98768 - What are the limits within which parents may interfere in their son’s marriage? Is he sinning if he goes against their wishes?

the question

I have got to know a girl who recently became Muslim (she was Christian before) and we have agreed to get married, but my family are strongly opposed to that.

Detailed answer

Praise be to Allah.

Firstly:

We hope that you will pay attention to the things you have done that go against sharee’ah, such as getting to know that girl who is a stranger (non-mahram) to you, talking to her, making friends with her and other shortcomings to which you have admitted. You should understand that these sins mean that you must give them up, regret doing them and resolve not to do them again, as well as praying a great deal for forgiveness and doing righteous deeds.

With regard to your relationship with this girl, it is not permissible for you to talk to her or see her, let alone make friends with her and be alone with her. It is good that you and she have thought of marriage, because it is the only legitimate shar’i way that you can be together, so do your best to attain that; but if that is not possible for you, then this relationship should be ended completely and perhaps Allah will compensate you with someone better than her and will compensate her with someone better than you.

We have discussed the issue of correspondence between the sexes being haraam in the answer to question no. 26890 and 10221.

With regard to haraam infatuation and its effects, and marriage to the one with whom one is

infatuated, please see the answer to question no. 47405.

Secondly:

With regard to your family's objections to this marriage, you should note that the parents' relationship to their son's marriage may take several forms, such as the following;

1-

Not approving of any girl whom he chooses for himself as a wife.

2-

Not approving of a girl whom he chooses, but their objection is for legitimate shar'i reasons, such as if she has a bad reputation, or she is not Muslim – even though marriage to a Christian or Jewish woman is basically permissible.

3-

Not approving of a girl whom he chooses, but it is not for any legitimate shar'i reason, rather it is for personal or worldly reasons, such as if she is not beautiful or is not from a good family, and he is not infatuated with her and he does not fear any harm to himself if he does not marry her.

4-

The same scenario as that mentioned above, but he is infatuated with her, and fears fitnah for himself if he does not marry her.

5-

Forcing him to marry a girl whom they choose for him, even if she is religiously committed and of good character.

It seems to us from the rulings on the scenarios mentioned above that the son should obey his parents in the second and third cases, and that it is definitely obligatory for him to do so in the

second case. In the second case the matter is clear and he has to obey them, because he is going to do something that is bad for their son and may also affect them.

In the third case it is permissible for him, but obeying them is obligatory, and what is obligatory takes precedence over what is permissible.

As for the first, fourth and fifth scenarios, it does not seem that he is obliged to obey them, because choosing a wife is the son's right, not the parents'; they may intervene in some cases but not in all. Preventing him from marrying any girl he chooses, regardless of whether she is religiously-committed or not, is pointless and he does not have to obey them.

The same applies if he is infatuated with a woman and fears fitnah if he does not marry her. In this case he does not have to obey them if they tell him to leave her and not marry her, because that may lead to evil and fitnah that Islam came to prevent.

It is definite that he should not obey them in the fifth case, which is where they force him to marry a girl whom they have chosen. This is not a matter in which he is obliged to obey them. Rather it is akin to food and drink: he may choose whatever he wants to eat and drink, and they have no right to control that.

Ibn Muflih al-Hanbali (may Allah have mercy on him) said:

The parents have no right to force their son to marry someone he does not want. Shaykh Taqiy al-Deen (i.e., Ibn Taymiyah – may Allah have mercy on him) said: Neither of the parents has the right to force their son to marry someone whom he does not want, and if he refuses then he is not sinning by disobeying them, because no one has the right to force him to eat food he finds off-putting when there is food that he wants to eat, and marriage is like that and more so. Food that one is forced to eat is unpleasant for a short while, but a forced marriage lasts for a long time, and it harms a person and he cannot leave it. End quote.

Al-Adaab al-Shar'iyyah (1/447)

Based on this, we say:

If that girl has embraced Islam and become a good Muslim, and you are infatuated with her, and you fear fitnah if you leave her, then we think that you should marry her, even if your mother does not agree. That applies even more so if you fear that her religious commitment may be affected if she has no one to look after her.

We advise you to try to convince your parents so that you can combine two good things: obeying them and marrying the one with whom you are infatuated. You can get married without your mother's knowledge, and try to guide her and advise her, and say du'aa' for her and for your father.

You should remember that because it is permissible for you to marry whomever you want and you do not have to obey your parents (in this matter), you should not fear their du'aa' against you or their being angry with you, because that is a sinful du'aa' which Allah will not accept from them, in sha Allah, unless you are wronging them and transgressing against them. Because it is permissible for you to marry without adhering to their wishes, you will not be sinning or doing wrong.

See the answer to question no. 82724 .

See also 21831 and 5512.

In those answers you will see more examples of that which we have discussed above.

See also the answer to question no. 5053 for a discussion on the rights that your mother has over you, and your rights over your mother.

Thirdly:

You should remember that it is not permissible for you to marry this girl without her having a wali (guardian). If she has a wali from among her family who is Muslim, then he must agree to the marriage – but a kaafir cannot be her guardian if she becomes Muslim. If there is no Muslim among her guardians then a Muslim should act as her wali, such as a shar'i judge (qaadi) or Mufti, or the imam of an Islamic centre. Whatever the case, it is not permissible for her to get married without a wali.

See also question no. 7989

And Allah knows best.