



# THE QUIDEBOOK OF MARRIAGE



SANABIL (THAILAND) CO., LTD.

# **THE QUIDEBOOK OF MARRIAGE**

**Author :** Sanabil (Thailand) Co., Ltd.

**Editor :** Dr. Ismail Raob

**Translator :** Mr. Rofeedee Khodae

**Grafik :** Mr.Rosdi Samah

**Pengakuan :** Satun Provincial Islam Commission Office

**Edition :** 1

**National Library of Thailand**

Raob, Ismail

The quidebook of marriage.-- Satun : Sanabil (Thailand), 2023.  
50 p.

1. Islamic marriage customs and rites. 2. Weddings. I. Rofeedee  
Khodae, tr. II. Rosdi Samah, ill. III. Title.

297.38

**ISBN 978-616-94182-3-8**

**Published by :** Sanabil (Thailand) Co., Ltd.

**budget support :** National Innovation Agency, Thailand.

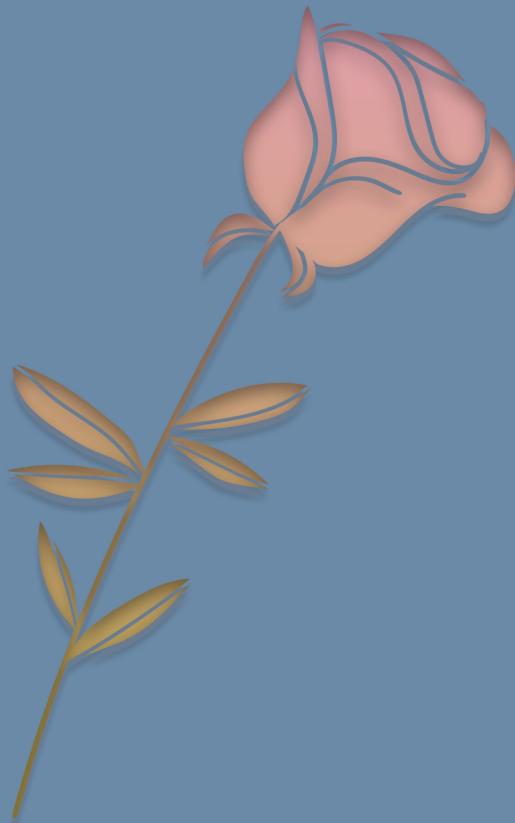
**website :** <https://www.tunangtaning.com>

## **Module: NIKAH**

<b>Unit 1: The Rules Relating to Marriage</b>	<b>1</b>
<b>Unit 2: The Pillars of Marriage</b>	<b>5</b>
<b>Unit 3: The Islamic Dowry (Mahr)</b>	<b>14</b>
<b>Unit 4: Marrying a Non-Muslim</b>	<b>17</b>
<b>Unit 5: The Wedding Banquet (Walimah)</b>	<b>19</b>
<b>Unit 6: Sexual Intercourse</b>	<b>22</b>
<b>Unit 7: The Duties of Spouses</b>	<b>27</b>
<b>Unit 8: Providing a Wife's Maintenance (Nafkah)</b>	<b>32</b>
<b>Unit 9: The Divorce (Talaq)</b>	<b>35</b>
<b>Unit 10: The Waiting Period (Iddah)</b>	<b>37</b>
<b>Unit 11: The Reconciliation (Rujuk)</b>	<b>39</b>
<b>Unit 12: Comparing a wife with a mother (Zihar)</b>	<b>42</b>
<b>Unit 13: Accusing a Wife of Infidelity (Li'an)</b>	<b>44</b>
<b>Unit 14: The Consolatory Gift (Mut'ah)</b>	<b>46</b>
<b>Unit 15: THE CONSOLATORY GIFT (MUT'AH)</b>	<b>48</b>

# UNIT 1

## THE RULES RELATING TO MARRIAGE



Marriage is the Sunnah (way) of the Prophet Muhammad (Pbuh) which all Muslim should complete it. According to the Islamic Scholars, the rules of marriage are divided into these five categories:

1. Harus: Marriage is neutral for those who has the ability to marry but still can handle from the adultery.

2. Sunnah: It is recommended for those who want to fulfill the Sunnah and has the ability in supporting their family.

3. Wajib: Marriage is considered Wajib (obligatory) if a person is so tormented by sexual desire that he/she fears falling into the sin of fornication.

4. Makruh: For the person who has no means to marry and is, therefore, incapable of fulfilling his spousal duties.

5. Haram: Marriage is forbidden for a person who knows for certain that he or she cannot fulfill the duties required in marriage, and there is no fear of his/her falling into sin, then it becomes forbidden for such a person to get married.

## **The Preparation for Attending Marriage**

For a man who wishes to have a married life, it must be prepared in the following matters:

1. Must be mature including all aspects: body, intelligence, emotion, society, morality and age.

2. The ability in financial support for taking care of a family.

3. Perceiving the understanding of family's management and the roles of a good husband.

4. Having a good physical and mental health.

## **The Sunnah for Selecting a Spouse**

1. Religiousness

2. Physical and mental health

3. Family-oriented person

4. A single

5. Decent a family

6. Good health

7. Not a close relative

8. Family equality

9. Not an illicit sexual woman.
10. To fulfill the Sunnah
11. Courtesy
12. Compatibility
13. Beauty
14. Inexpensive Dowry

### **The Procedure of a Spouse's Selection**

1. Religiousness
2. Morality
3. Good Physical Health
4. Nobility Family and Education
5. Single Woman
6. Beauty

### **The Makruh (Reprehensible) in Marriage**

1. A Frivolous Marriage
2. Just to fulfill the desire
3. Seeking Reputation
4. Marrying a daughter of adulterer.
5. Marrying adopted person.
6. Marrying a woman who does not know her father.
7. Marrying a daughter of Fasiq (Sinner).
8. Marrying a too beautiful woman.
9. Marrying a spoilt woman.
10. Marrying a woman who has lack religiousness.
11. Marrying an irresponsible husband/wife.
12. Marrying someone who is in different class.
13. Marrying an unrighteous person, sinner and drinker.
14. Marrying someone who involved in illegal works.

### **The Haram (Forbidden) in Marriage**

1. Marrying an engaged woman.
2. Look at our fiancée unless her face and palm.
3. Having private meeting with fiancée.
4. Touching his/her fiancé before marriage.

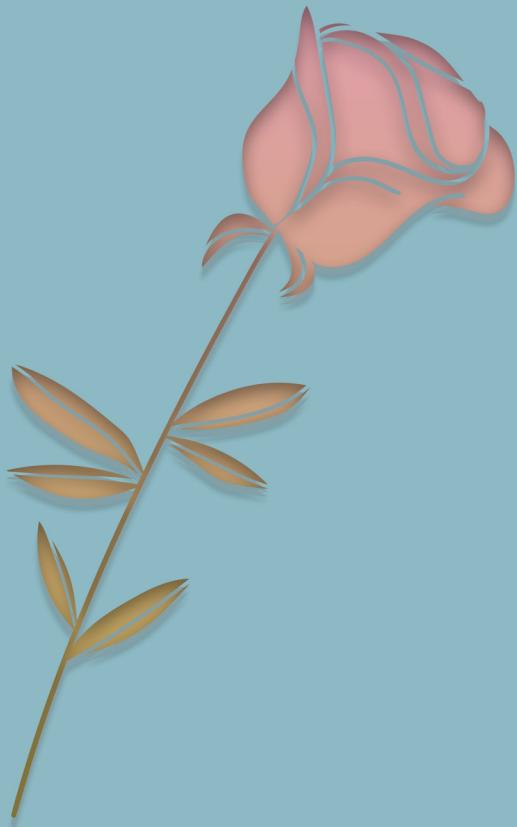
5. Retaking a marriage portion from fiancée.

