

Islam Question & Answer

General Supervisor:
Shaykh Muhammad Saalih al-Munajjid

96820 - He has Hepatitis C - does he have to tell the woman to whom he proposes marriage?

the question

I am a 29 year old civil engineer. Four years ago I found out that I have Hepatitis C. I have proposed to many girls but when the family knows about this disease, they refuse. Although this disease does not move except by transferring blood. Also the virus in my case is dormant; there are no obvious symptoms. Do I have to tell who I propose to?.

Detailed answer

Praise be to Allah.

Firstly:

We ask Allaah to heal you and make you well, and to bless you with a righteous wife and good offspring.

Secondly:

So long as this disease is one that people find off putting and they feel reluctant to give their daughters in marriage to one who is suffering from it, then it is regarded as a fault which must be disclosed to the one to whom you propose marriage, and it is not permissible to conceal it, otherwise that is deceit, which is haraam.

Ibn al-Qayyim (may Allaah have mercy on him) said: With regard to every fault that would put one spouse off the other and prevent the aims of marriage such as compassion and love, the option (of annulling the marriage) must be given. Zaad al-Ma'aad (5/166)

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And he said: The one who studies the fatwas of the Sahaabah and the early generations will realize that they did not limit this option to one fault in exclusion to others.

And he said: If the Prophet (peace and blessings of Allaah be upon him) forbade a seller to conceal faults in his products and he forbade the one who knows of it to conceal it from the buyer, then how about faults with regard to marriage? The Prophet (peace and blessings of Allaah be upon him) said to Faatimah bint Qays when she consulted him about marrying Mu'aawiyah or Abu'l-Jahm: "As for Mu'aawiyah, he is a poor man who has no wealth, and as for Abu'l-Jahm, his stick never leaves his shoulder." So it is known that disclosing faults is even more important and more essential in the case of marriage. How could concealing a fault and cheating be a cause for making the deal binding, when the fault becomes like a yoke on the neck of a person even though he hates it so much? End quote from Zaad al-Ma'aad (5/168).

Shaykh Ibn 'Uthaymeen (may Allaah have mercy on him) said: The correct view is that a fault is anything that may cause the aim of marriage not to be achieved. Undoubtedly the aims of marriage include physical enjoyment, service and producing children, which is one of the most important aims. If there is something that prevents these aims being achieved, then it is a fault, so if the husband finds the wife to be infertile or vice versa, this is a fault. End quote from al-Sharh al-Mumti' (5/274).

It should be noted that if you are honest and open, there is the hope that you will be helped and provide you with a good wife. You may find someone who will accept that or someone who has the same sickness. All things happen by the will and decree of Allaah.

And Allaah knows best.