

**THE CONDUCT OF VALID MARRIAGE AMONG THE MUSLIMS IN PLATEAU
STATE: PROBLEMS AND PROSPECTS.**

BY

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APPROVAL PAGE

The research project has been well scrutinized by the supervisor, who approved it as having met the required standard of the department of Islamic studies for the award of Bachelor of Arts (B.A) in Islamic studies.

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DEDICATION

I wish to dedicate this research work to my beloved parents Late MalamAliyu Musa Abubakar, MalamaHauwa'u Muhammad and entire Majidadi's family.

ACKNOWLEDGEMENTS

All praise are due to Allah (S.W.T). The Lord of the Universe. May His peace, mercy and blessing be upon the last Noble Prophet Muhammad (S.A.W). His Companions and those who followed their ways.

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THE CONDUCT OF VALID MARRIAGE AMONG THE MUSLIMS IN PLATEAU STATE: PROBLEMS AND PROSPECTS

CHAPTER ONE

1.0	Introduction	1
1.1	Background of the study	1
1.2	Statement of the research problem	2
1.3	Aim and Objectives	2
1.4	Scope and Limitation	2
1.5	Methodology	3
1.6	Structure	3
1.7	Literature review	4

CHAPTER TWO

2.0	HISTORICAL BACKGROUND OF THE STUDY AREA	7
2.1	The conduct of valid marriage according to Islamic law	10
2.2	Definition of Marriage	11
2.3	The position of marriage in Islam	11
2.4	Preliminaries of Muslim marriage	14
2.5	Proposal of marriage (<i>Khitbah</i>)	15
2.6	The essential element of marriage contract	16
2.7	Rights and Obligations of the Spouse (husband and wife).....	19
2.8	Raising up of children	24

CHAPTER THREE

3.0 THE CONDUCT OF VALID MARRIAGE AMONG THE MUSLIMS IN PLATEAU STATE 28

3.1 Kinds of marriage in Islam 28

3.2 Customary marriage 30

3.3 Marriage ceremonies in Plateau State 31

CHAPTER FOUR

4.0 PROBLEMS AND PROSPECTS OF MARRIAGE AMONG THE MUSLIMS IN PLATEAU STATE..... 35

4.1 Solution 42

4.2 Summary and Conclusion 43

Bibliography 46

CHAPTER ONE

1.1 INTRODUCTION

The objective of this project is to look at how total marriage is conducted among the Muslims in Plateau State with the view of identifying the various problems that are associated with it and their prospects.

The institution of marriage is the foundation of all civilized nations and communities of the world. That is why all religions and legal systems have tried as much as possible to regulate the conduct of marriage as well as its dissolution among its members.

In Islam marriage is seen as a sacred contract which a Muslim enters into, unless if there are special reasons. Why he should not. Both Glorious *Qur'an* and the *Sunnah* of Prophet Muhammad (SAW) provided basis for Muslims conduct of marriage. Thus, in *Qur'an*, it is said:

*And marry those amongst you who are single and those who among male slave and your female slaves if they are needy, Allah will make them free from what out of this grace.*¹

*Similarly the Prophet (SAW) has expressly declared that: Marriage is my Sunnah and whoever abstain from my Sunnah is not of me". It is in compliance with the above injunctions that the Muslims all over struggle to get married in order to gain the pleasure of Allah (SWT).*²

1.2 BACKGROUND OF THE STUDY

As mentioned above, this project is set to examine how a marriage is conducted among the Muslims in Plateau State with problems and prospects. Since the arrival of Islam in the State with 19th Century Jihad of *Shaykh Usmanbn Fodiyo*.

However, marriage was being conducted in line with Islam in the state, but there is need for the examination of the extent of its conformity with the Islamic Ideas. This is the view to proffering suggestion for improvement where possible.

1.3 STATEMENT OF THE RESEARCH PROBLEM

Since the research aims at bringing out how a valid marriage have been conduct in Islamic law among the Muslims in Plateau State. We have to look at the problems and prospect to be laced in the area of marriage among the people in that state. How do they practice their marriage and to what extend that the people of Plateau State compel their children to marriage and how do they practice it in their culture.

1.4 AIM AND OBJECTIVES

The aim and objective of this research are: to bring in detail the concept and validity of marriage in Islam, to find out some of the reasons why some parents among the citizens of Plateau State give out their children to marriage without their choice, to identify to social impact and implication of forced marriage, to provide reading materials on marriage to provide research and know how marriage is carried out today, to provide rightful way stipulated by Islamic law, to see how marriage was related to status of man and discuss the reasons why Muslims neglect early marriage in their life today.

1.5 SCOPE AND LIMITATION

The concepts and practice of marriage is very wide and this entails studying a large cross section in Muslim marriage; The research however cover only the Muslims of the Plateau State who are practicing Islamic activities, and would be limited to all Muslims that are establishing

marriage and those who believe with the legality of it, and limitation is the conduct of this project is particularly the time limit.

1.6 METHODOLOGY

For the success of a project, one needs to adopt certain methods. Therefore, in this research two methods are adopted.

- i. Library research on relevant materials which are to be consulted whether published or unpublished.
- ii. Oral sources: interviews are to be conducted in order to have information from the people of Plateau State. The study from the primary sources was purely base on teaching of the Glorious Qur'an, Sunnah and fiqh literature, in addition to the existing literature where by books and papers relevant to the study where used.

Verbal interview technique was conducted to collect data on historical background of the marriage, how marriage was being practiced and kinds of marriage.

1.7 STRUCTURE

This work contains four chapters; chapter one deals with general introduction, background of the study, statement of the research problem aim and objectives, scope and limitation, methodology structure of chapters and literature review. The second chapter deals with the historical background to the study area, the conduct of valid marriage according to Islamic law, definition of marriage the position of marriage in Islam, preliminaries of a Muslim marriage, proposal of marriage, essential elements of marriage contract, rights and obligation of

the spouses husband and wife and arising up of children. Chapter three deals with marriage as conduct among the Muslim Plateau State, kinds of marriage, customary marriage, preliminary steps to be taken before the contract and marriage ceremonies. And finally the last chapter contains problems of marriage in Plateau State and their prospects, summary and conclusion with selected bibliography.

1.8 LITERATURE REVIEW

It is worthy to mention there that this work is to be based on some series of interviews and oral information. This is more for the suitability of the work, therefore many books are consulted which are relevant to my work both published and unpublished. These include textbooks, encyclopedia, lecture presentation etc.

However these are some of the books consulted in this research project.

Enagi, talked about the rules governing the proper marriage, things that are compulsory upon marriage the right of husband over his wife and the right of woman over her husband over his wife and the right of woman over her husband. The writer talked much about the rules governing the proper marriage and the compulsory right upon them (husband and wife). Is an important work which is relevance to my research work. The writer analyzed the compulsory right upon spouses in line of the Islamic way of life.

