

الخطبة

Engagement, Betrothal, or Fiancé

I. Introduction: An engagement, betrothal, or fiancé is a relationship between two people who want to get married, and also the period of time between a marriage proposal and a marriage. During this period, a couple is said to be betrothed, intended, affianced, engaged to be married, or simply engaged. Future brides and grooms may be called the betrothed, a wife-to-be or husband-to-be, fiancée or fiancé respectively.

II. Definition of Engagement

تعريف الخطبة

طلب يد امرأة للزواج من نفسها أو من وليها

Seeking a woman's hand to marry her through herself or through her guardian

III. Qualification of the Engagement

تكييف

الخطبة

The engagement is a promise of marriage

IV. Conditions of the engagement

شروط الخطبة

The scholars stipulate many conditions, some of which are necessary that the validity of the engagement depends on, whereas, others are desirable that it is better to be available than none, and their absence do not affect anything.

A- Obligatory conditions

الشروط الواجبة

1- أن لا تكون المرأة محرمة على الرجل

1- Woman is not be forbidden to marry the man (i.e., valid to be a wife at once). Based on this, any engagement to a woman who is of a prohibiting

character whether eternal such as those who are of consanguinity or breastfeeding relation, or temporal like a married woman, polytheist, etc. is considered as null.

2- أن لا تكون مخطوبة لغيره

2-Woman is not be on another proposal of male or on engagement time with another man.

B- Desirable conditions

الشروط المستحسنة

أ- أن تكون ذات دين وخلق:

A prospective spouse's piety and practice of Islam, their fulfilling of what is mandatory and their avoidance of what is unlawful.

ب- أن تكون ذات جمال:

Beauty is another important characteristic to be looked for in a spouse. It has a certain role to play since one of the purposes of marriage is to keep both mates from sin. The best way to achieve this is if there is a strong attraction between the husband and wife.

ت- أن تكون بكرًا:

Virginity: This isn't a condition for marriage but it comes with its virtues. Virgins are pure, mild and innocent. They have no experience so, it makes the marital sojourn adventurous. Besides, this isn't just about breaking the hymen. It's about chastity and piety.

There are many Hadiths which recommend a man to marry a virgin woman, such as the Hadith of Jabir (May Allah be pleased with him) when married an older and previously married woman, the Prophet (Peace and blessing of Allah be upon him) remarked: "Why not a virgin? You could have played with her and her with you." The scholars have

stressed that this good attribute applies to the husband just as it applies to the wife.

ث- تقارب السنّ

Age closeness is a condition that contributes to the continuation of intimacy between the spouses. If one of the spouses is not of the other's age, the purpose of the marriage has not been fully achieved, then it may lead to a separation that is contrary to this purpose.

ج- أن تكون ودوداً ولوداً:

The Prophet said: “Marry the loving/friendly, the child-bearing for I shall outstrip the other nations with your numbers on Doomsday.

One of the important issues of character in the spouse is the quality of wudd. This means kindness and lovingness and compassion. It might be said that kindhearted woman is thoughtful, generous, loving, and caring. Everything she does is because of love.

Besides, the prophet (peace and blessing of Allah be upon him) recommended men to marry women who are child-bearing. This characteristic is related to some of the goals and purposes of marriage such as enlarging the Muslim Ummah (community), raising pious families as cornerstones of society, and so forth.

ح- التغريب:

Woman has far blood relationship with man because marriage between the couple of near blood relationship may cause weakness to the offspring.

Notes:

* It is unlawful for a man to make a proposal to a woman when another Muslim has already made a proposal to her before he declines.

* It is unlawful to make obvious proposal to a divorced woman, or a widow who is in her iddah. It is permissible however, to hint about marriage to such a woman saying, for instance, "I would like to marry a woman like you." And she may respond by saying: "No woman would reject you", and the like.

* It is permissible to make direct or indirect proposal to a woman in her iddah of an irrevocable divorce.

*It is unlawful to make direct or indirect proposal to a woman in her iddah of a revocable divorce.

V. THE TERMINATION OF THE ENGAGEMENT

Since the engagement is only a promise of marriage, any couple has the right to cancel it. In addition, engagement may be broken due to many factors.

Any of the following events brings about the termination of an engagement:

1. Marriage by the couple;
2. Death of either party;
3. A mutual agreement by the parties to terminate;
4. When a parent or guardian withdraw his consent when one party is a minor;
5. A justified, unilateral, decision that is based on a sound reason to terminate by one party;
6. Breach of promise.