

Deception between spouses and its impact on the family relationship

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Abstract

This research highlights deceit between couples which is considered a widely spread problem in this time threatens and leads to division and conflict between many couples. I define deceit linguistic and idiomatic, besides I clarify its types and its Islamic law, some of the words or deeds one or both of the couples could do to deceive each other particularly the new things, the consequences of this deceit and the rule of Islamic law in such deeds and words. The study concludes that any word or deed may lead to deceit between couples must be interdicted and there must be an openness and clarification before a contract between couples

Keywords: China insurance industry, Foreign fund, Challenge

1. Introduction

Praise be to ALLAH and prayer and peace be upon the master of prophets and messengers Mohammed and upon his good companions, and who followed them beneficently until the judge day and after:

The Almighty ALLAH order us to say the truth in a word and a deed, he said Almighty ALLAH: " O you who believe! Fear ALLAH and be with those who are true (in word and deed) " 2 also he forbids us from lying, cheat, betrayal and deceit said Almighty ALLAH "O you that believe! betray not the trust of ALLAH and the Messenger, nor misappropriate knowingly things entrusted to you" 3 so the first contract must have clarity and honesty is the marriage contract, that ALLAH call it a solemn covenant because of its great importance and impact on the lives of people and communities, nowadays, the ways of the fraud and deception are prevailed, some people are creative in methods of deception and fraud by increasing plastic surgery (deceiving deeds) and weakening consciences of many people and multiply fraudulent practices among couples that lead to serious consequences on the family which is the nucleus of the society. so I write in this topic to highlight on the many aspects of field study and listen to the views of many couples through the courts of law (sharia) to identify the shortcomings and warnings and to show the view of Islamic law (sharia). (2- Al Tauba verse no (119).3- Al Anfal verse no (27) .)

2. The significance of the research

the significance of the research appears through:

- It is related to the family which is the nucleus of the society and the deceit threatens the family and the society as whole.
- Recent scientific developments that people experience in these days of plastic surgery and advanced cheat approaches complicate such a widely spread problem.
- The deceit between couples is one of the main causes of the spread of divorce among married couples, particularly in the first months of the marriage.

3. The research methodology

The analytic extrapolatory method is the appropriate approach in addressing the problem, by analyzing words and deeds that are used by many couples to deceive each other, as well as the extrapolation of scholars statements and their evidences to clarify the Islamic law (sharia) on the deceit between couples, besides analyzing the evidences and testimonies to decide the impact of this deceit on the marriage contract and what

after.

4.The plan of the research

The research includes an introduction and three sections, as below:

Section I: the linguistic and idiomatic definition of the deceit.

First demand: the linguistic definition of the deceit.

The second demand: The idiomatic definition of the deceit.

Section II: Rule of the deceit and its types.

First demand: deceit by a deed.

Second demand: deceit by a word .

Third demand: deceit by hiding a secret.

Section III: the impact of the deceit on marriage contract and after

First demand: the deceit, which is shared by the couples.

Second demand: the deceit by the wife.

Third demand: the deceit by the husband.

The research includes a conclusion that consists the most important results, an index and the sources and references that are referred to during the study. Then, I do not claim to myself a completeness, what is true in this research is ALLAH grace and what is not, it is from the devil and myself, I ask ALLAH for forgiveness, may ALLAH grant me success. Praise be to ALLAH, Lord of the worlds.

5.The linguistic and idiomatic definition of the deceit:

5.1The first demand: The linguistic definition of the deceit:

It is said: he is deceived, seduced to deceive, bumptiousness, inattention and he deceives, means he is bumptious and deceiver, namely he is deluder, which is a decorating mistake as if it is true. The Almighty said: "what has seduced thee from thy Lord Most Beneficent?" 4 means what has deceived you by ALLAH, some said what seduces you means what has deceived you by ALLAH, leads you to disobey ALLAH, committing major sins and not fear ALLAH 5.

It is said: he deceives means exposing himself to destruction⁶, Alfayoumi said 7: "deceit is a danger, the prophet Mohammad peace be upon him forbids the selling of cheat"⁸, Aljarjani defined it: it leads to unknown result 9.

5.2The second demand: The idiomatic definition of the deceit:

The scholars define the deceit in different ways, such as:

- "Delusion in selling commodity by which the buyer thinks it is perfect while it is not"¹⁰.

- "Cheat is to describe the commodity by unreal perfection"¹¹.