Ahmad Lemu, Discussed the position of women before and after the advent of Islam. The writer talked much about the position of women before and after the advent of Islam. Is an important work which is relevance to my research work. The writer discussed the position of women before and after the advent of Islam which the right that had been discuss in the book is the same right open all the muslim couples of today and tomorrow.

Abdul-rahman I. Doi, *Shari'ah* the Islamic law, The writer talked much about the Shari'ah the Islamic law and also analyzed the importance of marriage in Islam. Is an important work which is relevance to my research work as a result of my work is inline with the conduct of valid marriage among the muslims in Plateau State.

Abdullahi, the family structure in Islam, discussed marriage in Islam control of sexual behavior the purpose of marriage contract, the condition of marriage Dowry and marriage gift. The writer talked much about the family structure in Islam. And Islam control sexual behavior, the purpose of marriage contact, the condition of marriage dowry and marriage gift. Is an important work which is relevance to my research work as a result of my topic title which says the conduct of valid marriage among the muslims in Plateau State Problems and Prospects.

M. Muhammad Ali, religion of Islam also deals with all aspect of marriage and it also contains the saying of the Prophet Muhammad (SAW) with regard to marriage contract. The writer talked much about the religion of Islam also deals with all aspect of marriage as it contained with the saying of the Prophet Muhammad (S.A.W) with regard to marriage to marriage contract. Is an important work which is relevance to my research work. The writer analyzed some of the Islam aspect of marriage and also contains the saying of Prophet Muhammad (S.A.W).

END NOTES

Abdulqasim, The glorious Qur'an, Arabic text with corresponding English meaning (*Al – Muntada Al-islam*) publishing house (1997) chapter 24: verse 32

Shaykh al-Din Muhammad (Tanku Al-Usul Hadith, Commentary on Lubab Al-Hadith (1976)
p.20.

CHAPTER TWO

2.0 BACKGROUND OF THE STUDY AREA PLATEAU STATE

Plateau State is the twelfth largest State of Nigeria, and is roughly located in the center of the country. It is geographically unique in Nigeria because its boundaries totally surround the Jos Plateau, having the Jos Plateau totally in its central and northern part. Its capital is Jos.

Plateau State is celebrated as “the home of peace and tourism”, an image that has been fractured in recent years by Muslim – Christian clashes in the state. The Plateau State gets its name from Jos Plateau. It has a population of around 3.5 million people.

Geography

Adjacent states

Bauchi State to the North East

Kaduna State to the North West

Nasarawa State to the North West

Taraba State to the south east

Boundaries

Plateau State is located in Nigeria's middle belt. With an area of 26, 899 square kilometers, the State has an estimated population of three million people. It is located between latitude 8°24'N and longitude 8°32' and 10°38' east. The State is named after the picturesque Jos Plateau, a mountainous area in the North of the State. With captivating rock formations. Bare rocks are

scattered across the grasslands, which cover the Plateau. The attitude range from around 1,200 meters (about 4000 feet) to a peak of 1,829 meters above sea level in the shere hills rang near Jos. Years of tin mining have also left the area strewn with deep gorges and lakes.

Climate

Though the situated in the tropical zone, a higher altitude means that Plateau Statehas a near temperature climate with an average temperature of between 18 and 22⁰C. HarmattanWinds cause the coolest weather between December and February. The Warmest temperature usually occur in the dry season months of March and April. The mean annual rainfall varies from 131.75cm (52in) in the southern part to 146cm(57 in) on the Plateau. The highest rainfall is recorded during the wet season month of July and August. The average lower temperatures Plateau Statehas led to a reduce incidence of some tropical disease such as malaria. The Jos Plateau, makes it the source of many rivers in northern Nigeria including the Kaduna, Gongola, Hadija and Yoberivers.

Geology

The Jos Plateau is thought to be an area of younger granite which was intruded through an area of older granite rock, making up the surrounding states. These “younger” granites are thought to be about 160 million years old. This creates the unusual scenery of the Jos Plateau. There are numerous hillocks with gentle slopes emerging from the ground like mushrooms scattered with huge boulders. Also volcanoes and vast basaltic Plateaus created from lava flows. This also produces regions of mainly narrow and deep valleys and pediments (surfaces made smooth by erosion) from the middle of rounded hills with sheer rock faces. The phases of rounded hills with sheer rock faces. The phases of volcanic activities involved in the formation of Plateau State

have made it one of the mineral rich states in the country. Tin is still mined and proceeded on the Plateau.

Tourism

Plateau State is known as the Home of peace and Tourism and there is plenty to see. They as follows:

The wildlife Safari park; The National museum; the museum of traditional Nigerian Architecture. The Jos Zoo, The Assop falls, Kurra falls, Wase Rock, The Kerang highlands, The shere hills, Riyom Rock, Padam game reserve, Kahwang rock formation, Miango rest house, Rayfeild resorts, Hereena farms, International Youth Tourism Centre, Jos man – made Resorts, Naraguta Leather works, Art and Craft. Naraguta Souvenirs, Solomon Lar Amusement Park. Man – made liberty dam physical/man-made. Shandam Dam (Gleesing).

Local Government

In 1976, Plateau State consisted of fourteen (14) Local Government Areas (LGAs). New LGAs were carved out of the large ones in 1989 – 1991 and 1996, so that today the new Plateau State is sub divided into the following seventeen (17) LGAs.

Demographics

The state has over more than 50 ethnic groups in Plateau State. Its unique geographical features and numerous ethnic groups make it a mosaic of socio-cultural activities in Nigeria. These ethnic groups are predominantly farmers and have similar cultural and traditional ways of life. People from other parts of the country have come to settle in Plateau State. These include the Hausa, Fulani, Kanuri, Igbo, Yoruba, Ibibio, Annang, Efik, Ijaw and Bani.

Education

There are many education institutions in the state.

They are as follows:

University of Jos. Police staff college Bukuru, St. Augustine major seminary, and the theological college of Northern Nigeria, NTA College, School of higher Islamic studies, College of Education Gindiri, College of Art and Remedial Studies Kurgwi, College of Health Technology, College of Agriculture, School of Health Panshin, University of Education Panshin. The State boasts of many institutions of research and learning such as the National institute of policy and strategic studies kuru. The National Veterinary Research Institution Vom. NDLEA Command College. Institute of chartered Accounting in Nigeria (ICAN).

Business Opportunities

Agricultural products are available in large scale and these include potatoes, groundnut, vegetables of varied sorts, fruits, yam and of many other items.