### **The Elements of Marriage**

1. Completed the pillars and the conditions of marriage.
2. Appropriate Dowry
3. Wedding Banquet
4. Set the ceremony in mosque.
5. Disallowing Haram (Forbidden) things during a marriage.

# UNIT 2

## THE PILLARS OF MARRIAGE



## **There are Five Pillars of Marriage as Follows:**

1. The guardian or representative (Wali)
2. Two Witnesses
3. A groom
4. A bride
5. Carrying out the Ijab-Qabul (Proposal and Acceptance)

## **The Conditions of the Guardian (Wali)**

1. A Muslim
2. Male
3. Free (not a slave)
4. Eligible in accordance with Syariah Law
5. Not in pilgrimage
6. A wise person

## **The Orders of the Guardian (Wali)**

1. A bride's father
2. A bride's paternal grandfather
3. A bride's brother
4. Any male relative from her paternal side
5. Wali Hakim (authorized by Majesty's appointment)

## **The Conditions of Two Witnesses (Saksi)**

1. A Muslim
2. Male
3. Sane mind and attained the age of puberty
4. Having morality
5. Hearing (not deaf)
6. Sighted (not blind)

## **The Men's Conditions for Attending a Marriage**

1. A lawful person according to Islamic Law
2. A Muslim
3. Having a self identification
4. Clearly identified
5. Not in the state pilgrimage (Ihram)

6. Not a man with 4 wives
7. Choosing a wife by himself
8. A real man

### **The Women's Conditions for Attending a Marriage**

1. A Muslim
2. Not in the state of pilgrimage (Ihram)
3. Not a married woman
4. Not in the Iddah Period
5. A real woman

### **The Women who are Prohibited for Men to Marry Due To These Three Following relations:**

1. Due to relations
2. Relating to breast-feeding
3. Relating to marriage

### **The Women Who are Prohibited to Marry Due to Relations**

1. Mother
2. Daughter
3. Sister
4. Paternal Aunt
5. Maternal Aunt
6. Niece

### **The Women who are Prohibited to Marry Due to Breast-feeding**

1. A wet nurse
2. A sibling who has the same wet nurse

### **The Women that a Man Prohibited to Marry Relating to Marriage**

1. Mothers-in-law
2. Stepdaughter
3. Stepmother
4. Daughters-in-law

## **The Women Forever Prohibited for a Man to Marry**

1. Due to relations
2. Related by breast-feeding
3. Related by marriage

## **The Women Temporary Prohibited for a Man to Marry**

1. Marrying between two sisters.
2. Joining a woman and her maternal/paternal aunt.
3. Marrying more than 4 wives.
4. An apostate woman
5. A married woman
6. A woman in her waiting Period (Iddah).
7. A woman that a man has divorced three times (Talaq)

## **The Conditions of Offering and Acceptance (Ijab Qabul)**

1. Using the pronunciation of Tazwij and Inkah or the translation of it.
2. The marriage utterance are clear during the pronouncement of offering and acceptance.
3. The sentence of the acceptance (Qabul) should immediately deliver after the offering (Ijab). An intermittent deliverance of the acceptance (Qabul) is not efficacious.
4. The all conditions which are required for the bridegroom according to Islamic law are fulfilled until completed the acceptance.
5. The consent of marriage should be accomplished immediately. A belated completion of consent is invalid.
6. The marriage's consent of offering (Ijab) and acceptance (Qabul) must be unconditional.
7. The pronunciation of Qabul must mention a real name of a bride or her alias.
8. It should pronounce the offering and the acceptance fluently until finished the Akad (marriage solemnization).
9. Do not insert any other words in the sentences of the offering (Ijab) and the acceptance (Qabul).

## **The Specification Relating to the Ijab Qabul (Offering and Acceptance), the Pronunciation of Akad Nikah (Marriage Covenant) in Thai as Follows:**

1. The Ijab (offering) of Akad Nikah (marriage solemnization) in Thai for the bride's father as the officiant of marriage.

Mr. ..... the son of ..... I marry off and wed off my real daughter Miss ..... to you with the dowry 125 Baht in cash. (It is recommended of the dowry not lower than 10 Dirham and not higher than the prophet's dowry 500 Dirham = 125 Baht).

2. The Ijab (offering) of Akad Nikah (marriage solemnization) in Thai for the bride's grandfather as the marriage officiant.

Mr. ..... the son of ..... I marry off and wed off my real granddaughter

Miss ..... the daughter of ..... to you with the dowry 125 Baht in cash.

3. The Ijab (offering) of Akad Nikah (marriage solemnization) in Thai for the bride's brother as the marriage officiant.

Mr. ..... the son of ..... I marry off and wed off my real sister Miss ..... to you with the dowry 125 Baht in cash.

4. The Ijab (offering) of Akad Nikah (marriage solemnization) in Thai for the bride's younger brother as the marriage officiant.

Mr. ..... the son of ..... I marry off and wed off my real sister Miss ..... to you with the dowry 125 Baht in cash.

5. The Ijab (offering) of Akad Nikah (marriage solemnization) in Thai for the bride's uncle as the marriage officiant.

Mr. ..... the son of ..... I marry off and wed off my real niece Miss ..... the daughter of my brother ..... to you with the dowry 125 Baht in cash.

6. The Ijab (offering) of Akad Nikah (marriage solemnization) in Thai for the bride's cousin as the marriage officiant.

Mr..... son of ..... I marry off and wed off Miss ..... the daughter of my uncle ..... to you with the dowry 125 Baht in cash.

7. The Ijab (offering) of Akad Nikah (marriage solemnization) in Thai for the person who authorized by the bride's father.

Mr..... the son of ..... I marry off and wed off Miss ..... the daughter of ..... who authorized me to you with the dowry 125 Baht in cash.

8. The Ijab (offering) of Akad Nikah (marriage solemnization) in Thai for the person who authorized by the bride's grandfather.

Mr..... the son of ..... I marry off and wed off Miss ..... the daughter of ..... which her grandfather authorized me to you with the dowry 125 Baht in cash.

9. The Ijab (offering) of Akad Nikah (marriage solemnization) in Thai for the person who authorized by the bride's brother.

Mr..... the son of ..... I marry off and wed off Miss ..... the daughter of ..... which her brother authorized me to you with the dowry 125 Baht in cash.

10. The Ijab (offering) of Akad Nikah (marriage solemnization) in Thai for the person who authorized by the bride's younger brother.

Mr..... the son of ..... I marry off and wed off Miss ..... the daughter of ..... which her younger brother authorized me to you with the dowry 125 Baht in cash.

11. The Ijab (offering) of Akad Nikah (marriage solemnization) in Thai for the person who authorized by the bride's uncle.

Mr..... the son of ..... I marry off and wed off Miss ..... the daughter of ..... which her uncle authorized me to you with the dowry 125 Baht in cash.

12. The Ijab (offering) of Akad Nikah (marriage solemnization) in Thai for the person who authorized by the bride's cousin.