- "Temptation by a word or a faked deed to seduce one of the contractors to agree"¹².

- "Seducing and cheat the contractor to apply the contract believing it is for his interest "¹³.

According to the previous definitions for old and contemporary scholars, we notice some of these definitions are limited to actual deceit, as some of them focus on cheat of words, some scholars limit the seduction to a word or a deed despite the fact a word or a deed may not be the real reason, It is an adequate approach to accept or seduce than actual fraudulence in some forms.

Then, the previous definitions make deceiving approach limited to one of the contractors, considering the deceit may be from others; such broker, auctioneer and agent.

Therefore the deceit can be defined as: "The temptation to one of contractors or other who is contracted on by a word or a deed or other to make the contractor believing it is for his interest". According to the linguistic and idiomatic definition of the deceit, it can be said the deceit between couples is a cheat or a temptation to one of the married couples to another by any means to oblige one of them to agree on a marriage contract.

5.3 The third demand: The difference between delusion and deceit:

There is a difference between delusion and deceit, delusion has many definitions, such as:

- "Delusion is a doubt of commodity's existence" 14.

- "Delusion which has a hidden consequence" 15.

- "Delusion is a selling by which the buyer does not know what he buys or the seller what he sells" 16.

All definitions are all revolved to one definition which is the ignorance of sold commodity and the latency consequence.

Therefore we notice that there is a difference between delusion and deceit, delusion is a concealed consequence but deceit is a word or a deed to deceive the other, thus, the delusion is an ignorance but the deceit is a fraud and a lead to ambiguity.

The above definition of the delusion shows that deceit leads to delusion, cheat, fraud, illusion and so on, but the delusion makes contractors equal in ignorance.

6. The ruling of the deceit and its types:

6.1 The first demand: The ruling of the deceit:

We have mentioned previously that deceit is a delusion and fraud and it is forbidden according to Islam (sharia), whether it is a word or a deed or even concealed, below some evidences that are quoted by scholars on the prohibition of the deceit:

The Almighty said " O ye who believe! Fulfill (all) obligations" 17 fulfilling is to bring things fully without lacking, it is said to who hasn't fulfilled the covenant betrayed and transgressed 18. Al-Hassan said: "contracts are what one obliged himself on selling, purchase, lease, fare, marriage and divorce" 19.

The Almighty ALLAH said "ALLAH doth command you to render back your Trusts to those to whom they are due" 20. It is meant all trusts in religion and life 21, Moreover stay away of cheat and deceit.

- The prophet Mohammad peace be upon him said " selling by swapping same type of commodity is a delusion which is interdicted for a Muslim" 22.

- Asma'a Bint Abu Baker said " A woman said to the prophet Mohammad peace be upon him that she married her daughter, then, her daughter suffered a disease from her head "she lost her hair" thus her husband urged the woman to link her daughter's hair, the prophet Mohammad peace be upon him reviled the hair link maker and the woman who links an artificial hair to her hair" 23.

- Abu Horayra may ALLAH be pleased with him said that " the prophet Mohammad peace be upon him went along a food package, he inserted deeply his fingers inside the package then got them out moistened, the prophet said what was that package's owner? He said it was rain from the sky, the prophet said would not you make it above the food to make visible for people? Who cheats is not among us? 24.

- Ibn Omar may ALLAH be pleased with him said that " the prophet Mohammad peace be upon him said ALLAH curse the hair link maker and the woman who links an artificial hair to her hair, the tattoo maker and the person who makes a tattoo on his body" 25. All previous verses and speeches "Hadith" lead to a clear fact that cheating and deceiving others is taboo by any means or for any purpose.

6.2 The second demand: Types of the deceit:

The scholars divide the deceit to three types:

- The deceit by a deed.

- The deceit by a word.

- The deceit by hiding a secret.

Below I will explain these three types:

6.2.1 First: The deceit by a deed:

The scholars define The deceit many definitions, but some of them limit it by driving examples. The contemporary Sheikh Mustafa Alzarqa defines it that "it is a forged description in the place of a contract delusions the contractor on what is contacted by an artificial and unreal privilege" 26. Another one defines it that "it is a cheat that comes from a deed or delusion" 27. Alhattab 28 defines it that "it is a change which a seller does

to the commodity to deceive the buyer by an unreal completeness"29.