Natural resources as cassiterite, barytes, clay. Kaolin columbite, tin, gemstone, galena, quartz and feldspar.

2.1 THE CONDUCT OF VALID MARRIAGE ACCORDING TO ISLAMIC LAW

In this chapter, I intend to briefly discuss marriage in the light of the Islamic *sharia'ah*. This is designed to give readers a clear insight into the Islamic perspective of marriage. With this idea in mind, one can easily pointed out all the anti-Islamic practices that are still persisting in marriage in Plateau State. The whole issue has been discussed according to the *Maliki* School of

Law, but some references have been made to other schools where it was deemed necessary. To begin our discussion, it is imperative to start with definition of marriage.

2.2 DEFINATION OF MARRIAGE

Let us first examine some of the various definitions given by Muslim jurists and then see which of them is the most suitable.

Marriage is an institution in Islam ordained for the protection of society, and in order that human being may guard themselves from foulness and unchastely.¹

It is a civil contact made by mutual consent between man and woman, may be witnessed by two or more persons, so that may establish their home.

Marriage though essentially a contract, is also a devotional act its object are the right of enjoyment, protection, procreation of children and regulation of the social life for the interest of the society.²

Both the above definition are correct because they have summarized the whole essential aspect and concept of Muslim marriage.

2.3 THE POSITION OF MARRIAGE IN ISLAM

Many *Qur'anic* and traditional texts can be quoted in which the practice of marriage is strongly urged to the Muslims. The following is an example of some *Qur'anic* texts.

And among His signs is this that He created for you mates from amongs yourselves that you may dwell in tranquility with them, and he has put love and mercy between your hearts.³

In another verse Allah (S.W.T) says:

And God has made for you mates and companions your own nature and made for you of them sons and daughters and grandchildren and provide for you sustenance of the best.⁴

Similarly, the Glorious Qur'an recommends marriage to Muslims even though they may be poor thus

*Marry those among you who are single or the virtuous ones among yourselves, male and female: if they are in poverty God will give them means out of His grace.*⁵

Allah (S.W.T) also says in another verse:

*He it is who has created man from water then He established relationship of lineage and married for your Lord has power (over all things)*⁶

*The Glorious Qur'an further stress Allah's readiness to give as reward and the highest place in the heaven to those who pray to get married, our Lord grant in to us wives and offspring who will be the comfort of our eyes.*⁷

In the context of praising the Prophet(S.A.W) who preceded (SAW) the Qur'an reads:

*We did sent apostles before you and appointed for them wives and children: and if the practice of an apostle to bring a sign except as permitted.*⁸

Similarly, there are many traditions of the Prophet Muhammad (SAW) in which practice of marriage is emphatically praised. The following are some of them:

*Marry and generate for I will be proud of your number among the whole nations on the day of judgement.*⁹

And also in another tradition of the Prophet (S.A.W) says:

*Young men and those of you who can support a wife should marry, for it keeps you away from immorality. But those who cannot should devote themselves to fasting for it is a means of suppressing sexual desire.*¹⁰

Furthermore, the Prophet(S.A.W) is reported to have said certain people who used to fast during the day and keep at night time, thereby keeping away from marriage.

I keep fast and I break it and I pray and I sleep and I am married, so whoever inclines to any other way than my Sunnah is not of me.¹¹

Another saying of the Prophet (S.A.W) laying stress upon marriage is thus:

Whoever married a woman in order that he may retain his eyes, God put blessedness in her for him and in him for her.¹²

And so also in another tradition the Prophet (S.A.W) is reported to have says:

Marriage is equal to jihad (Holy war). He added that it is sinful not to contract a marriage, it is Sunnah and obligatory on those who are physically fit.¹³

According to one tradition, the man who married, perfects half of his religion, then it urged the Muslims to strive more in order to protected the other half by leading a righteous life.¹⁴

Lastly, the Prophet(S.A.W) is reported to have mentioned three persons who the Almighty Himself has undertaken to help and among them is he who married with the view to secure his chastity.¹⁵

Considering the numerous Glorious *Qur'anic*verses and other tradition of the Prophet(S.A.W) as mentioned above, the Malik school maintain that marriage is recommended act if one is sure of given one's wife her rights. But due to some reasons that may affect certain individuals it takes other forms. The classification of the Maliki school on them, marriageability of individuals is as follows:

It (marriage) is recommended in a person who has the means to easily pay the dowry and maintain his wife and at the same time is in need of having a marriage partner.

Marriage is made compulsory on a person who fears that if he does not marry he may commit fortification (*al-zina*) and is having the means to easily pay dowry and maintain the wife and he is healthy.

And marriage is forbidden on a person who is unable to meet the responsibilities of marriage. In a nutshell one can say that Islam advocates marriage in order to keep human race from extinction and at the same time, it exhort those who cannot afford it to engage themselves in some form of devotional practices like fasting, because they are a means of suppressing sexual desire.

2.4 PRELIMINARIES OF MUSLIM MARRIAGE

The very fact that marriage is look upon as a contract is *Islam*, shows that before both parties must satisfy themselves that each will have a desirable partner for life in the other. The Qur'an laysdown expressly:

“Marry such woman as seen good to you (Q4:3) the Prophet (S.A.W) also is reported to have given an injunction to this effect”

When one of you can, eh should look at what attract him to marry her” (Abu-Daudchp 12-Hadith 18).

SahihBukhari: has a chapter headed,

To look at the woman before marriage*Sahih Muslim*has a similar chapter inviting a man who intends to marry a woman to have a look of her face and hands.

In this chapter it cited the case of a man who came to the Prophet(S.A.W) and said that he was marrying a woman from among the ansar, and the Prophet(S.A.W) to him, have good looked at her? On his replying in the negative the Prophet said then go and look at her, for there is a defect in the eyes of some Ansars.In addition, tradition some, it is reported that when *MughiraibnShubam*made a proposal of marriage to a woman, the Prophet (SAW) asked him if he

had seen her and his replying in the negative he enjoined him to see her because “It was likely to bring about greater love and concord between them. Muslim scholars have almost all agreed upon the approval (*istihbab*) of looking at the woman who one intends to marry.

And since the contract is affected by the consent of the two parties (the man and the woman) it means that the woman has similar right to satisfy herself before giving her assent. In one word the consent of both the man and the woman is essential in marriage and for this the Qur’an lays down the rule that two must agree “prevent them not from marrying their husband when they agree among themselves in a lawful manner” (Q2:232).

2.5 PROPOSAL OF MARRIAGE (KHITBAH)

The proposal of marriage is known as (*khitbah*) in *Arabic*. As soon as a man sees the woman whom he wants to marry he usually tries his best to know more about her in particular as well as the background of her family in general. This has been enjoined by the tradition of the Prophet(SAW) that a woman may be chosen in marriage for her religion. So choose a religious woman and hold fast to her. While in the case of her family, he must find out the standard of their social position, moral behavior and reputation.

