

# **The Fiqh of Marriage in the Light of the Quran and Sunnah**

**Covering the Dower, Wedding Night,  
Wedding Feast and Rights of the Husband  
and Wife**

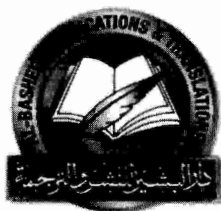
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## **Translator's Introduction**

In the name of Allah, Most Compassionate, Most Merciful

All praises are due to Allah; we praise Him; we seek His help; we seek His forgiveness; and we seek His guidance. We seek refuge in Allah from the evil in our souls and the badness of our deeds. For whomever Allah guides, there is none to lead him astray. And for whomever He allows to go astray, there is none to guide him. I bear witness that there is none worthy of worship except Allah, for whom there is no partner. And I bear witness that Muhammad is His servant and Messenger.

The vast majority of Muslims will get married at one time or another in their lives, if they have not already done so. Marriage is definitely one of the most important events that takes place in one's private life. However, like all other aspects of one's life, one must be careful to follow the proper steps when it comes to marriage. One must be guided by the laws of Allah when it comes to the marriage proposal, seeing the prospective bride, the marriage contract, the marriage ceremony, the dower and so forth. Too many times these issues are ruled not by Islamic law but by the prevalent customs of the people. The customs have become the standard to such an extent that many people are not aware that some of those customs are in contradiction with what the Quran and sunnah have laid down as guidance for mankind. The situation has sometimes deteriorated to the point that when people are told of the true teachings of Islam concerning marriage, they reject it as something foreign and alien to what they have come to know as "Islam."

It is imperative that all Muslims return to the Quran, sunnah and Islamic fiqh to guide them in matters related to marriage. Every aspect of a person's life should be guided by the revelation and guidance that has come from Allah. This is true for everything from the way the government runs to how a person treats his or her own spouse. No action

falls outside of the watchful view of Allah and, hence, no action falls outside of the guidance of His religion.

Dr. Saalih ibn Ghaanim al-Sadlaan (may Allah reward him and preserve his life) has striven to remove much of the mistaken notions concerning married life in Islam. He has written three small but excellent works that cover some of the most important aspects of marriage. One of these works concerns marital discord (*al-nushooz*). A second work, of which a new edition is currently being prepared, deals with "pre-nuptial contracts" or conditions in the marriage contract. The third work, which is now before the reader, is a more general discussion of the basic aspects of the dower, the marriage ceremony and wedding party, and the rights of the husband and the wife. It is hoped that these works will allow Muslims to understand and implement the guidance of Islam related to marriage. In doing so, they will lead themselves by the grace and mercy of Allah to the best way of life in this world and to Allah's pleasure in the Hereafter.

I would like to express my personal thanks to Shaikh Saalih al-Sadlaan for giving us the permission to translate this work and his other works. I would also like to thank Br. Homaidan al-Turki for his relentless efforts in getting these works published. I must also thank the sister, who prefers to remain anonymous, who edited and commented upon the manuscript. And last but not least, I would like to thank my beloved wife for her continual support, help and patience. May Allah reward all of them with a great reward in both this life and the Hereafter.

The translator,

Jamaal al-Din M. Zarabozo

Boulder, CO

January 25, 1999

## Introduction to the Second Edition

All praise be to Allah who created for us spouses from our own selves and has placed between us love and mercy. That is one of His great signs.

Peace and blessings be upon the one to whom his Lord said, "We have sent messengers before you and We made for them wives and offspring" (*al-Raad* 38), our Prophet Muhammad. Upon him be the best of blessings and most complete peace.

To proceed:

Since the issues related to married life, wedding feasts and consummation are among those issues for which people need explanations with *shareeah* evidence, I thought it good to write about what every Muslim should know concerning these matters.<sup>1</sup>

I have joined together two of my books in this research that is in front of you. Those works covered the dower, wedding party, manners related to the night of the wedding and the obligatory rights of each spouse. I have also added discussions clarifying some of the negative aspects and mistakes that some people commit concerning those topics.

This is the second edition of this book. The necessary corrections to the first edition were made. Care was also taken to discuss the sources of the hadith and to clarify matters that needed to be clarified. In addition, some new topics were discussed.