Al Imam Alnawawi 30 drives some examples about the deceit by a deed, he said " if a maid's face is bloomed or her hair is colored with black or her face is seemed to be vital to deceive the buyer that she is obese while she is not, he has the right to agree or not on that maid, also if a slave's dress is stained with ink or he is wore a writer or a baker's dress to show that he is a writer or a baker while he is not, the buyer has the right to agree or not on that slave, moreover, if an animal is hanged to swell its abdomen to show it is pregnant or swelling its breasts that it is a milky animal to deceive the buyer while it is not, the buyer has the right to agree or not on that animal"31. Almughni said" any cheat by which the price gets different for as blackening a maid's hair or blooming a maid's face or meant to use water in a rotor and send it to the buyer to sell it then it is found that it is a cheat in order to make the price higher"32.

According to the previous definitions that are driven by scholars, we infer that cheat and delusion are a basic element of the deceit by a deed, depending on that we can judge the deceit for all deeds or behaviors whether they are old or new.

The deceit by a deed between the married couples:

There are many examples mentioned by scholars at old and new times about the deceit by a deed between married couples, such as a fiancé delusions his fiancée by coloring his hair with black to cover the white hair to appear younger, the prophet Mohammad peace be upon him forbids that, he said" if somebody betroths a woman and he colors his hair with black, he has to tell her and not to delusion her"34. In the other hand the fiancée may color her hair to be blond or she may have a short hair so she links it with artificial hair to make it longer, also she may whiten her skin's color by cosmetics to seem whiter but actually she has a black skin or she wears a high heel and covers it to appear taller but actually she is short or even she wears lenses to change her eyes' color so they seem green or blue but actually they are not, many other deeds could be practiced by fiancé or fiancée to show them different from their real visage to deceive each other which is a type of fraud and cheat.

6.2.2Second: The deceit by a word:

It is when one of couples speaks words to the other then discovered that these words are not true, some contemporary scholars define the deceit by a word that it is" a lie of one of contractors or whom works for to oblige the other contractor to contract albeit injustice"35, for example when one of contractors says to the other this car is made in Japan to deceive the buyer to buy it then discovering it is not. the prophet Mohammad peace be upon him interdicted that, he said "the deceit is deeply in hellfire"36, so any deceiving or cheating word to the other side is interdicted and this interdiction means taboo. Alshafe'i may ALLAH mercy him said" the prophet Mohammad peace be upon him interdicts an auction because it is a deceit, which is not a religious people behavior, it is to bring the commodity selling it for a connived person to oblige normal people to pay a higher price that they do not know this is a conspiracy, this connived person is a sinner to ALLAH according to the prophet Mohammad peace be upon him interdiction"37. the prophet Mohammad peace be upon him said" slyness is a deceit and who does it in hellfire"38.

- The deceit between the married couples:

There are many examples of the deceit between married couples such as one of the married couples deceives the other side that he is from a certain family or a clan therefor, he is named such attribution in formal documents while it is not a real attribution, another example for fraud and deceit by a word is when one of the married couples deceives the other side that he has a house, money, a car or even he is an employee in certain job while he is not.

Third: The deceit by hiding a secret:

It is when one of the contractors hides a defect, he knows it at the place of the contract with the other contractor"39, for example one sells a weak structured house which is not valid to build on and his owner knows that accordingly if he wants to sell it, this defect must be told to the buyer. Hiding a defect is considered fraud, deceit and cheat, the prophet Mohammad peace be upon him interdicts that, he said" who cheats is not among us"40.

Many honorable speeches of the prophet Mohammad peace be upon him show the interdiction of hiding a defect to whom knows it, therefore it is a must to indicate and inform about that defect to the other side of contract, the prophet Mohammad peace be upon him said" it is not allowed for a Muslim to sell a commodity has a defect to the others except he shows that defect"41.

The deceit by hiding a secret between the married couples:

It is when one of the married couples hides an existent defect from the other, for example the diseases, such as Vitiligo⁴², Impotence⁴³, Halitosis⁴⁴, Vulva's defect⁴⁵, a defecation at intercourse⁴⁶ and other hidden defects that cannot be known except telling about them. ALLAH willing, next I will talk about the impact of the deceit on the marriage contract and after, also I will clear the ruling for that.

