

## The Purpose of Marriage

### 16.1 The Proper, Organized Satisfaction Of Moral, Sexual And Physical Needs

- **Quran - Surah Nisa - Ayat 3**

“Marry the women you like”

- **Hadees - Tirmizi: -**

“Family life is our way and one who is against it is not one of us.”

- **Hadees - Ibne Adati Alqanar: -**

“When a person, who is religious and of good character, gives a marriage proposal accept it right away, otherwise there will be great turmoil in the society.”

- **Hadees - Hakim: -**

“Women should be married to the men of their choice.”

- **Hadees - Ahmed: -**

“Proclaim publically about the marriage contract”

- **Hadees - Tirmizi: -**

When the prophet<sup>(1)</sup> of Allah discovered that the revered Mugheera bin Shoba<sup>(2)</sup> had presented a proposal for marriage, he advised Muqheera<sup>(2)</sup> that he should first have a look at the woman, then one can expect better relationship and love between the couple after marriage.



**Quran: Surah-e-Room – Ayat 21:**

“Another of His signs is that He created mates of your own kind for you so that you may find security, love and kindness. Certainly there are signs in this for those who use the power of thinking.”

**Quran: Surah Noor – Ayat 26 to 32 (extracts)**

“Bad women deserve bad men, and vice versa, but good women are for good men and vice versa - - - -”.

**Quran: Surah Noor – Ayat 30-31:**

“Tell the believing men not to gaze (at women) and protect their private parts (from immorality and sin). This is purer for them.

“Tell the believing women not to gaze (at men) and protect their private parts (from immorality and sin). And not to display their beauty except what is apparent (even after proper covering) and cover their bosoms with their head covering and not to show their finery (jewellery, make-up and clothes) except to their husbands, father, father-in-law, sons, stepsons, brothers, sons of their siblings, women attendants or captives, male attendants who have no desire (for women), or prepubescent boys. They should not walk in such a way that their jewellery jingles. O believers turn to Allah, every one of you, so that you may find success. Marry off those among you who are single, and those of your male and female servants (captives) who are righteous. If they are poor, Allah will grace them with riches, for Allah is Bounteous and All knowing.



Those who cannot afford to marry should abstain from what is unlawful until Allah enriches them by His Grace.

And free those captives who wish to buy their freedom after a written undertaking, if you know they have goodness, rather give them out of your own wealth that Allah has bestowed on you. Do not force the captive maids to prostitution for the benefits of this world, rather get them married if they agree. But if the captives are forced against their wishes surely Allah will forgive them for He is forgiving and kind.”

**The marital couple should cooperate in the rearing and training of the off-springs.**

- **Dar Mukhtar:-**

The following factors should be considered in a marriage (نكاح) contract:

- (a) It should be held publicly.
- (b) A sermon from the Hadees & Quran should be given before it takes place.
- (c) It should preferably be performed in a mosque (مسجد) on Friday, and in front of reliable witnesses
- (d) The groom should be greater in age, family reputation, wealth and the bride in love, character, righteousness and beauty.

**Dar Mukhtar & Dul Mukhtar**

A woman should marry a man who is righteous, affectionate, wealthy and generous, not one who is a bad character or sinful.

**Proposal and acceptance for marriage:-**

Either of the man or woman can propose, and the other can accept the proposal.



- **Alamgiri**

If at the time of the Marriage (نكاح) contract a groom accepts the bride's condition that she has the right of direct divorce just like the man, the wife can do that whenever she wants.

- **Bukhari, chapter 45, p. 75, Hadees 81:**

The revered companions Musdad<sup>(2)</sup>, Yahya<sup>(2)</sup>, Abdullah<sup>(2)</sup>, Saeed<sup>(2)</sup>, and Abu Hurara<sup>(2)</sup>, reported the prophet<sup>(1)</sup> of Allah as saying "A woman is married for four qualities i.e. wealth, family reputation, beauty and righteousness, but you should prefer the last quality, otherwise you will be destroyed."

- **Bukhari, Ch. 57, p. 82, Hadees 98: -**

The revered companion Jabir bin Abdullah<sup>(2)</sup> reported the prophet<sup>(1)</sup> of Allah as saying "You are not permitted to get married to the daughter of either the brother or the sister of your wife."

- **Bukhari, Ch. 58, p. 83, Hadees 101:**

The revered companion Ibne Umer<sup>(2)</sup> reported the prophet<sup>(1)</sup> as saying "A man should not marry the daughter of another man on the condition that the other marry his daughter and no marriage gift (مهر) is given to the two ladies." This is called Nikah-e-Shifar (نكاح شيفار).

- **Bukhari, Ch. 61, p. 84: -**

The revered companion Ali<sup>(2)</sup> told revered Ibne Abbas<sup>(2)</sup> that the prophet<sup>(1)</sup> of Allah, during the battle of Khyber, prohibited temporary marriage (متعة) and the flesh of donkeys.