When he has satisfied himself about the woman, he makes a proposal of marriage either to the woman directly or indirectly to her parents or guardians. According to the Islamic law, when a man makes a proposal of marriage to a woman, others are forbidden to make a proposal of same woman till the first suitor has given up the matter, or has been rejected. (*SahihBukhari* ch.67 Hadith 33).

A woman may also make a proposal of marriage to a man, or a man may propose the marriage of his daughter or sister to somebody.

However, it is the man who makes the proposal of marriage, it becomes an engagement and usually a certain time is allowed to pass before the marriage (*Nikah*) is performed. This period allowed the parties to study each other.

Further, so that if there is anything undesirable in the union, the engagement may be broken off by either party. It is only after the *nikah* has been performed that the two parties are bound to each other.

2.6 THE ESSENTIAL ELEMENTS OF MARRIAGE CONTRACT

Like any other simple civil contract, a contract of marriage is validly formed by the mutual agreement of the two parties to the contract, that is the bride and bridegroom. The essentials of the marriage contract according to the Maliki school of law are the following:

A. MARRIAGE GUARDIANS (*WALIYAT AL NIKAH*)

Marriage guardian is the person legally authorized to safeguard the interest and right of another who is incapable of doing so independently. According to the tradition of the Glorious Prophet(SAW) there can be no valid marriage contract without a marriage guardian. He then lays down that the guardianship in marriage from saying of the Prophet(SAW) belongs in the first place to the agitates, distant kindred relative who may inherit from a minor boy or girl has the power of giving him or her in marriage. Moreover, a guardian is qualified only if he satisfied certain requisites viz, he must be a free Muslim male of sound mind, of full age and of good character. As to who must have a guardian in marriage, different positions have been taken by different schools of law. While in the case of divorced woman or widow (*thayyibah*) the glorious Qur'an says, "Prevent them not from marrying in a lawful manner (Q2:240) the verse clearly recognized the right of the (*thayyibah*) to give herself in marriage and prohibits the guardian

from interference when the woman (herself) is satisfied. This is quite in accordance with a tradition that claimed:

Al-ayyim (the widow and divorced woman) had greater right to dispose off herself in marriage than her guardian (*Abu daud* chapter 12 Hadith 25).

B. DOWRY MARRIAGE ENDOWMENT (*MAHR*)

An authority of the Islamic Law called Dowry as “*mahr* or dower” is a sum that becomes payables by agreement between the parties, or by operation of the law”. No marriage is valid without the payment of dowry. The glorious Qur’an itself has describe dowry as free gift from husband to the wife at the time of contracting the marriage.

“And given woman their dowries as a free gift (Q4:4) in another verse it says “and lawful for you are all women besides those, provided that you seek them with your property, taxing them in marriage not committing fornication, then as to those whom you profit (by marriage) given them their dowries as appointed (Q4:34).

Tradition of the glorious Prophet (SAW) also leads to some conclusion that the payment of dowry in the *Qur’an* or *Hadith* of the Prophet (SAW), but the *Qur’an* make it clear that:

“The wealthy according to his means and strained according to his means (Q2:236) the Prophetis reported to have said that the most blessed marriage is that which is least costly and most easy. Dowry may consist of money, property, movable objects or services rendered to the bride herself. It is her personal property which she is empower to waive, reduce or return to her husband or dispense with as she pleases. This is enjoined by the Qur’an, the tradition of the Prophet(SAW) and the consensus of the Muslim jurists. The lowest amount of dowrybeing

mentioned in the tradition is a ring of iron (*Bukharichp. 67 Hadith 52*) and a man who could not even procure that was told to teach the Qur'an to his wife. (*Bukharichp. 67 Hadith 51*).

The above statement from the Qur'an and traditions shows that any amount of dowry may be self-led on the women depending on the circumstances.

C. PARTIES OR THE SPOUSES (HUSBAND AND WIFE)

Before the contract of a Muslim marriage, the spouses must be free from any legal impediments to marriage. Such impediments are grouped into permanent and temporary. Permanent impediments arise either from consanguinity or from affinity or from fosterage as mentioned in the Qur'an (Q4:23).

Consequently (blood relationship): a man cannot marry his mother or grandmother, his daughter or granddaughter, his sister whether full, half or uterine, his niece, grand niece and his aunt or grand aunt.

Affinity (marriage relationship): The impediments here involve his wives mothers or daughter, his daughter in law, the wife of his father, son and father's or mother's sister.

The consent of the parties must be sought and must be voluntary without constraints or duress, none of the two parties must be forced into the contract. The bride says: "I marry you to myself" and the groom replies "I accepted your marriage to me". If there is a guardian from the bride he will say, "I marry you to the women concerned" and (her name should be mentioned). The groom or his *Waliyi* reply "I accept your marriage to me"

D. WITNESS (*AL-ISHAD*)

There should be witness of marriage. The Islam law requires the presence of at least two witnesses at the ceremony. The Glorious Qur'an does not provide any Plan direction to this, but it makes a plain direction as to two witnesses at the time of divorce (Q 65:2) it there stand to reason that the presence of two witnesses at the marriage should be equally necessary.

In addition to this marriage feast which the Prophet (SAW) recommended is another step in the publicity of marriage. In hadith related to Abdul-Rahman Ibn Auf, that the Prophet (SAW) on being told of his marriage, pray for him and told him to arrange for feast even if there be only one goat to feed the guests (Sahih Bukhari chp.34 Hadith1).

This one of things which distinguishes marriage from fornication is its publicity, as mentioned by Allah in the Glorious Qur'an (Q4:24-25).

2.7 RIGHTS AND OBLIGATION OF THE SPOUSES (HUSBAND AND WIFE)

A. Procreation: This is a paramount advantage of marriage that is to contribute through legitimate means to the continuity and preservation of the human race. The sexual urge in man serves as the reason of bringing the males together for the fulfillment of this objective. The procreation's objective have four aspect viz: To fulfill the will of God, to seek the love of the Prophet (SAW), to benefit from the prayer of the child, and to benefit from its intercession of behalf of his parents because of the Prophet (SAW) has called upon his nation thus, "Marry and generate fro I will be proud of your number among the whole nations on the day of judgment". Similarly Allah (SWT) says in the Glorious Qur'an "and God Has made for you males of own nature and grandchildren (Q16:71).

The practice of marriage is the answer to the above call of the Prophet(SAW). The prayer of a child is believe to be beneficial to his dead parents.

