

Conditions of Valid Marriage

It should be clear that a Muslim should seek a righteous spouse for marriage. Religion and good character should be the top concern of every Muslim when looking for a spouse. This is compatible with the Prophet's guidance: **“If a person of acceptable religion and character presents himself for marriage, marry him, otherwise, there would be widespread sedition and rampant corruption in the land.”**

Therefore, we advise Muslim sister, to concern first of all with the morals and characters of the person she want to marry. For more information regarding the qualities one should look for in the spouse, we can read the following fatwa:

As for marriage contract, it should be clear that marriage, in Islam, is a solemn contract for which the Sharia lays down rules and arrangements to guarantee its stability.

In order for marriage to be recognized as valid it must fulfill some requirements such as that marriage must be expressed in clear and unequivocal terms signifying the full of consent of both male and female either in words or writing, that it should be witnessed by two reliable Muslim witnesses, and that it should also be publicized.

In this regard, **Sheikh Ahmad Kutty**, a senior lecturer and Islamic scholar at the Islamic Institute of Toronto, Ontario, Canada , states:

“The stated requirements of marriage in Islam are as follow: Full consent of both partners to the marriage, expressing the above consent through *ijab* (offer) and *qabul* (acceptance), finally the presence of two reliable witnesses. Apart from the above, in the case of females, their guardian’s consent has been considered essential for the validity of marriage according to the majority of imams and scholars. Imam Abu Hanifah, however, is of the view that a mature woman is fully capable of contracting her own marriage. Thus in his view, marriages finalized without guardian’s consent shall be considered as valid so long the woman has chosen someone who is considered as compatible.

Furthermore, scholars are also in general agreement to the fact that marriages should not remain a secret affair; rather they should be publicized. Another important integral of marriage is the bridal gift; although it is not essential to stipulate it in the marriage contract, nevertheless it must be paid either before consummation of marriage or after.”

Given the above, we do advise any Muslim sister to insist on fulfilling the Sharia conditions for a **valid marriage**. She may contact a nearby Islamic center or mosque Imam for counseling and help. Also, it is our advice to our Muslim sisters as well to get their parents involved in this issue for them to assure the stability and success of marriage.