

Marriage

Marriage is a solemn contract between a man and a woman, each giving his or her consent freely and without any duress, to become life partners and enjoy the rights conferred and fulfill the obligations imposed by the shariah.

The basic requirements are free consent, the mahr (dowry) and the recitation of the marriage formula (the aqd) in the prescribed form and perfect Arabic. The mahr is the giving or a promise to give any sum of money to the bride and/or to fulfill any condition or obligation that the bride may impose.

The parties may recite the aqd themselves or appoint agents to do so on their behalf.

According to some Shiah jurists the bride may, in the mahr, confer upon herself a right to divorce, or provide for the division of property of property in the event of divorce or any other condition to reserve for herself any right or benefit which under the shariah she would not normally enjoy.

The relationship between husband and wife must be founded upon love and mutual tolerance:

“And of His (God's) signs is that He has created for you mates from amongst yourselves so that you might find comfort and solace in them, and He has ordained between you love and mercy.”

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً ۗ إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ
يَتَفَكَّرُونَ

And one of His signs is that He created mates for you from yourselves that you may find rest in them, and He put between you love and compassion; most surely there are signs in this for a people who reflect. (30:21)

There are many traditions and sayings on this subject. Two are given below:

1. May Allah bless the man who lays the foundation of his relations with his wife on goodness. (Imam Ja'far Sadiq)

2. A man must honor and love his wife. (The Prophet)

Temporary Marriage (Mutah)

The Shiah law also permits temporary marriages. It has the same rights and obligations as a permanent marriage except that the marriage will terminate by effluxion of time, and, if the parties so agree, the relationship may be for companionship only without consummation.

Polygamy

A marriage with up to four wives is permitted. There are, however, strict conditions as to equal and just treatment of all the wives.

Divorce

Islam permits divorce where the marriage has irreparably broken down. But first there must be a process of reconciliation in which the elders of the two families as well as of the community must strive to get the parties to reconcile.

The Prophet has said that of all the permissible things divorce is the most detestable to Allah.

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