7. The impact of the deceit on the marriage contract and after:

7.1 The first demand: The deceit that is shared by the married couples:

There are many examples to the deceit between married couples and this deceit happens before the marriage contract purposing to appeal the other contractor to apply the marriage contract then prove otherwise. Some examples were mentioned in the past by scholars and are still emerged such as one of the couples pretends faith and a commitment to pray then discovering that he abandons prayer and many impositions of Islam. The person who does not pray and who abandons the impositions of Islam, if he disbelieves the impositions without an ignorance or being new to Islam thus he denies what is necessarily imposed in religion, therefore some scholars consider him blasphemous and apostate from Islam. Ibn Qudama said "who abandons the prayer is limited to two parts whether he disbelieves its imposition or he believes its imposition, if he disbelieves its imposition estimated if he is an ignorant to its imposition such the new to Islam, if so he must be taught its imposition and not to be judged blasphemous because he is excused, but if he is not an ignorant to its imposition such the Muslim who is arose among Muslims' group or in an Islamic village, he is not considered an ignorant so he can be judged blasphemous that the evidences of its imposition are cleared in Quran and Sunnah, also it is practiced daily by Muslims accordingly its imposition is clear to such case for that he disbelieves the Almighty ALLAH, the Sunnah and the consensus of the Ummah "Islamic scholars" so that he is judged an apostate from Islam and his judgment as other apostates from Islam repenting then killing, that I do not know more than this judgment"⁴⁷.

But if a person lazes to pray, most Islamic scholars except the scholars of Hanbali Doctrine do not consider this person blasphemous, in addition to that he is considered one of the prophet Mohammad peace be upon him followers but he is from Islamic debauchees allowed to pray on him when died and to supplicate for him. Ibn Qudama said "we do not know at any previous age that anybody, who abandoned the prayer, if he had not been bathed or prayed on or buried among Muslims' cemetery, also if his inheritors had been forbidden from his inheritance or even if he is forbidden from an inheritance he deserved, moreover not separated between married couples that one of them abandoned the prayer although there were many, so if he was a blasphemous, all that rules must be applied to him, "we do not know a ruling for abandoning the prayer among Muslims except praying the past prayers"⁴⁸.

Prayer is one of the five pillars of Islam so it has a great importance, both married couples must remind each other about it and preach each other if one of them lazes or abandons the prayer. If the spouse blasphemes an imposition scholars agreed on it, he is not considered among Muslims, therefore the marriage must be cancelled because a Muslim woman is not allowed to marry a disbeliever whether he is a follower of other ALLAH religions, idolatrous or apostate to Islam. The Almighty ALLAH said "And do not wed idolaters, until they believe"⁴⁹. Also, The Almighty ALLAH said "If you find them to be believers do not return them to the unbelievers; they are not permitted to the unbelievers, nor are the unbelievers permitted to them."⁵⁰. The verses show the prohibition of marrying Muslim girls to polytheists⁵¹. Also a husband could be deceived by his wife that she may be idolatrous or apostate to Islam in a result the marriage contract can be cancelled, because a Muslim man can marry just a woman who is a follower of other ALLAH religions or a Muslim woman, but the women who are polytheists he cannot. The Almighty ALLAH said "Do not wed idolatresses, until they believe"⁵². Qutada and Saed Bin Jobair said "idolatresses are polytheists"⁵³.

For what is related to a dissolute man or a dissolute woman ⁵⁴, a dissolute man is not adequate to a pious woman that he may deviate her from her religion. The Almighty ALLAH said "Can he, then, who is a believer, be compared to he who is wicked? They are not equal"⁵⁵ means a believer is not as same as a dissolute man⁵⁶. Alkarmani said "I said to Isaaq could a man marry his daughter or his sister to who drinks liquor? he said: no, he is dissolute, but if he does he boycotts the womb"⁵⁷, Abu Haneefa may ALLAH mercy him said "If a righteous woman marries herself to a dissolute man, her liege have the right to object on that because showing proudness of religion is preserved than showing proudness of attribution, freedom and money. Disgracing of dissolution is the strongest type of disgrace"⁵⁸.

If a man deceives a woman then discovering his dissolution, she has the right to ask for separation between her and him, Ibn Qudama said "the dissolute man is repulsive and his testimony and narration are denied, also he is unsafe on one's self and money, he is ineligible and imperfect at ALLAH norms and at humans' ones, he is

unlucky in life and afterlife, so he is adequate to a pious woman as well as he is not equal to her but he is adequate to people who are similar to him"⁵⁹. In the other hand if a woman deceives a man by showing righteousness and piousness then discovering her dissolution, the marriage is correct and it is not like the marriage to a pious woman to a dissolute man because the power is in man's hand and the impact of a woman to a man is less than the impact of a man to a woman thence the Sharia allows the marriage to a woman who is from the followers of ALLAH religions but it does not allow the marriage to a man who is from the followers of ALLAH religions. although the marriage to a woman who is from the followers of ALLAH religions is allowed but the marriage to a dissolute Muslim woman is preferred but previously the husband must be told about that dissolution.