Mr. .... the son of ..... I marry off and wed off Miss ..... the daughter of ..... which her cousin authorized me to you with the dowry 125 Baht in cash.

13. The pronouncement to authorize the Muhakkam for a bride.  
I authorize you as the Muhakkam for marrying me to Mr. .... with the dowry 125 Baht.

14. The pronouncement to authorize the Muhakkam for a groom.  
I authorize you as the Muhakkam for marrying me to Miss ..... the daughter of ..... with the dowry 125 Baht. (Ask permission from a bride again)

15. The pronouncement as the Muhakkam who authorized by a bridegroom .

Mr. .... the son of ..... I marry off and wed off you to Miss ..... the daughter of ..... which the both of you authorized me with the dowry 125 Baht in cash.  
(The Muhakkam is the person who authorized by the arbiter or the guardians of a bride)

### **Remark:**

- The pronouncement of the bride's father should be his real name whether he is a Muslim or a non-Muslim.

- The pronouncement of Mahr (Islamic dowry) for 125 baht, if there are higher or lower than this and inconvenient to mention the explicit amounts. So, it can launch “ with the dowry which you have agreed” (the bride's name) the daughter of (bride's father name) which I was authorized by her brother with the Mahr (Islamic dowry) 125 baht.

- All of the marriage contract that have mentioned above must seek permission from a bride before the marriage contract. It also should be allowed from a bride in the case of authorizing the others to marry her, and seeking permission after the authorization of marriage contract is null.

## **The Pronouncement of Qabul (acceptance) of a Groom in Thai**

“ I accept the marriage and wedding of (bride’s name) the daughter of ( bride’s father name) with the dowry mentioned above in cash.

## **The Conditions of Invalid Marriage**

**1. Ash-Shighar:** This marriage is when two men, either the two brothers or the fathers, make a deal of marriage. The deal could be asking one man to another to marry with his daughter/sister and he will marry the second man’s daughter/sister in return, under the condition that there will be no Mahr (a legal and religious right of woman). Such a marriage is only seemed as an ‘exchange deal’ and therefore this reason is enough to invalidate.

In this case of marriage, the both parties must utter a new marriage contract without making a deal (exchanging of marriage is permissible without making a deal), and the new marriage will be completed after providing the new Mahr (Islamic dowry) and the new utterance of marriage (Akad) , and it is not necessary to divorce for making a new marriage.

‘Ash-Shighar marriage’. According to Abu Hurairah (may Allah be pleased with him) reported that Allah’s Messenger Prophet Mohammad (Pbuh) said that Ash-Shighar is forbidden. (Al-Bukhari)

**2. The Muhallil:** It refers to the one who marries a woman and divorces her or has the agreement with her before the marriage so that she can go back to her first husband. Muhallil marriages are Haram (Forbidden) and invalid, and those who do that deserve to be cursed.

According to the Messenger of Allah (Pbuh) said “Allah cursed the Muhallil and the Muhallal lahu” (The muhallil is the one who marries a woman and divorces her so that she can go back to her first husband, and the Muhallal lahu is the first husband), narrated and classed as saheeh by At-Tirmidhi.

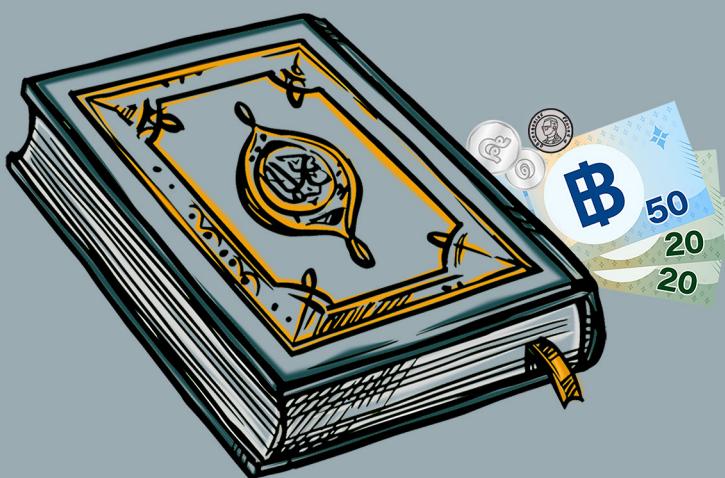
**3. Nikah Mut’ah:** A temporary marriage refers to when a man marries a woman for a specific length of time in return for a particular amount of money. Al Mut’ah marriage is invalid and impermissible in Islam because it is dangerous for women and their child. This kind of marriage is

just for satisfying carnal desires of a man. Temporary marriage was permitted at the beginning of Islam, and then it was abrogated and became Haram (forbidden) until the Day of Judgment.

Al-Rabi' ibn Sabrah al-Juhani narrated that his father told him that he was with the Messenger of Allah (Pbuh) who said, "O people, I used to allow you to engage in mut'ah marriages, but now Allah has forbidden that until the Day of Resurrection, so whoever has any wives in a mut'ah marriage, he should let her go and do not take anything of the (money) you have given them." (Narrated by Muslim)

# UNIT 3

## THE ISLAMIC DOWRY (MAHR)



**The Mahr (Islamic dowry) is a property paid by the groom to the bride at the time of marriage, and It divided into these 2 types as follows:**

1. Mahr Musamma is an amount specified or fixed at the time of making a marriage contract.
2. Mahr Mithl is an amount which determined on the basis of her personal qualities, her family position, and the prevailing Mahr among her people.

### **The Concepts for Providing Islamic Dowry (Mahr)**

1. It can be anything worthy and Halal which agreed upon by the bride such as money, jewelry, home goods, a dwelling or land.

2. It is permissible for the Mahr to be a little or a lot of whatever is considered to be wealth, if both partners agree and it should not too because it will be a barrier for a man to enter a marriage.

### **The Issues Relating to the Islamic Dowry (Mahr)**

A marriage should be done with a clear stated dowry because The Prophet Muhammad (Pbuh) showed us the exemplar even if it is only an iron ring which you can give and even you have no iron ring you are married to her by what you know of the Quran.

Regarding the dowry, it can be concluded that “it is not a component that makes the marriage valid, because the marriage is still available even though the dowry or marriage expenses were not specified”. It was concluded that the exact amount of dowry did not appear but if the parents are the manager to a woman who is their daughter or granddaughter, it is not permitted to define the dowry lower than a general woman

For instance, a virgin or not a virgin says to her parents “please marry me without the dowry” and then her parents married her without mentioning the dowry. Therefore, it is

**valid, and these are 3 ways of the Mahr (Islamic dowry) to be given:**

1. Let the Hakim determine the amount in case of the groom does not give it or in the event that the groom may not agree on the stated amount.
2. The spouse makes the agreement.

