

170746 - Her father rejected the suitor because he has a beard, and she has no other guardian

the question

I am 24 years old and I want to get married. I want to marry a girl but her father does not like men with beards and how practices the sunnah of the prophet (peace and blessings of Allah be upon him) unlike his daughter. I live in a non-Muslim land and we don't have a qadi, because I tried to look for an answer based on other people's problems but none is similar.

The woman has no brothers or uncles and her mother died when she was very young. She has a grandfather but he is not Muslim.

My question is if the father refuses to let us get married. What can I do. And who can be the wali.

Detailed answer

We have previously discussed the condition that the wali (guardian) must be present in order for the marriage contract to be valid, and the fact that his guardianship is waived if he prevents a woman from marrying a compatible suitor with whom she is pleased. See the answer to questions no. [7193](#).

But we should point out here the necessity of discussing the issue the guardian and finding out the real reasons why he rejected the suitor. The director of the Islamic Centre or the Imam of the mosque who will do the marriage contract for the woman in the event of her guardian preventing her from marrying and the woman not having any other guardian and there being no Muslim qadi, has to find out the real reason why the guardian rejected the suitor, and he should not jump to conclusions. The guardian may have a valid reason for refusing to give his daughter to this suitor in marriage, even if he appears outwardly to be religiously committed. If it turns out that there is no valid reason, in that case he has to examine the negative consequences of the woman's marriage without the approval of her guardian, and what that may lead to of severing ties of kinship and so on, and the ability to put up with that, especially in a country where she has no guardians who can support her in the event of trials and crises.

What is meant is that this trust and responsibility is placed on the shoulders of the Imam of the mosque and so on, and his duty is to be cautious and not be hasty; he has to listen to what the guardian has to say and not listen only to the woman or to the suitor, especially since some fuqaha' do not regard it as preventing the woman from marrying unless there has been repeated refusal of suitors on the part of the guardian; in that case it is clear that he is not acting in the best interests of the woman or taking care of her.

And Allah knows best.