



**Any woman who marries without the permission of her guardians, her marriage is void—three times—and if he consummated the marriage with her, she would be entitled to the dowry in return for his copulation with her. If a dispute arises between them, the ruler shall be the guardian of whoever has no guardian**

'Ā'ishah, Mother of the Believers, (may Allah be pleased with her) reported: The Messenger of Allah (may Allah's peace and blessings be upon him) said: "Any woman who marries without the permission of her guardians, her marriage is void—three times—and if he consummated the marriage with her, she would be entitled to the dowry in return for his copulation with her. If a dispute arises between them, the ruler shall be the guardian of whoever has no guardian."

[Authentic hadith] [Narrated by Abu Daoud & At-Termedhy Ibn Majah & Ahmad]

The Prophet (may Allah's peace and blessings be upon him) warned that a woman should not give herself in marriage without her guardians' permission and that her marriage would be void, repeating this three times, as if it did not exist. If the one who married her without her guardian's permission consummated the marriage with her, then the whole dowry would be hers on account of having sexual intercourse with her. If the guardians dispute over the guardianship of the marriage contract—and their ranks are equal in this regard—the contract goes to whoever among them initiates it first, provided it is done with her best interest in mind. If the guardian refuses to marry her off, it is as if she has no guardian; in this case, the ruler or his delegate, such as the judge and the like, becomes her guardian. Otherwise, the ruler has no guardianship if a legitimate guardian is present.

النجاة الخيرية  
ALNAJAT CHARITY