3. Since they had a sexual intercourse before the Hakim mention the dowry and before they come to an agreement.

As the Sunnah of the Prophet Muhammad (PBUH), the dowry should not lower than 10 Dirham and not over than 500 Dirham. (500 Dirham =125 Baht)

# UNIT 4

## MARRYING A NON-MUSLIM



In Islam, it is impermissible for a Muslim woman to marry a non-Muslim even though they are “people of books” (Christian or Jews) or other non-Muslim religious group with aim of keeping her away from things that may jeopardize her faith. In fact, Islam aims at protecting religion. To achieve this goal, it prohibits a Muslim woman from being involved in something that represents a threat to her religion. This interfaith marriage is invalid and prohibited because there is no Wilayah (Guardianship) of the non-Muslim on another Muslim. Allah Almighty says in the Quran “Do not marry polytheistic women until they believe; for a believing slave-woman is better than a free polytheist, even though she may look pleasant to you. And do not marry your women to polytheistic men until they believe, for a believing slave-man is better than a free polytheist, even though he may look pleasant to you.” (Al-Baqarah: 221)

### **The Kinds of Erroneous Condition Which Not Cause Nullity in Marriage**

1. If the bridegroom lays a condition on the bride that he would give her neither dowry nor maintenance, or that he would give her less than her co-wife, or more, or if she put a condition that he must divorce her co-wife, such marriage is valid but the condition is void.

2. If the bridegroom made a condition that his bride has to be a Muslim, but discovered she was a Christian or Jews, or that she must be a virgin, but turned to be otherwise, or to be beautiful or of noble lineage, or that she must be free from defects such as blindness, muteness or the like, he would have the option of nullifying the marriage contract.

3. If the bridegroom married a woman who he presumed as a free but found she is a slave, he has a right to nullify the marriage if that woman is permissible to marry based on Islamic law and it is likewise a woman, if the husband does not relevant to the conditions, the wife would have the option of nullifying the marriage.

# UNIT 5

## THE WEDDING BANQUET (WALIMAH)



The Walimah (Wedding Banquet) is a meal that is given on the occasion of uniting the two spouses. It becomes due upon consummating the contract, thereafter or upon cohabitation, or afterwards depending on the social customs. It is a practice of Sunnah of the Prophet Muhammad (Pbuh) during his marriage with Zainab binti Jash to kill one sheep or more depending on financial conditions.

## **The Principles of the Walimah**

Based on some scholar's opinions, the walimah is considered obligatory for the marriage due to the Prophet Muhammad used to order Abdulrahman bin Aouf, saying, " Make the Walimah even with 1 lamb" (narrated by Al-Bukhari). However, there is another viewpoints of scholar which supported by more stronger evidences Mentioned that the Walimah is Sunnat, it is not necessary (Wajib) in the opinion of most of the scholars. The Prophet said " there is no need to provide any wealth except for the obligatory Zakat (almsgiving)" (narrated by Ibnu Majah), and it is valid if it just only served sweets and dates in the Walimah.

It is obligatory to respond to the Walimah invitation, if the host is a Muslim who is not lawful to ostracize. It is not lawful for an invited person to decline if he was personally invited. Al-Ikhtiyar narrates that The Messenger of Allah (PBUH) said: "He who refuses an invitation (to a banquet) disobeys Allah and His Messenger (PBUH)." (Narrated by Al-Bukhari)

## **The Conditions for Accepting the Walimah's Invitation**

1. Must be a general invitation, neighbors, relatives, and accomplices are advised to be invited. Thus, should invite family members, relatives, friends, colleagues, scholars, pious people, and others to the Walimah celebration reception. It is wrong to summon only rich people or those classified as wealthy or from the elite class. Sayyiduna Abu Huraira narrated: "The worst food is that of a wedding banquet (Walimah) to which only the rich are invited while the poor are not invited."

2. It should be personally invited or give it to someone for inviting and if they say you can attend the party if you are free, it is not obligatory and Sunnat to attend this invitation.

3. The wedding banquet must not contain disrespectful things that probably hurt the guests.

4. The wedding banquet does not involve unlawful things such as Alcohols, music or dancing. If the guest finds out unlawful things, and he is able to change it, he may attend the banquet and change it, otherwise, he should decline. But if he finds out the wrong after attending, he either changes it or departs. If he knew about wrong thing but neither saw or heard it himself, it is up to him to stay or leave. According to Al-Quran “then do not remain, after recollection, in the company of those wrong-doing people” (Al-Anam: 68).

5. It should be invited on the first day and not on the second day. The invitation on the third day considered as Makruh (Reprehensible).

6. The invitation should be on only a Muslim, It is not necessary to attend if there are non-Muslim guests in the Walimah because the acceptance of the invitation which the host invited Kafir is forbidden in Islam according to Al-Quran “You will never find a people who (truly) believe in Allah and the Last Day loyal to those who defy Allah and His Messenger.” (Al-Mujadila: 22) If there are many invitations, accept the first invitation and if the invitations were sent at the same time, it is recommended to accept the invitation of the relatives or the neighbors in order.

# UNIT 6

## SEXUAL INTERCOURSE



## **The Etiquettes of Sexual Intercourse of a Spouse in Islam**

1. It is forbidden for both spouses to spread the secrets of what happens between them in their private marital life.
2. Avoiding intercourse in the back passage
3. It is not permissible to intercourse during Menstruation and postpartum period.
4. It is forbidden for a wife to abandon the bed of her husband.
5. A spouse is permissible to intimate during menstruation with regarding the area above the waist.

## **The Guidance for Having a Proper Sexual intercourse**

1. A proper sexual intercourse is once or two times a week, but it can be depends on the both desire.
2. Choose a suitable place and time for sexual intercourse.
3. Teasing the spouse is one of the best foreplay techniques to warm her up before having sexual intercourse.
4. Sexual intercourse can be at anytime aside from the month of Ramadan, menstruation, and during the pilgrimage.
5. A wife should ask for permission from her husband if she wants to perform supererogatory fasting.

## **The Rules of Sexual Intercourse in Islam**

1. It is obligatory to fulfill his wife's desire if it has no obstructions.
2. It is forbidden to have sex while it is still remained menstrual bleeding and before taking ritual bath.
3. The spouse needs to coax their partner before having sexual intercourse.
4. If the husband intends to go to his wife, he should say: In the name of Allah, O Allah protect us against Satan and keep away the Satan from the one that you have bestowed upon us.
5. A spouse should not overeating and drinking.
6. Avoid excessive talking during sexual intercourse.

Five Forbidden Acts for Those in Janabat

## **Five Forbidden Acts for Those in Janabat**

1. Prayers, it is forbidden either obligatory prayers or voluntary prayers, a person who is Junub may not pray according to the Hadith:

لَا يَقْبِلُ اللَّهُ صَلَوةً بَعْدَ طَهْرٍ

“Allah will not accept prayer without purity.” (Al-Muslim and Al-Tarmidzi)

2. Thawaf around the Kaaba, both obligatory Thawaf or Sunnah Tawaf.

3. It is forbidden to touch the Quran and bring it except for necessity.

4. Staying in a mosque or going round in a mosque unless there is a reason that requires someone to do that. However, there is no harm if one crosses or traverses through a mosque, entering from one gate and exiting from another, or goes there to lift away something, based on the Hadith of the Prophet “I not allowed a woman who is in menstrual period and the Junub people approached the mosque.” (Abu-Dawud)

5. It is forbidden to recite the holy Quran.

## **Seven Forbidden Things for a Woman During Menstruation and Ni-faa (Postpartum Bleeding)**

1. A woman does not offer prayers during her period. It is forbidden for a menstruating woman to pray both obligatory and Nawafil prayers. The Messenger of Allah said: “Allah does not accept any Salat (prayer) without purification.” (Al-Muslim and Al-Tarmidzi)

2. It is forbidden for a menstruating woman to fast, whether it is an obligatory or a voluntary fast. The fast of a menstruating woman is not valid, and it is not permissible for her to fast. And she should stop fasting.