If a woman deceives a man that she is righteous and piousness then discovering that she is not and if he strongly thinks he can make her religious, he is permissible to continue marrying her, but if he sees that there is no way to make her religious and maybe she weakens his piousness or impact its worship, it is a prior to be away of her and divorce her.

- The defects that could be in one of the married couples or both:

The Islamic Sharia aims by marriage to prevail a familiarity, intimacy and mercy. so If there is any defect between the married couples indisposes the other side or contradicts with the aim of Islamic legislator of marriage. It is better earlier to build the relationship between the married couples on clearness and clarification and not to deceive because such thing is quickly discovered and led to conflict and separation. The common scholars 60 mention the defects that must be told before a betrothal, by which the right of separation is kept such as the defects that prevent copulation, contagious diseases or indisposed diseases like Vitiligo, Leprosy and so on.

I previously mentioned some defects, that are mentioned by scholars in their books, which could be suffered from one or both of the married couples such as Impotence, incision, gelding, Epicene, Leprosy and Vitiligo which are contagious diseases that may destroy one's couple life. All above defects are mentioned by scholars as examples but not to be a concise.

The defects by which a marriage contract can be cancelled are a lot, numerous and renewed , some people consider these defects indisposed while the other may satisfy with them and the married life goes on, for that it is a prior for the married couples to tell about these indisposed defects that it is proved about the prophet Mohammad peace be upon him that he married a woman from Bani Ghaffar, when he entered her room he took off his dress and sat on the bed, he saw a white stain on her body thus he jumped of the bed and told her to leave with her family without taking what he gave her from a dowry"⁶¹. The prophet Mohammad peace be upon him found her with Vitiligo so he divorced her for that defect and forgave her from paying back the dowry she had received.

The defects that lack enjoyment between the married couples and may destroy one's life or the sons considerably, Ibn Alqayem may ALLAH mercy him said" the measurement is to any defect indisposes one of the married couples from the other, that the purpose of the marriage is not achieved as mercy and intimacy, so that the spouse has the right to choose"⁶². Ibn Taymia may ALLAH mercy him said" the woman, who has an indisposed defect prevents from having a complete enjoyment, is rejected"⁶³. On the other hand the defects and normal diseases, that do not harm the other couple and do not prevent a complete enjoyment such as normal burns that are not indisposed, accordingly they are not considered a deceit by which the married contract can be abrogated.

7.2The second demand: The deceit from the wife:

There are many characteristics for a woman without them a man does not propose her. But sometimes he may be delusiond that after the marriage some characteristics are not originally a part of his wife. I will mention some of these characteristics below:

First: a man betroths a woman that she is virgin then discovering she is not. The virgin woman is a woman who is never married before or even copulated, the sign of being a virgin is a membrane or a skin on the vagina called a hymen or a membrane of virginity⁶⁴. Sometimes the virginity may be lost without copulation as a woman loses her virginity for a leap or a menstruation or even being a spinster for long time thus such case is judged as the virgin woman according to the Islamic scholars⁶⁵, some females are born without a virgin membrane or it may be wide, nevertheless the virgin membrane is an evidence if a copulation is exerted or not⁶⁶. Ibn Qudam said" if a woman's virginity is lost by a leap or a strong menstruation or by a finger or even a stick and so on, her ruling is virgin⁶⁷, but if she has lost her virginity by a fornication, she is considered as a married woman not a

virgin⁶⁸.

When the medicine is developed nowadays, there is what we called stitching the hymen, it is by repairing it medically to get back to the normal position before tearing, thus according to the previous scholars' opinions that ruling to the woman, who has lost her virginity without a copulation as a fornication and so on, is a virgin. So that if she makes a stitching to the hymen, this is not considered a deceit to a husband because doing such operation aims to get back the hymen to its original position without a cheat or a lie or deceiving a husband. But if somebody marries a woman that she is virgin, then discovering she is not, he has the right to cancel the contract of marriage⁶⁹, because the virginity is an attracted advantage if lost a wimp could be lost as a result the marriage contract could be cancelled⁷⁰.

