

4158 - She stipulated a condition in her marriage contract that has been invalidated by a change in the law of the land

the question

Assalam Aleakm Wa rahmat alah wa

brakatah...

My sister came to England for medical treatment.

One of the brothers proposed to marry her.

There were conditions from my sister that he has to be his staying legal in the UK "i.e.

our agreement based upon this condition".

The orator has been living in the UK for 13 years.

There is a law saying that "if any one has lived in the UK for 14 years continuously he automatically be granted the UK nationality. After we write the marriage certificate "according to Islamic law" we founded that the law was not applicable any more. The wedding did not take place.

My question is the marriage has been canceled.

If we want the marriage to be continued do we have to do a new marriage with new conditions.

Please replay as soon as possible....

·{Zazak Alah khaure}·

Detailed answer

Your sister has the right to what she stipulated as a condition, because of the hadeeth, "The Muslims are bound by their conditions." If the marriage contract has been completed, she can ask for an annulment from the sharee'ah judge (qaadi) – if there is a reliable sharee'ah judge – or from the leader of the Muslim community in that country. If she wants to stay in the marriage, she can do that too, and there is no need to repeat or renew the marriage contract. And Allaah knows best.