

152464 - A new Muslimah is asking about problems in her marriage

the question

Im worried if my marriage is valid, the ceremony was in english but the witnesses did Not understand english!(i even stopped the wedding but was told one was an imam, one hafiz!but not english speaking!)

2)the mahr was not given (and i didnt agree to delay)

3)the marriage was not properly consumated we found out on wedding night that he has "retarded ejaculation" (this means no chance of children or real satisfaction)

4) 2 days after marriage he left to do 40 days dower with tablighi jamaat i only had 1 fone call, to me this is not how to look after your family and how can you pay to do dower but not pay mahr? help i am a convert and need some advice please!

the appointed wali also conducted the ceremony and is my husbands friend. as i am revert i dont have family for maharam. i am doing so much dua but feel ashamed and embarrassed

Detailed answer

Firstly:

We ask Allah to make you steadfast in adhering to His religion and to guide you.

We are happy to hear of your coming to Islam and emerging from the darkness of kufr to the light of faith.

“Say: ‘In the Bounty of Allah, and in His Mercy (i.e. Islam and the Quran); -therein let them rejoice.’ That is better than what (the wealth) they amass”

[Yoonus 10:58].

Secondly:

Having witnesses to the marriage contract is one of the conditions of it being valid, but announcing the marriage does away with the need for witnesses, because it serves the same purpose and more. See the answer to question no. [112112](#).

Thirdly:

The marriage contract is valid if done in a language other than Arabic, but it is stipulated that the witnesses should know that language, because the witness is going to bear witness to what he hears; if he cannot understand anything, his witnessing is not valid.

But announcing the marriage does away with the need for witnesses as stated above. So if the marriage was announced and become known among a number of Muslims, then the marriage is valid.

Fourthly:

If the marriage contract was done without stating the mahr, then it is valid. In that case the woman is entitled to a mahr like that of her peers (other women like her).

It says in al-Mawsoo'ah al-Fiqhiyyah (39/151): The mahr is obligatory in all marriages, because Allah, may He be exalted, says (interpretation of the meaning):

“All others are lawful, provided you seek (them in marriage) with Mahr (bridal money given by the husband to his wife at the time of marriage) from your property”

[an-Nisa' 4:24].

So the permissibility of marriage is connected to it, although mentioning the mahr in the marriage contract is not a condition of the marriage being valid. So it is permissible to do the marriage contract without naming the mahr, according to the consensus of the fuqaha'.

See also the answer to question no. [111127](#)

Fifthly:

It is not valid for a woman to get married without a guardian, because the Prophet (blessings and peace of Allah be upon him) said: “There is no (valid) marriage without a guardian.”

Narrated by Abu Dawood, 2085 and others; classed as saheeh by al-Albaani in Saheeh Abi Dawood.

If there is no guardian present or he is not qualified to be the woman’s guardian, then guardianship with regard to her marriage passes to the ruler or the one who acts on his behalf. If there is no Muslim ruler either, the director of the Islamic Centre, the imam of the mosque or one of the scholars may act as her guardian in marriage. If none of these are available, then a Muslim of good character may act as her guardian in marriage with her permission.

The scholars of the Standing Committee for Issuing Fatwas said:

If the woman does not have a Muslim guardian, whether he is a relative or otherwise, then the director of the Islamic Centre in your country may act as her guardian in marriage, because he takes the guardian’s place in cases such as this. The Prophet (blessings and peace of Allah be upon him) said: “The ruler is the guardian of the one who has no guardian.” The head of the Islamic Centre has authority in his locality, because there are no Muslim judges in that locality. End quote.

Fataawa al-Lajnah ad-Daa’imah, 3/387

What appears to be the case is that your marriage is valid, because this man who did the marriage contract acted as your guardian for the purpose of the marriage contract, as you did not have a guardian.

But it would have been better had the marriage been performed by the director of the Islamic Centre in your city.

For more information please see the answer to question no. [48992](#)

Sixthly:

Jamaa'at at-Tabligh is an Islamic organisation that is prominent and active in the Islamic field and it has done a lot of good work in calling people to Allah, but there are some points to be noted with regard to matters of 'aqeedah (belief), ideology and level of scholarship. For information on that, please see the answer to questions no. [8674](#), [39349](#), [47431](#)

Going out with them and leaving you during the first days of your marriage is something that your husband should not have done.

But it is essential to think positively of him; his going out with them two days after getting married indicates that the man is eager to call people to Allah.

Seventhly:

Having a wedding party is not a condition of the marriage being valid. Whether it is done correctly or otherwise makes no difference to the validity of the marriage. But it is essential to make it free of evils that are all too common in wedding parties, such as indecent songs, music, free mixing, showing of adornment and so on.

Eighthly:

The fact that your husband suffers from problems in ejaculation or that the possibility of having children from him is low, and that sexual satisfaction is also low are all problems that can be treated by going to a specialist doctor.

We advise you to be patient, careful and wise in making decisions. You are in a situation in which it might not be appropriate at all to think of leaving him. If it is possible for the imam of the mosque who was present at your wedding or another trustworthy Muslim who is known to be knowledgeable to intermeditate with your husband and advise him of his duty to treat his wife kindly and take care of her rights, that may be a good idea.

We ask Allah, may He be exalted, to reconcile between you and set things straight between you.

And Allah knows best.