3. Performing the Tawaf at the Ka’bah. It is forbidden for a menstruating woman to circumambulate the Ka’bah, whether that is obligatory or supererogatory, and it is not valid if she does it.

4. Holding the Quran. It is prohibited for women from touching the Quran except for necessity such as saving it from dirty place or protecting from destruction.

5. It is not permissible to stay in a mosque except for necessity. The Prophet (PBUH) said “I do not permit staying in the mosque for a woman in her period” (Abu Dawud)

6. It is forbidden for Reciting the Qur'an.
7. Penetrative sexual intercourse is impermissible during menstruation. Allah says in the Quran "They ask you about menstruation. Say: "It is a state of impurity; so keep away from women in the state of menstruation, and do not approach them until they are cleansed. And when they are cleansed, then come to them as Allah has commanded you." Truly, Allah loves those who abstain from evil and keep themselves pure." (Al-Baqarah: 222)

## The Causes Requiring Major Ablution

1. The emission of semen
2. Sexual intercourse
3. Death: the dead apart from a martyr slain in battle.
4. Menstruation
5. Parturition
6. Nifaas (postpartum bleeding)

## The Elements for Performing Major Ablution

1. Forming the intention for purifying of major impurity. The Niyyat for major ablution is "I intend to do major ablution to eliminate major Hadas (impurity), as an obligation, because of Allah Taala."
2. Washing any dirt from the private part before performing purification.
3. Wash the body and make sure that the water reaches all parts. A woman is recommended to squat during purification so that the water reaches the entire body.

## The Major Ablution or Janabah Purification

The major ablution (ghusl) is considered an act of worship; it is an act of purifying oneself from the ritual impurity caused by sexual intercourse, discharge of semen and orgasm. Narrated by Aisyah, whenever the Messenger (Pbuh) performed the major ablution he poured water over his hands and washed them; then he poured water with his right hand over his left and washed his private parts (with his left hand) and then performed ablution like that for the prayer. After that he would put his fingers in water and move the roots of his hair with them, and then

pour three handfuls of water over his head and then pour water all over his body. He withdrew from that place and washed his feet. (Al-Bukhari and Muslim)

**These following detailed methods for performing major ablution (ghusl) are imitated and compiled from the followers of the Prophet Muhammad (PBUH):**

1. Wash the both hands 3 times and followed by saying “Bismillah”.
2. Wash the private part with left hand.
3. Wash the mouth and teeth.
4. Perform prayer ablution.
5. Put the fingers in water and move the roots of the hair and pour three handful of water over the head.
6. Wash the entire body, starting with the right side and followed by the left. It is preferred that the both side be washed three times.
7. Withdraw from that place and wash the both feet three times, starting with the right side and followed by the left.

### **The Cautions for Performing Major Ablution**

In the state of major impurity (Hadath-akbar) requires the complete ablution, and it should be considered of these following:

1. Perform the major ablution (Al ghusl) hastily to purify the major impurity.
2. Make sure the water reaches all parts of the body.
3. Wet all roots of the hair by pouring the water all over the the head and rub it thoroughly including armpit hair, chest hair and pubic hair.
4. It needs to conserve water during performing major ablution because the Prophet (PBUH) would perform ablution with one mudd, or half of a kilogram, and would perform a major ablution with one sa', or two kilograms.
5. The feet should be washed after moving away a little bit from that place after the rest of the Ghusl has been completed.
6. It is required to conceal the private part during performing major ablution.

# UNIT 7

## THE DUTIES OF SPOUSES



## **The Duties of Spouses**

1. They should be reliable to each other. Reliability is so important in marriage because it builds trust; both spouses have to be secure in the fact that their spouse isn't going to pull the rug out from under their feet. This allows them to be open and vulnerable with each other and ask for help when they need it.

2. Sharing love and sympathy are needed in the married life, they need to be the happiness for each other as Allah says in the Quran "And of his signs that he has created mates for you from your own kind that you may find peace in them and he has set between you love and mercy." (Ar-rum: 22)

3. A spouse should have trust because it is an indispensable ingredient in building and maintaining a healthy marriage. Trusting one another is one of the most important elements of relationship, and a crucial element of any lifetime commitment. Without trust, the quality of relationship will be deteriorated.

4. All aspects of the Islamic etiquettes should be practiced in family life to create a healthy relationship.

## **The Responsibilities of Parents to Children**

1. It requires the parents to exercise care in selecting good names and lawful in Islam for their children.

2. Celebrate the birth by performing Aqiqah (the act of sacrificing an animal in the occasion of a child birth) and circumcision.

3. It is a fundamental duty for parents to teach the child to perform Salat (prayer) when they are seven years old, and beat them (lightly) if he does not pray when he is ten, and separate their beds.

4. Parents are responsible for providing their kids maintenance.

5. Parents have the obligation to raise God-loving children to stay in the right path of Islam and do not neglect them.

6. When children reach the age of puberty or marriageable age, it is responsible for their parents to manage their marriage.

7. Choose a potential spouse for them because Islam encourages us to select a good spouse, based on the Hadith narrated by Abu Hurairah, the Prophet said " a woman is married for four things, i.e., her wealth, her family status, her beauty and her religion. So you should marry a religious

religious woman (otherwise) you will be a loser”

8. Mothers must breastfeed their infants for two years.

9. Give education to them, and order or encourage them what is good while prohibit the evil.

10. Do not accuse children as a cause of poverty because Allah says “And do not kill your children for fear of poverty. We provide for them and for you.” (Al-Isra: 31)

11. Do not give to much attention to your child because over-indulging kids until it disregarded the god is a great sin.

## **The Children’s Duties to Parents**

1. Loving and respecting parents is a vital role of good children. Children have the duty to support their parents and obey all of their reasonable requests as long as it is not the contravention and sinful in Islam.

2. Islam commands children to honor their parents and to be kind to them. Children must treat their parents with good words and do not let your wife or kids distress them.

3. Take good care of parents by supporting them with foods, garments and medical treatment.

4. Pray and ask for forgiveness for our parents who still alive or have passed away.

## **The Roles of a Good Husband**

1. A husband should have intercourse with his wife according to what satisfies her.

2. A husband should create a good relationship with his wife and treats her family well.

3. A husband should give a right financial support and house to his wife.

4. A husband should fully provide the dowry to his wife.

5. A husband must give guidance to his wife particularly in religious issues.

6. A husband must be just and treat all his wives fairly.

7. A husband should not hurt his wife’s feeling

8. A husband should give love, warmth, compassion and kindness to his wife

10. A husband should not reveal his wife's flaws to others.
11. A husband should respect and honor his wife.
12. A husband should not accuse his wife.
13. Prevent from neglecting a wife.

### **The Roles of a Husband to a wife**

1. A husband should give good advices to his wife by using polite words and prevent from violence in solving problems.
2. A husband is permitted to abandon his wife in bed to discipline the rebellious and disobedient wife but not leaving the house.
3. Hitting a wife is permissible for a husband in Islam. However, it must not be harsh, but rather light. Muslim men are never to hit their spouse's face, nor to hit them in such a way as would leave marks on their body.
4. If the solutions that have mentioned above still not effective, it is allowed to bring in arbitrators to resolve the problems in peaceful ways.
5. Divorce is permitted in Islam as a last resort if it is not possible to continue a marriage. Certain steps need to be taken to ensure that all options have been exhausted. If such efforts fail and the man sincerely thinks he cannot live a harmonious life with his wife, he may divorce her and women have her right to ask for separation from her husband.
6. A man is responsible for teaching and advising his wife about religious matters, and if the husband is not able to teach his wife, or he does not have the knowledge that she needs of religious matters, then he has to allow her to go out in order to seek the knowledge because religious knowledge is necessary for a wife.
7. A husband must take charge of his wife to live in the righteous path of Islam and restrain her from committing a sin because a husband is responsible for his wife commitments.