Second: the deceit to a husband by adornment and cosmetics "makeup". The woman is created loving adornment and this behavior is due to her feminine, thus when somebody comes to betroth a woman she adorns herself complied to an allowed adornment according to the Sharia restrains, and showing what she is allowed to without an exaggeration, a deceit, a cheat and a change permissible in Sharia. Alhanafia considers adorning the women by jewelry and makeups to whom may betroth her from men is Sunnah⁷¹.

It is narrated about Subayah Alaslania⁷² that she was a wife of Saad Bin Khawla who was among Bani Amer Bin Loai, he participated in Badr battle, he died near to the Speech of Farewell while she was a pregnant after a while of his death she delivered her baby, after she recovered from her puerperal condition, she adorned herself for the fiancé, Abu Alsanabel Bin Ba'akak, a man from Bani Abdeldar, entered her home, he said "I saw you adorned, you might ask for marriage, I swear, you would not get married until you spent four months and ten days. Subayah said "when he said that to me when it was dark I wore my cloak and went to the prophet Mohammad peace be upon him to ask him about that, he told me his advice opinion "Fatwa" that I am free since I delivered my baby, also he allowed to me the marriage if I like to⁷³.

In that incident an indication that Subayah may ALLAH be pleased with her adorned herself to the allowed limits in Sharia while the prophet Mohammad peace be upon him did not deny that. But most women nowadays use cosmetics "makeup" which make the brown woman white, also, the use of colored lenses that make the eyes blue or green⁷⁴, moreover the artificial eyelashes which are small plastic filaments attached to the eyelid by a plaster for whom they have short eyelashes, then they are disposed after the finishing occasion⁷⁵. Also making the hair higher than the head like the camel's hump is a new thing that the prophet Mohammad peace be upon him told us about it, he said "two classes of people of hellfire whom I did not see. women are scantily dressed, corrupted and sinners, their heads are same to camel's humps, not enter paradise or even find its fragrance that its fragrance is far away and folk with whips as tails of cows beating people"⁷⁶. As well as linking hair which is a woman links an artificial hair to her hair, Aisha Bent Abu Baker may ALLAH be pleased with her said that a woman of supporters "Alansar" got married and then she suffered a disease in her head lost her hair so that she was directed to link artificial hair to her hair, they asked the prophet Mohammad peace be upon him, he said ALLAH curse the hair link maker and the woman who links an artificial hair to her hair"⁷⁷.

In addition to that the wearing of high heel to delusion the fiancé that she is tall purposing he may be attracted to her"⁷⁸. All these things are some of the deceit the women may do especially the fiancée to deceive who proposes to her and to admire him, then after the marriage all things are come to clear by which the conflicts appear. The appearances of the deceit are renewed and numerous for each age they are in, if these appearances are made by a fiancée like adornment to fiancé while he knows that, they are allowed because they have no ruling. But if a woman makes that to deceive or to cheat or to fraud, it is taboo. Thus the husband had the right to abrogate the marriage contract because he lacks the characteristic he wants in his wife. Some examples of the old deceit that are mentioned by scholars in their books. A man betrothed a woman herself, agreed for her and contracting then at wedding he found himself married another woman. Ibn Qudama said "Ahmad said if a man married a maid, but her liege married him her sister then he knew that he had the right to abrogate the marriage contract, moreover the dowry had to be paid by her liege because they deceived him"⁷⁹. Alimam Ahmad mentioned that the husband had the right to divorce because of the deceit and the cheat, also the liege of the wife had to pay back the whole dowry.

7.3 The third demand: the deceit from the husband:

Some examples of the deceit from a husband:

First: temporizing in fulfilling the dowry that is agreed on or a woman's liege agrees on certain dowry then discovering that the husband is unable to pay this dowry, the prophet Mohammad peace be upon him said " if a man marries a woman with certain dowry, he means not to fulfill it, he is considered a fornicator"⁸⁰. Scholars have mentioned the inability of a husband to fulfill the dowry, but the deceit to the dowry or the avoidance from

fulfilling it they have not mentioned in their books. However, scholars agree that the wife has the right to ask for her accelerated dowry in the time of the marriage contract, also she has the right to abstain herself to her husband until her accelerated dowry is fulfilled⁸¹. Moreover, the scholars disagree on if the husband is unable to fulfill the dowry, the wife's lieges have the right to abrogate the marriage contract or not. The scholars of Hanafia doctrine claim that it is not permissible to abrogate the marriage contract but the wife has the right to abstain herself from her husband until he fulfills her dowry⁸².

