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Chapter 3: The Islamic Marriage System

As you go further into the study of Islam, you will discover another beautiful facet of this religion, and that is that it provides complete guidance for all aspects of daily living. You will find that the instructions regarding marriage are particularly comprehensive in both the Holy Qur'an and Hadith (the sayings of the Holy Prophet, peace and blessings of Allah be on him). Marriage structures the basic unit of human society and lays the foundation of the family. Healthy families are required for the cohesive preservation of the human race. So Allah commands the believers to marry for its benefits morally, spiritually, socially, psychologically.

The Holy Prophet (peace and blessing of Allah be on him) said:

"Marriage is my precept and my practice. Those who do not follow my practice are not of me."

And

"When a man has married, he has completed one half of his religion."

The second Khalifa (successor) to the Promised Messiah has elaborated the role of marriage in fulfilling our obligations to our fellow beings which are next only to our relations to God. He emphasized:

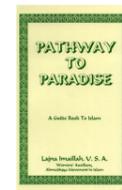
"It is our duty to see that it is duly respected and adhered to faithfully. It entails a heavy responsibility for both man and woman, but I find very few people realize it. When it is attempted, it is done on a very inadequate scale. The Islamic law has only distinguished between two sets of rules. One pertains to God Himself, and the other to our fellow beings. Marriage therefore falls into the second category and may be considered to be its chief proponent. The Islamic law has made the most of it, but there are many people that do not seem to understand [the law] fully. Neither do they try to benefit themselves by it. Their case is like that of a baby who would be quite willing to barter a precious diamond for a base coin. I wish people could only realize the importance of marriage."

As you can see, marriage is a very serious undertaking for a Muslim. However, you will discover a feast of intellectual, emotional and spiritual fulfillment as you find guidance from Allah and His Prophet (peace and blessings of Allah be on him) on marital/family relations, from proper mate selection to marital problem resolution. You will see an operational system where viable structure, clear responsibilities, roles and goals guide you; where checks and balances provide a safety net for all parties in a family. Of course, Islam presents the ideal. Its realization depends on the actions of each family member.

THE PURPOSE OF MARRIAGE IN ISLAM

As you will have gathered by now, Muslims cannot enter into marriage lightly, just on a whim. Allah has enjoined marriage for the believers for three basic reasons. They are:

1. To enable a man and a woman to live together and experience love and happiness, within Islamic law.
2. To produce children, and provide a stable and righteous environment for their upbringing.
3. To provide a legal union which safeguards society from moral and social degradation.

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The first two reasons are self-explanatory; both take into account the natural urges of human beings. The third point looks beyond the individual, and establishes marriage as the most important tool for creating an ideal society. How does marriage accomplish this?

First, you must understand that one of the most important moral values in Islam is chastity, i.e., the purity of both the individual and the whole society. Islam regards marriage as the means by which man's natural urges and needs, both physical and emotional, are controlled and satisfied at the same time. Uncontrolled and uninhibited satisfaction of physical desire is simply not permitted in Islam. Adultery and fornication are grave sins. A Muslim man cannot go to any woman and merely satisfy his physical desires; he has to do so through a legal contract of marriage, which carries with it the additional responsibilities, duties and liabilities of family and children for the rest of his life.

The result of this restriction is the creation of a society whose morals are protected. In fact, the Holy Qur'an mentions the marriage contract (nikah) by the word *ihsan*, which means a fortress. The man who contracts marriage is a *muhsin*, that is he builds a fortress. The woman who marries him is a *muhsinah*, which means that she has come into the protection of that fort, in order to protect herself and their morals.

PREMARITAL CONDUCT

It should be perfectly clear by now that Islam does not permit sexual relations, even preliminary acts of physical love, outside of marriage. To remain sexually inactive and chaste before marriage is an extremely important injunction in the Holy Qur'an. Adultery, fornication and having secret relationships with the opposite sex is a heinous moral lapse which is categorically condemned in the strongest terms by Islam. This prohibition includes dating, secret paramours and experimental living together. As these are regarded as heavy sins, they carry severe penalties. (See Holy Qur'an, 24:3-4).