He the Prophet (SAW) Says: “ When the son of Adam dies nothing would be of any more benefit to him except three things, a continue charity, some useful knowledge he has left behind and a child who may pray for him”. Another tradition went further to say: “A child who dies before reaching puberty leads his parents to paradise”.

B. FULFILLMENT OF NATURAL URGE: The sexual urge is one of the most powerful human inclinations. It seems not to be an end itself but a means to bring the males together for the purpose of fertilization, yet it is fulfillment is the most enjoyable and absorbing of human experience. Failure to fulfill this urge is likely to leads to either deviation. Therefore the Prophet Muhammad (SAW) says “O young men! Those of you who can support a wife should marry, for it keep you away from looking at strange women, and preserve you from immorality”. So the practice of marriage is a way to remove evil and protect against shameful failures. Some Qur’anic commenters says concerning the Qur’anic statement which reads: “A man is created weak”, that the weakness as that man cannot afford to do without woman. Some also say that two third of man’s wisdom is lost when his male organ erect. Therefore the Prophet(SAW) commended that whenever a man sees a woman and feel attracted to her, he should go and release his urge with his own wife in order to remove the evil thought from his mind. The Prophet (SAW) sometime added that his wife surely can offer as much as those women do.

C. A HEALTHY RELAXATION: In marriage, there is comfort in the soul that is beauty to look at, there is company, and there is play and joking and relaxation, all of which relieve the hearts from its burden and makes the mind better able to concentrate during prayer and other

worships, relaxing through the company of the spouse is healthy, and that is why the Qur'an described the spouses as a sources of mutual comfort the Prophet(SAW) used to say: "Two worldly things are beloved to me: Women and Perfume, but the light of my eyes is in prayer".

D. A COMFORTABLE HOME: Marriage more over provides cooperation in the household and greatly relieves one from worries. Another object of marriage is to attain psychological emotional and spiritual companionship. The relationship in the family between all its members and most important of all, between the husband and wife is not merely a utilitarian relationship, is a spiritual relationship which sustains and generates love, kindness, merely compassion, mutual confidence, self sacrifice, solace and succor.

The spouse co-operates in the management of the houses, in its upkeep, in cooking and washing and so forth. And that there will be more time for worship, seeking knowledge and a climate conducive to concentration. It is therefore, said that a righteous wife is not a worldly asset only, she is a sure way to success on the Day of judgment. The Prophet (SAW) says: "Good to have a grateful heart, a sweet tongue and a believing righteous wide who would help you in your endeavor to success on the last day." He also says: "If God loves a man, he gives him a righteous wife, if he looks at her, she pleases him, when he is with her she is marvelous company; and when he is away, she observes conscientiously his right, protect his property and preserving her honour.

E. MOTIVATION FOR EFFORT: It has been indirectly suggested that marriage increase one's sense of responsibility and induces one to make greater effort towards earning a living and improving one's economic lot. This aspect has been referred to by the Glorious Qur'an when it enjoins people to marry, young. It says "Marry those among you who are single and marry your

slave male and female that are righteous, if they are poor. Allah (SWT) will enrich them out of His bounty. Allah is all embracing all knowing”. (Q24:32).

F. ENHANCEMENT OF MANS STATUS IN THE SOCIETY: By adding responsibility upon an individual, marriage enhances his status in the society and gives him an opportunity for training and bearing the hardship of life. Living with spouses, a person of different inclination and background, trains oneself, accommodating oneself new experiences, and party helps the other in the exercise of the virtues of patience and for bearance.

Marriage is also a mean of widening the area on one’s relation and developing. It is the link that join the past with the present and with the future in such a way that social transition and change take place through a healthy and stable process.

The law of Islam analyze the marital relationship in terms of:

A. MUTUAL RIGHTS OF HUSBAND AND WIFE: The mutual relation of husband and wife is described in the Qur’an as one of the single soul in two bodies: “and of his signs is this that He created males for you from yourselves that you find quite of mind then and He put between your love and compassion” (Q30:21). This Same idea is elsewhere very beautiful described in different words. “They (your wives) are an apparent for you and you and apparent for them”. (Q2:187). The home is thus a kingdom where authority is to be exercised by both the husband and the wife. Hence the husband is first spoken of as being a ruler over the people of the house and the wife is then described as a ruler over the house of her husband ad his children.

Regarding the status of the husband in the house, the Qur’an says “men are the protectors and maintainers of women, because Allah has given man more strength then woman and because he supports her from his means (Q4:34).

There is tradition which has been carried by imam *Al-Bukhari* which throws more light regarding family management it says: “man is the ruler of his home he will be held responsible for the conduct of her dependents”. From the above verses of the Qur’an and tradition of the Prophet (SAW) it is clear that the family must be kept going by husband and wife in mutual co-operation.

B. RESPONSIBILITIES OF A HUSBAND: The following are the main rights and duties of a husband which he is to perform for the peaceful and administration of the family unit. He is to provides maintenance consisting of food, clothing and accommodation. This responsibility of the husband is but however according to his means. The Glorious Qur’an says: “The wealthy according to their means and the poor according to their fair provision base on Islamic law”. Lodge them where you lodge according to your means”. (Q65:7).

The second responsibility of husband which the Qur’an emphasizes is that “he should behave with them in kindness”. (Q4:19). The direction of the Glorious Prophet Muhammad (SAW) which gives on the allocation of his last pilgrimage required the Muslim to treat their women (wives) kindly. He said: “You have more right against them except that if they are guilty of manifest misconduct, you can ask them to leave you beds and strike them gently, if they improve their conduct do not leave them, helpless, because there are some rights for you over them and some right for them over you. “No believer should angry towards his wife, if see her qualities are displeasing, then there would be may other qualities work appreciation” the best of you is he who is good to his wife.

Full control of her property, she has freedom to deal with her property. But according to Maliki’s law she cannot dispose more than one third of her property without the consent of her husband. Responsibilities of wife (Integrity and chastity) the first responsibility of a wife towards

her husband is guard his secret in his absence. Glorious Prophet (SAW) said: “that virtuous wife ranks first and for most in the eyes of her husband a very pleasant person to her husband because she is loyal and faithful during his absence”. Also the Glorious Qur’an says: “So good women are the obedient guarding in secret that which Allah has guarded (Q3:34)”. **Obedience to the husband:** The second responsibility of a wife to obey her husband. The Glorious Qur’an states, (to their husband Q4:34) this obedience includes his right to sexual relations, the right to decide the place of residence as well as cohabitation, and the right to control the wife activities and movements. The husband has the right to take additional wives up to permissible maximum of four.

2.8 RAISING UP OF CHILDREN

In Islam the husband by virtue of his physical strength and ability to secure means of livelihood is given the responsibility of guardianship of the wife and the home, within the frame work of their reciprocal legal right and obligations. The man is a ruler over the people of his house, and the woman is a ruler over the house of her husband and his children.

