543214 - Is it permissible for a man to look at the woman to whom he wants to propose marriage without her guardian being present and without her knowledge?

the question

In a hadith in sahih bukhari, a woman came and presented herself in marriage to the prophet ﷺ , the prophet ﷺ looked at her, lowering his eyes

and raising them. My question is can a man do this without the presence of the wali? because Ive heard that the premarriage discussion must be done with the

presence of a wali. In another hadith, the prophet ﷺ instructed the one who wants to propose marriage to a woman to look at her, must this be done

under the presence of a wali as well? or can anyone be present as long as he isnt alone with her? also, must the person who is present alongside be

the woman's mahram or can it be anyone?

Summary of answer

It is permissible for a man to look at the woman to whom he has decided to propose marriage, even if it is without her permission, and it is not stipulated that her guardian or one of her mahrams should be present, on condition that he is not alone with her, there is no risk of temptation, he looks at her without desire, he only looks at what usually appears of her, he thinks it most likely that his proposal will be accepted, and his intention is only to look to the extent that is permitted according to Islamic teachings which will help him to take the decision to go ahead and propose.

Detailed answer

Praise be to Allah.

I.

It is recommended for a man to look at the one to whom he has decided to propose marriage, because of the report narrated by at-Tirmidhi (1087) and Ibn Majah (1865) from al-Mughirah ibn Shu`bah, that he proposed marriage to a woman and the Prophet (blessings and peace of Allah be upon him) said: “Go and look at her, for that is more likely to create love between you.” That is, it is more likely to create lasting affection between you. Al-Albani classed the hadith as authentic (sahih) in *Sahih at-Tirmidhi*.

An-Nawawi (may Allah have mercy on him) said: If he wants to propose marriage to her, then it is recommended for him to look at her, so that he will have no regrets.

According to another scholarly view, this looking is not recommended; rather it is permissible. But the correct view is the first one, because of the hadiths.

And it is permissible to look repeatedly, so as to have a full idea about her appearance.

And that may be done with or without her permission.

If it is not possible for him to look at her, he should send a woman to look at her, then describe her to him.

End quote from *Rawdat at-Talibin*, 7/19.

He may look at her without her knowledge, as is indicated by the words of an-Nawawi quoted above.

It is not stipulated that her mahram should be present when he looks at her; it is permissible for him to look at her in the presence of her mother or sister, so that he will not be alone with her and

there will be no room for temptation.

Abu Dawud (2082) narrated that Jabir ibn `Abdillah said: The Messenger of Allah (blessings and peace of Allah be upon him) said: “If one of you wants to propose to a woman, then if he is able to look at what will encourage him to go ahead and marry her, let him do that.”

He said: I proposed marriage to a young woman, then I used to hide and watch her until I saw that that which encouraged me to go ahead and marry her. Al-Albani classed the hadith as sound (hasan) in *Sahih Abi Dawud*.

Ahmad (18005) and Ibn Majah (1864) narrated that Muhammad ibn Maslamah said: I proposed marriage to a woman, and I would hide and watch out for her, and once I saw her among some palm trees of hers.

It was said to him: How can you do that, when you are a companion of the Messenger of Allah (blessings and peace of Allah be upon him)?

He said: I heard the Messenger of Allah (blessings and peace of Allah be upon him) say: “If Allah makes someone inclined to propose to a woman, there is nothing wrong with him looking at her.” Al-Albani classed it as authentic (sahih) in *Sahih Ibn Majah*.

Ibn Ruslan (may Allah have mercy on him) said in *Sharh Abi Dawud* (9/344): From the words “then if he is able to look” it may be understood that he should seek an opportunity to look at her without her being aware of that, because of what it says in the report narrated by at-Tabarani and Ahmad from Musa ibn `Abdillah from Abu Humayd, who said: The Messenger of Allah (blessings and peace of Allah be upon him) said: “If one of you has proposed to a woman, there is no blame on him if he looks at her, even if she is not aware of that” – that is, even if neither she nor her guardian has given permission for that.

In *Al-Matlab*, he explained the reason why he can look when she is unaware; it is because if he had to seek permission and she was aware of his looking, perhaps she would beautify herself and try to show qualities that she does not possess, which would be a kind of deceit to trick the eyes and

change how she really looks, and the purpose of looking would not be achieved. End quote.

II.

For this looking to be permissible, there are conditions which must be met.

Shaykh Ibn `Uthaymin (may Allah have mercy on him) said: The conditions for it being permissible to look at a woman are six:

1. The man should not be alone with her.
2. There should be no desire; if he looks with desire, then it is prohibited, because the purpose of looking is to find out, not to find pleasure.
3. He should think it most likely that she will accept his proposal.
4. He should only look at what ordinarily appears of her.
5. He should have decided to propose, meaning that his looking is the outcome of his decision to approach these people and propose to their daughter. If he only wants to go around looking at women, that is not permissible.
6. The sixth condition is addressed to the woman: she should not appear with makeup, perfume, kohl and other kinds of beautification, because the purpose is not to make the man feel attracted to intimacy with her so as to suggest that she should appear with her adornment, because these are things that a woman does to encourage her husband to have intercourse with her, and because there may be temptation in that, and the basic principle is that it is prohibited because she is a non-mahram to him. Moreover, if she appears like that, it may cause trouble for her, because if he marries her and finds that she is not as beautiful as he thought she was, he will lose interest in her and his opinion of her will change, especially when the Shaytan makes a woman who is not permissible to him appear more beautiful in his eyes than his wife. Hence you may find a man – we seek refuge with Allah – whose wife is one of the most beautiful of women, but he looks at an ugly woman and the Shaytan makes her appear beautiful in his eyes because she is not permissible for him. So the effect of the Shaytan making her appear more beautiful than she is and the effect of her own efforts to beautify herself will be combined, then after he marries her, he will find her to

be different from what he imagined her to be, and that will lead to bad consequences.

If it is said: How can he think it is most likely that they will accept his proposal?

The answer is that Allah, may He be Glorified and Exalted, has made people of different levels, as He, may He be Exalted, says: {It is We Who portion out between them their livelihood in this world, and We raised some of them above others in ranks, so that some may employ others in their work} [az-Zukhruf 43:32]. If a street-sweeper proposes to the daughter of a governor, it is most likely that they will not accept his proposal. The same applies if a chronically ill, deaf old man proposes to a beautiful young woman; it is most likely that they will not accept his proposal.

End quote from *Ash-Sharh al-Mumti`*, 12/22.

Conclusion:

It is permissible for a man to look at the woman to whom he has decided to propose without her knowledge, and without her mahram being present, if the conditions mentioned above are met, which include his not being alone with her and his thinking it most likely that his proposal will be accepted.

For more information, see the answer to question no. 2572.

And Allah knows best.