in the marriage ceremony.
4. The maher should be paid on the first day of the marriage (although it can be deferred until later if the woman agrees) and the wife has the right to refuse all matrimonial relations if the husband refuses to give it to her. If he does not pay the full maher agreed upon he will be guilty of a sin.

Walimah

After the bride and groom have spent their first night of privacy together, a feast is given. This is called walimah and it is sunnah for the groom to hold such a feast.

The Prophet (saws) said to Abdur-Rahman bin Auf (ra) “As you have married, give a wedding banquet even if with one sheep.” (Sahihul Bukhari, Kitabun Nikah: 4872)

The following guidelines should be observed in walimah.

1. The walimah should be based upon the financial position of the groom and it should not be so lavish that a loan is needed to pay for it.
2. Family members and the poor from the community should be invited.
3. Mixed gatherings are not permissible.
4. Walimah is the wedding reception given to friends and family after the consummation of marriage. It is given by the husband on this auspicious occasion, showing his happiness and sharing it with the friends and family.
Duties of Husband
Nafqah (Maintenance)
“The duty of feeding, clothing and the nursing of the mother in a seemly manner is upon the father of the child”. (Suratul Baqarah: 233)

Food
It is the duty of the husband to provide her with food and cooking utensils such as stove etc. for the preparation and serving of the food. It is not, however, the husband's duty to provide luxury goods. Special care must be taken in the above to ensure that there is neither waste nor extravagance.

Clothing
It is wajib on the husband to provide his wife with at least two sets of clothes every year, one for the summer and one for winter. The status of the wife should be borne in mind when providing clothes. Shoes, underwear, bedding and blankets are also regarded as ‘clothing’ for these purposes. Of course, the husband can provide his wife with more than the above if he is able and willing to do so.

Shelter
It is wajib for the husband to provide the family with a home. If a section of a house is given to the wife where there is total privacy, and this apartment can be locked, then there is no need for the husband to provide a separate home.
If a husband does not provide nafqah, his wife has the right to complain to the Qazi or, in his absence, the local Ulama and even to the court.

Duties of wife
The Prophet (saws) said, “If sajdah to anyone besides Allah was permissible, the wife would have been commanded to make sajdah to her husband.” (Tirmidhi) Although a wife is not so commanded, this hadith shows the level of respect a wife should have for her husband.
1. A woman must not leave her husband's house without his permission.
2. A wife must look after her husband's possessions when he is away from the home.
3. A wife should neither speak to any non-mahram (i.e. a man to whom she could legally be married if she was a single) unnecessarily, nor should she allow any such man into her house in the absence of her husband.
4. A wife must guard her modesty and appear in correct Islamic dress in the presence of strangers and non-mahram men.
5. It is the wife's responsibility to bring children up in an Islamic manner. It is important for a woman to be kind and affectionate to her children and to have respect for the elders. Her responsibilities in these matters should not be left for others to carry out.
6. A wife should not utter any words which will displease her husband and ruin her family.
7. A successful wife understands her husband's nature and tries to accommodate with his temperament.
8. If the wife is having difficulties living at her husband's home she should not complain to others. Rather, she should show contentment as talking to others about her problems will only displease her husband.
9. If a woman lives with her mother-in-law, she should assist her around the house so that a healthy family relationship is established and maintained.
10. The wife should neither doubt her husband in any way, nor should she question him or dictate to him on every fine detail. She should not be suspicious unless there are good grounds to be so as suspicion could damage his integrity.
“O you who believe! Shun such suspicion, for lo! Some suspicion is a sin. And spy not on each other…” (Suratul Hujaraat: 12)

A general rule for both husbands and wives to remember is that they must be humble in their dealings between themselves and with other people. They must not only guard their modesty but also their tongues. As Allah Almighty says in the Holy Qur'an,
“He utters no word but there is with him a vigilant observer ready (to note it down).” (Surah Qaf: 8),

MMERC’s Series on Islam No.50
Marriage in Islam

By
(Maulana) Abdullah Yusuf Qasmi
Research & Translation Executive
MMERC, Mumbai

Suggested by
Hazrat Maulana Badruddin Ajmal Al-Qasmi
President of Markazul Ma’arif, India
Member Shura of Darul Uloom Deoband & Member of Parliament (Lok Sabha)

Published by
Markazul Ma’arif Education and Research Centre
Patiputra Nagar, Oshiwara, Jogeshwari (W), Mumbai-102
Delhi Branch: F12/8B, Jugaby Extn., Jamia Nagar, New Delhi-25
Ph. Nos. 022-26798538 (Mumbai)011-26982363 (Delhi)
Website: www.markazulmaarif.org
Email: manager@markazulmaarif.org