

## THE ESSENTIALS OF A MUSLIM MARRIAGE COVENANT

1. In Islam, marriage is a social agreement and a legal contract between the husband and the wife and with Allah as their Supreme witness.

Allah says in **Q (4:21)**; *“And how could you take it when you have gone in unto each other, and they have taken from you a solemn covenant?”*

2. Negotiating and signing a marriage contract is a requirement under Islamic law and certain conditions must be upheld in order for it to be valid.
3. Consent of partners: There must be a mutual agreement of both the groom and the bride to their marriage. Both must agree that none of them has been forced into their marriage ties.
4. However, they should be sexually pure. That is, a chaste lady should not be married to unchaste man or a chaste man to unchaste lady unless both are impure.
5. Consent of parents/guardians: The parents of the marrying partners should also give consent especially those of the woman. The woman can only be given in marriage by her father unless otherwise but a fellow woman cannot give her away.
6. Giving dowry (Mahr): The bride has a right to receive a gift from the bridegroom, which remains her own property as security in the marriage.

**Q (4:4)** states; *“And give the women on marriage their dowry as a free gift; but if they, of their own good pleasure, remit any part of it to you, take it and enjoy it with right good cheer.”*

Dowry can be given in form of cash or property or service rendered by the bridegroom to the bride herself as long as it is preferred by the bride.

Dowry is intended to assure the bride that she is wanted, loved and that the bridegroom is ready to meet his marital obligations. It is the bottom line of the marriage contract that legalizes sexual intercourse between the two couples.

7. Presence of witnesses: Two reliable male witnesses are required to verify and witness the marriage vows. They should be adult trustworthy Muslims able to hear the language being used. They act as referees in case there comes misunderstandings among the couples.
8. Registration of the marriage. To ensure the best marriage contract, one free from doubt of any kind, it is in accordance with the Islamic law that marriage is registered and a marriage certificate issued to the bridegroom.
9. Delivery of the sermon. The marriage sermon should be delivered before or after the announcement of the marriage. The purpose of the sermon is to give marriage a sacred character and to educate them about their mutual rights and duties for a purposeful marriage.

10. Publication of the marriage function. The marriage function should be publicized to distinguish it from adultery and fornication. The mutual consent of the couples-to-be does not constitute a marriage unless expressly publicized in presence of witnesses.
11. The publicity should be by gathering in a public place, beating drums or performing it from the mosque. It can also be at the groom's place or in any Islamically convenient place to the couples.
12. Marriage feast. After concluding the marriage contract, the couples should serve their invited guests with a simple feast depending on their economic status. Everything possible must be done to avoid extravagance.

The Prophet PBUH said; *“The most blessed woman is one whose wedding does not involve too much expense.”*

### **PROHIBITED MARITAL RELATIONS IN ISLAM**

1. In Islam, there are forbidden marriages i.e people a believer should not dare to take in marriage. Allah says in **Q (4:22-23)**;
 

*“And do not marry women whom your fathers married except what is past, it was shameful and odious, an abominable custom indeed. Prohibited to you for marriage are; your mothers, daughters, sisters, father's sisters, mother's sisters, brother's daughters, sister's daughters, foster mothers, foster sisters, your wives' mothers, your step daughters under your guardianship, born of your wives to whom you have gone in; no prohibition if you have not gone in, wives of your sons proceeding from your loins and two sisters in wedlock at one and at the same time except in the past... Also prohibited are women already married except those whom your right hand possesses...”*
2. From the above verse, the following marital relations are not allowed in Islam:
3. The marriage to mothers is absolutely forbidden. The mothers are everyone to whom you are related by childbirth. These include mothers (gave birth) and grandmothers.
4. Marriage to daughters is also absolutely prohibited. These include every female related to you by birth such as the daughter who springs from your own loin or daughters of sons and daughters.
5. Also absolutely forbidden to marry are the sisters from three directions; from the same mother and father or from just the father or just the mother (uterine sisters).
6. Marriage to paternal aunts, sisters of the father from three directions are forbidden, also the sisters of grandfathers through the father or mother, whether the grandfather is immediate or distant and whether he inherits or not.
7. Marriage to paternal aunts; the sisters of the mother from three directions are forbidden and all the sisters of grandmothers in the line of descent.

8. Marriage to nieces and any woman related the brother by birth is forbidden. This puts into consideration the daughters of the sisters as well.
9. Forbidden for marriage also are the foster mothers. They are the ones who have suckled you, their mothers and grandmothers and every woman related to them in any way.
10. Marriage to the mothers of wives is forbidden. Whoever married a woman, then everyone who is a mother to her by lineage or suckling, whether close or distant in relation becomes forbidden to him.
11. Marriage to stepdaughters is also prohibited. They are not forbidden except by consummation of the marriage with their mothers, including those under their guardianship. They include every daughter of the wife by lineage or suckling, close or distant in relation.
12. In addition, marriage to daughters-in-law is absolutely forbidden. That is, marriage to wives of one's sons and grandsons through lineage, suckling, whether close or distant in relation.
13. Furthermore, marriage to one's step-mothers is prohibited. That is, the wife of one's father whether he is close or distant in relation or whether he is related by lineage of suckling or whether still in marriage or divorced.
14. It is prohibited to be married to two sisters at the same time, whether they were sisters because of lineage, suckling, from the same mother and father, from one father or one mother and irrespective of whether the marriage to the sisters took place before or after consummation.
15. It is also forbidden to marry a woman and her paternal or maternal aunt at the same time.  
The Prophet PBUH said;                    *“One cannot be married to a woman and her paternal aunt or a woman and her maternal aunt at the same time.”*
16. In addition, it is forbidden to marry women who are already married i.e chaste women who have protected their private parts from adultery through marriage.
17. Suckling prohibits that which lineage prohibits. Every woman that is forbidden due to lineage is also forbidden due to suckling e.g mothers, daughters, sisters, paternal and maternal aunts and nieces.  
The Prophet PBUH said;                    *“What is forbidden by lineage is likewise forbidden by suckling.”*  
He also said;                    *“Suckling makes unlawful what birth makes unlawful.” (Muslim)*
18. Islam further prohibits Muslims from marrying a Mushirk. People who associate partners with Allah.  
Allah says in **Q (2:221)**;                    *“Do not marry unbelieving women until they believe... nor marry your girls to unbelievers until they believe...”*

19. It is forbidden to marry a pregnant woman until she gives birth and breastfeeds her baby for 2 ½ years.  
Q (65:4) states; “...and for those who carry life in their wombs, their period is until they deliver their burdens...”
20. It is not allowed to marry a divorced woman unless she completes her **IDDA** period which is 90 days. This is intended to determine whether she is pregnant or not as **per Q (65:1)**.
21. It is prohibited for a divorced woman to remarry to her formal husband unless she is taken by another man who formally divorces her and then the first husband takes her back as **per Q (2:230)**.
22. Another form of prohibited marriage is called **Shighar**, a form of marriage in Jahiliyya where one man would give his daughter or sister in marriage in exchange for another man’s daughter or sister without paying dowry. It was forbidden because it denies the woman her right of dowry.
23. Temporary marriages are forbidden in Islam. This is a form of marriage in Jahiliyya that is meant to last for a specified period in exchange for a certain amount of money. This is not allowed in Islam because marriage is a permanent relationship and continuous harmony not only between man and woman but also between them and Allah.