**Bukhari, Ch. 66, p. 88 & 89, Hadees 114: -**

The revered Ayesha<sup>(2)</sup> stated that "There were four types of marriages in pre-Islamic days:-

- (a) The same as is today practiced. A man would give his marriage proposal to the guardian of the woman and give the marriage gift (مهر) and marry her.
- (b) Nikah Istubfae (نكاح استبضاع)
 

A married man would command his wife that after her menstrual period she should go to another man (that he would specify) and have sex with him, so that a child of good race may be produced.
- (c) Ten men would have sex with the same woman and get her pregnant. When the child was born she would summon all the men involved and then she would designate one of them as the father. This had to be accepted by all concerned.
- (d) Some women (prostitutes) would have sex with all who came to them. They lived in houses where flags were exhibited as a sign. When such a woman delivered a baby she would summon all the men concerned, as well as astrologers, who would then decide who was the real father. The nominated man would accept this and was henceforth known as the father of the child.
 

The prophet<sup>(1)</sup> of Allah allowed only the first type of marriage and forbade the rest."

**Surah Nisa - Ayat 23 & 24: -**

"Marriage is forbidden with mothers, daughters, sisters, your father's sisters, your mother's sisters, brothers' and sisters' daughters, foster mothers, foster sisters, your mothers-in-law, step daughters, if you have had sex with their mothers otherwise not, and wives of biological sons.



Also forbidden is to marry two sisters (simultaneously). However you can ignore that which has been done in the past for Allah is ever forgiving, merciful. Forbidden also are already married women except those Non Muslim prisoners of war (captives) who have been assigned to you. All the other women (beside those mentioned above) are permitted as wives, to be sought, after paying the marriage gift (مهر), so that you avoid the sin of adultery.”

### **Surah Baqra Ayat 220/221**

"Don't marry a woman who worships others besides Allah (مشرکه) until and unless she becomes a Muslim. A Muslim female servant is better than such a woman, even though you may like the former; and don't let a Muslim woman marry a person who worships others besides Allah (مشرک), until and unless he becomes a Muslim, for a Muslim slave is better than him, even though you may like the former. They invite you to hell and Allah invites you and commands you towards salvation and paradise, and shows his sign to the people so that people may be rightly guided."

### **Bahar Shariat**

A Muslim male can marry a female Christian or Jew although this leads to many problems; however they must be real followers of those religions and not atheists, communists or hold some other belief, as is common nowadays in Western countries.

### **Dar Mukhtar: -**

"A woman who gets pregnant after adultery can be married, however the husband can only perform intercourse if he is the one who got her pregnant in the first place, otherwise he must abstain till the birth of the child."



**Alamgiri:-**

A single pregnant woman cannot be married to any one except to the one who made her pregnant, if he is known.

**Dar Mukhtar: -**

"Marriage for a limited period (متعة) is forbidden even if the period stipulated is two hundred years."

**Hadees Abu Dawood: -**

The reverent companion Ibne Abbas<sup>(2)</sup> heard a woman tell the prophet<sup>(1)</sup> of Allah that her father performed her marriage to a person whom she dislikes. The prophet<sup>(1)</sup> of Allah stated that she has a right either to remain married or to break the marriage bond.

**Alamgiri & Dar Mukhtar: -**

Marriage of Muslim men or women can be instituted only if they are adult, of sane mind, and give their consent freely.

**Dar Mukhtar: -**

Marriage is not instituted if on the occasion of marriage (نكاح) a woman doesn't consent, rather says "It is better if she married some one else." However if she says these words after the marriage (نكاح) then the marriage contract is not affected..

To create a strong family and well knit society the relationship of men and women have been properly organized by Islam.

Marriage is encouraged, except with those women mentioned above, who form the internal family but extra marital sex is completely prohibited.



### 16.3 Marriages of the prophet <sup>(1)</sup> of Allah

#### Surah-e-Ahzab – Ayats 50, 51, 52

“I have made lawful unto you, O’ prophet<sup>(1)</sup>, wives to whom you have given their dower, and captive women Allah has given you, and the daughters of your father’s brothers and sisters, and the daughters of your mother’s brothers and sisters, who migrated with you; and any believing woman who offers herself to the prophet<sup>(1)</sup> (without demanding any dower), if the prophet<sup>(1)</sup> is willing. This is a privilege only for you and not the other believers so that you may be free of blame. I know what I have ordained for them (the other Muslims) about their wives and the captive maids they possess, for Allah is forgiving and kind.

You may defer the turn of any of your wives you like, and may take (to bed) any other you wish. There is no harm if you again take (to bed) any of those (whose turn) you had deferred. This would be better as it would gladden their hearts and they will not grieve, and each will be happy with what you give her. Allah knows what is in your heart, for He is all-wise and gentle.

No other women are lawful for you after this; nor should you change your wives for others even though their beauty appeals to you, except the captive maids. Allah is watchful over every thing.”