As you have already read in Chapter 2, the Holy Qur'an has provided the means for maintaining chastity. It directs believing men and women to restrain themselves from looking at each so openly as to be sexually excited by them. It further directs them to restrain their ears from listening to flirtatious and tempting talk and to avoid occasions which might lead to temptation. Fasting, dieting and exercise also help to control passions and maintain chastity.

MATE SELECTION AND ARRANGED MARRIAGES

One of the key factors in building a good marriage is, of course, the selection of the right person with whom to spend the rest of your life. Here again, Islam provides guidance. The Holy Prophet (peace and blessings of Allah be on him) said:

"Some people marry for beauty, others for rank, and others for wealth; but you should marry a good and pious woman."

Piety, or moral goodness, is the most important quality to be sought in a potential mate. If you and your partner have righteousness, you will approach all aspects of marriage in a God-fearing way and will try to make a success of things. Other factors to be taken into consideration in mate selection are family background, age, education and interests. Prayer is also an essential tool for deciding on a prospective mate. Muslims are taught the *Istikhara* Prayer to seek Allah's guidance in making this important decision. (See Muslim Prayer Book, p.34)

With these injunctions in mind, marriages amongst Muslims are usually arranged, with the consent of both boy and girl. Parents or guardians arrange the marriages of their children once they reach a suitable age and level of maturity. If you have grown up in Western society, you may find this idea difficult to accept at first. But this method of mate selection has been practiced for hundreds of years and really does produce more stable and happy marriages. A comparison of divorce rates between Western society, where dating is the norm, and Islamic societies will clearly show that arranged marriages last longer and are more secure.

The reason for this is that parents or guardians usually know their child's character the best, and will try to choose a mate who is the most compatible. When a man and a woman are dating, there is the danger that the passions of the moment may overwhelm their reason and judgement. They may marry because of physical attraction only, and find incompatibilities in each other when it is too late. Physical attraction, or "being in love" can wear off quickly in the face of other problems and so lead to dissatisfaction and eventual separation. On the other hand, in an arranged marriage, physical attraction plays a minor role, and couples do not enter into marriage with the same expectation of "romantic love," but see it as a partnership where both have to make personal sacrifices and have to work at pleasing their mate. The gradual buildup of respect, trust and affection usually produces a bond between husband and wife which is stronger and more enduring than one based on physical attraction alone.

No marriage can be arranged and entered into without the consent of both man and woman. However, the woman needs a guardian or representative for the arrangement. The purpose is to safeguard her rights and to maintain her modesty. Islam allows both the man and the woman to see and talk to each other before the marriage, with a chaperon present at these meetings. (See: Khalifatul Masih IV, Questions and answers, 6/21/92).

If you have just accepted Islam and your parents are not Muslim, you will need to procure a guardian for yourself if you wish to be married. This can be done by either asking someone of your own choice personally, or requesting that the proper Jamaat authority recommend one. The guardian, who must be male, is responsible for protecting the legal, religious, social and marital rights of the bride. If any premarital counseling is required, the guardian acts in this capacity or arranges it.

The Ahmadiyya Movement Marriage Department has a data-bank of eligible men and women. Information will be made available about the appropriate Ahmadi eligible in the category (age, etc.) that would be of interest to you. If you are interested, ask your local Jamaat president how to contact the proper marriage secretary for placement of your name in the data bank. Naturally all information is strictly confidential.

PROHIBITIONS CONCERNING MARRIAGE

Allah has laid down prohibitions concerning marriage, and other aspects of relations between men and woman.

1. There are certain people that a Muslim is not permitted to marry. These are listed in the Holy Qur'an (see 4:24), and include mother, father, sister, brother, aunts and uncles, nephews and nieces. However, Muslims are permitted to marry cousins. There are still other prohibited marriage relationships. For example, a man cannot marry his stepdaughter if he has cohabited with her biological mother. Nor can he have two sisters in marriage at the same time. (See Holy Qur'an, 4:23).
2. Islam also makes clear whom a Muslim is allowed to marry as far as his/her religion is concerned. Marriage with an idolater is totally forbidden (see Holy Qur'an, 2:222) for both sexes. However, men are allowed to marry women of the "people of the Book" (i.e., those who follow a revealed scripture), although it is not considered preferable.