On the other hand the scholars of Almalikia, Alshafe'ia and Alhanabela doctrine claim that the wife has the right to abrogate the marriage contract before the wedding day, but after the wedding day, she has not had the right to ask for divorce⁸³. The deceit by the temporizing or the avoidance is equal to the inability of fulfilling the dowry, in addition it is considered the worst because the inability to fulfill the dowry may be exposed to a rapid change makes the ability to fulfill it, but the temporizing and the avoidance are a previous premeditated intention, thus the wife's lieges have the right to abrogate the marriage contract.

Second: coloring her with black to deceive the wife:

It is when somebody colors his hair with black to appear younger, it is narrated that " in the era of Omar may ALLAH be pleased with him a man, that colored his hair with black, married a woman. His hair blackness was weakened thus the white hair appeared, the wife's lieges complained him to Omar may ALLAH be pleased with him. Omar cancelled the marriage and hit that man saying you deceived her parents that you were young and concealed your white hair"⁸⁴. Somebody may ask if the birthdate is clear why it is a deceit or a cheat? The answer is the white hair has an impact in convincing the wife to agree on that man or not, in a result coloring the white hair is a type of deceit and cheat.

Ibn Alqayem said "coloring with black is interdicted and it is a deceit and a cheat, like the coloring with black by an old man to deceive a woman, it is a cheat and a deceit, but if it does not consist an illusion or a cheat that Alhassan and Alhussain may ALLAH be pleased with them colored their hair with black"⁸⁵. So, if a man wants to color his hair with black while he has white hair or he is old, he must tell about this coloring, not to conceal his white hair to deceive whom he wants to marry showing he is younger.

Aisha Bin Abu Baker may ALLAH be pleased with her said "the prophet Mohammad peace be upon him said: announce the marriage, make it in Mosques, hit tambours and feast even if it is one goat. If somebody betroths a woman and he colors his hair with black, tell her and not to deceive her"⁸⁶. This speech is clearly indicates the necessity to inform about the coloring and not to deceive or cheat.

Other examples of the deceit from a husband, A man says to the woman and her parents that he is rich which leads them to agree on the marriage after that appeared that this man is too poor and he has lied to them. Also, he pretends that he is a scholar or a scientist or he is certainly qualifier or even he carries a high university degree, then prove otherwise. Moreover he may attribute himself to a certain clan or village while he is not, to appeal the wife's parents to marry him. The prophet Mohammad peace be upon him said "who attributes himself to other forefathers and he knows. The paradise is prohibited to him"⁸⁷. For all that the woman and her lieges have the right to abrogate the marriage contract, if there is deceit or a cheat.

8.The conclusion

After finishing the research of the deceit between the married couples, we infer the following findings:

- The deceit is a temptation to one of the contractors or who is contracted on by a word or a deed or other means to make the contract believing it is in his interest.
- The deceit between the married couples is a cheat or a temptation by one of the married couples to the other using any means to oblige the other to agree on the marriage contract.
- The difference between the delusion and the deceit that the deceit leads to delusion, cheat and fraud. But the delusion is both married couples are equal in ignorance.
- The deceit ruling is taboo in Sharia if it is by a word or a deed or even hiding a secret.
- The deceit is divided to 3 parts: the deceit by a word, the deceit by a deed, the deceit by hiding a secret.
- There are many examples of the deceit between the married couples, some of them are shared by both married couples and the others are from the husband or the wife.
- Some examples of the deceit is when one of the married couples pretends religiousness and commitment to prayer then prove otherwise which leads to conflicts end with divorce.

- There are some defects may be existent in one or both of the married couples or both are indisposed to the other side, so these defects must be told.
- Some examples of the deceit from the wife is a man betroths a woman that she is virgin the discovering she is not, as well as the deceit by adornment and cosmetics "makeups". Also the wearing of coloring lenses, the link of the hair, the wearing of the high heel and so on.
- Some examples of the deceit from the husband is exaggeration in fulfilling the dowry, coloring his hair with black, pretending education and richness and attributing himself to a clan or a village he is not from.
- The deceit between couples may lead to threaten the married life and be the main reason to finish the relationship between the married couples, thence the marrying relationship must be built on transparency, clearness and openness between the married couples earlier.