12467 - Ruling on marriage contract with one who was not praying then Allaah guided him

the question

I wonder if you could please answer my question as it worries me alot. My husband didn't pray at the time I got married, three years ago. Although shortly after marriage I convinced him to and he does now. I was wondering whether this marriage is null considering that at the time of the Nikkah, he didn't pray. What can I do now?

Detailed answer

Praise be to Allah.

Shaykh ‘Abd al-‘Azeez ibn Baaz (may Allaah have mercy on him) was asked about a marriage contract with one who was not praying then Allaah guided him. He said:

If the wife, like the husband, was not praying at the time of the marriage contract, then the marriage is valid, but if she was praying then the contract must be renewed, because it is not permissible for a Muslim woman to marry a kaafir man, because Allaah says (interpretation of the meaning):

“And give not (your daughters) in marriage to Al Mushrikoon (polytheists, pagans) till they believe (in Allaah Alone)”

[al-Baqarah 2:221]

This means that Muslim women should not marry them until they become Muslim, because Allaah says in Soorat al-Mumtahinah (interpretation of the meaning):

“then if you ascertain that they [emigrant Muslim women] are true believers send them not back to the disbelievers. They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them”

[al-Mumatahanah 60:10]