### **The Duties of a Wife to a Husband**

1. A woman should obey what their husband order especially if the husband wants to fulfill the needs (for sexual matter).
2. A wife should be honest to her husband when he is away.
3. A wife should build a healthy relationship with her husband.
4. A wife needs to receive advices from a husband willingly.

5. A wife should keep clean herself to prevent from unpleasant smells and must dress appropriately.

6. A woman must obey her husband's orders as long as it not in contrary with the Islamic laws.

7. A wife should be sincere to her husband.

8. A wife should be good-humored for peace of mind of her husband.

9. A wife should treat her husband of foods, garments and other necessities.

10. A wife should protect honor and reputation of a husband.

11. A wife should live a sufficient life based on her husband's abilities

12. A wife needs to be frugal and avoid spending money wastefully.

13. Never divulging a husband's secrets to anyone, keeping marital problems and intimate issues inside the marriage.

14. A wife must obtain permission from her husband before going out.

15. A wife should maintain a good relationship with her husband's parents and relatives.

16. A wife should remain reliability and accept a husband's leadership

17. A wife should appreciate and thankful for everything a husband has given to her.

18. A wife should be supportive and stand by her husband in his career.

19. A wife should always be patient in facing obstacles and tough time.

## **Eight Characteristics of a Healthy Family**

1. Be compassionate and tender-hearted to one another.

2. Be willing to take advices and guidance from one another.

3. Be patient in facing difficulties in family life.

4. Finding a balance between religious duties and worldly duties for the both go hand in hand.

5. Make a living through lawful works and avoid from forbidden ways.

6. Taking care of family through the Islamic ways.

7. Improving a good understanding to build a positive relationship between spouses.

8. Stop being paranoid in a relationship and avoid gullibility by trusting someone who is not really trustworthy.

# UNIT 8

## PROVIDING A WIFE'S MAINTENANCE (NAFKAH)



## **The Sorts of Maintenance Which is Compulsory for a Husband to Provide to a Wife**

1. It can be defined as anything that feels full and usually in the form of rice. The level of maintenance is two Mud for rich husbands, one mud for poor husbands, and one and a half mud for middle husbands. However, it depends on a husband's status whether his wife is Muslim, Zimmi, freewoman or slave.

2. It is also obligatory for the husband to give a living to his wife in the form of materials depends on locality such as oil, butter, orange juice or seasonal fruits.

3. A husband should provide a meat for his wife, the amount of meat is 1 Ritl (407.5 Gram) for poor husband and 2 Ritl (815 Gram) for rich husband minimally in a week. According to Imam Syafie, providing maintenance of meat to a wife should be on Friday because it facilitates her for almsgiving.

4. Providing maintenance for a servant if there is a servant.

5. It is the duty of a husband to provide a clothing of his wife as spelt out in the aforementioned verse of the Qur'an. A husband needs to provide clothing depends on local whether, local popularity and husband's status, and maintenance should be provided when a wife fully fulfilled her duties and desire of her husband.

## **There are Several Factors of a Wife Who is not Ready to Fulfill a Husband's Demands, Which are:**

1. when a wife refuses her husband to have sexual intercourse without any interdictions such as illness or doctor's instruction, a husband needs to provide maintenance when she is still with him.

2. When a wife runs away from home or going out without her husband's permission.

3. When a wife is still young but her husband is already mature or at the same age with her, it is not necessary for her husband to provide maintenance for her because she is unable to provide a completed opportunity to her husband.

4. During the worship of a wife, it is when a wife is in the state of pilgrimage even though she is permitted by her husband, but a husband is obligatory to give maintenance to his wife if she goes to perform the pilgrim-

together with him. However, if a wife performs voluntary fasting without permission of her husband, it is not necessary for a husband to maintain maintenance unless she asks for permission.

### **In the case of a husband fails to spend on his wife's maintenance, she has 2 choices of these following:**

1. Putting up with him by spending on her own or borrowing from her friends, but these 2 ways are considered as debt of her husband to discharge.

2. Leaving him through the annulment of marriage (Fasakh), the prophet Muhammad (Pbuh) was asked "what is the solution if the husband fails to spend on his wife's maintenance?", then he replied "they should be separated, that is Fasakh." (Narrated by Daruqutni)

### **The Disobedience of a Wife Against Her Husband (Nusyuz)**

1. Nusyuz or betrayal is a great sin and forbidden thing in Islam.

2. It is forbidden for a wife to refuse intimacy with her husband.

3. Traveling without seeking permission of a husband is disallowed.

4. A wife refuses to open the door and disallows her husband's request to come to bed with no sound reason (such as sickness).

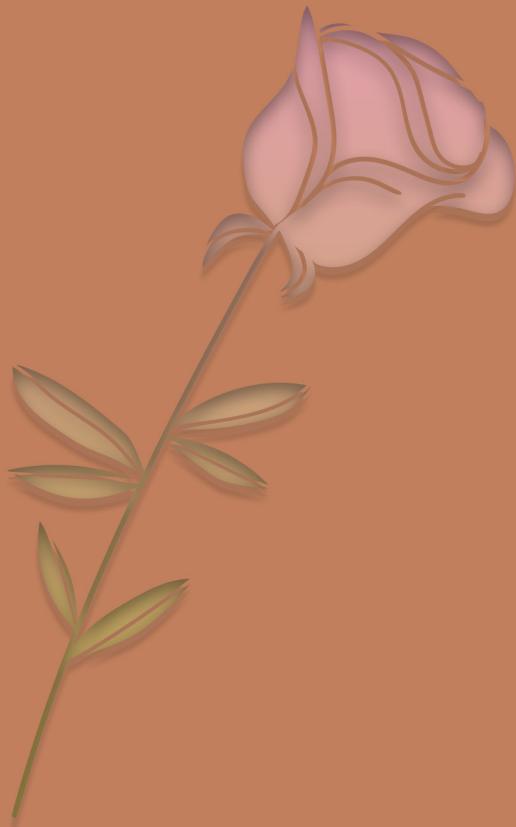
**Nusyuz** in the Compilation of Islamic Law can be defined as an attitude when the wife does not want to carry out her obligations, namely: the principal obligation of physical and spiritual filial piety to the husband. It is permissible for the husband to make efforts to carry out various kinds of advices to improve their condition. Not to leave her, punish, and torture, but to advise his wife at the early stage of the Nusyuz. Although sometimes advice does not work, in these conditions comes the second step which is to forsake them in bed, and it is permissible for a husband to give a silent treatment (stop talking to) but not permissible to abandon his wife for more than three days. However, it is permissible for a husband to abandon his wife for more than 3 days if she is still betrayed to him after completed these two following solutions:

1. Giving advices

2. Separating from bed and chastising, but not on her face.

# UNIT 9

## THE DIVORCE (TALAQ)



Divorce is freeing or undoing the knot. It signifies the dissolution of marriage, or the annulment of its legality for having sexual intercourse.

