

# A Comparative Analysis Of The Opinion Of Ibn Taymiyyah And Fuqaha Regarding The Family Issues (Seeing The Fiancé)

**1: Mamoon Islam , 2: Dr. Hafiz Hussain Azhar , 3: Dilawaiz , 4: Hafiz Muhammad Usman , 5: Dr.hafiz fida hussain , 6: Dr.Sayed Alam Jamal Abdusslam Hasham , 7: Dr.Malik Kamran(Corresponding author)**

<sup>1</sup>*Ph.D Scholar university of Sargodha, Sargodha, Pakistan.*

<sup>2</sup>*Associate Professor Department of Social Sciences University of Veterinary and Animal Sciences (UVAS) Lahore, Pakistan.*

<sup>3</sup>*Lecturer, Sociology Department of Social Sciences University of Veterinary and Animal Sciences (UVAS) Lahore, Pakistan.*

<sup>4</sup>*Lecturer Department of Social Sciences University of Veterinary and Animal Sciences (UVAS) Lahore, Pakistan.*

<sup>5</sup>*Associate Professor , National college of Business Administration and Economics Multan Camps.*

<sup>6</sup>*Assistant Professor, Department of Islamic Studies, The University of Lahore.*

<sup>7</sup>*Assistant Professor, Department of Islamic Studies, the University of Lahore, Lahore.*

## ABSTRACT

Marriage is the only means of legal union between a man and a woman for the purpose of human reproduction, and it is a matter established by every religion and nation of the world. There is guidance in Islam about looking at a woman before marriage. According to Imam Ibn Taymiyyah, the fiancée cannot be seen in any case before marriage. While the Islamic scholars have denied it and have gone towards its justification. There are many arguments in the sources and basic books of Islamic teachings which have clearly supported the justification of this practice. And it seems logically correct that until the woman and the man at least look at each other and are satisfied, this process remains unfinished. A comparison has been made and the opinions of both of them have been resolved in the light of Shariah statements. Nowadays, it is very important to talk about this issue so that practice of uncivilized ways while arranging marriages in families and lawlessness ends and hence the series of legal marriages can start in the society within nations.

**Keywords:** legal union, human reproduction ,reforming, fiancée, Shariah.

## INTRODUCTION:

Among family issues, marriage is an important issue of the society in which the process of human growth begins. Is it necessary to see the fiancée before marriage or not? How much room is there in Islamic teachings? And to what extent can it be

seen? Looking at a woman means only to see her face or can she be touched?.

### Situation of the issue

The Islamic Sharia has prohibited seeing a strange woman so that the purity of soul, chastity, integrity and dignity remain, but in some

situations, due to great need the Islamic Sharia has allowed seeing a strange woman.

The betrothed man also includes looking at his fiancée because it is a critical and important decision in the life of both man and woman which has to be made in the form of marriage. There are two opinions in Islamic jurists about seeing the fiancée. One is that it is forbidden to look and the other is that it is permissible. Ibn Taymiyyah's opinion is that it is not permissible to see the fiancée before marriage, while the majority of scholars are of the opinion that it is permissible. In the essay, Imam Ibn Taymiyyah's opinion and arguments will be mentioned and compared with the opinions and arguments of other Islamic scholars..

### **Ibn Taymiyyah's position and arguments about seeing the fiancée**

Ibn Taymiyyah writes that it is not lawful to look at the fiancée before marriage, whether or not he has lustful eyes.<sup>1</sup>

Ibn Taymiyyah argued that the first argument for his opinion is the verse of the Qur'an that says, "Tell the women to lower their gazes"<sup>2</sup> If there is, men should be more than that. Another argument is the Prophet's command to his wives to veil Ibn Umm Maktoum from the blind<sup>3</sup>. In addition, the general argument is that one should not follow the initial paths of evil in order to avoid it, so the fiancée. It is not right to see before marriage

### **The arguments of the jurisprudents regarding seeing the fiancée**

Islamic scholars are convinced of looking at the betrothed and consider it a legitimate act.

Imam Abu Hanifah has allowed to see both feet, palms, and face.<sup>4</sup>

Imam Malik says: Can only see face, palms and hands.

Imam Shafi'i says:When a man wants to marry a woman, it is not permissible for him to see her without a veil, but in the form of covering her head, only her face and hands can be seen without her permission.<sup>5</sup>

Imam Nawa'wi says:When you are interested in marriage with a girl, it is recommended to see her so that you don't have to regret it later.And another reason is that seeing is not recommended but permissible, and in the light of the hadiths, the first thing is correct. After seeing her well, her attributes expose in front of man.And when a woman wants to get married, she can also look at a man, because just as a man likes a woman, so does a woman.A woman's face and palms can be seen from both sides, nothing else can be seen.<sup>6</sup>

There are two traditions from Imam Ahmad:The first tradition: He can see hands and faces.Second tradition: He can see what is visible in general, such as the neck, legs..<sup>7</sup>

Ibn Abidin says:It is permissible to see the face, palms, and feet, but it is not lawful to exceed it<sup>8</sup> The great scholar of this century, Muhammad Nasir al-Din al-Albani, is also convinced of this<sup>9</sup>

### **Evidences from scholars**

The first of the arguments in support of the scholars' opinion is that the Prophet said:(When one of you is betrothed to a woman, he should do so if he sees something that makes her attractive to marry him) Jabir says that I was betrothed to a girl and I used to hide to see her even I saw something about her that invited me to marry her, so I married her.<sup>10</sup>

