

The Quran and its Message

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سَلَامٌ عَلَيْكُمْ

Salamun Alaikum (Peace be upon you)

NIKAAH - THE CONTRACT OF MARRIAGE

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The Quranic narratives do not legislate any specific details for the 'Nikah' (contract of marriage) ceremony. Rather, it expects its absolute requirement as a precursor to wedlock (4:3; 4:25; 60:10) and the fulfilment of certain criteria to ensure its legitimacy.

It also does not impose the traditions of any set of people on another, be they of Arab descent or of another community. Furthermore, the Quranic narratives do not intend to remove customs of a people as long they **are not incongruent with the spirit of Islam**. Therefore, any customs which are unduly superstitious, run counter to the guidance of the Quran or most importantly, impinge on the sole trust placed on the Creator alone should be curtailed.

The 'Nikah' has been described in very specific Arabic terms by the Quran as a '**Meethaqan Galezaan**'.

004:021

"How can you take it (back) after one of you has gone in to the other, and they have taken a solemn covenant (Arabic: Meethaqan Galezaan)?"

Galezaan

وَكَيْفَ تَأْخُذُونَهُ وَقَدْ أَفْضَىٰ بَعْضُكُمْ إِلَىٰ بَعْضٍ وَأَخَذْنَ مِنْكُمْ مِيثَاقًا غَلِيظًا

Meethaqan

The 'Meethaqan Galezaan (Solemn Covenant) is arguably one of the most powerful, lasting covenants that can be entered into and has been used in the Quran to describe:

(1) The solemn covenant God took with the Children of Israel with regards the Sabbath (4:154)

(2) The solemn covenant God took with all His prophets (33:7)

The importance and gravity of such a covenant can be well attested by the two examples above. The only other time such a description has been used in the Quran is when the marriage bond has been described (4:21).

There is further wisdom that can be extracted from the Quran which govern such a covenant.

(1) Given that simple contracts require at least two witnesses (2:282) and that a divorce cannot be completed or revoked without at least two witnesses (65:2), there can be no argument for the need of independent witnesses to authenticate a covenant of marriage. Therefore arguably, a Nikaah must be enacted in front of other witnesses to ensure its legitimacy.

(2) Both parties entering the contract should be of sound mind and maturity, have been assessed for marriage suitability and can fulfil the obligations being agreed to within the contract. **Please see related article [1] below.**

(3) Both parties must fully agree to the terms of the covenant undertaken. Therefore, they must understand and comprehend the terms with all its related commitments and responsibilities. There is no stipulation that the 'Nikaah' must be conducted in a particular language. Given that the nature of the contract and that vows must be understood by the parties, therefore the ceremony should be **conducted in a language the two parties fully understand.**

(4) Marriage vows are entered into with a view to last a couple's lifetime (as with any solemn covenant). Given the very specific, rigid rulings that govern any potential divorce proceedings, the sanctity of the marriage bond, the Quran completely negates the notion of 'temporary marriage' (Nikaah Mut'ah) which is often prevalent within some Shi'a communities. **Please see related article [2] below.**

(5) A bridal due (ujur) is expected (4:24; 60:10).

Related Articles:

(1) [Was Ayesha Really a Child Bride? - Marriageable Age from the Quran](#)

(2) Nikaah al-Mut'ah - Temporary Marriage

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