## The Principles of Divorce

Divorce is permitted in Islam as a last resort if it is not possible to continue a marriage. Certain steps need to be taken to ensure that all options have been exhausted. The Messenger of Allah, peace and blessings be upon him, said, “Whenever a woman asks her husband for a divorce without a strong reason, the fragrance of Paradise becomes forbidden for her.” (Narrated by Ahmad). Abdullah Ibn Umar reported: The Messenger of Allah, peace and blessings be upon him, said, “The most hateful of lawful matters to Allah is divorce.” (Narrated by Abu Dawud)

According to the Quran “O Nabi (prophet)! When you divorce women, divorce them for their waiting-period, and compute the waiting period accurately (the woman should not be divorced in the period of purity during which the husband may have had sexual intercourse with her).” (Surah At-talaq: 1)

## The Common Causes that Most Lead to Divorce

1. The internal factors that lead to divorce are:

- 1.1 Incompatibility
- 1.2 Sexual dysfunction
- 1.3 Emotional stress and pressure
- 1.4 Elopement (married without parental approval)
- 1.5 Bad habit

# UNIT 10

## THE WAITING PERIOD (IDDAH)



**Iddah**, the literal meaning of Iddah is to keep count. In Islamic legal terminology, it is the period of chastity which a Muslim woman is bound to observe after the dissolution of her marriage due to the death of her husband or by divorce before she can lawfully marry again.

## The Types of Iddah

1. The Iddah for pregnant woman is only expires upon the delivery of a child. The condition of this pregnancy must be a lawful marriage based on the Islamic law, the pregnancy through the commitment of adultery is invalid because committing adultery is prohibited in Islam.

According to the Quran, Allah said “And for those who are pregnant, their ‘Iddah is until they lay down their burden” (Surah Al-Talaq: 4), and the Iddah for a wife who is not pregnant during the death of her husband is 4 months and 10 days.

2. The Iddah for a menstruating woman, Almighty Allah says, “And divorced women shall wait for three menstrual periods.” It means that she has to wait until the end of the third period.

3. The Iddah for a widow, immediately after the death of her husband, a widow should observe the Iddah for four months and ten days. Almighty Allah says: “Such of you as die and leave behind them wives, they (the wives) shall wait, keeping themselves apart, four months and ten days.” (Al-Baqarah: 234)

4. The Iddah for women who have passed the age of menstruation and also for those who have not yet menstruated is 3 months. According to Surah At-Talaq, Allah says “As for your women past the age of menstruation, in case you do not know, their waiting period is three months, and those who have not menstruated as well.” (At-Talaq: 4)

# UNIT 11

## THE RECONCILIATION (RUJUK)



**Rujuk** is the reconciliation between a husband and his wife after the process of divorce without undergoing new matrimony.

### **There are Three Elements of Reconciliation (Rujuk):**

1. Wife
2. Husband
3. Reconciliation's pronouncement

### **There are Five Husband's Conditions of Reconciliation:**

1. Wise / sound mind
2. Matured / Reach the age of puberty
3. A Muslim
4. Personally consider to reconcile
5. Specifying a wife during reconciliation

### **There are Three Wife's Conditions of Reconciliation:**

1. A wife must be in the waiting period (Iddah).
2. A wife must be a lawful wife and has been consummated.
3. A wife who is not divorced by triple talaq.

### **There are Six Conditions of Reconciliation (Rujuk):**

1. A clear pronouncement such as “I reconciled with you”
2. An ambiguous words such as “I get you back”
3. If a husband repudiates his wife by a conditional divorce, the reconciliation should be agreed by his wife earlier.
4. Assistive devices must be used for a deaf husband during the reconciliation instead of pronouncement.
5. Reconciliation in written form or message will be approved in case a writer intends to write it.
6. It is permissible for a husband to reconcile his wife even in the state of Ihram of Hajj or Umrah.

### **There are Four Kinds of Divorce (Talaq):**

1. Talaq Bain (irrevocable divorce),it is a kind of separation after having sexual intercourse which a husband needs to make a new marriage contract to take his wife back.

2. Divorce with payment is obligated for husband to renew a marriage contract for reconciliation

3. Reconciliation can only be made upon a wife who has been consummated, and has been divorced with one or two Talaq, and must be made during the time of Iddah (waiting period), The reconciliation is prohibited after the expiration of Iddah and a wife is disallowed to go back to her husband except with a new marriage contract which fulfils all the conditions set out in Islamic law, and the former wife is prohibited from marrying another man during her waiting period unless the Iddah is over.

4. A husband has no right to reconcile with his former wife neither before nor after consummation after the divorce with 3 Talaq. Thereafter, he can neither reconcile during the Iddah nor after the Iddah with a new marriage contract until his wife marries another man. The former husband is prohibited to marry his former wife again unless she was divorced by her new husband and the Iddah is expired.

# UNIT 12

## COMPARING A WIFE WITH A MOTHER (ZIHAR)



**Zihar** refers to the comparison of a husband towards his wife with a woman within his prohibited relationship e.g., mother or sister etc. and it is a heinous sin for which it is absolutely necessary for the husband to repent and seek forgiveness.

### **There are Two Types of Zihar's Utterances:**

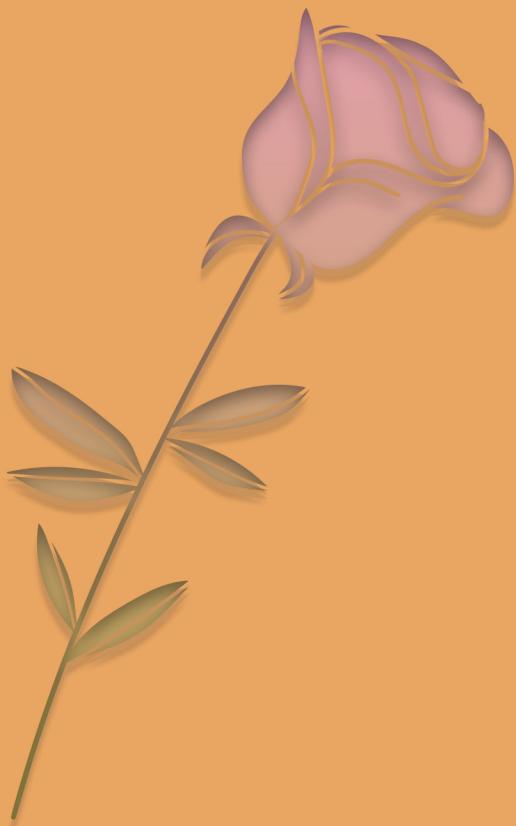
1. A clear utterance (Sorayah), for examples “your head and your hands is like my mother’s head” or “your hands is like my mother’s hands.”
2. An implicit utterance (Kinayah), for examples “you are above me like my mother” or “you are like my mother/sisters” When a husband intentionally provides a clear utterance or implicit expressions for Zihar ,then he does not divorces after his utterances, he is considered as the one who goes back on his words and he needs to pay the Kaffarah (expiation) immediately.

### **The Kaffarah's Payment of Zihar is Divided into These Three Ways According to Capability:**

1. Freeing a Muslim bondservant
2. Fasting two consecutive Islamic lunar months
3. Distributing foods to 60 poor people, and each of them should be given 1 liter of usual local staple.