And there is a tradition that:Jabir narrates that I got engaged to a girl from Banu Salma and I used to hide in the trunks of palm trees to see her until I saw her desire for marriage and married her.<sup>11</sup> The second argument is that a person said to the Prophet:I have married an Ansari woman. The Holy Prophet said to him:

Have you seen her? He said no, the Prophet said: Go and see her because there is something in the eyes of the Ansar.<sup>12</sup>

The third argument is that Mughira bin Shuba began to recite the Torsol of betrothal to a woman: Have you seen her? So he replied in the negative, it is said to him that: Go and see her, because doing so will cause more stability between you two.<sup>13</sup> And there is a tradition that he narrates, he did so, the narrator says that he married her Sunan<sup>14</sup> The fourth argument is that a woman came to the Prophet and said, O Messenger of Allah, I sacrifice myself for you. The Prophet looked at her and raised his eyes and then lowered them. He said and she sat down.

One of the Companions stood up and said, O Messenger of Allah, if you do not need this woman, marry her to me. The Messenger of Allah said: Do you have anything? The companion replied, O Messenger of Allah, I have nothing. The Prophet said, "Go and look at your family, maybe you will find something."

The Prophet said: Look, if only an iron ring is found, he went and came back and said: O Messenger of Allah, I did not find an iron ring, but I have this cloak, I will give her half of it. The Prophet said: What will you do with it? If you tie it up, nothing will happen to her. The man sat down after hearing this from the Prophet and when he sat for a long time, he got up and left. The Prophet saw him leaving and ordered to call him back. Prophet came back and said: How much

Quran do you know? He replied: So-and-so Surah comes. The Prophet said: Can you read it orally? He said yes, the Prophet said: Go, I have made you the owner of what you have memorized the Holy Quran.<sup>15</sup> The Prophet wanted to marry a woman, so he sent a woman to see her and told her: Look at her front teeth and the top of her heels.<sup>16</sup>

This is also confirmed by the actions of the Companions who followed the Sunnah, including Muhammad bin Muslimah, Jabir bin Abdullah, because both of them used to hide to see their fiancée to invite her for marriage. To be able to see things.

### Comparative and Analysis

The arguments given by Ibn Taymiyyah in the above text indicate the generality, while the scholars' opinion seems to be correct. Their arguments are firm and proven by the texts. According to the Major scholars, it is permissible to see only the face and palms of the fiancée because the face is permissible. Her beauty and ugliness can be seen from the palms and the knowledge of the soft, coarse and thin and thick of a woman's body, but meeting separately and talking in private should be avoided. If it is not possible to see, a woman can be appointed to look at it. It is permissible for an engaged man to see his fiancée even if he sees her without her permission and knowledge.

### References

<sup>1</sup>Ibn e Tamia ,Ahmad Bin Abdulhamid,Majmool Al-Fatawa,Mujma Almalik Alfahad,Saoodia,2004,Vol,15,P:396.

<sup>2</sup> Al-NurS 24:30.

<sup>3</sup>Tirmidhi,Muhammad bin Iesa,muktba Darul Slam ,Alriaz,1098,Hadith No: 2778

<sup>4</sup>Ibn e Rushad, Muhammad bin Ahmad Badayat Al-Mujthad and Nahayat Al-Muqtasad,Darul Hadth Alqahirah,2004,Vol, 3,P:10

<sup>5</sup>Al Mawardi Ali bin Muhammad,Al-Hawi Al-Kabeer,Darul kutab Alilmia,Beroat,2001,Vol: 9,P:34.

<sup>6</sup>Al Nawawi,Yhya bin Sharaf,Ruzat al-Talbeen,Almuktba Alislami,Beroat, 1991,Vol: 7,P:19-20

<sup>7</sup>Ibne Qudamah,Abdulah bin Ahmmad,Al-Mughni,muktba Alqahirah,1998,Vol: 7,P:454

<sup>8</sup>Ibne Abdin,Muhammad Amen bin Umar,Rudul Muhtar,Darul Fikar ,Beroat,1992,Vol:5,P:325

---

<sup>9</sup>Nasirul din Albani ,Al-Silsalat al-Sahiha,Muktba Almaarif ,Alriaz,1995,Vol: 1,P:156.

<sup>10</sup> Slaman bin Ashath,Sunan Abu Dawud , Mktba Darul Slam Alriaz,2004,Hadith No: 1832.

<sup>11</sup>Abu Dawud , Hadith No:1834.

<sup>12</sup>Muslim bin hujjaj,Sahih Muslim Hadith,Mktba Darul Slam Alriaz,2004,Hadith No: 1424.

<sup>13</sup> Darqutni,Ali bin Umar,Mosisa Risala, Beroat,2004,Vol: 3,P:252

<sup>14</sup>Ibn Majah,Muhammad bin Yzeed,Alsunann,Darul Ihya Alkutab, Vol: 1,P:574.

<sup>15</sup>Muhmmad bin Imaeel Bukhari,Aljamay Alsahih,Dare Toq Alnijah,1422AH,vol: 7,p:19.

<sup>16</sup>Alhakim,Muhammad bin Abdulah,Almustadrik,Darulkutab Alilmia,Beroat,1990,Vol; 2,P: 166