

**Question:**

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Assalaamu Alaikum

My wife and I got married without a wali, we are both divorced. Her parents' family were informed of our intention to marry and did not try to prevent it, although her father was against the marriage on the ground that I was white, my wife is Asian. I am a Muslim but her father was not happy with her marrying a Muslim who was white and from the UK as he believes that unless you are from Pakistan you can't be a good Muslim.

I need to find out if our marriage is valid, they were an offer and acceptance as well as two witnesses.

Please advise  
Jusakalkarn

**Answer:**

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Assalamu Aleikum

Sheikh Omar answered this question before as follows:

As long as the pillars of the marriage have been satisfied the Nikah will be valid i.e.

- I) Al-Aqidan - the two parties: Which has the following binding conditions:
  - a) Maturity of both parties,
  - b) Sanity and
  - c) No Preventions/Prohibitions e.g. she is not Hindu or pregnant or in Iddah etc...
- II) Siegat Al-Aqd or Al-Ijab wa Al-Qabul - the deal or the offer and acceptance: Which has the following binding conditions:
  - a) Clear wording,
  - b) Presence of the two parties and
  - c) Absence of any ambiguity or any prevention
- III) Al-Ma'quod Alayh - the subject of the contract: Which has the following binding conditions:
  - a) Subject matter permitted by the Shariah i.e. enjoyment or having children
  - b) Absence of preventions

The Nikah could become invalid in relation to any of the above pillars or conditions, for example if the parties (or their representatives) are not present (see (ii)(b) above) for instance.

The Nikah contract also has supplementary conditions which are to have witnesses, a fixed dowry (Mehr) and a Wali-amr for the woman. The absence of any of these will not invalidate the Nikah but will make it incomplete requiring completion. If a Wali Amr was not present at the Nikah this will be completed by informing the father of the Nikah having taken place which may be done by phone.

Phone the Sheikh on 0956 920006 or 0208 880 4628 for more details.

Anjem Choudary - UK Leader of Al-Muhajiroun