# UNIT 13

## ACCUSING A WIFE OF INFIDELITY (LI'AN)



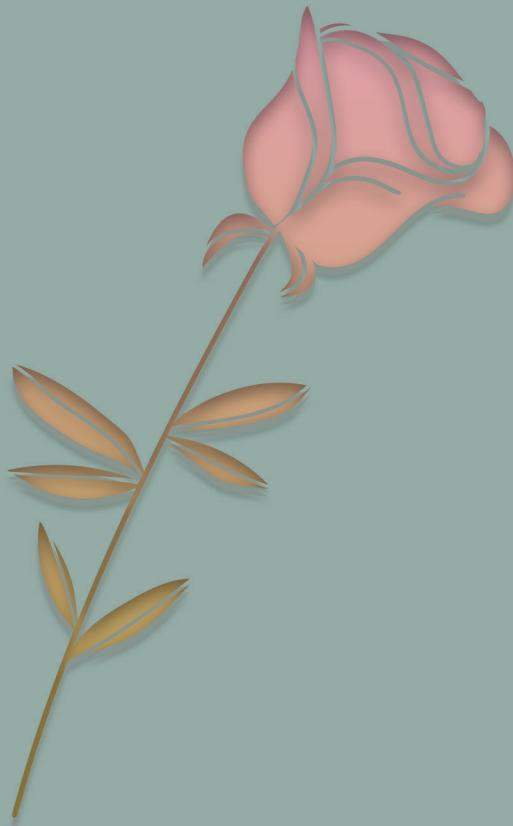
**Li'an** is an oath which created for a husband the possibility of accusing his wife of adultery without legal proof and to defend his honor.

When a man accuses his wife of adultery, he becomes liable the punishments due to his accusation unless he finds out the proofs to verify his words, or he utters the Li'an to judiciary or in front of the crowd, and it should be in the mosque.

The Li'an of a wife has the purpose to protect herself from punishment according to the accusation of adultery that was made by the Li'an of her husband.

# UNIT 14

## THE CONSOLATORY GIFT (MUT'AH)



**The consolatory gift (Mut'ah)** is a maintenance which a husband should give to his wife after the divorce or with the other ways of separation.

1. The separation due to death is not compulsory to provide the consolatory gift (Mut'ah).

2. The separation through a divorce, the consolatory gift (Mut'ah) is still obligatory for a husband to maintain it if the divorce occurs before consummation and not yet determines the dowry. However, if the divorce happens after consummation, a husband needs to provide appropriate dowry to his wife as the consolatory gift (Mut'ah), and the recommendation of the payment is not less than 30 Dirham.

### **A Husband is Obligatory to Provide Mut'ah to His Wife According to These Following Cases:**

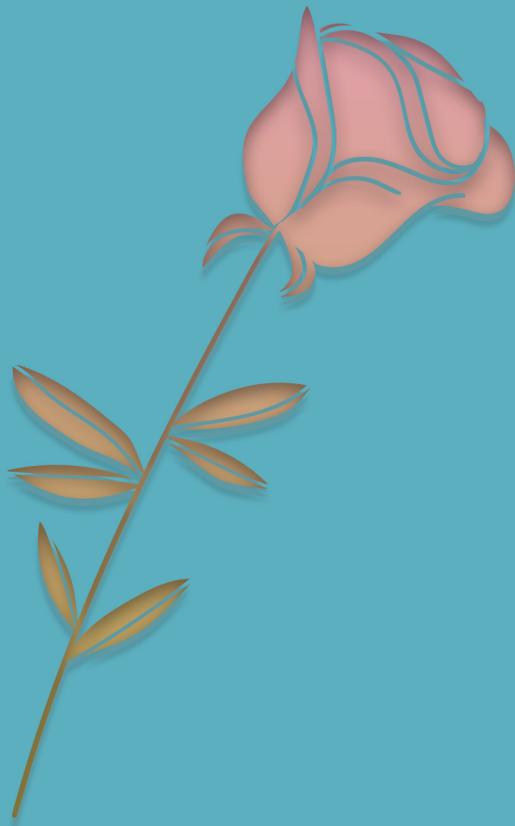
1. Giving a divorce after consummating a marriage.

2. Divorcing a wife before the consummation of marriage without mentioning the dowry to a wife.

3. Living apart according to the arbitration, and the separation is caused by the apostasy of the husband or the husband's accusation towards his wife (Li'an), and the separation occurs after consummating the marriage or after the consummation without specifying the dowry in the marriage contract.

# UNIT 15

## THE CONSOLATORY GIFT (MUT'AH)



Islamic inheritance is known as the Islamic law on inheritance. It is the section of Islamic law that deals with the distribution of assets (the estate) of a deceased person to his heirs in accordance with the Quran and Hadith.

## **The Attestations of the Inheritance's Division According to Islamic Law**

### **1. Al-hadith**

Narrated Ibn ‘Abbas: The Prophet said, “Give the Fara’id (the shares of the inheritance that are prescribed in the Qur'an) to those who are entitled to receive it. Then whatever remains, should be given to the closest male relative of the deceased.”

### **2. Al-ijma (scholarly consensus)**

Islamic scholars have agreed about the grandmother's right for receiving the inheritance based on the Ijtihad of Umar Al-Khattab.

## **The Elements of Inheritance's Distribution**

1. A testator
2. An Inheritor
3. An Estate

## **The Conditions of Receiving Inheritance**

1. A testator is dead
2. An heir is still alive
3. Perceiving a reason for receiving estate

## **The Factors of Having the Right to Receive Inheritance**

1. A marriage, it refers to a lawful marriage according to Islamic law.
2. A descendant, it means an inheritor who has right to receive an estate in Islam.
3. A slaver, it is someone who is the owner of slaves and then he releases them, therefore he has the right to receive the estate of his former slaves if it has no inheritor after the death of the slaves.

## **There are Three Matters Which Impede Inheritance as Follows:**

1. Murdering a testator

لَيْسَ لِلْفَاجِلِ شَيْءٌ

“There is nothing for the murderer” (narrated Abu-Dawud: 4563)

2. Difference in religion.

لَا يرثُ الْمُسْلِمُ الْكَافِرُ، وَلَا الْكَافِرُ الْمُسْلِمُ

Narrated by Abu-Dawud: 2909, shaykh Al-Bani classed as sahih.

3. Slavery

A slave has no right to inherit an estate or owning any property.

## **The Rights Which Related to Inheritance**

1. Paying funeral's expenses of a deceased.

2. Paying off a deceased's debt.

3. Following the bequest (Waslyya) of a deceased.

4. Distributing estate to the inheritors lawfully based on the Islamic law of inheritance.

### **For example:**

The deceased has a total estate of 100,000 Baht

- Paying the funeral costs 10,000 Baht, remaining balance is 90,000 Baht

- Paying off the deceased's debts 10,000 Baht, it is remaining 80,000 Baht

- Completing the bequest (Waslyya) of the deceased, which is not more than 1/3 of remaining balance from the above for example 10,000 Baht, and the remaining balance is 70,000 Baht.

- For the rest of remaining money, it must be divided in accordance with Islamic inheritance's rule.

“And We Created Pairs of All Things so Perhaps You Would Be Mindful.”

(Surah Az-Zariyat: 49)

**"And We created pairs of all things<sup>1</sup>  
so perhaps you would be mindful."**

*(Al-Quran Surah Adh-Dhariyat :49)*