Thus, so far as the home and children are concerned, the wife has the position of a ruler in them, for home being her territory. Man is suited to face to hard struggles of life on account of storing physique. Woman is suited to bring up the children because of the preponderance of the quality of love in her.

The duty of the maintenance of the family has therefore been entrusted to the man. And the duty of the bringing up the children to the woman. And duty of the bringing up the children to the woman. And each is vested with authority suited to the function with he or she is entrusted.

Hence, it is that men are spoken of as being maintainers of women, and women as “rulers over household and the children”. The family bear a special responsibility for the education of their children in Islam. The training begins with teaching the child to respect lessons concerning Islamic beliefs and to perform correctly the worship rites. The family is also responsible for seeing that the child receives further training at school and the mosque where legitimate and illegitimate actions and beliefs are expounded so that when the child attains maturity he or she will have been guided along the way to a true understanding of Islam.

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CHAPTER THREE

3.0 THE CONDUCT OF VALID MARRIAGE AMONG THE MUSLIMS IN PLATEAU STATE

This chapter examines the marriage system according to the custom of the Muslims of Plateau State. In this regard, these chapters focus on the different types of marriage prevailing in the state. As well as the ceremonies and other procedure of marriage up to the time the wife is conveyed to her husband's house are all to be discussed.

3.1 KINDS OF MARRAIGES

There are many different forms of marriage prevailing among the Muslims of Plateau State. They vary from one place to another. Therefore it is important to have a look at some of them.

- A. Love marriage:** This is the marriage which is contracted with the love between the young man and the woman. In this case after carefully seeing each other, both of them and their parents approve of it.
- B. Forced Marriage:** Marriage of this type is close to child marriage. This kind of marriage is normally contracted without the consent of either one or both the spouses.

Although very widely practiced among the people in the Plateau State, the system has been subjected to abuse because some parents marry their daughter to old men or unsuitable persons, just for material gains. While other marry off their wards to someone very close to royalty for prestige purpose.

C. Marriage of blood relation: Marriage of blood relation is the one between the eligible but close relations such as the marriage of a boy with his cousin and vice-versa.

The rationale behind these practices is the belief that marriage of this nature has the possibility of bringing about a better and cogent understanding in the family relation. While on the other hand it is unsuccessful it may socially lead to the disruption of the good relation obtained within the blood group. Similarly some people argued psychologically that, the familiarity between the spouses might reduce the degree of sexual excitement between them. In addition others believed that such marriage produces physical weak offspring.

D. Arranged Marriage : This happens when the wife has been irrevocably divorced (*Talaqbain*) by her husband and he the husband wants to take her back. In this case she and her former husband would arrange with another person to marry her on the condition that the second husband would divorce her after having sexual relation with her. Then the fact the marriage is arranged with the wife's intention of going back to her former husband's referred to as the arranged marriage.

E. MARRIAGE TO AVERT THE BAD ATTITUDE OF ONE WIFE: This is a situation where a man marries a second wife with the intention of reducing the bad attitude of the wife already at his hand.

For this purpose, he would marry a girl that possesses higher qualities than her. From the nature and intention of the husband in this kind of marriage, there is likely to occur a perpetual misunderstanding between the co-wives on one hand and the husband on the other.

F. VISITING MARRIAGE: This is a closely contacted with the marriage of all people, it is a kind of marriage that allows the spouses (husband and wife) to live in separate houses. Visitation marriage happened form the inability of either of the spouses to leave his/her own houses and on set the other because of certain reasons.

G. CHARITY MARRIAGE: This is the kind of marriage whereby a man give his daughter in marriage to a learned man or poor man who ordinary cannot afford to incur the expenditure involved in marriage. In these situations the parent of the girl would in charge of buying all her marriage needs.

H. INTEREST MARRIAGE: This is the kind of marriage in which a husband will marry a woman with the intention to gain a benefit (reward) from the woman wealth or from the wealth of her parent.

3.2 CUSTOMARY MARRIAGE

The meaning of marriage is joining which implies a permanent connection between man and woman. It can also be defined as a civil contract made between man and woman witnessed by people so that man and woman legal to each other for the purpose of establishing a home.

In compliance with the numerous injunction of the Glorious Qur'an and the tradition of the Prophet (SAW) that urged the Muslims to marry. Parent all over the area struggle to get their children married before their death. The chief objective of such marriage is to site the youth from engaging into illegal sexual activities leading to a number of social evils.

Some people consider marriage as essential in building an ideal society while the view it as a necessary institution ensuring the continuation and welfare of human race;

3.3 MARRIAGE CEREMONIES IN PLATEAU STATE

When the day for the betrothal comes, the parents of the bridegroom take the following items to the parents to the bride.

Sadaq (mahr): The people of Plateau State will not legally recognize any marriage until the dowry has been paid by the husband to the wife. To them the smallest amount for the dowry is worth forty to fifty thousand naira by now. But the maximum depend largely on the financial position of the groom to be giving or on the amount being requested by the bride's father or *Waliyi*(guardian).

Some extra amount of cash, this should not be less than four thousand naira to be distributed among the head of the village, the man's and other Mallams, nieces of the bride and her grandparent from both the father and mother.

The colanut is to be distributed to the relatives of the both parties, friend and well-wishers witness the wedding *Fatiha*. However, they believe in the fulfillment of certain conditions before the actual marriage contract is tied these conditions are:

- Both parties must give their consent to the marriage.
- The husband must accept to feed the wife.
- The husband gives to house the wife.
- The husband must accept the responsibility of clothing the wife.
- But the husband is expected to do the last three conditions mentioned above within the means available to him.
- The consent of the *Waliyi* must also be sought before marriage.
- The marriage must be witness by the people.

On this day in the early morning or even as the case may be Imam, Friends, relatives, neighbors and other well-wisher will assemble at the house of the girl. The boy's father or his *Waliy* then opening the proceeding by asking the girl's hand in marriage from her father or *Waliy* on behalf of his son. The girl's father or *Waliy* will in turn says "I have given my daughter in marriage to you on the Sunnah of the Prophets Muhammad (SAW)".

Then the boy's *Waliy* will again reply that "I solemnly accept her marriage on behalf of my son" up to three times. Prayers are then said by the Imam or another mallams in which he will ask for blessing of Allah (SWT).

After concluding the prayer the crowds will disperse and from this day the boy and the girl are legally binded as husband and wide.

