

Right of wife over her husband

Shaykh Aboo `Abd-al-Mu`iz `Alee Farkous al-Qoobee

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allaah, the Most Merciful, the Bestower of Mercy

Question: My husband does not esteem duly the responsibility of the conjugal life. He neglects his children. He is negligent of expenses, indeed he does almost not expend for the family. He spends all his time in cafeterias where he indulges in gamble and other things until midnight. He neglects my presence as a wife and a mother of his children. I have not found a means to tackle this situation but to refuse to give myself to him. Therefore, I sleep alone on the ground and he sleeps on the bed. After a quarter of a century, I do not bear to live with him anymore. Please, give me a piece of advice that cheers me up. What is the position the Sharee'ah enjoins me to adopt as a wife?

Shaykh Aboo `Abd-al-Mu`iz `Alee Farkous al-Qoobee (May Allaah the Most High preserve him): All praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon whom Allaah sent as a mercy to the Worlds, upon his Family, his Companions and his Brothers till the Day of Resurrection.

The wife, before her husband who does not provide for the family, or does not provide her with the expenses that he should make according to the Qur'aan, the Sunnah and the consensus of the scholars, .i.e. food, housing, service and treatment...etc. – even if she is rich – she can act towards him in two ways:

She can ask the judge to force the husband to provide for the family, and the judge will force him after confirming the validity of the wife's claim.

Or the wife can take from his money what suffices her and her children reasonably, if she is right-minded and can determine the reasonable amount, without even being excessive. She can do that even if the husband does not know it, because his duty is her right. So she can take her right by herself. This is proved by what the two Imaams, Al-Bukhaaree and Muslim, and others reported on the authority of `A'isha (May Allaah be pleased with her) who said: **“Hind said: ‘O Messenger of Allaah! Aboo Sufyaan is a stingy man, he does not provide for me and for my children sufficiently except what I take from his property without his**

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knowledge’. The Messenger (May the *peace and blessings of Allaah be upon him*) said: **‘Take what suffices you and your children reasonably’**”¹

However, it is worth mentioning that the wife deserves the expenses only if she does not refuse to give herself to him, so that he enjoys her. So if she refuses, sleeps alone and keeps away when he asks for her, she is then sinful. This is on one hand, on another hand, she will not deserve the expenses, because [in this case] she refuses to give herself to him without any valid excuse. In fact, the Messenger (May the *peace and blessings of Allaah be upon him*) got married with `A'ishah (May Allaah be pleased with her) two years before consummating the marriage; during that period, he had not provided for her expenses until he consummated the marriage.

However, the husband is required to keep expending for the children.

This being said, it should be mentioned – also – that what this woman suffers from is not but a sample of what happens in this society, where the whole majority of men are neglectful of the matters of their religion and their affairs. Otherwise, people’s moods and morals are different; the sagacious and intelligent woman in these situations gives the rights of her husband, which are duties upon her, obeys him in good while asking – after soliciting the help of Allaah – those to whom her husband might listen and might influence him among his relatives and the men of his area, in order to lead him to the right conduct and correct his [potential] deviations. In addition, the woman should try to get affection, mercy and happiness by taking the way of victory and success, which consist in endurance, forgiveness and patience. This is the recommendation of Allaah (May He be Exalted the Most High) in the following verse:

﴿فَاعْفُوا وَاصْفَحُوا حَتَّىٰ يَأْتِيَ اللَّهُ بِأَمْرِهِ﴾

The meaning of the verse:

﴿But forgive and overlook, till Allaah brings His Command.﴾

[Al-Baqarah (The Cow): 109]

Allaah (He, The Most High) also says:

﴿ادْفَعْ بِالَّتِي هِيَ أَحْسَنُ فَإِذَا الَّذِي بَيْنَكَ وَبَيْنَهُ عَدَاوَةٌ كَأَنَّهُ وَلِيٌّ حَمِيمٌ﴾

The meaning of the verse:

﴿Repel (the evil) with one which is better (i.e. Allaah orders the faithful believers to be patient at the time of anger, and to excuse those who treat them badly) then verily he,

¹ Reported by Al-Bukhaaree, chapter of “Expenses” (hadeeth 5364), by Muslim, chapter of “Judgments” (hadeeth 4574), by Abou Daawood, chapter of “Rent” (3534), by An-Nasaa’ee, chapter of “Judgments” (hadeeth 4537), by Ibn Maajah, chapter of “Commerces” (hadeeth 2381) and by Ahmad (hadeeth 248454), on the authority of `A'isha (May Allaah be pleased with her).

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between whom and you there was enmity, (will become) as though he was a close friend. ﴿

[Fussilat (The Detailed Verses): 34]

And He says:

﴿وَجَعَلْنَا بَعْضَكُمْ لِبَعْضٍ فِتْنَةً أَنْتُمْ وَكَانَ رَبُّكَ بِصِيرًا﴾

The meaning of the verse:

﴿And We have made some of you as a trial for others: will you have patience? And your Lord is Ever All-Seer (of everything).﴾

[Al-Furqaan (The Criterion): 20]

Allaah (He, The Most High) says:

﴿وَلَمَنْ صَبَرَ وَعَفَرَ إِنَّ ذَلِكَ لَمِنْ عَزْمِ الْأُمُورِ﴾

The meaning of the verse:

﴿And verily, whosoever shows patience and forgives, that would truly be from the things recommended by Allaah.﴾

[Ash-Shoora (The Consultation): 43]

We hope that there is in these clear verses what cheers you up. This woman should show patience sincerely for the sake of Allaah, in order to be rewarded, as Allaah (He, The Most High) says it:

﴿وَالَّذِينَ صَبَرُوا ابْتِغَاءَ وَجْهِ رَبِّهِمْ﴾

The meaning of the verse:

﴿... And those who remain patient, seeking their Lord's Countenance﴾

[Ar-Raa`d (The Thunder): 22]

Difficulty is the cause of affliction; everyone of the two misses patience, and the fruits of enduring difficulty are victory, relief and ease; the Messenger (May the peace and blessings of Allaah be upon him) says: "...And know that victory accompanies patience, that relief accompanies affliction and that after every difficulty there is ease."²

This is all from the abundant mercy of Allaah (May He be Exalted the Most High), Who says:

² Reported by Al-Khateeb in At-Taareekh (10/287), Ad-Daylami (4/11-112), on the authority of Anas Ibn Maalik (May Allaah be pleased with him). It is also reported by Ahmad (hadeeth 2857), on the authority of Ibn `Abbaas (May Allaah be pleased with them both). See As-Silsilah As-Saheehah (hadeeth 2382).

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﴿سَيَجْعَلُ اللَّهُ بَعْدَ عُسْرٍ يُسْرًا﴾

The meaning of the verse:

﴿Allaah will grant after hardship ease.﴾

[At-Talaaq (The Divorce) : 7]

And He says:

﴿فَإِنَّ مَعَ الْعُسْرِ يُسْرًا. إِنَّ مَعَ الْعُسْرِ يُسْرًا﴾

The meaning of the verse:

﴿Verily, along with every hardship is relief (i.e. there is one hardship with two reliefs, so one hardship cannot overcome two reliefs).﴾

[Ash-Sharh (The Opening Forth): 5-6]

The perfect knowledge belongs to Allaah (*Mighty and Majestic is He*). Our last prayer is all praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon our Prophet, his Family, his Companions and Brothers till the Day of Resurrection.

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