#### Important points on this issue<sup>(3)</sup>

(1) Mohammad<sup>(1)</sup> the prophet of Allah was allowed (contrary to other Muslims) more than four wives. At the time of his marriage to the revered Zainab<sup>(2)</sup> he already had four wives. First was the revered Sauda<sup>(2)</sup> whom he married three years before the migration to Madina. Second was the revered Aysha<sup>(2)</sup> with whom he had made a marriage (نكاح) contract three years before the migration but she became his





wife in fact in the first year of the migration.

The third was the revered Hafsa<sup>(2)</sup> whom he married three years after migration. The fourth was the revered Umme Salma<sup>(2)</sup> whom he married in the fourth year of migration. So the revered Zainab<sup>(2)</sup> was his fifth wife. In the above passage of the Quranic revelation Allah has declared that it is HE who had restricted all the other Muslims to four wives and also HE who has exempted the prophet<sup>(1)</sup> of Allah from this restriction.

(2) Besides allowing the prophet<sup>(1)</sup> more than four wives Allah has also given him permission to marry in other ways too:

**(a) Captive maids:-**

“Those captive maids that are assigned to you” Accordingly after the battle of Bani Quraiza he got revered Rehana<sup>(2)</sup>, after the battle of Bani Almustaliq, revered Javaria<sup>(2)</sup> and after the battle of Khyber, the revered Safia<sup>(2)</sup>. He freed all of them and then married them in the regular way. The fourth was the revered Maria<sup>(2)</sup> whom the ruler of Egypt had sent.

**(b) Female relatives:-**

“All those female first cousins who migrated (to Madina) along with you” This meant that all these female first cousins who sacrificed for their religion and left their home and hearth to join the new Islamic state. Of course such relatives can also be married by each and every Muslim too. In this category the prophet<sup>(1)</sup> of Allah married the revered Umme Habiba<sup>(2)</sup> in the year # seven of the migration (هجري). In Christianity a relative cannot marry a person who is less than seven generations away. On the other hand in Judaism one can marry the daughter of one’s real brother or sister.



Those women who desire to get married to the prophet<sup>(1)</sup> of Allah without demanding any marriage gift or money:-

In the seventh year of migration (هجري) he married revered Mezona in this way but later paid her marriage gift money too.

### **(3) The difference in rules that apply to the prophet<sup>(1)</sup> of Allah and the other Muslims:**

The prophet<sup>(1)</sup> of Allah was allowed to have more than four wives at a time and to marry women without paying the marriage gift money. However besides the rules of marriage there are several other commandments that show a difference too. For instance the middle of the night prayers (تجسس) was compulsory for the prophet<sup>(1)</sup> of Allah but not for the rest of the Muslims. Similarly the prophet<sup>(1)</sup> of Allah and his family were ineligible to receive the charity (سكوة) which was compulsory on Muslims. His property could not be inherited unlike other Muslims. It was forbidden for his widows to remarry but not so for others.

### **(4) Why the difference?**

Muhammad<sup>(1)</sup> prophet of Allah first married at the age of twenty five years the revered Kahdija<sup>(2)</sup>, a woman who was fifteen years his senior, and had no other wife for the next twenty five years. When this wife died he married an elderly lady, the revered Sauda<sup>(2)</sup> and for four years she was his only wife.

So it was not for sex that he was given more latitude in having and dealing with wives. He needed many women companions to guide the rest of the Muslim women, while he worked with the men.



He also cemented bonds of friendship with many tribes through marital relationships. Revered Aisha<sup>(2)</sup> was the daughter of the revered Abu Bakar<sup>(2)</sup>, revered Hafsa<sup>(2)</sup> of revered Umer<sup>(2)</sup>. Revered Umme Salma<sup>(2)</sup> belonged to the families of revered Khalid bin Waleed<sup>(2)</sup> and Abu Jehal. The revered Umme Habiba<sup>(2)</sup> was the daughter of revered Abu Sufian<sup>(2)</sup> and the fact is that he never opposed the Muslims after that. Revereds Safia<sup>(2)</sup>, Javeria<sup>(2)</sup> and Rehana<sup>(2)</sup> were from Jewish tribes, and the opposition of these tribes was greatly diminished after these marriages.

The marriage to revered Zainab<sup>(2)</sup> was for the purpose of rooting out the wrong belief that adopted sons were like real ones and that their divorced wives could not be married by the adoptive father.

#### **(5) Equality between all wives:-**

In spite of rights given to the contrary if needed, there is proof that he treated all his wives equally, and went to them by turn only, unless with the express permission of the wife concerned.

When he was so ill that he could not move about easily, then he asked permission from all his other wives to let him stay with the revered Ayesha<sup>(2)</sup>.

All these relaxations in the general rules concerning wives was due to the great responsibilities of propagating Islam and of establishing a society and state based on the religion. Just as the prophet<sup>(1)</sup> of Allah and his companions were sacrificing for the above mentioned work, in the same way the wives of the prophet<sup>(1)</sup> were called upon to make some sacrifices too, which it may be mentioned, they gladly accepted.

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(1) *May Allah bless with eternal peace*

(2) *May Allah be pleased*

(3) *From Maulana Maudodi's book "Purdah"*