In the evening of the same day, the girl will be converged to her matrimonial home. The husband will prepare rites of food to welcome the bride and her friends will remain together with the bride for that wedding day night upto following day night by the time the friends of the husband will accompany him (escort) to his wife room. After their arrival, both husband friend and wife friends will sit down and immediately one person from husband friends will addressed them by starting with salutations from the both friends (husband and wife) for their well-done cooperation towards the ending of their wedding ceremonies and other prayers as well as encouraging them to be good example as expected and lastly closing prayers will put in place and everyone will be going to his destination.

Bridegroom celebration: Is one of the most important activities in continuation with the marriage ceremony in the life of the Plateau State. Before this day the bridegroom and his friends have already prepare for the visit all the houses of his and the wife relatives in order

to thank them for their support. On their arrival any house, mats are given to them in which they will sit.

After a while, the friends of the groom pray to Allah to make the marriage a success and then disperse with this the activity has ended.

This is all about marriage ceremonies are being practiced in Plateau State among the Muslims. And to conclude the chapter, it should be noted that when a man wants to marry a divorcee or widow he would incur less expenditure and the formalities will be less.

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CHAPTER FOUR

PROBLEMS AND PROSPECTS OF MARRIAGE AMONG THE MUSLIMS IN PLATEAU STATE

This chapter as the title shows is geared towards identifying the various marriage in Plateau State. Most of these problems are identified through the practice of marriage system among themselves, such problems includes:

A) Selection of the spouse: The question of selection is one of the general problems affecting the life of youths in Plateau State. Instead of the selection to be based on religion and morals as advocated by the Prophet (S.A.W) the choice of young men of today is purely based on sentiments, emotions and all other kinds of animalistic passions. Yet some parents go to the extent of arrogating to themselves the power of marrying off their children to spouses (this is most particularly with girls) of their choice, without giving regard to the right of the parties (i.e man and woman) to see each other.

On this, the Prophet (S.A.W) recommended that a man should look at the woman whom he intends to marry. But even in this case, a man should not throw a passionate gaze at the girl, but only to have a critical look at her personality and beauty. Also, if the man so desires he can appoint a woman to go and interview the girl so that she could fully describe her for him. In addition to the above there is the need to educate the young men and women to know very well the criteria for selection of wives and husband as recommended by the messenger of Allah (S.W.T). This criteria include attributes like age, physical attraction, fertility, moral and religion attitudes.

A hadith reads: "A woman is married for four things, for her wealthy, her family status, beauty and religion. So you should marry the religious woman otherwise you will be a loser"¹

Regarding the seclusion of man and woman in the compartment as have pointed out before the Prophet (S.A.W) a man and woman should not be alone because the Satan would be their third person and of importance to note is that, even when the situation demands them to stay in seclusion the Prophet (S.A.W) a man and woman should not be alone because the Satan would be their third person and of importance to note is that even when the situation demands them to stay in seclusion the Prophet (S.A.W) especially *al-mumaize* should be there "No man should stay with a lady in a seclusion except in the presence of *al-mumaize*".

B) Competition after a single girl: This is one of the most disturbing problems affecting the marriage life among the Muslims of Plateau State. This is among the youth ass high. In this case, the girl's father or guardian will receive a number of proposals from different individuals. This type of practice is not approved by the messenger of Allah (S.W.T) as such he declared:

Let not a Muslim ask for the hand of a girl who has been promised by someone else until the former voluntarily withdraws his proposal²

The Prophet (S.A.W) Perhaps might have pronounced this statement for the fact that such situation or acts are likely to cause misunderstanding, hatred and enmity among Muslim brothers. To explain more on this issue,

The case of Abujhamand mu'awiyah simultaneously made proposal to Fatimah bintGaith the Prophet (S.A.W) having got the information advised her not to marry anyone of them. And in order to avert enmity and hatred between them she married usamah³

Apart from the aforementioned problems it has also been discovered that most of the various kinds of marriage prevailing in Plateau State sometimes lead to more harm than good. The idea has bring up from the understanding that they aided much in causing very high divorce cases in Plateau State.

C) Arranged marriage: As I have already mentioned in the preceding chapter this kind of marriage normally takes place when the former husband wants to take her back. For this case, the departed husband and wife would arrange with another person to marry her on the condition that he would divorce her after referred to as *Halal* in *Arabic* which means legalizing or making thing lawful and is *Jahiliyyah* practice. It is a mistake to equate Halal with the marriage spoken off in the Qur'an, that a triple divorced wife is not lawful to her former husband until she marries another person and gets divorced. The real meaning of the verse is that until the second husband divorce her of his free will but not by arrangement or persuasion. Therefore, attention of the people needs to be drawn that the Prophet (S.A.W) has seriously condemned this act when he said: "The curse of Allah be on the man who commits halal and the man for whom halal is committed".

D) Child marriage: This type of marriage has become rampant among the parents in Plateau State. In this area boys and girls are married off at the early year of fourteenth and fifteen years respectively. The wisdom behind doing so is their belief that the girl. I will come to love and venerate her husband from a very early age will also become firmly attached to him as she grows up together with her husband. It should be made clear that even though the Islamic law does not directly specify any particular age of marriage, fifteen and sixteen years are already ages of majority. As such a person who has not attained puberty is unable to exercise his or her choice in such kind of matters.

E) Retaliatory marriage: This system of marriage usually done by the husband of divorced wife before she completes her *iddah* (awaiting period); is widely practiced by the well to do person in Plateau State. Many of these people in anticipation of the wealth they have, do not even follow the procedure laid by *Islam* before resorting to divorce, that a judge should be appointed from the people of both parties to reconcile the parties to each other. And yet at other time where the arbiters are appointed this people tend to eject their decision, some of them believed that they have every right to divorce their wives, anyhow and at anytime they like. To suppress this people, the glorious Qur'an laid down the procedure of divorce in clear words.

If you fear a breach between them twian (the man and his wife), appoint (two) arbitrators one from his family and other from her's if them both wish for peace Allah will cause their reconciliation, indeed Allah is Ever all knower, well Acquainted with all things.⁴

In addition to these point Caliph Ali (R.A) is reported to have told a husband, who thought that he had the sole right to divorce, that he would have to abide by the judgment of the arbiters appointed under the above cited verse.

F) Charity marriage: These kind of marriage has become a problem of great concern among the people of Plateau State. This style of marriage has now become subjected to various kind of criticisms. People have diverted from the original intention for which it is known before. They have began to marry off their daughter as *Sadaqah* not only to a man who has already one two or even three wives.

Moreover, some western educated elites within the state saw this type of marriages something without foundation in the *shari'ah* since neither the Prophet (S.A.W) nor any of His companions has adopted it. As such they contended that it is illegal because of its failure

to consider some of the conditions laid down by the Muslims law for a valid marriage, for instance it is normally contracted without marriage formular. (i.e offer and acceptance) this is due to the fact that the husband is not known at the time of contracting the marriage, neither his representative is present to give his acceptance. In addition to this, the girl is not consented as to the proposal.

