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# **B.A.LL.B. IV-SEM**

## **MUSLIM LAW**

BY

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## Concept of Marriage According to the Quran

#### Marriage is a sign of Allah

- And his sign is that he has made for you, your spouse, that you (may) find rest in them, and he has made harmony and kindness among you. Certainly it has signs for those who meditate. (Surah Ar- Rom, Ayat-21)
- 2. Allah does not like people who stay away from Marriage
  - a. Marry, even if to a slave man: "Whoever cannot afford to marry free Muslim women, should marry one of the Muslim slave girls in your possession; Allah has full knowledge of your faith."
  - b. Encourage marriage: "Arrange marriages for between the single men and women among you and between your slave men and slave women, who are righteous. If they be poor, Allah will enrich them from His bounty, and Allah is all-Encompassing and Knowing." (Surah Noor-32)

#### 3. For those unable to marry:

And let those who find not the financial means for marriage keep themselves chaste, until Allah enriches them of His Bounty. And such of your slaves as seek a emancipation, give them such emancipation, if you know that they are good and trustworthy. And give them something yourselves out of the wealth of Allah which He has bestowed upon you. And force not your maids to prostitution, if they desire chastity, in order that you may make a gain in the (perishable) goods of this worldly life. But if anyone compels them (to prostitution), then after such compulsion, Allah is Most Merciful (to those women, i.e. He will forgive them because they have been forced to do this evil action unwillingly).

#### 4. Relatives with whom marriage is forbidden

- 1. "And marry not women whom your fathers married except what is past: It was shameful and odious an abominable custom indeed." (Surah Nisa 22)
- 5. Forbidden to you (for marriage) are: your mothers, your daughters, your sisters, your father's sisters, your mother's sisters, your brother's daughters, your sister's daughters, your foster mother who gave you suck milk (your [milk] mothers who nursed you), your foster milk suckling sisters, your wives' mothers, your step daughters under your guardianship, born of your wives to whom you have gone in but there is no sin on you if you have not gone in them (to marry their daughters), and it is unlawful for you to keep two real sisters as wives at one and the same time, though what happened in the past is expected, and Allah is indeed Forgiving, Merciful. And you are forbidden to stay with other people's wives. It is the law of Allah that has been prescribed for you.

#### 6. Marrying someone from the People of the Book

**1.** "This day all good things have been made lawful to you. The food of the People of the Book is permitted to you, and your food is permitted to them. And so are

the virtuous women of the believers and the virtuous women of those who received the Scripture before you (lawful for you) when ye give them their marriage portions and live with them in honour, not in fornication, nor taking them as secret concubines. Whoso denieth the faith, his work is vain and he will be among the losers in the Hereafter. (Surah Maidah- 5)

### 7. If you cannot do justice amongst your wives then stick to only one

1. And, in case you fear that you will not act equitably towards the orphans, then marry such women as is good to you, two, three, four, (Literally: in twos and threes and fours) then, in case you fear that you will not do justice, then one (only), By doing this you will avoid injustice." (Surah Nisa-3)

### 8. Giving Mehr

1. And give to the women (whom you marry) their Mahr (obligatory bridal money given by the husband to his wife at the time of marriage) with a good heart, but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allah has made it lawful). (Surah Nisa – 4)

#### Reference

- 1. Holy Quran
- 2. www.islamandquran.org
- 3. www.quran.com

### 4. www.islamweb.net