This is my striving and Allah is the one to be asked to make it beneficial when it goes back to Him. And He is the one to be asked to

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<sup>1</sup> We have written two other books related to marital issues. These are *al-Shuroot fi al-Nikaah* ("Conditions in the Marriage Contract"), which was completed in 1391 A.H. and for which a second edition is under preparation, and *al-Nusbooz* ("Marital Discord") which was completed in 1412 A.H. [By the grace and mercy of Allah, *al-Nusbooz* has been translated into English and published by al-Basheer Company for Publications and Translations. The other work, *al-Shuroot*, is a future project, Allah willing, of al-Basheer Company.—JZ]

make it on the scales of my good deeds on the day in which wealth and children will not avail anyone except for the one who comes to Allah with a pure heart. And may the peace and blessings be upon our Prophet Muhammad, his family and all of his Companions.

Saalih ibn Ghaanim al-Sadlaan  
(may Allah pardon him, his parents and all Muslims)  
2/15/1416 A.H.  
Riyadh, Saudi Arabia

## Introduction to the [First Edition] of the Book

There came over woman a period of time in which her situation was restless. Her affairs were not calm at all. She was helpless and feeble. Her rights were stolen from her. She was robbed of her very will, smashed of her soul. She was being overpowered in her affairs, despised in her place and dependent upon others with respect to her own dealings.

The Roman husband could have her put to death whenever he willed. The Greeks considered her a piece of chattel. The Jews despised her and considered her something impure. Worse than that, the Christians were at a loss concerning her, not knowing if she were a human with a soul or without a soul. Finally, she was taken as a bad omen, which resulted in female infanticide, as was the case with the Arabs in the Days of Ignorance.

After all of that misery that she had to taste and all of that suffering that her heart had to swallow throughout the ages, the light of Islam shined and established the balance of truth for the honor of women. Islam gave her all of her rights, without any shortcoming. It raised her being from the shackles of disgrace that she had been facing throughout history. Islam announced her complete humanness and her qualifications for complete rights. It also protected her from being the plaything of desires and the trial of being simply a source of sexual, animalistic enjoyment. It made her an active component in furthering the society, in holding it together and keeping it wholesome.

The fundamental reforms and *shareeah* rights brought about by Islam included her receiving rights over her husband, in the same way that he has rights over her. These rights also include:

The dower: This is property exclusively for her possession and is one of her rights, as a token of respect for her and as a symbol of her worth and indispensability. It does not mean that she is a piece of merchandise that one buys. Instead, it is a symbol of honor and esteem.



It is also a sign of affection and a builder of the ties of love and mercy. It is also something that takes into consideration the woman's natural desire for possessions and adornments. It is also a clear sign of the husband's determination to bear the responsibilities of marriage and to fulfill her rights. It is like a first step in the many practical steps to improve the situation of the wife and to make her realize her place in society and to make her realize that [as a wife] she is something sought after and wanted.

For those and other noble purposes, the value of the dower over the years was always something simple and easy upon the people. It was always something that was available at that time, place and environment. However, when the level of faith decreased, customs began to dominate the people and the people became richer; consequently, modern-day civilizations became filled with matters that never existed before. The people invented innovations and evil practices that have no tie with Islam whatsoever, nor with their blood or reasoning.

Among those innovations and evil new practices are some of the things that take place during the proposal stage, such as the man and woman being alone together, the wearing of engagement rings and very expensive dowers with all of the societal problems that such dowers have caused. Things might even change before the proposal is completed.

Among those innovations are also what occurs at the time of the wedding: extravagance, pomp and boasting over the wedding party and dinners, announcing the wedding according to customs that are improper, such as with singing and dancing, honeymoons and so forth.

The reader shall find in this book, by the help of Allah, details concerning all of those phenomena and their cures in the light of the Quran, sunnah and statements of the scholars, past and present, based on evidence, ending with the strongest opinion and the reason it is the strongest.

In order for the key aspects of this book to be clear and to bring forth its benefits in the best way, I decided to arrange the book in the following manner:

First: The dower— the reader will find the details of its fiqh rulings in their proper places in the book.

Second: Announcing the wedding— its meaning, how it is to be done and related matters.

Third: The wedding dinner— and the customs that have been tied into it as well as a detailed fiqh discussion of many issues related to this topic.

Fourth: Giving congratulations upon a marriage— its ruling and how it is to be done as well as customs and negative aspects that have been related to it.

Fifth: A message concerning a problem and its cure.

Sixth: Manners concerning the wedding night and marital relations.

Seventh: The rights of spouses.

It is hoped that the benefit of this work will be general. And Allah is the guide to the straight path.

Dr. Saalih al-Ghaanim al-Sadlaan  
Riyadh, Saudi Arabia  
1412 A.H.