According to woman Headmistress interviewed, she perceived *Sadaqah* marriage as a disgrace to the woman dignity because actually men have now become bold enough to reject the girl if she is not pretty. Therefore people have suggested that the whole idea of charity should be dropped and marriage be only contracted according to the dictates of *Shari'ah*.

G) Forced Marriage: This is another problem of marriage identified by this research it is true that Islam allows the father to marry off his wards, if she has not attained the age of puberty, with this authority he can give her to a person of his choice.

The Wisdom behind this is because it is believed that her father's choice will be that of a wise and matured adult who will care for the welfare and future happiness of his daughter. But some person on the other hand would go to the extent of arrogating to themselves the power of marrying off their daughter to husband of their choice. While other greedy parents marry their daughter to man who are old, if not older than themselves (parents) for material motives. And yet others give theirs away to wealthy persons or man close to royalty for prestige purposes. All these are done regardless of whether the girl loves the man or not. In most cases forced marriage ends up with the result of divorce. And when a father

refuses to allow the girl to marry her chosen husband she would consequently run away from home to become a prostitute somewhere else.

*Prophet Muhammad (S.A.W) said: A matron should not be in marriage except after consulting her, and a virgin should not be given in marriage except after their permission.*⁵

The custom of the Prophet (S.A.W) has allowed a daughter given in marriage by her father against her wishes to repudiate it if she so desires:

*Ibn Abbas has reported a Hadith in which a girl went to the messenger (S.A.W) and reported that her father had forced her to marry (somebody) without her consent. The messenger of Allah (S.W.T) gives her choice between accepting or invalidating*⁶

H) Marriage of blood relation: This is marriage between eligible but close relative, like cousins etc. A great number of people have asserted that this type of marriage should not be encouraged since its failure may create more harm than good. Socially instead of connecting the good relation obtaining within the faulty (i.e the aim for which it is intended for) it will disrupt it, and psychologically the degree of sexual excitement might be reduced because of the familiarity between the spouses, some sources also claimed that such marriage produce physically weak offspring.

I) High cost of marriage: The issue of high cost of marriage is the most serious problem noticed by this research. This has even gone to preventing a great number of youth in Plateau State from marriage one thing very displeasing is that the people they state in some areas gave much attention to marriage gift. This assertion can be backed up from the fact that the minimum amount normally given as marriage gift is about Ten-Twenty thousand naira while on the other hand that of dowry is only forty to fifty thousand naira.

To begin within we should remember the Hadith of the Prophet (SAW) that describe the best marriage as the one that incur less expenses. A trader in Wase L.G.A has opinion that the government should promulgate a law which will aim at regulating marriage and other run necessary expenses. Headed that in order toachieve the purpose of law harsh measures should be taken against the people whoignoreit. He further recommended the registration of marriage in which the amount of money spent would be recorded he also explained that when it is discovered that the expenditures is too much high that marriage should be discovered.

J) Marriage in Akfa: *Akfa* is an *Arabic* term which mean an equal or alike. For example a Hausa is the *Akfa* to Fulani etc. then reason why brought this issue is to dispel the belief of other people that marriage relation can only be established among the members of a similar tribe. This notion is particularly true among the Hausa and other tribes residing in Plateau State.

Islam came to level all distinctions, whether social or tribal and therefore does not limit the marriage relationship to *Akpa*, As such the way is opened for establishing marriage relationship between Muslim irrespective to whatever tribe they may belong declaring all believers as brother to each other and the believing man and woman are friend (*Auliya*) of each otherm similarlyinone ofthis sayings, the Prophet (S.A.W) made it clear that no tribe has precedence over the others.

The other problems of marriage are those closely connected with the: husband-wife relationship, these problems include the following: maltreatment of the wife by the husband such as beating here or refused to provide necessary means for her

maintenance. All these problem spring up from the ignorance of the Islamic previous regarding marriage.

4.1 SOLUTIONS

Firstly, that husband should be kind, understanding and forgiving and must treat their wives in tender and loving manner. They should avoid hurting them or doing anything disregeable to them provided it is not against the *sharia*.

Secondly, husband should also see that their wives have sufficient knowledge of religion obligation and encourage them in observing their devotional duties of special importance are the rules pertaining to the menstrual period and post natal discharge.

Thirdly, wives in their own care should be contented with whatever their husband gives to them. They should not insist on buying expensive clothes or luxurious pieces of furniture beyond their husband means.

Fourthly, public enlighten programs on posters, radio, television and seminar should focus on the importance and place of marriage in Islam. Similarly, books, articles, pamphlets should be written in various languages of the inhabitants and these material should define, among other things, the right and obligationsof spouses.

Fifthly, the youths should be given proper education and guidance by their parents, teachers, government and guidance both their parents, teachers, government and social organizations on the criteria of selecting wives and husband as defined by the Glorious Prophet (S.A.W).

Sixthly, parents and guardians should refrain from marrying their children at an early age that until they reach the age of marriage. Fifteen and sixteen years are already ages of majority.

Seventhly, parents and guardians should be enlighten that a daughter is not a personal property that they can dispose off as charity whenever they please.

4.2 SUMMARY AND CONCLUSION

In summary, marriage is enjoyed by Islam provided a person is able to establish a home. It becomes obligatory if a man is able to establish a home and cannot control his sexual desire, where as it is forbidden if it distracts man from his obligations or he cannot establish a home.

Islam exhorts those who are not able to marry to enforce themselves in devotional act activities that can bring them near to Allah (SWT) such as fasting or praying.

The contract of marriage requires that each of the parties involved (man and woman) must give his own consent without compulsion on any one of them as marriage which takes place for forcibly is considered null and void. Based on agreement is reached between the two, the man pays to the woman a bride money which is her exclusive property and has the right to disposed as she wishes.

In short, the contract of marriage requires most especially only the part of the woman that should have sound physical, mental, emotional and intellectual maturity and sufficient education to enable her dictate her own term with the full knowledge of the implications of all that is involved in a marriage life.

Furthermore, this research has discovered that the custom of the people residing in Plateau State areas has greatly influenced their marriage system. In this case, people had

incorporated it with many anti-Islamic practices such as the high cost of marriage. But despite all these, the system is bound to conform with the Islamic principles on many important aspects of marriage viz: The obligation of given *Sadaqah* to the wife before the contract, the consent of the *Waliyi* before marriage, the presence of witness of the time of the actual contract and many others.

Finally all the solutions and recommendations given are not new things, but the only thing is that people have shown a lukewarm attitude towards them. This is mainly due to their greediness, corruption and general lack of commitment that characterize the attitude of our people.

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