

# Components of an Ideal Islamic Marriage

---

In the Islamic Law, marriage is an *'aqd*, a contract. The components of this contract are as follows:

## Proposal

In Islam the process of proposal by a man to a woman for her hand in marriage, or for that matter, to her family, is encouraged. Islam considers this natural, and recommends it as an act of respectability and dignity for women.

## Mahr

And the intending husband is asked to offer a *Mahr* to the bride.

The Quran says, “**And give women their Mahr as a free gift, but if they of themselves be pleased to give up to you a portion of it, then eat it with enjoyment and with wholesome result.**” (*Surah an-Nisaa', 4:4*)

The following points are worthy of consideration:

- a) *Mahr* must be agreed upon by the marrying partners themselves, not by parents.
- b) *Mahr* is her right, to which her husband remains indebted.
- c) It is a free gift and not her price.

The *Mahr* may be cash, kind or non-material (like training or teaching something). It can be paid up front or can be in form of promise to pay upon demands decided prior to the solemnization of marriage.<sup>1</sup> *Moajjal* (immediate), *Muwajjal* and *Indat-talab* (on demand).

However, it is much recommended to pay it before or at the time of *Nikah* itself.

## The Nikah Ceremony

According to Shariah, the wife-to-be says, ‘An Kah’tu nafsaka a’lal mah’ril ma’loom’

“I have given away myself in *Nikah* to you, on the agreed *Mahr*.”

Immediately, the man (bridegroom) says, ‘Qabiltun Nikaha’.

“I have accepted the *Nikah*.”

With these pronouncements, they become husband and wife.

If the marrying partners are not able to recite the formula in Arabic, one or two persons or priests<sup>2</sup>

are appointed and authorized to officiate. One who represents the bride would first seek her explicit consent to officiate on her behalf, and so would the other who acts on behalf of the groom. Naturally, there would be a slight variation in the pronouncements, because the persons reciting them are appointees. A person who represents the bride would initiate by saying, "Ankah'tu muwakkilati muwakkilaka a'lal mah'ril ma'loom."

"I give away in *Nikah* the woman who has thus appointed and authorized me, to the man who has authorized you, on an agreed *Mahr*."

The groom's representative would respond, "Qabiltunnikaaha limuwakkili a'lal mah'ril ma'loom."

"I accept the *Nikah* on behalf of the one who has appointed me, on the agreed *Mahr*."

It is *mustahab* to recite a brief discourse or *Khutba* before the *Nikah* formula is enunciated. In this *Khutba*, Allah is praised for His Wisdom in regulating the lawful process of procreation, and then the traditions from the Prophet (S) are also recited.

### Time of Marriage Ceremony

Though basically marriage is allowed at all times, there are some days on which marriage is not recommended; some of these are based on *ahadith* and some on cultural, historical reasons. Generally, we can categorize these days into three: (a) There are some *ahadith* which say that it is *makruh* (not recommended) to have a marriage ceremony on the days when the moon is in the constellation of Scorpio (this is known as *al-qamar fil aqrab* or *qamar dar aqrab*), during the last two or three days of the lunar months, and on Wednesdays. (b) There are certain days of the Islamic calendar which have become associated with the early events of the Islamic history; for example, the 10th of *Muharram* is the day of mourning for the massacre at Karbala or the day of the Prophet (S)'s death in *Safar*, etc. Since such days are commemorated by the Muslims as days of mourning, it is socially and, to some extent, religiously not recommended to have a marriage ceremony on such days.<sup>3</sup>

The Shi'ah *Ithna Ashari* (Twelver Shi'ahs), especially in India and Pakistan, rarely perform marriage ceremony between the 1st of *Muharram* and the 8th of *Rabi al-Awwal* as this period includes the mourning days of *Muharram* culminating in the martyrdom of Imam Askari (A.S.). The 9th *Rabi al-Awwal* is celebrated as Eid-e-Zahra.

If there is a need, however, *Nikah* can be performed at any time.

## **Permission of the Bride-to-be/Father**

The girl's consent is necessary and has to be taken by her representative, directly.

In case of a virgin/spinster the father's or the grandfather's permission is also necessary. However if the permission is unreasonably withheld under some conditions or the girl has no father/paternal grandfather it is not necessary.

However, a woman who is not a virgin does not require any permission in case of remarriage.

## **Valima (Dinner)**

*Valima* is highly recommended on the groom. The relatives, neighbors and friends must be invited for *Valima*. However, lavish spending is not advisable especially when the same money can be used effectively by the couple.