

111980 - What are the defects that must be disclosed to a potential marriage partner?

the question

I have been suffering from a mental illness for several years. For a while, I have been praying regularly, reading Qur'an, remembering Allah (dhikr), giving charity and helping people a great deal, and I am much better, but I feel that the illness is still lurking. Is it obligatory for me to inform anyone who proposes marriage to me about that?

Detailed answer

We ask

Allah to heal you and grant you well-being. It seems to us that this illness is not real. If we assume that it is real, then we would say: if this illness would not have any impact on married life or on raising children, then there is no need to inform a prospective marriage partner about it. But if it does have some impact, in the sense that it may result in some problems after marriage that would prevent you from developing bonds of love and creating a tranquil home, then you must tell him about that, because concealing it would be a kind of deceit. It is proven that deceit is forbidden in general terms from the hadeeth of Abu Hurayrah (may Allah be pleased with him), according to which the Messenger of Allah (blessings and peace of Allah be upon him) said: "Whoever deceives (people) does not belong to me." Narrated by Muslim, 102.

You should

not pay any attention to imaginary things with regard to your illness. Most such things are tricks of the Shaytaan, and are aimed at preventing you from getting married and keeping yourself chaste.

The basic

guidelines with regard to informing a suitor about illness in the prospective wife are as follows:

1.

if the

sickness will have any impact on married life and will affect the wife's ability to fulfil her duties towards her husband and children;

2.

if it will

be off-putting to the husband because of its appearance or smell;

3.

if it is

real and permanent, and is not something imagined or temporary that will disappear with the passage of time or after marriage.

The

scholars of the Standing Committee for Issuing Fatwas were asked:

There is a

young woman who is occasionally affected by periods of insanity, then it goes away again, and she goes back to normal for a period that may be long or short. Sometimes prospective suitors come to propose marriage to her, the family finds it difficult to arrange a marriage for her, because they do not know how to tell the prospective suitor about the situation and they are very hesitant, which leads to missing out on the opportunity to get married. Recently the family have decided that they would rather get her married to a person who has some kind of disability or other problem, so that it will be easier for him to accept her. Now there is a potential suitor who is

infertile, and another who is the son of her paternal aunt, who has proposed to her and has stated that he is aware of her illness. But the problem is that the mother of this young man – i.e., the paternal aunt of the girl – has the same sickness, and when we asked the doctor what he thought about this marriage, he said that he did not recommend it, because the probability of having children who were affected by the same illness was great.

My question is: what is the Islamic ruling on such a marriage? If it turns out that it produces a child who is also ill, will we have the ones who are responsible for that, as we would have played a role in bringing about this marriage? Please note that the possibility of producing children who are also ill is great.

They replied:

You should not prevent the girl from getting married, and you should give her in marriage to this man who has come to propose to her, and leave the matter to Allah. You should ignore the doctor's advice which is based on probability, because marriage serves a purpose for both parties and protects the girl from the risk of spinsterhood, on condition that she agrees to marry the man of whom her guardian approves for her.

Shaykh 'Abd al-'Azeez ibn Baaz, Shaykh 'Abd ar-Razzaq 'Afeefi, Shaykh 'Abdullah ibn Ghadyaan, Shaykh Saalih al-Fawzaan, Shaykh 'Abd al-'Azeez Aal ash-Shaykh.

Fataawa
al-Lajnah ad-Daa'imah,
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They were
also asked:

If a girl
has a problem in the uterus or with her menstrual cycle that requires
treatment which may delay any chance of bearing children, should the suitor
be told about that?

They
replied:

If this
problem is something temporary, something that happens to women then
disappears, then it is not necessary to tell the suitor about it. But if
this problem is a serious disease or it is not a minor, temporary problem,
and the proposal comes when she still has this problem and has not been
healed of it, then in that case her guardian must inform the suitor of it.
End quote.

Shaykh
'Abd al-'Azeez Aal-ash-Shaykh, Shaykh Saalih ibn Fawzaan al-Fawzaan, Shaykh
Bakr Abu Zayd

Fataawa
al-Lajnah ad-Daa'imah,
19/15

Shaykh
Muhammad ibn Saalih al-'Uthaymeen was asked:

There is a
man who proposed marriage to a woman, but it is known that this woman has a
physical defect, which is hidden and not obvious, and there is the hope that

it may be cured, like leprosy and vitiligo. Should the suitor be told about that?

He
replied:

If a man proposes marriage to a woman, and she has a hidden defect, and there are people who know about it, then if the suitor asks about her, it is obligatory to disclose it. This is quite clear. But if he does not ask, then he should be told about it because this comes under the heading of sincere advice, especially if it is something that there is no hope of it going away. But if there is hope of it going away, then this is easier. However there are things that may go away, but they go away slowly, such as leprosy for example - if it is true that it may go away, but up till now we know nothing to suggest that it may go away. So there is a difference between that which it is hoped will go away soon and that which it is hoped will go away later on. End quote.

Liqaa'at
al-Baab al-Maftooh,
5/ question no. 22.