Furthermore, you should be aware that the Promised Messiah (peace be on him) limited the category "people of the Book" to Jewish and Christian women. He has also prohibited Ahmadi women from marrying non-Ahmadi men. The reasoning behind this is very sound. A woman is not permitted to marry outside her faith because when she is in her husband's home and environment, she and her children are exposed to non-Muslim and non-Ahmadi culture and practices. This makes it very difficult for her to remain steadfast in her own faith and bring up her children as Muslims. A man, on the other hand can more easily influence his wife and bring her into the Islamic way of life.

THE ISLAMIC MARRIAGE CEREMONY

There are a number of requirements for a marriage to be legal:

1. Both man and woman must willingly consent to the marriage before it can take place.

2. The marriage must be made public, with two witnesses from each side present at the ceremony. Islam does not allow secret marriages.
3. The groom and the bride's guardian must be present at the Nikah. The bride may or may not be present.
4. The dower (mehr) is a mandatory gift from the husband to the wife. (See Holy Qur'an, 4:25). This sum should be proportionate to the husband's means. The dower amount is announced at the time of the marriage ceremony. It can be given all at once or in incremental payments. Once given, it is solely the property of the wife and she may do with it as she pleases. The amount should be agreeable to both parties.
5. The actual marriage ceremony (nikah) is performed by a lawful Islamic authority, perhaps a missionary or the President of the Jamaat. The procedure of the religious ceremony itself is simple. Once the marriage (nikah) forms are filled out, and the nikah is publicly announced and witnessed, the contract is legal. The person officiating recites the nikah sermon which was recited by the Holy Prophet (peace and blessings of Allah be on him) and asks for the consent of both parties. This is followed by prayer. (See Muslim Prayer Book).
6. Couples must get a legal marriage license and whatever else is required by the law of the land. In some U. S. States, the law requires that the person performing the nikah must be civilly licensed. If so qualified his solemnizing of the rituals is sufficient to legalize the marriage. If he is not licensed, the couple must precede their religion ceremony with civil ceremony, usually performed at the City Hall. The guardian of the bride should ensure that these steps are followed so that the bride's rights as a wife are legally and civilly protected.
7. The tradition (sunnah) of the Holy Prophet (peace and blessings of Allah be on him) requires a reception (walimah) to be given by the groom after the marriage to celebrate the consummation of the marriage. This is a mandatory part of the marriage celebration and should be on a scale according to the husband's means. The present Khalifa has recognized the need for hospitality but has cautioned Muslims against extravagance in marital celebrations.

RELATIONSHIP OF HUSBAND AND WIFE IN THE MARRIAGE BOND

Here again, you will find that Islam provides guidance for every aspect of family life. The role of husband and wife are clearly defined so that each knows what is expected of them. Islam views marriage as an equal partnership between two people, by which they can gain Allah's pleasure through mutual cooperation, trust, respect and faithfulness. If you adhere to the following guidelines laid down by Allah, you will be able to enjoy a successful partnership.

1. Each partner in the marriage has been assigned a particular role. Allah says in the Holy Qur'an:
"He said, our Lord is He Who gave unto everything its proper form and then guided it to its proper function." (20:51)
 Accordingly, man has been assigned to working outside the home as the breadwinner because of his greater physical strength and psychological abilities; likewise woman is physiologically and emotionally suited to bearing children and has been made responsible for their upbringing and maintaining the home.
2. To ensure the smooth running of the partnership, one partner has been put in charge. Allah has appointed the husband to act as a "guardian" over his wife (see Holy Qur'an, 4:35). This does not give him the right to dominate his wife or abuse her in any way. It simply means that he is responsible for her well-being and that he has to spend out of his earnings to maintain the family and the household. In return, his wife is expected to obey him.
3. Mutual respect and cooperation are essential to producing a good relationship between husband and wife. Allah says:
"They are a garment for you, and you are a garment for them..." (Holy Qur'an, 2:188)

Clothing is worn for protection, adornment and to hide defects. In the same way, man and woman should protect each other's honor and morals, and make each other feel secure with love, support and understanding. They should keep each other's secrets and should not air each other's shortcomings in public.

