

The Woman's Right to Marry a Suitable Match of Her Choice

Qur'anic Verses:

{When ye divorce women, and they fulfill the term of their (`iddat), do not prevent them from marrying their (former) husbands, if they mutually agree on equitable terms. This instruction is for all amongst you, who believe in Allah and the Last Day. That is (the course making for) most virtue and purity amongst you. And Allah knows, and ye know not.}

[Al-Baqarah: 232]

Prophetic Handiths:

Al-Hassan ibn Ma'qil ibn Yasar related that he gave his sister to one of the Muslims in marriage. When she stayed a period of time with him, he divorced her. He did not take her back until she fulfilled her due waiting period (`iddat). Then both he and Al-Khattab betrothed her. She accepted to go back to him. When he asked her hand from Ma'qil, he got angry and said, When I honoured you by marrying her, you divorced her. By Allah, you will not take her back

Al-Hasan said, Allah knows the man's need to his wife and the woman's need too. Consequently, Allah revealed the above verse. When Ma'qil heard it he said all obedience to my Lord. He then called her husband and said, I marry you her in marriage and honour you.²²

[Reported by Al-Bukhari]

²² Tirmidhi commented that this hadith indicates that it is not permissible for a woman to conduct her marriage. There should be a guardian for the woman. Although Ma'qil's sister was non-virgin, yet could not conduct her marriage.

The Presentation of Ones Daughter (for Marriage) to a Religious Man

Qur'anic verses:

{And when he arrived at the watering (place) in Madyan, He found there a group of men watering (their flocks). And besides them he found two women who were keeping back (their flocks). He said: What is the matter with you? They said: We cannot water (our flocks), until the shepherds take back (their flocks): And our father is a very old man. So he watered (their flocks) for them; then he turned back to the shade, and said: O my Lord! Truly am I in (desperate) need of any good that Thou dost send me! Afterwards one of the (damsels) came (back) to him, walking bashfully. She said: My father invites thee that he may reward thee for having watered (our flocks) for us. So when he came to him and narrated the story, he said: Fear thou not: (well) hast thou escaped from unjust people. Said one of the (damsels): O my (dear) father! Engage him on wages: truly the best of men for thee to employ is the man who is strong and trusty. He said: I intend to wed one of these my daughters to thee, on condition that thou serve me for eight years; but if thou complete ten years, it will be (grace) from thee. But I intend not to place thee under the difficulty: thou wilt find me, indeed, if Allah wills, one of the righteous. He said: Be that (the agreement) between me and thee: whichever of the two terms I fulfill, let there be no injustice to me. Be Allah a witness to what