The Holy Prophet (peace and blessings of Allah be on him) was very concerned about the welfare of women. He constantly advised his followers to treat their wives with kindness. His own conduct with his wives provides the perfect example. Some hadith are:

1. "The most perfect believer in the matter of faith is he whose behavior is best; and the best of you are those who behave best to their wives."
2. "Let no Muslim man entertain any rancor against a Muslim woman. Should he dislike one quality in her, he would find another which is pleasing."

FAMILY PLANNING AND BIRTH CONTROL

The Qur'an advises that there should be a two-year interval between the birth of each child to allow the mother's body to rejuvenate (see Holy Qur'an, 31:15; 2:234). It also recommends nursing for a two year period to help achieve this. Abortion is forbidden as a means of birth control, although it is permitted if the life of the mother is in danger.

Birth control is prohibited if resorted to for fear of financial strain. Please remember also that the use of birth control to avoid the responsibility of child rearing nullifies one of the primary reasons for marriage. This attitude is opposed to the spirit of Islamic teachings on marriage.

POLYGAMY

This is a subject that generates more misconceptions about Islam than any other. Islam does allow polygamy, i.e., having more than one wife at the same time, but you should be aware that it does not encourage it. In fact, Islam is the only religion that limited this ancient and widespread practice. Previous teachings permitted unlimited and unrestricted polygamy. Islam limits the number of wives allowed to four, and also discourages the practice. Allah says:

"But if you feel you many not be able to deal justly between them, then marry only one."
(Holy Qur'an, 4:4).

If a man cannot be satisfied with one woman, it is better for society that he assumes full moral and financial responsibility for a second one. Having a mistress and committing adultery is a grievous sin and causes moral decline of society.

Polygamy becomes a necessity under certain circumstances, but can only be practiced only under certain conditions, and then with restrictions. A man can marry again if his wife is chronically ill and cannot fulfil the obligations of marriage; or if she is unable to have children; or under certain conditions of wartime, when marrying widows to provide for orphans may be necessary to protect the morals of society. Also it must be emphasized that Ahmadiyya Movement policy requires that Ahmadi citizens obey the law of the land in which they live as long as that law does not conflict with an express command from Allah.

Islam forbids polyandry which is when a woman is married to more than one husband. Women who are married to chronically ill, sterile or impotent husbands are allowed recourse to divorce, if they feel the situation is unbearable.

DIVORCE

Islam permits divorce, but according to the Hadith, it is one of the most displeasing acts in the sight of Allah. In fact, the divorce procedure is so designed to allow every chance for conciliation. Under Islamic law, divorce must be pronounced three times, with an interval of a month between each pronouncement. During this time, the wife stays in the family home (unless she has committed adultery), and reconciliation is encouraged. If the divorce does become final, the husband is instructed to "send her away in kindness." He is financially responsible for his children until they come of age, and is responsible for his wife for a period (iddat) after the divorce.

Some acceptable reasons for divorce in Islam are:

1. Adultery, but four eyewitnesses are required if the accused mate denies it.
2. Husbands' refusal to economically maintain the family.
3. Husbands' refusal to have conjugal relations for more than three months.
4. Physical or sexual abuse of a spouse or children.
5. Incompatibility of spouses to such a degree that differences cannot be reconciled.

Divorce may be initiated by either husband or wife. If the husband seeks the divorce, it is called talaq, and he may not ask the return of any gifts he made to the wife. If the wife wants the divorce, it is khulla, and she should return her dower. Both divorced men and women are permitted to remarry (other mates).

FOR FURTHER INFORMATION

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See appendix for additional references.

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